



# Northumberland County Council

## **CABINET**

**DATE: 13 JULY 2021**

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### **Hexham NEIGHBOURHOOD PLAN**

Report of the Chief Executive

Cabinet Member: Councillor Colin Horncastle, Community Services

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#### **Purpose of report**

To seek approval to formally 'make' the Hexham Neighbourhood Plan. The Plan passed independent examination in January 2020. A local referendum held in the Parish of Hexham on 6<sup>th</sup> May 2021 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 6<sup>th</sup> May 2021;
- ii. Agrees to formally 'make' the Hexham 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 Hexham 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 Hexham Neighbourhood Plan has been prepared with significant Officer support provided to Hexham Town Council and has been informed by extensive community consultation and engagement between 2015 and 2021. It passed Independent Examination in January 2020, subject to modifications recommended by the Examiner. The County Council accepted these modifications for the reasons given by the Examiner.
2. A local referendum was held in the Parish of Hexham on 6<sup>th</sup> May 2021, where 4445 people (48.4% of the registered electors) in the Parish voted. 702 people voted no and a majority 'yes' vote of 3603 people (81.5%) were in favour of making the Neighbourhood Plan.
3. Since a majority vote at the referendum was in favour of the Hexham 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 Hexham Neighbourhood Plan has been prepared by Hexham Town Council who were supported throughout the process by the County Council's Neighbourhood Planning Team.
5. 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 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.
6. 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 Hexham Neighbourhood Plan**

7. The Hexham Neighbourhood Plan has been prepared following extensive community consultation and engagement by the Town Council. To maximise levels of engagement, the Town Council established quarterly Public Forums, to which all residents and stakeholders were invited, to discuss the content of the Plan between April 2015 and May 2017.
8. The pre-submission draft plan was subject to a six week consultation period by the Town Council during March and April 2018. An additional six week pre-submission consultation was held during October and November 2018 following modifications made to the Plan as a result of the outcomes of a Strategic Environmental Assessment. 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 2019. The Plan was then publicised by the County Council between 13th May and 24th June 2019, 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 January 2020. This report found that, with some modifications, the Plan passed the necessary legal tests and it could be put to local referendum. The County Council and the Town Council accepted these modifications for the reasons given by the Examiner. In accordance with the Regulations the County Council published a Decision Statement on 12th February 2020 confirming this prior to arranging a local referendum.
10. A local referendum was held on 6th May 2021. The referendum posed the question: "Do you want Northumberland County Council to use the Neighbourhood Plan for Hexham 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 4445 people voted, representing 48.4% of the registered electors. A total of 3603 people voted 'yes', giving an overwhelming majority of 81.5%.

## **Content of the Hexham Neighbourhood Plan**

11. The Hexham Neighbourhood Plan has 25 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
  - Sustainable design

- Hexham Conservation Area
- Non-designated heritage assets
- Shop front design
- Hexham Market Place
- Designated heritage assets
- Housing site allocations
- New housing development
- Affordable housing
- Housing for older people
- Rural exceptions housing
- Local Green Spaces
- Tyne Green Country Park
- Wildlife corridors
- Allotments
- Hedgerows, trees and verges
- Dark skies
- Community facilities
- Community renewables
- Walking and cycling
- Key shopping areas
- Hotel and tourism accommodation
- New business
- New car parking

### **Process for ‘making’ the Hexham Neighbourhood Plan**

1. 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 Hexham 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.
  
2. 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 final version of the Hexham Neighbourhood Plan which was presented for referendum is provided at Appendix 2, with the associated Policies Map shown at Appendix 3.

## **Implications**

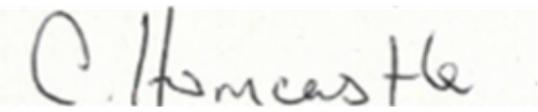
<b>Policy</b>	The Hexham Neighbourhood Plan when 'made' will form part of the statutory Development Plan.
<b>Finance and value for money</b>	Support for plan preparation costs have been met within Council budgets. The successful examination of a Neighbourhood Development Plan currently attracts £20,000 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.
<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)</b> <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 Hexham 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 Hexham 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 Hexham.
<b>Carbon reduction</b>	The Hexham Neighbourhood Plan includes policy approaches relating to sustainable development, design, green infrastructure, community renewables and walking and cycling.
<b>Wards</b>	Hexham Central with Acomb, Hexham East, Hexham West

### **Background papers:**

- Hexham Neighbourhood Plan Decision Statement (Appendix 1);
- Hexham Neighbourhood Plan Referendum Version (Appendix 2);
- Hexham Neighbourhood Plan Referendum Version Policies Maps (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	
Chief Executive	
Director of Planning	
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