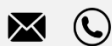




<b>Report for:</b>	Cabinet
<b>Title of report:</b>	Kings Langley Neighbourhood Plan
<b>Date:</b>	14 <sup>th</sup> December 2022
<b>Report on behalf of:</b>	Councillor Alan Anderson, Portfolio Holder for Place
<b>Part:</b>	I
<b>If Part II, reason:</b>	N/A
<b>Appendices:</b>	Appendix A – Kings Langley Neighbourhood Plan (Referendum Version) Appendix B - Community Impact Assessment of Kings Langley Neighbourhood Plan 2020-2038
<b>Background papers:</b>	N/A
<b>Glossary of acronyms and any other abbreviations used in this report:</b>	AA: Appropriate Assessment CIA: Community Impact Assessment HRA: Habitats Regulation Assessment LPA: Local Planning Authority NDP: Neighbourhood Development Plan NPIERS: Neighbourhood Plan Independent Examiner Referral Service SEA: Strategic Environmental Assessment

## Report Author / Responsible Officer

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<b>Corporate Priorities</b>	A clean, safe and enjoyable environment Building strong and vibrant communities Ensuring economic growth and prosperity
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	Providing good quality affordable homes, in particular for those most in need Climate and ecological emergency
<b>Wards affected</b>	Kings Langley Ward
<b>Purpose of the report:</b>	To acknowledge the 'YES' vote at Referendum on 17 <sup>th</sup> November 2022 and propose that Full Council formally adopts ('makes') the Kings Langley Neighbourhood Plan as a statutory planning document.
<b>Recommendation (s) to the decision maker (s):</b>	That Cabinet recommends to Full Council to formally adopt the Kings Langley Neighbourhood Plan as part of the Local Plan following a 'YES' vote at Referendum 17 <sup>th</sup> November 2022
<b>Period for post policy/project review:</b>	<b>N/A</b>

## 1 Introduction/Background:

- 1.1 The Localism Act 2011 provides the foundation for neighbourhood planning. This aims to give local communities more control over housing and planning decisions. A neighbourhood plan sets a vision for the future and can be detailed or general depending on what Local people want. A neighbourhood plan is prepared by the local community but is adopted by the local authority and becomes part of the statutory Local Plan.
- 1.2 Neighbourhood planning can be taken forward by either town or parish councils or in unparished areas via 'Neighbourhood Forums'. These Forums are local community groups that specifically designated to take a plan forward.
- 1.3 The Kings Langley Neighbourhood Plan is the second Neighbourhood Plan in the Borough to have successfully passed Examination and recently received a positive outcome at Referendum. It is now the intention to progress the Neighbourhood Plan towards formal adoption by the Council, after which its policies can carry full weight in the determination of planning applications.

## 2. Summary of key stages

### Neighbourhood Plan Areas Designation – October 2019

- 2.1 In June 2019, the Council received an application from Kings Langley Parish Council to designate Kings Langley Parish as a Neighbourhood area. Kings Langley Parish Council is recognised as a relevant body under Section 61G of the Town and Country Planning Act 1990 (as amended by the Localism Act). This was done in accordance with Regulation 5 of The Neighbourhood Planning Regulations 2012, as amended).
- 2.2 The application for the Neighbourhood Area designation was for the whole of Kings Langley Parish only. Public consultation on the application was undertaken between 2nd September and 18th October 2019, although it was not strictly required (in accordance with the Neighbourhood Planning Regulations (2012, as amended) Regulation 5A).
- 2.3 On the 28<sup>th</sup> October 2019, Dacorum Borough Council (via delegated authority) resolved to designate Kings Langley Parish as the Kings Langley Neighbourhood Area.

## Submission of the Neighbourhood Plan

- 2.4 On 22nd November 2021, the Kings Langley Parish Council formally submitted the Kings Langley Neighbourhood Plan 2020-2038 (Appendix A) and further supporting documents to the Council, in accordance with the relevant legislation.

## Conformity and acceptance of the Neighbourhood Plan by the Council

- 2.5 Following receipt of the Kings Langley Neighbourhood Plan and supporting documents<sup>1</sup> the Neighbourhood Plan was checked to ensure conformity and that it met the 'basic conditions' test.

- 2.6 This test means that the Neighbourhood Plan must:

- *Meet the requirements of certain EU directives relating to human rights and habitat protection;*
- *Be in keeping with policies that determine how UK planning decisions should be made which are set out in the National Planning Policy Framework and National Planning Practice Guidance;*
- *Be in compliance with the most important strategic policies prepared by the local planning authority; and*
- *Explain how the community and organisations have helped to prepare the Neighbourhood Plan.*

- 2.7 The Council, as part of its duties to ensure that the Neighbourhood Plan meets the environmental requirements as set out above, undertook a Strategic Environmental Assessment (SEA) screening to determine whether or not the contents of the Neighbourhood Plan would require an SEA or Appropriate Assessment (AA) in accordance with the EU directives. There was a subsequent rescreening following an update on the Habitats Regulation Assessment in early 2022 and this concluded that neither an AA nor an SEA was required.

- 2.8 The LPA must consider:

1. Whether the parish council or neighbourhood forum is authorised to act (see 'determining the application criteria for a neighbourhood forum'),
2. Whether the proposal and accompanying documents
  - a. Comply with the rules for submission to the LPA (see 'receipt of an NDP by the LPA'), and
  - b. Meet the 'definition of an NDP', and
  - c. Meet the 'scope of NDP provisions', and
3. Whether the parish council or neighbourhood forum has undertaken the correct procedures in relation to consultation and publicity (see 'pre submission consultation by the parish council or neighbourhood forum')

- 2.9 As the Kings Langley Neighbourhood Plan met all of the requirements as set out by legislation. Dacorum Borough Council formally submitted the Kings Langley Neighbourhood Plan for Independent Examination.

- 2.10 The Council carried out an eight week public consultation on the submitted Plan (Regulation 16). This took place from 3rd December 2021.

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<sup>1</sup> Supporting documents are available to view on our website at: <https://www.dacorum.gov.uk/home/planning-development/planning-strategic-planning/neighbourhood-planning/kings-langley-neighbourhood-plan>

- 2.11 Upon receipt of representations, the Council considered that there were no significant objections to the Neighbourhood Plan and moved to formally submit to Independent inspection in February 2022.

### **Independent Examination of the Neighbourhood Plan**

- 2.12 In order to progress to inspection, the Council was required to choose a suitable 'Independent Examiner' and obtain the agreement of the Qualifying Body prior to their appointment and subsequent Inspection.
- 2.13 The Council considered two potential examiners, through the NPIERS (the Neighbourhood Planning Examination Independent Referral Service). Both of these were put forward to the Qualifying Body, whom subsequently determined that Ms Ann Skippers BSc (Hons) MRTPI FHEA FRSA AoU would be appointed as the Independent Examiner.
- 2.14 The Council formally submitted the Kings Langley Neighbourhood Plan to the Independent Examiner along with all representations and supporting documents submitted with the plan.
- 2.15 The examination took place between July and August 2022.

### **3. Recommendations from the Examiner**

- 3.1 The Council was aware that the Inspection would provide either:
- Approval to proceed to referendum;
  - Approval to proceed to referendum, subject to minor amendments to the Neighbourhood Plan; or
  - Rejection of the Neighbourhood Plan.
- 3.2 If the examiner had rejected the Neighbourhood Plan, the Council would have no further legal obligations regarding the Neighbourhood Plan. Where the recommendation from the examiner is 'approved to proceed to referendum without amendment', the Council could seek to undertake a referendum as soon as practicable.
- 3.3 Should the examiner's report seek to make amendments, the qualifying body will be responsible for making these amendments and would not be required to seek approval from Dacorum Borough Council for the neighbourhood plan to proceed to referendum.
- 3.4 Having received the examiner's recommendations and determined its response the Qualifying Body can:
- Make modifications to correct errors, or to make the plan:***
    - Meet the basic conditions*
    - Compatible with the Convention rights*
    - Comply with the definition of an NDP and the provisions that can be made by a NDP*
    - Comply with suitable periods for making applications and starting development.*
  - Extend the area to which the referendum(s) are to take place. If the authority decides to extend the area for referendum, it must publish a map for that area.***
  - Decide that they are not satisfied with the plan proposal with respect to meeting basic conditions, compatibility with Convention rights, definition and provisions of the NDP even if modified.***
- 3.5 It is important to note that the legislation and guidance is clear that while neighbourhood plans are prepared by the community, with recommended modification from the examiner,

the final decision on whether the neighbourhood plan meets the basic conditions and can then proceed to a referendum lies with the local authority.

- 3.6 Following receipt of the Examiners report on 15 August 2022, it was recommended that the Neighbourhood Plan proceed to Referendum with amendments.
- 3.7 These changes were accepted and the necessary amendments to the Kings Langley Neighbourhood Plan were made.

## 4 Consultation

### Referendum

- 4.1 A 'Decision Statement' of the Examiner's approval and schedule of changes were published on the Council's website 10 October 2022. This notice acknowledged the Council's intention to hold a Referendum on 17th November 2022. A date in November was identified as being the most suitable (by the Council's Electoral Services team), taking into account other elections taking place and for the necessary notices of poll etc.
- 4.2 For a neighbourhood plan to pass the Referendum, it required the majority of the votes received to be in favour of making the Neighbourhood Plan a formal part of the Local Plan. Where the majority of the referendum votes are in favour, the Council is required to adopt the neighbourhood plan as soon as possible.
- 4.3 On Thursday 17th November 2022, a Referendum was held (overseen by the Council Electoral Services team).

- 4.4 The results were as follows:

<b>Kings Langley referendum results</b>	<b>Number of votes</b>
The total number of ballot papers counted was	915
The number of votes cast in favour of YES was	842
The number of votes cast in favour of NO was	73
<b>Turnout:</b> 20.14%	

## 5 Financial and value for money implications:

There are no direct financial implications arising from the report.

## 6 Legal Implications

Following the outcomes of the referendum, it is now the duty of the Council to progress the Kings Langley Neighbourhood Plan through the formal sign-off processes of Cabinet and Full Council and for it to be adopted as part of the Development Plan for the Borough.

## 7 Risk implications:

When adopted the Neighbourhood Plan will become part of the Local Plan for Dacorum. If Cabinet decided not to adopt then the status of the Neighbourhood Plan could be undermined.

## **8 Equalities, Community Impact and Human Rights:**

- 8.1 In consultation with the statutory bodies of Natural England, Historic England and the Environment Agency the Council consulted on whether a Strategic Environmental Assessment (SEA) was needed and it was concluded that no such assessment was required as set out in the determination statement (Appendix D).
- 8.2 The Council has also undertaken a Community Impact Assessment (CIA), which is appended to this report (Appendix E)
- 8.3 The Council does not believe there will be health and safety implications from this report.

## **9. Sustainability implications (including climate change, health and wellbeing, community safety)**

- 9.1 The Council does not believe there will be any sustainability implications as a result of the adoption of the Kings Langley Neighbourhood Plan.
- 9.2 One of the basic conditions is that the plan must contribute towards sustainable development and it has been determined through this document that the policies in the Neighbourhood Plan contribute to sustainable development.

## **10 Council infrastructure (including Health and Safety, HR/OD, assets and other resources)**

The Council does not believe there will be any council infrastructure or resourcing issues as a result of the adoption of the Kings Langley Neighbourhood Plan.

## **11 Statutory Comments**

### **Monitoring Officer:**

The Neighbourhood Plan referendum produced a positive vote in favour of adopting the plan and therefore the only option available to the Council is to formally make the Kings Langley Neighbourhood Plan.

### **S151:**

There are no direct financial implications of this decision.

## **12 Conclusions:**

Once a referendum has been held and the public have voted 'Yes' to the adoption of the Neighbourhood Plan the Local Planning Authority must adopt the Neighbourhood Plan as soon as reasonably practical unless: it considers that this would breach, or be incompatible with any EU obligation or any of the Convention Rights. It had already been determined through the basic conditions statement that this is not the case and therefore the Kings Langley Neighbourhood Plan should proceed to Full Council with the recommendation to adopt.

**Appendix A: Kings Langley Neighbourhood Plan 2020 – 2038 (Referendum Version)**

Attached separately

## Appendix B: Community Impact Assessment of Kings Langley Neighbourhood Plan 2020-2038

Dacorum BC Community Impact Assessment (CIA)	
Policy / service / decision	Kings Langley Neighbourhood Plan 2020-2038
<p><b>Description of what is being impact assessed</b>  <i>What are the aims of the service, proposal, project? What outcomes do you want to achieve? What are the reasons for the proposal or change? Do you need to reference/consider any related projects?</i>  <i>Stakeholders; Who will be affected? Which protected characteristics is it most relevant to? Consider the public, service users, partners, staff, Member, etc</i>  <i>It is advisable to involve at least one colleague in the preparation of the assessment, dependent on likely level of impact</i></p>	
<p>The Kings Langley NP contains policies to maintain a sensible balance in the Parish between a number of elements including but not limited to housing, design, employment, green infrastructure and opens spaces. The policies are wide-ranging and seek many benefits for existing and new residents in the parish. These proposals will have an impact parish wide as it will impact on everyone who lives, works, plays, visits or travels in the parish area.</p> <p>On housing, there is a strong emphasis on addressing the particular shortfalls in housing mix, such as delivering more 2-bed units, and meeting the needs of the aging population.</p> <p>A lot of detail has been developed to support design principles that accord with local character, and to ensure key views/prospects are protected. A number of new Local Green Spaces are also proposed and will be offered the same level of protection as Green Belt land.</p> <p>A number of environment policies are proposed which seek to combat and mitigate against the effects of climate change, and deliver net gains in biodiversity.</p> <p>Policies are also supportive of enhanced connectivity, including the delivery of new and enhanced footpaths and cycleways. There are also general policies which support the provision of new sports and leisure facilities alongside new or enhanced community facilities in the parish.</p> <p>The plan does not allocate any sites for development and places great emphasis on conserving the character and appearance of the area.</p>	
<p><b>Evidence</b></p>	
<p><b>What data/information have you uses to assess how this policy/service/decision might impact on protected groups?</b> <i>(include relevant national/local data, research, monitoring information, service user feedback, complaints, audits, consultations, CIAs from other projects or other local authorities, etc.). You should include such information in a proportionate manner to reflect the level of impact of the policy/service/decision.</i></p>	
<p>As part of the production of the Neighbourhood Plan it is required to meet a set of basic conditions and has been considered again CIAs from other local authorities prior to this assessment. This involved identifying the likely impacts arising from the policies set out in the neighbourhood plan and then considering these impacts as positive, negative or neutral in light of said policy.</p>	
<p><b>Who have you consulted with to assess possible impact on protect groups?</b>  <i>If you have not consulted other people, please explain why? You should include such information in a proportionate manner to reflect the level of impact of the policy/service/decision.</i></p>	
<p>The plan has been consulted upon a number of times as it has progressed including consultations both by the Parish Council and the borough council which consisted of both members of the public and statutory bodies. Therefore it was not deemed necessary to consult further with specific parties.</p>	
<p><b>Analysis of impact on protected groups (and others)</b>            The Public Sector Equality Duty requires Dacorum BC to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. Consider how this policy/service/decision will achieve these aims. Using the table below, detail what considerations and potential impacts against each of these using the evidence that you have collated and your own understanding. Based on this information, make an assessment of the likely outcome, <b>before</b> you have implemented any mitigation.</p> <p>a</p> <ul style="list-style-type: none"> <li>• <i>The PCs of <u>Marriage and Civil Partnership</u> and <u>Pregnancy and Maternity</u> should be added if their inclusion is relevant for impact assessment.</i></li> </ul>	



Use "insert below" menu layout option to insert extra rows where relevant (e.g. extra rows for different impairments within Disability).

Protected group	<b>Summary of impact</b>  <i>What do you know? What do people tell you?</i> <i>Summary of data and feedback about service users and the wider community/ public. Who uses / will use the service?</i> <i>Who doesn't / can't and why?</i> <i>Feedback/complaints?</i>	Negative impact / outcome	Neutral impact / outcome	Positive impact / outcome
Age	<p>Policy KL2 Meeting Local Housing needs: Ensure that new homes meet the needs of local people and achieve a balanced mix of development.</p> <p>Policy KL10 Conserving and Enhancing the Network of Green and Blue Infrastructure: Protect, enhance and extend areas and corridors featuring valuable flora and/or fauna.</p> <p>Policy KL11 Local Green Spaces: Protect Green Spaces that are demonstrably special to the local community.</p> <p>Policy KL18 Improving Opportunities for Community and Cultural Facilities, Sport and Recreation: Set out the parameters for assessing new community, recreational and leisure facilities.</p> <p>Policy KL19 Provision of Leisure Facilities for Children and Teenagers: Ensure all new major developments consider and provide for the needs of children and young people.</p>	□	□	☒
Disability (physical, intellectual, mental)  <i>Refer to CIA Guidance Notes and Mental Illness &amp; Learning Disability Guide</i>	<p>Policy KL1 Location of Development: Direct new development towards the most sustainable locations, whilst protecting the Green Belt and the green spaces within the Parish and avoiding coalescence.</p> <p>Policy KL2 Meeting Local Housing Needs: Ensure that new homes meet the needs of local people and achieve a balanced mix of development.</p> <p>Policy KL4 Design of Development: Ensure good quality design is incorporated into new developments.</p> <p>Policy KL6 Enhancing the High Street and Village Centre: Support the Arup report recommendations to enhance Kings Langley High Street and Village Centre.</p> <p>Policy KL9 High Speed Broadband: Promote the provision of high-speed</p>	□	□	☒

	<p>broadband into all residential, commercial and community development proposals.</p> <p>Policy KL17 Public Car Parking: Provide additional publicly accessible off-road car parking spaces, including the expansion of the Nap Car Park.</p> <p>Policy KL21 Provision of Accessible Public Toilet Facilities: Support the Provision of accessible public toilets within the Village Centre.</p>			
Gender reassignment	The Kings Langley Neighbourhood Plan is neutral with regards to gender-reassignment or gender identity.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race and ethnicity	Policy KL4 Design of Development: Ensure good quality design is incorporated into new development	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or belief	The plan is considered to be neutral with regards to religion or belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sex	The plan is considered to be neutral with regards to biological sex.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	The plan is considered to be neutral with regards to sexual orientation.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Not protected characteristics but consider other factors, e.g. carers, veterans, homeless, low income, loneliness, rurality etc.	The impact is parish wide. It will have an impact on everyone who lives, works, plays, visits or travels in the District. This includes businesses, local services, councillors, landowners and developers.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Negative impacts / outcomes action plan**

Where you have ascertained that there will potentially be negative impacts / outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.

Action taken/to be taken <i>(copy &amp; paste the negative impact / outcome then detail action)</i>	Date	Person responsible	Action complete
n/a			

**If negative impacts / outcomes remain, please provide an explanation below.**

n/a

<b>Completed by (all involved in CIA)</b>	Ronan Leydon, Jamie Glazebrook
<b>Date</b>	24.11.2022

<b>Signed off by</b> ( <i>AD from different Directorate if being presented to CMT / Cabinet</i> )	Alex Robinson – Assistant Director for Planning
<b>Date Entered onto CIA database – date</b>	
<b>To be reviewed by</b> (officer name)	n/a
<b>Review date</b>	n/a