

Wennington Neighbourhood Plan

Regulation 19 (Final) Decision Statement

Statement published 2019, pursuant to Section 38A(9) of the Planning and Compulsory Purchase Act 2004 and Regulation 19 of the Neighbourhood Planning (General) Regulations 2012

Lancaster City Council decided by resolution of Full Council on 10/04/19 to make the Wennington Neighbourhood Development Plan under Section 38A(4) of the Planning and Compulsory Purchase Act 2004 (as amended). The Wennington 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 Wennington Neighbourhood Development Plan into legal force.
- 1.2 Following an independent examination and positive referendum, held on 14/02/19, Lancaster City Council decided to make the Wennington Neighbourhood Development Plan under section 38A(4) of the Planning and Compulsory Purchase Act 2004 ('the Act').

2.0 Background

- 2.1 On 13th September 2016, Wennington Parish Council, as the qualifying body, submitted proposals to Lancaster City Council to designate the boundary of the Wennington Neighbourhood Plan Area.
- 2.2 The Neighbourhood Area application was approved by Lancaster City Council (the Council) on 24th November 2016 in accordance with the Neighbourhood Planning (General) Regulations 2012 (As amended).
- 2.3 Following initial consultation stages, a Draft Plan was publicised and representations were invited in accordance with Regulation 14 between 2nd April 2018 and 25th May 2018.
- 2.4 The final draft neighbourhood plan was submitted to Lancaster City Council on 22nd June 2018. A final stage of publicity and consultation was undertaken over a 6-week

period between 20th July 2018 and 31st August 2018 to determine if there were any unresolved objections to the plan.

2.5 Lancaster City Council, with the agreement of Wennington Parish Council, appointed an independent Examiner, to review whether the Plan met the “Basic Conditions” required by legislation and could proceed to referendum.

2.6 The Examiner’s report was received on 22nd October 2018. This concluded that the plan met the basic conditions, and that subject to the modifications proposed in the report the plan should proceed to a referendum.

3.0 Decision and Reasons

3.1 With the Examiner's recommended modifications the Wennington Neighbourhood Plan meets the basic conditions set out in paragraph 8(2) of Schedule 4B of the Town 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 and B of the Planning and Compulsory Purchase Act 2004 (As amended).

3.2 A local referendum was held in Hornby (as no available or suitable polling place exists in Wennington) on 14/02/19 to decide whether the local community were in favour of the Wennington Neighbourhood Plan. From the votes recorded, of those who voted 100% were in favour of the plan. The turnout of electors was 60.19%.

3.3 Section 38A (4)(a) of the Planning and Compulsory Purchase Act 2004 (As amended) requires that the Council must ‘make’ the neighbourhood plan if more than half of those voting have voted in favour of the plan.

3.4 Lancaster City Council has assessed that the plan, including its preparation, does not breach, and would not otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).

3.5 In accordance with the Neighbourhood Planning (General) Regulations 2012 (As amended), Wennington Neighbourhood Development Plan is ‘made’ and planning applications in the parish must be considered against the Wennington Neighbourhood Development Plan, as well as existing planning policy, such as the Local Development Plan and the National Planning Policy Framework.

3.6 The modifications agreed to the neighbourhood plan made by Lancaster City Council were published alongside the Wennington Neighbourhood Plan Decision Statement on 12th December 2018.

Jason Syers, Director of Economic Growth and Regeneration, 10th April 2019