

# Chichester District Council

Cabinet

6 February 2024

## Making the Southbourne Modified Neighbourhood Development Plan

### 1. Contacts

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### 2. Recommendations

**2.1. That Cabinet recommends to Council that subject to a successful referendum result to:**

**Make the Southbourne Modified Neighbourhood Development Plan part of the Development Plan for Chichester District (excluding the area within the South Downs National Park).**

### 3. Background

- 3.1. At its meeting on 5 December 2023 Cabinet approved the Southbourne Modified Neighbourhood Plan 2014-2029 Examiner's recommendations that the Plan should proceed to referendum subject to modifications and approved the Decision Statement which was subsequently published in December. A referendum on the Southbourne Modified Neighbourhood Plan is therefore to be held on 25 January 2024. The referendum will be held in accordance with the requirements of the *Localism Act 2011* and the *Neighbourhood Planning (Referendums) Regulations 2012*. This report has been prepared in anticipation of a favourable referendum result. Should this not be the case this item will be withdrawn. A verbal update on the referendum results will be available at the Cabinet meeting following the referendum on 25 January. Provided that more than 50% of those who voted in the parish were in favour of the plan being used to help decide planning applications in the plan area, then the neighbourhood plan can be 'made'.
- 3.2. Accordingly, subject to a favourable referendum result, it is recommended that the Southbourne Modified Neighbourhood Plan is made part of the Development Plan for Chichester District (excluding the area within the South Downs National Park). A copy of the Neighbourhood Plan is available on the Council's website.
- 3.3. Chichester District Council will publish a formal decision statement as required under the *Neighbourhood Planning (General) Regulations 2012*.

#### 4. Outcomes to be Achieved

- 4.1. A community based statutory plan that can be used to identify local features of importance and to guide future development in the plan area.

#### 5. Proposal

- 5.1. That the Southbourne Modified Neighbourhood Development Plan be made so that it forms part of the Development Plan for Chichester District (excluding the area within the South Downs National Park).

#### 6. Alternatives Considered

- 6.1. Paragraph 38A (4) (a) of the *Planning and Compulsory Purchase Act 2004* requires that Chichester District Council 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. Chichester District Council 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*).

#### 7. Resource and Legal Implications

- 7.1. The referendum will incur appropriate costs in line with the Council's duties and procedures. These costs will be met through existing budgets and Government grant money.

#### 8. Consultation

- 8.1. Southbourne Parish Council, the local community and the local members have been involved throughout the process of preparation of the neighbourhood plan.

#### 9. Community Impact and Corporate Risks

- 9.1. There has been strong community involvement throughout the development of the Neighbourhood Plan. There are no additional corporate risks to making the plan.

#### 10. Other Implications

Are there any implications for the following?		
	Yes	No
<b>Crime and Disorder</b>		x
<b>Climate Change and Biodiversity</b> Relevant policies will provide a framework against which future planning applications in the parish may be considered.	x	
<b>Human Rights and Equality Impact</b>		x
<b>Safeguarding and Early Help</b>		x
<b>General Data Protection Regulations (GDPR)</b>		x
<b>Health and Wellbeing</b>		x
<b>Other</b>		x

## **11. Appendices**

11.1 None.

## **12. Background Papers**

12.1. None.