

NORTH SOMERSET COUNCIL DECISION

DECISION OF: COUNCILLOR JAMES TONKIN. THE EXECUTIVE MEMBER FOR PLANNING, BUILDING CONTROL, HIGHWAYS AND TRANSPORT



WITH ADVICE FROM: THE DIRECTOR OF DEVELOPMENT AND ENVIRONMENT.

DECISION NO: 19/20 DE 139

SUBJECT: PORTISHEAD NEIGHBOURHOOD AREA APPROVAL

KEY DECISION: YES

REASON: The area applied for as the neighbourhood area covers more than one ward within Portishead parish.

BACKGROUND: Portishead Town Council submitted an application to North Somerset Council on 13 August 2019 for the designation of a neighbourhood area. This is a prerequisite to undertaking any form of neighbourhood planning within the parished area of Portishead.

The Neighbourhood Area application relates to the whole of the parish area. Under Regulation 5A of the Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016, which came into force on 1 October 2016, North Somerset Council does not need to undertake any local consultation prior to making the decision to approve the neighbourhood area.

Officers confirm that the application complies with the relevant regulations in that Portishead Town Council is the appropriate qualifying body, the application contains a map to show the proposed neighbourhood area and justification is given as to why the parish boundary is the appropriate boundary of the neighbourhood area. The application is available to view on the [Council's website](#).

DECISION:

That the designation of the Portishead Neighbourhood Area be made in accordance with Section 61G of the Town and Country Planning Act 1990 as amended for the purposes of Neighbourhood Planning.

REASONS: A local planning authority must designate a neighbourhood area if it receives a valid application, some or all of the area has not yet been designated and if the area applied for is the whole of the parish area (Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016. The designation of the neighbourhood area is a pre-requisite to producing a Neighbourhood Plan and undertaking any other neighbourhood planning in the parish area of Portishead. The whole of the Portishead Parish area is a logical area to designate and regulations encourage and facilitate a whole parish approach.

OPTIONS CONSIDERED: Regulations state that provided the application is made in accordance with the Regulations then the Local Planning Authority (LPA) must designate the Neighbourhood Area.

FINANCIAL IMPLICATIONS: There are no financial implications at this stage. As regulations now remove the requirement on the LPA to publicise the proposed area, there is no longer funding available to North Somerset for this stage in the plan making process. Funding is available to the LPA later in the Neighbourhood Plan making process through the Governments Neighbourhood Planning Grant mechanism once the Neighbourhood Plan has successfully passed examination and the LPA have resolved to hold a referendum. This is currently £20k.

Costs

No costs at this stage.

Funding

No funding at this stage.

LEGAL POWERS AND IMPLICATIONS

This is the first stage which the Parish Council as Qualifying Body need to go through in order to prepare a neighbourhood plan. It is the LPA's responsibility to designate the neighbourhood area under Section 61G of the Town and Country Planning Act 1990 as amended for the purposes of neighbourhood planning.

CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

There are no climate change and environmental implications of designating the neighbourhood area.

CONSULTATION

Changes to the Neighbourhood Planning Regulations mean that North Somerset Council no longer consults the local community in respect of the designation of the neighbourhood area where the proposed area is the parish boundary. There are regulations regarding consultation during the making of the neighbourhood plan itself and planning policy officers also (as a matter of course) involve officers from other teams in the preparation of the Parish Council's Neighbourhood Plan as necessary.

RISK MANAGEMENT

North Somerset Council must designate the neighbourhood area under regulation 5A of the Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016.

EQUALITY IMPLICATIONS

Have you undertaken an Equality Impact Assessment? Yes/ No
There are no equality issues involved in designating the neighbourhood area.

CORPORATE IMPLICATIONS

There are no cross-directorate implications at this stage. Officers from other areas of the council will be involved as necessary as the Parish prepare the neighbourhood plan itself.

APPENDICES

None

BACKGROUND PAPERS

Neighbourhood Area application letter.

SIGNATORIES:

DECISION MAKER(S):

Signed:  Executive Member for Planning, Building Control, Highways and Transport

Date: 16th Oct 2019

WITH ADVICE FROM:

Signed:  Director of Development and Environment

Date: 10/10/19

