

**Executive Member Decision Session –
Transport and Planning**

14 June 2018

**Revised Boundary for Strensall with Towthorpe Neighbourhood Plan
Area**

Summary

1. This report follows on from the recent consultation (28th March - 11th May 2018) on the revised boundary application submitted by Strensall with Towthorpe Parish Council for their Neighbourhood Plan Area. The report recommends that City of York Council approve the application and amend the Strensall with Towthorpe Neighbourhood Plan Area in accordance with the application received.

Background

2. As part of the Localism Act 2011, local communities are encouraged to come together to get more involved in planning for their areas by producing Neighbourhood plans for their area. Neighbourhood plans are centred specifically round creating plans and policies to guide new development.
3. Neighbourhood planning is about letting the people who know about an area plan for it. It is led by the residential and business community, not the Council, and is about building neighbourhoods – not stopping growth.
4. If adopted by the Council, Neighbourhood Plans and orders will have weight becoming part of the statutory plan making framework for that area. Designation of a Neighbourhood Area and a Neighbourhood Forum are the first stages in the preparation of a Neighbourhood Plan.
5. In line with National Planning Practice Guidance (NPPG) paragraph 24¹:

¹ ID 41-024-20140306

'an application to produce a Neighbourhood Plan must be made by a parish or town council or a prospective neighbourhood forum to the local planning authority for a Neighbourhood Area to be designated (Regulation 5 of the Neighbourhood Plan (General) Regulations 2012 (As amended). This must include a statement explaining why the proposed neighbourhood area is an appropriate area'.

6. Strensall with Towthorpe Parish Council is preparing a neighbourhood plan for the parish. On 7th January 2016, City of York Council approved an area application and the Strensall with Towthorpe Neighbourhood Plan area was designated. The area follows the boundary of the Parish.

Reasons for the Amended Neighbourhood Area Boundary

7. In May 2017, Strensall with Towthorpe Parish Council submitted a revised boundary application (Annex A). This revised area incorporates Towthorpe Moor Lane in light of the 7th November 2016 announcement that the MOD would be releasing the barracks sites and City of York Plan was proposing to allocate them. Towthorpe Moor Lane is in Stockton-on-the-Forest Parish but the Parish Council have agreed that this area can be included within the Strensall with Towthorpe Neighbourhood Plan. A letter from Stockton-on-the-Forest Parish Council confirming this was included as part of the revised boundary application contained at Annex A of this report.

Consultation

8. In line with the Regulations (2012, as amended), the City of York Council must:
 - (a) *publish on their website and in such other manner as they consider is likely to bring the order to the attention of people who live, work or carry on business in the neighbourhood area—*
 - (i) *a document setting out details of the modification (“the modification document”); and*
 - (ii) *details of where and when the modification document may be inspected; and*
 - (b) *give notice of the modification to the following—*
 - (i) *the qualifying body or community organisation, as the case may be; and*
 - (ii) *any person the authority previously notified of the making of the order or plan.*

9. Between 28th March and 11th May 2018, City of York Council published the revised boundary application for a 6 week period in the following ways which meet the statutory requirements and accord with the Council's adopted Statement of Community Involvement:
- A notice and a copy of the applications were put up at several prominent locations around Strensall with Towthorpe ward;
 - A notification letter was sent to businesses and landowners/agents in the Parish area;
 - A notification letter was sent to all neighbouring parish councils, these are:
 - Sutton on the Forest PC
 - Flaxton PC
 - Earswick PC
 - Haxby PC
 - Stockton on the Forest PC
 - A webpage has been created at www.york.gov.uk/neighbourhoodplanning where the Strensall with Towthorpe application is available to view as well as additional information on the Neighbourhood Planning process.
 - A specific email address neighbourhoodplanning@york.gov.uk has been set up for representations as has a freepost address.

Responses to Consultation

10. The Council did not receive any responses to the consultation.

Options

11. The following options are available for the Executive Member to consider:

Option 1 – approve the revised boundary application for the Strensall with Towthorpe Neighbourhood Area in accordance with the revised boundary application (attached at Annex 1) without modification;

Option 2 – approve an amended revised boundary application for the Strensall with Towthorpe Neighbourhood Area with modifications agreed at the Decision Session;

Option 3 – refuse the revised boundary application.

Analysis

12. Officers are satisfied that the revised boundary application meets the statutory requirements. The letter from Stockton-on-the-Forest Parish Council that was submitted alongside the application confirms that an agreement has been made between the two Parishes. Given that no responses have been received from the duly publicised applications, as further stages of the Neighbourhood planning process are undertaken the Council will have a role in ensuring that the Neighbourhood Planning group is engaging with the community.
13. Officers therefore recommend that Option 1 is agreed to allow Strensall with Towthorpe Parish Council to progress with the production of a Neighbourhood Plan. The alternative Options 2 and 3 do not support the revised boundary as submitted and are not recommended.
14. There is also a statutory requirement to consider whether the authority should designate the area proposed as a business area. As the area is not wholly or predominantly business in nature, it is not considered appropriate to designate the area as a business area.

Next Steps

15. If Option 1 is approved, Strensall with Towthorpe Parish Council can continue to prepare the Neighbourhood Plan, including the revised area, with appropriate advice and assistance from the Council.
16. Once a draft Plan has been produced, Strensall with Towthorpe Parish Council is then required to undertake pre submission consultation by publicising the proposals and inviting representations for a period of not less than 6 weeks.
17. Strensall with Towthorpe Parish Council can then submit the Neighbourhood Plan to the Council along with a consultation statement containing details of those consulted, how they were consulted, summarising the main issues and concerns raised and how these have been considered, and where relevant addressed in the proposed Neighbourhood Plan.
18. On receipt of the draft Neighbourhood Plan, the Council needs to publicise the Plan and invite representations for a period of not less than 6 weeks. Once the Council is satisfied that the Plan meets the

requirements of the Town and Country Planning Act 1990 the Council then appoints an independent inspector for public examination of the Plan. The Plan must then be voted on in a local referendum before it can be 'made' by Council resolution.

Council Plan

19. The proposed Strensall with Towthorpe Neighbourhood Plan will be a positive contribution to the Council Plan priority of '*A council that listens to residents - to ensure it delivers the services they want and works in partnership with local communities*'.

Implications

20. **Financial/Programme** – If a neighbourhood plan for Strensall with Towthorpe progresses to independent examination, the council will be required to pay for the examination and the subsequent referendum. The costs of these statutory processes will be met in part by central government funding sources from the Department for Communities and Local Government. Any shortfall will need to be accommodated within existing resource.
21. **Human Resources** – None.
22. **Equalities** – None.
23. **Legal** – The designation of Neighbourhood Plan Areas is to be made in accordance with the Neighbourhood Planning (General) Regulations 2012, the Neighbourhood Planning (General) (Amendment) Regulations 2015, the Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016 and the provisions of the Localism Act 2011.
24. **Crime and Disorder** – None.
25. **Information Technology** – None.
26. **Property** – None.

Risk Management

27. No significant risks are associated with the recommendation in this report have been identified.

Recommendations

28. The Executive Member is recommended to:

- (i) Approve the revised boundary application for the Strensall with Towthorpe Neighbourhood Plan area as per Option 1.

Reason: To allow the Strensall with Towthorpe Parish Council to continue to progress a Neighbourhood Plan for the Strensall with Towthorpe area.

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Wards Affected:

Strensall Ward

All

For further information please contact the authors of the report.

Abbreviations:

MOD – Ministry of Defence
NPPG – National Planning Practice Guidance
PC – Parish Council

Annexes:

Annex A – Strensall with Towthorpe Neighbourhood Plan – Revised Boundary Application