

30 June 2014

Report of	Head of Commercial Services	Author	Rachel Forkin 01206 282625
Title	Stanway Neighbourhood Plan Area		
Wards affected	Stanway		

The Local Plan Committee is asked to formally designate the Stanway Neighbourhood Plan Area
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1. Decision(s) Required

- 1.1 To formally designate the Stanway Neighbourhood Plan Area as set out by Section 61G of Town and Country Planning Act 1990 (inserted by the Localism Act 2011).

2. Reasons for Decision

- 2.1 The Localism Act which received Royal Assent in 2011 introduced new rights to strengthen community involvement in the planning process. To deliver this the Localism Act and National Planning Policy Framework introduced the concept of Neighbourhood Planning.
- 2.2 As required by Section 61G of Town and Country Planning Act 1990 (as inserted by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012, Stanway Parish Council has submitted a plan of the proposed plan area and the reasons why they consider this area is appropriate, to Colchester Borough Council. The Borough Council is then required by the regulations to publicise this proposed area as soon as possible. A six week period of public consultation on the proposed Stanway Neighbourhood Plan Area was undertaken between Friday 25th April and Friday 6th June 2014.
- 2.4 This report contains the results of the consultation and recommends that the Local Plan Committee formally designate the proposed plan area. This will then allow the Stanway Parish Council to progress their Neighbourhood Plan.
- 2.5 A map of the Neighbourhood Plan Area being proposed and the application letter are attached as Appendix A and B with this report.

3. Alternative Options

- 3.1 The Committee could decide to refuse to designate the proposed Neighbourhood Plan Area suggested by Stanway Parish Council. If the Committee decides to refuse to designate the area the regulations require that Colchester Borough Council publishes a statement of the reasons for making that decision. In the event of such a decision it is therefore important that the Committee set out clear reasons why the decision has been made.
- 3.2 Section 61G (5) also requires that if the Council decides to refuse the application because it considers that the specified area is not an appropriate area to be designated

as a Neighbourhood Plan Area, Colchester Borough Council must exercise their power of designation so as to secure that some or all of the specified area forms part of one or more areas designated (or to be designated) as Neighbourhood Plan Areas. The effect of this provision is therefore that if the Local Plan Committee were to decide to refuse the application then the Council would need to have alternative proposals for the boundaries of the Neighbourhood Plan Area(s) and must use its powers to designate them.

- 3.3 Such a decision would also be likely to delay the production of the Neighbourhood Plan.

4. Supporting Information

- 4.1 The philosophy behind Neighbourhood Planning is to give local communities a much greater influence over how their neighbourhoods develop and to increase engagement in the local planning decision making process.
- 4.2 The concept of Community Planning is not new in Colchester. The Borough Council has actively encouraged local groups to produce Village Design Statements and Parish Plans since 2006. While Neighbourhood Plans are in effect another type of Community Plan they differ from Village Design Statements and Parish Plans in a number of ways;
1. They are community led by either the Parish Council or a constituted Neighbourhood Forum;
 2. They are subject to formal examination and referendum; and
 3. If adopted they carry weight within the planning system as they form part of the statutory Development Plan.
- 4.3 Stanway have to date produced a Parish Plan and Design Statement (adopted by Colchester Borough Council in March 2011). Stanway Parish Council has set up a Neighbourhood Plan sub-committee which will drive forward the Neighbourhood Plan Area.
- 4.4 Section 38B of the 1990 Act (as inserted by the Localism Act 2011) states that only one Neighbourhood Plan may be made for each Neighbourhood area.

5. Proposals

- 5.1 Stanway Parish Council submitted a proposed Neighbourhood Plan Area to Colchester Borough Council which included the whole parish of Stanway. This is considered to be an appropriate area as it will enable all of the planning needs of the parish to be considered.
- 5.2 The application for a Neighbourhood Plan Area must also be made by a 'relevant body' as required by Section 61G (2) (amended). The Act states that a Parish Council can be considered to be a relevant body if the proposed area consists of or includes the whole or any part of the area of the council. In this case the proposed area includes the whole of Stanway. Stanway Parish Council is therefore classed as a 'relevant body' to make this application under Section 61G.
- 5.3 As required by Regulation 6 of the Neighbourhood Planning Regulations 2012, the Neighbourhood Plan Area was published on the Council's website. Details of the consultation were emailed to the relevant parties on the Planning Policy Team mailing list. The website included the application letter from Stanway Parish Council, a map of the proposed Neighbourhood Plan Area along with the date by which representations must be received and the email and postal addresses of where to send representations.

- 5.4 The Neighbourhood Plan Area Consultation ran for six weeks from 25th April to 6th June 2014. Seven representations were received within the consultation period and these are summarised below. No objections were made to the proposed Neighbourhood Plan Area application.

Organisation or Individual	Comment
Councillor Colin Sykes	Agree that the whole of Stanway parish is the appropriate area for the Neighbourhood Plan.
English Heritage	English Heritage has no objection to the designation. However, given the numbers of designated heritage assets within the parish, request that the Parish Council are reminded that there is a duty to consult English Heritage where their interests are considered to be affected. Welcome the chance to comment on an early draft of the Plan.
Essex County Council	County Council raises no comment on the proposed boundary and look forward to engaging constructively, actively and on an on-going basis during the preparation of the Neighbourhood Plan. ECC notes that the proposed area covers the entire Colchester Quarry Site and lists the permissions relevant to the site. It also lists the sites in the proposed area that are designated in the Essex Replacement Minerals Local Plan, and will need to be considered.
Highways Agency	Note that the junctions on the A12 shown on the plan are operating close to capacity and would strongly recommend a co-ordinated approach to development in this area to fully assess the cumulative impact of all proposed development so that appropriate mitigation can be designed and funding mechanisms set up. Look forward to working alongside Stanway Parish Council on bringing this plan together.
Marine Management Organisation	No comments to submit in relation to the consultation.
Natural England	Advice is offered which may be of use in the preparation of the Plan which includes protected landscapes, protected species, Local Wildlife Sites, and protecting the best and most versatile agricultural land. It also provides information on opportunities for enhancing the character and local distinctiveness of the surrounding natural and built environment, for example through green space provision and access to and contact with nature.
NHS England – Essex Area Team	No objection to the boundary proposed and no comments to add at this time. However would wish to review the any Neighbourhood Plans prepared for this Neighbourhood Area as they emerge.

- 5.5 Each of the representations received above have been summarised for the purposes of this report. Copies of the full representation will be made available to Stanway Parish Council.
- 5.6 The Local Plan Committee is therefore asked to formally designate the Stanway Neighbourhood Plan Area. Once the area is designated the council is required by

Regulation 7 of the Neighbourhood Planning Regulations 2012 to publish the name of the Neighbourhood Plan Area, a map which identifies the area, and the name of relevant body who applied for the designation. If the area is designated by the committee this will be carried out as soon as possible.

6. Strategic Plan References

- 6.1 The Strategic Plan Action Plan includes a commitment to regenerate the Borough through buildings, employment, leisure and infrastructure, improve opportunities for local business to thrive including retail, provide more affordable homes across the borough and enable local communities to help themselves. The production of a Neighbourhood Plan will help the Council meet these strategic objectives.

7. Consultation

- 7.1 The proposed Neighbourhood Plan Area was publicised in accordance with Regulation 6 of the Neighbourhood Planning (General) Regulations 2012 as detailed in section 5.2 and 5.3 above. Should the area be formally designated by the Local Plan Committee there is a requirement that the Council must publish details of the area as soon as possible.

8.0 Publicity Considerations

- 8.1 The Neighbourhood Plan may generate publicity for the Council as it is an initiative aimed at improving participation in the planning system.

9. Financial Implications

- 9.1 Colchester Borough Council is responsible for consultation costs and for organising both the examination and community referendum for the Neighbourhood Plan. The Department for Communities and Local Government have made grant monies available to local authorities to cover the costs of supporting Neighbourhood Planning groups. Grants from government are staged with £5,000 being made available following the designation of a Neighbourhood Plan Area. Further funds are also available at different stages of the Neighbourhood Plan process to cover the cost of staff time, resources, examination and referendum.
- 9.2 An application will be submitted to the Department for Communities and Local Government for the first part of the grant once the Neighbourhood Plan Area is approved.

10. Equality, Diversity and Human Rights implications

- 10.1 An Equality Impact Assessment has been prepared for the Local Development Framework and is available to view on the Colchester Borough Council website by following this pathway from the homepage: Council and Democracy > Policies, Strategies and Performance > Diversity and Equality > Equality Impact Assessments > Strategic Policy and Regeneration > Local Development Framework.
- 10.2 There are no particular Human Rights implications.

11. Community Safety Implications

- 11.1 None.

12. Health and Safety Implications

12.1 None

13. Risk Management Implications

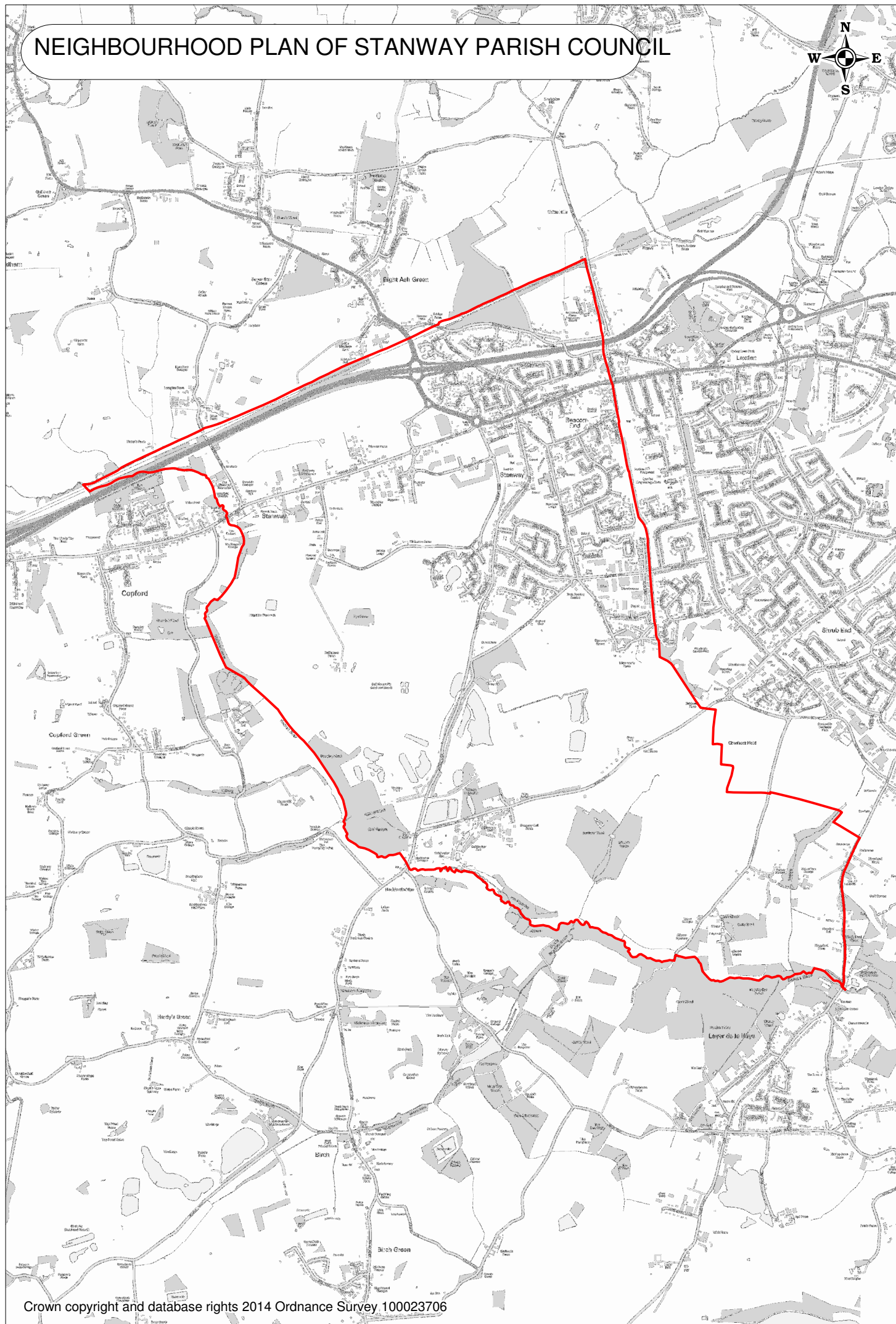
13.1 The preparation of a Neighbourhood Plan for Stanway will help ensure that the area will benefit from an up-to-date and comprehensive development plan against which applications for planning permission can be considered.

Appendices

Appendix A – Plan of proposed Neighbourhood Area

Appendix B – Letter of application from Stanway Parish Council

NEIGHBOURHOOD PLAN OF STANWAY PARISH COUNCIL



STANWAY PARISH COUNCIL

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Karen Syrett
Planning Policy Officer
Strategic Policy and Regeneration
Colchester Borough Council
33 Sheepen Road
Colchester
CO3 3WG

30th January 2014

Dear Karen

RE: Stanway Parish Council's Neighbourhood Plan

Stanway Parish Council has formed a Neighbourhood Plan Sub-Committee. The formation of this sub committee was sanctioned at Parish Council meeting held at The Victory Hall, Villa Road, Stanway CO3 0RH on Thursday 26th September 2013 (minute 170 refers).

One of the first tasks of the sub committee is to establish the Neighbourhood Area. The Neighbourhood Area was discussed at the third formal meeting of the sub committee on 19th December 2013 (minutes of this meeting are attached).

In establishing the area, note was taken of the Neighbourhood Planning (General) Regulations 2012. In particular, Part 2, Regulation 5 which states;

- 1) Where a relevant body submits an area application to the local planning authority it must include –
 - a) A map which identifies the area to which the area application relates.
 - b) A statement explaining why this area is considered appropriate to be designated as a neighbourhood area.
 - c) A statement that the organisation making the area application is a relevant body for the purpose of Section 61G of the 1990 Act..... *"a relevant body means (a) A Parish Council."*

Stanway Parish Council, being a relevant body within the meaning of the Act, wishes to submit the following for consideration and approval as the Neighbourhood Area.

- 2) The Council Ward designated by Colchester Borough Council is identified in the attached map.
- 3) The area is considered appropriate to be designated as the Neighbourhood Area because;
 - It is co-terminus with existing local government administrative boundaries.

- It is inclusive and will enable the designated neighbourhood to reach all potential areas of development.
 - Likewise, it will enable a fuller range of consultation within the designated area.
 - It permits the local authority to operate this plan together with other potential adjoining neighbourhoods and does not leave any 'gaps'.
- 4) Stanway Parish Council is a relevant body within the meaning of Section 61G (a).

Yours sincerely

A handwritten signature in black ink, appearing to read 'G. Collings', written in a cursive style.

Cllr Gillian Collings
Stanway Parish Council Chairman