

## **NORTH SOMERSET COUNCIL DECISION**

**DECISION OF:** COUNCILLOR MARK CANNIFORD. THE EXECUTIVE MEMBER FOR PLACEMAKING AND ECONOMY



**WITH ADVICE FROM:** THE DIRECTOR OF PLACE

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**DECISION NO:** 20/22 DP 143

**SUBJECT:** WRAXALL AND FAILAND NEIGHBOURHOOD AREA APPROVAL

**KEY DECISION:** NO

**REASON:** The neighbourhood area applies only to Wraxall and Failand parish

### **BACKGROUND:**

Wraxall and Failand Parish Council, via their planning consultants Tetra Tech submitted an application to North Somerset Council on 1 June 2021 for the designation of a neighbourhood area. Additional supporting information was requested by officers and received on 28 June. The designation of a neighbourhood area is a prerequisite to producing a neighbourhood plan and undertaking any other form of neighbourhood planning within the parished area of Wraxall and Failand.

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.

Where the neighbourhood area relates to a single parish then the Local Planning Authority must designate the area (Town and Country Planning Regulations 2012 5a), provided the correct information has been submitted as required by Regulation 5.

The required information is:-

- a map which identifies the area to which the area application relates (appendix 1)
- a statement that Wraxall and Failand Parish Council is the relevant body for the purposes of section 61G of the 1990 Town and Country Planning Act being the parish council for the entire area applied for.
- a statement explaining why this area is considered appropriate to be designated as a neighbourhood area (appendix 2), summarised as - the parish area and the two villages of Wraxall and Failand has a clear identity; using the parish boundary will promote ownership of the plan by parish residents; cross boundary issues with Nailsea and other adjacent parishes can be appropriately captured as the plan progresses and engagement on these has already been initiated.

**DECISION:**

That the designation of the Wraxall and Failand 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 Wraxall and Failand. The whole of the Wraxall and Failand 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. 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**

Appendix 1 Neighbourhood area application 1 June 2021  
Appendix 2 Supplementary supporting information 28 June 2021

**BACKGROUND PAPERS**

See appendices

SIGNATORIES:

DECISION MAKER(S):

Signed: ..... Executive Member for Placemaking and Economy

Date: .....

WITH ADVICE FROM:

Signed: .....Director of Place

Date: .....

## Appendix 1 neighbourhood area application 1 June 2021



Planning  
Policy, Post  
Point 15,  
North Somerset  
Council, Walliscote  
Grove Road, Weston-  
super-Mare North  
Somerset  
BS23 1UJ

1<sup>st</sup> June 2021

Dear Sir/Madam,

### **APPLICATION UNDER PART 2 (5) (1) OF THE NEIGHBOURHOOD PLANNING (GENERAL) REGULATIONS 2012 FOR THE DESIGNATION OF A NEIGHBOURHOOD AREA.**

Wraxall & Failand Parish Council has appointed Tetra Tech Planning to support it in the preparation of its Neighbourhood Development Plan.

On behalf of Wraxall & Failand Parish Council, I give notice that it wishes to make an application under Part 2 (5) (1) of The Neighbourhood Planning (General) Regulations 2012/2015 for the designation of a Neighbourhood Area for the Neighbourhood Development Plan.

The application is accompanied by a map (below) identifying the area to which the application relates, being the entire area of Wraxall & Failand Parish.

This area is considered appropriate to be designated as a neighbourhood area for the following reasons:

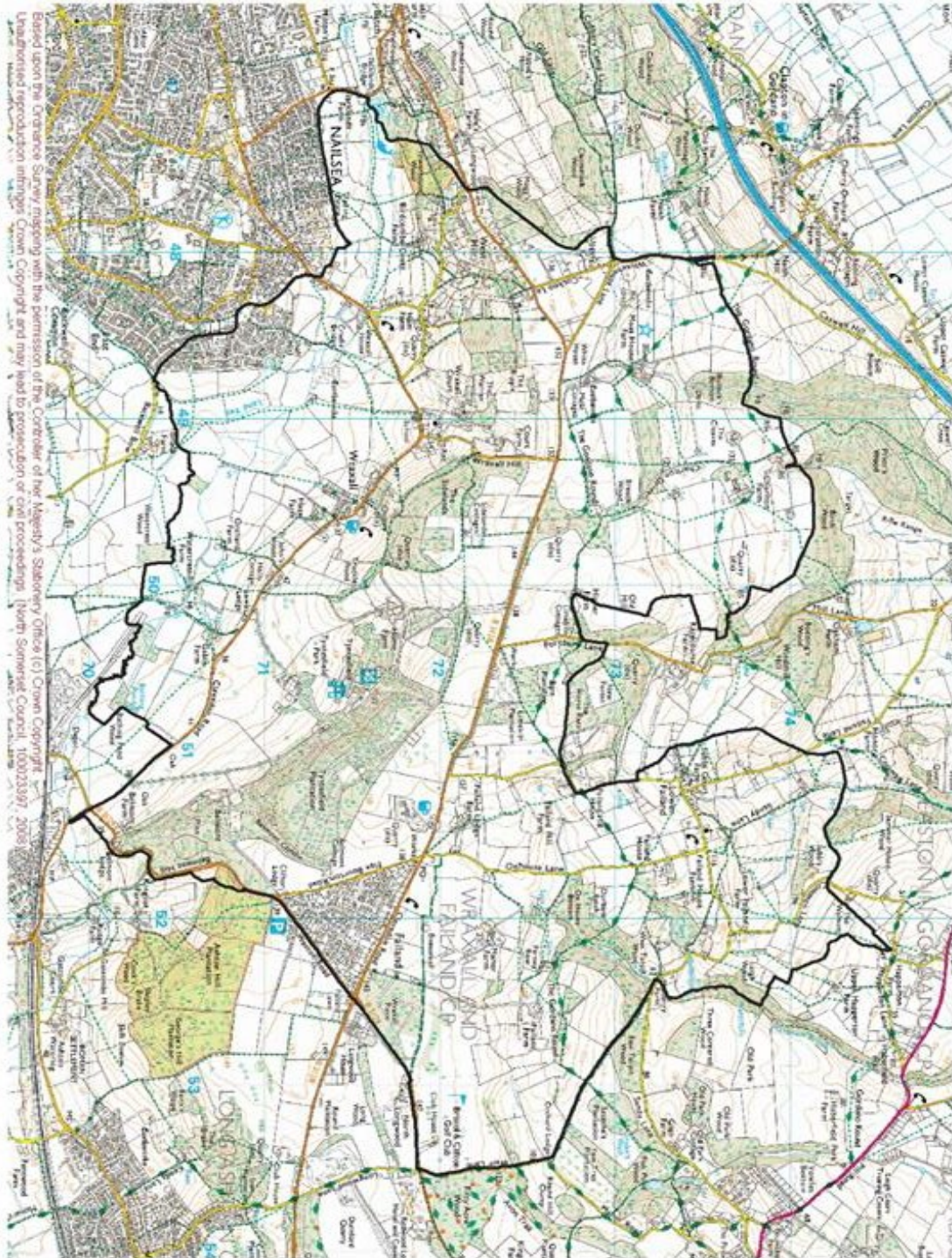
- The Parish Council resolved to develop a plan for the neighbourhood area at a council meeting on 13<sup>th</sup> October 2020
- A dedicated Neighbourhood Development Plan webpage has been established on the Parish Council website to publicise the NDP work. Volunteers have been invited and have come forward to contribute to its development, the inaugural NDP Steering Group was held on 18<sup>th</sup> May 2021 and regular NDP update reports are considered at the Parish Council meetings
- As explained above, planning consultants, Tetra Tech Planning, have been instructed to work with the Parish Council and community to prepare the NDP
- The Parish Council considers that the whole of the parish of Wraxall & Failand is the most appropriate area to be covered by the plan.

Wraxall & Failand Parish Council is the relevant body for the purposes of section 61G of the 1990 Town and Country Planning Act being the parish council for the entire area applied for.

Yours faithfully,

Philip Higginbottom  
Principal Planner MRTPI  
For and on behalf of Tetra Tech Planning

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Celia Dring,  
Planning  
Policy, Post  
Point 15,  
North Somerset  
Council, Walliscote  
Grove Road, Weston-  
super-Mare North  
Somerset  
BS23 1UJ

28<sup>th</sup> June 2021

Dear Celia,

**APPLICATION UNDER PART 2 (5) (1) OF THE NEIGHBOURHOOD PLANNING (GENERAL) REGULATIONS 2012 FOR THE DESIGNATION OF A NEIGHBOURHOOD AREA.**

Further to my letter of 1<sup>st</sup> June 2021 applying for Neighbourhood Area designation, I write in response to your email of 7<sup>th</sup> June 2021 and our subsequent discussion regarding your invitation to set out the reason(s) why the parish boundary is considered the 'appropriate' boundary for the Neighbourhood Area for the Wraxall & Failand Neighbourhood Development Plan.

The following supplementary information sets out the reasons why the Parish Council considers that the whole of the parish of Wraxall & Failand is the most appropriate area to be covered by the plan for the following reasons:

1. The proposed area would create a logical Neighbourhood Area consistent with a well-recognised and properly constituted and defined area, the nature of which is a rural parish and the two villages of Wraxall and Failand within and surrounded by greenbelt, and is integral to the past, present and future identity of Wraxall & Failand parish
2. The proposed Neighbourhood Area is entirely within the remit of the Parish Council (proposed NDP body), which is committed to ensuring that the community's views are fully reflected in future planning decisions within the parish. Such designation would therefore encourage engagement of Wraxall & Failand parishioners, contributors and Steering Group members and ultimately strengthening the inputs to and outputs of the NDP process
3. We can and have already begun to engage, consult and co-operate with adjoining parish councils and relevant NDP bodies including Long Ashton Parish Council and will do so with Nailsea Town Council to ensure cross-parish boundary issues are appropriately captured and addressed in the NDP. This avoids unnecessary constitutional and consultation complications associated with designating a Neighbourhood Forum and defining consultation boundaries.

I trust the above additional information is helpful as part of Wraxall & Failand Parish Council's Neighbourhood Area designation application.

Yours faithfully,

Philip Higginbottom  
Principal Planner MRTPI  
For and on behalf of Tetra Tech Planning

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