



COUNCIL

**Monday 6 November
2023**

Subject: Adoption of the Hemswell Cliff Neighbourhood Plan

Report by:

Director of Planning, Regeneration and
Communities

Contact Officer:

Nev Brown
Senior Neighbourhood Planning Policy Officer

nev.brown@west-lindsey.gov.uk

Purpose / Summary:

To adopt the Hemswell Cliff Neighbourhood
Plan.

**RECOMMENDATION(S): To adopt the Hemswell Cliff Neighbourhood Plan
in accordance with the Neighbourhood Planning Regulations 2012.**

IMPLICATIONS

Legal:

This work is a duty under the Localism Act 2011 and the Neighbourhood Planning Regulations 2012.

Regulation 18A of the Neighbourhood Planning Regulations 2012, stipulates that a neighbourhood plan must be made (adopted) within 8 weeks of the referendum which is to be held on 19 October 2023. This requirement will be met if the Council adopts the Hemswell Cliff Neighbourhood Plan (HCNP) at its meeting on 6 November 2023.

Here is the link to Regulation 18A:

<https://www.legislation.gov.uk/ukxi/2012/637/regulation/18A>

Financial: FIN/82/24/SST

For every neighbourhood plan (NP) successful at examination the Council receives a grant of £20k from the Department of Levelling Up, Housing and Communities to help support its neighbourhood planning role in the district. A claim of £20k will be submitted for the Hemswell Cliff Neighbourhood Plan (HCNP) when a funding window is available.

Staffing:

Internal resources are in place to deal with neighbourhood planning.

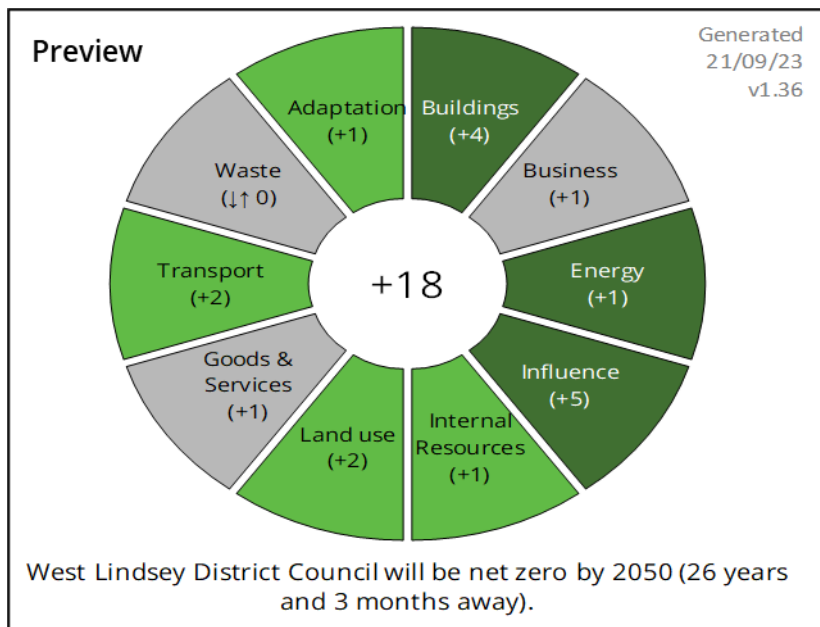
Equality and Diversity including Human Rights:

The HCNP has been examined under the Neighbourhood Planning Regulations for any issues relating to equality and diversity.

Data Protection Implications: n/a

Climate Related Risks and Opportunities:

The HCNP received positive outcomes when it was evaluated using the Council’s Climate, Environment, and Assessment tool. Please see below. The HCNP scored well in terms of influence by working extensively with partners and building awareness with residents about climate change. The HCNP’s approach to promoting active travel and protecting and enhancing blue/green infrastructure scored favourably too.



The HCNP has been the subject of a Strategic Environmental and Habitats Regulations Assessment Report which concluded that the plan would be unlikely to give rise to any significant effects on protected sites.

Section 17 Crime and Disorder Considerations:

In line with national planning guidance, the HCNP expects developments to be designed to create safe, inclusive, and accessible places, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Health Implications:

Health and well-being-related guidelines in the HCNP include requirements for developments to create places which promote health and well-being with a high standard of amenity for existing and future users. Regard should be made to amenity expectations of both neighbouring users and occupiers of the proposed development.

Title and Location of any Background Papers used in the preparation of this report:

<https://www.west-lindsey.gov.uk/planning-building-control/planning/neighbourhood-planning/all-neighbourhood-plans-west-lindsey/hemswell-cliff-neighbourhood-plan>

Risk Assessment : n/a

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

No

x

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

x

No

1. Introduction

- 1.1 This report seeks Members' approval to adopt (make) the Hemswell Cliff Neighbourhood Plan (HCNP) as part of the West Lindsey Development Plan. The report follows the HCNP's successful referendum which was held in October.

2. Background

- 2.1 NPs were introduced in the Localism Act 2011. They are important and powerful tools that give parish and town councils the statutory planning powers to shape how their communities develop. A NP is a document written by parish/town councils that sets out planning policies for a parish area which are used to help decide planning applications.
- 2.2 There are legal steps to creating a NP which must be followed and they are: area designation, plan preparation, consultation, examination, referendum, and finally adoption (making). At each step, West Lindsey District Council strongly supports parish/town councils with their NPs. Currently, West Lindsey has 25 adopted NPs covering a large part of the district.
- 2.3 Following a NP's successful referendum, it is a requirement that the NP should be adopted by Full Council for it to formally become part of the West Lindsey Development Plan for that NP area alongside the Local Plan. As part of the Development Plan, the HCNP will be given full weight in helping determine future planning applications within Hemswell Cliff parish. Planning law requires that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 2.4 Regulation 18A of the Neighbourhood Planning Regulations 2012, stipulates that a neighbourhood plan must be made (adopted) within 8 weeks of the referendum which was held on 19 October 2023. This requirement will be met if the Council adopts the Hemswell Cliff Neighbourhood Plan (HCNP) at this meeting.

3. Decision & Reasoning

- 3.1 Hemswell Cliff Parish Council (PC), as the qualifying body, received Council approval in June 2016 to prepare the HCNP. The HCNP was submitted by the PC to the Council for examination in July 2022 and comments were invited from the public and stakeholders.
- 3.2 The Council, in agreement with the PC, appointed an independent examiner to examine whether the HCNP met the basic conditions required by legislation and if it should proceed to referendum.
- 3.3 The Examiner's Report concluded that the HCNP met the basic conditions, and that subject to the modifications proposed in the report, the HCNP should proceed to a referendum. The HCNP was examined

alongside the new Central Lincolnshire Local Plan and was prepared in accordance with EU obligations or Convention rights.

- 3.4 The Examiner's Report was considered under the Council's delegated powers, and it was agreed that the HCNP should proceed to a referendum and if successful should be recommended for adoption (making) by the Council.
- 3.5 The HCNP referendum met the requirements of the Localism Act 2011. It was held on 19 October 2023 in Hemswell Cliff and posed the question:

'Do you want West Lindsey District Council to use the Neighbourhood Plan for Hemswell Cliff to help it decide planning applications in the neighbourhood area?'

- 3.6 At the referendum 95% of residents who voted were in favour of the HCNP. Legislation requires that the Council must make the NP if more than half of those voting have voted in favour of it. Greater than 50% of those who voted were in favour of the HCNP being used to help decide planning applications in the plan area.

The results of the referendum were:	Votes Recorded	Percentage
Number of votes cast in favour of 'yes'	73	95%
Number of votes cast in favour of 'no'	4	5%

Electorate	502
Ballot Papers Issued	77
Turnout	15.3%

- 3.7 In accordance with national planning guidance, an adopted (made) HCNP should be given full weight in the determination of planning applications within the parish area.
- 3.8 NPs have given many of West Lindsey's local communities the tools to shape and protect their areas. This is welcomed by the Government which sees neighbourhood planning as a key part of its ambition to deliver the Localism Act.
- 3.9 The total number of NPs in the district should continue to rise as there are many in various stages of preparation. There are also 8 NPs being reviewed and around 40 areas remaining in the district that are suitable for NPs but have yet to start the process. Compared to nationally, West Lindsey continues to perform well in terms of NP coverage.
- 3.10 For the latest on NPs in West Lindsey please go to:

[Neighbourhood planning | West Lindsey District Council \(west-lindsey.gov.uk\)](https://www.west-lindsey.gov.uk/Neighbourhood_planning)

4. Recommendation:

- 4.1 That Members formally agree to adopt (make) the Hemswell Cliff Neighbourhood Plan in accordance with the Neighbourhood Planning Regulations 2012.**