

Brundall Neighbourhood Plan
Report by Planning Policy Officer

Summary: On 11 March the referendum for the Brundall Neighbourhood Plan was held. 873 residents voted in favour of the Plan and 74 against. A **majority 'yes' vote of 91.9%**. The turnout represented 29.5% of the electorate.

Recommendation: That the Authority make the Brundall Neighbourhood Plan and adopts it as part of the Development Plan/Local Plan for the Broads.

1 Introduction

- 1.1 Brundall Parish Council was identified as the qualifying body and the parish of Brundall was designated as a Neighbourhood Area in March 2014, under the Neighbourhood Planning (General) Regulations (2012), which came into force on 6 April 2012.
- 1.2 Brundall Parish Council developed a neighbourhood plan with its local community and submitted it to Broadland Council and the Broads Authority. The submitted version of the plan was publicised and comments were invited from the public and stakeholders. The consultation period ran for 6 weeks and ended on 3 August 2015.
- 1.3 Broadland Council appointed independent Examiner Ann Skippers, 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 11 March 2016, where 91.9 per cent of those who voted were in favour of the plan¹.
- 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

¹ 873 residents voted in favour of the Plan and 74 against. A majority 'yes' vote of 91.9%. The turnout represented 29.5% of the electorate. Please see Appendix A for the declaration of the result of the poll.

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 Broads Authority is 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.

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 have to consider the document alongside existing Local Plan documents when determining planning applications within Brundall 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 her report, the plan meets the basic conditions and other requirements prescribed by the relevant legislation.
- 3.2 The referendum held on the 11 March 2016 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 Brundall Neighbourhood Plan is made and adopted as part of the Development Plan/Local Plan for the Broads.
- 3.4 Broadland Council and the Broads Authority 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/0003/704838/Brundall_NP_Examiner_Report_Final_Version.pdf
- 4.2 The Broads Authority's Acle Neighbourhood Plan webpage: <http://www.broads-authority.gov.uk/planning/planning-policies/neighbourhood-planning/brundall>
- 4.3 Broadland District Council's Neighbourhood Plan webpage: http://www.broadland.gov.uk/housing_and_planning/6136.asp

Background papers: None

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Date of report: 9 January 2015

Broads Plan Objectives: None

Appendices: APPENDIX A – Declaration of Result Of Poll

**DECLARATION OF RESULT OF POLL
BRUNDALL NEIGHBOURHOOD PLANNING REFERENDUM
11TH MARCH 2016**

I, the undersigned, being the Counting Officer at the Neighbourhood Planning Referendum for the Brundall Referendum Area held on the 11th day of March, 2016 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 Brundall area to help it decide planning applications in the neighbourhood area?	873	74

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 indentified	
d) unmarked or void for uncertainty	3
Total	3

Total Electorate 3220

The total number of votes recorded represented 29.5 % of the registered electors.

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

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

Date 11 March 2016

Signed: _____

Philip Kirby, Counting Officer

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