

South Norfolk Council

Mulbarton Neighbourhood Plan Final Decision Statement

Summary

Following a positive referendum result, South Norfolk Council has 'made' the Mulbarton Neighbourhood Plan part of the Development Plan for South Norfolk at a meeting of Council on 23 February 2016.

Background

On 8 May 2014, South Norfolk Council designated the parish of Mulbarton as a neighbourhood area for the purpose of preparing a neighbourhood plan in accordance with Part Two of the Town and Country Planning (England) Neighbourhood Planning (General) Regulations 2012 (as amended 2015).

Following the submission of the Mulbarton Neighbourhood Plan to South Norfolk Council, the plan was publicised and representations invited. The publicity period ended on Monday 22 June 2015.

South Norfolk Council appointed an independent examiner, Ms Anne Skippers, to conduct an examination into whether the Plan meets the basic conditions and should proceed to a referendum.

The Examiner's report concludes that subject to making the minor modifications recommended in the report, the Plan meets the basic conditions set out in the legislation and should proceed to a referendum.

Members of South Norfolk Council's Cabinet agreed on 2 November 2015 that the Mulbarton Neighbourhood Plan should proceed to a referendum.

A referendum was held on 10 December 2015. 93.3% who voted were in favour of the plan. Paragraph 38A (4) (a) of the Planning and Compulsory Purchase Act 2004 as amended requires that the Council must 'make' the neighbourhood plan if more than half of those voting have voted in favour of the plan. The Council is not subject to this duty if 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).

Decision and Reasons

With the Examiner's recommended modifications, South Norfolk Council considers that the Plan meets the basic conditions set out in paragraph 8 (2) of Schedule 4B of the Town and Country Planning Act 1990, is compatible with EU obligations and the Convention rights and complies with relevant provision made by or under Section 38A and B of the Planning and Compulsory Purchase Act 2004 as amended.

The referendum held on 10 December 2016 met the requirements of the Localism Act 2011. It was held in the parish of Mulbarton and posted the question: '*Do you want South Norfolk District Council to use the Neighbourhood Plan for Mulbarton to help it decide planning applications in the neighbourhood area?*'

The count took place on 10 December 2016 and greater than 50% of those who voted were in favour of the plan being used to help decide planning applications in the plan area. The results of the referendum were:

Response	Votes	% of total
Yes	501	93.3
No	36	6.7
Turnout	19.76%	

The Council has assessed that the Plan including its preparation does not breach, and would not otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).

The Council has decided at the meeting of the Council on 23 February 2016 to 'make' the Mulbarton Neighbourhood Plan part of the Development Plan for South Norfolk.

Signed

Tim Horspole,
Director of Growth & Localism
23 February 2016