

CABINET

DATE: 23 NOVEMBER 2017

PONTELAND 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 Ponteland Neighbourhood Plan. The Plan passed independent examination on 30 June 2017. A local referendum held in the Parish of Ponteland on 28 September 2017 returned an overwhelming 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 28 September 2017;
2. Agrees to formally 'make' the Ponteland Neighbourhood Plan in accordance with section 38A(4)(a) of the Planning and Compulsory Purchase Act 2004;
3. Approves the decision notice (attached at Appendix 1) required under Regulation 19 of the Neighbourhood Planning (General) Regulations 2012 as amended; and
4. Agrees that both the Ponteland Neighbourhood Plan and the decision notice 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 notice 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 Economic Growth, Places and Environment and Stronger Communities and Families priorities of the Northumberland County Council Corporate Plan 2013 to 2017.

Key Issues

1. The Ponteland Neighbourhood Plan is the fifth neighbourhood plan in Northumberland to pass examination, and the fourth to pass referendum;
 2. The Plan has been prepared with significant Officer support provided to Ponteland Town Council and has been informed by extensive community consultation and engagement between 2012 and 2017. It passed Independent Examination in June 2017 subject to modifications recommended by the Examiner. The County Council accepted these modifications;
 3. A local referendum was held in the Parish of Ponteland on 28th September 2017, where 2730 people (29.5% of the registered electors) in the Parish voted. With only 101 people voting no, there was a majority 'yes' vote of 96.1% in favour of making the Neighbourhood Plan;
 4. Since a majority vote at the referendum was in favour of the Ponteland 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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PONTELAND NEIGHBOURHOOD PLAN

Background

1. The Ponteland Neighbourhood Plan has been prepared by Ponteland Town Council, supported by Northumberland County Council Planning Officers. The Plan is the fifth neighbourhood plan in the North East and Northumberland to pass examination, and the fourth 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 Ponteland Neighbourhood Plan

4. The Ponteland Neighbourhood Plan has been prepared following extensive community consultation and engagement by the Town Council between early 2013 and 2015. An initial survey was carried out in January 2013, followed by informal public consultation in the form of display boards at community events and a further survey in November 2013. Consultation on the Plan's Vision and Objectives was carried out in September 2014, followed by further community and stakeholder consultation in 2015. Consultation on revised Vision, Objectives and policy options was carried out between April and May 2016 for a period of six weeks.
5. A pre-submission consultation draft plan was prepared and the statutory six week consultation was undertaken by the Town Council in November and December 2016. Following a review of representations made to the Plan, a final draft Plan was endorsed by the Town Council and submitted to the County Council in March 2017. The Plan was publicised by the County Council for a period of six weeks, 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 June 2017. 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. A local referendum was held in the Parish of Ponteland on 28 September 2017.

7. In accordance with the regulations, at the referendum the question was asked “Do you want Northumberland County Council to use the Neighbourhood Plan for Ponteland 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 2730 people voted, representing 29.5% of the registered electors. Only 101 people voted ‘no’, giving a majority of 96.1% of those voting being in favour of making the neighbourhood plan.
8. Since a majority vote at the referendum was in favour of the Ponteland 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 04 August 2017 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. Once the Plan is ‘made’ it will become part of the statutory development plan for the Parish of Ponteland and decisions on planning applications in this Parish must be made in accordance with the policies in the Plan unless material considerations indicate otherwise.

Content of the Ponteland Neighbourhood Plan

11. The Ponteland Neighbourhood Plan has 32 planning policies which have been developed to address particular spatial planning and land use issues identified by the local community. The policies cover the following matters:
 - Sustainable Development Principles;
 - The Built Environment;
 - The Natural Environment;
 - Local Economy;
 - Housing;
 - Community Well-being;
 - Flooding and Sustainable Drainage; and
 - Transport and Movement.

Process for ‘making’ the Ponteland 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 Town 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 Ponteland Neighbourhood Plan which was presented for referendum is provided at Appendix 2, with the Policies Map shown at Appendix 3.

Implications

Policy	The Ponteland 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. Additionally £5,000 was granted when Ponteland Parish was designated as a Neighbourhood Area. 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 <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	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 Ponteland Neighbourhood Plan.
Risk Assessment	There are no relevant considerations.
Crime & Disorder	There are no relevant considerations.
Customer Consideration	The Ponteland 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 Ponteland.
Carbon reduction	The Ponteland Neighbourhood Plan includes policy approaches relating to sustainable development, sustainable design and walking, cycling and public transport.
Wards	Ponteland East and Stannington; Ponteland North; Ponteland South with Heddon; and Ponteland West.

Background papers:

- Ponteland Neighbourhood Plan Decision Statement (Appendix 1)
- Ponteland Neighbourhood Plan Referendum Version (Appendix 2)
- Ponteland Neighbourhood Plan Referendum Version Proposals 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	LH
Human Resources	n/a
Procurement	n/a
I.T.	n/a
Director	GP
Chief Executive	DL
Portfolio Holder	JR

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