



Barton Neighbourhood Plan (Plan Period 2019-2030)

Wyre Council Local Planning Authority

The Neighbourhood Planning (General) Regulations 2012 (as amended) Regulation 19 and 20: Decision on a Plan Proposal and Publicising a Neighbourhood Development Plan

Notice is hereby given that at the Council meeting on 30 November 2023, Wyre Borough Council formally determined to make (adopt) the Barton Neighbourhood Plan under Section 38A(4) of the Planning and Compulsory Purchase Act 2004 (as amended). The Barton Neighbourhood Plan has now been brought into legal force, forming part of the statutory development plan for Wyre Borough. Consequently, the plan will be used to determine planning applications in the Barton Neighbourhood Area from 30 November 2023.

Reasons for decision:

In accordance with the Neighbourhood Planning (General) Regulations 2012 as amended, the Barton Neighbourhood Plan meets the basic conditions and is compliant with legal and procedural requirements. Paragraph 38A 94) (a) of the Planning and Compulsory Purchase Act 2004 requires the council to make the Neighbourhood Plan if more than half of those voting in the referendum upon the plan have voted in favour of the plan being adopted to inform planning applications in the area. A referendum was held on 9 November 2023 and the Plan was endorsed by more than the required threshold.

Background

Under the Town and Country Planning Act 1990 (as amended), Wyre Borough Council has a statutory duty to support Parish Councils and Qualifying Bodies in the preparation of Neighbourhood Development Plans (NDP's) and to take Neighbourhood Plans through a process of examination and referendum. The Localism Act 2011 (Part 6 chapter 3) sets out the Council's responsibilities under Neighbourhood Planning.

The Barton Neighbourhood Plan covers the whole of Barton Parish and part of Myerscough and Bilsborrow Parish. Myerscough and Bilsborrow Parish Council formally delegated their right to prepare a neighbourhood plan to Barton Parish Council and its Steering Group in consultation with the local planning authorities for the neighbourhood area - the local planning authorities being Preston City Council and Wyre Council. It was also agreed between the two borough councils, that Preston City Council would be the lead local planning authority. This is owing to the majority of the neighbourhood area falling within the administrative area of Preston City Council and Barton Parish Council.

The Barton Neighbourhood Plan was formally submitted to Preston City Council and Wyre Council for examination on 17 November 2022. It was accompanied by supporting evidence, including a basic condition statement and consultation statement.

The draft neighbourhood plan proposals were assessed as to whether the plan is likely to have significant environmental effects (often referred to as a screening opinion or assessment). The legislative requirements of this process are set out in the Environmental Assessment of Plan and Programmes Regulations 2004. A screening report produced by Wyre Council and agreed by statutory consultees was published in 2021. This screening report concluded that a Strategic Environmental Impact Assessment is not required in this case.

The Pre-Submission Barton Neighbourhood Plan underwent consultation under Regulation 14 of the Neighbourhood Planning (General) Regulations 2012 (as amended). This allowed residents and stakeholders, including Wyre Council, an opportunity to comment on the draft policies and site allocations proposed within the draft plan.

The Barton Neighbourhood Plan was formally submitted to Preston City Council and Wyre Council for examination on 17 November 2022. It was accompanied by supporting evidence, including a basic condition statement and consultation statement. The Councils, in accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 (as amended), publicised the Barton Neighbourhood Plan and sought comments during a six week public consultation that was held between 18 January and 1 March 2023.

Examination:

Following the Regulation 16 consultation, an Independent Examiner, (Peter Dickson Biggers BSC (Hons) MRTPI AIHBC), was appointed by Preston City Council (and on behalf of Wyre Council) with the agreement of Barton Parish Council, to conduct an examination of the submitted Plan. All representations that had been received during Regulation 16 consultation were considered by the Examiner.

The Examiner's Report was received by the Councils on 6 June 2023 and concludes that subject to modifications, the Barton Neighbourhood Plan is in general conformity with the strategic policies of the Adopted Wyre Local Plan (2011-2031) (incorporating partial update of 2022); has regard to national guidance; would contribute to the achievement of sustainable development; and would satisfy the basic conditions and legal requirements. The Examiner's Report included recommended modifications.

Modifications:

Barton Parish Council agreed to modify the Plan as recommended by the Examiner. Preston City Council and Wyre Council agreed the modifications met the Examiners recommendations and along with Barton Parish Council agreed to take the modified plan forward to referendum. Preston City Council and Wyre Borough Council issued formal Decision Statements advising of their decisions to take the Plan to referendum. Details were also published about the Referendum.

Referendum:

The Referendum took place on 9 November 2023. The Barton Neighbourhood Plan 2019 - 2030 successfully passed Referendum with 94.4% of the votes cast agreeing that the Barton Neighbourhood Plan be used by the Councils to help in the determination of planning

applications in the Barton Neighbourhood Plan area (overall turnout at the Referendum was 26.75%).

Council Decision:

On 30 November 2023, Wyre Borough Council resolved at Full Council that the Barton Neighbourhood Plan 2019-30 (incorporating the Examiners modifications), should be 'made' and become part of the Development Plan for Wyre Borough Council for the Barton Neighbourhood Area.

It is therefore, confirmed that the Barton Neighbourhood Plan 2019- 30 (incorporating the Examiners modifications), complies with the legal requirements and basic conditions set out in the Localism Act 2011 and Neighbourhood Planning Regulations 2012 (as amended). As a result of the Council resolution of 30 November 2023 the Barton Neighbourhood Plan 2019-30 has been 'made' with effect 30 November 2023.

Availability:

In accordance with regulation 20 of the Neighbourhood Planning (General) Regulations 2012, this statement and the Barton Neighbourhood Plan, can be viewed on Wyre Councils website at: www.wyre.gov.uk/local-plan/neighbourhood-plans/3

Hard copies can also be inspected by prior arrangement during normal opening hours at the councils main offices at Wyre Council, Civic Centre, Breck Road, Poulton-le-Fylde FY6 7PU. More information about Neighbourhood Planning can also be found via the Council's website.

Challenge:

Any person who is aggrieved by the adoption of the Barton Neighbourhood Plan may make an application to the High Court.

Any such application must be made no later than six weeks from the day after the date on which the Neighbourhood Development Plan was adopted.

Queries:

Further information on the Neighbourhood Plan can be obtained by contacting the Planning Policy Team on 01253 881000 or by emailing planning.policy@wyre.gov.uk