

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Godmanchester Neighbourhood Plan

Meeting/Date: Council 13 December 2017

Executive Portfolio: Economy and Growth

Report by: Senior Planning Policy Officer

Ward(s) affected: Godmanchester

Executive Summary:

The Referendum on the Godmanchester Neighbourhood Plan resulted in a 96% '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 Godmanchester 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 Godmanchester 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. PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to consider whether the Godmanchester 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 Godmanchester neighbourhood area was formally designated on 11th March 2015. Statutory consultation on the submission neighbourhood plan ran from 8th May to 19th June 2017. An independent examination took place from 3rd July to 30th August 2017 which recommended that the Godmanchester 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 Godmanchester Neighbourhood Plan that led them to conclude there would be any breach of the European Convention on Human Rights. They also confirmed that the Godmanchester Neighbourhood Plan is compatible 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. In accordance with that procedure approval was gained for the Godmanchester Neighbourhood Plan including proposed modifications to progress to referendum. Appendix 1 contains a copy of the Godmanchester Neighbourhood Plan for use in the Referendum is attached.

3. ANALYSIS

- 3.1 A referendum was held on the Godmanchester Neighbourhood Plan on Thursday 7th December 2017 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 Godmanchester to help it decide planning applications in the neighbourhood area?"
- 3.2 A total of 5,121 persons were entitled to vote in the referendum; 1,131 ballot papers were issued for the referendum representing a turnout of 22.08%. The number of votes cast in favour of a 'Yes' was 1,083, the number of votes cast in favour of a 'No' was 47 and 1 ballot paper was rejected. This indicated a very clear majority of 96% voting in favour of using the Godmanchester Neighbourhood Plan to help decide planning applications within the designated neighbourhood area.
- 3.3 As the Godmanchester 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 / RISKS

- 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 Godmanchester 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, STRATEGIC PRIORITIES AND / OR CORPORATE OBJECTIVES

- 5.1 'Making' the Godmanchester Neighbourhood Plan will help to deliver the Corporate Plan objective of 'Enabling Communities', with particular regard to 'Develop stronger and more resilient communities to enable people to help themselves'.

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 Godmanchester 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 Godmanchester 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 the Godmanchester Neighbourhood Plan.

8. OTHER IMPLICATIONS

- 8.1 The main implications of 'making' the Godmanchester 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 Godmanchester Neighbourhood Plan will be used by Development Management to help determine planning applications within Godmanchester. As part of the basic conditions the Godmanchester 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.

9. REASONS FOR THE RECOMMENDED DECISIONS

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

10. LIST OF APPENDICES INCLUDED

Appendix 1 – Godmanchester Neighbourhood Plan

BACKGROUND PAPERS

Cabinet reports; [19th November 2015 on post examination processes](#) and [12th October 2017 Godmanchester Neighbourhood Plan examination outcome and progression to referendum](#).

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