

EAST HERTS COUNCIL

EXECUTIVE – 5 AUGUST 2014

REPORT BY EXECUTIVE MEMBER FOR STRATEGIC PLANNING  
AND TRANSPORT

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REQUEST FOR AREA DESIGNATION FOR NEIGHBOURHOOD  
PLANNING: BISHOP'S STORTFORD: CENTRAL, SOUTH AND ALL  
SAINTS, AND PART OF THORLEY

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WARD(S) AFFECTED: Bishop's Stortford, Central, South and All  
Saints, Much Hadham

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**Purpose/Summary of Report**

- To enable the consideration of an application for the designation of a Neighbourhood Area

**RECOMMENDATIONS FOR EXECUTIVE: That:**

<b>(A)</b>	<b>the application for the designation of a Neighbourhood Area, submitted by Bishop's Stortford Town Council, and to cover the Bishop's Stortford wards of Central, South, All Saints and part of Thorley Parish, be supported.</b>
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1.0 Background

1.1 Bishop's Stortford Town Council submitted a completed application for the designation of a Neighbourhood Area to the Council on 7 March 2014. Agreement to the designation of a Neighbourhood Area is required by the Council as Local Planning Authority (LPA) before a Neighbourhood Plan can be formulated. In this case, the application is identified as one for the Bishop's Stortford wards of Central, South and All Saints and the part of the Thorley Parish that lies to the north east ('within') the A1184 southern by pass road (St James Way). This follows the designation of the Neighbourhood Area for the two other wards (Silverlays and Meads) which then make up the whole of the Town Councils area.

1.2 The application was made in the form of a letter from the Town Council and a plan setting out the area to which the application relates. The letter and plan form **Essential Reference Paper B** to this report. Also submitted is confirmation from the Clerk of Thorley Parish Council that it is in agreement with the Neighbourhood Area application.

## 2.0 Consultation

2.1 The Council has undertaken the appropriate consultation with regard to the application submission. No submissions have been received in response.

## 3.0 Considerations

3.1 Section 61G of the Town and Country Planning Act 1990, amended by Part 1 of Schedule 9 of the Localism Act 2011, sets out the matters the Authority must have regard to when considering a Neighbourhood Area application. One of these is that the Authority determining the application must have regard to the desirability of maintaining the existing boundaries of Neighbourhood Areas already designated.

3.2 In that respect, as set out above, the other Neighbourhood Area that has been designated for the town covers the wards of Silverleys and Meads. This designation request will ensure that the remainder of the town councils area is designated.

3.3 In addition, the designation request includes the land to the north east of the A1184 St James Way that is in Thorley Parish. As a result, the part of Thorley Parish to the south of St James Way would not be designated if this request is agreed. With regard to maintaining the boundary of areas which are already designated, this does not appear to raise an issue. No further requests have been received in relation to the remainder of Thorley Parish, or of the areas to the south – High Wych and Sawbridgeworth. This does not compromise, therefore, further designation requests coming forward in the future.

3.4 The other area of consideration set out in the Act, is the desirability of designating the whole of the area of a parish council as the Neighbourhood Area.

- 3.5 As indicated, in this case, the whole of the Bishop's Stortford Town Council would be designated through the two areas, if this request is agreed. Only part of the Thorley Parish would be designated however.
- 3.6 Having regard to planning considerations, this would not be inappropriate. The land to the north east of St James Way has been identified in the Council's draft District Plan as an allocation for mixed use development. Whilst partly in Thorley Parish, the presence of the by pass road, is such that development here, if it did proceed, would function as part of the town. Future residents here would rely on services provided in the town and any infrastructure provided here would be available to serve residents of the wider town. A Neighbourhood Plan to cover any potential development here, along with development which may come forward in the remainder of the town covered would be similar to the area already designated for Silverleys and Meads.
- 3.7 The remainder of the Thorley parish, to the south of the by pass road, would retain its more rural character, similar to the surrounding areas of Much Hadham, High Wych and Sawbridgeworth Parishes. This designation would not preclude the remainder of the Thorley Parish being designated in the future on its own, or it being designated as part of a wider Neighbourhood Area, within which development appropriate to its character could be addressed.
- 3.8 In this case then, there is an appropriate and cogent case that supports the designation of part of the Thorley Parish with the Bishop's Stortford town areas, as has been advanced.
- 3.9 Subsequent to the legislation in 2011, the National Planning Practice Guidance (NPPG) has been released. In relation to multi parish Neighbourhood Areas, the guidance advises that a Parish Council can apply for a multi parished Neighbourhood Area to be designated as long as it includes all or part of that Parish Councils administrative area. That is the case here.
- 3.10 The guidance goes on to indicate that when the Parish that has applied for a multi parished Neighbourhood Area to be designated goes on to develop a Neighbourhood Plan, it needs to secure the consent of the other Parish Councils to do so. Again, that has been secured in this case. The guidance also set out a list of matters which could be considerations when deciding the

boundaries of a Neighbourhood Area. The proposed area is acceptable when judged against the considerations set out.

3.11 Further guidance set out in the NPPG sets out that, if it receives a valid application and some or all of the area has not yet been designated, a Local Planning Authority must designate a Neighbourhood Area. It goes on to advise that the Local Planning Authority should aim to designate the area applied for.

#### 4.0 Conclusion

4.1 Neighbourhood planning is now an integral part of the planning system with legislative backing through the Localism Act. The LPA is charged with determining applications for the designation of Neighbourhood Areas. In this case, it is considered that designation of the area requested for neighbourhood planning purposes is appropriate and acceptable and can be supported.

#### 5.0 Implications/Consultations

5.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

#### Background Papers

None

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