

Report for Director of Planning and Regeneration
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Date: 15/03/2019

Proposal for neighbourhood area covering West Clandon parish

Recommendation

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

Reason(s) for Recommendation:

To comply with section 61G (5) of the Town and Country Planning Act 1990 (as amended), and to enable West Clandon Parish Council to undertake neighbourhood planning activities.

1. Purpose of Report

- 1.1 To set out the reasons for the recommendation to designate a neighbourhood area (NA) following the West Clandon Parish boundary. This is the boundary proposed by the West Clandon Neighbourhood Area application (**Appendix 1**).

2. Strategic Priorities

- 2.2 The Council's Strategic Framework identifies the following relevant key strategic priorities from the Corporate Plan (2018- 2023): 'Place-making' and 'Community'. Neighbourhood planning is a community-led activity and neighbourhood plans may include place-making policies. Designating the neighbourhood area confers powers on the parish council that allows it to undertake neighbourhood planning activities, and therefore will support these strategic priorities.

3. Background

- 3.1 The borough of Guildford currently has nine designated neighbourhood areas: Burpham and Lovelace wards and the parishes of Effingham, East Horsley, West Horsley, Puttenham, Send, Seale and Sands and Albury.
- 3.2 Planning officers received a formal application from West Clandon Parish Council to designate a new NA following the boundary of West Clandon Parish on 13 March 2019 (see Appendix 1).

3.3 Under recent changes to the above regulations, public consultation on the proposal is not required. Regulation 5A states that where planning applications are received from a parish council, and the neighbourhood area applied for is the whole of the parish area, the Council a) must make the designation and b) that regulations 6 and 6A that require public consultation are disapplied.

4. Consideration of the application

4.1 West Clandon Parish Council meets the required criteria to be considered a qualifying body for the purposes of section 61G(2) of the Act. The Council must designate a neighbourhood area if the application is valid. Consideration is therefore limited to whether the application meets the requirements of the regulations.

4.2 Officers have reviewed the application against the requirements of regulation 5 and agree that it includes the requisite sections, which are:

- a map which identifies the area to which the application relates,
- a statement explaining why the area is considered appropriate to be designated a neighbourhood area, and
- a statement that the organisation or body making the application is a “relevant body” under section 61G of the Act.

4.3 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

4.4 There is no reason why the proposed NA should not be designated and the Council must therefore make the designation.

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 £4,000 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. £20,000 on successful completion of a neighbourhood plan examination,
- d. an additional £10,000 after successful examination of a neighbourhood plan in a business area, and

- e. £20,000 on successful completion of a Neighbourhood Development Order or Community Right To Build Order examination (maximum of one per year per neighbourhood area)
- 5.4 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. West Clandon 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 West Clandon, the total amount available is £40,000 for stages c and e. Designation of a NA does not guarantee that a neighbourhood plan or Order will be produced, pass examination or pass a referendum, so receipt of these payments is not certain.

6. Legal Implications

- 6.1 Regulation 5A requires the Council to designate a neighbourhood area where a parish council applies for the whole of its parish area to be designated.
- 6.2 Councils may designate either through delegated powers or by committee decision. The Council has put delegated powers in place. These powers currently sit with the Director of Planning and Regeneration.

7. Human Resource Implications

- 7.1 West Clandon 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 Council's emerging Local Plan: Strategy and Sites is at an advanced stage and officers will need to provide information regarding emerging strategy and available 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 (as amended) have been met. It is recommended that the NA be designated as proposed.



WEST CLANDON PARISH COUNCIL

Chairman: Mr Terence Patrick , Stoney Royd, Woodstock, West Clandon, Guildford, GU4 7UJ

Clerk: Mr John Stone, Hunters End, Lime Grove, West Clandon, Guildford GU4 7UT
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Tracy Coleman
Director of Planning and Regeneration
Guildford Borough Council
Millmead House
Millmead
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13th March 2019

Dear Ms Coleman,

Application for Designation of the Civil Parish of West Clandon as a Neighbourhood Area.

In accordance with the provisions of the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012 Section 5, West Clandon Parish Council formally apply to Guildford Borough Council as the Planning Authority to designate the Civil Parish of West Clandon as a Neighbourhood Area, in accordance with Regulation 5 of the Neighbourhood Planning (General) Regulations 2012 ("The Regulations").

Map- Attached herewith is a map showing the Civil Parish of West Clandon as required by the Regulations.

The Regulations also require the following two statements in support of this application.

Statement 1

Why the Parish of West Clandon is appropriate to be designated as a Neighbourhood Area.

The Village of West Clandon is at the heart of the Parish located in the County of Surrey four miles to the East of Guildford. The Parish Council has been in continuous operation since 1889 and is one of 24 parishes within the Borough of Guildford. At the last census the population was recorded as 1363.

Significant development is proposed both within the parish boundaries and adjacent areas under the auspices of the Guildford Local Plan. The Parish Council wishes to play an active role in ensuring new developments are well planned and integrated into the local area and serve the interests of residents.

Statement 2

West Clandon Parish Council is a relevant body for the purposes of Section 61G of the Town and County Planning Act 1990.

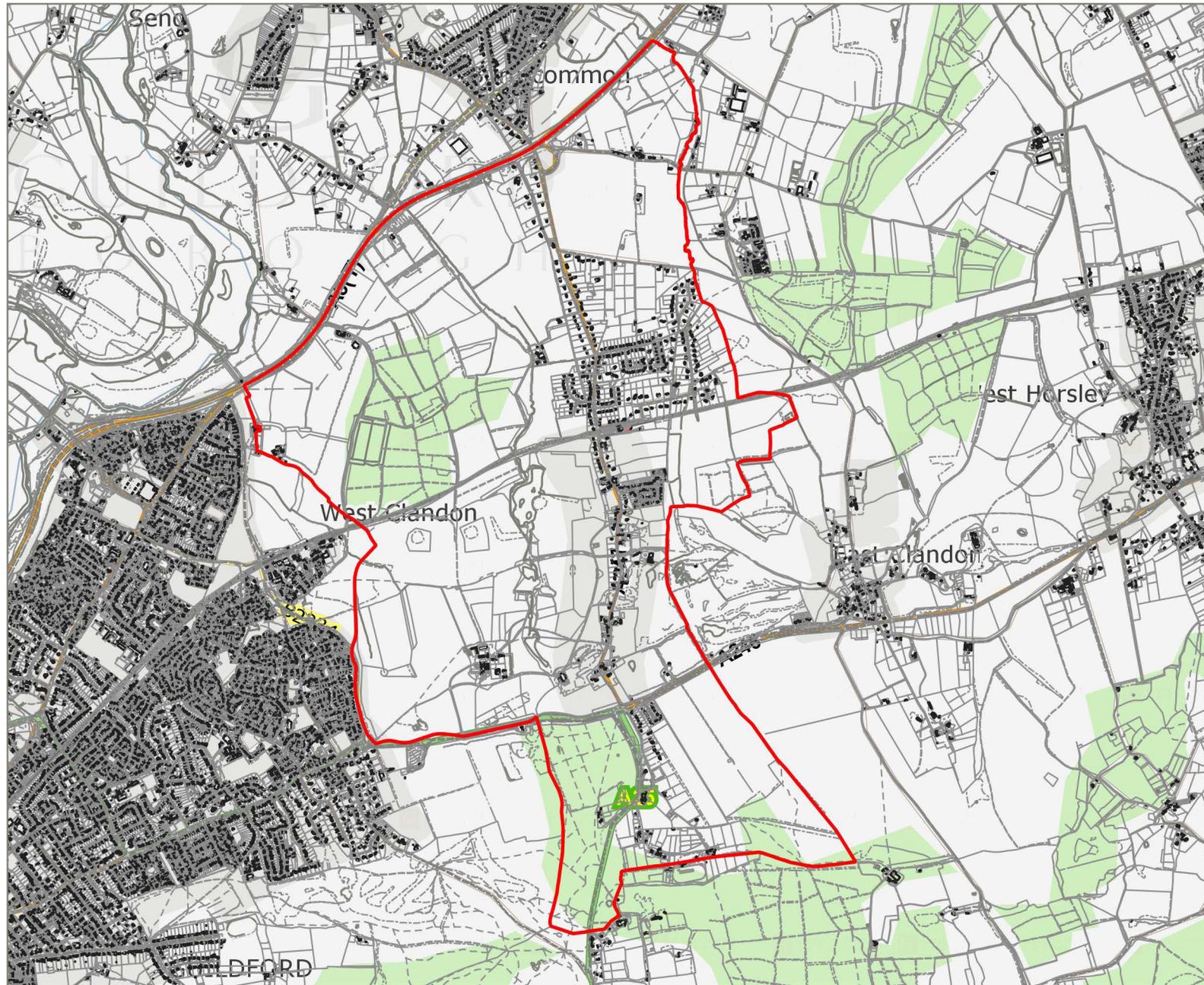
The Parish boundary is well understood by local people, who will be key stakeholders in the neighbourhood planning process, which makes it a logical planning boundary. We would therefore submit that West Clandon Parish Council is suitable for designation as a Neighbourhood Planning Area under the Regulations.

The Parish Council would welcome a decision on this application as soon as possible.

Yours faithfully,

Terence Patrick
Chairman, West Clandon Parish Council

West Clandon proposed neighbourhood area



Legend

-  West Clandon parish boundary/proposed neighbourhood area

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Scale at A4:
1:35,000

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