

EAST HERTS COUNCIL

EXECUTIVE – 27 JUNE 2017

REPORT BY THE LEADER OF THE COUNCIL

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

WARD(S) AFFECTED: HERTFORD BENGEO

Purpose/Summary of Report

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

<u>RECOMMENDATION FOR EXECUTIVE:</u> that	
(A)	the application for the designation of a Bengoe Neighbourhood Area, submitted by Hertford Town Council, be supported.

1.0 Background

1.1 Hertford Town Council submitted an application for the designation of a Neighbourhood Area to the Council on 29 March 2017.

Agreement to the designation of a Neighbourhood Area is required by the District 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 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 No comments have been received in response to the area designation application.

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 overlap with the proposed Bengo Neighbourhood Area.

3.3 The other area of consideration is the desirability of designating the whole of the parish as the Neighbourhood Area.

3.4 In this case, the area proposed only covers Bengo ward of the parish, a known and existing boundary which does not conflict with neighbouring ward/parish boundaries. This has been proposed by Hertford Town Council and does not preclude any further Neighbourhood Plans coming forward in other areas across the parish in the future. Members will recall that a Neighbourhood Area designation for Sele ward has already been agreed on the 5 April 2016.

3.5 It should be noted that Hertford town centre is partially covered by this area designation and this will need to be taken into account if policies specific to the town centre are proposed.

3.6 Furthermore, a large area to the north of Hertford is designated as a preferred area for mineral extraction in the Hertfordshire Minerals Local Plan 2007. A planning application for a mineral extraction on this land has recently been refused. The Neighbourhood Planning team are aware that the Neighbourhood Plan cannot deal with county matters (mineral extraction and waste development) as these are classed as excluded development in the Neighbourhood Planning legislation.

3.7 No specific comments were received during the consultation and as Neighbourhood Plans can be developed alongside the

emerging District Plan, it is proposed that the proposal be fully supported.

3.8 The District Council 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 District 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.

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

Contact Member: Councillor Linda Haysey – Leader of the Council
linda.haysey@eastherts.gov.uk

Contact Officer: Kevin Steptoe – Head of Planning and Building Control
01992 531407
kevin.steptoe@eastherts.gov.uk

Report Author: Carol-Anne Taylor – Neighbourhood Planning Officer
carol-anne.taylor@eastherts.gov.uk