

10. DESIGNATION OF HAYFIELD NEIGHBOURHOOD AREA (AM)

1. Purpose of the report

To designate that part of Hayfield parish that is within the Peak District National Park Authority ('the Authority') boundary as part of the Hayfield Neighbourhood Area, under Section 61 of the Town and Country Planning Act 1990 (as amended) ('the Act').

Key Issues

- **Designation of a neighbourhood area is required by parish councils seeking to write a neighbourhood plan. Under (61) (G) of the Act, 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 (S61I).**
- **Hayfield Parish Council has applied to the Authority and to High Peak Borough Council (HPBC) to designate the area of Hayfield Parish, which is split between these two planning authorities, as a neighbourhood area. The application satisfies the regulations.**
- **HPBC will make the designation via 'Individual Executive Decision'.**

2. Recommendations(s)

To approve the designation of that part of Hayfield parish that is within the Peak District National Park Authority boundary as part of the Hayfield Neighbourhood Area (as shown on the map in Appendix 1), under the Town and Country Planning Act 1990 (as amended) Sections 61G and 61I.

How does this contribute to our policies and legal obligations?

3. The power to designate a neighbourhood area is exercisable by a planning authority within whose area the neighbourhood area lies and is a legal obligation under the Act.
4. It contributes to the Corporate Strategy 2019-24 Outcome 'Thriving and sustainable communities that are part of this special place' by delivering against KPI 17 'number of communities shaping the place'.

Background Information

5. An application satisfying Regulation 5 of the Neighbourhood Planning (General) Regulations 2012 was submitted by Hayfield Parish Council to the Authority and to HPBC. The application was publicised in accordance with Regulation 6 by HPBC and the Authority. Eighteen responses were received (see Appendix 2), none objecting to the designation of the neighbourhood area.
6. 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.

7. The area is an appropriate area to be designated as a neighbourhood area because it covers the whole of the parish, 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 which is not the case.

Proposals

8. It is proposed that the Authority designates that part of Hayfield Parish that is within the Authority boundary as part of the Hayfield Neighbourhood Area (as shown on the Map in Appendix 1) in accordance with Sections 61G and 61I of the Act.

Are there any corporate implications members should be concerned about?

Financial:

9. A Ministry of Housing, Communities and Local Government (MHCLG) grant of £5k is available on designation and this will be shared 1:4 between the Authority and HPBC.

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. Sustainability issues will be fully considered as part of the Authority's assessment of the neighbourhood plan itself.

Equality:

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

13. Background papers (not previously published)

None

14. Appendices

Appendix 1 - Map of Hayfield Neighbourhood Area

Appendix 2 - Responses to Hayfield Neighbourhood Area Consultation

Report Author, Job Title and Publication Date

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