



Northumberland

County Council

CABINET

Date: 12 FEBRUARY 2019

ACOMB NEIGHBOURHOOD PLAN

Report of the Chief Executive

Cabinet Member: Councillor John Riddle, Planning, Housing and Resilience

Purpose of report

To seek approval to formally 'make' the Acomb Neighbourhood Plan. The Plan passed independent examination on the 10 October 2018. A local referendum held in the Parish of Acomb on 10 January 2019 returned a majority vote in favour of using the Plan to make decisions on planning applications. The Council is now obliged by statute to make the Neighbourhood Plan unless it considers that doing so would breach European Union obligations.

Recommendations

It is recommended that Cabinet:

- 1. Notes the referendum outcome of 10 January 2019;**
- 2. Agrees to formally 'make' the Acomb Neighbourhood Plan in accordance with section 38A(4)(a) of the Planning and Compulsory Purchase Act 2004;**
- 3. Approves the decision statement (attached at Appendix 1) required under Regulation 19 of the Neighbourhood Planning (General) Regulations 2012 as amended; and**
- 4. Agrees that both the Acomb Neighbourhood Plan and the decision statement are published on the Council's website and publicised elsewhere in order to bring it to the attention of people who live, work or carry out business in the neighbourhood area; and for the decision statement to be sent to the qualifying body and anyone else who asked to be notified of the decision.**

Link to Corporate Plan

This report is particularly relevant to the priorities of the Northumberland County Council Corporate Plan 2017 to 2021 in terms of empowering local communities, involving them in decisions which affect them and supporting them in embracing change.

Key Issues

1. The Acomb Neighbourhood Plan is the ninth neighbourhood plan in Northumberland to pass referendum;
2. The Plan has been prepared with significant Officer support provided to Acomb Parish Council and has been informed by extensive community consultation and engagement between 2016 and 2018. It passed Independent Examination in October 2018, subject to modifications recommended by the Examiner. The County Council accepted these modifications;
3. A local referendum was held in the Parish of Acomb on 10 January 2019, where 186 people (19.64% of the registered electors) in the Parish voted. 13 people voted no and a majority 'yes' vote of 173 people (93%) were in favour of making the Neighbourhood Plan;
4. Since a majority vote at the referendum was in favour of the Acomb Neighbourhood Plan being used to make decisions on planning applications, the County Council is obliged by regulations to formally make the plan within 8 weeks of the date of the referendum.

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ACOMB NEIGHBOURHOOD PLAN

Background

1. The Acomb Neighbourhood Plan has been prepared by Acomb Parish Council, and supported by Northumberland County Council Planning Officers. The Plan is the ninth neighbourhood plan in Northumberland to pass referendum.
2. The process for preparing a neighbourhood plan is set out in legislation and national guidance. It is based on principles of extensive community engagement. The intention of neighbourhood planning is that local communities will engage in preparing plans which address their particular local needs. Support should be secured from residents in a neighbourhood area for those policies intended to be included in the final version of the plan. The need for community support is essential because, unlike other planning policy documents, once a neighbourhood plan passes an examination it is subject to a local referendum. Only a plan that passes a referendum with a majority of support from the electorate is able to be 'made' (brought into legal force). Once a plan has passed referendum the local planning authority is obliged to 'make' the neighbourhood plan, unless doing so would breach or otherwise be incompatible with EU obligations.
3. The Neighbourhood Planning Act 2017 gained Royal Assent on 27 April 2017. Section 1 of the Act gives additional weight to "post-examination draft neighbourhood plans" and requires that such plans must be taken into account in deciding planning applications. Section 3 of the Act confirms that, prior to a draft neighbourhood plan being made after succeeding at referendum, it is now the case that the Plan forms part of the development plan unless the local planning authority decide not to make the Plan.

Preparation of the Acomb Neighbourhood Plan

4. The Acomb Neighbourhood Plan has been prepared following extensive community consultation and engagement by the Parish Council between 2016 and 2018. Following the area designation, an initial drop-in session with views sought on what aspects the local community felt the Plan should address was held on the 21st May 2016. A detailed Housing Needs Study was carried out in October 2017. Leaflets were distributed throughout the Parish and a questionnaire was handed out seeking views on the Plans Vision and Objectives, which concluded in a community Open Day in April 2017.
5. A pre-submission consultation draft plan was prepared and an eight week consultation was undertaken by the Parish Council from December 2017 to Feb 2018. Following a review of representations made to the Plan, a final draft Plan was endorsed by the Parish Council and submitted to the County Council in April 2018.

The Plan was publicised by the County Council between July and August 2018, in accordance with legal requirements.

6. Following submission, the County Council appointed an Independent Examiner. The Examination was undertaken by written representations and the final report was published in October 2018. This report found that, with some modifications, the Plan passed the necessary legal tests and it could be put to local referendum. Northumberland County Council accepted these modifications.
7. A local referendum was held in the Parish of Acomb on 10 January 2019.
8. In accordance with the regulations, at the referendum the question was asked “*Do you want Northumberland County Council to use the Neighbourhood Plan for Acomb to help it decide planning applications in the neighbourhood area?*” In order to pass referendum a majority of over 50% of those turning out to vote must vote ‘yes’ in response to this question. A total of 186 people voted, representing 19.64% of the registered electors. A total of 13 people voted ‘no’, giving an overwhelming majority of 93% of those voting being in favour of making the neighbourhood plan.
9. Since a majority vote at the referendum was in favour of the Acomb Neighbourhood Plan being used to make decisions on planning applications, the County Council is obliged by regulations to formally make the plan within 8 weeks of the date of the referendum, unless this would breach EU obligations.
9. The County Council published a Decision Statement on 14 November 2018 prior to arranging the referendum, confirming the Council is satisfied that the Plan, as modified, meets all legal requirements and that it does not breach, and is compatible with, EU obligations.
10. Section 3 of the Neighbourhood Planning Act 2017 confirms that, *prior* to a draft neighbourhood plan being made after succeeding at referendum, it is now the case that the Plan forms part of the development plan (unless the local planning authority decide not to make the Plan) and decisions on planning applications in the Parish must be made in accordance with the policies in the Plan unless material considerations indicate otherwise. Once the Plan is ‘made’ it will become a formal part of the statutory development plan for the Parish of Acomb, and decisions on planning applications in the Parish must continue to be made in accordance with the policies in the Plan unless material considerations indicate otherwise.

Content of the Acomb Neighbourhood Plan

11. The Acomb Neighbourhood Plan has 10 planning policies which have been developed to address particular spatial planning and land use issues identified by the local community. The policies set out in the Plan cover the following:
 - Local Green Spaces

- Acomb Playing Fields
- Community Facilities
- Flooding
- Walking, Cycling and Horse Riding
- New Housing
- Local Economy
- Acomb Conservation Area
- Non-designated Heritage Assets
- Design in New Development

Process for 'making' the Acomb Neighbourhood Plan

12. In order to comply with regulations, once the Plan is made by the County Council a decision statement must be published on the County Council's website. This decision statement must also be made available using other available means to demonstrate that the County Council has resolved to make the Neighbourhood Plan. The County Council must also make the Parish Council aware of their decision and bring it to the attention of any other person or organisation who asked to be informed about the decision. A copy of the decision statement is attached at Appendix 1.
13. The County Council must also publish a copy of the Neighbourhood Plan and make it available on the website and through other media. The Council is required to formally resolve to make the Neighbourhood Plan through its Cabinet to meet the obligations set out in legislation.
14. The final version of the Acomb Neighbourhood Plan which was presented for referendum is provided at Appendix 2, with the Policies Map shown at Appendix 3.

Implications

Policy	The Acomb Neighbourhood Plan when 'made' will form part of the statutory Development Plan.
Finance and value for money	Support for plan preparation costs have been met within Council budgets. The successful examination of a Neighbourhood Development Plan currently attracts £20,000 in government grant. Grant funding is being used by the County Council to provide officer support to emerging plans.
Legal	Local planning authorities are obliged by statute to make any neighbourhood plan once a local referendum has taken place and the result is in favour of the plan being used in the determination of planning applications.

Procurement	There are no relevant considerations.
Human Resources	Work on Neighbourhood Plans is carried out by members of the community through Town and Parish Councils; Northumberland County Council has a duty to support the preparation of plans.
Property	The made Neighbourhood Plan will apply to land and buildings owned by the County Council as they apply to land and buildings owned by others.
Equalities (Impact Assessment attached) Yes No N/A	Northumberland County Council has regard to the elimination of unlawful discrimination and harassment and the promotion of equality under the Equality Act 2010 and related statutes. There are no implications arising from the Acomb Neighbourhood Plan.
Risk Assessment	There are no relevant considerations.
Crime & Disorder	There are no relevant considerations.
Customer Consideration	The Acomb Neighbourhood Plan forms the most local level of planning policies in the development plan. The policies reflect the needs and aspirations of residents in shaping the future development of the Parish of Acomb.
Carbon reduction	The Acomb Neighbourhood Plan includes policy approaches relating to sustainable development, location of new development, and walking and cycling.
Wards	Hexham Central with Acomb

Background papers:

- Acomb Neighbourhood Plan Decision Statement (Appendix 1);
- Acomb Neighbourhood Plan Referendum Version (Appendix 2);
- Acomb Neighbourhood Plan Referendum Version Policies Map (Appendix 3).

Report sign off.

Authors must ensure that relevant officers and members have agreed the content of the report:

Finance Officer	n/a
Monitoring Officer/Legal	
Human Resources	n/a
Procurement	n/a

I.T.	n/a
Director	PJ
Chief Executive	DL
Portfolio Holder	JR

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