

To: City Executive Board

Date: 10th July 2013

Report of: Head of City Development

Title of Report: DESIGNATION OF NEIGHBOURHOOD PLANNING AREAS

Summary and Recommendations

Purpose of report: To designate two neighbourhood areas (Summertown and St Margaret's, and Wolvercote). For clarification, these are not intended to be designated as business areas.

Key decision? Yes

Executive lead member: Councillor Colin Cook

Policy Framework: Designation of neighbourhood areas will be the first step for local groups wishing to produce neighbourhood plans. Adopted Neighbourhood plans will contain statutory planning policies to guide development in the neighbourhood plan areas.

Recommendation(s): That City Executive Board:

1. Designates the two proposed neighbourhood areas.
2. Does not designate either area as a business area.

Appendix 1- Maps of the proposed neighbourhood areas

Appendix 2- Applications received

Appendix 3- Summary of comments received

Introduction

1. City Executive Board is asked to consider two proposed neighbourhood areas for designation. These applications to designate a neighbourhood area have been received from groups who wish to begin the neighbourhood planning process. The areas covered are Wolvercote (following the ward boundary) and Summertown and St Margaret's (following both ward boundaries). Maps of the areas are shown in Appendix 1.
2. The local groups have applied for designation of the neighbourhood areas as a first step to preparing neighbourhood plans. The Localism Act has introduced new rights and powers to enable communities to get directly

involved in planning for their areas. Neighbourhood planning will allow interested communities to come together through a neighbourhood forum (or parish council where they exist) and produce a neighbourhood plan. The contents of the Neighbourhood plans will be shaped by the local communities. They are about being able to say where new houses, businesses, shops and so on should go and what they should look like. Once plans are adopted they will become part of the statutory development plan, and therefore an important consideration when making decisions on planning applications.

3. Planning Regulations set out the requirements for designation of a neighbourhood area. The neighbourhood area applications received (see Appendix 2) should be judged against these criteria. The proposed neighbourhood areas have been advertised for a statutory period of six weeks (5th April-17th May) and comments were invited. A summary of comments received is shown in Appendix 3.

Compliance with planning regulations

4. The Neighbourhood Planning (General) Regulations 2012 include the criteria that must be met in neighbourhood area applications. These are that:
 - a map is provided that identifies the area to which the area application relates;
 - a statement is provided explaining why the area is considered appropriate to be designated as a neighbourhood area; and
 - a statement that the organisation or body making the area application is a relevant body for the purposes of section 61G of the 1990 Act.
5. In addition to this, the City Council's own guidance suggests some other criteria are met, mainly for practical reasons. These are that:
 - The area should be at least the size of one Council ward, and only smaller if it is justified;
 - An area is expected to be contiguous with ward or existing electoral boundaries (for example polling station boundaries). This is so that it is possible to run the referendum in which all residents of the neighbourhood area will be given the opportunity to vote for whether a completed neighbourhood plan should be adopted;
 - Support from Ward Councillors is expected;
 - There should be support from a cross section of local groups not just one organisation.
6. The applications received are attached in Appendix 2. Maps are provided for each area (Appendix 1). As well as this, information is provided for each area application to show that the applicant is capable of being a relevant body (i.e. of being designated a neighbourhood forum, which has its own set of requirements set out in the Neighbourhood Planning Regulations). Ward councillors have been involved in the applications, as is suggested by the City Council's guidance note. Summertown and St Margaret's and Wolvercote have chosen ward boundaries as their neighbourhood area

boundaries, which complies with the City Council's suggestion in the guidance note.

Consultation responses

7. The City Council has a statutory requirement to publicise for 6 weeks any qualifying applications we receive to designate a neighbourhood area (which is the first step for groups wishing to develop a neighbourhood plan) or a neighbourhood forum (which gives qualifying groups the status they need in order to develop a neighbourhood plan).
8. The receipt of the area applications was publicised with the intention of raising awareness within and around the relevant areas. Comments were invited, giving people the opportunity to raise objections. It was particularly important that local groups within or adjoining the proposed areas were made aware of the applications, because once an area is designated no other area within or partly within it can then be designated. Known local groups were contacted directly by letter or email.
9. Few representations were made during the publicity period. Only two representations raised objections. One comment was made that the proposed areas leave a very small area between Jericho and Summertown and St Margaret's that is not part of either proposed neighbourhood plan area. The Jericho application will be considered at a future CEB because there is still some work to do to ensure the application is received from a relevant body that fully meets the requirements of the regulations. Therefore, the comment is no longer relevant.
10. Another comment was made that Summertown is an area distinct from St Margaret's, centred on the Summertown shops, and that the neighbourhood group had not contacted all residents in Summertown. The respondent says that St Margaret's fits better with the area known as Walton Manor. The respondent also felt that the neighbourhood group had not consulted Summertown residents properly.
11. St Margaret's is north of and distinct from the Walton Manor conservation area. Furthermore, the ward boundary between St Margaret's and Summertown is actually north of the Marston Ferry Road. Some of the southern part of the Summertown centre is therefore in St Margaret's. It is not the case that Summertown centre is completely within Summertown and distinct from St Margaret's.
12. The neighbourhood group has begun work to inform and consult with local residents. This will be continuous as work on the plan progresses. It cannot be expected that the group will have contacted all residents of both wards directly at this point.

Business Area Designation

13. When the City Council designates a neighbourhood area it is required to also consider whether the area should be designated as a business area.

An area should be designated as a business area only if the City Council considers that the area is wholly or predominantly business in nature. It is considered that neither area meets this criterion and, accordingly, should neighbourhood areas be designated it is recommended that neither be also designated as a business area.

Environmental impact

14. This stage of the neighbourhood planning process only involves the defining of areas. No Sustainability Appraisal is required for this stage; although as plans are drafted it may be necessary to carry out Sustainability Appraisals for any plan assessed as having potentially significant environmental effects.

Equalities impact

15. Consideration has been given to the public sector equality duty imposed by s149 of the Equality Act 2010. Having paid due regard to the need to meet the objectives of that duty the view is taken that the duty is met.

Financial implications

16. Once applications are received for groups to be granted neighbourhood forum status, the city council is required to publicise these. The City Council is also obliged to offer a certain degree of help to groups as they produce their plans. As well as this, the City Council must consult on draft plans, organise an examination and run the referendum. These requirements will be met from the current resources of the Planning Policy team, supplemented by grants available from central government to district councils for each neighbourhood plan.

Legal implications

17. Officers consider that the information provided by the neighbourhood groups is adequate to show that the statutory requirements for the designation of neighbourhood areas are met.

Risk assessment

18. A risk assessment has been undertaken. No significant risks were identified.

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List of background papers: None
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