

SLYNE-WITH-HEST NEIGHBOURHOOD DEVELOPMENT PLAN

Regulation 19 (Final) Decision Statement

This Statement was published on 27 September 2023, pursuant to Section 38A(9) of the Planning and Compulsory Purchase Act 2004 and Regulation 19 of the Neighbourhood Planning (General) Regulations 2012/637.

Lancaster City Council has 'made' the Slyne-with-Hest Neighbourhood Development Plan under Section 38A(4) of the Planning and Compulsory Purchase Act 2004 (as amended). The Slyne-with-Hest Neighbourhood Development Plan now forms part of the Development Plan for Lancaster District.

1.0 Summary

- 1.1 This document is the Decision Statement required to be prepared under Section 38A(9) of the Planning and Compulsory Purchase Act 2004 (as amended) and Regulation 19 of the Neighbourhood Planning (General) Regulations 2012 (as amended). It sets out the Council's considerations and formal decision in bringing the Slyne-with-Hest Neighbourhood Development Plan into legal force.
- 1.2 Following an independent examination and positive referendum result, held on 3rd August 2023, Lancaster City Council decided to make the Slyne-with-Hest Neighbourhood Development Plan under Section 38A(4) of the Planning and Compulsory Purchase Act 2004 (as amended).

2.0 Background

- 2.1 On 22nd January 2016, Slyne-with-Hest Parish Council (the Parish Council), as the appropriate qualifying body for their area, submitted proposals to Lancaster City Council (the Council) to designate the boundary of the Slyne-with-Hest Neighbourhood Plan Area.
- 2.2 The Council approved the Neighbourhood Area application on the 14th April 2016 in accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended).
- 2.3 Following initial consultation stages, a Draft Slyne-with-Hest Neighbourhood Development Plan (the Plan) was publicised, and representations were invited in accordance with Regulation 14 of the Neighbourhood Planning (General) Regulations 2012 (as amended) between 2nd September to 14th October.
- 2.4 The Plan was submitted to the Council in the Winter of 2021. A final, formal, stage of publicity was undertaken over a 6-week period in accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 (as amended), between 4th February and 18th March 2022 to determine if there were any unresolved objections to the Plan.

- 2.5** The Council, with the agreement of the Parish Council, appointed an independent Examiner, to review whether the Plan met the 'Basic Conditions' and legal requirements for plan-making as required by legislation and whether it could proceed to referendum. This was completed with the final examination report dated 28th September 2022 sent to both the Parish Council and the Council.
- 2.6** The Examiner concluded that subject to recommended modifications, the Plan would meet the basic conditions set out in paragraph 8(2) of Schedule 4B of the Parish and Country Planning Act 1990, is compatible with EU obligations and the Convention rights and complies with relevant provision made by or under Section 38A of the Planning and Compulsory Purchase Act 2004 (as amended). The Parish Council made the recommended modification to the Plan. The Council accepted that the modifications recommended in the Examiner's Report were necessary for the Plan to meet the basic conditions and subject to these amendments the Plan should proceed to Referendum.
- 2.7** A local referendum was held in Slyne-with-Hest Parish on 3rd August 2023 to decide whether the local community were in favour of the Plan. From the votes recorded, 483 of the 579 votes (83%) received were in favour of the Plan. The turnout of electors was 23.3%.

3.0 Decisions and Reasons

- 3.1** Lancaster City Council decided by resolution of Full Council on 27th September 2023 to make the Slyne-with-Hest Neighbourhood Development Plan.
- 3.2** Lancaster City Council as the local authority 'makes' the Slyne-with-Hest Neighbourhood Development Plan as part of the Development Plan in accordance with Section 38A (4) of the Planning and Compulsory Purchase Act 2004 (as amended). The Slyne-with-Hest Neighbourhood Development Plan now forms part of the Development Plan for Lancaster District. Planning applications in the Neighbourhood Plan Area (Slyne-with-Hest Parish) must be considered against the Slyne-with-Hest Neighbourhood Development Plan, as well as existing national planning policy and the Local Plan.
- 3.3** On 3rd August 2023 the Plan was subject to a referendum which returned a vote in favour of the Plan being used to help decide planning applications. Section 38A (4) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that the Council must 'make' the Plan if more than half of those voting have voted in favour of the plan.
- 3.4** The Council has assessed the Plan and concluded that the Plan, including its preparation, is compatible with EU obligation and the Convention Rights (within the meaning of the Human Rights Act 1998) and complies with the relevant provisions within the Planning and Compulsory Purchase Act 2004 (as amended).
- 3.5** The adopted version of the Slyne-with-Hest Neighbourhood Development Plan (as approved by Full Council) was published on the Council's website, alongside this Slyne-with-Hest Neighbourhood Development Plan Decision Statement, on ?? September 2023.

Mark Cassidy, Chief Officer – Planning and Climate Change Service