



DECISION TO DESIGNATE THE WHOLE OF LITTLE MISSENDEN PARISH AREA A NEIGHBOURHOOD AREA

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1.1 The purpose of this report is to recommend that the Planning Policy Team Leader exercises their delegated authority to designate the whole of the Little Missenden Parish Council area as a Neighbourhood Area.

Recommendation

1.2 That the Planning Policy Team Leader uses their delegated powers to declare that the whole of the Little Missenden Parish Council area has been designated as a Neighbourhood Area in accordance with Regulation 5A of The Neighbourhood Planning (General) Regulations 2012 as amended.

Background

1.3 On the 7th of September 2022, Little Missenden Parish Council submitted a Neighbourhood Area Application requesting that the whole of its parish area be designated as a Neighbourhood Area.

1.4 Little Missenden Parish Council's application was submitted in accordance with Regulation 5A that was inserted into the 2012 Neighbourhood Planning Regulations (1) by amended regulations which came into force on the 1st October 2016 (2).

1.5 The effect of Regulation 5A is that, if a parish council submits a Neighbourhood Area Application that requests that the whole of its parish area is designated a Neighbourhood Area, the Local Planning Authority (Buckinghamshire Council) must use its powers under the Act³ to designate the whole of the parish area as a Neighbourhood Area.

1.6 The regulations also state that, where a parish has submitted a Neighbourhood Area application to include the whole of its parish area, the Local Planning Authority is not required to consult or publicise the Neighbourhood Area Application. Therefore, Buckinghamshire Council does not need to carry out any publicity of the Neighbourhood Area Application in advance of the Neighbourhood Area being designated.

Next Steps

1.7 Following designation of the Neighbourhood Area, and in accordance with Regulation 7 of the 2012 Regulations, the Local Planning Authority must publicise the Neighbourhood Area Designation on its website and in any other way they consider would let people who live, work or carry out business in the neighbourhood area that the area has been designated.

1.8 The published information should include the name of the neighbourhood area; a map which identifies the area; and the name of the relevant body who applied for the designation.

1.9 In terms of notification, in addition to the website, the Buckinghamshire Council procedure note advises that the Director of Planning and Environment, the Head of Planning and Development and the Head of Planning Policy and Compliance be advised of the

¹ The Neighbourhood Planning (General) Regulations 2012

² The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016

designation together with Development Management Team Leaders in the relevant development management team.

2.0 Notification of the designation is also sent to the Portfolio Holder for Planning and Regeneration and relevant Council ward members in the area covered by the Neighbourhood Area Designation.

2.1 Little Missenden Parish Council will be advised of the designation and invited to publicise the decision on their own website and on local notice boards throughout the designated area.

What designating a Neighbourhood Area Means

2.2 In most cases, the designation of a Neighbourhood Area is in relation to the proposal to create a neighbourhood plan for the area. Before a neighbourhood plan can be produced for an area, there must be a designated neighbourhood area in place. In this case it means that Little Missenden Parish Council can now go on to produce a neighbourhood plan for their area.

Financial and Legal Implications

2.3 Financial – There are no significant costs, other than officer time, involved in the designation of a neighbourhood Area. Potentially there may be some postage costs if it is necessary to notify anyone by post of the neighbourhood area designation. Councils can receive grants from government for the designation of a neighbourhood area, however this is limited to five per council area and Buckinghamshire Council has already exceeded this limit. Further grant funding is available should a neighbourhood plan pass an examination, and the Council determines that the plan should proceed to a referendum. This grant is available per neighbourhood plan. However, it should be kept in mind that the Government could amend the neighbourhood grants scheme or end the grants at any time.

2.4 Legal – The Council is legally required to designate a neighbourhood area where a valid application has been made by a Parish Council (Little Missenden Parish Council in this case) for a neighbourhood area covering the whole of its parish area.

Delegated authority

Part I Section 2 (Scheme of Delegation to Officers) Para 2.21 of Buckinghamshire Council's Constitution authorises the Director of Planning and Environment to determine all decisions relating to neighbourhood planning. The Director of Planning and Environment has further delegated authority to the Head of Planning Policy and Compliance, the Planning Policy Manager and Planning Policy Team Leaders to make decisions relating to neighbourhood planning in a note dated August 9th 2021 titled 'Non-Financial Delegations to Officers'; 'Relating to Planning and Development Management'.

Exercise of Delegated Authority

I, Chris Schmidt-Reid on behalf of Steve Bambrick, Director of Planning and Environment on 4th October 2022 agree the above recommendation.

Signed: 

Dated: 04.10.2022

Chris Schmidt-Reid on behalf of Steve Bambrick

Director of Planning and Environment.

Background papers

Little Missenden Parish Council neighbourhood area application letter and proposed Neighbourhood Area Map.