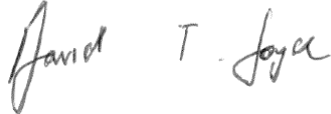


LONDON BOROUGH OF CAMDEN	WARDS: Kentish Town, Canteloves, Gospel Oak, Camden Town with Primrose Hill
REPORT TITLE Kentish Town Neighbourhood Plan Adoption (SC/2016/11)	
REPORT OF Cabinet Member for Regeneration, Transport and Planning	
FOR SUBMISSION TO Cabinet Council	DATE 14 th September 2016 19 th September 2016
<p>SUMMARY OF REPORT</p> <p>Following the outcome of the referendum, the Kentish Town Neighbourhood Plan prepared by the Kentish Town Neighbourhood Forum is to be ‘made’ (that is, adopted) by the Council in line with statutory requirements. The Plan will then be used by the Council alongside its own documents to decide planning applications in the neighbourhood plan area.</p> <p>The Council’s work in neighbourhood planning plays a role in meeting the Camden Plan objectives of providing democratic and strategic leadership fit for changing times; creating conditions for growth and investing in our communities to ensure sustainable neighbourhoods. The Camden Plan makes specific reference to “supporting neighbourhood plans which harness the energy of the community to shape growth in their areas”.</p> <p>Camden's constitution requires all of the Council's strategic planning policy documents to be agreed by Cabinet and the Local Government Act 2000 requires local plan documents to be adopted by full Council.</p> <p>Local Government Act 1972 – Access to Information</p> <p>There are no documents used in the preparation of this report that are required to be listed.</p> <p>Contact Officer: Andrew Triggs, Strategic Planning and Implementation, Supporting Communities, 5 Pancras Square, London, N1C 4AG – tel: 020 7974 8988; andrew.triggs@camden.gov.uk</p>	
<p>WHAT DECISIONS ARE BEING ASKED FOR?</p> <p>Cabinet The Cabinet note and refer this report to full Council for a formal resolution to make the Kentish Town Neighbourhood Plan (as set out in Appendix 1 of this</p>	

report).

Council

That the **Council** resolve to adopt the Kentish Town Neighbourhood Plan as part of the Council's development plan for the Kentish Town neighbourhood area.

A handwritten signature in black ink, appearing to read "Janet T. Joyce". The signature is written in a cursive style with a large initial 'J'.

Signed:

Director, Regeneration and Planning

Date: 2nd September 2016

1. WHAT IS THIS REPORT ABOUT?

- 1.1 This report seeks adoption of the Kentish Town Neighbourhood Plan following the result of the community referendum.
- 1.2 Communities can prepare neighbourhood plans to influence the future of their areas. These are statutory planning documents which can establish general planning policies for the development and use of land in a neighbourhood. Neighbourhood Plans must be prepared by the community in the form of designated Neighbourhood Forums, and once prepared, are subject to public consultation, independent examination and a referendum.
- 1.3 The Kentish Town Neighbourhood Forum and area were approved in April 2013. Following public consultation the Forum's draft Neighbourhood Plan underwent an independent examination in March 2016. In April 2016, following the Council's response to the Examiner's recommendations, the Decision Statement (which set out the recommendations for changes to be made to the Plan) was published and the Council agreed, by single member decision, that the Plan proceed to a referendum.
- 1.4 The referendum was held on 9th June 2016, asking those who live in the neighbourhood plan area if they would like the Council to use the neighbourhood plan when making decisions on planning applications in the area. A substantial majority supported the use of the plan.

2. WHY IS THIS REPORT NECESSARY?

- 2.1 Section 38A(4) of the Planning and Compulsory Purchase Act 2004 provides that if more than half of those voting in a neighbourhood planning referendum have voted in favour of the plan, then a local planning authority must 'make' (i.e. adopt) the plan as soon as reasonably practicable after the referendum is held. Once adopted the neighbourhood plan becomes part of the development plan for the area covered by the neighbourhood plan, which means that it will be used by the Council, alongside its own documents to decide planning applications in the neighbourhood plan area.
- 2.2 A referendum was held in the Kentish Town Neighbourhood Area on Thursday 9 June 2016 and posed the question: 'Do you want London Borough of Camden to use the neighbourhood plan for Kentish Town to help it decide its planning applications in the Neighbourhood Area?'
- 2.3 A substantial majority of those who voted were in favour of the neighbourhood plan being used to help decide planning applications in the plan area. The results of the referendum were:

Response	Votes	Percent of total
Yes	1,717	90.9
No	158	8.3
Rejected ballots	13	0.8
Turnout	13.75%	

- 2.4 Camden's constitution requires all of the Council's strategic planning policy documents to be agreed by Cabinet and the Local Government Act 2000 requires local plan documents to be adopted by full Council.

3. OPTIONS

- 3.1 Given the outcome of the referendum, section 38A of the Planning and Compulsory Purchase Act 2004 requires the Council to 'make' (that is adopt) the Neighbourhood Plan, as soon as reasonably practical after a referendum is held. The Council is only not subject to this duty if the making of the plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).
- 3.2 Officers are satisfied that the making of the Kentish Town Neighbourhood Plan would not breach, nor would otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).

4. WHAT ARE THE REASONS FOR THE RECOMMENDED DECISIONS?

- 4.1 The outcome of the referendum was supportive of the Plan, and therefore the Council is statutorily required to adopt the Plan. The Plan has been developed by the local community, with support from the Council, and will allow them to influence development in their area. The Plan has strong community support as shown by the result of the referendum.

5. WHAT ARE THE KEY IMPACTS / RISKS? HOW WILL THEY BE ADDRESSED?

- 5.1 The key impact is that the Kentish Town Neighbourhood Plan will become part of the statutory development plan for the designated Kentish Town area and will therefore be used alongside the Council's own adopted planning policies to make decisions on planning applications in the area.
- 5.2 The Neighbourhood Plan is required to be in general conformity with the strategic plans for the area (Camden's Core Strategy, Development Policies and Site Allocations document). The Plan was prepared by the Forum, with support and input from Council officers. The Examiner

recommended a number of modifications to the Plan, which have addressed all of the issues raised by the Council's own representation to the submission version of the Plan. This has removed potential conflict between the Neighbourhood Plan and the Council's adopted planning policies and addressed some concerns regarding the implementation of the draft policies.

- 5.3 The Neighbourhood Plan sets out development aspirations for the 'Kentish Town Potential Development Area' (incorporating land designated as the 'Kentish Town Industry Area' on the Council's Policies Map). The wording recognises that the Neighbourhood Plan's policies for this area will only operate if the designation for the Regis Road area changes as a consequence of Camden's Local Plan review. The Local Plan was submitted to the Secretary of State for examination on 24th June 2016.
- 5.4 Policies in the Neighbourhood Plan are flexibly worded and development aspirations for identified sites are subject to viability. This is in accordance with the National Planning Policy Framework which refers to the importance of "ensuring viability and deliverability".
- 5.5 Once a neighbourhood plan is brought into force, its policies take precedence over existing non-strategic policies in the Local Plan for that neighbourhood, where they are in conflict. However, no areas of major conflict have been identified.

6. WHAT ACTIONS WILL BE TAKEN AND WHEN FOLLOWING THE DECISION AND HOW WILL THIS BE MONITORED?

- 6.1 As soon as reasonably practicable after a neighbourhood plan is adopted, the Council must publish the adopted plan together with an 'Adoption Statement', which sets out details of where and when the plan can be viewed, and send a copy to the Secretary for State for Communities and Local Government. This Statement is set out in Appendix 2.
- 6.2 Once the Plan is adopted, it will be used to assess planning applications and guide planning decisions within the Kentish Town Neighbourhood Plan area. The Council's 'Authority Monitoring Report' provides regular assessment of the performance of planning policies and decisions against monitoring indicators.

7. LINKS TO THE CAMDEN PLAN OBJECTIVES

- 7.1 The Council's work in neighbourhood planning plays a role in meeting the Camden Plan objectives of providing democratic and strategic leadership fit for changing times; creating conditions for growth and investing in our communities to ensure sustainable neighbourhoods, by

supporting neighbourhood plans which harness the energy of their community to shape growth in their area.

- 7.2 The process of drawing up neighbourhood plans has empowered neighbourhoods to set out their aspirations and goals and to help direct and influence change in their area. It helps bring the community together, building links and relationships, as well as increasing knowledge of planning issues. This contributes to strengthening community resilience in the area.

8. CONSULTATION

- 8.1 The Neighbourhood Forum implemented a comprehensive community engagement strategy prior to the Plan's submission for independent examination. This included public meetings, walkabouts, street engagements and the use of social media. The Forum consulted on a draft version of the Plan in March 2015 in accordance with the neighbourhood planning regulations. Responses and comments, including from the Council, were taken on board and changes were made to the Plan.
- 8.2 Camden Council led consultation on the submission version of the Plan in line with statutory requirements. The plan was publicised for six weeks and representations invited. The referendum followed the independent examination.
- 8.3 The Neighbourhood Forum submitted a 'Consultation Statement' to Camden Council when they formally submitted the Plan. This provides detailed information about each of the consultation stages and the methods used.

9. LEGAL IMPLICATIONS (comments from the Borough Solicitor)

- 9.1 The making of a neighbourhood plan ("NP") is provided for under the Town and Country Planning Act 1990 (sections 61E – 61O) and the Planning and Compulsory Purchase Act 2004 with more detailed provisions set out in the Neighbourhood Planning (General) Regulations 2012.
- 9.2 If a referendum results in more than half of those who voted, having voted in favour of the proposal the Council must make the NP as soon as reasonably practicable unless the Council considers that to do so would breach any European obligation or human rights legislation (s38A(4) & (6), P&CP Act 2004). Once made (or adopted) by the Council, the NP becomes part of the Council's statutory development plan (for the relevant designated neighbourhood area) and where regard is to be had to the development plan in determining planning proposals, the determination must be made in accordance with the

development plan unless material considerations indicate otherwise (s38(6), P&CP Act 2004).

- 9.3 In addition to the above, the Borough Solicitor's comments are included within the text of the report.

10. RESOURCE IMPLICATIONS (finance comments of the Executive Director Corporate Services)

- 10.1 The expenditure cost of neighbourhood plans to the Council varies, particularly due to the size of the referendum area. The cost of the Kentish Town referendum was £17,497.
- 10.2 Local planning authorities are able to claim £20,000 from the Department for Communities and Local Government following the successful examination of a neighbourhood plan.

11. APPENDICES

1. Kentish Town Neighbourhood Plan – adoption version
2. Adoption Statement

REPORT ENDS