

East Herts Council Report

Executive

- Date of meeting:** Tuesday 28 November 2023
- Report by:** Councillor Vicky Glover-Ward – Executive Member for Planning and Growth
- Report title:** Watton-at-Stone Neighbourhood Plan- Adoption
- Ward(s) affected:** Watton-at-Stone;

Summary – A referendum on Watton-at-Stone Neighbourhood Plan took place on the 12 October 2023. A majority voted in favour of the Neighbourhood Plan and as such the Council now has the opportunity to formally make (adopt) the Watton-at-Stone Neighbourhood Plan in accordance with the Planning and Compulsory Purchase Act 2004.

RECOMMENDATIONS FOR Executive to recommend to Council that:

- a) Watton-at-Stone Neighbourhood Area Plan 2017-2033, as detailed at Appendix A to this report, be formally made (adopted).**

1.0 Proposal(s)

- 1.1 Following the successful referendum on 12 October 2023, the Council are now able to make (adopt) the Watton-at-Stone Neighbourhood Plan.

1.2 The Watton-at-Stone Neighbourhood Plan became part of the statutory development plan for the district once it was approved at referendum and will be used by development management in the determination of planning applications submitted in the neighbourhood area. Unless a neighbourhood plan breaches human rights or EU obligations, the local planning authority is required to formally make the neighbourhood plan.

2.0 Background

2.1 Neighbourhood Planning was introduced by the Government under the Localism Act in 2011. Neighbourhood planning provides an opportunity for local communities to produce a planning document that shapes and influences future development within their local area.

2.2 The Town and Country Planning England Neighbourhood Planning (General) Regulations 2012 (as amended) came into force on the 6 April 2012 and prescribe both the process, and role of the local planning authority in supporting neighbourhood planning. In East Herts, parish or town councils are qualifying bodies able to produce a Neighbourhood Plan.

2.3 Watton-at-Stone Parish Council applied for designation as a Neighbourhood Area in February 2016; the Neighbourhood Area was then designated on the 5 April 2016.

2.4 The Neighbourhood Plan Group carried out early community engagement between 2016 and 2020 and then undertook a Pre-Submission Consultation between the 17 January and the 6

March 2022 under Regulation 14 of the 2012 Regulations. The Neighbourhood Plan was then submitted to East Herts Council on the 29 September 2022 and a six-week consultation on the submission plan was undertaken from the 8 November to the 20 December 2022, under Regulation 16.

2.5 A neighbourhood plan can be narrow or broad in scope and can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The Watton-at-Stone Neighbourhood Plan has a strong vision for delivering sustainable development and this has been translated into a set of objectives and policies. It seeks to protect character and heritage, whilst delivering new development and infrastructure to meet local needs. There is particular focus on the following areas:

- Delivering new development with significant community benefits for the village.
- Promotion of high quality design, including a design code;
- Protection of heritage assets and local character;
- Enhancing green and blue infrastructure and the natural environment, including the designation of new local green spaces;
- Supporting a vibrant economy;
- Improving access to services and facilities and identifying protected recreational areas;
- Ensuring connectivity through improvements to sustainable transport, particularly new pedestrian and cycle links.

2.6 District Plan Policy VILL1 Group 1 Villages, requires Watton-at-Stone to accommodate at least a 10% increase in housing stock between 2017 and 2033, which amounts to 92 dwellings. The

policy accepts there may be a need for a change to the Green Belt boundary, to accommodate growth. The National Planning Policy Framework (NPPF) confirms that where a need for changes to Green Belt boundaries has been established through strategic policies, detailed amendments to those boundaries may be made through neighbourhood plans.

2.7 In accordance with the District Plan, the opportunity was taken during the preparation of the Watton-at-Stone Neighbourhood Plan to exceed the required 10% growth in return for significant community benefits, including a circular walk for the village, new football pitches and a wetland meadow. The Neighbourhood Plan (Policy WAS1) proposes 144 homes in the plan period, including two strategic sites (for 60 dwellings each) on the edge of the village, that require changes to the Green Belt boundary. As the first Neighbourhood Plan to amend Green Belt boundaries to deliver housing growth and other community benefits, the proactive approach taken by Watton-at-Stone Parish Council is welcomed.

2.8 The Neighbourhood Plan was assessed by an Independent Examiner between June and July 2023. The Examiner commended the Neighbourhood Plan for being well researched, well-evidenced and clearly laid out. He praised the high quality of the plan and recommended that it proceed, subject to recommended modifications, to referendum. On 29 August 2023, the Council made the decision, via the non-key decision process, to proceed to a referendum.

3.0 Reason(s)

3.1 The Referendum took place on Thursday 12 October 2023 with a 32.1% turnout. There was an overall 'yes' vote of 609 votes

(95.3%), against 30 (4.7%) who voted 'no'. As outlined within Paragraph 38A(4)(a) of the Planning and Compulsory Purchase Act 2004, (as amended by the Neighbourhood Planning Act 2017) the Council is 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 help decide planning applications in the area. The residents within the Watton-at-Stone Neighbourhood Area voted on the following question:

"Do you want East Hertfordshire District Council to use the Neighbourhood Plan for Watton-at-Stone to help it decide planning applications in the neighbourhood area?"

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

Adoption

- 3.3 Following a successful referendum, the Watton-at-Stone Neighbourhood Plan already forms part of the development plan. As such any planning applications within the Neighbourhood Area will be assessed using the plan alongside the East Herts District Plan (2018), the mineral and waste plans and all other material considerations.
- 3.4 There are narrow circumstances where the local planning authority is not required to make the neighbourhood plan. These are where it considers that the making of the neighbourhood plan would breach, or otherwise be incompatible with, any EU or human rights obligations (see section 61E(8) of the Town and Country Planning Act 1990 Act as amended). The Watton-at-Stone Neighbourhood Plan does not breach the aforementioned obligations.

- 3.5 It is considered that the Watton-at-Stone Neighbourhood Plan positively contributes to the East Herts Development Management process providing a strong community vision that seeks to contribute to sustainable development and as such the Neighbourhood Plan can proceed to be formally made.
- 3.6 The final version of the Watton-at-Stone Neighbourhood Plan can be found in Appendix A.

4.0 Options

- 4.1 The Council is permitted, in narrow circumstances only, to not make a neighbourhood plan, when it is in breach or incompatible with any EU or human rights obligations (see section 61E (8) of the Town and Country Planning Act 1990 as Amended). However, the Watton-at-Stone Neighbourhood Plan does not breach these obligations.

5.0 Risks

- 5.1 If the Neighbourhood Plan does not proceed to be formally made, then the Council would not be fulfilling its duties as Local Planning Authority and there is the risk of legal challenge.

6.0 Implications/Consultations

- 6.1 The Neighbourhood Plan has been subject to multiple rounds of public consultation and a referendum.

Community Safety

No

Data Protection

No

Equalities

No

Environmental Sustainability

Yes. The Watton-at-Stone Neighbourhood Plan has been informed by a Strategic Environmental Assessment (SEA). The Plan also contains policies that aim to protect the environment.

Financial

It is the responsibility of the Local Planning Authority (LPA) to cover examination and referendum costs. Government grants are available when a Plan has a formal referendum date.

Health and Safety

No

Human Resources

No

Human Rights

No

Legal

No

Specific Wards

The designated neighbourhood area is Watton-at-Stone Parish, part of Watton-at-Stone ward.

7.0 Background papers, appendices and other relevant material

7.1 Appendix A: Watton-at-Stone Neighbourhood Plan: 2017-2033

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