



**Record of Delegated Executive Decisions by Officers**

**1. Subject of Decision**

Designation of Middleton St George Neighbourhood Planning Area for the purpose of Neighbourhood Planning – as detailed in Appendix 1.

**2. Name and Title of Decision Maker**

Ian Williams Director of Economic Growth

**3. Cabinet Member(s) consulted (and other consultees, if any)**

**4. Details of any Conflict of Interest and any Dispensation granted in respect of such interest**

**5. Executive Summary**

Neighbourhood Planning was introduced under the Localism Act 2011 and provided communities with the opportunity to develop a community led framework for guiding future development, regeneration and conservation of an area.

In designating the Middleton St George Neighbourhood Plan Area for the purpose of neighbourhood planning, the authority is using the powers of designation set out in the Town and Country Planning Act 1990, as amended by the Localism Act.

Designating the area will enable the Parish Council to undertake neighbourhood planning activity, culminating in a Neighbourhood Plan which, when made by the Authority, will become part of the Borough's statutory development plan.

On 1<sup>st</sup> July 2014 Middleton St George Parish Council (in association with Low Dinsdale Parish Council) was formally designated as a Neighbourhood Area. However, boundary changes came about via a Community Governance Review in 2016. Subsequently the Parish Council applied to the Council in January 2019 for a new Neighbourhood Area to reflect the changes in the parish boundary and to pursue the preparation of a Neighbourhood Plan (Appendix 1). The Parish Council are proposing a Neighbourhood Area of the new parish boundary but excluding land at Durham Tees Valley Airport. Even though the land at the airport falls within the parish boundary it is considered inappropriate for Durham Tees Valley Airport to be included in the Neighbourhood Area due to its strategic importance.

The local authority established that the application was valid, having been proposed by a qualifying body for neighbourhood planning (The Parish Council) and including the required statement and plan of the proposed neighbourhood area. The proposed area does not overlap any other designated or proposed neighbourhood areas.

The Neighbourhood Planning (General) Regulations 2012 (as amended) specify what a local authority must do on receipt of a valid application to designate a Neighbourhood Area. In accordance with regulation 6, Darlington Borough Council invited comments from organisations and individuals on the proposed Neighbourhood Area from 13<sup>th</sup> February 2019 to 29<sup>th</sup> March 2019. The consultation and application was publicised on the Council's website, a number of consultees were notified, and a leaflet prepared for the Parish Council to distribute in the area.

The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016, removed the requirement to publicise and invite representations on applications for designation which consist of the full Parish area. As the proposed Neighbourhood Area does not include the whole of the Parish (airport excluded) a consultation period was required to be undertaken.

The consultation generated four responses on the proposed Neighbourhood Area (please see below for a summary). No concerns or objections were raised.

- a) North Yorkshire County Council reviewed the documents, and no significant issues were identified. No comment on the proposed extent of the Neighbourhood Area.
- b) Neasham Parish Council had no observation on the proposed area and associated application.
- c) Hambleton District Council had no comments on the proposed plan.

d) Gladman Developments highlighted a number of key requirements to which the development of the emerging neighbourhood area should have regard to. They also outlined that they wish to participate in the plans preparation, to be notified of further developments and consultations in this regard and request to be added to the consultation database. Assistance was also offered in the preparation of the plan and the steering group invited to contact Gladman in this regard. This information will be passed on to the Parish Council. Gladman's land interests at Middleton St George were also outlined which included The Greenway and land at Neasham Road.

Officers have considered the responses received and if the area applied for is appropriate for the purpose of neighbourhood planning; taking into account the Parish Council's statement explaining why the area applied for is considered appropriate to be designated as such. It is considered that the application should be approved and the Neighbourhood Area designated.

## **6. Alternative options considered**

A local planning authority can refuse to designate the area applied for if it considers the area is not appropriate. Where it does so, the local planning authority must give reasons. The authority must use its powers of designation to ensure that some or all of the area applied for forms part of one or more designated areas. There are no reasons to suggest that the area applied for should not be designated.

## **7. Decision(s)**

To designate Middleton St George Neighbourhood Area for the purpose of Neighbourhood Planning.

## **8. Reasons for the Decision(s)**

Parish boundaries are historic and not developed with Neighbourhood Planning in mind. However, legislation and regulations encourage and seek to expedite neighbourhood planning in Parish areas.

The Neighbourhood Area consists of the Middleton St George Parish area but excluding land at Durham Tees Valley Airport. The airport is regarded as a strategic transport infrastructure of sub-regional significant to the Tees Valley. The purpose of neighbourhood planning is intended to serve local issues and therefore it is considered inappropriate that decisions of sub-regional importance be dealt with through the Neighbourhood Plan process. It is therefore considered appropriate that the airport has been excluded from the area proposed.

The proposed area is relatively small in comparison to neighbourhood areas elsewhere, however the Parish Council has not sought to designate a larger area in collaboration with neighbouring parishes. There are no known planning or cross boundary issues which would require a larger area to be designated. Officers consider that it would be appropriate to designate the area shown in Appendix 1 as a Neighbourhood Area.

**9. Key Decision?**

**NO**

**(If item is a Key Decision, please contact Democratic Services on ext 5803, to include item in the Forward Plan)**

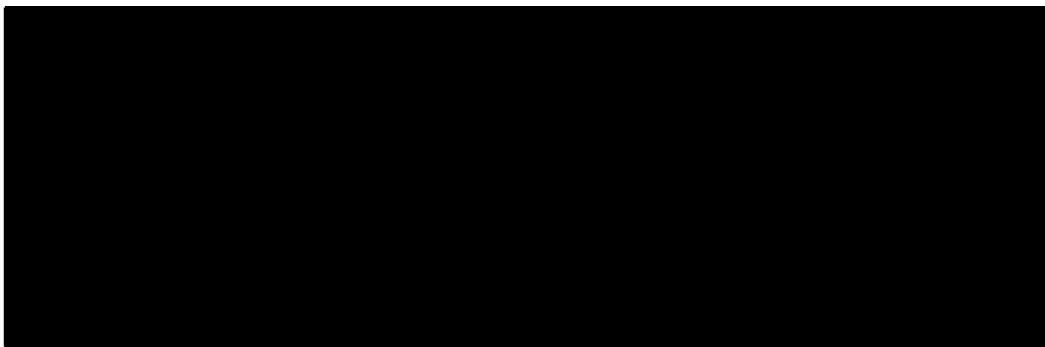
**10. Date of Decision**

14 / 15 / 19

**11. Date of Publication**

**12. Implementation Date**

14 / 15 / 19



## APPENDIX 1





## Middleton St George Parish Council

[www.middleton-st-george.org.uk](http://www.middleton-st-george.org.uk)



16<sup>th</sup> January, 2019

David Hand  
Head of Planning Policy, Economic Strategy and Environment  
Darlington Borough Council  
Room 401, Town Hall  
Darlington  
DL1 5QT

Dear Mr. Hand,

### **Application for the Designation of the Middleton St George Neighbourhood Planning Area (Under the Neighbourhood Planning (General) Regulations 2012)**

At a Special Parish Council Meeting on 19th July, 2018, Middleton St George Parish Council resolved to recommence the Neighbourhood Plan. At the Parish Council meeting of 24th September 2018, it was resolved that a small Working Group of Parish Councillors be formed to re-start the work which had been initiated under the previous MSG Parish Council (prior to its dissolution in March 2016).

Under the previous Middleton St George Parish Council (pre-March 2016), the NDP reached the stage where a first draft had been put out to public consultation, and the document was amended to take into consideration the comments and feedback from that consultation. It did not get as far as a Referendum.

However, due to various circumstances (the "Gladman" Sadberge Road Appeal and Inspector's Decision) MSG NDP had to be put on hold.

There was a Community Governance Review of the parishes of Middleton St George and Low Dinsdale following a Review of Wards (*ref. Local Government and Public Involvement in Health Act 2007, The Darlington Borough Council (Reorganisation of Community Governance), No.1 Order 2016, of 4<sup>th</sup> January 2016*), by which the former Middleton St George Parish, and of the former Low Dinsdale Parish (which formed the previously designated NDP area) were de-constituted and dissolved on 31<sup>st</sup> March 2016, and by which the Parish boundary of Middleton St George was re-drawn, and a new Parish Council constituted (with its first meeting being held on 16<sup>th</sup> May 2016).

The newly constituted Middleton St George Parish Council has now resolved to re-start the process.

However, we realise that we need to amend the document to take account of the boundary change to the Parish following the Community Governance Review, as well update it owing to all the development which has taken place since "Gladman", as well as in other respects.

We also realise that we need to re-apply for the new area to be designated as a Neighbourhood Plan area.

We are therefore applying for the new NDP area to be the new Middleton St George Parish, but with the exclusion of the area owned by Durham Tees Valley Airport, even though part of this land falls within the parish boundary. DTVA was excluded from the original draft NDP document following Designation of the original NDP area by Cabinet (Report to Cabinet of Darlington Borough Council dated 1<sup>st</sup> July 2014) and following responses to the consultation of the area initially applied for (Middleton St George and Low Dinsdale Parishes). It was considered inappropriate for Durham Tees Valley Airport to be included in the Neighbourhood Area due to its strategic importance.

The Parish Council is therefore requesting that an area be designated as a Middleton St George Neighbourhood Plan Area, as follows:

- **The new Parish of Middleton St George, with its boundary being that designated under the aforementioned Community Governance Order of 4<sup>th</sup> January 2016, minus the land owned by Peel Holdings (Durham Tees Valley Airport).**

The proposed neighbourhood plan boundary covers the whole of the civil parish, with the exclusion of Durham Tees Valley Airport. As mentioned above, the airport is of strategic importance as it is of sub-regional importance to the Tees Valley's economy. Strategic matters cannot be addressed through neighbourhood plans and correctly, planning policies relevant to the airport will be included within the new Darlington Local Plan.

The designation of the remainder of the parish for the purposes of preparing a neighbourhood plan is appropriate because: no adjoining parish councils have expressed an intention of joining with Middleton St George Parish to create a larger neighbourhood area; and civil parish boundaries provide an appropriate geographically distinct area within which neighbourhood planning activity could take place.

Under the Neighbourhood Planning (General) Regulations 2012, the application letter must be accompanied by a map. We enclose a copy of the Community Governance Order which contains a map of the new parish, as well as a map/plan of the proposed NDP area.

The Parish Council also make the following statements:

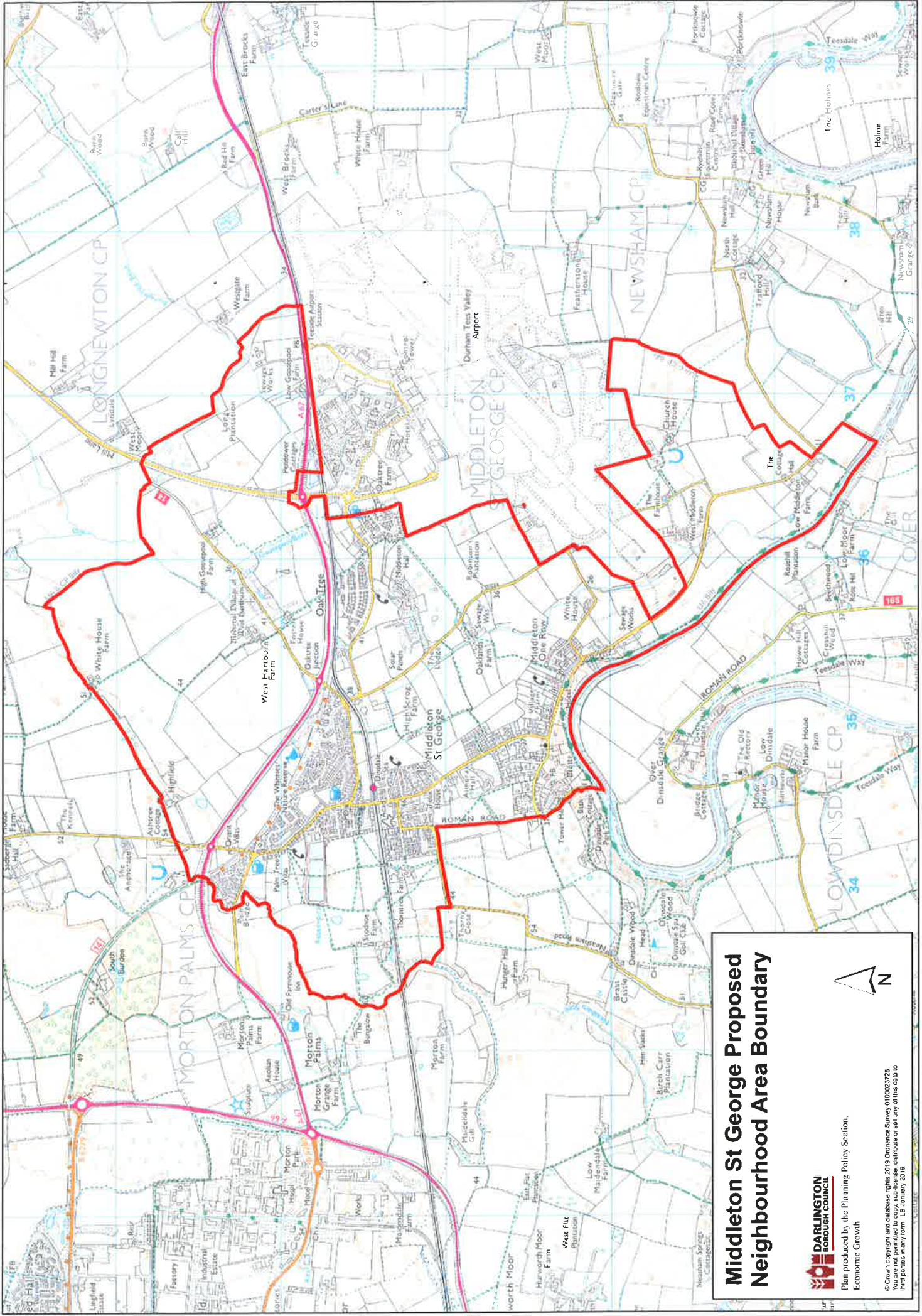
For the reasons given above, the Parish Council considers that the area as described is considered appropriate to be designated as a neighbourhood area.

The organisation or body making the area application (Middleton St George Parish Council, as constituted under the Community Governance Order of 4th January 2016), is a relevant body for the purposes of section 61G of the 1990 Act.

Yours sincerely,

Alan Macnab,  
Clerk to the Parish Council.





## Middleton St George Proposed Neighbourhood Area Boundary

Plan produced by the Planning Policy Section.  
Economic Growth

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