

## County Council

19 July 2017

### **Adoption of the Great Aycliffe Neighbourhood Plan and the Whorlton Village Neighbourhood Plan**



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#### **Report of Corporate Management Team**

**Ian Thompson, Director of Regeneration and Local Services**

**Councillor Carl Marshall, Cabinet Portfolio Holder for Economic  
Regeneration**

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#### **Purpose of the Report**

- 1 The Localism Act 2011 introduced a right for communities to draw up neighbourhood development plans. Great Aycliffe Town Council and Whorlton and Westwick Parish Council, with support from the County Council, have both produced a neighbourhood development plan which have subsequently undergone a successful examination.
- 2 On Thursday 22 June, a referendum was held into the Great Aycliffe Neighbourhood Plan, which is the first plan in County Durham to reach this stage of the process. 91.2% of all votes were in favour of the Neighbourhood Plan. On Thursday 29 June, a referendum was held into the Whorlton Neighbourhood Plan. 68.1% of all votes were in favour of the Neighbourhood Plan. This report advises that the Great Aycliffe and Whorlton Village neighbourhood plans should be made (adopted) by the County Council as part of the statutory development plan.

#### **Background**

- 3 The 2011 Localism Act allowed for local communities to shape their areas by enabling town and parish councils and other designated bodies to prepare neighbourhood development plans. A detailed legislative framework for undertaking neighbourhood planning was set out in the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning Act 1990 as well as the Neighbourhood Planning (General) Regulations 2012. Neighbourhood planning has been enthusiastically taken up and to date 23 Neighbourhood Areas have been formally designated and 14 plans are under preparation.
- 4 A neighbourhood plan, once adopted, forms part of the statutory development plan and sits alongside the local plan prepared by the County Council. Should planning permission be sought in areas covered by an adopted neighbourhood development plan, the application must be determined in

accordance with both the neighbourhood development plan and the Local Plan.

- 5 There are a number of legally prescribed stages that need to be undertaken in preparing a neighbourhood development plan. The plan needs to be subject to examination by an independent examiner. Subject to a positive outcome from such an examination the plan then proceeds to a referendum. Where a neighbourhood plan is subject to a successful referendum, and the local planning authority is satisfied that EU and human rights obligations have been met, it is a legal requirement to bring the plan into force as soon as reasonably practicable and in any event, within 8 weeks of the referendum.

### **Great Aycliffe Neighbourhood Plan**

- 6 The Great Aycliffe Neighbourhood Plan (the Neighbourhood Plan) relates to the whole of the Great Aycliffe Town Council parish area and is entirely within County Durham. Great Aycliffe Town Council undertook pre-submission consultation on the draft Plan in accordance with Regulation 14 between 25 April and 6 June 2016.
- 7 Following the submission of the Great Aycliffe Neighbourhood Plan and supporting documents to the Council in July 2016, the Neighbourhood Plan was consulted upon for a six-week period starting on 27 July 2016, and representations were invited in accordance with Regulation 16. The consultation ended on 9 September 2016 and was then subject to an independent examination.
- 8 The Examiner's report dated November 2016 was formally submitted on 6 December 2016. The Examiner has concluded that the Neighbourhood Plan meets all of the statutory requirements subject to a number of modifications to ensure that it meets the four 'Basic Conditions'. Following the necessary modifications, the plan proceeded to referendum which was held on Thursday 22 June 2017. It was declared that 91.2% of votes were in favour of the Great Aycliffe Neighbourhood Plan.

### **Whorlton Village Neighbourhood Plan**

- 9 The Whorlton Village Neighbourhood Plan (the Neighbourhood Plan) relates to an area of the village that coincides with the Whorlton Village Conservation Area from the Teesdale Local Plan and is entirely within County Durham. Whorlton and Westwick Parish Council undertook pre-submission consultation on the draft Plan in accordance with Regulation 14 between 29 June and 10 August 2015.
- 10 Following the submission of the Whorlton Village Neighbourhood Plan and supporting documents to the County Council in December 2015, the Neighbourhood Plan was consulted upon for a six-week period starting on 24th January 2016, and representations were invited in accordance with Regulation 16. The consultation ended on 15 February 2016 and was then subject to an independent examination.

- 11 The Examiner's report dated March 2017 was formally submitted on 14 March 2017. The Examiner has concluded that the Neighbourhood Plan meets all of the statutory requirements subject to a number of modifications to ensure that it meets the four 'Basic Conditions'. Following the necessary modifications, the Plan proceeded to referendum which was held on Thursday 29 June 2017. It was declared that 61.8% of votes were in favour of the Whorlton Village Neighbourhood Plan.

### **Recommendation**

- 12 It is recommended that:
- a) The Great Aycliffe Neighbourhood Plan is formally made (adopted) by the Council to become part of the statutory development plan;
  - b) The Whorlton Village Neighbourhood Plan is formally made (adopted) by the Council to become part of the statutory development plan; and
  - c) The Head of Legal and Demographic Services be authorised to satisfy the necessary publicity requirements of the Neighbourhood Planning (General) Regulations 2012 in respect of both the Great Aycliffe and Whorlton Neighbourhood Plans.

### **Background papers**

[Great Aycliffe Neighbourhood Plan](#)  
[Great Aycliffe Planning Referendum – Declaration of Result](#)  
[Great Aycliffe's Examiners Report](#)

[Whorlton Village Neighbourhood Plan](#)  
[Whorlton Village Planning Referendum – Declaration of Result](#)  
[Whorlton Village Examiners Report](#)

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## **Appendix 1: Implications**

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### **Finance –**

There will be no financial implications from adopting the neighbourhood plans.

### **Staffing –**

None identified.

### **Risk –**

The council has a duty to adopt the neighbourhood plans and if the recommendations are not implemented the council will be in breach of its statutory duty under the Town and Country Planning Act 1990.

### **Equality and Diversity / Public Sector Equality Duty –**

The Examiner's reports have confirmed that both plans meet the Basic Conditions and would appear to have neutral or positive impacts on groups with protected characteristics.

### **Accommodation –**

None identified.

### **Crime and Disorder –**

None identified.

### **Human Rights –**

None identified.

### **Consultation –**

Both the Great Aycliffe Neighbourhood Plan and Whorlton Village Neighbourhood Plan have been subject to statutory consultation requirements of the Town and Country Planning England – the Neighbourhood Planning (General) Regulations 2012.

### **Procurement –**

None identified.

### **Disability Issues –**

None identified.

### **Legal Implications –**

The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016 which came into force on 1 October, 2016 require local planning authorities to make a plan that has been supported at referendum within eight weeks of the day after the referendum.