

North Yorkshire Council

Thirsk and Malton Area Constituency Planning Committee

18 May 2023

Terrington Neighbourhood Area Designation

Report of the Assistant Director of Planning – Community Development Services

1.0 PURPOSE OF REPORT

- 1.1 For Members to approve the Neighbourhood Plan boundary application and to confirm the designation of the Terrington Neighbourhood Plan Area.

2.0 BACKGROUND

- 2.1 Terrington Parish Council is looking to prepare a Neighbourhood Plan for the area covered by the Parish. On 24 March 2023 an application was submitted by the Parish Council for the designation of the parish as a 'Neighbourhood Area'. The designation of a Neighbourhood Area is a key initial step in the preparation of a Neighbourhood Plan and will enable the Parish to proceed with formal neighbourhood plan preparations. The letter received is attached as Annex A and a map of the proposed neighbourhood plan area boundary is attached as Annex B.
- 2.2 The power to designate an area as a Neighbourhood Area is exercisable under section 61G of the Town and Country Planning Act 1990 – introduced by the Localism Act 2011. Under the Neighbourhood planning (General) Regulations 2012 an area application must include a map which identifies the proposed neighbourhood boundary, a statement explaining why the area is considered appropriate to be designated as a neighbourhood area, and a statement that the body making the area application qualify as a relevant body for the purposes of section 61G (2) of the 1990 Act.
- 2.3 Terrington Parish Council is the relevant body (for the purposes of section 61G (2) of the Town and Country Planning Act 1990).
- 2.4 Officers have considered the submission and have concluded that the application complies with the Regulations.
- 2.5 In accordance with the legislation, the proposed Neighbourhood Area was formally publicised on 24 April 2023.
- 2.6 The proposed neighbourhood area submission matches exactly with the existing parish boundary. Whilst the legislation requires publicity of the submission, Members should note that where a proposed Neighbourhood Area aligns with the area of a Parish, the legislation requires the Local Planning Authority to designate the Neighbourhood Area within eight weeks of the submission first being publicised. The Local Planning Authority is therefore obliged to make the designation by 16 June 2023.

3.0 CONSULTATION UNDERTAKEN AND RESPONSES

- 3.1 On 24 April 2023, the Council publicised the Neighbourhood Area application received from Terrington Parish Council, as required by the Neighbourhood Planning (General)

(amendment) Regulations 2015. Alongside this the Local Planning Authority notified relevant stakeholders of the submission. Any comments received will be shared with the Qualifying Body.

4.0 CONTRIBUTION TO COUNCIL PRIORITIES

4.1 Neighbourhood Plan preparation links to the Council's priorities on caring for the environment and providing a special place to live. Neighbourhood Plans, once formally 'made' will form part of the Development Plan for the area. Support for the preparation of Neighbourhood Plans directly reflects the Council's priority of locality working.

5.0 FINANCIAL IMPLICATIONS

5.1 There is no cost associated with neighbourhood area designation, only the amount of Officer time involved, which is minimal at this stage. However, the Council will incur further costs with the subsequent preparation of the neighbourhood plan. This will mainly be through Officer time supporting preparation of the neighbourhood plan. However, at later stages, the costs of an examination and local referendum will need to be met.

5.2 At the point when a neighbourhood plan is adopted there will also be implications in terms of the Community Infrastructure Levy (CIL). Once a Neighbourhood Plan is formally in place 25% (rather than 15%) of CIL payments for eligible developments within the neighbourhood plan area must be transferred to the parish to spend on their infrastructure projects. However, the CIL income expected to be generated in the Parish is anticipated to be relatively limited, although it is possible that additional development will come forward as a result of the Neighbourhood Plan and may result in additional CIL.

6.0 LEGAL IMPLICATIONS

6.1 The legal requirements under The Neighbourhood Planning (General) Regulations 2012 have been complied with to date.

6.2 The legislation stipulates that: when the boundary of the Neighbourhood Area applied for reflects the whole of the area of a parish council, the Local Planning Authority is legally obliged to designate the area within eight weeks and one day of the application being first publicised. The Council is therefore obliged to make the designation by 16 June 2023.

7.0 EQUALITIES IMPLICATIONS

7.1 Equalities matters have been considered however there are no issues associated with this report given it covers an established parish boundary.

8.0 CLIMATE CHANGE IMPLICATIONS

8.1 Climate change implications have been considered however there are no issues associated with this report given it designates a Neighbourhood Plan Area.

9.0 POLICY IMPLICATIONS

9.1 Once a Neighbourhood Plan has progressed through the stages of production and is formally 'made' it will form part of the statutory Development Plan and will have weight in the decision-making process.

10.0 RISK MANAGEMENT IMPLICATIONS

10.1 There are no significant risks associated with the report's recommendation.

11.0 CONCLUSIONS

11.1 At this stage, the requirement to designate the Neighbourhood Area has no direct implications for the Council.

12.0 REASONS FOR RECOMMENDATIONS

12.1 As stated within the report the legalisation is very clear. The Council (as Local Planning Authority) is required to designate the proposed neighbourhood area in this instance as the boundary matches that of the existing parish council area.

13.0 RECOMMENDATION

That Members of the Committee approve the formal designation of the Neighbourhood Area as submitted by Terrington Parish Council.

APPENDICES:

Appendix A and B –
(attached)

Trevor Watson
Assistant Corporate Director – *Planning*
County Hall
Northallerton
9th May 2023

Report Author – *Lizzie Phippard, Planning Officer*
Presenter of Report – *Lizzie Phippard, Planning Officer*

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.