

**Date 7<sup>th</sup> April 2016**  
**Consideration of an application from Sherburn Village Parish Council to designate a Neighbourhood Area for Sherburn Village.**



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**Report of Stuart Timmiss, Head of Planning & Assets,  
Regeneration and Economic Development to  
Cabinet Portfolio Member for Regeneration and Economic  
Development – Councillor Neil Foster  
and Cabinet Portfolio Member for Neighbourhoods & Partnerships  
- Councillor Brian Stephens**

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### **Purpose**

The purpose of this report is to consider the acceptability of an application which has been made to the County Council by Sherburn Village Parish Council to designate a Neighbourhood Area within its locality to be known as 'Sherburn Village Neighbourhood Area' (the boundary of which includes the whole parish area and is shown on the map located at Appendix 1).

### **Background**

This Neighbourhood Area application was submitted by Sherburn Village Parish Council on 21<sup>st</sup> January 2016 and validated on 26<sup>th</sup> January 2016. The resulting timescales for considering the application have been determined by the timing of the subsequent public consultation which has been undertaken by both the Parish Council and the County Council.

The designation of a Neighbourhood Area is the first formal stage of the Neighbourhood Planning process. The application has been submitted with the intention of Sherburn Village Parish Council undertaking neighbourhood planning activity within the parish.

The proposed Neighbourhood Area falls wholly within the jurisdiction of Durham County and Sherburn Village Parish Council areas.

### **Consultation**

The application in question has been subject to public consultation in accordance with the relevant regulations and the Council's Neighbourhood Planning Protocol. The application was publicised on the Durham County Council website, and by posting details to all properties located within the parish, for a four week period ending on 6<sup>th</sup> April 2016. Representations were also invited from local ward Members of the County Council, adjoining parish councils and the relevant Area Action Partnership.

A representation was received from a local ward Member supporting the proposal.

## Issues for consideration

The key considerations in the determination of this type of application are whether;

- the application has been submitted by a 'Relevant Body'<sup>1</sup>
- the appropriate information has been submitted which justifies and confirms the proposed boundaries<sup>2</sup>
- the specified area is considered by the County Council as an '*appropriate area to be designated as a Neighbourhood Area*'.
- the proposed Neighbourhood Area should be designated as a 'Business Area'<sup>3</sup>

The application has been submitted by the Parish Council which meets the definition of a 'Relevant Body' for the area. The proposed area is located within the jurisdiction of the Parish Council. The application is therefore valid in this respect.

The Parish Council have confirmed that the boundary for the Neighbourhood Area will include the whole of the parish area. A statement which justifies the extent of the proposed area has been provided. It states that the Neighbourhood Area for Sherburn Village encompasses the whole of the Parish in accordance with the general presumption in Section 61 G(4)(a) of the Town and Country Planning Act, which refers to the 'desirability of designating the whole of the area of a parish council as a neighbourhood area'. It also states that for the purposes of neighbourhood planning, the decision to designate the whole of the Parish is logical and appropriate as it forms a coherent and well-established spatial entity, centred on Sherburn Village and encompassing the Sherburn Village hinterland which forms its essential setting and identity. There are no areas of overlap with other Neighbourhood Areas. It is therefore concluded that the appropriate information in support of the application has been submitted.

Discussions have occurred between officers of the County Council's Spatial Policy Team and representatives of Sherburn Village Parish Council leading up to the submission of the application for the Sherburn Village Neighbourhood Area. Consultation with the adjoining local councils has not raised any issues.

There is provision within the Localism Act that requires a Neighbourhood Area application to be considered in relation to other existing Neighbourhood Area boundaries. As no representations raising concerns have been received from neighbouring parishes it is considered that the designation of the area as

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<sup>1</sup> As defined by Section 61 G (2) Parish and Country Planning Act (1990), inserted by para.2 Schedule 9 Localism Act 2011 (c.20)

<sup>2</sup> As defined by The Parish & Country Planning, England The Neighbourhood Planning (General) Regulations 2012

<sup>3</sup> As required by Section 61 H of the Localism Act 2011.

proposed would not prejudice any subsequent Neighbourhood Area application by adjoining parishes.

The County Council is satisfied that the area proposed is acceptable. The County Council does not consider that the area proposed would prejudice their interest in relation to the nature of developments that may be considered.

In light of the above no issues have been identified which would suggest that the boundaries proposed are inappropriate from a neighbourhood planning perspective. The application is therefore considered acceptable in this respect.

The proposed Neighbourhood Area is not wholly or predominantly business in nature and therefore it would be neither justifiable nor appropriate to designate it as a "Business Area".

### **Next steps**

Upon the determination of this application there is a requirement for the Council to publicise its decision in the manner it adopted for the previous consultation as described above.

### **Conclusion**

The application has been considered in accordance with the four key considerations outlined above as well as those raised through the consultation and is considered to be appropriate in all respects.

### **Recommendation**

That the Neighbourhood Area to be known as the 'Sherburn Village Neighbourhood Area' as submitted is granted approval and the appropriate publicity be carried out.

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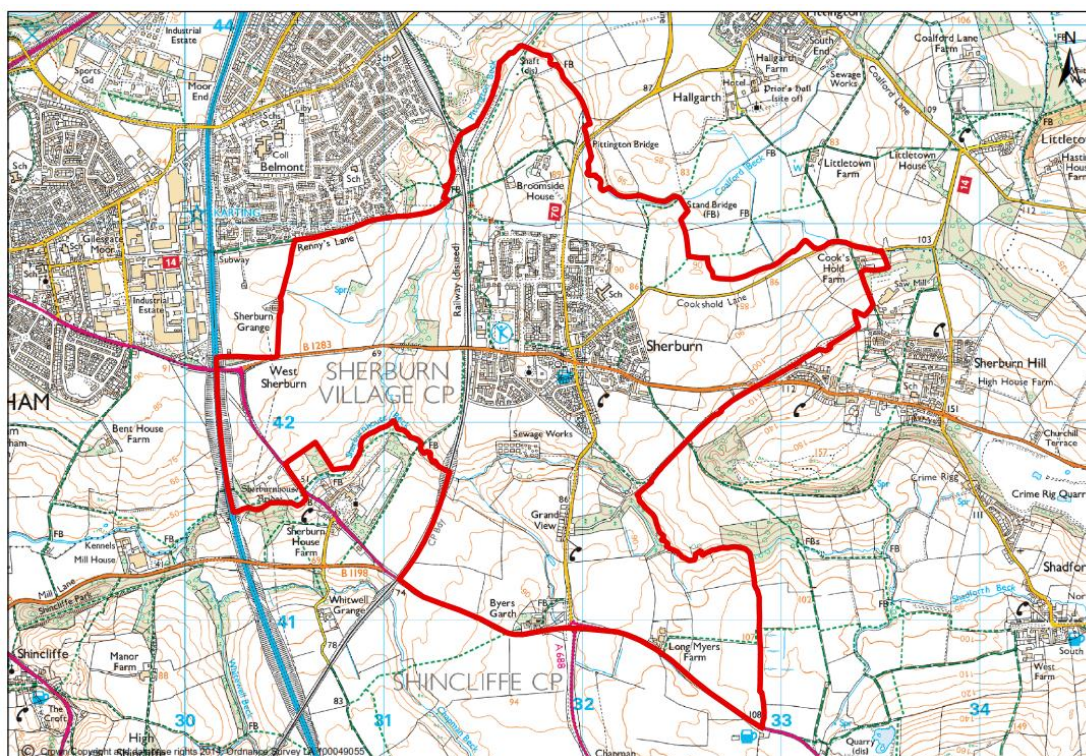
**Contact: Michael Lowe : Spatial Policy Officer: 03000 263404**

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## Appendix 1: The Proposed boundaries of the Sherburn Village Neighbourhood Area (Red Line)

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## Appendix 2: Implications

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**Finance** – Upon designation the County Council will be eligible to seek Neighbourhood Plan Grant from DCLG to support neighbourhood plan preparation in this area.

**Staffing** – The Spatial Policy Team will be required to provide support to forthcoming neighbourhood planning activity within the designated Neighbourhood Area.

**Equality and Diversity** – Equality and Diversity will be an integral part of policy development in any forthcoming Neighbourhood Plan. An Equality Impact Assessment is not required in respect to the consideration of this application.

**Risk**- None identified

**Consultation** – No further consultation is required in respect to this matter although the Council will be required to publicise its decision.

**Procurement** – None.

**Disability Discrimination Act** – None.

**Legal Implications** – The application has been determined in accordance with the relevant regulations.