

Title of Report:	Designation of Fletching as a Neighbourhood Area
Report to:	Head of Planning Policy, Economy and Climate Change
Date:	22 August 2023

Purpose of Report

The purpose of this report is to assess whether the parish of Fletching can be designated as a neighbourhood area for the purposes of producing a Neighbourhood Development Plan.

Recommendations

That the Head of Planning Policy, Economy and Climate Change :

- a. approves the application submitted by Fletching Parish Council and designates the Parish of Fletching as a neighbourhood area.

Reasons

Fletching Parish Council, as a relevant body for the purpose of designation under section 61G of the Town and Country Planning Act 1990 (as amended), has applied for designation of the whole of the parish of Fletching as a neighbourhood area as its first step in preparing a Neighbourhood Development Plan. A public consultation is not required. It is considered appropriate to approve the application to designate Fletching Parish as a neighbourhood area for the purpose of producing a Neighbourhood Development Plan.

Introduction

1. Pursuant to the Wealden District Council constitution and in particular Part 7 (G8), the Head of Planning Policy, Economy and Climate Change is authorised to determine neighbourhood area designation applications for Neighbourhood Developments Plans.

Procedure

2. The power to designate a neighbourhood area is exercisable under section 61G of the Town and Country Planning Act 1990. Under Regulation 5 (1) of The Neighbourhood Planning (General) Regulations 2012 (which came into force on 6 April 2012). An area 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 application is a relevant body for the purposes of section 61G (2) of the 1990 Act. Following submission of the relevant documents as set out and depending on whether these, and those

making the application, meet certain conditions confirms whether the application can be determined with or without formal consultation.

Background

3. At a meeting of Fletching Parish Council on 6th February 2023 some 100 parishioners attended and voted overwhelmingly in favour of the preparation of a Neighbourhood Plan for the whole of Fletching Parish.
4. Fletching Parish Council passed a resolution on 3rd July 2023 to progress a Neighbourhood Development Plan and resolved that the neighbourhood area to be designated should be the whole of the parish.
5. An application for the designation of the parish of Fletching as a neighbourhood area for the purpose of producing a Neighbourhood Plan was received by the District Council on 13th July 2023. The application consisted of a letter dated 6th July 2023 and a map of the parish with the parish boundary highlighted. The letter confirms that it is the whole of the parish being designated. The Parish Council has not made any previous application. The application also includes a statement that the applicant is a relevant body, being a parish council, under section 61G of the Town and Country Planning Act 1990 (as amended).

Analysis

6. The application explains why the Parish Council consider this area appropriate to be designated as a neighbourhood area, namely that it has a rich heritage and important landscape designations that need to be protected but also *'to promote a sustainable pattern of development'* and *'to support the wellbeing of the local community'*. An area smaller than the whole parish was not considered by the Parish Council to be appropriate because *'this would exclude a substantial proportion of the residents of the parish from this important opportunity for public engagement and active participation in planning the future of the parish'*.
7. The application includes a map that identifies the area to which the application relates, a statement explaining why the area is considered appropriate to be designated as a neighbourhood area; and a statement that the Parish Council is a relevant body. The submission of the aforementioned documents passes the test as a valid application for consideration under the Neighbourhood Planning (General) Regulations 2012 (as amended).
8. Next it follows that Regulation 5A of the Neighbourhood Planning (General) Regulations 2012 (as amended) applies in considerations of the application in that:
 - a) The application was made by the Parish Council; and
 - b) The area specified in the application consists of the whole of the parish council's area; and
 - c) No part of the specified area is part of a neighbourhood area.
9. The Regulations state that where Regulation 5A applies then Regulations 6 and 6A do not apply. This area application does not therefore have to go to consultation and as such, there is no prescribed date for the application's determination.
10. Having considered the application submission, it is clear that Fletching Parish Council forms the 'relevant body' (for the purposes of section 61G (2) of the

Town and Country Planning Act 1990). The application is for the whole parish area of Fletching and does not contain any other area which already forms part of an existing neighbourhood area.

11. Given the above, it is considered that the application meets the requirements of Regulations 5 and 5A of the Neighbourhood Planning (General) Regulations 2012 (as amended). As such, from the date of the decision by the Head of Planning Policy, Economy and Climate Change, Fletching parish will be designated as a Neighbourhood Area for the purposes of Neighbourhood Planning and so satisfies section 61G(3) of the Act.

Conclusion

12. Fletching Parish Council is a relevant body for the purposes of the Act and they wish to proceed with a Neighbourhood Development Plan. They have explained why they consider the whole of the parish to be an appropriate area for designation as a neighbourhood area and have provided a map showing the boundary. It is therefore considered that the application meets the requirements of Regulation 5 of the Neighbourhood Planning (General) Regulations 2012 (as amended).
13. As the application is for the designation of the whole of the area of the parish and the application meets all the other requirements of Regulation 5A, regulations 6 and 6A do not apply and a public consultation is not required in this case.
14. The Head of Planning Policy, Economy and Climate Change hereby exercises their delegated authority under Part 7 (G8) of the Council's Constitution, to agree the application and designate the Parish of Fletching as a Neighbourhood Area for the purpose of producing a Neighbourhood Development Plan.

Implications

Financial:

The Local Planning Authority (LPA) has a duty to provide advice and support to the Parish Council throughout the process of preparing a neighbourhood plan. The LPA will need to consider how best it is able to resource any future advice and support that may be required. The LPA is also responsible for financing certain stages of the Neighbourhood Plan such as the Regulation 16 consultation, examination and referendum.

Legal:

It will be necessary for the LPA to make arrangements for the Regulation 16 consultation, examination and referendum. These will need to be resourced and supported by the LPA. Following any adoption of the Neighbourhood Plan it will form part of the adopted Development Plan for the area.

Human Resources:

Officer support from the Planning Policy Team will be required throughout the Neighbourhood Plan process. The LPA will also be required to make a detailed response to the Regulation 14 and Regulation 16 consultations in addition to providing advice on early drafts. The LPA will need to consider how best to resource

future advice and assistance as the plan progresses and the level detail to that advice will need to be balanced against other priorities.

Climate Change:

None arising directly from this report.

Other:

The Neighbourhood Plan will be subject to consultation at the Regulation 14 and Regulation 16 stages as well as a referendum. It will also be subject to a screening exercise to determine whether a Strategic Environmental Assessment or Habitats Regulation Assessment are required.

Contacts/ References:

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Appendices	Appendix A- Letter from Fletching Parish Council dated 6 th July 2023 applying for the designation of Fletching as a neighbourhood area. Appendix B- Map of Fletching Parish submitted with the application, identifying the area to which the application relates.
Background Papers	None
Key Decision	NO
Exempt / Not for Publication	NO

Appendix A

Application for Designation of Neighbourhood Area

FLETCHING PARISH COUNCIL

Clerk: Gabriella Paterson-Griggs

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6th July 2023

Mr Trevor Scott
Chief Executive
Wealden District Council
(Sent via email only)

Dear Mr Scott,

Parish of Fletching – Designation of Neighbourhood Area

I am writing as Chairman of Fletching Parish Council, pursuant to Regulation 5 of The Neighbourhood Planning (General) Regulations 2012, in order to submit a statutory application for the designation of a Neighbourhood Area.

Neighbourhood Area

A map is attached¹ identifying the area to which this application relates. The Parish Council has passed a resolution (3rd July 2023) for the creation of a Neighbourhood Plan and has also resolved that the Neighbourhood Area to be designated should be the whole of the Parish.

Statement of appropriateness

It is considered appropriate to designate this area because:

- i. Fletching is a small² rural parish with a noteworthy history. The village of Fletching is mentioned in the Domesday Book of 1085. Its parish church of St. Andrew and St. Mary the Virgin dates from the late 12th century, completed in 1230. It was here, in 1246, that Simon de Montfort with his barons held a vigil of prayer on the eve of the Battle of Lewes, while his men camped on Fletching Common. The Parish also includes the scattered dwellings in the hamlet of Piltdown and at Sheffield Green, Splaynes Green, Down Street, Shortbridge and amongst the rural lanes of the Parish;
- ii. The predominant land uses of the Parish are farmland, mainly classified as Grade 3, and woodland, much of which is Ancient Woodland³ (including Park Wood in Piltdown) and/or forms part of the National Forest Inventory⁴.
- iii. The northern area of the Parish is a part of the designated High Weald Area of Outstanding Natural Beauty.
- iv. The southern area lies within the Low Weald and contains a number of areas of historic commons. These include Piltdown Golf Club, founded in 1904, which since 1996 has been subject to a Course Management Policy in liaison with DEFRA and Natural England, to restore the heathland nature of the course and maintain a balanced environment across the common as a whole.

¹ Appendix A

² Population 2021 was 1,045

³ <https://naturalengland-defra.opendata.arcgis.com/datasets/a14064ca50e242c4a92d020764a6d9df/explore?location=50.994731%2C0.043338%2C14.00>

⁴ Wealden District Council Landscape Character Assessment

- v. All the Parish lies within the Upper Ouse Valley⁵. The River Ouse flows through the Parish (forming much of the western boundary) and close to Fletching Village; some of the tributaries in the River's catchment spring and flow from the Parish;
- vi. The entire Parish lies within the 7 km Buffer Zone of the Ashdown Forest Special Area of Conservation ("SAC") and Special Protection Area ("SPA");
- vii. The Parish contains approximately 100 designated heritage assets⁶ including Sheffield Park House (Grade I), Sheffield Registered Park and Garden (Grade I), Fletching and Splaynes Green Conservation Area, Fletching Church (Grade I), and numerous other listed buildings across the Parish;
- viii. The Parish lies within in a Biodiversity Opportunity Area⁷;
- ix. The Historic Landscape Character is one of Fieldscapes⁸;
- x. The Parish is predominantly an area of relatively High Tranquility⁹;
- xi. In terms of Dark Skies, the Parish has the lowest level of light emitted¹⁰.

Thus, in the light of these factors and the need to promote a sustainable pattern of development in accordance with economic, social and environmental objectives and to support the wellbeing of the local community, the Parish Council wish to prepare a Neighbourhood Plan in respect of the proposed Neighbourhood Area.

Any area smaller than the Parish, such as the village of Fletching alone, would not be appropriate because such an approach would exclude a substantial proportion of the residents of the Parish from this important opportunity for public engagement and active participation in planning the future of the Parish. At a meeting of the Parish Council on 6th February 2023, some 100 parishioners attended and voted overwhelmingly in favour of the preparation of a Neighbourhood Plan for the whole Parish.

Relevant Body

The Parish Council was first established by the Local Government Act 1894 and has been in continuous existence since then. The Parish Council is a public body constituted by law and thus a relevant body for the purposes of the principal Act.¹¹

I look forward to hearing from you.

Yours sincerely,

Richard Hannay

Richard Hannay

Chairman, Fletching Parish Council

cc Cllr Christina Coleman – Wealden District Council

⁵ Ibid.

⁶ <https://historicengland.org.uk/listing/the-list/results/?searchType=NHLE+Simple&search=fletching&page=5>

⁷ Wealden District Council Landscape Character Assessment

⁸ Ibid.

⁹ Ibid.

¹⁰ Ibid.

¹¹ Town and County Planning Act 1990 Section 61G (2) (a)

Appendix B

