



# Northumberland County Council

## **CABINET**

**DATE: 7 SEPTEMBER 2021**

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### **SEATON VALLEY 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 Seaton Valley Neighbourhood Plan. The Plan passed independent examination in May 2021. A local referendum held in the Parish of Seaton Valley on 29 July 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 29 July 2021
- ii. Agrees to formally 'make' the Seaton Valley 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 Seaton Valley 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 Seaton Valley Neighbourhood Plan has been prepared with Officer support provided to Seaton Valley Community Council and has been informed by extensive community consultation and engagement. It passed Independent Examination in May 2021.
2. A referendum was held in the Parish of Seaton Valley on 29 July 2021, where 2,062 people (16.63% of the registered electors) in the Parish voted. A majority of 1,784 people (86.52%) voted in favour of making the Neighbourhood Plan.
3. Since a majority vote at the referendum was in favour of the Seaton Valley 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 Seaton Valley Neighbourhood Plan**

6. The Seaton Valley 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.

7. The pre-submission draft plan was subject to an eight-week consultation period by the Parish Council between September and November 2020. 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 January 2021. The Plan was then publicised by the County Council in February and March 2021, in accordance with legal requirements.
8. 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 May 2021. This report found that, with minor 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 8 June 2021 confirming this prior to arranging a local referendum.
9. A local referendum was held on 29 July 2021. The referendum posed the question: "Do you want Northumberland County Council to use the Neighbourhood Plan for Seaton Valley 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 2,062 people voted, representing 16.63% of the registered electors. A total of 1,784 people voted 'yes', giving a majority of 86.52%.

### **Content of the Seaton Valley Neighbourhood Plan**

10. The Seaton Valley Neighbourhood Plan contains two policies: one designates areas of local green space; and the other designates areas of protected open space. This is to address a particular spatial planning and land use issue identified by the local community.

### **Process for 'making' the Seaton Valley Neighbourhood Plan**

11. 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 Seaton Valley 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.
12. 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 Seaton Valley Neighbourhood Plan which was presented for referendum is provided at Appendix 2.

## **Implications**




<b>Policy</b>	The Seaton Valley 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.
<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 Seaton Valley 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 Seaton Valley 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 Seaton Valley.
<b>Carbon reduction</b>	Protection of green spaces may contribute to a reduction in CO2 emissions: trees directly sequester CO2 as woody and foliar biomass as they grow (and soils equally have the potential to sequester carbon); trees near buildings can reduce the demand for heating and air conditioning, reducing emissions associated with electric power production; and paths and cycle lanes through greenspace are usually attractive and can lead to a significant shift from cars to more sustainable means of transport.
<b>Wards</b>	Seghill with Seaton Delaval, Hartley, Holywell,

## **Background papers:**

- Seaton Valley Neighbourhood Plan Regulation 19 Decision Statement (Appendix 1)
- Seaton Valley Neighbourhood Plan - Referendum Version (Appendix 2)
- Seaton Valley 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	
Chief Executive	
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