



Northumberland County Council

RECORD OF DECISION TAKEN BY DIRECTOR OF HOUSING AND PLANNING

Belford Parish Neighbourhood Plan: Decision to make the Plan

1. Purpose of Report

- 1.1 This is a record of a decision taken by the Director of Housing and Planning. The reasons for taking this decision are set out in section 5 below.

2. Exercise of delegation

- 2.1 The Council's Constitution (as approved by the Council on 17 May 2023), sets out the ways in which the officers of the Council can make decisions and which decisions they have power to make. Section 6 Scheme of Officer Delegation states:

This scheme gives the power for the Chief Officers to take decisions in relation to all the functions in their areas of responsibility¹.

And

The cascade principle under which this scheme operates means that any officer given powers under this scheme can further delegate those powers to other officers through a Local Scheme of Delegation (which sets out all the standing delegations given to specific officers in defined areas of the Council's service areas)².

- 2.2 The 'Internal Scheme of Management – Planning Service, 24 July 2023' authorises the Chief Planning Officer (currently the Director of Housing and Planning) to carry out all functions relating to neighbourhood planning that fall to be dealt with by the authority.

¹ Part 1 6.1 Introduction to Delegation, 6.16 (a). The term "Chief Officer" is as defined by Part 1, section 43(2) of the Localism Act 2011 and includes the Executive Director of Place and Regeneration.

² Part 1 6.1 Introduction to Delegation, 6.16 (e).

3. Consultation

- 3.1 One session of consultation took place on 2 April at 3pm between the Director of Planning and Housing, Rob Murfin, and Councillor Colin Horncastle, Cabinet Member for Looking After our Environment. The Director explained the policies in the Plan. Councillor Horncastle commented on the value of these policies to the local community in Belford. There were no further items for discussion. The Director and Councillor were in agreement that the Plan should be made.

4. Key Issues

- 4.1 The Neighbourhood Plan has been prepared by Belford Parish Council with the support of the County Council's Neighbourhood Planning Team.
- 4.2 The Plan has been prepared following extensive community consultation and engagement by the Parish Council.
- 4.3 The purpose of this report is to ensure that proper authority is secured to publish a decision that:
- i. the Belford Parish Neighbourhood Plan complies with legal requirements governing the making of neighbourhood plans set out in the Planning Acts and associated Regulations;
 - ii. that the County Council will issue its Regulation 19 Decision Statement, confirming that the Belford Parish Neighbourhood Plan has been made.

5. Background

- 5.1 The power for local communities to lead the preparation of locally specific planning policy documents was introduced through the Localism Act in November 2011. These powers are given to parish councils, where they exist.
- 5.2 The Plan was submitted to Northumberland County Council in March 2023. A report following Independent Examination of the Plan, published in July 2023, found that, with modifications, the Plan passed the necessary legal tests, and it could be put to local referendum.
- 5.3 The County Council accepted 13 of these recommended modifications in full for the reasons set out in the examiner's report but considered that 6 further modifications were not required in order to meet the basic conditions. These are set out below:

- Recommendations 4, 7, 10, 11, 12. The recommendation was to incorporate references (in policies 1, 4, 8, 9 and 10) to relevant policies in the Northumberland Local Plan. Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. (NPPF, 2021, para 47). The development plan for Belford will comprise the Belford Neighbourhood Plan and the Northumberland Local Plan. Therefore, all relevant policies in the Neighbourhood Plan and Northumberland Local Plan would be taken into account – it seems less clear – and potentially misleading - to refer to some policies in the Local Plan, and not others.
 - Recommendation 9. The recommendation was to amend Policy 7 to read ‘service centre’. We did not accept the recommendation for reasons of clarity: the reference here is to the central area of the village not its status in the Northumberland Local Plan.
- 5.4 In taking the decision to come to a different view, the County Council considered the requirements set out in paragraph 13 of Schedule 4B to the Town and Country Planning Act 1990 and advice provided in National Planning Practice Guidance. Accordingly, the persons prescribed in the regulations were notified and representations were invited on a Post-Examination Plan.
- 5.5 The County Council’s decision to take the modified Plan to referendum was published in a ‘decision statement’ required through Regulation 18 of The Neighbourhood Planning (General) Regulations 2012.
- 5.6 The Referendum on the Belford Parish Neighbourhood Plan took place on 14 March 2024. The referendum posed the question: “*Do you want Northumberland County Council to use the Neighbourhood Plan for Belford Parish to help it decide planning applications in the neighbourhood area?*”. A total of 277 people voted, representing 22% of the registered electors. A majority of 234 people (84%) voted in favour of making the Neighbourhood Plan.
- 5.7 The Belford Parish Neighbourhood Plan contains fourteen planning policies, which provide a more locally-distinctive approach to how development proposals in the Parish should be treated.
- The Plan defines a settlement boundary for Belford Village, within which development will be supported.
 - In addition, there is policy support for self-build in smaller hamlets.
 - The Plan promotes high quality and sustainable design and provides protection for valued green spaces and community facilities that contribute to the vitality of the area.

- An ‘area of valued landscape’ has been defined whose special features should be taken into account in decision making.
- There are policies to promote rural businesses including tourism and added protection for commercial land use in Belford Village centre along with support for initiatives to increase footfall.
- Recognising its rich historic environment, the Plan supports measures to conserve or enhance the Conservation Area.

6. Link to Corporate Plan

- 6.1 The Belford Parish Neighbourhood Plan supports the County Council’s priorities set out the Northumberland County Council Corporate Plan for the period 2023 to 2026. Specifically, it empowers the local community, involving them in decisions which affect them, and supporting them in embracing change.

7. Implications arising from the Report

Policy	Neighbourhood development plans comprise part of the statutory development plan. Once ‘made’, the Neighbourhood Plan will be the most up-to-date part of the development plan covering the area (the civil parish of Belford). Decisions on planning applications in the area must be made in accordance with the policies in the Plan unless material considerations indicate otherwise.
Finance and value for money	Support for plan preparation costs have been met within Council budgets. Having issued the decision statement (Regulation 18) to send the Plan to referendum, the Council will be able to apply for the Neighbourhood Planning Grant of £20,000 once the application window opens later this year. This funding is to help Local Planning Authorities meet their legislative duties in relation to neighbourhood planning. Specifically, it covers the neighbourhood planning duties introduced by the Localism Act 2011 which are to provide advice or assistance, to hold an examination and to make arrangements for a referendum.

Legal	Local planning authorities are obliged by statute to make any neighbourhood plan once a local referendum has taken place and the result is in favour of the plan being used in the determination of planning applications. The recommendations relate to an executive function with the meaning of S.9D(2) Local Government Act 2000 as the making of the plan is not an exception specified in regulations made under subsection 3 of that Act. Schedule 4B of the Town and Country Planning Act 1990 expressly requires local planning authorities to provide advice and assistance to parish councils involved in neighbourhood planning. The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 confirm that the matters within this report are not functions reserved to Full Council.
Procurement	There are no relevant considerations.
Human Resources	Plan preparation was undertaken using County Council resources and government grant funding available to neighbourhood planning qualifying bodies. Substantial officer time has been committed to making the project a success.
Property	The made Neighbourhood Plan will apply to land and buildings owned by the County Council as they apply to land and buildings owned by others.
Equalities	Neighbourhood plans must meet EU obligations. This includes consideration of compliance with the European Convention on Human Rights. There is no separate requirement to complete an Equalities Impact Assessment. There are no significant equalities implications arising from this report. This matter was acknowledged in the Independent Examiner's report where comment is made that, although there is no equalities impact assessment accompanying the Plan, in the Examiner's opinion the policy in the Plan would have either a neutral or positive impact on groups with protected characteristics.
Risk Assessment	The draft Plan has passed Independent Examination and was successful at a local referendum. The County Council must now make the Plan unless it is not compatible with EU obligations.
Crime and Disorder	The implications of Section 17 of the Crime and Disorder Act have been considered and there are no direct or indirect impacts with regard to crime and disorder.
Customer Consideration	The Neighbourhood Plan forms the most local level of planning policies in the development plan. The policies reflect the needs and aspirations of residents in shaping the future development of the Parish of Belford.

Carbon reduction	The Neighbourhood Plan includes policies that would contribute to a reduction in carbon emissions. The Plan supports measures to diversify and enhance the range of local facilities within the Parish to reduce private vehicle use locally. The Plan promotes the use of sustainable modes of transport and proposals to improve or extend the walking and cycling network locally.
Health and Wellbeing	The Neighbourhood Plan includes policies to support health and wellbeing. The Plan supports the provision of local services and amenities including recreational facilities and it promotes active travel including improvements to local cycle routes.
Ward	Bamburgh ED.


Background Papers

- [Belford Parish Neighbourhood Plan Made Version](#)
- [Belford Parish Neighbourhood Plan Policies Map Made Version](#)
- [Belford Parish Neighbourhood Plan Policies Map Inset Made Version](#)

Appendices

Appendix 1 – Draft Regulation 19 Decision Statement

DECISION TAKEN

Subject:	To formally 'make' the Belford Parish Neighbourhood Plan in accordance with section 38A(4)(a) of the Planning and Compulsory Purchase Act 2004.
Decision Taken:	<p>The Belford Parish Neighbourhood Plan complies with legal requirements governing the making of neighbourhood plans set out in the Planning Acts and associated Regulations;</p> <p>The County Council will issue its Regulation 19 Decision Statement (required under the Neighbourhood Planning (General) Regulations 2012, as amended), confirming that the Belford Parish Neighbourhood Plan has been made.</p> <p>The Belford Parish Neighbourhood Plan and the decision statement will be published on the Council's website and publicised elsewhere in order to bring it to the attention of people who live, work or carry out business in the neighbourhood area; and the decision statement will be sent to the qualifying body and anyone else who asked to be notified of the decision.</p>
Delegated Decision	
Rob Murfin, Director of Housing and Planning	Signed:  Date: 3 April 2024

Author and Contact Details

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Appendix 1 – Draft Regulation 19 Decision Statement



Belford Neighbourhood Plan Regulation 19 Decision Statement

Northumberland County Council has resolved to ‘make’ the Belford Parish Neighbourhood Plan. The Neighbourhood Plan has been brought into legal force. It now forms part of the statutory Development Plan for the civil parish of Belford.

The Belford Parish Neighbourhood Plan was submitted to Northumberland County Council in March 2023. Publicity was undertaken in accordance with the Neighbourhood Planning (General) Regulations 2012. A report following Independent Examination of the Plan, published in July 2023, found that, with modifications, the Plan passed the necessary legal tests and could be put to a local referendum. The County Council accepted 13 of the recommended modifications in full for the reasons set out in the examiner’s report but considered that 6 further modifications were not required in order to meet the basic conditions.

In taking the decision to come to a different view, the County Council considered the requirements set out in paragraph 13 of Schedule 4B to the Town and Country Planning Act 1990 and advice provided in National Planning Practice Guidance. Accordingly, the persons prescribed in the regulations were notified and representations were invited on a Post-Examination Plan.

Following this, a local referendum was held in the Parish on 14 March 2024. A majority of those voting were in favour of the Plan being used by the County Council in making decisions on planning applications.

The Neighbourhood Plan complies with legal requirements governing the making of neighbourhood development plans set out in the Planning Acts and associated Regulations. Accordingly, I hereby confirm that the Belford Parish Neighbourhood Plan has been made under delegated authority.

Decisions on planning applications in Belford Parish must now be made in accordance with policies in the Plan unless material considerations indicate otherwise.

The Neighbourhood Plan can be viewed on the County Council’s neighbourhood planning webpage: www.northumberland.gov.uk/ourplan

Signed:

Rob Murfin
Director of Housing and Planning, Directorate of Place and Regeneration

Date: