

## CATON-WITH-LITTLEDALE NEIGHBOURHOOD DEVELOPMENT PLAN

### Regulation 19 (Draft) Decision Statement

This Statement was published on **?? ???? 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 Caton-with-Littledale Neighbourhood Development Plan under Section 38A(4) of the Planning and Compulsory Purchase Act 2004 (as amended). The Caton-with-Littledale 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 Caton-with-Littledale Neighbourhood Development Plan into legal force.
- 1.2 Following an independent examination and positive referendum result, held on 4<sup>th</sup> May 2023, Lancaster City Council decided to make the Caton-with-Littledale Neighbourhood Development Plan under Section 38A(4) of the Planning and Compulsory Purchase Act 2004 (as amended).

#### 2.0 Background

- 2.1 On 9<sup>th</sup> March 2015, Caton-with-Littledale 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 Caton-with-Littledale Neighbourhood Plan Area.
- 2.2 The Council approved the Neighbourhood Area application on the 2<sup>nd</sup> July 2015 in accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended).
- 2.3 Following initial consultation stages, a Draft Caton-with-Littledale 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 7<sup>th</sup> May and 20<sup>th</sup> June 2021.
- 2.4 The Plan was submitted to the Council in the Autumn of 2021. A final, formal, stage of publicity was undertaken over a 7-week period (an additional week was given due to the Christmas period) in accordance with Regulation 16 of the Neighbourhood Planning (General)

Regulations 2012 (as amended), between 18<sup>th</sup> November 2021 and 6<sup>th</sup> January 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.
- 2.6 An independent Examiner was appointed in May 2022 to undertake the examination of the Submission version of the Plan. This was completed with the final examination report dated 3<sup>rd</sup> November 2022 sent to both the Parish Council and the Council.
- 2.7 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.
- 2.8 A local referendum was held in Caton-with-Littledale Parish on 4<sup>th</sup> May 2023 to decide whether the local community were in favour of the Plan. From the votes recorded, 733 of the 909 votes received were in favour of the Plan. The turnout of electors was 39.03%.

### **3.0 Decisions and Reasons**

- 3.1 Lancaster City Council decided by resolution of Full Council on 19<sup>th</sup> July 2023 to make the Caton-with-Littledale Neighbourhood Development Plan.
- 3.2 Lancaster City Council as the local authority 'makes' the Caton-with-Littledale 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 Caton-with-Littledale Neighbourhood Development Plan now forms part of the Development Plan for Lancaster District. Planning applications in the Neighbourhood Plan Area (Caton-with-Littledale Parish) must be considered against the Caton-with-Littledale Neighbourhood Development Plan, as well as existing national planning policy and the Local Plan.
- 3.3 On 4<sup>th</sup> May 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 Caton-with-Littledale Neighbourhood Development Plan (as approved by Full Council) was published on the Council's website, alongside this Caton-with-Littledale Neighbourhood Development Plan Decision Statement, on **????**.

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