



Agenda Item 8

COUNCIL

Thursday 23 March 2017

FRAMLINGHAM NEIGHBOURHOOD PLAN (CL14/17)

EXECUTIVE SUMMARY

1. The purpose of this report is to “make” the Framlingham Neighbourhood Plan part of the development plan for the area in light of the referendum result held on 9th February 2017 and legal considerations.
2. The referendum question asked “Do you want Suffolk Coastal District to use the Framlingham Neighbourhood Plan to help it decide planning applications in the neighbourhood area?” More than 50% of those voting in the referendum voted “YES” to the question. Accordingly, the Council must now “make” the neighbourhood plan as soon as is reasonably practical unless it considers that this would breach or be incompatible with any EU obligation or any of the Convention Rights.
3. Once “made” the Framlingham Neighbourhood Plan will achieve full legal status and become part of the Development Plan for the area and sit alongside the adopted Core Strategy and Development Management Policies Document, the Site Allocations and Area Specific Policies Document, the Felixstowe Peninsula Area Action Plan and Rendlesham Development Plan Documents.

Is the report Open or Exempt?	Open
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Wards Affected:	Framlingham
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Cabinet Member:	Councillor Tony Fryatt – Cabinet Member with responsibility for Planning
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Supporting Officer:	Hilary Hanslip Principal Planner 01394 444761 Hilary.hanslip@eastssuffolk.gov.uk
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1 INTRODUCTION

- 1.1 Framlingham is one of a number of towns and parishes in Suffolk Coastal District to take up the opportunity to produce a neighbourhood plan for their community. It is one of three neighbourhood plans which form the second tranche of plans in Suffolk Coastal District to have reached this concluding stage in the neighbourhood plan process. The other two, Great Bealings and Leiston are the subject of separate reports on this agenda. Rendlesham is the only other community to have a “made” neighbourhood plan.
- 1.2 Framlingham is designated a Market Town in the Suffolk Coastal District Local Plan – Core Strategy and Development Management Policies Document. The community has taken on board all that that means, and has produced a comprehensive plan for the Framlingham administrative area, concentrating on the town itself. The plan makes provision for new housing and employment provision. In addition to the large housing sites at Mount Pleasant and Fairfield Road which have the benefit of planning permission, it looks to provide choice through a number of smaller sites. The objectives of the plan are as follows:
- Contribute to the Core Strategy district-wide housing requirement and provide for the housing needs of the parish;
 - Ensure that development is sensitively designed to protect and enrich the landscape, reduce or minimise flood risk, mitigate climate change, promote biodiversity and reduce our carbon footprint;
 - Develop new local facilities for existing residents;
 - Strengthen, support and promote local economic activity;
 - Improve transport and movement, in particular through non-car modes; and
 - Protect green spaces of value to the community and maintain the high quality natural and historic environment.
- 1.3 Following consultation and research, Framlingham Town Council submitted its neighbourhood plan and supporting documentation to this Council in June 2016. The plan was subject to independent examination and the Examiner’s report was received by the Council in November 2016. The Examiner’s report recommended the plan proceed to referendum subject to a number of modifications (*see link below under Background Papers*).
- 1.4 Under powers delegated to the Head of Planning and Coastal Management and in consultation with the Cabinet Member with responsibility for Planning, each of the recommended modifications was considered and agreed (*see link under Background Papers*). Modifications were made to the plan in line with the Examiner’s recommendations and arrangements made for the plan to proceed to referendum. In accordance with the relevant regulations, the referendum took place on 9th February 2017. Eligible voters (2,555) were asked to vote “yes” or “no” to the following question:
- 1.5 “Do you want Suffolk Coastal District to use the Framlingham Neighbourhood Plan to help it determine planning applications in the neighbourhood area?”
- 1.6 The result of the referendum is as follows:
- Votes cast – 703 (27.5% turnout)
- YES votes – 646 (92%)

NO votes – 53 (7.5%)

Spoilt – 4 (0.5%)

- 1.7 The turnout for Framlingham was relatively low, but is likely to have been influenced in part by the fact that the controversial housing sites at Mount Pleasant and Fairfield Road had been granted planning permission. One of the modifications required by the examiner is that the Fairfield Road site is now shown as included within the physical limits boundary for the town.
- 1.8 Where a referendum results in more than half of those voting, voting in favour of the proposal, the Council must “make” (adopt) the plan as soon as is reasonably practical unless it considers that this would breach, or be incompatible with, any EU obligation or any of the Convention of Rights.
- 1.9 The results of the referendum clearly indicate that more than half of those people who voted are in favour of the plan. Nothing has changed since the Council’s earlier consideration of the Examiner’s Report and modifications which would suggest that the plan would breach, or be incompatible with, any EU obligation or any of the Convention of Rights.

2 FINANCIAL AND GOVERNANCE IMPLICATIONS

- 2.1 The Department for Communities and Local Government (DCLG) provide grant funding to help Local Planning Authorities support groups undertaking neighbourhood plans. In the latter part of the process, the Council is required to pay for the examiner and the referendum arrangements. A claim for £20k was submitted to DCLG in December 2016 in respect of the Framlingham Neighbourhood plan.
- 2.2 In accordance with current CIL Regulations the Town Council is entitled to 25% of CIL receipts from eligible development schemes permitted after the date the neighbourhood plan is “made”. The date a scheme is permitted is the date the planning permission is issued. For towns and parishes with no “made” neighbourhood plan, the CIL contribution to which they are entitled stands at 15%. (Details on CIL can be found via the following link <http://www.eastsuffolk.gov.uk/planning/community-infrastructure-levy/>)
- 2.3 Following the decision to “make” the plan, the Council is required to publish the plan, details of when and where it can be inspected, and notify any person who has asked to be notified that it has been “made” (Regulation 20)
- 2.4 A list of “saved” policies from the “old” Suffolk Coastal Local Plan which this neighbourhood plan will supersede is included as an appendix within it. The single comprehensive list showing the status of remaining (post adoption of Core Strategy July 2013) saved policies published on the Council’s website will be updated accordingly.

3 HOW DOES THIS RELATE TO THE EAST SUFFOLK BUSINESS PLAN?

- 3.1 As a part of the Development Plan for the district the Framlingham Neighbourhood Plan will help provide a positive contribution to the Vision in the East Suffolk Business Plan.
- 3.2 Enabling Communities: The neighbourhood plan is an example of how a community can help influence the way it develops and contribute to wider district ambitions. The Framlingham Neighbourhood Plan team has shown resilience in adapting its plan to evolving circumstances presented by the large scale housing permissions whilst still progressing other community ambitions.

4 OTHER KEY ISSUES

- 4.1 This report has been prepared having taken into account the results of an Equality Impact Assessment and a Partnership Impact Assessment. The plan itself has been subject to environmental impact assessment. No issues have been raised by these assessments.

5 CONSULTATION

- 5.1 The Framlingham Neighbourhood Plan has been subject to consultation through its preparation. Securing and maintaining public support for a neighbourhood plan is critical to it achieving a positive result at referendum.

6 OTHER OPTIONS CONSIDERED

- 6.1 None. The neighbourhood plan has received the required vote in favour and is not considered to be in breach of, or otherwise incompatible with, any EU obligation or any of the Convention of Rights.

7 REASON FOR RECOMMENDATIONS

- 7.1 To formally “make” the Framlingham Neighbourhood Plan, the consequence of which is that it becomes part of the statutory development plan, thereby giving it full statutory weight in the determination of planning applications within the Framlingham Neighbourhood Plan area, as defined.

RECOMMENDATIONS

1. That Council approves the “making” of the Framlingham Neighbourhood Plan.
2. That Council approves, for ease of reference and clarification, the Framlingham Neighbourhood Plan be re-published to include within the title, headers and footers that this is the Framlingham Neighbourhood Plan as “Made March 2017”

APPENDICES

Appendix A

Framlingham Neighbourhood Plan

BACKGROUND PAPERS

Date	Type	Available From
April 2013	Neighbourhood Area Application	http://www.eastsuffolk.gov.uk/assets/Planning/Neighbourhood-Planning/Designated-Neighbourhood-Areas/Framlingham-Area-Determination-and-Decision-Documents/Application-letter.pdf http://www.eastsuffolk.gov.uk/assets/Planning/Neighbourhood-Planning/Designated-Neighbourhood-Areas/Framlingham-Area-Determination-and-Decision-Documents/Area-map.pdf

Oct 2013	Neighbourhood Area application decision notice	http://www.eastsuffolk.gov.uk/assets/Planning/Neighbourhood-Planning/Designated-Neighbourhood-Areas/Framlingham-Area-Determination-and-Decision-Documents/Decision-notice.pdf
Nov 2016	Independent examiner's report	http://www.eastsuffolk.gov.uk/assets/Planning/Neighbourhood-Planning/Designated-Neighbourhood-Areas/Framlingham-Referendum/Framlingham-Examination-Report.pdf
Dec 2016	SCDC consideration of recommended modifications	http://www.eastsuffolk.gov.uk/assets/Planning/Neighbourhood-Planning/Designated-Neighbourhood-Areas/Framlingham-Referendum/Framlingham-Decision-Statement.pdf
10 Feb 2017	Referendum declaration of result	http://www.eastsuffolk.gov.uk/assets/Elections/Election-notices-SCDC/2017/Framlingham-Referendum/01-Framlingham-Neighbourhood-Planning-Referendum-Results.pdf