

Glastonbury Council Application for Designation of Neighbourhood Area

Neighbourhood Area Designation Application Report Decision Acting Under Delegated Powers

Date of decision: 20th July 2016

1. INTRODUCTION

- 1.1. Pursuant to Mendip District Council's Constitution, in particular Section 18 (Responsibility for Functions) Schedule 10: Functions Related To Neighbourhood Plans, Neighbourhood Development Orders and Community Right To Build Orders, the determination of applications for designation of neighbourhood plan areas relating to the area to be covered by a proposed neighbourhood plan where the plan is likely to impact on a significant number of people in two or more wards is delegated to the Group Manager Planning and Growth in consultation with the Portfolio Holder for Planning and Growth.

2. BACKGROUND

- 2.1. The power to designate a Neighbourhood Area is exercisable under section 61G of the Town and Country Planning Act 1990 (the Act). Under Regulation 5(1) of The Neighbourhood Planning (General) Regulations 2012 (which came into force on 6th April 2012) an area application has to include a map which identifies the area to which the application relates, a statement explaining why this area is considered appropriate to be designated as a neighbourhood area and a statement that the body making the application is a relevant body for the purposes of Section 61G(2) of the Act.
- 2.2. Glastonbury Town Council is a 'relevant body' for the purposes of Section 61G(2) of the Act 1990 and has submitted an application for the designation of Glastonbury Neighbourhood Area. The application is for the whole area of Glastonbury Parish to be designated as a Neighbourhood Area for the purposes of Neighbourhood Planning and so satisfies Section 61G(3) of the Act. The submission of the application complied with the Regulations.

- 2.3. The Glastonbury Neighbourhood Plan Steering Group has been set up to prepare the plan and is led by the Town Council. The Group includes a cross section of community representatives that meet regularly to develop the draft plan.

3. PROCEDURE

- 3.1. Under Section 61H of the Act, whenever a local planning authority exercises powers under Section 61G to designate an area as a neighbourhood area, consideration must be given to whether the authority should designate the area concerned as a business area. The designation of the specified area can only occur if the authority considers that the area is wholly or predominately business in nature (Section 61H (3)).
- 3.2. If the application for the designation of this Neighbourhood Area is approved, then Regulation 7(1) of the Neighbourhood Planning (General) Regulation 2012 requires the designation to be publicised. If the application is refused, reasons must be given under Section 61G (9) of the 1990 Act and Regulation 7(2) of the Regulations requires the decision to be publicised.
- 3.3. As the Neighbourhood Plan for the proposed Glastonbury Neighbourhood Area is likely to impact on a significant number of people in two or more wards, the determination of this application is delegated to the Group Manager Planning and Growth in consultation with the Portfolio Holder for Planning and Growth.

4. CONSIDERATION AS TO WHETHER OR NOT TO DESIGNATE

- 4.1. In determining the application for the designation as a Neighbourhood Area, regard must be had to the desirability of designating the whole area.
- 4.2. The issue of whether or not the specified area is an 'appropriate area to be designated as a Neighbourhood Area'.
- 4.3. The issue of whether or not the specified area should be designated as a Business Area.

5. REASONING FOR DESIGNATION

- 5.1. The proposed area for designation is the administrative Parish of Glastonbury and is considered appropriate. Designation of the whole parish will ensure the Neighbourhood Plan takes into account planning issues relating not only to Glastonbury Town but also the smaller communities and rural surrounds within the parish area. The proposed Neighbourhood Area has been endorsed

through community consultation. Glastonbury Town Council state that their aim is to produce a Neighbourhood Plan for the whole of Glastonbury that has emerged through local engagement and reflects the wishes of the local community identifying how the town should be developed and improved. The specified area falls completely within the Council's area.

- 5.2. The application for designation as a Neighbourhood Area was publicised for a period of 6 weeks from Tuesday 7th June to Tuesday 19th July 2016.
- 5.3. Nine responses were submitted during the consultation. The representations received are set out in Appendix 1. Two responses expressed support for the area designation and raised issues on the content of the plan going forward. Others expressed no comment and/or generic advice for the production of Neighbourhood Plans. No objections or issues were raised.
- 5.4. The proposed Glastonbury Neighbourhood Area is coherent, consistent and appropriate in planning terms.
- 5.5. The reasoning for the designation detailed above and the lack of any specific representations against the proposed area, lend support to the designation. It is therefore considered that the specified area is an appropriate area upon which to base a subsequent Neighbourhood Plan.
- 5.6. The specified area is not wholly or predominantly business in nature and so it is inappropriate to designate it as a Business Area.
- 5.7. It is also considered that it is not desirable that only part of such parish areas be designated as this could lead to fragmented approach to neighbourhood planning within those areas.

6. CONCLUSION

- 6.1. The specified area without modification should be designated as a Neighbourhood Area for the reasons set out in the application.
- 6.2. The specified area should not be designated as a Business Area for the reasons set out above.
- 6.3. A copy of this report will be sent to the constituent qualifying body, Glastonbury Town Council. A copy of this report and a map of the designated Neighbourhood Plan Area will be placed on the Council's website www.mendip.gov.uk/neighbourhoodplanning and will be available to view on request at the Council's Offices.

7. DECISION

- 7.1. That the designation of the Glastonbury Neighbourhood Area be made in accordance with Section 61G of the Town and Country Planning Act 1990 as amended for the purposes of Neighbourhood Planning.
- 7.2. That the Glastonbury Neighbourhood Area not be designated as a Business Area pursuant to Section 61H of the Town and Country Planning Act 1990



Ian Bowen

Group Manager Planning and Growth



Cllr Nigel Woolcombe Adams
Portfolio Holder for Planning and Growth.

Appendix 1 - Summary of Consultation Responses

Respondent	Summary of Representation	Officer Response
Anthony Ward (resident)	<p>Supports the Glastonbury Neighbourhood Plan application.</p> <p>Raises concerns about the protection and conservation of agricultural land and green field sites here on the flood plain on the edge of the Levels and Moors.</p>	Response to be forwarded to Glastonbury Town Council for use in their plan preparation.
Karin & Andy Shaw (residents)	<p>Wish to fully support the views and sentiments expressed in Anthony Ward's e-mail as smallholder-landowners/residents on the moors on the outskirts of Glastonbury and therefore very vulnerable to any adverse knock-on effects resulting from unsuitable developments.</p>	Response to be forwarded to Glastonbury Town Council for use in their plan preparation.
Coal Authority	No specific comments to make.	N/a
Environment Agency	<p>No comments to make regarding the designation of this neighborhood area.</p> <p>We look forward to receiving further consultation in due course, and upon confirmation that this boundary is acceptable.</p>	Response to be forwarded to Glastonbury Town Council for use in their plan preparation.
Highways Agency	<p>No objection in principle to the parish becoming a plan area.</p> <p>Highways England is responsible for operating, maintaining and improving the strategic road network (SRN) which in this instance comprises the A303 to the south of the proposed plan area, and the M5 to the west.</p> <p>Whilst it is unlikely that future development proposals will have the potential to impact on the SRN we would nonetheless welcome the opportunity to comment further on the plan as it develops to ensure it includes a satisfactory assessment of traffic impacts and mitigation requirements, if appropriate.</p>	Response to be forwarded to Glastonbury Town Council for use in their plan preparation.

Natural England	General advice for protecting and enhancing the environment in the production of neighbourhood plans along with links to advice and resources.	Response to be forwarded to Glastonbury Town Council for use in their plan preparation.
Persimmon Homes	No specific comments on the Area Designation but highlight a number of issues that will need to be addressed in the Plan's preparation. This includes the timing and coordination with the Local Plan Part II and the importance of clarifying which plan will address policies on the use of land in Glastonbury.	Response to be forwarded to Glastonbury Town Council for use in their plan preparation. The District Council has and will continue to engage with Glastonbury Town Council as to the scope and timing of the Neighbourhood Plan.
Caroline Marsh	No specific comments made the area designation. Registers interest in the Neighbourhood Plan and comments that having local residents give their ideas and thoughts is much needed.	Response to be forwarded to Glastonbury Town Council for use in their plan preparation.
Historic England	No objections to this proposal. Highlights that the area is rich in designated heritage assets and outlines the range of support on offer from Historic England in relation to Neighbourhood Plans.	Response to be forwarded to Glastonbury Town Council for use in their plan preparation.