

EAST HERTS COUNCIL

ANNUAL COUNCIL – 10 MAY 2017

REPORT BY THE LEADER OF THE COUNCIL

BUNTINGFORD COMMUNITY AREA NEIGHBOURHOOD PLAN  
2014 - 2031

WARD(S) AFFECTED: MUNDENS & COTTERED, BUNTINGFORD

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**Purpose/Summary of Report**

- To adopt the Buntingford Community Area Neighbourhood Plan following the Referendum of 23 March 2017.

**RECOMMENDATION FOR COUNCIL: that:**

<b>(A)</b>	<b>the Buntingford Community Area Neighbourhood Plan, as detailed at Essential Reference Paper ‘B’ to this report, be formally ‘made’ and used as part of the statutory Development Plan for the District .</b>
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1.0 Background

1.1 Neighbourhood Planning was introduced by the Government under the Localism Act in 2011. Buntingford Town Council started work on a Neighbourhood Plan for the Buntingford Community Area (BCA) in 2013. The BCA Neighbourhood Plan has been jointly produced by Buntingford Town Council, the qualifying body, and the parishes of Aspenden, Buckland & Chipping, Cottered, Hormead and Wyddial. Buntingford Town Council submitted a request for Neighbourhood Area Designation in February 2014 and this was subsequently agreed in July 2014.

1.2 Buntingford Town Council submitted the draft Neighbourhood Plan to East Herts Council in April 2016 and a six week public consultation on the Plan took place between June and July 2016. Following this, the Neighbourhood Plan was the subject of an

examination by an Independent Examiner in November 2016, whom recommended that the Neighbourhood Plan should proceed to Referendum.

- 1.3 The Referendum took place on 23<sup>rd</sup> March 2017 with a 22.3% turnout. There was an overall 'yes' vote of 1,268 against 82 who voted 'no'. As outlined within Paragraph 38A(4)(a) of the Planning and Compulsory Purchase Act 2004 the Council are able to make the Neighbourhood Plan if more than half of those voting in the referendum have voted in favour of the Plan being used to determine planning applications in the area.
- 1.4 The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016 state the Council is required to make the Neighbourhood Plan within eight weeks of the date of the referendum. Therefore, to ensure compliance with these regulations, the Council is required to make the Plan by 19<sup>th</sup> May 2017. On this basis, a recommendation has been made directly to Full Council to make the decision to ensure that the statutory deadline is satisfied.

## 2.0 Report

### **The Referendum**

- 2.1 The residents within the Buntingford Community Area voted on the following question:

*“Do you want East Hertfordshire District Council to use the Neighbourhood Plan for the Buntingford Community Area to help it decide planning applications in the neighbourhood area?”*

- 2.2 With an overall successful 'yes' vote, the Council are now able to formally adopt the Neighbourhood Plan as part of the East Herts Development Plan.

### **Adoption**

- 2.3 If the Neighbourhood Plan for the Buntingford Community Area is adopted, it will become part of the Development Plan for East Herts District Council. Consequently, any planning applications within the Neighbourhood Area will be assessed using the Neighbourhood Plan alongside the saved policies of the Local Plan

2007, the emerging policies of the Pre-Submission version of the District Plan and the National Planning Policy Framework (NPPF).

2.4 It is considered that the Buntingford Community Area Neighbourhood Plan positively contributes to the East Herts Development Management process, providing a strong community vision that seeks to contribute to sustainable development.

### 3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

### Background Papers

The Neighbourhood Planning (General) Regulations 2012

[http://www.legislation.gov.uk/ukxi/2012/637/pdfs/ukxi\\_20120637\\_en.pdf](http://www.legislation.gov.uk/ukxi/2012/637/pdfs/ukxi_20120637_en.pdf)

The Neighbourhood Planning (Referendum) Regulations 2012

[http://www.legislation.gov.uk/ukdsi/2012/9780111525050/pdfs/ukdsi\\_9780111525050\\_en.pdf](http://www.legislation.gov.uk/ukdsi/2012/9780111525050/pdfs/ukdsi_9780111525050_en.pdf)

The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016

[http://www.legislation.gov.uk/ukxi/2016/873/pdfs/ukxi\\_20160873\\_en.pdf](http://www.legislation.gov.uk/ukxi/2016/873/pdfs/ukxi_20160873_en.pdf)

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