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# **DECISION TO SPLIT AN EXISTING NEIGHBOURHOOD AREA INTO SEPARATE NEIGHBOURHOOD AREAS**

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## **1. Recommendation**

1.1 That the existing Neighbourhood Area covering the Bierton Parish, Broughton Parish Meeting and Kingsbrook Parish areas (see Map 1) is replaced by three neighbourhood areas comprising of one that covers the whole of Bierton Parish, a second that covers the whole of Kingsbrook Parish and a third that covers the whole of Broughton Parish (Appendix B) using powers given by section 61G(6a)(b) of the Town and Country Planning Act 1990.

## **2. Background and reasoning**

2.1 On 7 September 2016 Bierton Parish Council applied for the whole of its parish to be designated a neighbourhood area. In 2020 the original parish of Bierton was split into three parishes: Bierton Parish, Kingsbrook Parish and Broughton Hamlet Parish.

2.2 On 27 June 2023, Bierton Parish Council submitted a Neighbourhood Area Application requesting that the whole of its parish be designated as a Neighbourhood Area. This resulted from Kingsbrook Parish Council removing consent to continue with a neighbourhood plan that relates to the existing Neighbourhood Area that covers Bierton Parish, Kingsbrook Parish and Broughton Parish.

2.3 In order to designate just Bierton Parish as a neighbourhood area, Buckinghamshire Council must amend an existing neighbourhood area that covers multiple parishes. Therefore, whilst the application requests to designate the whole parish, regulation 5A does not apply as the requirements of regulation 5A(1)(c) are not met.

2.4 Instead, regulation 6 and 6A of The Neighbourhood Planning (General) Regulations 2012 (as amended) apply in this case.

2.5 The effect of Regulation 6 is that the Local Planning Authority, Buckinghamshire Council, was required to carry out a 6 week public consultation.

2.6 Therefore, a proposal to split the existing neighbourhood area, which comprises an area that includes Bierton Parish and Kingsbrook Parish and Broughton Parish, was put forward to a consultation.

2.7 The consultation ran for six weeks from 17 August to 28 September. A majority (50) of respondents favoured the original neighbourhood area being split to create three separate areas, with the main reason given being the distinctiveness of each area. There were 3 respondents who preferred the area to be split into two areas and 2 respondents who did not agree with either proposal. It is therefore concluded that there is broad support by the communities that live in the area for the original neighbourhood area to be split into three.

2.8 No response was received from either Kingsbrook Parish Council or Broughton Parish Meeting to the consultation, however they were consulted. It is therefore presumed that there is no substantial objection or preference with regard to the proposals put forward.

2.9 It is considered that the proposal to split the existing neighbourhood area into three separate neighbourhood areas is appropriate in planning terms as it is allowed by legislation, each new neighbourhood area that would be formed by splitting the original neighbourhood area would cover a single parish and it would enable Bierton to continue to progress with its neighbourhood plan. The new neighbourhood areas would also reflect the change in parish boundaries. Such changes can void a neighbourhood area and therefore

ensuring the neighbourhood area is up to date ensures greater compliance with regulations.

### **3. Next steps**

3.1 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(s) on its website and in any other way it considers would let people who live, work or carry out business in the neighbourhood area know that the area has been designated.

3.2 The published information should include the name of the neighbourhood area(s); a map which identifies the area(s); and the name of the relevant body which applied for the designation.

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

3.4 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.

3.5 Bierton Parish Council, Kingsbrook Parish Council and Broughton Parish Meeting will be advised of the designation and invited to publicise the decision on their own websites and on local noticeboards throughout the designated area.

### **4. What designating a neighbourhood area means**

4.1 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 Bierton Parish Council can now go on to produce a neighbourhood plan for the new neighbourhood area and Kingsbrook Parish Council and Broughton Parish meeting can do the same for theirs.

### **5. Financial and legal implications**

5.1 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 or end the neighbourhood grants scheme at any time.

5.2 Legal – The Council is legally required to consider a neighbourhood area application where one has been made by a Parish Council (Bierton Parish Council in this case).

## **6. 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, John Cheston on behalf of Colin Walker, Interim Service Director for Planning and Environment, agree the above recommendation.

Signed: *JR Cheston*

Dated: 10 October 2023

**John Cheston, Planning Policy Manager, on behalf of Colin Walker**

**Interim Service Director for Planning and Environment.**

### **Background papers**

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

[Responses to NA consultation \(PDF version\).pdf](#)

[Bierton Parish Council NA Application.pdf](#)

## Appendix A:

Map showing the existing neighbourhood area.

Existing Neighbourhood Area is the entirety of the orange area



## Appendix B

The designated neighbourhood areas after the original has been split into three:

- Purple is the Bieron Neighbourhood area
- Green is the Kingsbrook Neighbourhood area
- Yellow is the Broughton Neighbourhood area

