

Chichester District Council

COUNCIL

22 November 2016

Making the Bosham Parish Neighbourhood Development Plan

1. Contacts

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2. Recommendation

- 2.1. **That Council makes the Bosham Parish Neighbourhood Development Plan part of the Development Plan for Chichester District (excluding the area within the South Downs National Park).**

3. Background

- 3.1. This report is being brought as a late item on the basis of an amendment to the Neighbourhood Planning (General) Regulations 2012. This amendment sets out the prescribed time within which a neighbourhood plan should be made. The date prescribed for the purposes of section 38A(4)(b) of the Planning and Compulsory Purchase Act 2004 is now the date which is the last day of the period of 8 weeks beginning with the day immediately following that on which the last applicable referendum is held. Members of the Development Plan and Infrastructure Panel considered this report on 17 November, the day following the referendum. However, with the next Council meeting not scheduled until 24 January 2017, too late to provide compliance with the regulations, it is considered appropriate for this report to be considered as a late item at this meeting.
- 3.2. At its meeting on 6 September 2016 Cabinet approved the Bosham Parish Neighbourhood Plan Examiner's recommendations that the Plan should proceed to referendum subject to modifications and approved the Decision Statement. The Plan subsequently proceeded to referendum on 16 November 2016. The referendum met the requirements of the *Localism Act 2011* and the *Neighbourhood Planning (Referendums) Regulations 2012*. More than 50% of those who voted were in favour of the plan being used to help decide planning applications in the plan area. The turn-out was 36.19% and of those who voted 90% were in favour of the Plan.
- 3.3. Accordingly, it is recommended that the Bosham Parish 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 has been placed in the Members' Room and is available on the Council's website.

- 3.4. 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 Bosham Parish Neighbourhood 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. None.

8. Consultation

- 8.1. Bosham Parish Council, the local community and 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 |
| Crime and Disorder | | X |
| Climate Change | | X |
| Human Rights and Equality Impact | | X |
| Safeguarding and Early Help | | X |
| Other (please specify) eg biodiversity | | X |

11. Background Papers

11.1 None

12. Appendices

12.1 None