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REPORT TO:	COUNCIL	AGENDA ITEM: 9
DATE OF MEETING:	19 <sup>th</sup> SEPTEMBER 2019	CATEGORY: RECOMMENDED
REPORT FROM:	STRATEGIC DIRECTOR (SERVICE DELIVERY)	OPEN
MEMBERS' CONTACT POINT:	IAN HEY (01283) 228741 <a href="mailto:ian.hey@southderbyshire.gov.uk">ian.hey@southderbyshire.gov.uk</a>	DOC:
SUBJECT:	REPTON NEIGHBOURHOOD DEVELOPMENT PLAN	REF:
WARD(S) AFFECTED:	REPTON	TERMS OF REFERENCE: HCS

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## **1.0 Recommendations**

- 1.1 That Council considers the Repton Neighbourhood Development Plan together with the Examiner's Report and recommended changes.
- 1.2 That Council agrees to the recommended changes identified by the independent Examiner to ensure that the draft plan meets all necessary legal requirements at this stage to allow it to proceed to referendum.
- 1.3 That Council agrees to the amended Repton Neighbourhood Development Plan proceeding to referendum.

## **2.0 Purpose of Report**

- 2.1 This report enables Council to review the Repton Neighbourhood Development Plan (NDP) in light of the independent Examiner's report and if satisfied consider taking the plan to referendum.
- 2.2 It confirms that the community of Repton has prepared a draft NDP. This, together with supporting documents, has been submitted by Repton Parish Council to South Derbyshire District Council as the Local Planning Authority.
- 2.3 It identifies that an independent Examiner was appointed and has now made recommendations regarding changes that would need to be made to the NDP to allow it to proceed to referendum.
- 2.4 The Council as the Local Planning Authority is now required to decide whether to accept the Examiner's Report, including any proposed modifications to the NDP.

- 2.5 As soon as possible after considering the Examiner's recommendations and deciding to take forward the NDP, the Local Planning Authority must publish its decisions in a Decision Statement as required by the Town & Country Planning Act 1990, schedule 4B para 12.

### **3.0 Detail**

- 3.1 Neighbourhood development plans were introduced by the Localism Act 2011.
- 3.2 Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area. They are able to choose where they want new homes, shops and offices to be built, have their say on what those new buildings should look like and what infrastructure should be provided. Neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community where the ambition of the neighbourhood is aligned with the strategic needs and priorities of the wider local area.
- 3.3 Local communities can choose to set planning policies through a neighbourhood plan that are used in determining planning applications. Neighbourhood planning is not a legal requirement but a right which communities in England can choose to use.
- 3.4 Neighbourhood planning enables communities to play a much stronger role in shaping the areas in which they live and work and in supporting new development proposals. This is because unlike the parish, village or town plans that communities may have prepared, a neighbourhood plan forms part of the development plan and sits alongside the Local Plan prepared by the local planning authority. Decisions on planning applications will be made using both the Local Plan and the neighbourhood plan, and any other material considerations.
- 3.5 Repton Parish Council had previously submitted a NDP that was reviewed at Council on 28<sup>th</sup> June 2018. This Plan was withdrawn by Repton Parish Council in agreement with the Council to allow a policy change to reflect changes in the National Planning Policy Framework.
- 3.6 The revised draft Repton NDP has been submitted by Repton Parish Council. This plan meets the basic conditions of the 1990 Act Schedule 4B in that:
- Repton Parish Council is authorised to act.
  - Rules for submission have been complied with.
  - The draft plan meets the definition of a neighbourhood plan.
  - The draft plan meets the scope of the NDP provisions, and
  - The correct procedures in relation to consultation and publicity have been undertaken.
- 3.7 The independent Examiner cannot recommend that the draft report goes to referendum if it does not meet the basic conditions or comply with the definition of a NDP.

- 3.8 As per the Town and Country Planning Act 1990, Schedule 4B para 14, South Derbyshire District Council is the relevant District Council and is responsible for making arrangements for the referendum to take place.
- 3.9 Officers have reviewed the draft plan and the Examiner's report and consider that the Plan, as modified, meets all of the conditions within the 1990 Act.
- 3.10 Council is asked to consider the NDP (Appendix A) and the Examiner's Report (Appendix B). Further to this Council is asked to confirm the modifications identified and agree to take the draft NDP to referendum.
- 3.11 As soon as possible after considering the Examiner's recommendations and deciding whether to take forward the draft NDP, the Local Planning Authority must publish its decisions in a Decision Statement, as required by the Town and Country Planning Act 1990, schedule 4B para 12.
- 3.12 Rules covering the polls for the referendum are contained in the Neighbourhood Planning (Referendum) Regulations 2012 (as amended by the Neighbourhood Planning (Referendum) (Amendment) Regulations 2013 and the Neighbourhood Planning (Prescribed Dates) Regulations 2012.
- 3.13 A NDP attains the same legal status as the Local Plan once it has been approved at a referendum; at this point it comes into force as part of the statutory development plan. Applications for planning permission must be determined in accordance with the development plan.

#### **4.0 Financial Implications**

- 4.1 Costs of the referendum are initially met by the Council. Following the poll a fixed grant of can be claimed from the Ministry of Housing, Communities and Local Government to defray the costs.

#### **5.0 Corporate Implications**

- 5.1 There are no other legal, personnel or other corporate implications apart from any covered in the report.

#### **6.0 Community Implications**

- 6.1 The NDP has been prepared by Repton Parish Council involving volunteers from the local community. This community involvement is encouraged by the 2011 Localism Act.
- 6.2 Taking the report to referendum will allow the people of Repton ward to be directly involved in setting policy for local planning decisions.

#### **7.0 Background Papers**

Appendix 1- Repton Neighbourhood Development Plan

Appendix 2- Repton Neighbourhood Development Plan- Independent Examiner's Report