

## **Wivenhoe Neighbourhood Plan – General Statement: The Planning System and Neighbourhood Plans**

### **Introduction**

On Thursday 2<sup>nd</sup> May 2019 there will be a referendum for residents on the Wivenhoe Neighbourhood Plan. This Statement explains more about the referendum taking place and how you can take part. It also gives you information about the Town and Country Planning System.

### **The Referendum**

The referendum will ask you to vote yes or no to a question. For this referendum, you will receive a ballot paper with this question:

***Do you want Colchester Borough Council to use the Neighbourhood Plan for Wivenhoe to help it decide planning applications in the neighbourhood area?***

The referendum area is shown on a map in the Information Statement for the Wivenhoe Neighbourhood Plan.

### **How do I vote in the referendum?**

You show your choice by putting a cross (X) in the “Yes” or “No” box on your ballot paper. Put a cross in only ONE box or your vote will not be counted. If the majority of residents vote in favour of the Neighbourhood Plan, it will be adopted. If it is rejected, the Plan will not be adopted. If adopted, the Neighbourhood Plan will become part of the Development Plan.

### **The Town and Country Planning System.**

The planning system in the UK manages the use and development of land and buildings. The planning system has two main parts to it:

- Plan making – setting out a plan for how an area will develop over time as a guide to future development.
- Managing development – when development is agreed through planning permission.

Colchester Borough Council is responsible for deciding the majority of development proposals within its administrative area.

Decisions on planning applications are based on national planning policy guidance, the Local Plan (including the Core Strategy and other Development Plan Documents and Supplementary Planning Documents) and any relevant Neighbourhood Plan.

### **National Planning Policy Framework**

The National Planning Policy Framework was first published on 27th March 2012. The revised National Planning Policy Framework was updated on 19 February 2019. This revised Framework replaces the previous National Planning Policy Framework published in March 2012 and revised in July 2018.

The framework gives guidance to local councils in drawing up local plans and on making decisions on planning applications. It includes a presumption in favour of sustainable development.

### **Local Plans**

Local Plans must be prepared with the objective of contributing to the achievement of sustainable development. They must be positively prepared, justified, effective and consistent with national policy in accordance with the Planning and Compulsory Purchase Act 2004 (as amended) and the National Planning Policy Framework.

The adopted plan for Colchester consists of the Core Strategy 2008 (updated in 2014 as part of a Focused Review), Site Allocations, Development Policies DPDs that were adopted in (2010) and the Proposals Map.

The emerging Local Plan for Colchester includes a shared strategic section one with Braintree and Tendring District Councils, and an individual section two which includes specific policies and allocations. The emerging Local Plan was submitted in October 2017 and examination commenced in January 2018.

The policies set out in these plans will be used for decision making purposes (along with national planning guidance and any relevant neighbourhood plans).

### **Neighbourhood Planning**

Neighbourhood planning was introduced under the Localism Act 2011 to give members of the community a more “hands on” role in the planning of their neighbourhoods.

Parish Councils or Neighbourhood Forums (community groups that are designated to take forward neighbourhood planning in areas without parishes) can now use neighbourhood planning powers to establish general planning policies for the development and use of land through the preparation of a neighbourhood plan (sometimes referred to legally as ‘neighbourhood development plans’).

The plan must be prepared through a process of consultation with local residents before an independent Examiner reviews the plan. The legislation, however, sets out that neighbourhood plans have to meet a number of 'Basic Conditions' to ensure they are legally compliant and take account of wider policy considerations.

The Basic Conditions are that the Plan must:

- Have regard to national planning policy and advice contained in guidance issued by the Secretary of State (e.g. National Planning Policy Framework);
- Contribute to the achievement of sustainable development;
- Be in general conformity with strategic policies in the development plan for the local area; and
- Be compatible with EU obligations, human rights requirements and prescribed conditions.

An examiner will need to be satisfied that a Neighbourhood Plan meets these conditions before it can be voted on in a local referendum.

This is to make sure that referendums only take place when proposals are workable and of a decent quality. If more than half of those voting in a referendum have voted in favour of the Neighbourhood Plan, the Local Planning Authority must make it part of the statutory Development Plan and use it when making decisions on planning applications in the Plan Area.

### **The Wivenhoe Neighbourhood Plan**

The Wivenhoe Neighbourhood Plan has been produced by the Wivenhoe Neighbourhood Plan Steering Group which has been set up by Wivenhoe Town Council. The steering group consisted of 12 volunteers from the community including 2 Town Councillors. Further volunteers from the community have supported the Steering Group with analysis work. A number of working groups were also formed to develop proposals.

The Neighbourhood Plan contains a vision of how Wivenhoe will be by 2033, some objectives and a set of policies. The Neighbourhood Plan has been produced in accordance with the statutory requirements and following extensive public consultation with residents and key stakeholders over a number of years and a recent independent examination.

The Plan has, subject to minor modifications been recommended to proceed to referendum.

### **Where can I see a copy of the Wivenhoe Neighbourhood Plan?**

A copy of the Wivenhoe Neighbourhood Plan and accompanying documentation is available on the Colchester Borough Council's website at:

<http://www.colchester.gov.uk/elections>

<https://www.colchester.gov.uk/info/category/?id=neighbourhood-planning>

Hard copies may also be inspected at the Council's Office at Rowan House, 33 Sheepen Road, Colchester, CO3 3WG between the hours of 9 pm and 4 pm, Mondays to Fridays