

Report for Director of Planning and Regeneration
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Date: 21/2/17

Proposal for neighbourhood area covering Albury Parish

Recommendation

That the Director of Planning and Regeneration designates the area enclosed by the Albury Parish boundary, shown on the map at **Appendix 1**, as a neighbourhood area, following an application to make this designation by Albury Parish Council.

Reason(s) for Recommendation:

To comply with section 61G (5) of the Town and Country Planning Act 1990 (as amended), and to reflect the Council's evaluation of the proposed neighbourhood area following public consultation.

1. Purpose of Report

- 1.1 To set out the reasons for the recommendation to designate a neighbourhood area (NA) following the Albury Parish boundary. This is the boundary proposed by the Albury Neighbourhood Area application (**Appendix 1**).
- 1.2 To inform the Director of Planning and Regeneration of the current situation following public consultation and consideration by planning officers.

2. Strategic Priorities

- 2.1 The Council's Corporate Plan identifies the priority of promoting sustainability (page 9). Designating a neighbourhood area enables the local community to bring forward a neighbourhood plan. Neighbourhood plans must contribute to the achievement of sustainable development, which will help further this aim.
- 2.2 The Corporate Plan also identifies an outcome of having local communities that are actively working with partners to improve where they live, in ways that matter to them. Neighbourhood planning is a community driven process so designating a neighbourhood area will support this outcome.

3. Background

- 3.1 The borough of Guildford currently has eight designated neighbourhood areas: Burpham and Lovelace wards and the parishes of Effingham, East Horsley, West Horsley, Puttenham, Send and Seale and Sands.
- 3.2 Planning officers received a formal application from Albury Parish Council to designate a new NA following the boundary of Albury Parish on 9 November 2016 (see Appendices 1 and 2).
- 3.3 The application met the requirements specified in Regulation 5(1) of the Neighbourhood Planning (General) Regulations 2012 and was accepted.
- 3.4 Consultation on the proposals in accordance with Regulation 6 of the Neighbourhood Planning (General) Regulations 2012 ran from 23 January to 19 February 2017. See paragraph 4.3 for further details.

4. Consideration of the designation

- 4.1 Albury Parish Council meets the required criteria to be considered a qualifying body for the purposes of section 61G(2) of the Act. Consideration is therefore limited to whether a NA should be designated as proposed.
- 4.2 The National Planning Policy Guidance states, "*The local planning authority should aim to designate the area applied for. However, a local planning authority can refuse to designate the area applied for if it considers the area is not appropriate.*" (neighbourhood planning, para. 36).

Consultation

- 4.3 The consultation on the proposed NA received two comments. Two comments supported the proposal. No comments suggested that the proposed neighbourhood area is inappropriate.

Further considerations

- 4.4 The proposed NA is considered appropriate in terms of character and land use.
- 4.5 The alignment of the NA with existing parish administrative boundaries means that local people will easily understand the proposed NA boundary and may have knowledge and experience of the planning issues within them. Therefore the proposed NA is appropriate to facilitate the vision of community led planning sought by central government.
- 4.6 Section 61 H of the Act requires a local planning authority to consider whether to designate the area concerned as a 'business area'. A proposed NA should be designated as a business area if the local authority considers that the area is wholly

or predominantly business in nature (section 61 H(3)). Officers consider that the proposed NA is primarily residential and not suitable for this designation.

Conclusions

- 4.7 Officers do not consider that the proposed NA is inappropriate and consider that it should be designated.

5. Financial Implications

- 5.1 Neighbourhood plans and Neighbourhood Development Orders need to pass an independent examination and a referendum. The costs are estimated at £5,000 to £8,000 for an examination and £4,000 to £7,000 for a referendum. These costs are borne by the local authority.
- 5.2 Guildford Borough Council will support the neighbourhood planning process. Support will require planning officers' time and some resources. The cost of this is unknown.
- 5.3 Guildford Borough Council can bid for a neighbourhood planning support grant for each NA. Funds can be claimed at the following stages:
- a. £5,000 after designating a neighbourhood area, limited to the first five (see below)
 - b. £5,000 after designating neighbourhood forum, limited to the first five
 - c. £5,000 after a neighbourhood plan is publicised prior to examination
 - d. £20,000 on successful completion of a neighbourhood plan examination and
 - e. an additional £10,000 after successful examination of a neighbourhood plan in a business area.
- 5.4 In a letter received from DCLG on 9 March 2016, the government stated that from April 2016 Local Planning Authorities will only be able to claim £5,000 for each of the first five neighbourhood areas designated. Guildford has already designated in excess of five neighbourhood areas and can therefore no longer claim funding at stage a.
- 5.5 Neighbourhood forums can only exist in areas without a parish council. Albury has a parish council so a forum will not be designated. The Council cannot therefore claim funding at stage b.
- 5.6 In the case of Albury, the total amount available is £25,000 for stages c and d. Designation of a NA does not guarantee that a neighbourhood plan will be completed, pass examination or pass a referendum, so receipt of these payments is not certain.

6. Legal Implications

- 6.1 Where a valid NA application is received, section 61G (5) of the Act requires and empowers councils to either designate the proposed NA or designate an amended

NA that includes some or all of the applied for area. This must be done after the consultation period ends.

- 6.2 Councils may designate either through delegated powers or by committee decision. The Council has put delegated powers in place for this purpose. These powers currently sit with the Director of Planning and Regeneration development.

7. Human Resource Implications

- 7.1 Albury Parish Council, through contact with officers, has shown an intention to produce a neighbourhood plan. The Council is obliged to support this process, a role that we view positively and will proactively fulfil. The new Local Plan is not yet in place so officers will need to provide information regarding emerging strategy and emerging evidence. Neighbourhood plans must help meet the strategic needs of the wider local area and should complement the emerging local plan, so the level of contact needed could be significant.

8. Conclusion

- 8.1 Officers are satisfied that all requirements under the Neighbourhood Planning (General) Regulations 2012 have been met and that the area is appropriate in planning terms. It is recommended that the NA be designated as proposed.

Approved by Tracey Coleman
Director of Planning and Regeneration

Signed:



Date:

22/2/17.

Appendix 1: Albury NA Application (map included)



ALBURY PARISH COUNCIL

Serving Farley Green, Brook, Little London & Newlands Corner

Rumbeams Cottage, Ewhurst Green, Nr. Cranleigh
Surrey GU6 7RR

Parish Clerk:
Mrs. Joanna Cadman
Tel: 01483 268627
Mob: 07711 566458
E-mail: Joanna@joannacadman.com

Chairman:
John Brockwell
Tel: 01483 203586
Mob: 07768 596536
E-mail: john.brockwell@dsl.pipex.com

1st November 2016

Ms S Sturgeon
Managing Director
Guildford Borough Council
Millmead
Guildford
GU2 4BB

Dear Ms Sturgeon

Neighbourhood Plan Area Designation for Albury

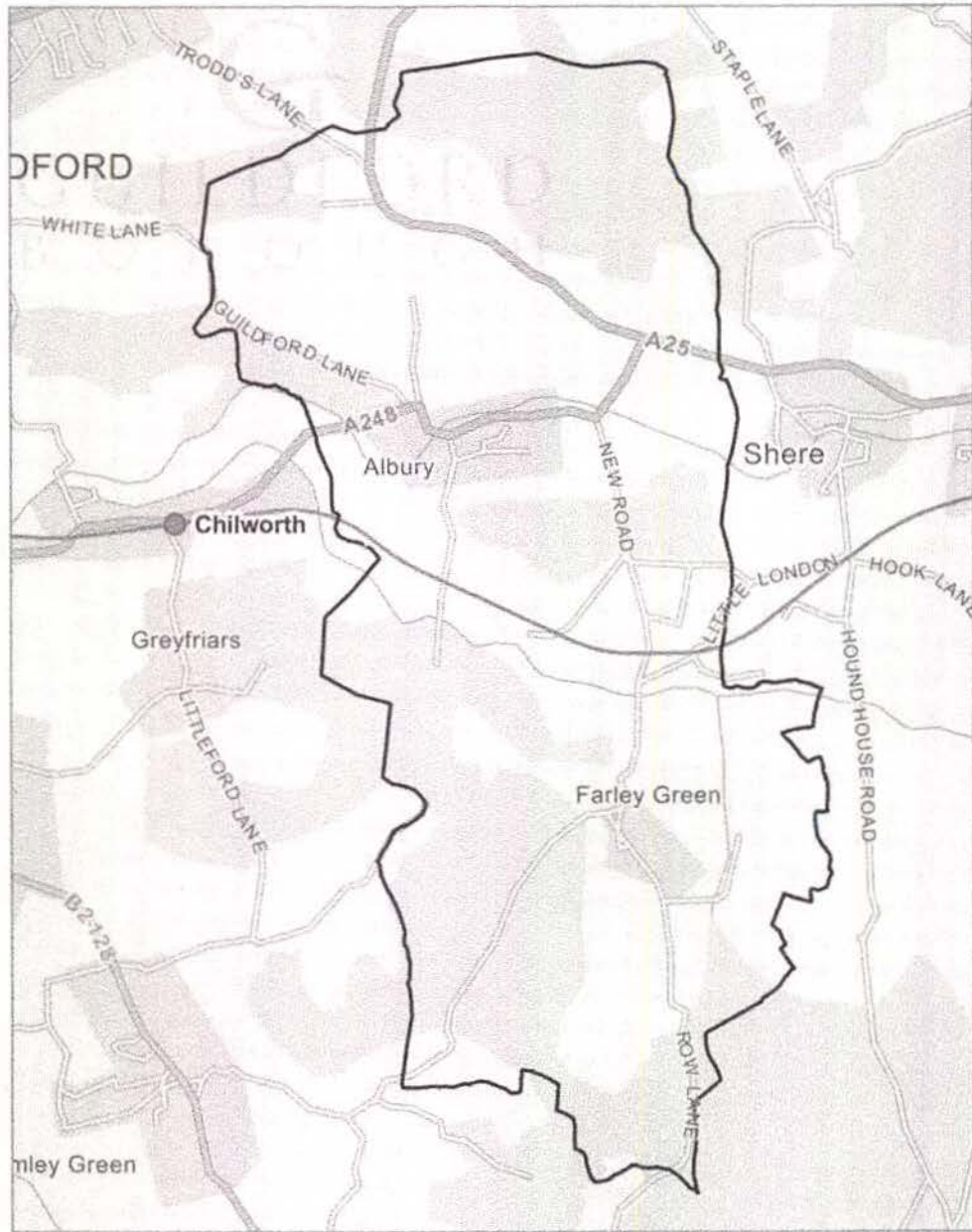
The Parish Council agreed at their meeting on the 3rd October to formulate a Neighbourhood Plan and to apply to designate the Parish of Albury as a Neighbourhood Plan area.

Albury Parish Council is a relevant body for the purposes of Section 61G of the 1990 Town and Country Planning Act. I therefore write to you to apply for the designation of the Parish of Albury as a Neighbourhood Area in accordance with Part 2, Paragraph 5 of the Neighbourhood Planning (General) Regulations 2012 (as amended) in order that the Parish can produce a Neighbourhood Plan.


~~This application is accompanied by a map (attached) which identified the area for which the application relates, namely the entire parish of Albury. It is considered that the area is appropriate to be designated as a neighbourhood area as the parish is a distinct geographical area, surrounded by open countryside. Whilst we maintain a dialogue with adjacent parishes, we do not have any existing shared arrangements of means of working with neighbouring parishes and consider the proposed area for Albury Parish to be more appropriate.~~

Yours sincerely

Joanna Cadman
Clerk to the Council



Legend

 Boundary of Albury parish

Publication Date: 2016-01-07



Scale at A4:
1:35,000

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