

Strategic Planning, Sustainability and Transportation Committee

8 November 2016

Is the final decision on the recommendations in this report to be made at this meeting?

No

Urgent Update Report – Staplehurst Neighbourhood Development Plan

Final Decision-Maker	Council
Lead Head of Service	Rob Jarman, Head of Planning and Development
Lead Officer and Report Author	Cheryl Parks, Project Manager, Local Plan
Classification	Public
Wards affected	Staplehurst, Marden & Yalding, Boughton Monchelsea and Chart Sutton, Sutton Valence and Langley, Headcorn

This report makes the following recommendations to this Committee:

1. That the Committee notes the 'Yes' result of the Staplehurst Neighbourhood Development Plan referendum of 3 November 2016.
2. That the Committee recommends to Council that the Staplehurst Neighbourhood Development Plan ("the Neighbourhood Plan") is made and becomes part of the Development Plan for Maidstone.

This report relates to the following corporate priorities:

- Keeping Maidstone Borough an attractive place for all;
- Securing a successful economy for Maidstone Borough – the 'made' Neighbourhood Plan will form part of the Development Plan for Maidstone and will be used in the determining of planning applications for the Neighbourhood Plan area.

Timetable

Meeting	Date
Strategic Planning, Sustainability and Transportation Committee	8 November 2016
Council	7 December 2016

Urgent Update Report – Staplehurst Neighbourhood Development Plan

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 With the agreement of the Chairman, the results of the Staplehurst Neighbourhood Development Plan referendum held on 3 November 2016 are presented in this urgent update report.
 - 1.2 Given the local support for the Neighbourhood Plan as demonstrated by the positive outcome of the referendum, and statutory requirements, this report sets out recommendations regarding the making of the Neighbourhood Plan
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2. INTRODUCTION AND BACKGROUND

- 2.1 Neighbourhood Plans have proved popular in Maidstone borough with fourteen currently being actively progressed. These are all at different stages of the regulatory process with the North Loose Neighbourhood Development Plan made, the Staplehurst Plan completing its referendum, and the Headcorn Plan at examination. Others are in varying stages of preparation.
- 2.2 Staplehurst Parish Council has spent approximately four years working on its plan, seeking local views and aspirations and working to ensure the Plan remains true to these values whilst also reflecting both local and national planning policy. This Neighbourhood Plan is the second to go through a referendum in Maidstone.
- 2.3 In November 2015 this Committee approved the Council's response to the formal consultation on the Neighbourhood Plan under Regulation 16¹. The response, along with all others received, was considered by the second appointed Examiner, Derek Stebbing, following the cessation of the original independent examination of the Neighbourhood Plan.
- 2.4 Mr Stebbing completed his Examiner's report in August 2016, concluding the Plan was fit to proceed to referendum subject to some minor modifications. These were brought to this Committee for consideration on 13 September 2016. The resolution of this Committee was to accept the Examiner's recommended modifications and to move to a local referendum on the Plan as amended to include the minor modifications suggested by the Examiner.
- 2.5 The referendum took place on 3 November 2016 as required by the Regulations² with the process being overseen by the Registration Services team. One polling station was used: Polling district YA – Village Centre, High Street, Staplehurst, with the official count taking place after the close of the poll.

¹ Town and Country Planning, England, Neighbourhood Planning (General) Regulations 2012.

² Town and Country Planning, England, Neighbourhood Planning (Referendums) Regulations 2012.

- 2.6 The turnout for the referendum was 33.77%, with 92.56% voting 'Yes' to the question: *“Do you want Maidstone Borough Council to use the Neighbourhood Plan for Staplehurst to help it decide planning applications in the neighbourhood area?”*. The total number of votes cast was 1586; 'Yes' votes were 1468, 'No' votes were 118 and there were no void or rejected ballot papers.
- 2.7 When the outcome of a referendum is a 'Yes' the Regulations³ require that the Council must make (adopt) the Plan as soon as reasonably practicable after the referendum.
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3. AVAILABLE OPTIONS

- 3.1 There is only one option available to this Committee which is to note the positive result of the referendum as set out in this report, and make a recommendation to Council at its meeting of 7 December 2016 to make the Staplehurst Neighbourhood Development Plan in accordance with the Regulations.
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4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 The Committee is recommended to follow the option as set out in paragraph 3.1 above.
- 4.2 The Neighbourhood Development Plan has been independently examined, adjudged to meet the required basic conditions and be suitable to move to a local referendum. The decision to agree to the referendum has been taken by this Committee.
- 4.3 The result of the referendum illustrates strong local support for the Neighbourhood Development Plan.
- 4.4 The Regulations state that the Council must make (adopt) the Plan as soon as reasonably practicable after the referendum.
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5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 5.1 The Plan has been the subject of consultation during its development as required by the Regulations. It has reflected the views of local residents, stakeholders and the Council through its various iterations.
- 5.2 The Plan has been considered by this Committee on several occasions.
- 5.3 Views of residents and stakeholders were all taken into account as part of the independent examination of the Plan.
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³ Section 38A(4) of the Planning and Compulsory Purchase Act 2004

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 6.1 Subject to the agreement of this Committee, a recommendation to Council to make the Plan is the final stage in the plan-making process for this Neighbourhood Development Plan.
- 6.2 If agreed by Council, the Plan is made and will be used in the determination of planning applications for the plan area.

7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	The Neighbourhood Development Plan once made will be part of the development plan for the borough, directly impacting on the Corporate Priorities through the determination of planning applications in the plan area.	Rob Jarman, Head of Planning and Development
Risk Management	There would be some reputational damage if the plan did not succeed at this late stage, especially given previous decisions of this Committee. The plan has been recommended as compliant by an independent examiner.	Rob Jarman, Head of Planning and Development
Financial	The referendum costs are recoverable through the Logasnet grant system. There will be no further financial implications directly related to the plan. Should the council refuse a planning application on grounds contrary to the plan, there is a risk of costs relating to any successful appeal.	Mark Green, Section 151 Officer & Finance Team
Staffing	There are no further staffing implications. The made plan will be uploaded to the council's website with the assistance of the web team.	Rob Jarman, Head of Planning and Development
Legal	Statute sets out the procedures to be followed as a result of the referendum. The Council is obliged to follow statutory requirements.	Kate Jardine, Team Leader (Planning), Mid Kent Legal

		Services
Equality Impact Needs Assessment	The needs of different groups were considered throughout the development of the plan.	Anna Collier, Policy & Information Manager
Environmental/Sustainable Development	The plan has regard to sustainability and the natural environment as part of its policies. The approach has been agreed as part of the examination of the plan.	Rob Jarman, Head of Planning and Development
Community Safety	N/A	Rob Jarman, Head of Planning and Development
Human Rights Act	N/A	Rob Jarman, Head of Planning and Development
Procurement	There are no further procurement requirements or considerations at this stage in the process.	Rob Jarman, Head of Planning and Development & Mark Green, Section 151 Officer
Asset Management	N/A	Rob Jarman, Head of Planning and Development

8. REPORT APPENDICES

The following documents were published with the original report and form part of the report:

- Appendix A: Staplehurst Neighbourhood Plan (referendum version)

9. BACKGROUND PAPERS

There are none