

Report of the Director of Legal and Planning Services

EASTWOOD, GREASLEY AND NUTHALL APPLICATIONS FOR NEIGHBOURHOOD PLAN AREA DESIGNATION1 Details of the applications

The applications seek approval for the designation of the whole of Eastwood Parish, Greasley Parish and Nuthall Parish as appropriate for the respective Town and Parish Councils to prepare a Neighbourhood Plan.

2 Background

The Localism Act 2011 introduced new processes for communities to get involved in the planning of their areas through the preparation of neighbourhood plans. The powers came into force on 1 April 2012 with the publication of associated neighbourhood planning regulations. This provides local communities through parish councils with the power to shape and encourage delivery of new development.

3. Detail

Once a neighbourhood area is proposed this Council has to consider whether that area should be designated as such. Broxtowe Borough Council may change the boundaries if the application is not valid, if there are overlapping proposals or if they consider the specified area is not an appropriate area to be designated as a neighbourhood area.

An application has to include: a map which identifies the area to which the application relates; a statement explaining why this area is considered appropriate to be designated as a neighbourhood area; and a statement that the body making the area application is a 'relevant body' as set out in legislation.

Town and Parish Councils are 'relevant bodies' for the purposes of Neighbourhood Planning. Eastwood Town Council, Greasley Parish Council and Nuthall Parish Council submitted separate applications for designation of their own parish areas. For the avoidance of doubt the specified areas include the whole of the respective parishes. The submission of the applications complies with the Regulations and a summary of each application is included at appendix 1. A copy of each application is included at appendix 2.

Recommendation

- 1. Council is asked to RESOLVE that the EASTWOOD Neighbourhood Area be DESIGNATED for the reasons set out in the application.**
- 2. Council is asked to RESOLVE that the GREASLEY Neighbourhood Area be DESIGNATED for the reasons set out in the application.**
- 3. Council is asked to RESOLVE that the NUTHALL Neighbourhood Area be DESIGNATED for the reasons set out in the application.**

Summary of Consultations

Consultations on the Eastwood, Greasley and Nuthall Neighbourhood Areas were undertaken concurrently on Monday 30 June until Friday 15 August, the separate consultation summaries are shown below:

Eastwood

Three responses (all objections) were received from two responders.

One objector questioned why Braemar Avenue was not included in the Eastwood Neighbourhood Area.

The other objector considered that bigger more spacious bungalows, suitable for disabled users, were required in 'normal' streets close to local amenities rather than small bungalows in elderly people's complexes.

Greasley

81 responses were received from 79 responders; this consisted of 1 objection, 78 supporters and 2 that didn't express an opinion.

The objector gave no reason for the objection.

Of those respondents that supported the application the reasons were given as;

- to give local residents a say in what happens in their area;
- the Parish Council have local knowledge of the communities requirements;
- to guide local development and improve local services whilst resisting development in the Green Belt;
- the Parish needs to be treated as a whole rather than fragmented parts;
- recognise Greasley as a strong community, with its own identity and a neighbourhood in its own right.

Nuthall

48 responses were received from 45 different responders; all but one of the responses supported the application.

The one objection received concerned the lack of clarity of what would happen to several houses on Little Holland Gardens namely numbers 34 and 35. The objector stated that the properties are currently within Nuthall Parish but it was not clear from the map if this would continue to be the case.

Of those responses that support the application the reasons were given as:

- responders were keen to have a say and guide development in their local area;
- the Parish Council have local knowledge and will represent their area and communities better than the Borough Council;
- future housing was not needed without major infrastructure changes especially to the road system;

- the area needs protection as proposed by the Parish Council;
- developer contributions should be spent locally;
- protection of Green Belt land.

Appraisal

The issue to consider when determining the applications is whether or not the specified area (in each application) is an 'appropriate area to be designated as a Neighbourhood Area'¹, and not the potential content of the plan itself.

In determining whether the specified area is an 'appropriate area to be designated as a Neighbourhood Area' the following should be considered:

1. the desirability of designating the whole of a parish as a Neighbourhood Area;
2. the desirability of maintaining the existing areas already designated as Neighbourhood Areas (as Neighbourhood Areas must not overlap);
3. whether the authority should designate the area concerned as a business area (in accordance with section 61H of the 1990 Act).

The specified areas fall completely within each of the respective parishes and contain the whole of each of the respective parishes. The reasons explaining why these specified areas are considered appropriate are set out in the applications for designation (which have been publicised in accordance with the regulations. It is considered desirable to designate the whole of the parishes as Neighbourhood Areas to promote a consistent approach within the respective areas.

There are no existing neighbourhood area designations for any of the specified areas.

As designation of the specified area as a business area can only be done if the authority considers that the area is wholly or predominantly business in nature. It is considered that it would be inappropriate to designate any of the specified areas as a business area.

Conclusion

In the opinion of Officer's each of the specified areas without modification should be designated as a Neighbourhood Area for the reasons set out in the applications and the results of the consultation with the public. It is considered that each of the specified areas are 'appropriate areas to be designated as a neighbourhood area'.

¹ As required by section 61G(4)(a) of the Act.