

<b>LONDON BOROUGH OF CAMDEN</b>	<b>WARDS:</b> Highgate and Kentish Town
<b>REPORT TITLE</b> Dartmouth Park Neighbourhood Plan - Adoption (SC/2020/02)	
<b>REPORT OF</b> Cabinet Member for Investing in Communities and an Inclusive Economy	
<b>FOR SUBMISSION TO</b> Cabinet Council	<b>DATE</b> 26 February 2020 2 March 2020
<b>STRATEGIC CONTEXT</b>  Camden 2025 is our communities' vision for Camden. The Dartmouth Park Neighbourhood Plan supports the objectives of the calls to action to create 'Safe strong and open communities' so everyone can contribute to their community and making Dartmouth Park a 'clean, vibrant and sustainable place through shaping the local shared environment  Our Camden Plan is the Council's response to Camden 2025. A key strand is the focus on collaborative working to: "Open up the council so all citizens have a say" and "Bring people and agencies together to get things done". Neighbourhood plans allow communities to respond to planning issues affecting their locality.	
<b>SUMMARY OF REPORT</b>  Following a successful local referendum, the Dartmouth Park Neighbourhood Plan prepared by the Dartmouth Park Neighbourhood Forum is to be 'made' (that is, adopted) by the Council in line with statutory requirements.  Neighbourhood Plans can shape, direct and help to deliver sustainable development by influencing local planning decisions and gives communities the power to develop a shared vision for their area. The Neighbourhood Plan will be used alongside the Council's own documents to decide planning applications in the neighbourhood planning area.  The report is coming to the Cabinet because the Council's Constitution requires all of the Council's development plan documents to be agreed by Cabinet and the Local Government Act 2000 requires local plan documents to be adopted by full Council.  <b>Local Government Act 1972 – Access to Information</b>  There are no documents used in the preparation of this report that are required to be listed.	

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**RECOMMENDATIONS**

The Cabinet is asked to recommend the Council to make the Dartmouth Park Neighbourhood Plan, annexed at Appendix 2 to this report having had due regard to the EqlA at Appendix 3.

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Signed: 

David Joyce  
Director of Regeneration and Planning

Date: 14<sup>th</sup> February 2020

## 1. CONTEXT AND BACKGROUND

- 1.1 This report seeks authority to make (adopt) the Dartmouth Park Neighbourhood Plan following a local 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. National planning policy expects neighbourhood planning to be a positive process, supporting the wider strategic growth and planning policies of the area (in Camden this context is provided by the adopted Camden Local Plan 2017). Neighbourhood plans must be prepared by the community through designated neighbourhood forums, and once prepared, are subject to public consultation, independent examination and a local referendum.
- 1.3 The Dartmouth Park Neighbourhood Plan relates to the predominantly residential area bounded by Highgate Road to the west, adjoining Parliament Hill, and Dartmouth Park Hill to the east, and includes Murphy's yard in the south. A map of the Dartmouth Park Neighbourhood Area is set out in Appendix 1 to this report. The Dartmouth Park Neighbourhood Forum and Dartmouth Park Neighbourhood Area were approved by the Council in October 2013 and the Forum was renewed for a further five years in December 2018.
- 1.4 The overarching Vision of the Dartmouth Park Neighbourhood Plan is *"to ensure that Dartmouth Park is a vibrant neighbourhood with a balanced and diverse community, with thriving local centres, excellent connectivity with the rest of London and increasing opportunities for pleasant and safe active travel. While welcoming sustainable development that provides new jobs and needed housing, the people of Dartmouth Park wish to ensure that the area's village character, rich architectural heritage, attractive green streets, open spaces and natural environment are not only maintained but enhanced."*
- 1.5 The Plan's policies are structured around 6 main topics: Design and character; Housing; Community; Neighbourhood centre and employment; Environment and sustainability, and Transport and streets.
- 1.6 Two stages of public consultation were undertaken on the draft Dartmouth Park Neighbourhood Plan (see Section 5). During the second consultation, the Council appointed an independent Examiner, to assess the plan against statutory requirements. The Council submitted a representation on the submission draft Plan for the Examiner to consider. In general, this expressed support for the proposed Neighbourhood Plan but identified a number of areas where its clarity and flexibility could be improved. These suggestions related

principally to how policies on heritage, housing and transport would work alongside the Camden Local Plan and clarifications regarding the proposed open space designations. The Examiner issued his report to the Council and Forum in July 2019.

- 1.7 The Examiner's Report found that, subject to a number of modifications, the Plan met the 'Basic Conditions' - the statutory tests which neighbourhood plans are expected to meet - and could proceed to a local referendum.
- 1.8 The Council published its statutory 'Decision Statement' on the 27 September 2019, setting out a formal response to the Examiner's recommended changes to the Plan and confirming that the Council would take the Plan forward to a referendum in the Neighbourhood Area.
- 1.9 The referendum was held on 6 February 2020, asking those who live in the area if they would support the Council using the Neighbourhood Plan when making decisions on planning applications in their area. *A majority of those who voted supported the use of the Plan.* [tbc]
- 1.10 Key elements of the Dartmouth Park Neighbourhood Plan are:
  - Identification of five important local views which proposals are expected to protect and enhance
  - Additional design guidance for development including small residential extensions
  - Support for a mixture of housing tenures
  - Identification of valued community facilities
  - Identifying the character of neighbourhood centres and seeking to retain local shopping and services
  - Supporting the intensification of neighbourhood centres through supporting appropriate uses of upper floors
  - Identification of important historical shopfronts and facades
  - Designation of eight areas as 'Local Green Space' and two other important open spaces
  - Supporting making Dartmouth Park safer for pedestrian and cyclists
  - Community aspirations for a number of key sites in the area, including Murphy's Yard, Mansfield Bowling Club, Highgate Newton Community centre, and ASF garage.
- 1.11 This will be Camden's fifth adopted Neighbourhood Plan, which is the most for any London Borough, with no other Council having more than two adopted plans. Camden has been shortlisted in the London Planning awards for its work in supporting communities with neighbourhood planning.

## **2. PROPOSALS AND REASONS**

- 2.1 Under section 38 (3A) of the Planning and Compulsory Purchase Act 2004 a neighbourhood plan forms part of the Council's statutory development plan from the point the neighbourhood plan has been approved at local referendum. This means that, even though the Council is yet to formally "make" the plan, it has acquired full weight in planning decisions within the relevant neighbourhood area. There is nevertheless a statutory requirement for the Council to 'make' (i.e. adopt) a neighbourhood plan that has been approved at referendum. The Dartmouth Park Neighbourhood Plan is, therefore, already being treated by the Council as part of the development plan when making planning decisions in the Dartmouth Park Neighbourhood Area.
- 2.2 Neighbourhood plans are required to be in general conformity with strategic planning policies of the wider local area, and should be aligned with strategic needs and priorities. In accordance with the National Planning Policy Framework (paragraph 185), when decisions are made on individual planning applications, policies in a neighbourhood plan should be given precedence over non-strategic policies in the Local Plan, where they are in conflict.
- 2.3 17.1% of electors in the neighbourhood area voted in the referendum on 6 February 2020, with a majority in favour of the Dartmouth Park Neighbourhood Plan being used to help decide planning applications in the Plan area. The results of the referendum were:

<b>Response</b>	<b>Votes</b>	<b>Percent of total</b>
<b>Yes</b>	914	87.9
<b>No</b>	126	12.1

- 2.4 The Council's Constitution requires all of the Council's development plan documents to be agreed by Cabinet and the Local Government Act 2000 requires local plan documents to be adopted by full Council.

## **3. OPTIONS APPRAISAL**

- 3.1 The Council has a statutory duty to 'make' or adopt the Neighbourhood Plan. This is to confirm that the Council is satisfied that a neighbourhood plan meets all the statutory requirements, including EU law. The Council can decide to not make ('adopt') the Plan if it is considered to be incompatible with any EU obligation or any of the rights in the European Convention on Human Rights (within the meaning of Human Rights Act 1998). This would mean that the Neighbourhood Plan ceases to be part of the development plan for the area (the status it acquired on being approved at the local referendum).
- 3.2 Officers are satisfied that the making of the Dartmouth Park 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 KEY IMPACTS / RISKS? HOW WILL THEY BE ADDRESSED?**

- 4.1 The key impact is that the Dartmouth Park Neighbourhood Plan will be used alongside the Council's own adopted planning policies to make decisions on planning applications in the area. The 'making' of the Neighbourhood Plan confirms the Council's agreement that the Plan meets all statutory obligations.
- 4.2 The Neighbourhood Plan was prepared by the Dartmouth Park Neighbourhood Forum, with the support and advice of Council officers. Draft versions of the Neighbourhood Plan were reviewed by relevant Council services to ensure that any issues relating to the Plan's impact on other Council strategies (such as transport, green spaces etc.) could be identified and addressed.
- 4.3 The Examination into the Neighbourhood Plan found it to be in general conformity with the Council's adopted strategic planning policies set out in the Camden Local Plan. The key changes recommended by the Examiner were set out in the "draft Decision Statement" report to the Cabinet Member for Investing in Communities (27 September 2019, SC/2019/54). These have been incorporated into the Plan to be adopted.

#### **5. CONSULTATION / ENGAGEMENT**

- 5.1 Consultation has taken place throughout the preparation of the Dartmouth Park Neighbourhood Plan. The Neighbourhood Forum implemented a comprehensive community engagement strategy up to the Plan's submission for independent examination. Details of the consultation methods used and how the whole community was engaged, including hard to reach groups, are set out in the Neighbourhood Forum's 'Consultation Statement' – one of the supporting documents submitted at examination. The Neighbourhood Forum undertook consultation on a full draft Plan commencing in April 2018 (Regulation 14).
- 5.2 The Council-led consultation on the submission draft version of the Plan took place during March to May 2019 in accordance with statutory requirements. The Plan was publicised for six weeks and representations invited. The local referendum seeking resident support for the Plan followed the independent examination, as described above.
- 5.3 The Council undertook an Equality Impact Assessment (EqIA) to assess the Plan's impact on 'protected groups' and how the policies might impact on equality.

- 5.4 Many of the Neighbourhood Plan policies are considered to have positive impacts on protected groups. Specifically the policies to enhance the sense of space through improved green or open space can help foster good relations in the community and benefit certain groups who spend greater time in these spaces. Policies to protect and promote new community facilities are likely to benefit protected groups who rely on these facilities and can help foster relations between different groups. Other policies seek to promote a safer and more accessible environment for cyclists and pedestrians which helps promote health and wellbeing by supporting health and active lifestyles improve. No policies are considered to have a negative impact on protected groups.
- 5.5 The EqlA is attached as Appendix 3 to this report and Members are referred to it and asked to give due consideration when coming to this decision.

## **6. LEGAL IMPLICATIONS (comments from the Borough Solicitor)**

- 6.1 Legal comments have been incorporated

## **7. RESOURCE IMPLICATIONS (Finance comments of the Executive Director Corporate Services)**

- 7.1 Finance have been consulted and there are no significant implications.

## **8. TIMETABLE FOR IMPLEMENTATION**

- 8.1 As set out in paragraph 2.1 of this report, the Dartmouth Park Neighbourhood Plan has acquired full statutory weight having been approved at the local referendum. It is used by the Council to determine planning applications in the Neighbourhood Area.
- 8.2 As soon as reasonably practicable after a neighbourhood plan is made, the Council must publish the Plan together with an 'Adoption Statement', setting out where, and at what times, the Plan can be viewed, and a copy of the document must also be sent to the Secretary for State for Housing, Communities and Local Government. A draft 'Adoption Statement' is set out in Appendix 4 of this report.
- 8.3 Adoption of the Neighbourhood Plan concludes the plan-making process and confirms that the Council is satisfied that all of the relevant statutory requirements have been met. Following adoption, the Council will continue using the Plan in planning decisions.

- 8.4 It will be for the Forum to decide whether it wishes to update its neighbourhood plan policies or prepare a replacement plan in the future.

## **9. APPENDICES**

Appendix 1 Designated Neighbourhood Area

Appendix 2 Dartmouth Park Neighbourhood Plan – Referendum version (September 2019)

Appendix 3 Equalities Impact Assessment

Appendix 4 Adoption Statement

**REPORT ENDS**