



Planning Policy Team

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Neighbourhood Development Plan Area Designation

19 October 2017

Following an application from Oake Parish Council to designate a neighbourhood plan area for the Parish of Oake, Taunton Deane Borough Council as the Local Planning Authority (LPA) has made the following decision:

Relevant Body

A Parish Council is a 'relevant body' under Section 61F (authorisation to act in relation to neighbourhood areas) of the Town and Country Planning Act 1990 (as amended by the Localism Act 2011), for the purpose of undertaking a Neighbourhood Development Plan. Oake Parish Council are therefore the Qualifying Body (QB) under 38A(12) of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) for the Oake Neighbourhood Development Plan (NDP).

The Council therefore has no ruling to make in this matter.

Neighbourhood Plan Area

Under Section 61G (meaning of "neighbourhood area") the Local Authority has considered the designation the Neighbourhood Area.

The Council designates the entire Parish of Oake, as shown on the attached map, as a Neighbourhood Area.

Reasoning:

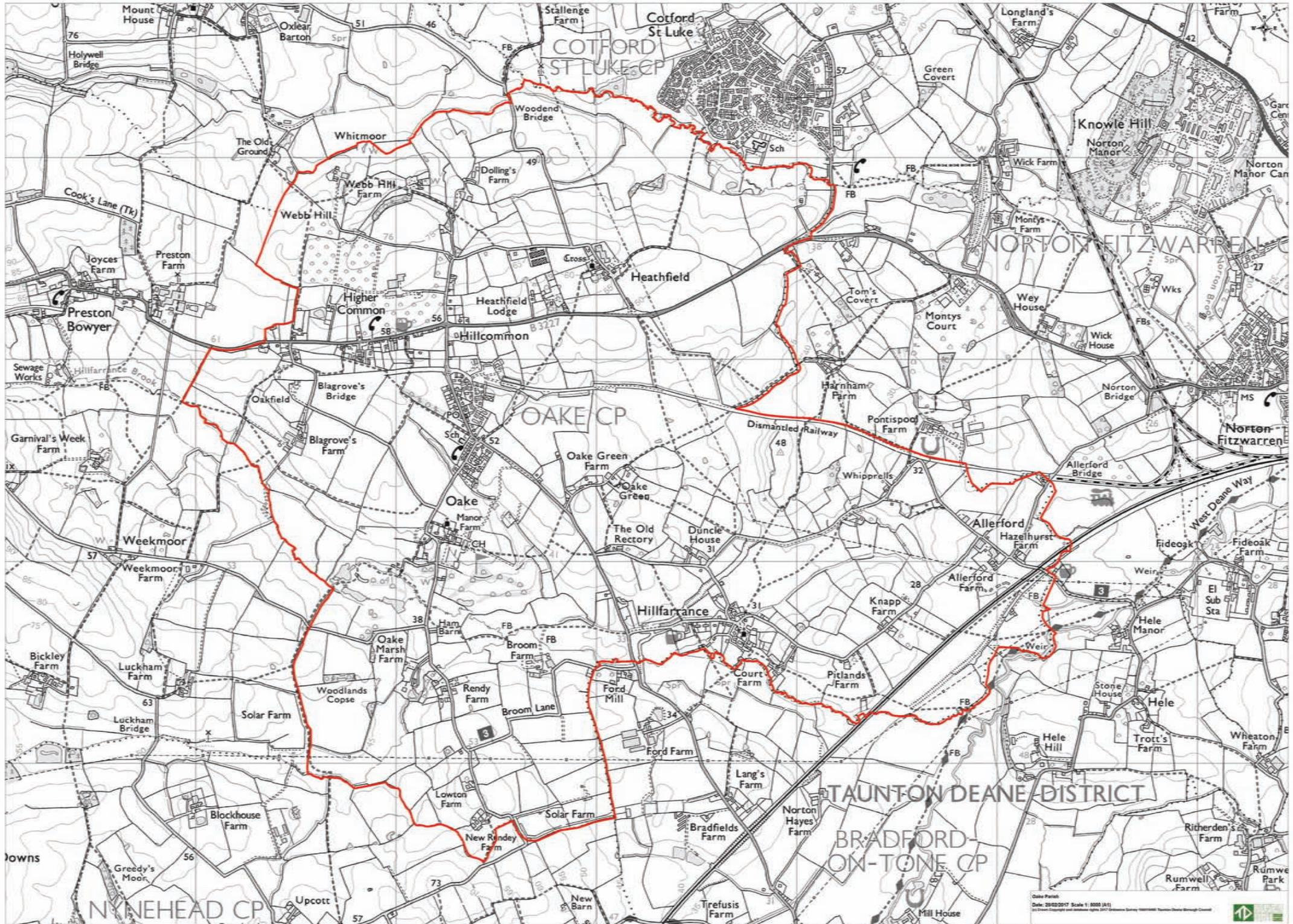
This designation is in accordance with *The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016* which came into force on 1 October, 2016. If a neighbourhood area application from a parish council equates to the whole of the parish area, consultation prior to the designation of the neighbourhood area is no longer required.

The designation of the Neighbourhood Plan Area is made in accordance with *Section 61G of the Town and Country Planning Act 1990 (as amended by the Localism Act 2011)* for the purposes of Neighbourhood Planning. The area for designation is the whole of the parish area, there are no other neighbourhood plan area designations covering the same area, and there are no known reasons which would deem the area inappropriate.

The application information is in accordance with *38A of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011)* for the purposes of Neighbourhood Planning. The Parish Council proposes to use a Neighbourhood Development Plan to address the development and use of land, support the strategic development needs set out in the TDBC Development Plan Documents, and plan positively to support local development.

In accordance with Regulation 7 of The Neighbourhood Planning (General) Regulations 2012 Taunton Deane Borough Council is publicising its decision on the designation of the Neighbourhood Area and publicising the revised area for consultation.

If you have any questions in relation to this please contact the Policy Team either via; e-mail to talkingtomorrows@taundeanegov.uk, telephone 01823 356484, or in writing to Policy Team, Deane House, Belvedere Road, Taunton, TA1 1EU



Record of Decision taken by Executive Councillor

Decision title: Designation of the entire area of the Parish of Oake as a Neighbourhood Plan Area, for the purpose of the Parish Council of Oake undertaking a Neighbourhood Development Plan.

Executive Councillor making the decision: Roger Habgood

Author Contact Details: Ann Rhodes (Planning Policy) 01823 219522 (ext 9522)

Date of Decision: 19 October 2017

Details of decision:

The Designation of the entire area of Oake Parish as a Neighbourhood Plan Area for the purpose of the Parish Council of Oake undertaking a Neighbourhood Development Plan.

Reasons for proposed decision:

Oake Parish Council applied to the Local Planning Authority (LPA), Taunton Deane Borough Council (TDBC), for the designation of the whole parish of Oake as a Neighbourhood Plan Area on 13 October 2017.

The Parish Council are a relevant body under *61F Authorisation to act in relation to neighbourhood areas of the Town and Country Planning Act 1990 (as amended by the Localism Act 2011)*. They will be referred to as the Qualifying Body in official correspondence as per *61E (6) (The Town and Country Planning Act 1990 (as amended by the Localism Act 2011))* for the purposes of Neighbourhood Planning.

The Qualifying Body submitted a valid application to the Local Planning Authority (LPA), in accordance with *Section 61G of the Town and Country Planning Act 1990 (as amended by the Localism Act 2011)*.

This designation is in accordance with *The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016* which came into force on 1 October, 2016. If a neighbourhood area application from a parish council equates to the whole of the parish area, consultation prior to the designation of the neighbourhood area is no longer required.

The designation of the Neighbourhood Plan Area is made in accordance with *Section 61G of the Town and Country Planning Act 1990 (as amended by the Localism Act 2011)* for the purposes of Neighbourhood Planning. The area for designation is the whole of the parish area, there are no other neighbourhood plan area designations covering the same area, and there are no known reasons which would deem the area inappropriate.

The application information is in accordance with *38A of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011)* for the purposes of Neighbourhood Planning. The Parish Council proposes to use a Neighbourhood Development Plan to address the development and use of land, support the strategic development needs set out in the TDBC Development Plan Documents, and plan positively to support local development.

Alternative options considered and rejected:

Not designating the area of Oake Parish as a Neighbourhood Plan Area - There are no known legislative grounds to refuse to designate the requested area.

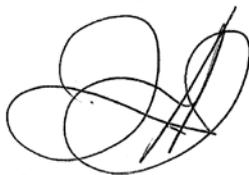
The below has been completed:	Name(s)	Date
Relevant ward councillor(s) consulted	Roger Habgood	18 Oct 2017
The following are if appropriate / applicable: Yes/No. If yes the implications should be attached to this decision notice.		
Finance implications	No - see attached	
Legal implications	Yes - see attached	
Links to corporate aims	Yes - see attached	
Community Safety implications	N/A	
Environmental implications	N/A	
Equalities Impact Safeguarding Implications	N/A	
Risk management	See attached	
Partnership implications	N/A	

Any conflicts of interest declared by Leader or Executive Members consulted on the proposed decision. If Yes provide confirmation from Chief Executive to grant dispensation for the Leader's / Executive Member's views to be considered.

Decision Maker

I am aware of the details of this decision(s), considered the reasons, options, representations and consultation responses and give my approval / agreement to its implementation.

Signed:

A handwritten signature in black ink, consisting of several overlapping loops and a final vertical stroke, positioned to the right of the 'Signed:' label.

Name: Roger Habgood

Date: 19 October 2017

Note – This decision record is for decisions taken by Executive Councillors. The decision(s) can be implemented following publication in The Weekly Bulletin and the period for any call-in has expired.

Note: *A copy should also be sent to Democratic Services:*



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Notes accompanying the Record of Decision taken by Executive Councillor taken in regard to the designating of a neighbourhood plan area:

Financial: The cost of undertaking the neighbourhood development plan lies with the qualifying body, in this regard TDBC has not financial obligations. The cost of Examination, Referendum, and when a neighbourhood development plan is made, is an obligation on TDBC. The Council currently receives a grant from Central Government to assist with costs associated with these three regulatory elements. At present this grant covers those financial obligations.

Legal implications: The application for designation is compliant with the legal requirements, and TDBC has assessed it against the relevant Acts, Regulations and Government Guidance and found to be compliant. Therefore to not designate the area would be in breach of these and put the Council at risk of Legal Challenge.

Links to corporate aims: The designation of a neighbourhood plan area is in accordance with the following elements of the Corporate Strategy 2016-2020:

Our Role and Purpose – a) Enabling, d) Supporting – our communities;

The neighbourhood plan has not yet been written, but it could support three themes in the corporate strategy; Theme 1 – People, Theme 2 – Business and Enterprise, and Theme 3 – Our Place.

Community Safety implications: none known

Environmental implications: a qualifying body must ascertain if their neighbourhood development plan would have significant environmental effects. This is normally assessed through a Strategic Environmental Assessment screening process and, where applicable, a Habitat Regulations Assessment. This cannot be undertaken until there are policies to assess.

Equalities Impact and Safeguarding Implications: none known

Risk management: Reputational Risk - to not designate the neighbourhood plan area risks damaging TDBC's relationship with the Parish Council. Legal Risk – see legal implications above.

Partnership implications: none known

18 October 2017

OAKE PARISH COUNCIL

Clerk to the Council: Mr David Gliddon
Victoria Cottage, 37 Wembdon Hill, Wembdon. TA6 7PZ
Email: oakepc@outlook.com
Tel: 07828 210 076

October 2017

FAO: The Policy team, TDBC

RE: Designation of the Oake Parish neighbourhood plan area

Dear Madam/Sir

Oake Parish Council is a qualifying body for the purpose of initiating a Neighbourhood Development Plan. We therefore request the designation of our Parish, as represented by our Parish Boundary and as indicated on the enclosed map (Map 1), to be our designated Neighbourhood Plan Area.

A Neighbourhood Development Plan

We propose to write a Neighbourhood Development Plan (NDP) regarding the area within our Parish boundary,

- The Parish of Oake includes four main communities with a combined population of just over 750 people, stretching over an area of approximately 5 square miles situated in the Vale of Taunton Deane. The Parish lies predominantly west of the county town of Taunton in Somerset. Oake is the largest community, with Heathfield to the north-east and Hillcommon to the north, while Hillfarrance lies about a mile to the south-east.
- The Parish is served by:
 - a community shop and post office;
 - three Anglican churches;
 - a primary school which also serves two neighbouring Parishes;
 - two public houses;
 - an equipped toddler's play area as well as an adventure playground; and
 - numerous businesses including farms, fencing contractors, a garage and a golf course and club.
- We have a community hall situated in Oake which opened in 2003. The hall is one of the Parish's most important facilities and assets and is used by many community groups and by people outside the Parish.
- We border Preston Bowyer in the west, Norton Fitzwarren in the east and in the north we adjoin the village of Cotford St Luke. To the south lie Bradford-on-Tone and Nynehead.

We want to make a NDP to ensure that we are able to carry out Neighbourhood Development Orders and/ or Community Right to build orders for small community development schemes if we and the community wish to do so. We also want to have strong development policies developed by our Parishoners to support TDBC adopted Development Plan Document policies, and to guide development proposed within the Parish boundary. A

NDP will encourage the community to take ownership of the area and ensure we have the right development for the future of the residents and businesses in the Parish.

We have taken a year so far gathering opinions, raising awareness and meeting monthly since March 2017 to progress community issues such as environmental standards in the village. Following the designation of our NDP area by TDBC we would estimate a further 3 years to completion of the NDP with an accompanying Community Plan section covering broader issues which have come out of our community engagement sessions.

We plan to engage residents and businesses in the process by continuing to run monthly meetings open to all to share ideas and research issues to enable us to write policies. We will have the support of Somerset Community Council to write a neighbourhood survey to all residents and businesses to ask what their wishes are for the future and to also develop a housing needs survey to ensure we have a complete understanding of what the housing needs are across the Parish to inform what level and type of housing is required.

The scope and form of the NDP will cover all aspects of the Parish which the community would like to preserve, enhance or protect. It would support the land-use needs and desires of the community, its services and facilities. It would enable us to have a diverse, resilient and sustainable community into the future.

The NDP, once made, will be part of the statutory Development Plan. It will apply to the Parish Council, Taunton Deane BC and Somerset CC decisions.

Oake Parish Council has a steering group/working party who are leading on the development of the NDP and any decisions to be made will be agreed at Parish Council meetings under its normal governance procedures.

I hope that you find all of the above information in order and that you will be able to designate our area so that we may begin the process of developing our NDP.

Yours faithfully

Cllr Frances Gully

Oake Parish Neighbourhood Plan Working Group and Oake Parish Council

Enclosed: Map 1: The Oake Parish Boundary: The proposed designated area Boundary