

FERRING Neighbourhood Area Designation Application Consultation background decision paper

PART 2 – Neighbourhood Areas – REG. 7 Publicising a designation of a Neighbourhood Area

1. INTRODUCTION

- 1.1 The Local Plan sub-committee at their meeting on 29th November 2012 is authorised to consider the area designation application for Ferring and if appropriate to approve the application.

2. BACKGROUND

- 2.1 The power to designate an area as 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 No.637, an area application has to include a map which identifies the area to which the area 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 area application is a relevant body for the purposes of section 61G(2) of the 1990 Act.
- 2.2 **Ferring** Parish Council as the 'relevant body' submitted an application for designation of neighbourhood area to Arun District Council. The specified area includes the whole of the parish boundary and the submission complied with the Regulations.
- 2.3 The application was publicised and consulted on as required by the Regulations from 30th August to 18th October 2012.

3. CONSIDERATION AS TO WHETHER OR NOT TO DESIGNATE

- 3.1 The decision is whether or not the specified area is an 'appropriate area to be designated as a Neighbourhood Area'.
- 3.2 Part of the specified area falls within the South Downs National Park Local Planning Authority Area and part within Arun District Council Local Planning Authority Area.
- 3.3 This is the first area designation application made to the Council as local planning authority for this area and so, in determining this application, the desirability of maintaining the existing boundaries of areas already designated as neighbourhood areas does not fall to be considered under section 61G(4)(b) of the Act.
- 3.4 The reasons explaining why this specified area is considered appropriate are set out in the application for designation itself and the application for designation has been publicised in accordance with Regulation 6 of The Neighbourhood Planning (General) Regulations 2012.
- 3.5 The application for designation as a Neighbourhood Area was publicised for a 6 week public consultation period from 30th August 2012 to 18th October 2012, for any representations to be received on or before 18th October 2012 at 5pm.
- 3.6 In total no response was made within that timescale. Therefore no representations are available in **Appendix 1**.

- 3.7 In determining the application for designation of an area as a Neighbourhood Area, regard must be had to the desirability of designating the whole of the area of a parish council as a neighbourhood area as required under Section 61G(4)(a) of the Act.
- 3.8 Under section 61H of the 1990 Act whenever a local planning authority exercises powers under section 61G to designate an area as a neighbourhood area, consideration must be given as to whether the authority should designate the area concerned as a business area.
- 3.9 As designation of the specified area can only be done if the authority considers that the area is wholly or predominantly business in nature [section 61H(3)], in this case the specified area cannot be designated as a business area.
- 3.10 If the application is approved, the Regulation 7(1) of The Neighbourhood Planning (General) Regulations 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.

4. RECOMMENDATION

- 4.1 It is recommended that the specified area without modification should be designated as a Neighbourhood Area for the reasons set out in the application and the results of the consultation with the public lend support for the designation. It is considered that the specified area is an 'appropriate area to be designated as a neighbourhood area' and I recommend that it be so designated.
- 4.2 The specified area is not wholly or predominantly business in nature and so it is inappropriate to designate it as a business area.
- 4.3 It is also worth noting that it is not desirable that only part of the parish/town councils' areas be designated as this could lead to a fragmented approach within those areas.
- 4.4 A copy of the decision notice for the application of designation of the specified area as a Neighbourhood Area is attached.

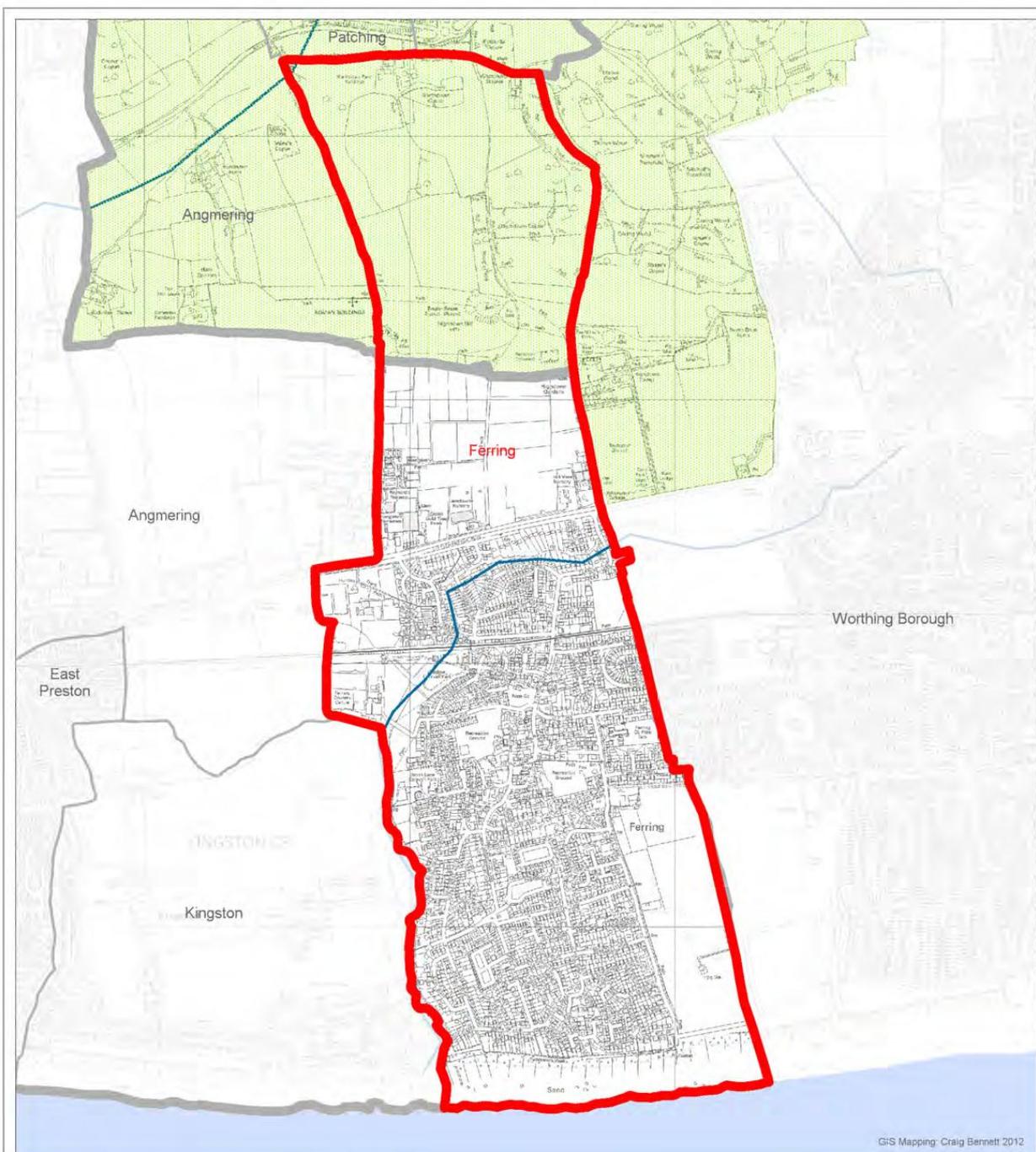
APPENDIX 1

Responses submitted to Arun District Council during the consultation on the application for the designation of Ferring as a Neighbourhood Area.

Respondent	Comments

DECISION NOTICE FOR DESIGNATION OF FERRING AS A NEIGHBOURHOOD AREA

1. I declare that I have no private interests in respect of this matter which would prevent me from determining this application.
2. I hereby exercise power under Section 61G of the Town and Country Planning Act 1990 and all other powers delegated to me to designate '**Ferring Parish**' as a Neighbourhood area. I am satisfied that the area is an appropriate area to be designated as a Neighbourhood Area. I do not designate it as a business area for the purposes of Section 61H(1) of the Act as it is not wholly or predominantly business in nature.
3. As required by the Neighbourhood Planning (General) Regulations 2012 Part 2, Reg. 7
 - a) The name of the neighbourhood area : **Ferring**
 - b) A map which identifies the area:



GIS Mapping: Craig Bennett 2012

Ferring Parish

Neighbourhood Area

Scale: 1:20,000 @ A4 Hectares of Parish: 401.1



NORTH

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Ordnance Survey 100018487



ARUN
DISTRICT COUNCIL

Key:

- | | | | | | |
|---|---|---|---|---|----------------------------------|
|  | Arun District Planning Authority Area |  | Surrounding Parishes (within the Arun District Planning Authority Area) |  | South Downs National Park (SDNP) |
|  | South Downs National Park (SDNP) Planning Authority Area |  | Surrounding Parishes (within SDNP Planning Authority Area) |  | Water Courses |
|  | Neighbourhood Area (within the Arun District Planning Authority Area) |  | English Channel | | |
|  | Neighbourhood Area (falling within the SDNP Planning Authority Area) | | | | |

c) The name of the relevant body who applied for the designation: **Ferring Parish Council**

4. I hereby declare **Ferring Parish** as a neighbourhood area based on the advice contained in the officer background decision paper.

Signed: -----

Karl Roberts
Assistant Director Planning and Economic Regeneration
Arun District Council

Signed: -----

Cllr Ricky Bower
Portfolio holder for Planning and Infrastructure
Arun District Council

Decision published on: 10th December 2012

Via arun.gov.uk/NAD