



**FULL COUNCIL**  
**Wednesday, 22 November 2023**

<b>Subject</b>	Wickham Market Neighbourhood Plan
<b>Cabinet Member</b>	Cllr Kay Yule Cabinet member with responsibility for Planning and Coastal Management
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Is the report Open or Exempt?	OPEN
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Category of Exempt Information and reason why it is <b>NOT</b> in the public interest to	Not applicable.
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disclose the exempt information.	
<b>Wards Affected:</b>	Wickham Market

## Purpose and high-level overview

### **Purpose of Report:**

The purpose of this Report is to “make” the Wickham Market Neighbourhood Plan part of the Development Plan for East Suffolk following positive results of the Referendum on 12<sup>th</sup> October 2023. The Referendum question asked:

*“Do you want East Suffolk Council to use the Wickham Market 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 and East Suffolk Council must now “make” the Neighbourhood Plan, unless it considers the Neighbourhood Plan would breach or be incompatible with any EU obligation or any of the Convention Rights.

Once “made” by East Suffolk Council, the Neighbourhood Plan will become part of the Development Plan for East Suffolk and sit alongside the adopted East Suffolk Council Suffolk Coastal Local Plan. The Development Plan is used to determine planning applications.

### **Options:**

None. Neighbourhood Planning (General) Regulations 2012, state that the Council must make the Neighbourhood Plan within eight weeks of the day after the Referendum, unless it considers the Neighbourhood Plan would breach or be incompatible with any EU obligation or any of the Convention Rights. No breaches or incompatibilities have been identified, therefore there are no alternative options available to the Council.

### **Recommendation/s:**

That the Council make the Wickham Market Neighbourhood Plan (Referendum version, August 2023) part of the statutory Development Plan for East Suffolk for the whole of the Wickham Market Neighbourhood Area.

## Corporate Impact Assessment

### **Governance:**

Once made, the Neighbourhood Plan will form part of the Development Plan and will be a statutory consideration in determining planning applications in the Neighbourhood Area.

### **ESC policies and strategies that directly apply to the proposal:**

The Neighbourhood Plan is in general conformity with the relevant strategies of the East Suffolk Council - Suffolk Coastal Local Plan. This is something the Neighbourhood Plan has been tested against at Examination.

**Environmental:**

Individual policies in the Neighbourhood Plan contribute to achieving objectives in relation to the natural environment which will support the delivery of the Environment priorities in the Strategic Plan. For example, the Wickham Market Neighbourhood Plan includes policies which protect wildlife as part of the development process, protects green spaces and protects open, green and treed spaces in Conservation Areas.

**Equalities and Diversity:**

An Equality Impact Assessment (ref: EQIA556732899) has been carried out for the Wickham Market Neighbourhood Plan. A positive impact was identified with respect to the protected characteristics of age, disability and economic disadvantage. No negative impacts on those with protected characteristics were identified and no mitigating actions were identified/required.

**Financial:**

In accordance with the Community Infrastructure Levy (CIL) Regulations, Parish/Town Councils with a made Neighbourhood Plan in place will receive 25% of CIL receipts from liable development schemes permitted after the Neighbourhood Plan is made. For towns and parishes with no made Neighbourhood Plan, they will receive 15% of CIL receipts (further details on CIL can be found via the following link: <https://www.eastsuffolk.gov.uk/planning/developer-contributions/community-infrastructure-levy/>). East Suffolk Council is entitled to Neighbourhood Planning Grant of £20,000 from the Government for the Neighbourhood Plan.

**Human Resources:**

No impacts.

**ICT:**

No impacts.

**Legal:**

A legal challenge can be made in relation to:

- a) The Council declining to make a Neighbourhood Plan which has been successful at Referendum within eight weeks. (Unless agreed with the Qualifying Body or if the plan is considered to breach the EU obligations or convention rights). Proceedings must be bought within six weeks of the day the decision is published.
- b) The conduct of the Referendum. Proceedings must be bought by a claim for judicial review filed within six weeks beginning the day on which the results are published.

**Risk:**

There are no anticipated risks in relation to the implementation of the recommendation.

**External Consultees:**

The Wickham Market Neighbourhood Plan has been subject to extensive consultation throughout the course of its preparation. This has included consultation with the community as a whole; statutory consultees; and a broad range of other interested

	parties. Details of the consultation processes can be found in the Consultation Statement in the Background Reference Papers.
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## Strategic Plan Priorities

Select the priorities of the <a href="#">Strategic Plan</a> which are supported by this proposal: <i>(Select only one primary and as many secondary as appropriate)</i>		Primary priority	Secondary priorities
<b>T01</b>	<b>Growing our Economy</b>		
P01	Build the right environment for East Suffolk	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P02	Attract and stimulate inward investment	<input type="checkbox"/>	<input type="checkbox"/>
P03	Maximise and grow the unique selling points of East Suffolk	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P04	Business partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P05	Support and deliver infrastructure	<input type="checkbox"/>	<input type="checkbox"/>
<b>T02</b>	<b>Enabling our Communities</b>		
P06	Community Partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P07	Taking positive action on what matters most	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P08	Maximising health, well-being and safety in our District	<input type="checkbox"/>	<input type="checkbox"/>
P09	Community Pride	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>T03</b>	<b>Maintaining Financial Sustainability</b>		
P10	Organisational design and streamlining services	<input type="checkbox"/>	<input type="checkbox"/>
P11	Making best use of and investing in our assets	<input type="checkbox"/>	<input type="checkbox"/>
P12	Being commercially astute	<input type="checkbox"/>	<input type="checkbox"/>
P13	Optimising our financial investments and grant opportunities	<input type="checkbox"/>	<input type="checkbox"/>
P14	Review service delivery with partners	<input type="checkbox"/>	<input type="checkbox"/>
<b>T04</b>	<b>Delivering Digital Transformation</b>		
P15	Digital by default	<input type="checkbox"/>	<input type="checkbox"/>
P16	Lean and efficient streamlined services	<input type="checkbox"/>	<input type="checkbox"/>
P17	Effective use of data	<input type="checkbox"/>	<input type="checkbox"/>
P18	Skills and training	<input type="checkbox"/>	<input type="checkbox"/>
P19	District-wide digital infrastructure	<input type="checkbox"/>	<input type="checkbox"/>
<b>T05</b>	<b>Caring for our Environment</b>		
P20	Lead by example	<input type="checkbox"/>	<input type="checkbox"/>
P21	Minimise waste, reuse materials, increase recycling	<input type="checkbox"/>	<input type="checkbox"/>
P22	Renewable energy	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P23	Protection, education and influence	<input type="checkbox"/>	<input type="checkbox"/>
<b>XXX</b>	<b>Governance</b>		
XXX	How ESC governs itself as an authority	<input type="checkbox"/>	<input type="checkbox"/>
<b>How does this proposal support the priorities selected?</b>			
The Wickham Market Neighbourhood Plan includes the community's vision and sets out how this will be delivered. This supports P09 'Community Pride' by promoting			

involvement, participation and positive action in the community and delivering a collective vision and objectives.

Wickham Market Neighbourhood Plan policy WICK12 (Land at Old School Farm) allocates land for 85 new dwellings. Policy WICK13 (Land at Simon's Cross) allocates land for 25 dwellings. These policies support priority P01 'Build the right environment for East Suffolk', because they promote economic growth and ensure an adequate supply of housing where they are needed by the community.

The Wickham Market Neighbourhood Plan includes a number of policies that together will support priority P03 'Maximise and grow the unique selling points of East Suffolk.' Policy WICK2 (Local Landscape Character) seeks to protect the landscape surrounding the village. Policy WICK3 (Key Local Views) seeks to protect the views of the village and surrounding countryside. Policy WICK 6 (Local Green Spaces) designates and protects several important green spaces throughout the village. Policy WICK7 (Preserving and enhancing open, green and treed spaces in the Wickham Market Conservation Area) protects several spaces that contribute to the character and appearance of the Wickham Market Conservation Area. Policy WICK8 (Non-Designated Heritage Assets) protects buildings that are of local significance.

The Wickham Market Neighbourhood Plan was created by Wickham Market Parish Council and involved an extensive programme of public consultation, both on the contents of the Neighbourhood Plan and on a draft of the plan. It has also been subject to Examination and a Referendum of local residents. At the Referendum, 78.9% of those who voted supported the adoption of the Neighbourhood Plan. Therefore, the Neighbourhood Plan delivers community led planning. The two allocations, WICK12 and WICK13 also deliver housing within the local community. Therefore, the Neighbourhood Plan supports priority 07 'Taking Positive Action on What Matters Most.'

Wickham Market Neighbourhood Plan policy WICK5 (Designing for Renewable Energy and Carbon Reduction) requires new development to be water efficient, to maximise the use of renewable energy and to include electric charging points in accordance with the latest version of the Suffolk Parking Standards. This supports priority P22 'Renewable Energy,' which seeks to promote the increased use of renewable energy throughout the District.

## Background and Justification for Recommendation

1 Background facts	
1.1	Neighbourhood Plans were introduced by the Localism Act in 2011. They allow communities to write their own plan containing planning policies which, once 'made', form part of the Development Plan and are used alongside the East Suffolk Local Plans and national planning policy. Consideration of the Development Plan is a statutory element of determining planning applications. Neighbourhood Plans also commonly include non-policy actions which reflect the community's aspirations but are not suitable as planning policies. More information on each plan is included below and full versions can be found in the Appendices.

1.2	<p>Wickham Market Parish Council has taken up the opportunity to produce a Neighbourhood Plan for its community. The Neighbourhood Plan has been developed by the community with the Parish Council being the 'Qualifying Body'. The Neighbourhood Plan has been through several stages of consultation, including statutory consultations, and an Examination carried out by an Independent Examiner. The Examiner recommended that the Neighbourhood Plan proceed to a Referendum.</p> <p>The Referendum took place on 12<sup>th</sup> October 2023. The question asked at the Referendum was: Do you East Suffolk Council to use the Neighbourhood Plan for Wickham Market to help it decide planning applications in the Neighbourhood Area?"</p> <p>288 people voted 'yes' and 77 people voted 'no'. The Referendum outcome was therefore <b>positive</b>. The turnout was 20.3%.</p>
1.3	<p>The Neighbourhood Plan will become formally part of the Development Plan for East Suffolk once they are made. East Suffolk Council is required to make the Neighbourhood Plan within 8 weeks of the day following the Referendum, unless it considers that this would breach, or be incompatible with any EU obligation or any of the Convention of Rights. No such breaches or incompatibilities have been identified for the Neighbourhood Plan.</p>
1.4	<p>Areas with a made Neighbourhood Plan benefit from a greater proportion of the 'Community Infrastructure Levy' (CIL) where this is payable. The CIL is a tariff paid by liable forms of development and it is calculated using the development's floor area. CIL is paid to the Council by the developer. A proportion of this money is then paid directly to the Parish or Town Council on a bi-annual basis. Parish or Town Councils receive 25% of CIL receipts where there is a made Neighbourhood Plan in place, or 15% without. The CIL Regulations apply a cap to the annual amount of CIL transferred to Parish or Town Councils where there is no Neighbourhood Plan in place. It is capped at £100 per dwelling (indexed for inflation). There is no cap on the 25% transferred when a made Neighbourhood Plan is in place.</p>
1.5	<p>The Neighbourhood Plan Area, which was designated by East Suffolk Council on 12<sup>th</sup> January 2016, covers the parish area at the time. However, following a parish boundary review, which took effect in April 2023, the parish boundary was extended to include the 'Wickham Gate' development, as defined by Suffolk Coastal Local Plan policy 12.60 (Land between High Street and Chapel Lane, Pettistree (adjoining Wickham Market)). As a result, Wickham Gate is included in the new parish boundary, but remains outside the Neighbourhood Plan Area. However, on the recommendation of the Examiner and as agreed by East Suffolk Council, the Referendum area covered the full current parish area meaning residents of Wickham Gate could vote in the Referendum.</p>

1.6	<p>The plan addresses a wide range of topics which are important to the local community. Planning policies in the plan relate to:</p> <ul style="list-style-type: none"> <li>• Protection of landscape character</li> <li>• Key local views</li> <li>• Wildlife habitat in new development</li> <li>• Renewable energy</li> <li>• Local Green Spaces</li> <li>• Open spaces and Conservation Areas</li> <li>• Historic Environment</li> <li>• Car parking</li> <li>• Pedestrian safety</li> <li>• Cycling, walking and disabled access</li> <li>• Housing allocations</li> </ul> <p>It is worth noting that Suffolk Coastal Local Plan policy SCLP12.1 states that the Wickham Market Neighbourhood Plan should deliver a minimum of 70 dwellings (in addition to those delivered by the Wickham Gate development). Together these two allocations will deliver 110 new dwellings.</p>
1.7	<p>Wickham Market Parish Council engaged with its local community in producing its Neighbourhood Plan. This process is documented in their Consultation Statement (see Background Reference Papers). Following this, the Neighbourhood Plan was submitted to East Suffolk Council. East Suffolk Council then publicised the Neighbourhood Plan and invited comments. This took place over the period of 9<sup>th</sup> November to 21<sup>st</sup> December 2022. Following this period of publicity, East Suffolk Council, with the agreement of the Parish Council, appointed an Independent Examiner to examine the Neighbourhood Plan. The role of the Examiner is to ensure the Neighbourhood Plan meets the relevant legislative and procedural requirements. Testing against the 'Basic Conditions' set out in the Town and Country Planning Act 1990 is the main element of this.</p> <p>Andrew Ashcroft BA (Hons) M.A. DMS MRTPI was appointed to examine the Wickham Market Neighbourhood Plan. He issued his Report in June 2023 (see Background Reference Papers) and concluded that subject to modifications the Wickham Market Neighbourhood Plan meets the Basic Conditions and should proceed to Referendum.</p> <p>As part of the Examination the Examiner also held an additional consultation lasting three weeks regarding the correction of an error in the Site Assessment Report, as set out in his report contained with the Background Papers.</p> <p>The Examiner concluded that the Neighbourhood Plan was compatible with European Obligations and the European Convention on Human Rights.</p> <p>As detailed in paragraph 1.5 above, the Examiner also recommended that the Referendum area was extended to include the Wickham Gate development site.</p>
1.8	<p>East Suffolk Council (using powers delegated to the Head of Planning and Coastal Management) considered each of the Examiner's recommended modifications, in</p>

	<p>consultation with the Parish Councils. The Council agreed with all of the Examiner's recommended modifications (although considered some minor amendments were necessary for a small number of them).</p> <p>These considerations are set out in the Decision Statement for the Neighbourhood Plan (see Background Reference Papers). The Decision Statement for the Wickham Market Neighbourhood Plan was published in August 2023. The Referendum was then held on 12<sup>th</sup> October 2023 and, as covered above, the Neighbourhood Plan was successful.</p>
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## 2 Current position

2.1	The Wickham Market Neighbourhood Plan has successfully passed its Referendum which took place on 12 <sup>th</sup> October. Legislation states that the Council must make a Neighbourhood Plan within 8 weeks of the day after a successful Referendum, unless it considers that this would breach or be incompatible with any EU obligation or any of the Convention of Rights.
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## 3 How to address current situation

3.1	The Council should make the Wickham Market Neighbourhood Plan.
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## 4 Reason/s for recommendation

4.1	Following a successful Referendum, the Council must make a Neighbourhood Plan within 8 weeks of the day following the Referendum unless it considers that this would breach or be incompatible with any EU obligation or any of the Convention of Rights. There are no indications of breaches or compatibility issues therefore the Council must make the Neighbourhood Plan.
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## Appendices

### Appendices:

<b>Appendix A</b>	Wickham Market Neighbourhood Plan (Referendum Version August 2023)
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### Background reference papers:

Date	Type	Available From
October 2022	Wickham Market Neighbourhood Plan Consultation Statement	<a href="https://www.eastsuffolk.gov.uk/assets/Planning/Neighbourhood-Planning/Designated-Neighbourhood-Areas/Wickham-Market/Submission/Wickham-Market-NP-Consultation-Statement-October-2022.pdf">https://www.eastsuffolk.gov.uk/assets/Planning/Neighbourhood-Planning/Designated-Neighbourhood-Areas/Wickham-Market/Submission/Wickham-Market-NP-Consultation-Statement-October-2022.pdf</a>



June 2023	Wickham Market Neighbourhood Plan Examiner's Report	<a href="https://www.eastsuffolk.gov.uk/assets/Planning/Neighbourhood-Planning/Designated-Neighbourhood-Areas/Wickham-Market/Wickham-Market-NP-Examiners-Report.pdf">https://www.eastsuffolk.gov.uk/assets/Planning/Neighbourhood-Planning/Designated-Neighbourhood-Areas/Wickham-Market/Wickham-Market-NP-Examiners-Report.pdf</a>
August 2023	Wickham Market Neighbourhood Plan Decision Statement	<a href="https://www.eastsuffolk.gov.uk/assets/Planning/Neighbourhood-Planning/Designated-Neighbourhood-Areas/Wickham-Market/Referendum/2023.08.29-Wickham-Market-Decision-Statement-publication-signed-Erratum.pdf">https://www.eastsuffolk.gov.uk/assets/Planning/Neighbourhood-Planning/Designated-Neighbourhood-Areas/Wickham-Market/Referendum/2023.08.29-Wickham-Market-Decision-Statement-publication-signed-Erratum.pdf</a>