

<b>Local Plan Panel Meeting</b>	
<b>Meeting Date</b>	07 May 2020
<b>Report Title</b>	Neighbourhood planning update
<b>Cabinet Member</b>	Cllr Mike Baldock, Cabinet Member for Planning
<b>SMT Lead</b>	James Freeman
<b>Head of Service</b>	James Freeman
<b>Lead Officer</b>	Aaron Wilkinson
<b>Key Decision</b>	No
<b>Classification</b>	Open
<b>Recommendations</b>	<ol style="list-style-type: none"> <li>1. It is recommended that Members note the designation of the Parish of Hernhill as a neighbourhood area.</li> <li>2. It is recommended that Members agree that the application made by Faversham Town Council to designate the Town of Faversham as a neighbourhood area complies with the initial requirements of the Regulations and recommend to the Cabinet that Officers proceed to the first stage in the designation process which is for the Council to publicise the application.</li> </ol>

## **1 Purpose of Report and Executive Summary**

- 1.1 Members will recall that it was agreed by this Panel in November 2019 that Officers conduct a consultation on the application made by Hernhill Parish Council to designate the whole Parish as a neighbourhood area for the purpose of the creation of a neighbourhood development plan (neighbourhood plan). This update is to report on the outcome of that consultation.
- 1.2 Additionally, Faversham Town Council have applied to the Council requesting that the whole Town of Faversham be designated as a neighbourhood area for the purpose of the creation of a neighbourhood plan which would replace the existing Faversham Creek Neighbourhood Plan. This update is to seek agreement to move to consultation on this application.

## **2 Background**

### Hernhill

- 2.1 The consultation relating to the Hernhill application ran from Friday 31 January 2020 to Monday 16 March 2020. Representations were received from 3 surrounding Parish/Town Councils, 2 writing in support of the application and 1 raising no objection. Officers intended to subsequently report these results to this

Panel with a recommendation to agree that the Parish of Hernhill be designated as a neighbourhood area as per the application.

- 2.2 However, due to the delays caused by the current crisis, the Council has now missed the timescale set out within the Regulations to make the decision on this application and it is approved by default.
- 2.3 As stated above, the recommendation would have been to approve the application and make the designation. A statement of designation has been placed on the Council's website and the Parish Council informed of the outcome.

### Faversham

- 2.4 The first step towards creating a neighbourhood plan is for a relevant body (which as a Town Council, the applicant is) to submit an application to its local planning authority to designate an area as a neighbourhood area.
- 2.5 As per Part 2, Regulation 5 of The Neighbourhood Planning (General) Regulations 2012 (as amended) - 'Application for designation of a neighbourhood area', the application must include:
  - a) a map which identifies the area to which the application relates;
  - b) a statement explaining why this area is considered appropriate to be designated as a neighbourhood area; and
  - c) a statement that the organisation or body making the area application is a relevant body for the purposes of section 61G of the 1990 Act.
- 2.6 At Appendix I, a map identifying the area to which the application relates has been submitted (the whole town). At Appendix II, the application includes a statement that the area is considered appropriate due to it covering the area which comes under the jurisdiction of Faversham Town Council. It also includes a statement that, as a Town Council, the applicant is a relevant body.
- 2.7 As such, Officers consider the application to comply with these initial requirements. The next step in the designation process, as per Regulation 6, is for the Council, as the local planning authority, to publicise the application for comment on the website, and in any other such manner as is likely to bring the application to the attention of people who live, work or carry out business in the area to which the application relates, for a minimum of 6 weeks.
- 2.8 As well as the website, Officers consider it would be reasonable to inform the surrounding Parish Councils of the application, as well as Canterbury City Council and Ashford Borough Council due to their boundaries being fairly close to the Town. It is likely that some people from these areas work or carry out business in Faversham. Additionally, Officers will work with Faversham Town Council to place site notices on noticeboards in the Town. There is also the possibility of using their website and social media to publicise the application. It is considered that 6 weeks would be an appropriate timeframe for consultation.

- 2.9 Following this period of consultation and considering any comments received, the Council will then need to decide whether it considers the area applied for would be appropriate for designation as a neighbourhood area.
- 2.10 It should be noted that this would replace the Faversham Creek designation, and eventually the Faversham Creek Neighbourhood Plan.

### **3 Proposals**

- 3.1 The first proposal is that Members note the designation of the Parish of Hernhill as a neighbourhood area.
- 3.2 The second proposal is that Members agree that Faversham Town Council's application complies with the requirements of Part 2, Regulation 5 of The Neighbourhood Planning (General) Regulations 2012 (as amended) - 'Application for designation of a neighbourhood area' and recommend to the Cabinet that Officers proceed to the first stage in the designation process which is for the Council to publicise the application as set out above.

### **4 Alternative Options**

- 4.1 With regards to Hernhill, there is no alternative option for the reasons explained above.
- 4.2 With regards to Faversham, Members could disagree that the application meets the requirements set out above, although a sound reason for doing so would need to be given. The Council would then need to decline to consider the application. Members could also consider other means of publicising the application.

### **5 Consultation Undertaken or Proposed**

#### Hernhill

- 5.1 Consultation has been carried out as outlined above.

#### Faversham

- 5.2 None undertaken thus far, but agreement with the recommendation would, following the Cabinet's agreement, result in a period of consultation as set out above.

### **6 Implications**

<b>Issue</b>	<b>Implications</b>
Corporate Plan	Priority 1: Building the right homes in the right places and supporting quality jobs for all.

Financial, Resource and Property	None identified at this stage.
Legal, Statutory and Procurement	None identified at this stage.
Crime and Disorder	None identified at this stage.
Environment and Sustainability	In the long term, any neighbourhood plan would be subject to a Sustainability Appraisal.
Health and Wellbeing	None identified at this stage.
Risk Management and Health and Safety	None identified at this stage.
Equality and Diversity	None identified at this stage.
Privacy and Data Protection	None identified at this stage.

## **7 Appendices**

- 7.1 The following documents are to be published with this report and form part of the report:
- Appendix I: Map identifying the area for designation.
  - Appendix II: Application for designation.

## **8 Background Papers**

- 8.1 None.