

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: St Neots Neighbourhood Plan

Meeting/Date: Council 24th February 2016

Executive Portfolio: Strategic Planning and Housing

Report by: Planning Policy Team Leader

Ward(s) affected: St Neots - Eaton Ford, St Neots - Eaton Socon, St Neots – Eynesbury and St Neots – Priory Park

Executive Summary:

The Referendum on the St Neots Neighbourhood Plan resulted in a 93% 'Yes' vote in support of making the Neighbourhood Plan part of the statutory development plan. As this exceeds the threshold of 50% of votes cast the Council is required to formally 'make' the St Neots Neighbourhood Plan unless the Council considers that it would be incompatible with any EU or human rights obligation. This means that it will be used to help decide planning applications in the neighbourhood area.

It is not considered that doing so would be incompatible with any EU or human rights obligation and the Plan must therefore be 'made'.

Recommendation(s):

To make the St Neots Neighbourhood Plan in the form attached as Appendix 1 with immediate effect such that it becomes part of the statutory development plan for Huntingdonshire

1. WHAT IS THIS REPORT ABOUT/PURPOSE?

- 1.1 The purpose of this report is to consider whether the St Neots Neighbourhood Plan should be officially 'made', so that it becomes part of the statutory development plan for Huntingdonshire.

2. WHY IS THIS REPORT NECESSARY/ BACKGROUND

- 2.1 The St Neots neighbourhood area was formally designated on 17th October 2013. Statutory consultation on the submission neighbourhood plan ran from 29th July – 9th September 2014. An independent examination took place from 12th January – 28th February 2015 which recommended that the St Neots Neighbourhood Plan 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 St Neots Neighbourhood Plan that led her to conclude there is any breach of the European Convention on Human Rights. She also confirmed that the St Neots Neighbourhood Plan is not incompatible with EU obligations arising from the Habitats Regulations Assessments and other directives.

- 2.2 The process for agreeing post-examination modifications to a neighbourhood plan was agreed at Cabinet on 19th November 2015. At the same time approval was gained for the proposed modifications for the St Neots Neighbourhood Plan to ensure that it met the statutory basic conditions which allowed it to progress to referendum. Appendix 1 contains a copy of the St Neots Neighbourhood Plan, as prepared by St Neots Town Council for use in the Referendum is attached. This is supplemented by a short errata list to correct 3 minor issues.

3. ANALYSIS

- 3.1 A referendum was held on the St Neots Neighbourhood Plan on Thursday 4th February 2016 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 St Neots to help it decide planning applications in the neighbourhood area?"

- 3.2 A total of 23,884 persons were entitled to vote in the referendum; 5,217 ballot papers were issued for the referendum representing a turnout of 21.8%. The number of votes cast in favour of a 'Yes' was 4,850, the number of votes cast in favour of a 'No' was 357 and 10 ballot papers were rejected. This indicated a very clear majority of 93% voting in favour of using the St Neots Neighbourhood Plan to help decide planning applications within the designated neighbourhood area.

- 3.3 As the St Neots Neighbourhood Plan 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 doing so would be incompatible with any EU or human rights obligation. It is not considered that doing so would be incompatible with any EU or human rights obligation and the Plan must therefore be 'made'.

4. KEY IMPACTS

- 4.1 The key impacts of this are the reiteration of the importance of the plan-led 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 St Neots Town Council to an increased proportion of CIL receipts from development within the neighbourhood area, up from 15% to 25%.

5. LINK TO THE CORPORATE PLAN

- 5.1 'Making' the St Neots Neighbourhood Plan will help to deliver the Corporate Plan objective of 'Working with our Communities', with particular regard to 'Empower local communities'.

6. LEGAL IMPLICATIONS

- 6.1 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 St Neots Neighbourhood Plan 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.

7. RESOURCE IMPLICATIONS

- 7.1 An additional 10% of CIL receipts within the neighbourhood area will be passed over to St Neots Town 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 Section 2 of the St Neots Neighbourhood Plan relating to non-planning issues.

8. OTHER IMPLICATIONS

- 8.1 The main implications of 'making' the St Neots Neighbourhood Plan should be positive as the policies look to promote good design of new development, protect green spaces which can assist physical and mental health and promote sustainable growth. The policies within St Neots Neighbourhood Plan will be used by Development Management to help determine planning applications within St Neots. As part of the basic conditions the St Neots Neighbourhood Plan has been prepared in conformity with the Core Strategy (2009) and has also had regard to the emerging Local Plan to 2036. Any conflict in policy should be resolved in accordance with the most recently adopted element of the development plan. The St Neots Neighbourhood Plan also contains a substantial section concerned with non-planning issues which does not form part of the statutory development plan. This reflects non-planning issues of importance to the local community and identifies a list of projects St Neots Town Council would like to pursue which would involve a range of delivery partners including this Council.

9 REASONS FOR THE RECOMMENDED DECISIONS

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

10. LIST OF APPENDICES INCLUDED

Appendix 1 – St Neots Neighbourhood Plan and errata sheet

BACKGROUND PAPERS

St Neots Neighbourhood Plan (referendum version)
Cabinet reports 19th November 2015 on post examination processes and St Neots Neighbourhood Plan examination outcome.

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