

**Making the Strumpshaw Neighbourhood Plan part of
the Development Plan for the Broads Authority**

Report by Planning Policy Officer

Summary:	On 22 May the referendum for the Strumpshaw Neighbourhood Plan was held. 188 residents voted in favour of the Plan and 93 against. Three papers were unmarked / void, so this represents <u>a majority 'yes' vote of 66%</u> . The turnout represented 59% of the electorate.
Recommendation:	That the Authority make the Strumpshaw Neighbourhood Plan part of the Development Plan/Local Plan for the Broads Authority.

1 Introduction

- 1.1 Strumpshaw Parish Council was identified as the qualifying body and the parish of Strumpshaw was designated as a Neighbourhood Area in December 2012, under the Neighbourhood Planning (General) Regulations (2012), which came into force on 6 April 2012.
- 1.2 Strumpshaw Parish Council developed a neighbourhood plan with its local community and submitted it to Broadland Council and the BA. The submitted version of the plan was publicised and comments were invited from the public and stakeholders. The consultation period ran from Monday 6 January to Monday 24 February 2014.
- 1.3 Broadland Council appointed independent Examiner Liz Wrigley, to review whether the plan met the basic conditions required by legislation and whether the plan should proceed to referendum.
- 1.4 The Examiner concluded that, subject to the modifications proposed in her report, the 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 and B of the Planning and Compulsory Purchase Act 2004, and should proceed to a Referendum.
- 1.5 A referendum was held on 22 May 2014, where 66 per cent of those who voted were in favour of the plan¹.

¹ 188 residents voted in favour of the Plan and 93 against. Three papers were unmarked/void, so this represents a majority 'yes' vote of 66%. The turnout represented 59% of the electorate. Please see Appendix A for the declaration of the result of the poll.

- 1.6 Paragraph 38A (4)(a) of the Planning and Compulsory Purchase Act 2004 requires that the Local Planning Authority must make the neighbourhood plan if more than half of those voting have voted in favour of the plan being used to help decide planning applications in the plan area. Broadland Council and the BA are not subject to this duty if (and only 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). However, it is not considered that the plan is in breach of this legislation.
- 1.7 A similar report was submitted to 20 June Planning Committee with the recommendation of giving the Authority their endorsement to adopt the Strumpshaw Neighbourhood Plan and they resolved to agree this.

2 Financial Implications

- 2.1 Adoption of the Neighbourhood Plan requires a small amount of officer time in order to publicise the fact that the Plan forms part of the criteria for determining planning applications within the parish.
- 2.2 Planners will not have to consider the document alongside existing Local Plan documents when determining planning applications within Strumpshaw Neighbourhood Area. However, this will form part of the existing process in determining applications and should not require extra resources.

3 Conclusion

- 3.1 The independent Examiner found that, subject to the modifications proposed in his report, the plan meets the basic conditions and other requirements prescribed by the relevant legislation.
- 3.2 The referendum held on the 22 May 2014 met the requirements of The Localism Act 2011 and The Neighbourhood Planning (Referendums) Regulations 2012. Greater than 50 per cent of those who voted were in favour of the plan being used to help decide planning applications in the plan area.
- 3.3 Accordingly it is recommended that the Authority make the Strumpshaw Neighbourhood Plan part of the Development Plan/Local Plan for the BA.
- 3.4 Broadland Council and the BA will publish a formal decision statement as required under the Neighbourhood Planning (General) Regulations 2012.

4 Links of Relevance

- 4.1 The Inspector's Report: http://www.broads-authority.gov.uk/_data/assets/pdf_file/0007/434653/Strumpshaw-Neighbourhood-Plan-Examiners-Report-final-14.03.2014.pdf
- 4.2 The BA's Strumpshaw Neighbourhood Plan webpage: <http://www.broads-authority.gov.uk/planning/planning-policies/neighbourhood-planning/strumpshaw>

4.5 Broadland District Council's Neighbourhood Plan webpage:
http://www.broadland.gov.uk/housing_and_planning/5831.asp

Background papers: None

Author: Natalie Beal
Date of report: 26 June 2014

Broads Plan Objectives: LC4.2

Appendices: APPENDIX A - Declaration of Result of Poll Strumpshaw
Neighbouring Planning Referendum 11 May 2014

DECLARATION OF RESULT OF POLL

STRUMPSHAW NEIGHBOURHOOD PLANNING REFERENDUM

22ND MAY 2014

I, the undersigned, being the Counting Officer at the Neighbourhood Planning Referendum for the Strumpshaw Referendum Area held on the 22nd day of May 2014, do hereby give notice that the number of votes recorded at the said Referendum is as follows:

QUESTION IN REFERENDUM	NUMBER OF VOTES	
	YES	NO
'Do you want Broadland District Council and The Broads Authority to use the Neighbourhood Plan for Strumpshaw to help it decide planning applications in the neighbourhood area?'	188	93

The number of ballot papers rejected was as follows:	
a) want of official mark	
b) voting for more than one answer	
c) writing or mark by which the voter/proxy could be identified	1
d) unmarked or void for uncertainty	3
Total	284

Total Electorate 481

The total number of votes recorded represented 59 % of the registered electors.

And I do hereby declare that the result of the Referendum for the Strumpshaw Referendum Area is as follows

More than half of those voting have voted in favour of the Strumpshaw Neighbourhood Plan

Date 23rd May 2014

Signed Philip Kirby
Counting Officer

Printed and published by the Counting Officer, Broadland District Council, Thorpe Lodge, 1 Yarmouth Road, Norwich NR7 0DU