

## BOROUGH OF KETTERING

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<b>Report Originator</b>	Head of Development Services	Fwd Plan Ref No: A18/013	
<b>Wards Affected</b>	Slade Ward	17 <sup>th</sup> October 2018	
<b>Title</b>	BROUGHTON NEIGHBOURHOOD PLAN & NEIGHBOURHOOD DEVELOPMENT ORDER		

**Portfolio Holder: Councillor Ian Jelley**

### **1. PURPOSE OF REPORT**

To ask Members to:

- Formally “Make” the Broughton Neighbourhood Plan as part of the statutory Development Plan, following the referendum held on 20<sup>th</sup> September 2018; and
- Formally “Make” the Broughton Neighbourhood Development Order granting planning permission for the development outlined in the order, following the referendum held on 20<sup>th</sup> September 2018.

### **2. INFORMATION**

- 2.1 Neighbourhood Planning is part of the Government’s initiative to empower local communities to take forward planning proposals at a local level. This is outlined in Section 116 of the Localism Act. Neighbourhood Plans, once made (brought into force), will form part of the Development Plan.
- 2.2 Neighbourhood Planning is led by a town or parish council or neighbourhood forum, in this case the preparation of the Broughton Neighbourhood Plan and Broughton Neighbourhood Development Order (NDO) has been led by Broughton Parish Council.
- 2.3 Preparation of Neighbourhood Plans and Neighbourhood Development Orders include several key stages which are set out in the Neighbourhood Planning (General) Regulations 2012 (as amended). These include:
1. Designation of the neighbourhood plan area;
  2. Pre-submission publicity and consultation;
  3. Submission of the plan to the Local Planning Authority;
  4. Independent Examination;
  5. Referendum; and
  6. Making the Neighbourhood Plan or Neighbourhood Development Order (i.e. bringing it into force)
- 2.4 Members may recall that at the Executive Committee meeting on 11<sup>th</sup> July 2018, Members resolved to accept the recommendations of the examiner and agreed that the Broughton Neighbourhood Plan and Broughton Neighbourhood

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Development Order, as modified, should proceed to local referendum. The modified Neighbourhood Plan Appendix 1 and the modified NDO Appendix 2 are available to view at [www.kettering.gov.uk/broughton](http://www.kettering.gov.uk/broughton)

### Referendum

- 2.5 The referendum for the Broughton Neighbourhood Plan and Broughton Neighbourhood Development Order took place on 20<sup>th</sup> September 2018.
- 2.6 The result of the Neighbourhood Plan referendum was a majority 'yes' vote in favour of the plan, with 95% of those voting, voting in favour of the plan. The table below provides a summary of the result.

Question <i>'Do you want Kettering Borough Council to use the Neighbourhood Plan for Broughton Parish to help it decide planning applications in the neighbourhood area?'</i>		
	Votes Recorded	Percentage
Number of votes cast in favour of a <b>Yes</b>	625	95%
Number of votes cast in favour of a <b>No</b>	33	5%

- 2.7 The result of the Neighbourhood Development Order referendum was a majority 'yes' vote in favour of the order with 93% of those voting, voting in favour of the order. The table below provides a summary of the result.

Question <i>'Do you want the type of development in the neighbourhood development order for Broughton Parish to have planning permission?'</i>		
	Votes Recorded	Percentage
Number of votes cast in favour of a <b>Yes</b>	616	93%
Number of votes cast in favour of a <b>No</b>	41	6%

### Making the Plan

- 2.8 In accordance with legislation, the Council is required to formally 'make' the Neighbourhood Plan and Neighbourhood Development Order as over 50% of those who voted were in favour of the Neighbourhood Plan and the Neighbourhood Development Order. This will allow the Neighbourhood Plan to be given full weight in determining planning applications within the Parish of Broughton and will grant planning permission for the development set out in the Neighbourhood Development Order.
- 2.9 The Council could only reject the Neighbourhood Plan or Neighbourhood Development Order if it considers that the making of the Neighbourhood Plan or Neighbourhood Development Order would breach, or would otherwise be incompatible with any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).

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2.10 Officers are satisfied that the making of the Broughton Neighbourhood Plan and the Broughton Neighbourhood Development Order would not breach or otherwise be incompatible with any EU obligation or any of the Convention rights.

2.11 Following the 'making' of a Neighbourhood Plan or Neighbourhood Development Order there is a six week period when the decision to 'make' the Neighbourhood Plan or NDO can be judicially reviewed.

## **Next Steps**

2.12 As soon as possible after a neighbourhood plan or neighbourhood development order is made, the local planning authority must publish a 'decision statement' setting out its decision and reasons for making the decision, and a copy of the Plan or NDO. The decision statement will set out details of where and when the Plan or NDO can be viewed.

## **3. CONSULTATION AND CUSTOMER IMPACT**

3.1 The Neighbourhood Plan and Neighbourhood Development Order have been prepared in accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended).

## **4. POLICY IMPLICATIONS**

4.1 When 'made' the Broughton Neighbourhood Plan will form part of the Development Plan for Kettering Borough. The Neighbourhood Plan will be used to determine planning applications within the Broughton Neighbourhood Area.

4.2 When 'made' the Broughton Neighbourhood Development Order will grant planning permission for the development specified in the order.

## **5. USE OF RESOURCES**

5.1 The Council will be able to make claims to cover the costs incurred during the preparation of the neighbourhood plan and neighbourhood development order, including the cost of the examination and referendum.

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### **6. RECOMMENDATION**

That Members:

- Formally “make” the Broughton Neighbourhood Plan as part of the statutory Development Plan; and
- Formally “make” the Broughton Neighbourhood Development Order, granting planning permission for the development outlined in the order.

#### Previous Reports/Minutes:

Ref: Broughton Neighbourhood Plan – Decision on Examiner’s Report  
Date: 11<sup>th</sup> July 2018

Ref: Broughton Neighbourhood Development Order – Decision on Examiner’s Report  
Date: 11<sup>th</sup> July 2018

Ref: Broughton Neighbourhood Plan Area Designation  
Date: 15<sup>th</sup> January 2018

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