

14. DESIGNATION OF BRAMPTON NEIGHBOURHOOD AREA

1. Purpose of the report

To designate that part of Brampton parish that is within the National Park as part of the Brampton Neighbourhood Area, under Schedule 9 of the Town and Country Planning Act 1990.

Key Issues

- **Designation of a neighbourhood area is required by parish councils seeking to write a neighbourhood plan. Under Schedule 61G of the Town and Country Planning Act 1990, the power to designate an area as a neighbourhood area is exercisable by the Authority when a relevant body (a parish council or neighbourhood forum) has applied. This power is exercisable by two or more local planning authorities if the area falls within the area of those authorities (Section 61I).**
- **Brampton Parish Council has applied to the Authority and to North East Derbyshire District Council (NEDDC) to designate the area of Brampton Parish, which is split between these two planning authorities, as a neighbourhood area. The application satisfies the regulations.**
- **NEDDC has now designated that part of Brampton parish that is outside the National Park as part of the Brampton Neighbourhood Area.**

2. Recommendations(s)

- 1. Members designate that part of Brampton parish that is within the National Park as part of the Brampton Neighbourhood Area (the shaded area within the parish boundary on the map in Appendix 1), under the Town and Country Planning Act 1990 Sections 61G and 61I.**

How does this contribute to our policies and legal obligations?

- 3. This is a legal obligation under the Localism Act.**

Background Information

- 4. An application satisfying Regulation 5 of the Neighbourhood Planning (General) Regulation 2012 was submitted to the Authority and to North East Derbyshire District Council. The application was publicised in accordance with Regulation 6. One representation was received, which did not object to the designation of this neighbourhood area.**
- 5. In determining the application the Authority must have regard to the 1990 Town and Country Planning Act 61G(4)(7) and H(1) and consider the desirability of designating the whole of the area of a parish council; the desirability of maintaining the existing boundaries of areas already designated as neighbourhood areas, and ensuring areas do not overlap; and whether the area should be designated as a business area.**
- 6. The area is an appropriate area to be designated as a neighbourhood area and the statement in the application explaining why it is appropriate is satisfactory. Designation of a business area would only apply if the area is wholly or predominantly business in nature. This is not the case.**

7. The decision was taken by North East Derbyshire District Council (NEDDC) to designate that part of Brampton parish outside of the National Park on the 22 June 2018.

Proposals

8. Taking into account the considerations in paragraphs 4 to 7 above it is now proposed that the Authority designate that part of Brampton parish that is within the National Park as part of the Brampton Neighbourhood Area (the shaded area within the parish boundary on the map in Appendix 1), under the Town and Country Planning Act 1990 Sections 61G and 61I

Are there any corporate implications members should be concerned about?

Financial:

9. DCLG grant of £5k is available on designation of a neighbourhood area and this will be shared between the Authority and NEDDC.

Risk Management:

10. The steps that the Authority is taking, as described, to designate the neighbourhood area, means that the risk around failing to meet government standards or legal obligations is low.

Sustainability:

11. There is no impact at this stage. These matters will be considered as part of the Authority's assessment of the plan itself.

Equality:

12. Equalities issues are considered as part of the neighbourhood planning process.

13. Background papers (not previously published)

None.

14. Appendices

Appendix 1 - Map of Brampton Neighbourhood Area.

Report Author, Job Title

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