



## **ALDCLIFFE WITH STODDAY NEIGHBOURHOOD PLAN**

### **Regulation 19 (Final) Decision Statement**

Statement published in October 2020, 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 decided by resolution of Full Council on 28<sup>th</sup> September 2022 to make the Aldcliffe with Stodday Neighbourhood Plan under Section 38A(4) of the Planning and Compulsory Purchase Act 2004 (as amended). The Aldcliffe with Stodday Neighbourhood 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 Aldcliffe with Stodday Neighbourhood Plan into legal force.
- 1.2** Following an independent examination and positive referendum result, held on 21<sup>st</sup> July 2022, Lancaster City Council decided to make the Aldcliffe with Stodday Neighbourhood Plan under Section 38A(4) of the Planning and Compulsory Purchase Act 2004 (as amended).

#### **2.0 Background**

- 2.1** On 8<sup>th</sup> August 2018, Aldcliffe with Stodday Parish Council, as the appropriate qualifying body for their area, submitted proposals to Lancaster City Council to designate the boundary of the Aldcliffe with Stodday Neighbourhood Plan Area.
- 2.2** Lancaster City Council (the Council) approved the Neighbourhood Area application on the 10<sup>th</sup> December 2018 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 of the Neighbourhood Planning (General) Regulations 2012 (as amended) between 25<sup>th</sup> January and 12<sup>th</sup> March 2021.

- 2.4** The finalised version of the Aldcliffe with Stodday Neighbourhood Plan was submitted to Lancaster City Council on 14<sup>th</sup> September 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 15<sup>th</sup> October 2021 and 26<sup>th</sup> November 2021 to determine if there were any unresolved objections to the plan.
- 2.5** Lancaster City Council, with the agreement of Aldcliffe with Stodday Parish Council, appointed an independent Examiner, to review whether the Plan met the 'Basic Conditions' of plan-making required by legislation and could proceed to referendum.
- 2.6** An Independent Examiner (Peter Biggers) was appointed in December 2021 to undertake the examination of the Submission version of the Aldcliffe with Stodday Neighbourhood Plan and this was completed with the final examination report sent to both the Parish Council and District Council on 9<sup>th</sup> March 2022.

### **3.0 Decisions and Reasons**

- 3.1** With the Examiner's recommended modifications the Aldcliffe with Stodday 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 of the Planning and Compulsory Purchase Act 2004 (as amended).
- 3.2** A local referendum was held in Aldcliffe with Stodday on 21<sup>st</sup> July 2022 to decide whether the local community were in favour of the Aldcliffe with Stodday Neighbourhood Plan. From the votes recorded, 90 of the 95 votes received were in favour of the Aldcliffe with Stodday Neighbourhood Plan. The turnout of electors was 42%.
- 3.3** Section 38A (4) 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), Aldcliffe with Stodday Neighbourhood Development Plan is 'made' and planning applications in the Parish must be considered against the Aldcliffe with Stodday Neighbourhood Plan, as well as existing national planning policy, such as the Local Development Plan and the National Planning Policy Framework.
- 3.6** The adopted version of the Neighbourhood Plan (as approved by Full Council) was published on the Council website, alongside the Aldcliffe Neighbourhood Plan Decision Statement, on ?? 2022.

Jason Syers, Director of Economic Growth and Regeneration