

NORTH LINCOLNSHIRE COUNCIL

DEPUTY LEADER

**BARTON UPON HUMBER NEIGHBOURHOOD PLAN – DESIGNATION OF
NEIGHBOURHOOD AREA**

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To inform the Cabinet Member about the outcome of the six-week consultation into Barton Town Council's application to have their area formally designated for the purpose of preparing a Neighbourhood Plan.
- 1.2 To seek the Cabinet Member's approval to formally designate Barton Town Council's area for the purpose of preparing a Neighbourhood Plan and publicise the designation.

2. BACKGROUND INFORMATION

- 2.1 The Localism Act 2011 introduced new opportunities for local communities to get involved in planning their areas by preparing neighbourhood plans, neighbourhood development orders, and community right to build orders. The Act and associated neighbourhood planning regulations give town/parish councils and neighbourhood forums powers to shape and encourage delivery of new development.
- 2.2 The local planning authority is under a duty to support and is obliged by law to help people draw up their neighbourhood plans. The Place Planning and Housing team has met the Town Council and members of the local community to explain the neighbourhood planning process and help residents decide if a neighbourhood plan should be pursued.
- 2.3 Before town/Town councils or neighbourhood forums can begin the work of preparing a Neighbourhood Plan they must apply to have the area they wish the plan to cover to be formally designated.
- 2.4 The Council is responsible for receiving and determining applications for the designation of a neighbourhood area. The Neighbourhood Planning (General) Regulations 2012 prescribe time limits for the determination of a neighbourhood area application. They require the Council to advertise the application for a consultation period of not less than six weeks. All

representations received must then be considered and a recommendation made to either designate or to not designate the neighbourhood area.

- 2.5 Once the application for designation is publicised and comments invited a decision must be issued within 13 weeks. Thereafter, the Council is required to publicise the designation. If the Council fails to determine the application within 13 weeks it must designate the area as a neighbourhood area.
- 2.6 Barton Town Council wishes to prepare a Neighbourhood Plan and submitted an application on 9 October 2019 to have its area formally designated for this purpose. The application was published and publicised for the required six-week period to allow comments to be made. The six-week period ran until 27 March 2020. Comments were invited by email and letter, and respondents could also reply via a Survey Monkey link on the Council website.
- 2.7 Three questions were asked as part of the consultation:
- 1) Do you think the area proposed by Barton Town Council is a suitable Neighbourhood Area?
 - 2) Do you think the boundary of the proposed Neighbourhood Area should be changed?
 - 3) Do you have any other comments on the Neighbourhood Area Application?
- 2.8 Comments were received from 5 organisations and individuals. All comments were received via email, and a full report of these comments can be found in Appendix 1.
- 2.9 There were no responses that directly relate to either the first question or to the second question.
- 2.10 There were no negative comments to the third question. Consultation bodies provided information relating to, for example:
- how new development will provide opportunities for people to lead healthy lifestyles and create healthy communities; and
 - good practice in the management of the historic environment.

3. OPTIONS FOR CONSIDERATION

- 3.1 There are two options for consideration:
- 3.2 **Option 1** – formally designate the Barton upon Humber Neighbourhood Area and publicise the designation.
- 3.3 **Option 2** – do not formally designate the Barton upon Humber Neighbourhood Area.

4. ANALYSIS OF OPTIONS

- 4.1 **Option 1** would ensure that the Council meets its duties under the Localism Act and the Neighbourhood Planning Regulations to formally designate the neighbourhood area. It would also allow the Council to discharge its duty to support communities wishing to undertake a neighbourhood plan.
- 4.2 Following designation, a decision document will be issued to the Town Council and a formal notice will appear on local notice boards and on the North Lincolnshire Council website.
- 4.3 Based on the consultation responses there is no reason why the proposed neighbourhood area should not be formally designated. This is the preferred option.
- 4.4 **Option 2** would mean that the Council would not meet its duties under the Localism Act and the Neighbourhood Planning Regulations to formally designate the neighbourhood area. It would also mean that the Council would not discharge its duty to support communities wishing to undertake neighbourhood planning.
- 4.5 Furthermore, it would delay Barton Town Council in the timely preparation of its Neighbourhood Plan. If the Council fails to determine the application within 13 weeks it must designate the area as a neighbourhood area.

5. FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)

Financial

- 5.1 The Council can submit bids to the Ministry of Housing, Communities and Local Government (MHCLG) for funding assistance. This is intended to cover its costs in terms of some aspects of neighbourhood planning including providing advice and assistance to local communities. Local planning authorities can now claim £20,000 once they have set a date for a referendum following a successful examination.
- 5.2 The neighbourhood planning process includes the requirement for an independent examination of the plan and for a referendum that ensures the community has a final say on whether a neighbourhood plan is adopted. These should be organised and paid for by the local authority.
- 5.3 The 2018-22 Neighbourhood Planning Support Programme aims to continue delivering support to communities who are interested in creating a neighbourhood plan. Community groups are able to access a range of free help including financial support and latest planning expertise from trained professionals to guide them through the process of preparing a neighbourhood plan.

- 5.4 Financial assistance is available in the form of grants of up to £9,000 to help them with their costs. In addition, groups in certain priority areas are eligible to apply for a further £8,000 grant funding and technical support packages.
- 5.5 Also, towns with a neighbourhood plan are eligible to receive up to 25% of any Community Infrastructure Levy (CIL) monies arising from development in their area.

Staffing

- 5.6 The Place Planning and Housing team will provide the staffing resources required for supporting the neighbourhood planning process. Officers in Legal and Democratic Services will organise and administer the referendum that will determine whether a neighbourhood plan is to form part of the development plan.
- 5.7 There are no further resource implications.

6. OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)

- 6.1 There are no implications for decisions on crime and disorder arising from the implementation of recommendations in this report.
- 6.2 There are no equalities issues arising from the implementation of recommendations in this report. However, as the neighbourhood plan develops, all sections of the local community will be encouraged to shape the contents of the plan.
- 6.3 Development of a neighbourhood plan in Barton upon Humber will, through community involvement, participation and engagement, potentially contribute towards all three Council priorities as set out in the Council Plan.
- 6.4 There are no environmental implications and significant risks arising from the implementation of recommendations in this report. However, as the neighbourhood plan develops it will seek to protect the environment and integrate environmental considerations with a view to promoting sustainable development.

7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

- 7.1 An integrated impact assessment has been completed and no issues of concern are apparent.

8. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

- 8.1 Based on the positive responses to the questions set as part of the consultation exercise there is no reason why the proposed neighbourhood area should not be formally designated.
- 8.2 The Place Planning and Housing team has met Barton Town Council and members of the local community as part of awareness-raising and to explain the neighbourhood planning process. The local community is keen to develop a Plan.

9. RECOMMENDATIONS

- 9.1 That the Cabinet Member notes the contents of this report.
- 9.2 That the Cabinet Member endorses the approach set out in Option 1 of this report to formally designate the Barton upon Humber Neighbourhood Area and publicise the designation.

DIRECTOR: BUSINESS DEVELOPMENT

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Date: 1 April 2020

Background papers used in the preparation of this report:

- Town and Country Planning Act 1990
- Localism Act 2011
- The Neighbourhood Planning (General) Regulations 2012 (as amended)
- Responses to six-week consultation into Barton Town Council's application to have their area formally designated for the purposes of preparing a Neighbourhood Plan

Appendix 1 – Barton upon Humber Neighbourhood Area Consultation Responses

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| RESPONDENT #1 |
| Sport England (via email 18/02/2020) |
| Question 1: Do you think the area proposed is a suitable Neighbourhood Area? |
| N/A |
| Question 2: Do you think the boundary of the proposed Neighbourhood Area should be changed? (if yes, please state why) |
| N/A |
| Question 3: Do you have any other comments on the Area Application? |
| <p>Government planning policy, within the National Planning Policy Framework (NPPF), identifies how the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Encouraging communities to become more physically active through walking, cycling, informal recreation and formal sport plays an important part in this process. Providing enough sports facilities of the right quality and type in the right places is vital to achieving this aim. This means that positive planning for sport, protection from the unnecessary loss of sports facilities, along with an integrated approach to providing new housing and employment land with community facilities is important.</p> <p>It is essential therefore that the neighbourhood plan reflects and complies with national planning policy for sport as set out in the NPPF with particular reference to Pars 96 and 97. It is also important to be aware of Sport England’s statutory consultee role in protecting playing fields and the presumption against the loss of playing field land. Sport England’s playing fields policy is set out in our Playing Fields Policy and Guidance document.</p> <p>https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#playing_fields_policy</p> |

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| RESPONDENT #2 |
| Nottinghamshire County Council (via email 18/02/2020) |
| Question 1: Do you think the area proposed is a suitable Neighbourhood Area? |
| N/A |
| Question 2: Do you think the boundary of the proposed Neighbourhood Area should be changed? (if yes, please state why) |
| N/A |
| Question 3: Do you have any other comments on the Area Application? |
| At this time, the County Council does not have any comments to make. |

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| RESPONDENT #3 |
| Highways England (via email 19/02/2020) |
| Question 1: Do you think the area proposed is a suitable Neighbourhood Area? |
| N/A |
| Question 2: Do you think the boundary of the proposed Neighbourhood Area should be changed? (if yes, please state why) |
| N/A |
| Question 3: Do you have any other comments on the Area Application? |
| We have noted that Barton Upon Humber Neighbourhood Area is approximately 6 km from the Strategic Road Network [SRN] (A180 at A15). It is, therefore, unlikely that Barton Upon Humber Neighbourhood Area will have an adverse effect on the SRN. Highways England, therefore, have no adverse comments to make about the designation of Barton Upon Humber Parish as a Neighbourhood Area. |

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| RESPONDENT #4 |
| Historic England (via email 19/02/2020) |
| Question 1: Do you think the area proposed is a suitable Neighbourhood Area? |
| N/A |
| Question 2: Do you think the boundary of the proposed Neighbourhood Area should be changed? (if yes, please state why) |
| N/A |
| Question 3: Do you have any other comments on the Area Application? |
| <p>The proposed neighbourhood plan area contains a varied range of designated heritage assets details of which can be found in the National Heritage List for England (NHLE): <https://historicengland.org.uk/listing/the-list/></p> <p>Some of these assets may be “At Risk” and these are listed in the National Heritage at Risk Register: <https://historicengland.org.uk/advice/heritage-at-risk/></p> <p>The Local Authority will hold details of any designated conservation areas within the Plan area.</p> |

Due account should be taken of the conservation of all of these assets and their settings in formulating the neighbourhood plan proposals. Consideration should also be given to the protection of undesignated heritage assets including farmsteads and archaeological remains (both known and potential) within the Parish. Many of these will be recorded in the Council's Historic Environment Record (HER) which should be consulted.

Should you wish to discuss any points within this letter, or if there are issues about this Neighbourhood Plan Area where the historic environment is likely to be of particular interest, please do not hesitate to contact me.

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| RESPONDENT #5 |
| Anglian Water (via email 18/02/2020) |
| Question 1: Do you think the area proposed is a suitable Neighbourhood Area? |
| N/A |
| Question 2: Do you think the boundary of the proposed Neighbourhood Area should be changed? (if yes, please state why) |
| N/A |
| Question 3: Do you have any other comments on the Area Application? |
| We have no comments to make at this time. However, if the Neighbourhood Plan progresses we would welcome the opportunity to make representations on draft stages on any aspects relevant to Anglian Water. |
| To assist Parish/Town Councils preparing neighbourhood plans in our company area we have produced a guidance note. The Guidance Note is available to view on our website. |