

NORTH LINCOLNSHIRE COUNCIL

CABINET MEMBER FOR PLACE SHAPING

BARROW UPON HUMBER NEIGHBOURHOOD PLAN – DESIGNATION OF NEIGHBOURHOOD AREA

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To inform the Cabinet Member about the outcome of the six week consultation on Barrow upon Humber Parish Council's application to have their area formally designated for the purposes of preparing a Neighbourhood Plan.
- 1.2 To seek the Cabinet Member's approval to formally designate Barrow upon Humber Parish Council's area for the purposes of preparing a Neighbourhood Plan.

2. BACKGROUND INFORMATION

- 2.1 The Localism Act 2011 introduced new opportunities for local communities to get involved in planning their areas by preparing neighbourhood plans, neighbourhood development orders, and community right to build orders. The Act and associated neighbourhood planning regulations give town/parish councils and neighbourhood forums powers to shape and encourage the delivery of new development.
- 2.2 The local planning authority is under a duty to support and is obliged by law to help people draw up their neighbourhood plans. The Spatial Planning team has held discussions with Barrow upon Humber Parish Council as part of awareness-raising about neighbourhood planning and to explain the neighbourhood planning process.
- 2.3 Before town/parish councils or neighbourhood forums can begin the work of preparing a Neighbourhood Plan they must apply to have the area they wish the plan to cover to be formally designated.
- 2.4 The council is responsible for receiving and determining applications for the designation of a neighbourhood area. The Neighbourhood Planning (General) Regulations 2012 prescribe time limits for the determination of a neighbourhood area application and require the council to advertise the application for a consultation period of not less than six weeks. All representations received must then be considered and a recommendation made to either designate or to not designate the neighbourhood area.
- 2.5 Once the application for designation is publicised and comments invited a decision must then be issued within 13 weeks. Thereafter, the council is

required to publicise the designation. If the council fails to determine the application within 13 weeks it must designate the area as a neighbourhood area.

- 2.6 Barrow upon Humber Parish Council wishes to prepare a Neighbourhood Plan and submitted an application on 13 October 2017 to have its area formally designated for this purpose. The application was published and publicised for the required six week period to allow comments to be made. The six week period ran from 22 December until 9 February 2018.
- 2.7 Three questions were asked as part of the consultation, as follows:
- 1) Do you think the area proposed by Barrow upon Humber Parish Council is a suitable Neighbourhood Area?
 - 2) Do you think the boundary of the proposed Neighbourhood Area should be changed?
 - 3) Do you have any other comments on the Neighbourhood Area Application?
- 2.8 Comments were received from 16 groups, organisations and individuals; a full report of these comments can be found in Appendix 1. All respondents to the first question support the proposed area stating that, for example, the boundary seems to be appropriately broad and encompassing and that it includes the whole Parish. None of the respondents to the second question think the boundary should be changed.
- 2.9 Responses to the third question are varied. Support for a neighbourhood plan for Barrow focusses on the fact that it is an attractive village with an increasing population but decreasing facilities and services so any action to preserve the village community is welcomed, and that a Plan is probably long overdue. Other respondents provide advice on matters for future consideration in relation to water resources, sports and recreational provision, the environment, and the gas distribution network.
- 2.10 Based on the consultation responses there are no reasons why the neighbourhood area boundary should not be formally designated. A decision document which will be issued to the Parish Council and placed in relevant locations is attached in Appendix 2. A formal notice which will appear on local notice boards and on the council website is attached in Appendix 3.

3. OPTIONS FOR CONSIDERATION

- 3.1 There are two options for consideration:
- 3.2 Option 1 – formally designate the Barrow upon Humber Neighbourhood Area and publicise the designation.
- 3.3 Option 2 – do not formally designate the Barrow upon Humber Neighbourhood Area and do not publicise the designation

4. ANALYSIS OF OPTIONS

- 4.1 Option 1 would ensure that the council meets its duties under the Localism Act and the Neighbourhood Planning Regulations to advertise the application of the neighbourhood area status. It would also allow the council to discharge its duty to support communities wishing to undertake neighbourhood planning. As no objections were raised to the proposed neighbourhood area there is no reason why it should not be designated. This is the preferred option.
- 4.2 Option 2 would mean that the council would not meet its duties under the Localism Act and the Neighbourhood Planning Regulations to advertise the application of the neighbourhood area status. It would also mean that the council would not discharge its duty to support communities wishing to undertake neighbourhood planning. Furthermore, it would delay Barrow upon Humber Parish Council in the timely preparation of its Neighbourhood Plan. If the council fails to determine the application within 13 weeks it must designate the area as a neighbourhood area.

5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

5.1 Financial

The council can submit bids to the Department for Communities & Local Government (DCLG) for funding assistance. This is intended to cover its costs in terms of some aspects of neighbourhood planning including providing advice and assistance to local communities. From April 2017 to March 2018 local planning authorities can claim £5,000 for the first five neighbourhood areas designated only and £20,000 once they have set a date for a referendum following a successful examination.

The neighbourhood planning process includes the requirement for an independent examination of the plan and for a referendum that ensures that the community has a final say on whether a neighbourhood plan is adopted. These should be organised and paid for by the local authority.

Communities undertaking neighbourhood planning can apply to the **Neighbourhood Planning and Community Buildings Programme** for financial assistance. Under the 2015-2018 programme they can apply for up to £9,000 to help them with their costs. Also, parishes with a neighbourhood plan are eligible to receive up to 25% of any Community Infrastructure Levy (CIL) monies arising from development in their area.

5.2 Staffing

The Spatial Planning team will provide the staffing resources required for supporting the neighbourhood planning process. Officers in Legal and Democratic Services will organise and administer any referendum that is subsequently required.

- 5.3 There are no further resource implications.

6. OUTCOME OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

- 6.1 An integrated impact assessment has been completed and no issues of concern are apparent.

7. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTEREST DECLARED

- 7.1 Consultation has taken place with relevant officers within the council and any comments incorporated into the preceding information. The Spatial Planning team has had initial discussions with the Parish Council as part of awareness-raising about neighbourhood planning and to explain the neighbourhood planning process.

8. RECOMMENDATIONS

- 8.1 That the Cabinet Member notes the contents of this report.
- 8.2 That the Cabinet Member endorses the approach set out in Option 1 of this report.

DIRECTOR: BUSINESS DEVELOPMENT

Civic Centre
Ashby Road
SCUNTHORPE
North Lincolnshire
DN16 1AB

Author: Dave Lofts
Date: 16 February 2018

Background papers used in the preparation of this report

- Localism Act 2011
- The Neighbourhood Planning (General) Regulations 2012
- Statutory Instrument 2016 No. 873 - The Neighbourhood Planning (General) (Amendment) Regulations 2016

Appendix 1 Barrow upon Humber Area Designation - Consultation Responses

Respondent ID	6674966268	Name & Organisation	Christopher Jackson
Question 1: Do you think the area proposed by Barrow upon Humber Parish Council is a suitable Neighbourhood Area?			
Yes. The proposed boundary seems to be appropriately broad and encompassing.			
Question 2: Do you think the proposed boundary of the proposed Neighbourhood Area should be changed? (if Yes, please state why)			
No.			
Question 3: Do you have any other comments on the Neighbourhood Area Application?			
No.			

Respondent ID	6656692612	Name & Organisation	Trevor G Millum, Better Barrow Community Project
Question 1: Do you think the area proposed by Barrow upon Humber Parish Council is a suitable Neighbourhood Area?			
Yes			
Question 2: Do you think the proposed boundary of the proposed Neighbourhood Area should be changed? (if Yes, please state why)			
No			
Question 3: Do you have any other comments on the Neighbourhood Area Application?			
Not at this stage.			

Respondent ID	6640507126	Name & Organisation	Mrs S Ross
Question 1: Do you think the area proposed by Barrow upon Humber Parish Council is a suitable Neighbourhood Area?			
yes			
Question 2: Do you think the proposed boundary of the proposed Neighbourhood Area should be changed? (if Yes, please state why)			
No			
Question 3: Do you have any other comments on the Neighbourhood Area Application?			
No			

Respondent ID	6626604008	Name & Organisation	Roy Fletcher
Question 1: Do you think the area proposed by Barrow upon Humber Parish Council is a suitable Neighbourhood Area?			
Yes			
Question 2: Do you think the proposed boundary of the proposed Neighbourhood Area should be changed? (if Yes, please state why)			
No			
Question 3: Do you have any other comments on the Neighbourhood Area Application?			
No			

Appendix 1 Barrow upon Humber Area Designation - Consultation Responses

Respondent ID	6621674993	Name & Organisation	Anonymous
Question 1: Do you think the area proposed by Barrow upon Humber Parish Council is a suitable Neighbourhood Area?			
Yes			
Question 2: Do you think the proposed boundary of the proposed Neighbourhood Area should be changed? (if Yes, please state why)			
No			
Question 3: Do you have any other comments on the Neighbourhood Area Application?			
I think this is an excellent idea. Barrow is an attractive village with an increasing population but decreasing facilities and services, so any action to preserve the village community is welcomed			

Respondent ID	6607192440	Name & Organisation	Kevin Guy
Question 1: Do you think the area proposed by Barrow upon Humber Parish Council is a suitable Neighbourhood Area?			
Yes - it includes the whole Parish			
Question 2: Do you think the proposed boundary of the proposed Neighbourhood Area should be changed? (if Yes, please state why)			
No			
Question 3: Do you have any other comments on the Neighbourhood Area Application?			
This is probably long overdue.			

Respondent ID	6600748303	Name & Organisation	Chris Richardson
Question 1: Do you think the area proposed by Barrow upon Humber Parish Council is a suitable Neighbourhood Area?			
Yes			
Question 2: Do you think the proposed boundary of the proposed Neighbourhood Area should be changed? (if Yes, please state why)			
No			
Question 3: Do you have any other comments on the Neighbourhood Area Application?			
No			

Respondent ID	6600337143	Name & Organisation	Stuart Leyland, Resident & member of Rugby Club
Question 1: Do you think the area proposed by Barrow upon Humber Parish Council is a suitable Neighbourhood Area?			
Totally			
Question 2: Do you think the proposed boundary of the proposed Neighbourhood Area should be changed? (if Yes, please state why)			
No			
Question 3: Do you have any other comments on the Neighbourhood Area Application?			
I support and look forward to further developments			

Appendix 1 Barrow upon Humber Area Designation - Consultation Responses

Respondent ID		Name & Organisation	Stewart Patience, Anglian Water Services Limited
Question 1: Do you think the area proposed by Barrow upon Humber Parish Council is a suitable Neighbourhood Area?			
n/a			
Question 2: Do you think the proposed boundary of the proposed Neighbourhood Area should be changed? (if Yes, please state why)			
n/a			
Question 3: Do you have any other comments on the Neighbourhood Area Application?			
<p>Thank you for the opportunity to comment on the above consultation. We have no comments to make at this time, however if the Neighbourhood Plan progresses we would welcome the opportunity to make representations on draft stages on any aspects relevant to Anglian Water. Please note that I am the first point of contact for Neighbourhood Plan consultations in the Anglian Water region and that any future consultations should be sent to my personal e-mail address. I would be grateful if you could amend your records to ensure my contact details are added your system for future consultations. I would be grateful if you could direct Barrow upon Humber Parish Council to Anglian Water's guidance note relating to the preparation of neighbourhood plans. The Guidance Note is available to view on our website at the following address: http://www.anglianwater.co.uk/about-us/stakeholder-engagement.aspx</p>			

Respondent ID		Name & Organisation	Katie Bowman, East Riding of Yorkshire Council
Question 1: Do you think the area proposed by Barrow upon Humber Parish Council is a suitable Neighbourhood Area?			
n/a			
Question 2: Do you think the proposed boundary of the proposed Neighbourhood Area should be changed? (if Yes, please state why)			
n/a			
Question 3: Do you have any other comments on the Neighbourhood Area Application?			
<p>Thank you for consulting Forward Planning on the Barrow upon Humber Neighbourhood Area application. We do not have any comments to make at this time.</p>			

Respondent ID		Name & Organisation	Planning Admin Team, Sport England
Question 1: Do you think the area proposed by Barrow upon Humber Parish Council is a suitable Neighbourhood Area?			
n/a			
Question 2: Do you think the proposed boundary of the proposed Neighbourhood Area should be changed? (if Yes, please state why)			
n/a			
Question 3: Do you have any other comments on the Neighbourhood Area Application?			
<p>Thank you for consulting Sport England on the above neighbourhood plan. No comments on the application.</p> <p>However, Government planning policy, within the National Planning Policy Framework (NPPF), identifies how the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Encouraging communities to become more physically active through walking, cycling, informal recreation and formal sport plays an important part in this process. Providing enough sports facilities of the right quality and type in the right places is vital to achieving this aim. This means that positive planning for sport,</p>			

Appendix 1 Barrow upon Humber Area Designation - Consultation Responses

protection from the unnecessary loss of sports facilities, along with an integrated approach to providing new housing and employment land with community facilities is important.

It is essential therefore that the neighbourhood plan reflects and complies with national planning policy for sport as set out in the NPPF with particular reference to Pars 73 and 74. It is also important to be aware of Sport England's statutory consultee role in protecting playing fields and the presumption against the loss of playing field land. Sport England's playing fields policy is set out in our Planning Policy Statement: 'A Sporting Future for the Playing Fields of England' - <http://www.sportengland.org/playingfieldspolicy>

Sport England provides guidance on developing planning policy for sport and further information can be found via the link below. Vital to the development and implementation of planning policy is the evidence base on which it is founded - <http://www.sportengland.org/facilities-planning/planning-for-sport/forward-planning/>

Sport England works with local authorities to ensure their Local Plan is underpinned by robust and up to date evidence. In line with Par 74 of the NPPF, this takes the form of assessments of need and strategies for indoor and outdoor sports facilities. A neighbourhood planning body should look to see if the relevant local authority has prepared a playing pitch strategy or other indoor/outdoor sports facility strategy. If it has then this could provide useful evidence for the neighbourhood plan and save the neighbourhood planning body time and resources gathering their own evidence. It is important that a neighbourhood plan reflects the recommendations and actions set out in any such strategies, including those which may specifically relate to the neighbourhood area, and that any local investment opportunities, such as the Community Infrastructure Levy, are utilised to support their delivery.

Where such evidence does not already exist then relevant planning policies in a neighbourhood plan should be based on a proportionate assessment of the need for sporting provision in its area. Developed in consultation with the local sporting and wider community any assessment should be used to provide key recommendations and deliverable actions. These should set out what provision is required to ensure the current and future needs of the community for sport can be met and, in turn, be able to support the development and implementation of planning policies. Sport England's guidance on assessing needs may help with such work - <http://www.sportengland.org/planningtoolsandguidance>

If new or improved sports facilities are proposed Sport England recommend you ensure they are fit for purpose and designed in accordance with our design guidance notes - <http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/>

Any new housing developments will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then planning policies should look to ensure that new sports facilities, or improvements to existing sports facilities, are secured and delivered. Proposed actions to meet the demand should accord with any approved local plan or neighbourhood plan policy for social infrastructure, along with priorities resulting from any assessment of need, or set out in any playing pitch or other indoor and/or outdoor sports facility strategy that the local authority has in place.

In line with the Government's NPPF (including Section 8) and its Planning Practice Guidance (Health and wellbeing section), links below, consideration should also be given to how any new development, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England's Active Design guidance can be used to help with this when developing planning policies and developing or assessing individual proposals.

Active Design, which includes a model planning policy, provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity. The guidance, and its accompanying checklist, could also be used at the evidence gathering stage of developing a neighbourhood plan to help undertake an assessment of how the design and layout of the area currently enables people to lead active lifestyles and what could be improved.

Appendix 1 Barrow upon Humber Area Designation - Consultation Responses

- NPPF Section 8: <https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-communities>
- PPG Health and wellbeing section: <https://www.gov.uk/guidance/health-and-wellbeing>
- Sport England's Active Design Guidance: <https://www.sportengland.org/activedesign>

Respondent ID		Name & Organisation	Simon Tucker, Canal and River Trust
Question 1: Do you think the area proposed by Barrow upon Humber Parish Council is a suitable Neighbourhood Area?			
n/a			
Question 2: Do you think the proposed boundary of the proposed Neighbourhood Area should be changed? (if Yes, please state why)			
n/a			
Question 3: Do you have any other comments on the Neighbourhood Area Application?			
Thank you for your consultation upon the application to designate a Neighbourhood Area at Barrow Upon Humber. Having looked at the details, I can confirm that the Canal & River Trust does not have any comment to make.			

Respondent ID		Name & Organisation	Nicola Farr, Environment Agency
Question 1: Do you think the area proposed by Barrow upon Humber Parish Council is a suitable Neighbourhood Area?			
n/a			
Question 2: Do you think the proposed boundary of the proposed Neighbourhood Area should be changed? (if Yes, please state why)			
n/a			
Question 3: Do you have any other comments on the Neighbourhood Area Application?			
Thank you for notifying us of the request that the parish council area boundary be designated as a Neighbourhood Area. We have no concerns with the designation and no further comments to make at this stage. We would be happy to provide the parish council with relevant environmental data or advice if required at a later stage. Otherwise we look forward to consultation on the draft plan when produced. It is best for all enquiries/consultations to be sent to our team address, lnplanning@environment-agency.gov.uk .			

Respondent ID		Name & Organisation	Donna Whitehead, Highways England
Question 1: Do you think the area proposed by Barrow upon Humber Parish Council is a suitable Neighbourhood Area?			
n/a			
Question 2: Do you think the proposed boundary of the proposed Neighbourhood Area should be changed? (if Yes, please state why)			
n/a			
Question 3: Do you have any other comments on the Neighbourhood Area Application?			
Thank you for your email to one of my colleagues with regards to the consultation on application for designation of Barrow upon Humber as a Neighbourhood Area. The role of Highways England is to safeguard the operation and safety of the Strategic Road Network (SRN). Within North Lincolnshire this comprises of the M180, the M181, the A180 and the A160. However, none of the SRN network lies within the proposed Neighbourhood Area of Barrow upon Humber. It is not considered that the designation of Barrow upon Humber as a Neighbourhood Area will impact upon the SRN, and thus Highways England has no particular comments to make with regards to this.			

Respondent ID		Name & Organisation	Hannah Bevins, National Grid
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Appendix 1 Barrow upon Humber Area Designation - Consultation Responses

Question 1: Do you think the area proposed by Barrow upon Humber Parish Council is a suitable Neighbourhood Area?
n/a
Question 2: Do you think the proposed boundary of the proposed Neighbourhood Area should be changed? (if Yes, please state why)
n/a
Question 3: Do you have any other comments on the Neighbourhood Area Application?
<p>An assessment has been carried out with respect to National Grid’s electricity and gas transmission apparatus which includes high voltage electricity assets and high pressure gas pipelines and also National Grid Gas Distribution’s Intermediate / High Pressure apparatus.</p> <p>National Grid has identified the following high voltage overhead powerlines as falling within the Neighbourhood area boundary:</p> <ul style="list-style-type: none"> • 2KN Route 400Kv from Killingholme substation in North Lincolnshire to 4ZQ Route Tower 18 (4ZQ018) in North Lincolnshire; and • 4KG Route 400Kv from Keadby substation in North Lincolnshire to 4KG Route Tower 114 (4KG114) in North Lincolnshire <p>From the consultation information provided, the above overheads powerline does not interact with any of the proposed development sites.</p> <p>Whilst there are no implications for National Grid Gas Distribution’s Intermediate / High Pressure apparatus, there may be Low Pressure (LP) / Medium Pressure (MP) Gas Distribution pipes present within proposed development sites. If further information is required in relation to the Gas Distribution network please contact plantprotection@nationalgrid.com</p>

Respondent ID		Name & Organisation	Dawn Kinrade, Natural England
Question 1: Do you think the area proposed by Barrow upon Humber Parish Council is a suitable Neighbourhood Area?			
n/a			
Question 2: Do you think the proposed boundary of the proposed Neighbourhood Area should be changed? (if Yes, please state why)			
n/a			
Question 3: Do you have any other comments on the Neighbourhood Area Application?			
<p>Natural England does not wish to make comment on the suitability of the proposed plan area or the proposed neighbourhood planning body. However, we would like to take this opportunity to provide you with information sources the neighbourhood planning body may wish to use in developing the plan, and to highlight some of the potential environmental risks and opportunities that neighbourhood plans may present.</p> <p>An attached annex sets out sources of environmental information and some natural environment issues that could be considered as the neighbourhood plan is developed, including:</p> <ul style="list-style-type: none"> • natural environment information sources; • issues and opportunities; • National Character Areas; • landscape character assessment; • Areas of Outstanding Natural Beauty; • soil types and Agricultural Land Classification; • Landscape; • Wildlife habitats; 			

Appendix 1 Barrow upon Humber Area Designation - Consultation Responses

- Priority and protected species;
- Best and Most Versatile Agricultural Land; and
- Improving your natural environment.

www.northlincs.gov.uk

NAME OF NEIGHBOURHOOD AREA

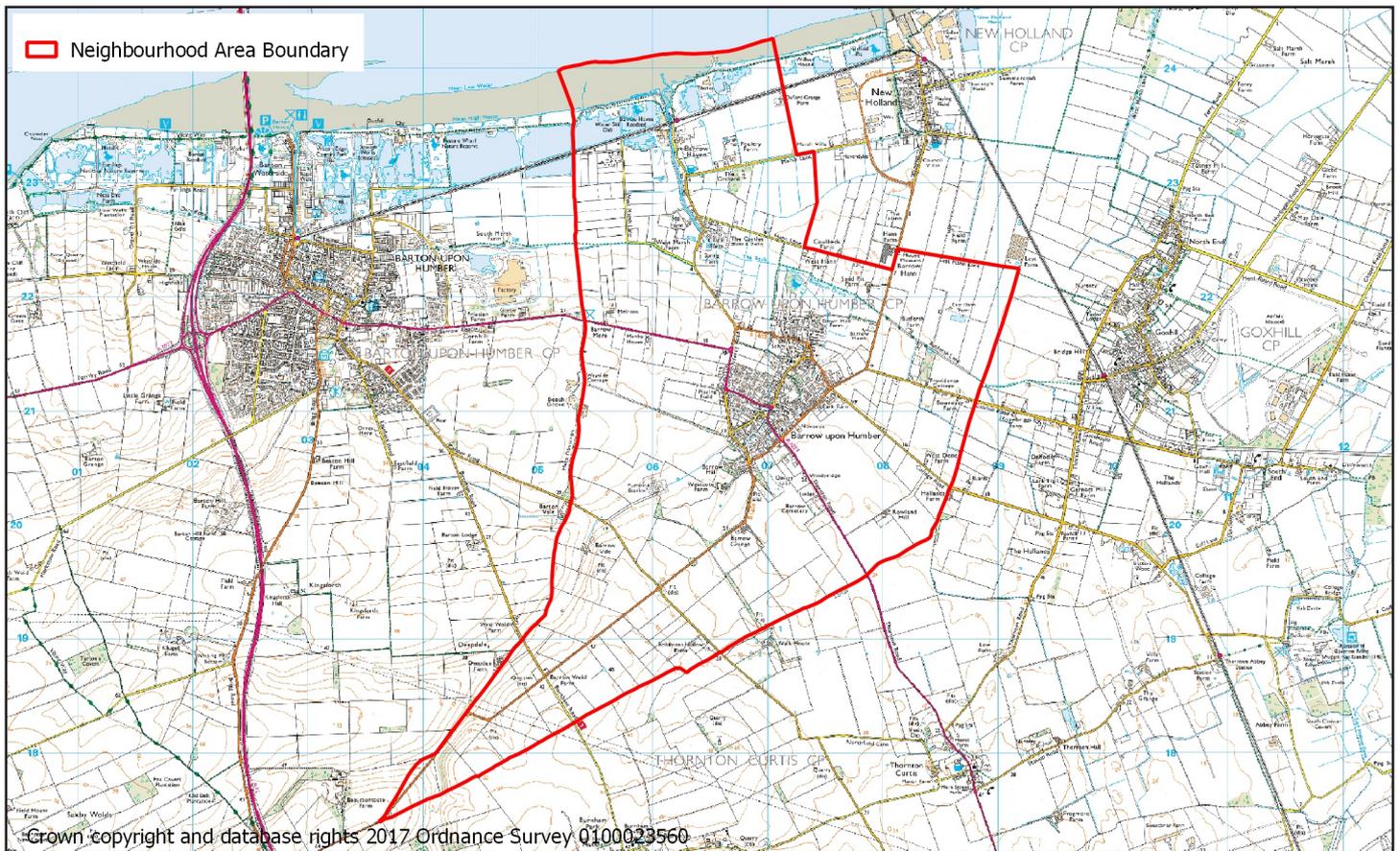
BARROW UPON HUMBER NEIGHBOURHOOD AREA

TOWN/PARISH COUNCIL

BARROW UPON HUMBER PARISH COUNCIL

CONSULTATION DATES

22.12.2017 - 09.02.2018



DETERMINATION

Is the organisation making the area application the relevant body under section 61G(2) of the 1990 Act?	Yes.
Is the neighbourhood area considered appropriate? (Section 61G(4))	Yes.
Does the area overlap another designated area? (Section 61G(7))	No.
For a joint area application, are all relevant bodies included? (Section 61G(2))	Not Applicable.
Were any comments received during the consultation period?	Yes.

Summary of Comments Received

Comments were received from 16 groups, organisations and individuals. None of the comments raised any objections to the proposed neighbourhood area boundary. All respondents to the question asking if it is a suitable Neighbourhood Area support the proposed area stating that, for example, the boundary seems to be appropriately broad and encompassing and that it includes the whole Parish. None of the respondents think the boundary should be changed. Support for a neighbourhood plan for Barrow focusses on the fact that it is an attractive village with an increasing population but decreasing facilities and services so any action to preserve the village community is welcomed, and that a Plan is probably long overdue. Other respondents provide advice on matters for future consideration in relation to water resources, sports and recreational provision, the environment, and the gas distribution network.

Responses to Comments Received	No response required.
Ward Member Comments	None received.
Are any modifications required to this or any adjoining neighbourhood area? (Section 61H(6))	No.
Any special circumstances to be taken into account	No.

Decision under Regulation 7 of the Neighbourhood Planning (General) Regulations 2012.

The application for the designation of Barrow upon Humber Neighbourhood Area is: APPROVED

**Cllr Rob Waltham MBE
Leader of the Council and Cabinet Member for Place Shaping**

Date: