

MAIDSTONE BOROUGH COUNCIL

RECORD OF DECISION OF THE HEAD OF PLANNING AND DEVELOPMENT

Decision made: 12 December 2017

Tovil Neighbourhood Area Application

Issue for Decision

To consider the designation of Tovil parish as a neighbourhood area for the purpose of preparing a neighbourhood plan.

Decision Made

The neighbourhood area application submitted by Tovil Parish Council to Maidstone Borough Council on 15 September 2017 (as amended 30 November 2017 in respect of the boundary of the accompanying map) is **approved**.

Reasons for Decision

Consultation 1

Consultation commenced on Friday 13 October 2017 and ended at 5pm on Friday 24 November 2017. The consultation was advertised as follows:

1. A parish newsletter was distributed to all households in the parish at the start of the consultation period, and the details were displayed on parish boards, the Tovil Parish Council website, and the Parish Council's column in the Kent Messenger;
2. The neighbourhood area application (including an accompanying map) was placed on the Maidstone Borough Council website;
3. A public notice was placed in the Kent Messenger on Thursday 12 October 2017; and
4. An email notification was forwarded to Councillors and Parish Councillors for Tovil and adjacent wards/parishes.

Representations Received:

Five representations were received. Two representations supported the application, one requested to be informed of consultations on the neighbourhood plan, and two drew attention to minor errors on the accompanying map showing the extent of the parish boundary.

Consultation 2

To ensure a transparent approach and to afford an opportunity for the public to comment on the amended map, a further week's consultation was undertaken from 1 December to 8 December 2017. A public notice was placed in the Kent Messenger on 30 November 2017,

details were posted on the Maidstone Borough Council website, and the Parish Council undertook to inform residents of the corrections to the map.

Due to amendments to the Neighbourhood Planning Regulations¹, a 6-week publicity period for a neighbourhood area application is no longer required if the area specified in the application consists of the whole of the parish council's area. As a consequence, the Kent Messenger public notice further stated that, following the additional consultation period for the amended map, the Borough Council intended to designate the Tovil Neighbourhood Area in accordance with the amended Regulations.

Representations received:

Three further representations were received in support of the application by Tovil Parish Council for the designation of Tovil Parish as a Neighbourhood Area, two of which had confirmed support during the initial consultation.

Considerations

1. Is Tovil Parish Council a 'relevant body' as defined in section 61G(2) of the Town and Country Planning Act 1990 (inserted by paragraph 2 of Schedule 9 to the Localism Act 2011)?

YES – Tovil Parish Council is defined as a relevant body and is authorised to act in relation to the designation of a neighbourhood area.

2. Does the proposed neighbourhood area follow existing, established administrative or planning boundaries?

YES – the proposed plan area follows the existing parish boundary (plan attached).

3. Does the proposed neighbourhood area exclude areas which would be more appropriate to include?

NO – the proposed plan area follows the existing parish boundary (plan attached).

4. Does the proposed neighbourhood area overlap with another approved neighbourhood area (this is not permitted)?

NO.

Alternatives considered and why rejected

The decision to approve the Tovil neighbourhood area has been made for the reasons stated above. The alternative is to reject the application, but the Council is satisfied that due process has been followed in accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended). The Tovil neighbourhood area application meets the criteria for the designation of a neighbourhood area.

Background Papers

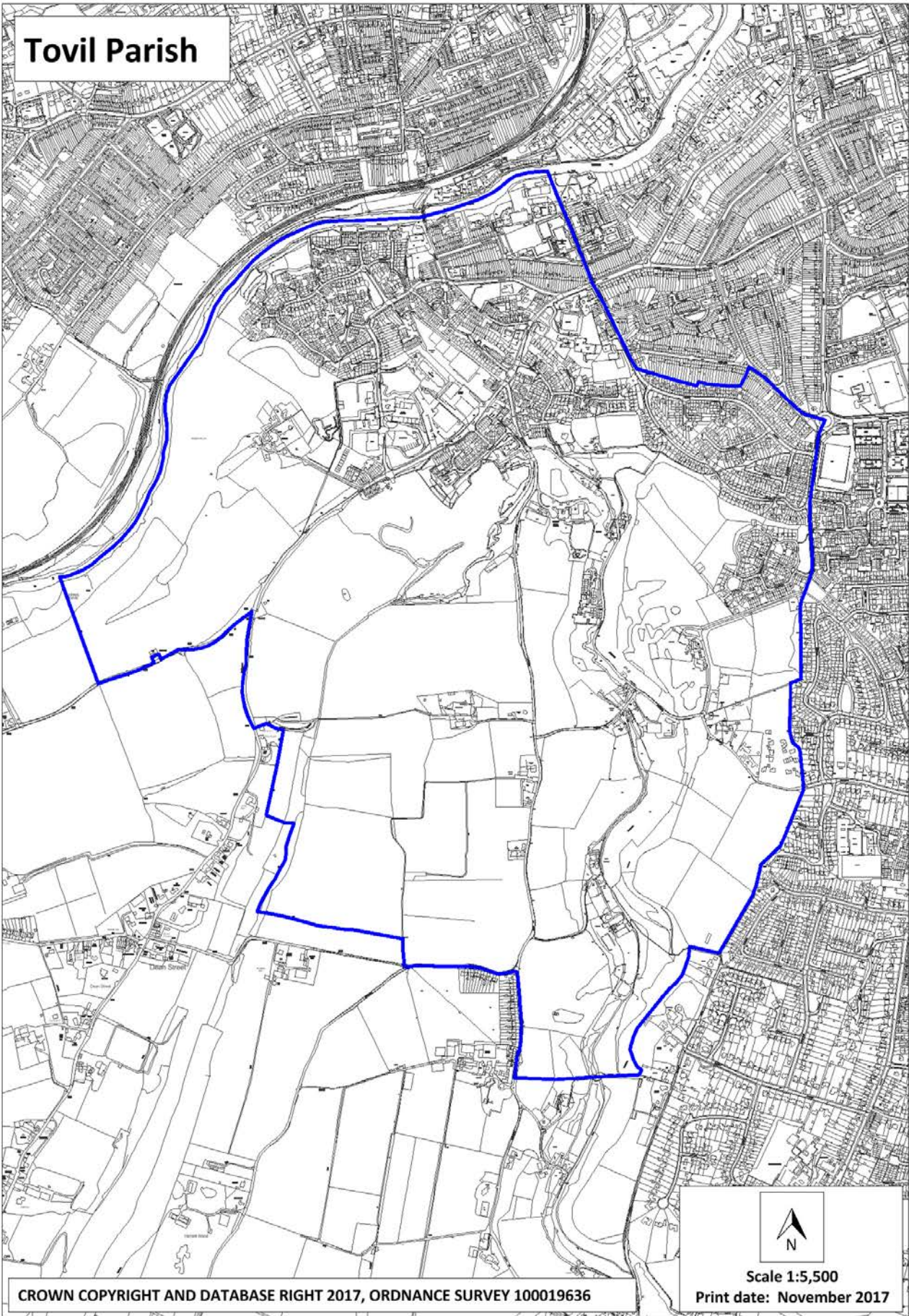
¹ SI 2016 No. 873 Amendment of the 2012 Regulations, Regulation 5A(3)

None

R. L. Jarman

Signature: _____
Rob Jarman, Head of Planning and Development

Tovil Parish



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Scale 1:5,500
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