



# Northumberland

## County Council

COMMITTEE: **CABINET**

DATE: **13 SEPTEMBER 2022**

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### **MAKING THE HAYDON PARISH NEIGHBOURHOOD PLAN**

Report of: **Rob Murfin, Interim Executive Director of Planning and Local Services**

Cabinet Member: **Councillor Colin Horncastle, Community Services**

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#### **Purpose of report**

To seek approval to formally 'make' the Haydon Parish Neighbourhood Plan. The Plan passed independent examination in March 2022. A local referendum held in Haydon Parish on 30 June 2022 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:

- i. Notes the referendum outcome of 30 June 2022
- ii. Agrees to formally 'make' the Haydon Parish Neighbourhood Plan in accordance with section 38A(4)(a) of the Planning and Compulsory Purchase Act 2004;
- iii. Approves the decision statement (attached at Appendix 1) required under Regulation 19 of the Neighbourhood Planning (General) Regulations 2012, as amended, and
- iv. Agrees that both the Haydon Parish 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 2020-21 in terms of empowering local communities, involving them in decisions which affect them and supporting them in embracing change.

## **Key Information**

1. The Haydon Parish Neighbourhood Plan has been prepared with Officer support provided to Haydon Parish Council and has been informed by extensive community consultation and engagement. It passed Independent Examination in March 2022.
2. A referendum was held in the Parish of Haydon on 30 June 2022, where 391 people (21% of the registered electors) in the Parish voted. A majority of 346 people (89%) voted in favour of making the Neighbourhood Plan.
3. Since a majority vote at the referendum was in favour of the Haydon Parish Neighbourhood Plan being used to make decisions on planning applications, the County Council is obliged by legislation to formally make the plan within 8 weeks of the date of the referendum.

## **Background**

4. The process for preparing a neighbourhood plan is set out in legislation and national guidance. The intention of neighbourhood planning is that local communities will engage in preparing plans which address their particular local land-use issues. Support should be secured from residents in a neighbourhood area for those policies intended to be included in the final version of the plan since unlike other planning policy documents, once a neighbourhood plan passes an independent 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.
5. Once a neighbourhood plan is 'made' it becomes a formal part of the statutory development plan for the neighbourhood area to which it relates. This means that decisions on planning applications in that area must be made in accordance with the policies in the plan unless material considerations indicate otherwise. Policies in a made neighbourhood plan take precedence over existing non-strategic planning policies.

## **Preparation of the Haydon Parish Neighbourhood Plan**

6. The Haydon Parish Neighbourhood Plan has been prepared by Haydon Parish Council who were supported throughout the process by the County Council's Neighbourhood Planning Team. The Parish crosses the administrative boundaries of Northumberland County Council and the Northumberland National Park Authority. The Park Authority agreed that the County Council would be the lead authority to handle neighbourhood planning in Haydon Parish.

7. The Haydon Parish Neighbourhood Plan has been prepared following extensive community consultation and engagement by the Parish Council. To maximise levels of engagement, the Parish Council used a range of methods to engage in a safe and equitable manner, having regard to Government advice on public access to buildings and social distancing. This included more targeted methods of publicity and consultation to ensure those in the community without internet access were not disadvantaged.
8. The pre-submission draft plan was subject to an eight-week consultation period by the Parish Council between August and September 2021. Following a review of representations made to the consultation, a final draft Plan was endorsed by the Parish Council and submitted to the County Council in November 2021. The Plan was then publicised by the County Council between November 2021 and January 2022, in accordance with legal requirements.
9. Following submission of the Plan, the County Council appointed an Independent Examiner. The Examination was undertaken by written representations and the Examiner's Report was published in March 2022. This report found that, with minor modifications, the Plan passed the necessary legal tests, and could be put to local referendum. The County Council, the Northumberland National Park Authority and the Parish Council accepted this recommendation. In accordance with the Regulations, the County Council published a Decision Statement on 14 April 2022 confirming this prior to arranging a local referendum.
10. A local referendum was held on 30 June 2022. The referendum posed the question: *"Do you want Northumberland County Council and Northumberland National Park Authority to use the Neighbourhood Plan for Haydon Parish 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 391 people voted, representing 21% of the registered electors. A majority of 346 people (89%) voted in favour of making the Neighbourhood Plan.

### **Content of the Haydon Parish Neighbourhood Plan**

11. The Haydon Parish Neighbourhood Plan has 20 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 matters: sustainable development, housing, landscape, natural environment, townscape and heritage, local economy, community life and accessibility.

### **Process for 'making' the Haydon Parish Neighbourhood Plan**

12. Neighbourhood plans must be 'made' by the Local Planning Authority in order to come into force. This function is exercised by Cabinet in Northumberland County

Council. Once confirmation is given that Cabinet agrees to the making of the Haydon Parish Neighbourhood Plan a statement to that effect must be published on the County Council’s website and the decision must be notified to certain parties and publicised more widely generally.

13. A copy of the relevant draft decision statement is attached at Appendix 1. The County Council must also publish a copy of the made Neighbourhood Plan, making it available on the Council’s website and through other media. The version of the Haydon Parish Neighbourhood Plan which was presented for referendum is provided at Appendix 2.

### **Implications**

<b>Policy</b>	The Haydon Parish Neighbourhood Plan when ‘made’ will form part of the statutory Development Plan.
<b>Finance and value for money</b>	Support for plan preparation costs have been met within Council budgets. The successful examination of a Neighbourhood Development Plan, and agreement to put the Plan to referendum, currently attracts £20,000 in government grant. Grant funding is being used by the County Council to provide officer support to emerging plans.
<b>Legal</b>	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. The recommendations relate to an executive function with the meaning of S.9D(2) Local Government Act 2000 as the making of the plan is not an exception specified in regulations made under subsection 3 of that Act. Schedule 4B of the Town and Country Planning Act 1990 expressly requires local planning authorities to provide advice and assistance to parish councils involved in neighbourhood planning. The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 confirm that the matters within this report are not functions reserved to Full Council.
<b>Procurement</b>	There are no relevant considerations.
<b>Human Resources</b>	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.
<b>Property</b>	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.
<b>Equalities (Impact Assessment attached) N/A</b>	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 Haydon Parish Neighbourhood Plan.
<b>Risk Assessment</b>	There are no relevant considerations.

<b>Crime &amp; Disorder</b>	There are no relevant considerations.
<b>Customer Consideration</b>	The Haydon Parish 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 Haydon Parish.
<b>Carbon reduction</b>	The Haydon Parish Neighbourhood Plan includes policies that would contribute to a reduction in carbon emissions. The Plan supports energy efficient development and renewable and low carbon energy generation. It directs development to sites within Haydon Bridge, and advocates measures to diversify and enhance the range of local shops and services within Haydon Bridge to reduce private vehicle use locally. The Plan promotes the use of sustainable modes of transport and proposals to improve or extend the walking and cycling network locally.
<b>Health &amp; wellbeing</b>	The Haydon Parish Neighbourhood Plan includes policies to support health and wellbeing. The Plan supports the provision of a range of house types and sizes to meet the needs of all sectors of the community, including older people. It promotes enhancements to the current housing stock, which could have a positive effect on housing quality. The Plan supports the provision of local services and facilities, and it promotes active travel including improvements to local cycle routes.
<b>Wards</b>	Part of the Haydon and Hadrian Electoral Division that is covered by the Haydon Civil Parish

**Background papers:**

- Haydon Parish Neighbourhood Plan Regulation 19 Decision Statement (Appendix 1)
- Haydon Parish Neighbourhood Plan - Referendum Version (Appendix 2)
- Haydon Parish Neighbourhood Plan Policies Maps 1, 2, 3, 4 and 5 - Referendum Version (Appendix 3)

**Report sign off**

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

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Monitoring Officer/Legal	SB
Chief Executive	RF
Director of Planning	RM
Portfolio Holder	CH

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