

Wivenhoe Neighbourhood Plan

Decision Statement published pursuant to Section 38A (9) of the Planning and Compulsory Purchase Act 2004 as amended by the Localism Act 2011 (Schedule 9), and Regulations 19 and 20 of the Neighbourhood Planning (General) Regulations 2012.

At a full Council meeting on 22 May 2019, Colchester Borough Council formally decided to make (adopt) the Wivenhoe Neighbourhood Plan under Section 38A (4) of the Planning and Compulsory Purchase Act 2004 (as amended). This means the Wivenhoe Neighbourhood Plan has now been brought into legal force, forming part of the statutory development plan for Colchester Borough and will be used in the determination of planning proposals in the Wivenhoe Neighbourhood Plan Area.

Reasons for Decision

The Wivenhoe Neighbourhood Plan meets the basic conditions and is compliant with the legal and procedural requirements. Paragraphs 38A (4) of the Planning and Compulsory Purchase Act 2004 (as amended) requires the Council to make the Neighbourhood Plan if more than half of those voting in the referendum upon the Plan have voted in favour of the Plan being used to inform planning applications in the area. The Plan was endorsed by more than the required threshold in the referendum of 2 May 2019.

The Wivenhoe Neighbourhood Plan and relevant accompanying documents can be viewed on the Colchester Borough Council website.

<https://www.colchester.gov.uk/info/cbc-article/?catid=adopted-local-plan&id=KA-01124>

Hard copies can be viewed at the Wivenhoe Library, 104/06 High Street, Wivenhoe, CO7 9AB

Section 61N of Schedule 9 of the Town and Country Planning Act 1990 (as amended) states that any person who is aggrieved by the making of the Plan under section 61E (4) or (8) may make an application to the High Court under Section 113 of the Planning & Compulsory Purchase Act 2004 (as amended) on the grounds that

- The document is not within the appropriate power,
- A procedural requirement has not been complied with.

Such an application must be made within six weeks of the date of the decision to make the Plan, ie by 13 June 2019.

Karen Syrett

Head of Planning and Housing

Colchester Borough Council