

Decision under Delegated Powers

DD number: 010

Officer Requesting Decision (if necessary)

Liz Hopwell, Principal Planning Officer, Plans Policies and Place Making

Officer Making the Decision

Rob Mitchell, Chief Executive

Recommendation

That the Council approves the minor modification to the Woodhouse Neighbourhood Plan designated Neighbourhood Area. This is so that the Neighbourhood Area correctly reflects the revised parish boundary as a result of the Council's Community Governance Review in 2018. The decision is to take immediate effect.

Reason

To all allow for the minor modification to be made to the designated neighbourhood area so that the Neighbourhood Plan can continue to be used in the decision-making process for planning applications in the neighbourhood area, in accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended).

Authority for Decision

Section 8.3 (7) of the Council's constitution includes a delegation to the Head of Paid Service, to agree the neighbourhood area that would be covered by the neighbourhood plan or order and formally approve the neighbourhood forum where appropriate, in consultation with the Lead Member for Planning.

Decision and Date



Rob Mitchell 16/01/2025

Background

The Localism Act (2011) provides the legal basis for neighbourhood planning and establishes neighbourhood plans as part of the statutory development plan alongside the Council's local plan.

The first stage for a neighbourhood plan group preparing a neighbourhood plan, as set out in the Neighbourhood Planning (General) Regulations 2012 (as amended), is to determine the boundary of the neighbourhood plan area and submit to the Borough Council for designation.

The Woodhouse parish boundary was designated by Charnwood Borough Council as a 'Neighbourhood Area' in accordance with Part 2 of the Neighbourhood Planning (General) Regulations 2012 on 3rd May 2018. The final plan was 'made' on the 9th December 2021.

During November 2024, officers undertook a review of all made neighbourhood plans to establish whether any had been affected by the Council's 2018 Community Governance Review boundary amendments and found that there was a change applicable to the Woodhouse Neighbourhood Plan designated neighbourhood area. This was that part of the designated neighbourhood area had been removed from Woodhouse and added to the un-parished area of Loughborough¹.

Officers sought legal advice on how to proceed with the Woodhouse neighbourhood plan given the plan forms part of the adopted development plan and is used in decision making on planning applications in the neighbourhood area. The legal advice considers that a change to the boundary would be a minor modification as set out in the Neighbourhood Plan Planning Practice Guidance which notes that, *'minor (non-material) updates to a neighbourhood plan or Order would not materially affect the policies in the plan or permission granted by the Order. A local planning authority may make such updates at any time, but only with the consent of the qualifying body. Consultation, examination and referendum are not required'* (paragraph 084a). This may include correcting errors (paragraph 106).

The Lead Member for Planning has been consulted and officers have notified Woodhouse Parish Council of the Borough Council's intention to update the neighbourhood area to reflect the revised parish boundary. A statement has been produced and agreed with the Parish Council and once approved via a delegated decision, will be published on the Council's Woodhouse neighbourhood plan webpage. The statement is attached as appendix A.

Financial Implications

There are no financial implications.

Risk Management

No specific risks have been identified with this report

Key Decision: No
Background Papers: Appendix A: Statement for amendment to Woodhouse Designated Neighbourhood Area.

¹ Charnwood Community Governance Review 2018 [Loughborough and Woodhouse.pdf](#)

Appendix A: Statement for amendment to Woodhouse Designated Neighbourhood Area.

Charnwood Borough Council has made an amendment to the boundary for the Woodhouse Neighbourhood Plan designated neighbourhood area. This is to ensure the designated neighbourhood area reflects the revised parish boundary as a result of the Council's Community Governance Review 2018. Please see here - [Loughborough and Woodhouse.pdf](#).

As set out in the Neighbourhood Plan Planning Practice Guidance, the amendment is considered a 'minor modification', that a local planning authority can make at any point in time, as long as this is in agreement with the qualifying body (paragraph 084a). This includes correcting errors (paragraph 106). The amended neighbourhood area has been agreed with Woodhouse Parish Council and can be viewed here – [\(link to be added\)](#).