

# South Northamptonshire Council

## Planning Policy and Regeneration Committee

21 September 2016

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| <h3>Consultation on the Submission version of<br/>Harpole Neighbourhood Plan</h3> |
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## Report of Head of Strategic Planning and the Economy

This report is public

### Purpose of report

To approve the submission version of Harpole's Neighbourhood Plan, in order to start the six week public consultation.

### 1.0 Recommendations

The meeting is recommended:

- 1.1 To approve the submission version of Harpole's Neighbourhood Plan for public consultation, for the statutory six weeks.
- 1.2 To agree that the Council's consultation response, be delegated to the Head of Strategic Planning and the Economy; in consultation with the Chairman and the Portfolio Holder for Planning and Environment.

### 2.0 Introduction

- 2.1 The 2011 Localism Act gave Town/ Parish Councils and Neighbourhood Forums the powers to prepare Neighbourhood Plans for their area. In parished districts such as South Northamptonshire, plans are prepared by the responsible Town or Parish Council. Once 'made' (brought into legal force by the Council after being agreed at referendum), Neighbourhood Plans attain the same legal status as the Local Plan and form part of the 'Development Plan'. As per the National Planning Policy Framework, planning applications are to be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 2.2 Harpole Parish Council has now submitted their final Neighbourhood Plan to South Northamptonshire Council, with a request to start the formal and final 6 week consultation. The Submission Plan is set out in Appendix 1. After this consultation the plan will be submitted to an independent examiner for formal inspection, and if successful will proceed to a local referendum. This report explains the process in detail.

## **3.0 Report Details**

### **History**

- 3.1. The Neighbourhood Plan (General) Regulations came into force in April 2012 and set out the steps that Town and Parish Councils/ Neighbourhood Forums must complete in order to progress their Neighbourhood Plans.
- 3.2. The first stage in the process was to designate a Neighbourhood Area and to agree the area that the plan will cover. A final boundary was adopted in March 2013, subject to boundary changes to reflect responses.
- 3.3. The Parish Council then proceeded to undertake consultation with the local community and held a number of local consultation events. Harpole Parish Council then held a formal 6 week consultation on their emerging 'Draft Plan', and this was considered by this Committee back in July 2016. The Council's response was then submitted to the Parish Council.

### **Submission Consultation**

- 3.4. The Submission version of the plan and supporting documents have now been submitted to the Council. Officers have carried out a basic check to ensure that it has been prepared correctly and officers are satisfied that a 'Basic Condition Statement' has been submitted. It has also been considered against the statutory requirements set out in paragraph 6 of Schedule 4B of the Town and Country Planning Act 1990 (as amended).
- 3.5. It is now ready for its last round of consultation, under Regulation 16 of 'The Neighbourhood Plan (General) Regulations' (2012). The future production of the Plan including this consultation is now led and funded by SNC.
- 3.6. This consultation will involve publication in a manner which informs local people and local businesses of details of the plan, where it can be viewed, how to make comments and the deadline of the consultation period.

It is proposed that the Council advertise the consultation in the following way;

- Notice on parish notice board.
  - Council website.
  - Hard copies deposited in The Forum and at the local Parish Church.
  - Public notice in the local press.
- 3.7. Letters and emails will also be sent to all of those previously consulted, in line with Harpole's 'Consultation Statement'. These include the statutory consultees outlined in Schedule 1 to the Neighbourhood Planning (General) Regulations 2012 (as amended). For example, the County Council and the Environment Agency as well as neighbouring local and parish councils, significant landowners, local businesses and community organisations.

### **SNC Response**

- 3.8. The 'Consultation Statement' in Appendix 2 sets out how the Parish Council have responded to SNC's previous comments on the Draft Plan. The main changes to the Submission version of the plan are that the large areas of land listed as 'Local Green Space', have now been renamed to 'Green Wedges' within the plan. The

plan also now states that local housing need will be addressed through consultation to SNC's Local Plan, and that local housing need will not be covered in the Neighbourhood Plan.

- 3.9 Officers still have a number of remaining comments and recommended amendments to the wording. This is to ensure consistency with the Councils policies and in order to help ensure that the plan passes the Examination.
- 3.10 Due to committee timetables, it is recommended that the Councils response is delegated to the Head of Strategic Planning and the Economy in consultation with the Chairman and Portfolio Holder for Planning and Environment'. As the six week deadline is set to end before the next committee date.

### **Independent Examination**

- 3.11 Once the consultation ends, officers will then contact the 'Neighbourhood Planning Independent Examiner Referral Service' (NPIERS) and in discussion with the Parish Council will appoint an Independent Examiner.
- 3.12 All consultation documents and responses will be compiled by SNC and sent onto the Examiner. The Parish Council may also wish at this stage to respond to any objections and propose modifications to be sent on to the Examiner.
- 3.13 The Independent Examiner will then confirm whether the plan requires a public hearing or whether any remaining issues can be addressed by written representations. If required, SNC will then organise and fund a public Examination. But it will be the Parish Council, supported by SNC Officers who attend an Examination, and the onus is on the Parish Council to defend their Neighbourhood Plan.
- 3.14 After the Examination ends SNC and the Parish Council will then receive a formal 'Examiners Report' with recommendations on any required changes on the plan. SNC and the Parish Council will together agree upon any changes that will be made to the Plan. It is also at this stage SNC comes to its formal view on whether the draft Neighbourhood Plan meets 'The Basic Conditions'; this is published through a formal 'Decision Statement'.
- 3.15 Providing that the Examiner recommends that the Neighbourhood Plan is taken forward and once the plan has been finalised and any necessary modifications have been made, the Council's Democratic Services Team will then organise and run a public Referendum in the village; this is for the electorate within the Parish and the following question will be posed: "Do you want South Northamptonshire Council to use the Harpole Neighbourhood Plan to help it decide planning applications in the neighbourhood area?". Anybody registered to vote in the area covered by the Neighbourhood Plan will be entitled to vote. A simple majority of votes (over 50% of those voting) in favour of the Neighbourhood Plan is sufficient for it to succeed. Following the referendum, and if the vote is in favour, the plan will then come back to this Committee for formal adoption. Preliminary discussions have already taken place with the Council's Democratic Services Team.
- 3.16 The Neighbourhood Plan will normally then be adopted or 'made' by SNC, and becomes a part of the statutory Development Plan, against which relevant planning applications will be determined. The Council and other decision makers will then be

obliged by law, to use the Neighbourhood Plan as a material planning consideration when considering applications in the relevant neighbourhood.

## **4.0 Conclusion and Reasons for Recommendations**

- 4.1 It is recommended that the Committee approve the 'Submission Harpole Neighbourhood Plan' for the final statutory six week consultation. This will allow the parish led Neighbourhood Plan to advance to the next stage, ready for Examination; with the final aim of Referendum and formal Adoption.
- 4.2 It is also recommended to agree that the Council's consultation response be delegated to the Head of Strategic Planning and the Economy; in consultation with the Chairman and the Portfolio Holder for Planning and Environment.

## **5.0 Consultation**

None

## **6.0 Alternative Options and Reasons for Rejection**

- 6.1 The preparation of a Neighbourhood Plan is a decision of an individual Town/ Parish Council. Under the Neighbourhood Planning (General) Regulations (2012) the District Council is required to formally consult on the Submission version of the Neighbourhood Plan. The Council could decide to refuse to progress the plan to consultation if there are appropriate reasons for doing so and the plan doesn't meet the basic checks. This is not considered to be the case for this Neighbourhood Plan.

## **7.0 Implications**

### **Financial and Resource Implications**

- 7.1 The District Council funds the formal consultation on the plan and compiles all of the responses. We are also required to organise and fund the Examination and Referendum. However the Council does receive financial support from Central Government, to cover these costs.

Comments checked by: Paul Sutton, Chief Finance Officer, 0300 003 0106, [paul.sutton@cherwellandsouthnorthants.gov.uk](mailto:paul.sutton@cherwellandsouthnorthants.gov.uk)

### **Legal Implications**

- 7.2 The legal implications are covered in the main body of this report, which make clear the legal status Neighbourhood Plans will be afforded when they are adopted and form part of the statutory Development Plan.

Comments checked by: Preet Barard, Solicitor, 01295 221 690  
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## 8.0 Decision Information

### Wards Affected

Harpole and Grange

### Links to Corporate Plan and Policy Framework

To preserve what is special  
To protect quality of life

### Lead Councillor

Councillor Roger Clark  
Portfolio Holder for Planning and Environment

### Document Information

| Appendix No         | Title  |
|---------------------|--|
| 1                   | Harpole Neighbourhood Plan   |
| 2                   | Consultation Statement   |
| 3                   | Basic Condition Statement  |
| 4                   | SEA and Habitat Regulation Assessment  |
| Background Papers   |  |
| None                |  |
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