

Report of the Chief Executive

AWSWORTH NEIGHBOURHOOD PLAN1. Purpose of report

To obtain approval for the Awsworth Neighbourhood Plan to be modified as proposed by the Independent Examiner and to proceed to referendum based upon the current Neighbourhood Plan Area.

2. Background

The Awsworth Neighbourhood Development Plan has been prepared by Awsworth Parish Council, over the past five years since the official designation of the Awsworth Neighbourhood Area in December 2015. The Independent Examiner's Report was received by the Borough Council on 19 January 2021. The Independent Examiner concluded that, subject to 24 modifications, the Neighbourhood Plan meets the Basic Conditions and other requirements, and should, subject to the approval of the Borough Council, proceed to referendum.

3. Financial implications

The Council can claim £20,000 from the Ministry of Housing, Communities and Local Government (MHCLG) when it issues a decision statement detailing its intention to send the Neighbourhood Plan to referendum (as set out under Regulation 18 of the Neighbourhood Planning (General) Regulations 2012) rather than when a referendum date has been set. Whilst the Council will have already invested resources in the preparation of the Awsworth Neighbourhood Plan and the Neighbourhood Plan process, the costs of the referendum should be covered by this funding.

Recommendation

The Committee is asked to RESOLVE that the Awsworth Neighbourhood Plan, including the modifications proposed by the Independent Examiner and based upon the Neighbourhood Plan Area as shown within the appendix to this report be APPROVED to proceed to a referendum on 10 June 2021.

Background papers

Nil

APPENDIX

1 Purpose of report

- 1.1 To obtain approval for the Awsworth Neighbourhood Plan to be modified as proposed by the Independent Examiner and to proceed to referendum (currently envisaged as the 6th May 2021) based upon the current Neighbourhood Plan Area.

2 Detail

- 2.1 The Awsworth Neighbourhood Development Plan has been prepared by Awsworth Parish Council. The draft plan has been submitted by the Parish Council, a qualifying body able to prepare a Neighbourhood Plan, in respect of the Awsworth Neighbourhood Area which was formally designated by Broxtowe Borough Council in December 2015. The Neighbourhood Plan was produced by a Steering Group made up of Parish Councillors and other volunteers from the local community.

- 2.2 The Neighbourhood Plan includes 26 policies:

- Policy H1 New Homes on 'Land West of Awsworth (inside the bypass)'
- Policy H2 Housing Mix
- Policy H3 Affordable Housing & Local Needs
- Policy H4 New Homes from Unallocated (or Windfall) Development
- Policy BED1 Awsworth Character Buildings & Structures of Local Heritage Interest
- Policy BED2 Local Areas of Special Character
- Policy BED3 Design Principles
- Policy GI1 Green & Blue Infrastructure Network
- Policy GI2 Local Landscape Character Areas
- Policy GI3 Biodiversity
- Policy GI4 Designated Local Green Spaces
- Policy GI5 Local Woodlands, Tree Belts & Hedgerows
- Policy CFS1 Protection of Community Facilities
- Policy CFS2 New or Enhanced Community Facilities
- Policy CFS3 Protection & Enhancement of Local Shops
- Policy CFS4 Support for Additional Shops
- Policy E1 Existing Employment Use
- Policy E2 Encouraging Small Businesses
- Policy TT1 Traffic Management
- Policy TT2 Car Parking
- Policy TT3 Sustainable Transport
- Policy BV1 Bennerley Viaduct
- Policy BV2 Bennerley Viaduct Visual Setting
- Policy NC1 Nottingham Canal
- Policy BCDP1 Former Bennerley Coal Disposal Point Land
- Policy DC1 Developer Contributions from New Development in Awsworth

- 2.3 The submission draft of the Neighbourhood Plan and accompanying documents were submitted to Broxtowe Borough Council on 9th December 2019. The Borough Council arranged a period of public consultation between 10 February 2020 and 10 April 2020 and subsequently submitted the Neighbourhood Plan for Independent Examination. The Independent Examination was undertaken by Christopher Edward Collison BA (Hons) MBA MRTPI MIED MCMI IHBC. The Independent Examiner's Report was received by the Borough Council on 19 January 2021.
- 2.4 The Independent Examiner found that, subject to 24 modifications, the Neighbourhood Plan meets the Basic Conditions and other requirements.
- 2.5 The Independent Examiner was satisfied that the Neighbourhood Plan is compatible with the Convention Rights, and would remain compatible if modified in accordance with the recommendations; and that subject to the modifications proposed, meets all the Statutory Requirements set out in paragraph 8(1) of schedule 4B of the Town and Country Planning Act 1990 and meets the Basic Conditions:
- having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan; and,
 - the making of the Neighbourhood Plan contributes to the achievement of sustainable development;
 - the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
 - does not breach, and is otherwise compatible with, EU obligations; and would continue to not breach and be otherwise compatible with EU obligations if modified in accordance with my recommendations; and,
 - the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.
- 2.6 The Independent Examiner confirmed they had seen nothing to suggest that the policies of the Plan would have 'a substantial, direct and demonstrable impact beyond the Neighbourhood Area', and had seen nothing to suggest the referendum area should be extended for any other reason. This was considered by the Independent Examiner due to the fact that part of the area to the south of the village of Awsworth is located within Cossall Parish.
- 2.7 The Independent Examiner therefore concluded that the referendum area should not be extended beyond the designated Neighbourhood Area. Accordingly, the Independent Examiner recommended that the Neighbourhood Plan should proceed to a referendum based on the area that was designated by Broxtowe Borough Council as a Neighbourhood Area in December 2015.
- 2.8 The next step (should the Committee agree) is that the Borough Council will arrange a referendum, co-ordinated by the Elections Team. If the Neighbourhood Plan achieves more than half of votes cast in favour then the Neighbourhood Plan will form part of the Development Plan and be given full weight in the determination of planning applications and decisions on planning appeals in the plan area, unless the Borough Council subsequently decide the Neighbourhood Plan should not be 'made'.