

Application by Woore Parish Council to be considered as a Neighbourhood Plan Area

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1.0 Summary

- 1.1 This report seeks approval for the application by Woore Parish Council for the Parish Council area to be considered as an appropriate area for a potential neighbourhood plan (attached as Appendix A, map as Appendix B).
- 1.2 The application was made to Shropshire Council in September 2015 under the provisions of the Town and Country Planning Act 1990 and advertised on the 25th September 2015 for a period of 6 weeks. It is the Council's role to decide whether or not the Parish Council area forms an appropriate area for their potential neighbourhood plan. Various other reports will be brought before Cabinet for decision at other key stages of the process.
- 1.3 The views of respondents have been taken into consideration in making the following recommendation.

2.0 Recommendations

- 2.1 That Cabinet confirms that the Woore Parish Council area is an appropriate basis for the development of a neighbourhood development plan and notifies the Parish Council accordingly.

REPORT

3.0 Legal Context and Application Procedure

- 3.1 The power to designate a Neighbourhood Area is exercisable under Section 61G of the Town and Country Planning Act 1990. Under Regulation 5(1) of The Neighbourhood Planning (General) Regulations 2012 an area application has to include a map that identifies the area to which the application relates and a statement to explain why the area is considered appropriate to be designated as a neighbourhood area and that the body is in fact a "relevant body" for the purposes of Section 61 G(2) of the Act. Woore Parish Council is a relevant body for the purposes of the Act.
- 3.2 The relevant material was received by Shropshire Council and as required by regulation, advertised on 25th September for a period of 6 weeks. In determining the application Shropshire Council must have regard to the desirability of designating the

whole of the area of a parish council as a neighbourhood area and the desirability of maintaining the existing boundaries of areas already designated as neighbourhood areas. It is noted that Woore Parish Council have applied for the designation the whole of the parish council area in their application.

- 3.3 In the event the designation is approved it will be published on the Council's website. In the event a designation is refused under Section 61G (9) of the Act reasons must be given and the decision publicised in accordance with Regulation 7 of the Regulations.

4.0 Risk Factors

- 4.1 The statutory framework covering the production of neighbourhood development plans is quite prescriptive and there is little risk for either Shropshire Council, or Woore Parish Council in following this carefully. A high degree of trust and cooperation between the Councils is critical to reducing risk and ensuring an appropriate balance between local initiative and the statutory framework provided by the adopted Shropshire Core Strategy and SAMDev Local Plan document. The designation of an appropriate area for a neighbourhood plan is to confirm the geographic area the Plan will cover, setting out policies for sustainable development in that area. The designation of a Neighbourhood Plan area does not commit the Parish or Town Council to producing or completing a Neighbourhood Plan.
- 4.2 A Neighbourhood Plan will, after passing through the relevant stages of consultation, submission, examination and the referendum, go on to become part of the statutory planning framework applied in Shropshire. This plan will very much be a product of the community and as such will contain policies that, whilst in general conform with the Core Strategy and the SAMDev Plan (as they are required to), will not have been tested and scrutinised to the same degree as the rest of the Development Plan. A Neighbourhood Plan contains a range of locally produced policies which the community have expressly asked to be brought into play to help guide the decision making process. Statute provides that planning applications should be determined in accordance with the provisions of relevant Development Plan policies unless material considerations indicate otherwise. The weight given to the Plan thus still remains to be balanced with other considerations when taken into the round by decision makers.

5.0 Financial Implications

- 5.1 The Localism Act and Regulations provide that the costs of; delivering a supporting role particularly in the latter stages; appointing an Assessor; conducting an Examination and holding a Referendum fall to Shropshire Council. Current provisions allow an application for these additional costs to be met, and a reimbursement of costs will therefore be sought from the Government. As previously acknowledged in reports on the Much Wenlock Neighbourhood Plan the robustness of the Neighbourhood Plan Policies will be tested over time by independent Planning Inspectors on appeal. Members are advised that the liability for future appeal costs rests with Shropshire Council as Local Planning Authority and as such the usability of such plans and their impact on local decision making will need to be carefully monitored.

6.0 Background

- 6.1 Shropshire Council's localised planning approach supports Neighbourhood Plans being brought forward under the Localism Act and the 2012 Neighbourhood Planning

Regulations, indeed we are legally obliged to do so. However, we are also committed to promoting and supporting planning for neighbourhoods as a more cost effective and sustainable alternative based on sound community led planning principles established through a solid backdrop of community led plans, parish planning, design guides etc, working within the overall framework provided the Core Strategy and SAMDev Local Plan documents.

- 6.2 Interestingly, the three success criteria cited by the government in their Impact Assessment for neighbourhood planning are - increasing housing supply, reducing opposition to economic growth, and increasing community engagement and involvement in planning and development. All of which are key components of Shropshire's localised approach to planning, which, starting with our SAMDev Local Plan document and progressing through support for community led plans alongside our own Place Plans we are committing to the joint delivery of local ambitions, not only in terms of locally defined policy guidance (such as design guidance) but also community endorsed prioritisation of infrastructure and other beneficial investment to help make more sustainable places. This is very much in conformity with the emphasis on neighbourhood plans shaping and directing sustainable development in their area in paragraphs 184 and 185 of the National Planning Policy Framework.
- 6.3 The development of a Neighbourhood Plan must be facilitated by the Town or Parish Council and will in most cases proceed with support and assistance from volunteers across the community. The Parish Council believes that this is a real opportunity for the community to have some ownership on future planning policy for the parish and, subject to passing the formal tests, an external assessment and a local referendum it will become part of the statutory planning framework. Currently it is expected its policies will apply until 2026, the same as Shropshire's Core Strategy but this may be extended to align with Shropshire Council's forthcoming Local Plan review.
- 6.4 As part of the process Shropshire Council will consider whether the Neighbourhood Plan for Woore conforms to its adopted strategic policies and, in agreement with the Parish Council, will put it forward for independent assessment. It will be the responsibility of Shropshire Council to arrange a local referendum to assess local support for the plan proposals and subject to a successful referendum outcome, a "yes" vote, Shropshire Council will have a legal duty to 'make' the Neighbourhood Plan for Woore and bring it into force. This final decision will be a matter for Full Council as it makes planning policy.

7.0 Consideration of Designation

- 7.1 By the close of the consultation no responses had been received into the question of the area to apply to the proposed Woore Neighbourhood Plan.
- 7.2 Woore Parish Council seeks to ensure the future sustainable development of the Parish. Woore Parish comprises the village of Woore and the settlements of Pipe Gate, Irelands Cross, Dorrington, Gravenhunger and Onneley (part). Woore is designated as a Community Hub in the Shropshire Site Allocations and Management of Development (SAMDev) Plan serving the surrounding hamlets and isolated groups of dwellings and businesses. Together the Woore Community Hub and the surrounding settlements offer a range of services which contribute to a sustainable community. These areas are critical to the sustainable development of the Parish. The proposed Area is a sensible and appropriate one reflecting local choice and realistic opportunities for the provision of community infrastructure. Shropshire Council can

also confirm there are no other designated areas in the Parish area or overlapping from adjacent parishes.

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information):
Portfolio Holder
Councillor Mal Price, Portfolio Holder for Planning, Housing, Regulatory Services and Environment
Local Member:
Councillor John Cadwallader
Appendices:
Appendix A: Area Application Appendix B: Area Application map

Appendix A: Area Application

Application to designate a Neighbourhood Area
Town and Country Planning Act 1990
Neighbourhood Planning (General) Regulation 2012

Town Clerk details:

Ms Sarah Pimlott

North Barn, Coole Lane,

Nantwich,

Cheshire CW5 8AB

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01270 624359

Relevant body:

We confirm that we are the relevant body to undertake neighbourhood plan in our area in accordance with section 61G of the 1990 Act and section 5C of the 2012 Regulations.

Name of Council

Woore Parish Council

Extent of the area:

Whole Parish boundary area – please see map attached.

Justification statement:

Woore Parish comprises the village of Woore and the settlements of Pipe Gate, Irelands Cross, Dorrington, Gravenhunger and Onneley (part). Woore is designated as a Community Hub in the Shropshire Site Allocations and Management of Development (SAMDev) Plan serving the surrounding hamlets and isolated groups of dwellings and businesses. Together the Woore Community Hub and the surrounding settlements offer a range of services which contribute to a sustainable community.

Name: Sarah Pimlott

Position: Town Clerk

Date: 14th September 2015

Appendix B: Area Application Map

