

REPORT TO:	Full Council - 8 November 2023
SUBJECT:	To Make The Yapton Neighbourhood Development Plan 2011-2031
LEAD OFFICER:	Amber Willard - Senior Planning Officer (Policy and Conservation)
LEAD MEMBER:	Cllr Martin Lury
WARDS:	Yapton
CORPORATE PRIORITY / POLICY CONTEXT / CORPORATE VISION:	
The recommendations support: - <ul style="list-style-type: none"> • Improving the wellbeing of Arun; • Delivering the right homes in the right places. 	
DIRECTORATE POLICY CONTEXT:	
Under section 61E (4) of the 1990 Act, Arun District Council as the Local Planning Authority must make a Neighbourhood Development Plan if it meets the statutory requirements.	
FINANCIAL SUMMARY:	
There are no financial implications arising from the recommendations of this report.	

1. PURPOSE OF REPORT

- 1.1. A successful Neighbourhood Planning Referendum on the Yapton Neighbourhood Development Plan 2011-2031 was held on 12 September 2023 where 91.15% of voters casted a Yes vote. If more than 50% voting on the day, vote 'yes' then the local planning authority under section 61E (4) of the 1990 Act, needs to 'make' (adopt) the Plan so the purpose of this report is to 'make' the Yapton NDP 2011-2031 which is a legislative requirement.

2. RECOMMENDATION

Recommend that Full Council 'makes' the Yapton Neighbourhood Development Plan 2011-2031 and it becomes part of the Development Plan for Arun District Council.

3. EXECUTIVE SUMMARY

- 3.1. The Yapton Neighbourhood Development Plan 2011-2031 passed Examination in May 2023. The Examiner's report concluded that subject to making the modifications recommended by the Examiner, the Plan meets the basic conditions set out in the legislation and should proceed to a Neighbourhood Planning Referendum. A successful Neighbourhood Planning Referendum on the Yapton Neighbourhood Development Plan 2011-2031 was held on the 12 September 2023 where 91.15% of voters, casted a Yes vote. If more than 50%

of those voting on the day, vote 'yes', then the local planning authority under section 61E (4) of the 1990 Act, need to 'make'(adopt) the Plan. The 'making' of the plan by Full Council will give it legal force and it will form part of the statutory Development Plan for Arun Local Planning Authority area. Consequently, decisions on planning applications in the neighbourhood area will need to be made in accordance with the Neighbourhood Development Plan, unless materials considerations indicate otherwise.

4. DETAIL

- 4.1. The Localism Act introduced new rights and powers to allow local communities to shape new development by coming together to prepare Neighbourhood Plans and Orders. Neighbourhood forums and Parish Councils can use new Neighbourhood Planning powers to establish general planning policies for the development and use of land in a neighbourhood. These are described legally as 'Neighbourhood Development Plans'. They have to meet a number of conditions before they can be put to a community referendum and legally come into force. These conditions are to ensure plans are legally compliant and take account of wider policy considerations.
- 4.2. The Yapton Neighbourhood Development Plan relates to the area that was designated by Arun District Council as a neighbourhood area on 10 December 2012. The area is coterminous with the Yapton Parish Council boundary that lies within the Local Planning Authority area.
- 4.3. Mr Andrew Ashcroft was appointed by Arun District Council with the consent of the Parish Council, to undertake the examination of the Yapton NDP and to prepare a report of the independent examination.
- 4.4. On 14 June 2023, the Decision Statement, which is a report that outlines all the Examiner's modifications and confirms acceptable by all parties, was signed by the Group Head of Planning, and published on the Arun District Council website.
- 4.5. The Examiner's report concluded that subject to modifications recommended by Examiner, the NDP meets the basic conditions set out in the legislation and should proceed to a Neighbourhood Planning Referendum.
- 4.6. If a plan passes the referendum, i.e., more than 50% of those voting on the day, vote 'yes', then the Local Planning Authority under section 61E (4) of the 1990 Act, needs to make (adopt) the NDP. This 'making' of the NDP by Full Council will give it legal force and it will form part of the statutory Development Plan for that area. Consequently, decisions on planning applications in the neighbourhood area will need to be made in accordance with the NDP, unless material considerations indicate otherwise.
- 4.7. On 12 September 2023, Yapton Neighbourhood Development Plan successfully passed referendum with 91.15% of the votes agreeing that the Plan be used in Development Management decision making.

	Votes recorded	Percentage
Number cast in favour of a 'Yes'	484	91.15%
Number cast in favour of a 'No'	46	8.66%
Turnout		12.35%

5. CONSULTATION

- 5.1. Various rounds of statutory consultation with the parishes, the community, statutory bodies, and relevant stakeholders as per the regulations, have been undertaken as part of the Neighbourhood Plan process.

6. OPTIONS / ALTERNATIVES CONSIDERED

- 6.1. The options are:
1. To make the 'Yapton Neighbourhood Plan 2011-2031 to become part of the Development Plan for Arun District Council **OR**
 2. To not 'make' the Yapton Neighbourhood Plan 2011-2031 which would not become part of the Development Plan for Arun District Council.

7. COMMENTS BY THE GROUP HEAD OF CORPORATE SUPPORT/SECTION 151 OFFICER

- 7.1. There are no financial considerations arising from this report.

8. RISK ASSESSMENT CONSIDERATIONS

- 8.1. Once 'made' the Yapton NDP will become part of the Development Plan for the District and will be used by the council when determining planning applications for this area.

9. COMMENTS OF THE GROUP HEAD OF LAW AND GOVERNANCE & MONITORING OFFICER

- 9.1. There are no governance or legal implications.

10. HUMAN RESOURCES IMPACT

- 10.1. There are no human resource implications.

11. HEALTH & SAFETY IMPACT

- 11.1. The proposals may help to improve housing delivery through evidenced plan making, having a positive impact on health and wellbeing.

12. PROPERTY & ESTATES IMPACT

12.1. There are no direct implications for council property.

13. EQUALITIES IMPACT ASSESSMENT (EIA) / SOCIAL VALUE

13.1. The proposal may help to improve access to housing through plan making for all sections of the community, having a positive impact on health and wellbeing.

14. CLIMATE CHANGE & ENVIRONMENTAL IMPACT/SOCIAL VALUE

14.1. There are no direct adverse implications for Climate Change from this report. However, in the production of the Neighbourhood Plan, the environment and biodiversity of the local area/Arun should be considered at every step.

15. CRIME AND DISORDER REDUCTION IMPACT

15.1. There are no direct adverse implications for crime and disorder.

16. HUMAN RIGHTS IMPACT

16.1. There are no direct adverse implications for human rights.

17. FREEDOM OF INFORMATION / DATA PROTECTION CONSIDERATIONS

17.1. There are no implications.

CONTACT OFFICER:

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BACKGROUND DOCUMENTS:

The web link provides access to the background stages and formulation of the NDP.
[Yapton neighbourhood development plan 2 | Arun District Council](#)