

Report of Chief Planning Officer

Report to Chief Planning Officer

Date: 12 September 2012

Subject: Designation of neighbourhood areas in Outer East and Outer North East

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| Are specific electoral Wards affected? If relevant, name(s) of Ward(s): Harewood, Wetherby, Kippax & Methley | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Are there implications for equality and diversity and cohesion and integration? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Is the decision eligible for Call-In? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number: | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

Summary of main issues

1. The Localism Act 2011 gives local communities the power to prepare their own neighbourhood plans which will allow local communities to have more of a say on planning decisions and what new development should look like.
2. The first stage in the preparation of a neighbourhood plan is the designation of a neighbourhood area and ten applications have been received from parish and town council areas.
3. There are some minor boundary issues that will require neighbouring parishes to work closely together in the preparation of their plans. These issues are pointed out in this report
4. No issues have been raised during advertisement and consultation.

Recommendations

5. It is recommended that the Chief Planning officer designates Walton, Linton, Bardsey, Thorp Arch, Wetherby, Bramham, Boston Spa, Clifford, Shadwell and Kippax as neighbourhood areas.

1. Purpose of this report

1.1 This report outlines the background information relevant to the designation of neighbourhood areas, the duties that the Council has in making designations and the consultations undertaken and recommendations that Walton, Linton, Bardsey, Thorp Arch, Wetherby, Bramham, Boston Spa, Clifford, Shadwell and Kippax areas are designated as neighbourhood areas.

2. Background information

2.1 The Localism Act 2011 devolves some planning powers to town and parish councils and neighbourhood forums. The preparation of a neighbourhood plan is the cornerstone of this change and there has been a significant level of interest from communities throughout Leeds. The parish and town councils covered in this report have all put forward their existing parish/town council areas as the appropriate area to be designated.

2.2 Section 61G of the Town and Country Planning Act 1990 (added by the Localism Act) and the Neighbourhood Planning (General) Regulations 2012 outline the Council's responsibilities for the designation of neighbourhood areas. For applications made for designation of a neighbourhood area the Council is required to publicise and to bring the application to the attention of people who live, work or carry on business in the area for which the application relates.

2.3 It was agreed at Executive Board on 20 June 2012 that prior to the designation of neighbourhood areas the Council would do the following:

- Advertise the application in a local newspaper and bring the application to the attention of those who live, work and do business in the area;
- Consider representations received;
- Consult with the Executive Board Member for Neighbourhoods, Planning and Support Services, Area Committee chairs and local ward members on the proposed designations.

2.4 The applications for Walton, Linton, Bardsey, Thorp Arch, Wetherby, Bramham and Scholes, Boston Spa and Clifford were advertised in the Wetherby News and the applications for Shadwell and Kippax were advertised in the Yorkshire Evening Post. In some cases parish councils undertook additional publicity, mainly through parish meetings/word of mouth.

2.5 Comments were invited on the applications and the following was placed on the Council's website as required by Neighbourhood Planning (General) Regulations 2012:

- A map which identifies the area to which the application relates;
- A statement explaining why this area is considered appropriate to be designated as a neighbourhood area; and;

- A statement that the organisation or body making the area application is a relevant body for the purposes of section 61G of the Town and Country Planning Act 1990.

2.6 No representations were received on any of the applications during the 6 week consultation period.

2.7 The Executive Member for Neighbourhood, Planning and Support Services, the Chair of Outer North East Area Committee and Ward Members for Harewood and Wetherby were consulted and support the applications.

3. Main issues

3.1 The Act requires local authorities when determining applications 'to have regard to the desirability of designating the whole of the area of a parish council as a neighbourhood area, and the desirability of maintaining the existing boundaries of areas already designated as neighbourhood areas' (S61(G)(4)). Therefore, the presumption is that councils will designate neighbourhood areas based on existing parish and town council boundaries unless there is a valid planning reason not to do so. In this respect it is for the Council to ensure that neighbourhood areas are coherent, consistent and appropriate. As well as taking on board any comments received during consultation other factors for the Council to consider include:

- Any natural or man-made features (such as rivers, roads, railway lines or canals);
- Catchment areas for current or planned infrastructure;
- Development proposals and allocations;
- Environmental designations.

3.2 There are only minor boundary 'anomalies' in relation to a designations recommended in this report and it will be important that neighbouring parishes work together on their neighbourhood plan to make sure that it joined-up and complimentary.

3.3 The recommended neighbourhood area boundary is shown on Plan 1. The minor boundary issues are as follows:

3.4 Bardsey Cum Rigton

3.4.1 Bardsey Cum Rigton Parish Council have applied for Bardsey Cum Rigton Parish to be designated a neighbourhood area. This area includes approximately 50+ homes that lie within Scarcroft (where neighbourhood area designation is pending).

3.4.2 The parish boundary also cuts through the Brandon Nursery main building, with the other half lying within Scarcroft parish.

Recommended neighbourhood area

- 3.4.3 It is recommended that the Bardsey Cum Rigton parish is designated a neighbourhood area and that Bardsey-Cum-Rigton Parish Council work closely with neighbouring Scarcroft Parish Council to ensure that their neighbourhood plans are joined-up and complementary.

3.5 Bramham Cum Oglethorpe

- 3.5.1 Bramham Cum Oglethorpe Parish Council have applied for Bramham Cum Oglethorpe Parish to be designated a neighbourhood area. This area includes 5 dwellings which lie within Bramham parish but form part of Clifford functionally.

Recommended neighbourhood area

- 3.5.2 It is recommended that the Bramham Cum Oglethorpe parish is designated a neighbourhood area and that Bramham Cum Oglethorpe Parish Council works closely with neighbouring Clifford Parish Council to help ensure that their neighbourhood plans are joined-up and complementary.

3.6 Boston Spa

- 3.6.1 Boston Spa Parish Council have applied for Boston Spa parish to be designated a neighbourhood area. The parish includes approximately 60 dwellings that form part of Clifford.

- 3.6.2 It is recommended that Boston Spa parish is designated a neighbourhood area and that Boston Spa Parish Council works closely with neighbouring Clifford Parish Council to help ensure that their neighbourhood plans are joined-up and complementary.

3.7 Clifford

- 3.7.1 Clifford Parish Council have applied for Clifford Parish to be designated a neighbourhood area. This area includes 5 dwellings which lie within Bramham Cum Oglethorpe parish but form part of Clifford, as well as approximately 60 dwellings which lie within Clifford parish but function as part of Boston Spa.

Recommended neighbourhood area

- 3.7.2 It is recommended that Clifford parish is designated a neighbourhood area and that Clifford Parish Council works closely with neighbouring Boston Spa and Bramham Cum Oglethorpe Parish Councils to help ensure that their neighbourhood plans are joined-up and complementary.

3.8 Kippax

- 3.8.1 Kippax Parish Council have applied for Kippax parish to be designated a neighbourhood area. This area includes approximately 90 dwellings that lie within Great and Little Preston parish.

Recommended neighbourhood area

3.8.2 It is recommended that Kippax Parish is designated a neighbourhood area and that Kippax Parish Council work closely with Great and Little Preston Parish Council to help ensure that their neighbourhood plans are joined-up and complementary.

3.9 Linton

3.9.1 Collingham with Linton Parish Council have applied for Linton (as shown on Plan 1) to be designated a neighbourhood area. The parish council have also outlined their intention to submit an application for the designation of Collingham as a neighbourhood area at a later date. This approach would result in a neighbourhood boundary that was coherent, consistent and appropriate.

3.9.2 There are a small number of properties on the south side of Sicklinghall Road that forms part of Wetherby, as shown on the attached plan.

Recommended neighbourhood area

3.9.3 It is recommended that Linton area, as shown in the attached plan, is designated a neighbourhood area and that Collingham with Linton Parish Council works closely with neighbouring Wetherby Town Council to help ensure that their neighbourhood plans are joined-up and complementary.

3.10 Shadwell

3.10.1 Shadwell Parish Council have applied for Shadwell parish to be designated a neighbourhood area. This area includes an area of residential Alwoodley as shown on the Plan 1. There are two neighbouring parishes that are preparing a neighbourhood plan - Scarcroft Parish (application made) and Alwoodley Parish (application pending).

Recommended neighbourhood area

3.10.2 It is recommended that Shadwell parish is designated a neighbourhood area and that Shadwell Parish Council works closely with Scarcroft Parish Council and Alwoodley Parish Council to help ensure that neighbourhood plans are joined-up and complementary.

3.11 Thorp Arch

3.11.1 Thorp Arch Parish Council have applied for Thorp Arch Parish to be designated a neighbourhood area. Although the Thorp Arch Trading Estate lies within both Thorp Arch and Walton parish it is not considered that any boundary change is necessary.

Recommended neighbourhood area

3.11.2 It is recommended that Thorp Arch parish is designated a neighbourhood area and that Thorp Arch Parish Council works closely with Walton Parish Council to help ensure that their neighbourhood plans are joined-up and complementary.

3.12 Walton

- 3.12.1 Walton Parish Council have applied for Walton parish to be designated a neighbourhood area. The Thorp Arch Trading Estate lies within both Walton and Thorp Arch parish areas but it is not considered that any boundary change is necessary.

Recommended neighbourhood area

- 3.12.2 It is recommended that Walton parish is designated a neighbourhood area and that Walton Parish Council works closely with Thorp Arch Parish Council to help ensure that neighbourhood plans are joined-up and complementary.

3.13 Wetherby

- 3.13.1 Wetherby Town Council have applied for the administrative area for Wetherby Town Council to be designated a neighbourhood area. There are a number of properties on the south side of Sicklinghall Road that lie within Collingham-with-Linton parish (see Plan 1) but it is not proposed that any boundary adjustment is necessary.

Recommended neighbourhood area

- 3.13.2 It is recommended that the Wetherby Town Council area is designated a neighbourhood area and that Wetherby Town Council works closely with Collingham-with-Linton Parish Council to help ensure that their neighbourhood plans are joined-up and complementary.

4. Corporate Considerations

The designation of a neighbourhood area is the first step in preparing a neighbourhood plan. The suggestions put forward in this report will assist local communities in the successful delivery of a neighbourhood plan.

4.1 Consultation and Engagement

- 4.1.1 The Executive Member for Planning, Neighbourhoods and Support Services, the Chair of Outer North East Area Committee and Ward members for Harewood support the applications for neighbourhood area designation.
- 4.1.2 The applications for Walton, Linton, Bardsey, Thorp Arch, Wetherby, Bramham and Scholes, Boston Spa and Clifford were advertised in the Wetherby News and the applications for Shadwell and Kippax were advertised in the Yorkshire Evening Post. In some cases parish councils undertook additional publicity, mainly through parish meetings/word of mouth. In addition the applications were placed on the Councils website for a period of 6 weeks where representations could be made online.
- 4.1.3 No representations were received to the applications for designation during the 6 week advertisement period.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 The Government has undertaken an Equalities Impact Assessment of the Localism Act in relation to neighbourhood planning (2011). The Council views the neighbourhood planning process as an opportunity to deliver equality, diversity, cohesion and integration objectives.

4.3 Council policies and City Priorities

4.3.1 Neighbourhood plans link well to all three of the Council's corporate priorities set out in the Vision for Leeds:

- Leeds will be fair, open and welcoming;
- Leeds' economy will be prosperous and sustainable;
- All Leeds communities will be successful.

4.4 Resources and value for money

4.4.1 It is the Council's responsibility to pay for the advertisement for designation and to also advertise when a designation is made. Dealing with a number of applications at once has significantly reduced the cost of advertisements.

4.5 Legal Implications, Access to Information and Call In

4.5.1 The Council will be responsible for ensuring that a neighbourhood plan has been produced in line with relevant legislation.

4.6 Risk Management

4.6.1 The examination and referendum process introduces risks in the neighbourhood planning system where the outcome will be dependant on the examiners recommendations and a public vote. The Council will seek to manage this risk by working closely with designated areas to ensure that their neighbourhood plans complete the independent successfully.

5. Conclusions

5.1 In designating neighbourhood area boundaries that are coherent, consistent and appropriate the Council will help ensure that the neighbourhood plans that are prepared by local communities have the best possible chance to address both planning and other issues that are important to local communities.

6. Recommendations

6.1 It is recommended that the Chief Planning Officer approves the designation of Walton, Thorp Arch, Wetherby, Bardsey, Shadwell, Bramham, Linton, Clifford, Boston Spa and Kippax as neighbourhood areas.

Following approval officers will:

- 1) Publish on the Council's website and advertise in the relevant local newspaper the name of the designated neighbourhood area, a map identifying the area and the name of the relevant body who applied for the designation;
- 2) Inform the parish and town councils once designations are made, offering a meeting to discuss and agree how the Council will support the designated areas to work towards a successful neighbourhood plan examination.

7. Background documents¹

7.1 None.

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.