

22. MAKING OF BRADWELL NEIGHBOURHOOD PLAN (AM/IF)

Purpose of the report

1. To note the positive outcome of the community referendum held on the Bradwell Neighbourhood Plan and to enable the formal “making” (adoption) of the Neighbourhood Plan.

Key issue

2. Paragraph 38A(4)(a) of the Planning and Compulsory Purchase Act 2004 requires the Authority to “make” (adopt) the Neighbourhood Plan if more than half of those voting in a referendum upon the plan have voted in favour of the plan being used to help decide planning applications in the area.

3. **Recommendation**

- (i) **That Members confirm the making of the Bradwell Neighbourhood Development Plan 2015 – 2030 as part of the Peak District National Park Authority’s development plan for the designated Neighbourhood Area.**

How does this contribute to our policies and legal obligations?

4. This is a legal obligation under the Localism Act 2011.
5. This proposal contributes to Corporate Objectives:
 3. Provide a high quality planning service to the community of the National Park that achieves national park purposes and that is responsive to and contributes to the debate on planning reform nationally and locally.
 - 5: Work with others in an integrated way to support local people to develop community facilities, local needs housing and services in ways that are sustainable and contribute to national park purposes.

Background

6. Following successful examination of Bradwell Neighbourhood Plan in July 2015, the plan was the subject of a community referendum held on 22 October 2015. The Neighbourhood Plan received a majority “yes” vote. 260 people voted yes, 46 voted no, on a turnout of 26.8%. (For comparison, the turnout at Chapel-en-le-Frith was 32%.)
7. Paragraph 38A(4)(a) of the Planning and Compulsory Purchase Act 2004 requires the Authority to “make” (adopt) the Neighbourhood Plan if more than half of those voting in a referendum upon the plan have voted in favour of the plan being used to help decide planning applications in the area. The Authority is not subject to this duty if the making of 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).
8. At a meeting on 7 August 2015 the Planning Committee determined that Bradwell

neighbourhood Plan meets the Basic Conditions, is compatible with the Convention rights and complies with the definition of a Neighbourhood Development Plan and the provisions that can be made by a Neighbourhood Plan.

9. Since the Authority is satisfied that the making of the plan is consistent with the 2004 Act; and the Neighbourhood Plan was endorsed by a majority “yes” vote in the community referendum, the Authority must formally “make” the Neighbourhood Plan, following which, it becomes part of the development plan for the parish.

Are there any corporate implications members should be concerned about?

Financial

10. None.

Risk Management:

11. The steps that the Authority is taking, as described, to respond to the Localism Act, means that the risk around failing to meet government standards or legal obligations is low.

Sustainability:

12. Sustainability issues have been addressed in the neighbourhood plan making process and outlined in the report to planning committee (Item 27/15) on 13 March 2015.

Background papers (not previously published)

13. None.

Appendices

14. None.

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