

Public

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Houghton and Wyton Neighbourhood Plan

Meeting/Date: Council - 26 March 2018

Executive Portfolio: Councillor Ryan Fuller – Deputy Leader and Executive Councillor for Housing and Planning

Report by: Planning Policy Team Leader

Ward(s) affected: Houghton and Wyton

Executive Summary:

The Referendum on the Houghton and Wyton 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 Houghton and Wyton 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 Houghton and Wyton 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 Houghton and Wyton 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 Houghton and Wyton neighbourhood area was formally designated on 19th December 2012. Statutory consultation on the submission neighbourhood plan ran from 19th June to 31st July 2015. An independent examination took place from 14th September to 14th December 2015. The Examiner proposed a number of modifications to the neighbourhood plan, which were discussed with representatives of Houghton and Wyton Parish Council. It was agreed that if applied the modifications would result in a neighbourhood plan that would not reflect the community's views and aspirations. Officers therefore worked with the parish council to formulate alternative modifications that would meet the basic conditions and better meet the community views and be closer aligned with the original submission neighbourhood plan.
- 2.2 Alternative modifications were prepared and consulted on from 7th April to 22nd May 2017. Following consultation the examination was reopened on 7th September 2017 with a new examiner. The examiner's report on the examination of the alternative modifications was received on 20th November 2017. The Examiner proposed a number of modifications to the alternative modifications in order for them to meet the basic conditions and recommended that the neighbourhood plan, incorporating the modifications from the original examination process (those that had been accepted previously) and the alternative modifications, as modified, should proceed to referendum.
- 2.3 Both examiners' reports confirmed that there was nothing in the Houghton and Wyton Neighbourhood Plan that would be likely to lead to any breach of the European Convention on Human Rights. They also confirmed that the Houghton and Wyton Neighbourhood Plan is compatible with EU obligations arising from the Habitats Regulations Assessments and other directives.
- 2.4 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 Houghton and Wyton Neighbourhood Plan including proposed modifications to progress to referendum from Cabinet on 18th January 2018. The Houghton and Wyton Neighbourhood Plan for use in the Referendum is attached as Appendix 1.

3. ANALYSIS

- 3.1 A referendum was held on the Houghton and Wyton Neighbourhood Plan on Thursday 1st March 2018 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 Houghton and Wyton to help it decide planning applications in the neighbourhood area?"
- 3.2 A total of 1,404 persons were entitled to vote in the referendum; 612 ballot papers were issued for the referendum representing a turnout of 43.6%. The number of votes cast in favour of a 'Yes' was 589, the number of votes cast in favour of a 'No' was 23 and 0 ballot papers were rejected. This indicated a very clear majority of 96% voting in favour of using the Houghton and Wyton

Neighbourhood Plan to help decide planning applications within the designated neighbourhood area.

- 3.3 As the Houghton and Wyton 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 Houghton and Wyton Parish 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 Houghton and Wyton 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 Houghton and Wyton 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 Houghton and Wyton 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 Houghton and Wyton Neighbourhood Plan.

8. OTHER IMPLICATIONS

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

basic conditions the Houghton and Wyton 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 Houghton and Wyton Neighbourhood Plan now that it has successfully passed the referendum stage.

10. LIST OF APPENDICES INCLUDED

Appendix 1 – Houghton and Wyton Neighbourhood Plan

BACKGROUND PAPERS

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

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