

EAST HERTS COUNCIL

EXECUTIVE – 5 APRIL 2016

REPORT BY THE LEADER OF THE COUNCIL

REQUEST FOR AREA DESIGNATION FOR NEIGHBOURHOOD
PLANNING: SELE WARD, HERTFORD TOWN COUNCIL

WARD(S) AFFECTED: HERTFORD SELE

Purpose/Summary of Report

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

RECOMMENDATION FOR EXECUTIVE: That:

(A)	the application for the designation of Sele Ward Neighbourhood Area, submitted by Hertford Town Council, be supported.
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1.0 Background

- 1.1 Hertford Town Council (TC) submitted an application for the designation of a Neighbourhood Area to the Council on 28th January 2016. The Neighbourhood Area consists of Sele ward within Hertford Parish. 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.
- 1.2 The application was made in the form of a letter from Hertford Town Council (TC) with an attached plan setting the area to which the application relates. The letter and plan form **Essential Reference Paper 'B'** to this report.

2.0 Consultation

- 2.1 The Council has undertaken the appropriate consultation with regard to the application submission.
- 2.2 Comments have been received in response to the area designation application. There are no formal objections to the area designation however there are concerns in regard to the timing of producing a neighbourhood plan with an out-of-date Local Plan.
- 2.3 The comments also include the key neighbourhood planning requirements for the parish and District Council, including:
- the National Planning Policy Framework (NPPF) neighbourhood planning requirements;
 - conformity with Local Plans; and
 - the Strategic Environment Assessment process.
- 2.4 Comments have been received from Hertfordshire County Council's (HCC) Minerals and Waste department. In terms of minerals, HCC outline that the area proposed is within the Sand and Gravel Belt, as identified in the Hertfordshire Minerals Local Plan and would advise against any unnecessary sterilisation of minerals from non-mineral development. HCC also identify that Panshanger Park is partially within the area designation boundary. This is identified in the Hertfordshire Minerals Local Plan as a site to meet the county's need for land-won aggregate. This is an active extraction site, with permission to extract sand and gravel until 31st December 2030. HCC also identify two historical extraction sites which are now inactive, Bramfield Road and Waterford Pit. For these reasons, HCC wish to be consulted upon throughout the neighbourhood plan process.
- 2.5 In terms of Waste Sites, HCC confirm that there are no Allocated Waste Sites in the proposed area designation.
- 2.6 These comments form **Essential Reference Paper 'C'** to this report.

3.0 Considerations

- 3.1 Two main areas of consideration to be taken into account when determining an application for the designation of a Neighbourhood Area are set out in Schedule 9 of the Localism Act 2011. One of these is that the authority determining the application must have regard to the desirability of maintaining the existing boundaries of neighbourhood plan areas already designated.
- 3.2 No weight needs to be given to this consideration in this case as no other Neighbourhood Areas are currently designated in Hertford parish.
- 3.3 The other area of consideration is the desirability of designating the whole of the area of a parish council as the Neighbourhood Area.
- 3.4 In this case, the area proposed only covers Sele ward of the parish, a known and existing boundary which does not conflict with neighbouring parish boundaries. This has been proposed by Hertford Town Council and this does not preclude any further neighbourhood plans coming forward in other areas across the parish in the future.
- 3.5 In response to the comments received during the consultation, these are not considered to impact upon the decision of the neighbourhood area application. Neighbourhood plans can be developed alongside the emerging District Plan and is not considered to be detrimental to the development of the neighbourhood plan.
- 3.6 The Council understands and encourages neighbourhood plans to be developed in a positive and proactive manner in order to support the strategic objectives of the emerging District Plan. It is the Council's role to advise and support neighbourhood plans as they progress. It is also recognised that it is within the Town Council's interests to work with and alongside the emerging District Plan.
- 3.7 HCC Minerals and Waste have identified the main issues in regard to waste and minerals sites and have not objected to the neighbourhood plan area designation. It is recognised that

neighbourhood plan policies cannot cover waste and minerals matters. HCC will continue to be consulted upon as the neighbourhood plan progresses.

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, designation of a ward area for neighbourhood planning purposes is 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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