

OFFICER DELEGATED DECISION: REPORT TO HEAD OF SERVICE

DECISION TO BE TAKEN BY: Mark Williets, Head of Development & Growth

REPORT AUTHOR: Karen Sinclair, Planning Policy & Partnerships Service Manager

REPORT NO. PLA998

DATE: 19th June 2013

SUBJECT OF DELEGATED DECISION:	Designation of a Neighbourhood Area: Baston
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PRIORITY THEME:	Grow the Economy, Good Housing for All, Promote Leisure, Arts and Culture, Clean, Green & Healthy	
CRIME AND DISORDER IMPLICATIONS:	None	
FREEDOM OF INFORMATION ACT IMPLICATIONS:	This report is publicly available via the Neighbourhood Plans page of the Council's website: www.southkesteven.gov.uk	
INITIAL EQUALITY IMPACT ASSESSMENT	Carried out and appended to report? Not Applicable	Full impact assessment required? Not Applicable
BACKGROUND PAPERS:	The Localism Act 2011 (http://www.legislation.gov.uk/ukpga/2011/20/contents) The Neighbourhood Planning (General) Regulations 2012 (http://www.legislation.gov.uk/uksi/2012/637/contents/made) Application from Baston Parish Council http://www.southkesteven.gov.uk/index.aspx?articleid=4553	

(1) PURPOSE OF REPORT

To consider an application from Baston Parish Council to designate a Neighbourhood Area covering the Parish of Baston.

(2) RECOMMENDATION

The designation of a Neighbourhood Area covering the Parish of Baston is approved.

(3) REASONS FOR RECOMMENDATION(S)

- 3.1 The Localism Act 2011 (the Act) introduces neighbourhood planning as a new way for communities to help shape future development in their area. One of the types of Neighbourhood Planning that has been introduced is Neighbourhood Development Plans (NDP), which set out policies for the development and use of land in a particular area. If a NDP has successfully passed all stages of preparation including an examination and referendum the LPA must adopt it as part of the Development Plan for their area.
- 3.2 The Act and the Neighbourhood Planning (General) Regulations 2012 (the Regulations) set out specific requirements to be met as part of the preparation of a Neighbourhood Plan and confer specific functions on local planning authorities (LPA) in respect of certain decisions to be taken.
- 3.3 One of these decisions relates to the determination of applications to designate a Neighbourhood Area. The designation of a Neighbourhood Area is the first formal step for parish councils wishing to undertake neighbourhood planning in their area
- 3.4 An application to designate a Neighbourhood Area covering Baston Parish has been received from the Parish Council as they intend to prepare a NDP. In determining an application to designate a Neighbourhood Area, LPAs must have regard to the following matters as set out in the Act:
1. Is the organisation making the application a relevant body (as prescribed by the Act this must be a Parish Council or, in unparished areas, a designated Neighbourhood Forum)
 2. Is the area identified for designation as a neighbourhood area considered appropriate (where the applicant is a Parish Council, the area identified could include the whole or any part of the Parish)
 3. Would the area more appropriately be designated a business area i.e. the area is wholly or predominately in business use
 4. Does the area overlap with another designated area
 5. Comments received during the public consultation
- 3.5 The application received from Baston Parish Council has been considered against the above matters:
1. As a Parish Council, Baston Parish Council qualifies as a relevant body to make an application
 2. The area proposed to be designated consists of the whole of the Parish. In their application, the Parish Council state that they consider this to be an appropriate area to be designated as it would allow the parish a say in how they would like to see Baston develop in the future. The rural nature of the Parish is such that it is considered it would be appropriate for the whole Parish to be designated a Neighbourhood Area
 3. The area proposed for designation cannot be described as being wholly or predominately in business use and, therefore, it would be inappropriate to designate the area as a business area

4. There are no other currently designated areas in South Kesteven for any overlap of designated areas to occur.
 5. The application was advertised in accordance with the Regulations for a period of six weeks by being made available on the Council's website. In addition a public notice was placed in the local press and all Parish Councils immediately adjoining Baston Parish were notified. There were no responses received during the consultation period.
- 3.6 The Portfolio Holder (Grow the Economy) and Ward Members have been consulted on the application in accordance with the agreed scheme of delegation. The Portfolio Holder has no objection to the application. One of the Ward Members advised that as the Parish Clerk it would be inappropriate for her to comment on the application; the other Ward Member has not responded.
- 3.7 An application to designate a Neighbourhood Area can be refused if the criteria set out in the Act are not met. It is considered that, considering the application against the criteria, there is no apparent reason to justify the application being refused.
- 3.8 The costs associated with the designation process have been met from this year's planning policy budget and will be reclaimed from the grant funding currently available to local planning authorities from central Government for Neighbourhood Planning.

(4) **OFFICER CONTACT**

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(5) **DATE DECISION EFFECTIVE:**

As dated on record of decision

