



Northumberland County Council

CABINET

DATE: 13 JULY 2021

EMBLETON NEIGHBOURHOOD PLAN

Report of the Chief Executive

Cabinet Member: Councillor Colin Horncastle, Community Services

Purpose of report

To seek approval to formally 'make' the Embleton Neighbourhood Plan. The Plan passed independent examination in March 2020. A local referendum held in the Parish of Embleton on 10 June 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 10 June 2021;
- ii. Agrees to formally 'make' the Embleton 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 Embleton 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 Embleton Neighbourhood Plan has been prepared with significant Officer support provided to Embleton Parish Council and has been informed by extensive community consultation and engagement. It passed Independent Examination in March 2020.
2. A local referendum was held in the Parish of Embleton on 10 June 2021, where 217 people (35% of the registered electors) in the Parish voted. 25 people voted no and a majority 'yes' vote of 192 people (88%) were in favour of making the Neighbourhood Plan.
3. Since a majority vote at the referendum was in favour of the Embleton 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 Embleton Neighbourhood Plan has been prepared by Embleton Parish 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 Embleton Neighbourhood Plan

7. The Embleton 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 the

community including household and business surveys, focus groups, informal consultation events and a number of drop-in sessions where people were able to discuss local issues and the direction the Plan should take.

8. The pre-submission draft plan was subject to an eight-week consultation period by the Parish Council between March and April 2019. 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 October 2019. The Plan was then publicised by the County Council for seven weeks between 18 November 2019 and 6 January 2020 (the statutory period was extended by one week to allow for the Christmas break). Following changes made to the Habitats Regulations Assessment, the consultation period was then extended until 31 January 2020.
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 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 Parish Council accepted this recommendation. In accordance with the Regulations, the County Council published a Decision Statement on 22 April 2020 confirming this prior to arranging a local referendum.
10. A local referendum was held on 10 June 2021. The referendum posed the question: "Do you want Northumberland County Council to use the Neighbourhood Plan for Embleton 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 217 people voted, representing 35% of the registered electors. A total of 192 people voted 'yes', giving a majority of 88%.

Content of the Embleton Neighbourhood Plan

11. The Embleton Neighbourhood Plan has 14 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
 - Population and housing
 - Local Economy
 - Heritage
 - Natural Environment
 - Landscape
 - Design
 - Community Facilities

- Transport

Process for ‘making’ the Embleton 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 Embleton 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 Embleton Neighbourhood Plan which was presented for referendum is provided at Appendix 2.

Implications

Policy	The 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 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) 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 Embleton Neighbourhood Plan.
Risk Assessment	There are no relevant considerations.
Crime & Disorder	There are no relevant considerations.

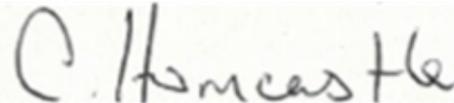
Customer Consideration	The Neighbourhood Plan forms the most local level of planning policies in the development plan. The policy reflect the needs and aspirations of residents in shaping the future development of the Parish of Embleton.
Carbon reduction	The Neighbourhood Plan includes policies on sustainable development, sustainable design, retention of local community facilities, protection of local green spaces and provision and improvement of walking and cycling routes.
Wards	Longhoughton

Background papers:

- Embleton Neighbourhood Plan Decision Statement (Appendix 1)
- Embleton Neighbourhood Plan Referendum Version (Appendix 2)
- Embleton 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:

Finance Officer	
Monitoring Officer / Legal	
Chief Executive	
Director of Planning	
Portfolio Holder	

David English – Planning Manager, Neighbourhood Planning Team
 Telephone: 07966 329 404
 Email: david.english@northumberland.gov.uk

Sarah Brannigan – Senior Planning Officer, Neighbourhood Planning Team
 Telephone: 07966 335 508
 Email: sarah.brannigan@northumberland.gov.uk