



## WRAY-WITH-BOTTON NEIGHBOURHOOD PLAN

### Regulation 19 (Final) Decision Statement

Statement published in July 2019, pursuant to Section 38A(9) of the Planning and Compulsory Purchase Act 2004 and Regulation 19 of the Neighbourhood Planning (General) Regulations 2012.

Lancaster City Council decided by resolution of Full Council on 17/07/19 to make the Wray-with-Botton Neighbourhood Development Plan under Section 38A(4) of the Planning and Compulsory Purchase Act 2004 (as amended). The Wray-with-Botton Neighbourhood Plan now forms part of the Development Plan for Lancaster District.

#### 1.0 Summary

- 1.1 This document is the Decision Statement required to be prepared under Section 38A(9) of the Planning and Compulsory Purchase Act 2004 (as amended) and Regulation 19 of the Neighbourhood Planning (General) Regulations 2012 (as amended). It sets out the Council's considerations and formal decision in bringing the Wray-with-Botton Neighbourhood Plan into legal force.
- 1.2 Following an independent examination and positive referendum result, held on 30/05/19, Lancaster City Council decided to make the Wray-with-Botton Neighbourhood Development Plan under Section 38A(4) of the Planning and Compulsory Purchase Act 2004 ('the Act').

#### 2.0 Background

- 2.1 On 11<sup>th</sup> November 2014, Wray-with-Botton Parish Council, as the appropriate qualifying body for their area, submitted proposals to Lancaster City Council to designate the boundary of Wray-with-Botton Neighbourhood Plan Area.
- 2.2 Lancaster City Council (the Council) approved the Neighbourhood Area application following a six-week public consultation exercise on the 6<sup>th</sup> March 2015 in accordance with the Neighbourhood Planning (General) Regulations 2012.
- 2.3 Following initial consultation stages, a Draft Plan was publicised and representations were invited in accordance with Regulation 14 between 3<sup>rd</sup> September 2017 and 15<sup>th</sup> October 2017.

**2.4** The finalised version of the Wray-with-Botton Neighbourhood Plan was submitted to Lancaster City Council on 3<sup>rd</sup> May 2018. A final, formal, stage of publicity was undertaken over a 6-week period between 11<sup>th</sup> June 2018 and 23<sup>rd</sup> July to determine if there were any unresolved objections to the plan.

**2.5** Lancaster City Council, with the agreement of Wray-with-Botton Parish Council, appointed an independent Examiner, to review whether the Plan met the 'Basic Conditions' of plan-making required by legislation and could proceed to referendum.

**2.6** An Independent Examiner (Mrs Rosemary Kidd) was appointed in September 2018 to undertake the examination of the Submission version of the Wray-with-Botton Neighbourhood Plan and this was completed with the final examination report sent to both the Parish Council and District Council on 12<sup>th</sup> December 2018.

### **3.0 Decisions and Reasons**

**3.1** With the Examiner's recommended modifications the Wray-with-Botton Neighbourhood 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 38 A and B of the Planning and Compulsory Purchase Act 2004 (as amended).

**3.2** A local referendum was held in Wray on 30/05/19 to decide whether the local community were in favour of the Wray-with-Botton Neighbourhood Plan. From the votes recorded, 187 of the 197 votes received were in favour of the Wray-with-Botton Neighbourhood Plan. The turnout of electors was 49%.

**3.3** Section 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.

**3.4** Lancaster City 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).

**3.5** In accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended), Wray-with-Botton Neighbourhood Development Plan is 'made' and planning applications in the Parish must be considered against the Wray-with-Botton Neighbourhood Development Plan, as well as existing national planning policy, such as the Local Development Plan and the National Planning Policy Framework.

**3.6** The adopted version of the Neighbourhood Plan (as approved by Full Council) was published on the Council website, alongside the Wray-with-Botton Neighbourhood Plan Decision Statement, on 6<sup>th</sup> August 2019.

Jason Syers, Director of Economic Growth and Regeneration

