

3 February 2015
Consideration of an application to
designate a Neighbourhood Area for
Cotherstone Parish Council



Report of Stuart Timmiss, Head of Planning & Assets,
Regeneration and Economic Development to
Cabinet Portfolio Member for Regeneration and Economic
Development – Councillor Neil Foster
And Cabinet Portfolio Member for Neighbourhoods & Partnerships
- Councillor Brian Stephens

Purpose

The purpose of this report is to consider the acceptability of an application which has been made to the Council by Cotherstone Parish to designate a Neighbourhood Area within its locality to be known as 'Cotherstone Neighbourhood Area'.

Background

The emerging County Durham Plan sets the context for neighbourhood planning within County Durham.

This Neighbourhood Area application was submitted by Cotherstone Parish Council on 8th December 2014. The resulting timescales for considering the application have been determined by the timing of the subsequent public consultation which has been undertaken by both the Parish Council and the County Council since submission.

The designation of a Neighbourhood Area is the first formal stage of the Neighbourhood Planning process. The application has been submitted with the intention of Cotherstone Parish Council to prepare a Neighbourhood Plan. It is the 13th such application within the County to be submitted to this local planning authority for consideration.

The specified area falls wholly within Durham County and the parish boundaries of Cotherstone Parish Council correspond to the proposed boundaries as shown on the map contained in Appendix 1.

Consultation

The application in question has been subject to public consultation in accordance with the relevant Regulations and the Council's draft Neighbourhood Planning Protocol. This included the publication of the application for a 6 week period from the 8th December 2014 on the Durham County Council website and appeared within the December 2014 edition of the local parish magazine. Representations were also invited from local ward Members and adjoining parish councils.

One letter of support was received from Barnard Castle Town Council. One negative representation has been received from a member of the public whom is concerned at the Parish Councils approach to development in the village. It is however felt that this concern will be addressed by the County Council working with the Parish during the formulation of their neighbourhood plan.

Issues for consideration

The key considerations in the determination of this type of application are whether;

- the application has been submitted by a 'Relevant Body'¹
- the appropriate information has been submitted which justifies and confirms the proposed boundaries²
- the specified area is considered by the County Council as an '*appropriate area to be designated as a Neighbourhood Area*'.
- the proposed Neighbourhood Area should be designated as a 'Business Area'³

The application has been submitted by the Parish Council which meets the definition of a 'Relevant Body' for the area. The proposed area relates completely to its jurisdiction. The application is therefore valid in this respect.

The Parish Council has provided a map which clearly defines the proposed boundaries for the Neighbourhood Area (Appendix 1). A statement which justifies the extent of the proposed area has been provided. It is therefore concluded that the appropriate information has been submitted.

Continuous engagement has occurred between officers of the Spatial Policy Team and representatives of Cotherstone Parish Council leading up to the submission of the application. The Parish Council have indicated their intention to engage in the Neighbourhood Planning process and that they wish to proceed as an independent neighbourhood planning group whose neighbourhood planning activity does not extend beyond the parish boundary. Consultation with the adjoining local councils has not raised any issues.

There is provision within the Localism Act that requires a Neighbourhood Area application to be considered in relation to other existing Neighbourhood Area boundaries and we are satisfied this has taken place.

¹ As defined by Section 61 G (2) Town and Country Planning Act (1990), inserted by para.2 Schedule 9 Localism Act 2011 (c.20)

² As defined by The Town & Country Planning, England The Neighbourhood Planning (General) Regulations 2012

³ As required by Section 61 H of the Localism Act 2011).

No issues are apparent which need to be addressed in single Neighbourhood Plan covering parts or all of the adjoining local councils (Barnard Castle Town and the parishes of Hunderthwaite, Stainmore and Marwood).

It is considered that the designation of the area as proposed would not prejudice any subsequent Neighbourhood Area application by adjoining parishes.

The proposed Neighbourhood Area is not wholly or predominantly business in nature and therefore it would be neither justifiable nor appropriate to designate it as a 'Business Area'.

In light of the above no issues have been identified which would suggest that the boundaries proposed are inappropriate from a neighbourhood planning perspective. The application is therefore considered acceptable in this respect.

Next steps

Upon the determination of this application there is a requirement for the Council to publicise its decision in the manner it adopted for the previous consultation as described above.

Conclusion

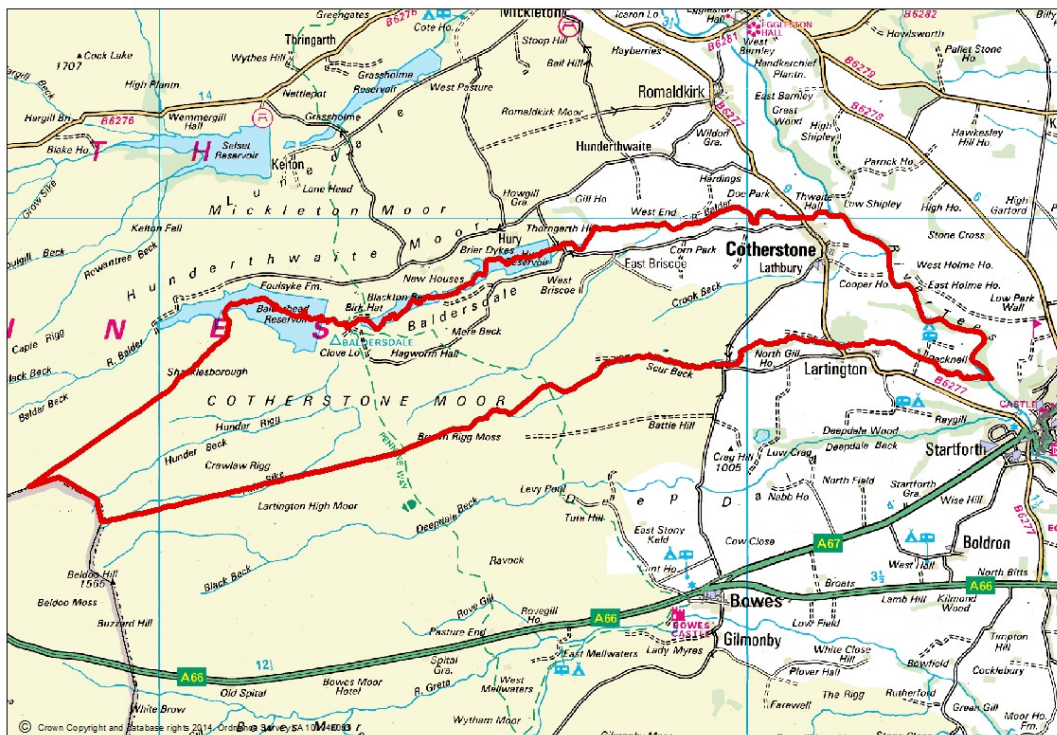
The application has been considered in accordance with the four matters outlined above and is considered to be appropriate in all respects.

Recommendation

That the Neighbourhood Area to be known as 'Cotherstone Neighbourhood Area' as submitted is granted approval and the appropriate publicity be carried out.

Contact: Graham Black, Spatial Policy Officer

Appendix 1: Proposed boundaries of proposed Neighbourhood Area



Appendix 2: Implications

Finance – Upon designation the Council will be eligible to seek Neighbourhood Plan Grant from Durham County Council to support neighbourhood plan preparation in this area.

Staffing – The Spatial Policy Team's will be required to provide support to forthcoming neighbourhood planning activity within the designated Neighbourhood Area.

Equality and Diversity – Equality and Diversity will be an integral part of policy development in any forthcoming Neighbourhood Plan. An Equality Impact Assessment is not required in respect to the consideration of this application.

Risk- None identified

Consultation – No further consultation is required in respect to this matter although the Council will be required to publicise its decision.

Procurement – None.

Disability Discrimination Act – None.

Legal Implications – The application has been determined in accordance with the relevant regulations.