

**Wroxham Neighbourhood Plan – Proceeding to Publication**  
Report by Planning Policy Officer

**Summary:**

Wroxham Parish Council has submitted its proposed Neighbourhood Plan to Broadland District Council and the Broads Authority along with the necessary supporting information.

Broadland District Council and the Broads Authority must now assess the submitted Plan against criteria set out by Government legislation and decide whether the proposal complies with these criteria. Notice of the decision will need to be sent to Wroxham Parish Council.

This report details this assessment and recommends that Planning Committee approve the submitted Neighbourhood Plan in order that subsequent stages in the statutory process can be followed.

**Recommendation:**

- (i) That the Planning Committee endorses the Submission version of the Wroxham Neighbourhood Plan (NP) and approves proceeding to publication (consultation).
- (ii) That Planning Committee agrees to delegate to the Chief Executive in consultation with the Chair of the Authority and the Chairman of the Planning Committee the authority to submit the Wroxham Neighbourhood Plan to independent examination on assessment of the comments received after the public consultation (publication) ends, subject to no new major issues being raised.

**1 Introduction**

- 1.1 Wroxham Parish Council has submitted its proposed Neighbourhood Plan, along with the necessary supporting information, to Broadland District Council and the Broads Authority.
- 1.2 It is proposed that the submission is approved as the submitted plan complies with the criteria set out in Government legislation (the Neighbourhood Planning [General] Regulations 2012, as amended). The next stage is for the plan to undergo a six week publication period, whereby representations can be made on its content.
- 1.3 Wroxham Parish Council applied to both local planning authorities in May 2017 to designate its Neighbourhood Area for the purpose of producing a Neighbourhood Plan. Since that time, the local planning authorities have supported the parish council in terms of funding, professional advice and guidance from officers.

## 2 Progress to date

- 2.1 The process of producing the plan has seen the parish council undertaking consultation with residents and other stakeholder organisations, with a view to developing and drafting Neighbourhood Plan objectives and policies.
- 2.2 The Authority responded to the first consultation on the draft Neighbourhood Plan and the comments can be found here: [http://www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0006/1327299/Consultation-Documents-Update-and-Proposed-Responses-Wroxham-Neighbourhood-Plan-pc170818.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0006/1327299/Consultation-Documents-Update-and-Proposed-Responses-Wroxham-Neighbourhood-Plan-pc170818.pdf)

## 3. Assessment

- 3.1 On submission of a Neighbourhood Plan to the local planning authority, that authority must undertake an assessment of the proposed plan against certain criteria. This is required by the amended Town and Country Planning Act 1990. The following sets out details of the assessment against each of the prescribed criteria (bold headings):

**(i) Is the parish/town council authorised to act?**

Wroxham Parish Council applied to Broadland District Council and the Broads Authority to designate its Neighbourhood Area as the whole of its parish boundary. This application was approved in May 2017. It is therefore considered that the parish council is authorised to act in relation to this neighbourhood area.

**(ii) Do the proposals and accompanying documents comply with the rules for submission to the Council?**

Regulation 15 of the Neighbourhood Planning Regulations 2012 (as amended) states that the submitted documents should include:

- A map or statement identifying the area to which the plan relates.
- A consultation statement, which contains details of those consulted, how they were consulted, summarises the main issues and concerns raised and how these have been considered and, where relevant, addressed in the Neighbourhood Plan.
- The proposed Neighbourhood Plan.
- A Basic Conditions Statement, showing how the plan meets the basic conditions set out in Schedule 4B of the 1990 Act.
- An SEA screening assessment and, if required as a result of the latter, an SEA.

- 3.2 The Parish Council has supplied all of the above documentation.
- 3.3 At the time of writing, we had just received the Habitats Regulation Assessment Screening report and this is at Appendix H.
- 3.4 Approval of the submitted Neighbourhood Plan would be conditional on Natural England's approval of the Habitats Regulation Assessment screening report.

**(iii) Do the proposals and accompanying documents meet the definition of a Neighbourhood Plan?**

It is considered that the Wroxham Neighbourhood Plan meets the definition of a Neighbourhood Plan as set out in Section 38A of the Planning and Compulsory Purchase Act 2004, containing (as it does) a series of planning policies that seek to manage development within the parish.

**(iv) Do the proposals and accompanying documents meet the scope of Neighbourhood Plan provisions?**

The Wroxham Neighbourhood Plan clearly states that it is a development plan for Wroxham, which runs until 2039.

3.5 The Neighbourhood Plan does not make any provision regarding excluded development. Excluded development is that which is either a 'county matter' (relating to minerals), any operation relating to waste development, or development consisting wholly or partly of a national infrastructure project.

3.6 The Neighbourhood Plan only relates to the Wroxham Neighbourhood Area and it does not repeat an existing planning permission.

3.7 It is therefore considered that it satisfactorily meets the provisions defined in Section 38B of the Planning and Compulsory Purchase Act 2004.

**(v) Has the parish/town council undertaken the correct procedures in relation to consultation and publicity regarding the Neighbourhood Plan?**

3.8 Regulation 14 of the Neighbourhood Planning Regulations 2012 states that, before submitting the Neighbourhood Plan to the local planning authority, the parish/town council should publicise the Plan and consult the public and stakeholder bodies over a period of six weeks.

3.9 The pre-submission (Reg. 14) consultation undertaken by the parish council in relation to the draft Neighbourhood Plan is summarised in the Consultation Statement. This provides details of the publicity that was undertaken at this (and prior) consultation stages and the bodies that were consulted on the draft plan. A copy of the draft Neighbourhood Plan was received by the District Council and the Broads Authority at this stage, for comments (both local planning authorities issued responses).

#### **4 Next steps**

4.1 It is proposed that, as Wroxham Parish Council has met each of the criteria specified above, the Broads Authority approves the submission of the Wroxham Neighbourhood Plan and that confirmation is sent to the parish council.

4.2 If approved by both local planning authorities, Broadland District Council will arrange for the Neighbourhood Plan to be published and will invite comments from the public, stakeholder bodies and previous consultees over a period of six weeks. This requirement is set out in Regulation 16 of the Neighbourhood Planning Regulations. The Broads Authority can then comment on the content of the Plan.

- 4.3 This publication period will then be followed by an independent examination which, it is intended, will be carried out by an accredited Neighbourhood Plan examiner.
- 4.4 Following the examination (which will normally be dealt with via written representations), the examiner will produce a report recommending whether or not the Neighbourhood Plan should proceed to a referendum (with or without certain modifications). Both local planning authorities will then consider this report and decide whether or not to approve the examiner's recommendations.
- 4.5 If it is decided that the plan should proceed to a referendum, then everyone eligible to vote within the Neighbourhood Area is invited to vote on the adoption of the Neighbourhood Plan. This is a simple 'yes/no' vote and a majority of those voting in favour of the plan (50%+1) is required before it can be adopted (or 'made') by Broadland District Council and the Broads Authority.

## 5 The Recommendation

- 5.1 It is recommended that, as Wroxham Parish Council has met each of the criteria specified above, Broads Authority approves the submission of the Wroxham Neighbourhood Plan and that confirmation is sent to the parish council.

## 6 Financial Implications

- 6.1 There are no significant resource implications in approving the submitted Plan. There will be a small amount of officer time required to issue notice of the decision to Wroxham Parish Council.
- 6.2 The next steps will demand greater officer time (preparing the plan and related documents for consultation, preparing and arranging the examination). This will be resourced from within the Broadland District Council Spatial Planning Team.
- 6.3 There are limited costs involved in undertaking the consultation, and if the plan progresses, the costs of the examination and referendum. These will be funded from the existing Neighbourhood Plan budget, together with further monies that would be forthcoming from the Government.

Background papers: None  
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### Appendices

Appendix A	Timetable for the remaining stages of the Wroxham NP
Appendix B	<a href="#"><u>Wroxham Neighbourhood Plan (Version 2: Submission DRAFT), November 2018</u></a>
Appendix C	<a href="#"><u>Consultation Statement</u></a>
Appendix D	<a href="#"><u>Basic Conditions Statement</u></a>
Appendix E	<a href="#"><u>Sustainability Appraisal (amended for submission)</u></a>
Appendix F	<a href="#"><u>Sustainability Appraisal Scoping Report (February 2018)</u></a>
Appendix G	<a href="#"><u>Strategic Environmental Assessment Screening Report</u></a>
Appendix H	<a href="#"><u>Habitat Regulation Screening Assessment report</u></a>

**APPENDIX A – Timetable for the remaining stages of the Wroxham Neighbourhood Plan.**

Stage	Broadland DC	Broads Authority
Submission to LPA	01/11/2018	
Decision on submitted Plan	09/11/2018 (PH)	09/11/2018 (PC)
Reg. 16 Publication	19/11/2018 - 07/01/2019 *	
Examination of Plan	14/01/2019 – 01/02/2019	
Examiner's report issued	01/02/2019	
Decision on examiner's report	08/02/2019 (PH)	08/02/2019 (PC)
Referendum info. published	18/02/2019	
Referendum held	28/03/2019	
Full authority approval	23/05/2019 (FC)	05/04/2019 (PC) 17/05/2019 (BA)

PH = Portfolio holder decision

PC = Planning Committee

FC = Full Council

BA = Broads Authority

\* 7 weeks, taking into account 3 bank holidays.