

**REPORT FROM: PLANNING, BUILDING CONTROL & LICENSING SERVICES  
MANAGER**

**TO: SPECIAL BUDGET COUNCIL**

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## **TRAWDEN FOREST NEIGHBOURHOOD PLAN**

### **PURPOSE OF REPORT**

To inform members of the outcome of the Referendum on the Trawden Forest Neighbourhood Plan ["TFNP"] and formally 'make' adopt the Plan.

### **RECOMMENDATIONS**

- (1) To make (adopt) the Trawden Neighbourhood Plan
- (2) To agree to the publication of the Council's Decision Statement

### **REASONS FOR RECOMMENDATIONS**

- (1) To comply with Section 38A(4) of the Planning and Compulsory Purchase Act 2004 (as amended) and Regulation 18A of the Neighbourhood Planning (General) Regulations 2012 and Schedule 4B of the Town and Country Planning Act 1990 (as amended).
- (2) To comply with Regulations 19 and 20 of the Neighbourhood Planning (General) Regulations 2012.

### **ISSUE**

#### Introduction

Neighbourhood planning was introduced by the Government through the Localism Act 2011. Its purpose is to give communities ownership of planning matters in their area, enable them to influence where development should go and how it might look.

Pendle Council as the local planning authority is required to take decisions at key stages in the process within time limits that apply, as set out in the Neighbourhood Planning (General) Regulations 2012 as amended ("the Regulations").

## TFNP Key Stages

Regulation 5 – On 11 July 2016, Trawden Forest Parish Council submitted an application to designate the Parish of Trawden Forest as a Neighbourhood Area for the purposes of preparing a Neighbourhood Plan.

Regulation 6 – The Neighbourhood Area was formally designated by Pendle Council's Executive committee on 25 August 2016.

Regulation 14 – Trawden Forest Parish Council made the Pre-submission Draft TFNP available for public comment from 27 November 2017 to 8 January 2018.

Regulations 16 and 17 – The Submission Draft TFNP and supporting documents were submitted to Pendle Council on 6 February 2018. Following a statutory six week consultation these documents, together with the valid representations received in response to the consultation, were forwarded to the independent examiner appointed to conduct the examination of the plan on 20 April 2018.

Examination – Mr. David Proctor BSc, MTPL, MInstLM, MRTPI, appointed to carry out the examination of the TFNP, submitted his report to Pendle Council on 16 August 2018, concluding the formal examination of the plan. The Examiners Report recommended a number of modifications to the TFNP to ensure that it met the Basic Conditions, as required by the Regulations. Subject to these modifications being made it was recommended that the TFNP should proceed to a Referendum.

Regulation 18 – The Examiners recommendation was reported to Policy & Resources Committee on 18 September 2018. A Decision Statement was published the following day confirming that Pendle Council supported the Examiners recommendations and that the TFNP was considered to meet the Basic Conditions and be compatible with EU obligations and human rights legislation.

Referendum – The referendum was held on Thursday 8 November 2018. A total of 709 votes were cast – from an electorate of 2,127 – representing a 33% turnout. For the plan to be 'made' (adopted) a simple majority vote in favour of the plan (i.e. 50% plus 1) was required. The result of the votes cast in the referendum was as follows:

Number cast in favour of <b>Yes</b>	668	(94%)
Number cast in favour of <b>No</b>	41	(6%)

More than half of the votes cast responded **Yes** to the question: 'Do you want Pendle Borough Council to use the Neighbourhood Plan for Trawden Forest to help it decide planning applications in the neighbourhood area?'

The TFNP came into force as part of the statutory development plan once it had been approved at referendum. Alongside the Pendle Local Plan it will be used in the determination of planning applications within the Trawden Forest Neighbourhood Area.

## Next Steps

Regulations 18A – Following a successful referendum, a neighbourhood plan must be 'made' (adopted) by the Council within eight weeks of the referendum. In this instance that has not been possible, so the TFNP will be formally made at the Council meeting on 26 February 2019.

Regulations 19 and 20 – Once ‘made’ the TFNP will be published on the Council website and a formal Decision Statement published, informing those who commented on the TFNP that it is now part of the statutory Development plan for Pendle.

## **IMPLICATIONS**

<b>Policy:</b>	Following the successful referendum the TFNP became part of the statutory Development Plan for Pendle. It is being used by planning officers to help applications for planning permission that are located within the parish boundary.
<b>Financial:</b>	The Government provides funding to local planning authorities to help them meet the cost of their responsibilities for neighbourhood planning.
<b>Legal:</b>	The report and recommendations outline the current legal position. The TFNP is considered to have met all legal requirements to be ‘made’ (adopted) by the Council.
<b>Risk Management:</b>	None identified.
<b>Health and Safety:</b>	None identified.
<b>Sustainability:</b>	None identified.
<b>Community Safety:</b>	None identified.
<b>Equality and Diversity:</b>	None identified.

## **APPENDICES**

Appendix 1: Decision Statement

### **LIST OF BACKGROUND PAPERS**

The Neighbourhood Planning (General) Regulations 2012, as amended.

Trawden Forest Neighbourhood Plan Final version, September 2018.