

Meeting:

## **HIGH LANE NEIGHBOURHOOD PLAN**

### **Report of the Deputy Chief Executive and Corporate Director of Place**

#### **1. INTRODUCTION AND PURPOSE OF REPORT**

- 1.1 Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies. (NPPF paragraph 29)
- 1.2 High Lane Village Neighbourhood Forum (HLVNF; “the Forum”) and the Council have been working together on the development of High Lane Village Neighbourhood Plan (HLVNP; “The Plan” ), Stockport’s second neighbourhood plan. The Plan has recently undergone an examination by an independent examiner.
- 1.3 Following the submission of the examiner’s report, the Forum has made relevant changes to the Plan.
- 1.4 This report is accompanied by: the updated version of the Plan, implementing the Examiner’s recommendations; the Design Codes, which act as supplementary to the Plan; and the Examiner’s report.
- 1.5 This report sets out the key progress on the HLVNP and the next stages in the process before it formally becomes part of the development plan for Stockport.
- 1.6 The intention is to take this final version of the plan to Council where Members will be recommended:
  - to approve the final version of the High Lane Village Neighbourhood Plan (HLVNP) and the Independent Examiner’s report;
  - to authorise officers to take the necessary steps to conduct a referendum in the Neighbourhood Area;
  - In the event that a majority of eligible votes are in favour, to approve the adoption of the HLVNP as part of the local development plan.

#### **2. Development and Examination of Plan**

- 2.1 On 14th September 2017, the Forum was designated as the qualifying body, and the Neighbourhood Area was approved for the HLVNP. A considerable amount of work has taken place since to prepare and review policy wording, and to consult with residents, landowners, developers and other stakeholders on the content of the HLVNP.
- 2.2 Throughout the process, the Forum and the Council have worked collaboratively together to achieve the best plan for High Lane Village. Officers would like to

commend the considerable effort and commitment from Forum members in their voluntary roles.

- 2.3 The Forum submitted its plan for examination in December 2020; the Examiner was appointed in early 2021. The examination was undertaken without the need for any formal public hearings. The Examiner sought some points of clarification from the Council and the HLVNF but was otherwise able to conduct the process based on submissions made by all interested parties throughout the process.
- 2.4 The Examiner concluded that the HLVNP meets the basic conditions and has recommended amendments to the Plan. He has concluded that the Council should proceed to a referendum once the amendments have been made. The process for that is addressed later in this report.

### **3. The Plan and the Examiner's Report**

- 3.1 The Examiner's Report ('the Report') covers all elements of the plan, including the background legislation and documents to which the HLVNP relates. The Report is organised into: Summary of main findings; 1) Introduction (roles & purpose); 2) Statutory compliance & procedural matters; 3) Preparation & consultation; 4) Plan assessment & recommendations; 5) Formal Conclusion.
- 3.2 The purpose of the examination is to ensure that the submission of the Plan meets statutory requirements (that it has been properly submitted), and that the Plan meets statutory "basic conditions" set out in the Localism Act and the 2012 Regulations. The basic conditions may be summarised briefly as ensuring:
- The Plan accords with national planning policy & guidance, and local strategic policies;
  - The Plan would contribute to the achievement of sustainable development;
  - The Plan is compatible with other legislation and obligations, notably: Strategic Environmental and Habitats Assessment; Human Rights Act 1998; Conservation of Habitats and Species Regulations 2017).
- 3.3 In summary, the report finds that the Plan meets the statutory requirements of Regulation 15(1)(a) of The Neighbourhood Planning (General) Regulations 2012. It also makes 9 recommendations for amendments for the Plan to comply with basic conditions. Whilst each neighbourhood plan will be assessed on its own merits it is normal to expect such recommendations for amendments.
- 3.4 It should be noted that throughout the preparation of the HLVNP, a balance was maintained between existing strategic policy and the prospect of emerging policy at local and GM level. As a result of that balance, references to GMSF have been removed or amended without unduly affecting the Neighbourhood Plan.
- 3.5 In the Report summary, the Examiner concludes and recommends that:

- the Plan (modified as recommended) meets the basic conditions, EU obligations and Human Rights requirements;
- the modified Plan should be submitted to a referendum;
- the Neighbourhood Area should remain as designated.

3.6 The HLVNP covered four main areas with 10 policies in total: Transport (2 policies); Housing (1); Green Open Spaces, Recreation & Natural Heritage (5); Heritage & Design (2). As a result of the recommendations in the Report, all the policies are retained, although most are amended to some extent.

3.7 The amendments include changes that remove ambiguity, move non-policy statements from policy boxes to supporting text, avoid unintended consequences, focus on development and land use, and correct errors. One amendment of significance is to restructure transport policy T2 so that it only deals with matters relating to development and land use. Another amendment to housing policy H2 removes restrictions on development scale (number of units) that would create unintended consequences for affordable housing, viability and so on. All the amendments are detailed and explained in full in the Report and summarised on the first page.

3.8 The key objectives of the Plan are:

- i) Transport: To improve traffic/transport access and infrastructure, and to improve air quality;
- ii) Housing: To preserve the character of the area, enhance the housing mix, provide environmentally sustainable properties, to provide houses for rent and to ensure local people can access housing schemes;
- iii) Recreation and Green Open Spaces: To protect, improve and add facilities for all ages and abilities; to protect and enhance biodiversity and other natural heritage assets;
- iv) Heritage: To identify heritage assets for protection; to value and enhance the distinct character in new development; and to protect landscape character and views.

3.9 The policies reflect those objectives and the stated vision of the plan, which paints a future view of High Lane with a protected rural identity and heritage, with a good mix of housing to meet local needs, protecting the Green Belt and open space, with environmental protection and improved air quality.

3.10 The Council and the HLVNF have had the opportunity to assess the Examiner's report and have discussed the proposed amendments and their implications for the plan. Both parties are agreed that the reasons for the amendment of policies are understood and the changes required do not undermine the key purposes of those policies. The recommended changes have been made to the Plan that accompanies this report.

## 4. Referendum

4.1 The relevant legislation ([Schedule 4B to the Town and Country Planning Act 1990 \(as amended\)](#)) requires that:

- the local planning authority considers the Examiner's report;
- the local planning authority (being satisfied that the plan meets the relevant requirements referred to in the 1990 Act) is to arrange a referendum;
- if more than half of those who vote in the referendum are in favour of the neighbourhood plan, the local planning authority must adopt the plan within 8 weeks of the vote.

4.2 It should be noted that, once adopted, the Plan becomes part of the local development plan and is taken into account when considering applications for development in the Neighbourhood Area. It will remain in place when a new Local Plan for Stockport replaces the Core Strategy, and for the duration of its intended plan life, subject to reviews of the plan by the Forum.

4.3 A person is entitled to vote if, at the time of the referendum, they meet the eligibility criteria to vote in a local election for the area and if they live in the referendum area.

4.4 Officers in the Planning section are liaising with colleagues in the Elections Office in order to undertake this referendum, subject to approval of the plan at Council. It is intended to be presented at Full Council to request a decision on 15th July 2021, with a view to hold the referendum in early September (provisionally, Thursday 9th September 2021).

## **5. FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS**

### **5.1 Revenue and Capital consequences of report recommendations**

5.1.1 The referendum is conducted by the Council. Funding of £20,000 was available from MHCLG for 2020/21 in support of LAs conducting the first referendum for an area, and officers are waiting for confirmation of funding for 2021/22. The funding is expected to cover the costs of the referendum, including Covid security measures.

### **5.2 The effect of the decision**

5.2.1 If the approvals are given as requested, it is intended that a referendum will be held. If the results of the referendum are in favour of the plan, the Council is required to adopt it as part of the local development plan.

### **5.3 Risks**

5.3.1 No additional risks are envisaged by adopting the neighbourhood plan. It becomes part of the local development plan and existing risks would extend to cover the neighbourhood plan.

5.3.2 The Council risks being at variance from legislation: if it does not approve a referendum; or if it fails to adopt the neighbourhood plan if the result of the referendum is in favour.

5.3.3 If the referendum result is not in favour of the neighbourhood plan, costs and time incurred to that date by the Neighbourhood Forum, and by the Council in its assistance to the Forum, will be lost.

#### 5.4 Options

5.4.1 See 4.1

#### 5.5 Future savings/ efficiencies

5.5.1 n/a

### **6. LEGAL CONSIDERATIONS**

6.1 See 4.1

### **7. HUMAN RESOURCES IMPACT**

7.1 Once adopted, the Neighbourhood Plan will become part of the local development plan. As such, it will be considered alongside local and national planning policy when assessing proposals for development in the Neighbourhood Area.

### **8. EQUALITIES IMPACT**

8.1 The Plan was found by the Independent Examiner to be compatible with Convention rights, within the meaning of the Human Rights Act 1998.

### **9. ENVIRONMENTAL IMPACT**

9.1 A broad strategic impact assessment has been conducted by the Neighbourhood Forum. The Sustainability Wheel process found no negative scoring elements. The High Lane NDP Screening Assessment has clarified that no further SEA is required. The Neighbourhood Plan has been subject to independent examination, in accordance with legislation. The Plan was found to be compatible with EU obligations relating to Strategic Environmental and Habitats Assessment.

### **10. CONCLUSIONS AND RECOMMENDATIONS**

10.1 The High Lane Village Neighbourhood Plan has been through a comprehensive process of development, consultation and examination, in accordance with the regulations and guidance.

10.2 Having reviewed the Examiner's report, officers find no reason to disagree with the Examiner's recommendations and conclusions.

10.3 The recommendation of the Examiner to amend the Plan in accordance with his report has been implemented. He further recommends that the Council proceeds to a referendum in accordance with the relevant legislation. If a majority of eligible votes in the referendum is in favour of adopting the Neighbourhood Plan, the Council is then required to adopt it as part of the local development plan.

10.4 It is expected that this report will be presented to Corporate Leadership Team, Portfolio Holder, Scrutiny Committee, Cabinet and Full Council for approval.

10.5 In accordance with legislation, Members are recommended:

- to approve the final version of the High Lane Village Neighbourhood Plan (HLVNP) and the Independent Examiner's report;
- to authorise officers to take the necessary steps to conduct a referendum in the Neighbourhood Area;
- to approve that, in the event that a majority of eligible votes are in favour, the HLVNP be adopted as part of the local development plan.

## BACKGROUND PAPERS

There are none

Anyone wishing to inspect the above background papers or requiring further information should contact Emma Curle on Tel: 0161-474-3542 or by email on [emma.curle@stockport.gov.uk](mailto:emma.curle@stockport.gov.uk)