

Chichester District Council

THE CABINET

11 July 2017

Making the Lavant Neighbourhood Development Plan

1. Contacts

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2. Recommendation

- 2.1. That the Cabinet recommends to the Council that subject to a successful referendum it makes the Lavant Neighbourhood Development Plan part of the Development Plan for Chichester District (excluding the area within the South Downs National Park).**

3. Background

- 3.1. The South Downs National Park Authority (SDNPA) is the lead authority for the Lavant Neighbourhood Development Plan (NDP). At its Planning Committee meeting on 11 May 2017 the SDNPA approved the Lavant NDP examiner's recommendations that the NDP should proceed to referendum subject to modifications and approved the Decision Statement. The NDP will now proceed to a referendum on 18 July 2017. The referendum is required to meet the requirements of the *Localism Act 2011* and the *Neighbourhood Planning (Referendums) Regulations 2012*.
- 3.2. In accordance with the *Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016* a local planning authority must now 'make' the NDP within eight weeks of the date of the referendum. This report is prepared in anticipation of a referendum result in favour of the NDP. Should this not be the case this item will be withdrawn from the agenda for the Council meeting on 25 July 2017. An oral update on the referendum results will be available at that meeting. Provided that more than 50% of those who voted in the parish were in favour of the NDP being used to help decide planning applications in the NDP area, then the NDP can be 'made'.
- 3.3. Accordingly, subject to a favourable referendum result, it is recommended that the Lavant NDP is made part of the Development Plan for Chichester District (excluding the area within the South Downs National Park). A copy of the NDP has been placed in the Members' Room and is available on the South Downs National Park website <https://www.southdowns.gov.uk/planning/planning-policy/neighbourhood-planning/neighbourhood-development-plans/lavant-neighbourhood-plan/>.

- 3.4. Chichester District Council (CDC) 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 NDP area.

5. Proposal

- 5.1. That the Lavant NDP 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 CDC must make the NDP if more than half of those voting have voted in favour of the NDP being used to help decide planning applications in the plan area. CDC is not subject to this duty if (and only if) the making of the NDP 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. Lavant Parish Council, the local community and local members have been involved throughout the process of preparation of the NDP.

9. Community Impact and Corporate Risks

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

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