

## 10. ACCEPTANCE OF THE RECOMMENDATIONS CONTAINED IN THE BOLNEY NEIGHBOURHOOD PLAN EXAMINATION REPORT.

REPORT OF:	HEAD OF ECONOMIC PROMOTION AND PLANNING
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Wards Affected:	Bolney
Key Decision:	Yes
Report to:	Cabinet 11 <sup>th</sup> July 2016

### Purpose of Report

1. The purpose of this report is to seek Cabinet acceptance of the modifications to the Bolney Neighbourhood Plan following its Examination in respect of the Basic Conditions for Neighbourhood Plans. This is the 13<sup>th</sup> neighbourhood plan in Mid Sussex to successfully pass examination.

### Summary

2. The Examination Report into the Bolney Neighbourhood Plan recommended that the Neighbourhood Plan should proceed to referendum, subject to a number of modifications. It is recommended that the recommendations of the Examiner are accepted by the District Council and the modifications set out in Appendix 2 to this report are agreed.

### Recommendations

3. **It is recommended that Cabinet formally accepts the modifications to the Bolney Neighbourhood Plan as set out in Appendix 2 to this report.**

### Background

4. The Neighbourhood Planning process has come about due to the Localism Act 2011. This Act allows Parish/Town Councils and other designated forums to prepare a Neighbourhood Plan for their designated area. Neighbourhood Plans can allocate land for development and/or contain criteria based policies to guide development.
5. Bolney Parish Council, as the qualifying body, successfully applied for the Neighbourhood Plan Area to be designated, under the Neighbourhood Planning (General) Regulations (2012), which came in to force on 6 April 2012. A Neighbourhood Area was subsequently designated on the 09<sup>th</sup> July 2013 by Mid Sussex District Council which covered the whole parish.
6. The Neighbourhood Plan was published by Bolney Parish Council for the Regulation 14 Pre Submission Consultation during May and June 2015 for a period of six weeks. Following the submission of the Bolney Neighbourhood Plan (Submission Version) to the District Council, the plan was publicised and comments were invited from the public and stakeholders for a further six weeks. The consultation period closed on 10<sup>th</sup> December 2015.
7. Mid Sussex District Council appointed an Independent Examiner; Ann Skippers, in agreement with Bolney Parish Council, to review whether the Neighbourhood Plan met the Basic Conditions as required by legislation and to recommend whether it

should proceed to referendum. During this Examination a further two letters of representation were received which purported to relate to new circumstances. On the advice of the Examiner there was a further 21-day consultation to allow interested parties to comment on these letters. The Examiner's report was published on 19<sup>th</sup> June 2016 and is included as Appendix 1 to this report.

### **Examiner's Recommendations**

8. The Examiner stated in her summary:

*"The Plan is presented and written well and seeks to take a positive approach to sustainable development whilst respecting the village's distinctive character. It has been developed over a long period of time in consultation with the community and a strong sense of community shines through.*

*Further to consideration of the policies in the Plan, I have recommended a number of modifications that are intended to ensure that the basic conditions are met satisfactorily and that the Plan is clear and consistent.*

*Subject to these modifications, I have concluded that the Plan does meet the basic conditions and all the other requirements I am obliged to examine. I am therefore delighted to recommend to Mid Sussex District Council that the Bolney Neighbourhood Development Plan go forward to referendum.*

*In considering whether the referendum area should be extended beyond the Neighbourhood Plan area, I see no reason to alter or extend this area for the purposes of holding a referendum".*

### **Modifications to the Bolney Neighbourhood Plan**

9. The modifications recommended by the Examiner are identified in the Modifications Addendum at Appendix 2. All of the recommendations have been accepted by Bolney Parish Council.

### **Conclusion**

10. It is recommended that Cabinet formally accept these modifications as they are considered to be necessary in order for the Neighbourhood Plan to meet the Basic Conditions.

### **Policy Context**

11. The Sustainable Communities Strategy supports

- Protecting and Enhancing the Environment
- Ensuring Cohesive and Safe Communities
- Promoting Economic Vitality and
- Supporting Healthy Lifestyles

The Strategy identifies the District Plan as a key complementary document and states "Neighbourhood plans drawn up by the Town and Parish Councils will sit alongside the District Plan. These set out how local communities would like their neighbourhoods to evolve".

12. Acceptance of the recommendations in the examination report will allow for a Referendum to take place. This would provide certainty for the community and for those in the development sector at the earliest opportunity. The National Planning Policy Framework and the Localism Act 2011 are supportive of Neighbourhood Plans.

### **Other Options Considered**

13. Cabinet has the option not to accept the recommendations of the Independent Examiner on all of the elements, one of the elements, or some of the elements contained within the Examiner's Report. However, this is not considered appropriate as the modifications are considered necessary in order for the Neighbourhood Plan to meet the Basic Conditions.

### **Financial Implications**

14. There are no financial implications of this decision.

### **Risk Management Implications**

15. Strategic Risk 2 for this year is "Failure to achieve a successful examination of the District Plan and Community Infrastructure Charging Schedule". The successful development of Neighbourhood Plans is a key element of the District Plan strategy. The decision to accept the Examiner's report on the Bolney Neighbourhood Plan will allow the Parish and District Council to move forward with confidence.

### **Equality and Customer Service Implications**

16. It is considered that there are no equality and customer service implications.

### **Other Material Implications**

17. There are no other material considerations.

### **Appendices**

1. The Independent Examination Report into the Bolney Neighbourhood Plan.
2. Bolney Neighbourhood Plan Modifications Addendum.

### **Background Papers**

The Bolney Neighbourhood Plan <http://www.midsussex.gov.uk/planning-licensing-building-control/planning-policy/neighbourhood-plans/bolney-neighbourhood-plan>