

Public

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: The Stukeleys Neighbourhood Plan 2022-2036

Meeting/Date: Council – 19 July 2023

Executive Portfolio: Executive Councillor for Planning

Report by: Chief Planning Officer

Ward(s) affected: The Stukeleys

Executive Summary:

The Referendum on The Stukeleys Neighbourhood Plan 2022-2036 was held on 8 June 2023 and resulted in an 91.6% 'Yes' vote in support of making the Neighbourhood Plan as part of the statutory development plan. As this exceeds the required threshold of 50% of the votes cast the Council is required to formally 'make' The Stukeleys Neighbourhood Plan 2022-2036 unless the Council considers that it would be incompatible with any EU or human rights obligations. As part of the statutory development plan The Stukeleys Neighbourhood Plan 2022-2036 would be used to help decide planning applications within the neighbourhood area.

It is not considered that making the plan would be incompatible with an EU or human rights obligation and The Stukeleys Neighbourhood Plan 2022-2036 must therefore be 'made'.

Recommendation(s):

The Council is

RECOMMENDED

To 'make' The Stukeleys Neighbourhood Plan 2022-2036 in the form attached as Appendix 1 such that it becomes part of the statutory development plan for Huntingdonshire with immediate effect.

1. PURPOSE OF THE REPORT

- 1.1 The purpose of the report is to consider whether The Stukeleys Neighbourhood Plan 2022-2036 should be officially 'made' such that it becomes part of the statutory development plan for Huntingdonshire.

2. BACKGROUND

- 2.1 The Stukeleys Neighbourhood Area was formally designated on 2 June 2016. Following substantial local consultation to aid with preparation of the plan it was submitted for statutory consultation which took place between 28 September 2022 and 10 November 2022. The submission neighbourhood plan, its supporting evidence base and all responses to the statutory consultation were subject to an independent examination commencing on 18 November 2022 with the final report issued on 8 February 2023.
- 2.2 The examination confirmed that The Stukeleys Neighbourhood Plan 2022-2036 should move forward to referendum subject to modifications and confirmed that it complied with the specified basic conditions, was properly prepared by the qualifying body, covered the designated plan area, did not contain any excluded development and contained policies that related to the development and use of land. The examiner's report also confirmed that there was nothing in The Stukeleys Neighbourhood Plan 2022-2036 that led them to conclude there would be any breach of the European Convention on Human Rights. They also confirmed that The Stukeleys Neighbourhood Plan 2022-2036 is compatible with EU obligations arising from the Habitats Regulations Assessments and other directives.
- 2.3 The outcome of the examination and proposed changes were reported to Overview and Scrutiny Committee (Performance and Growth) on 5 April 2023 and Cabinet on 18 April 2023. Arising from these it was agreed that The Stukeleys Neighbourhood Plan 2022-2036 as proposed to be modified should progress to referendum.

3. ANALYSIS

- 3.1 The referendum was held on 8 June 2023 where the statutorily set question was posed asking residents of the designated neighbourhood area: 'Do you want Huntingdonshire District Council to use the Neighbourhood Plan for The Stukeleys to help it decide planning applications in the neighbourhood area?'
- 3.2 A total of 1,990 people were eligible to vote in the referendum; 356 ballot papers were issued representing a turnout of 17.9%. The number of votes cast in favour of 'Yes' was 326, the number of votes in favour of 'No' was 29 with 1 ballot paper rejected for being unmarked or wholly void for uncertainty. This indicated a majority of 91.6% voting in favour of using The Stukeleys Neighbourhood Plan 2022-2036 to help decide planning applications within the designated neighbourhood area.

- 3.3 As The Stukeleys Neighbourhood Plan 2022-2036 was endorsed by more than the required threshold of 50% of those voting the Council must now 'make' the Neighbourhood Plan such that it becomes part of the statutory development plan for Huntingdonshire unless the Council considers that it would be incompatible with any EU or human rights obligations. It is not considered that making the plan would be incompatible with an EU or human rights obligation and The Stukeleys Neighbourhood Plan 2022-2036 must therefore be 'made'.

4. KEY IMPACTS / RISKS

- 4.1 The key impacts of this are the reiteration of the importance of the planned system with town and parish councils and residents of the neighbourhood plan area having the opportunity to positively influence how their community grows in the future.
- 4.2 Successful 'making' of a Neighbourhood Plan entitles The Stukeleys Parish Council to an increased proportion of CIL receipts from development within the neighbourhood area, up from 15% to 25%.

5. TIMETABLE FOR IMPLEMENTATION

- 5.1 The Stukeleys Neighbourhood Plan 2022-2036 will become part of the statutory development plan with immediate effect.

6. LINK TO THE CORPORATE PLAN, STRATEGIC PRIORITIES AND/OR CORPORATE OBJECTIVES

- 6.1 Making the neighbourhood plan will help achieve the Corporate Plan 'Priority 2: Creating a better Huntingdonshire for future generations.'

7. LEGAL IMPLICATIONS

- 7.1 Section 38A(4)(a) of the Planning and Compulsory Purchase Act 2004 requires the Council to 'make' the Neighbourhood Plan if more than half of those voting in the referendum have voted in favour. The Council is content that The Stukeleys Neighbourhood Plan 2022-2036 meets the specified basic conditions, does not breach the European Convention on Human Rights and is not incompatible with EU obligations arising from the Habitats Regulations Assessments and other directives.

8. RESOURCE IMPLICATIONS

- 8.1 An additional 10% of CIL receipts within the neighbourhood area will be passed over to The Stukeleys Parish Council. This may have implications on resource availability for infrastructure projects provided by this Council. Additional support, both financial and partnership working, may be sought to help deliver some of the projects identified in The Stukeleys Neighbourhood Plan 2022-2036.

9. REASONS FOR THE RECOMMENDED DECISIONS

- 9.1 The Council has a statutory obligation to 'make' The Stukeleys Neighbourhood Plan 2022-2036 now that it has successfully passed the referendum stage.

10. LIST OF APPENDICES INCLUDED

Appendix 1 – The Stukeleys Neighbourhood Plan 2022-2036

11. BACKGROUND PAPERS

[Overview and Scrutiny Committee \(Performance and Growth\) - 5 April 2023](#)

[Cabinet - 18 April 2023](#)

[The Neighbourhood Planning \(Referendums\) Regulations 2012 \(as amended\)](#)

[National Planning Practice Guidance \(Neighbourhood Planning\)](#)

[Neighbourhood Planning webpage](#)

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