

North Norfolk District Council
Wells-next-the-Sea Neighbourhood Plan
DECISION STATEMENT



Regulation 18 of the Neighbourhood Planning (General) Regulations 2012

Following the submission of the Draft Neighbourhood Plan by Wells-next-the-Sea Town Council, the submitted Plan was publicised and representations were invited for a six-week period between 2nd October 2023 and 13th November 2023.

The Plan was subject to independent examination and a report was issued by the independent Examiner on 15th April 2024.

The Neighbourhood Planning (General) Regulations 2012 (as amended) requires the Local Planning Authority (LPA) to outline what action to take in response to the recommendations the Examiner makes in a report under paragraph 10 of Schedule 4A to the 1990 Act (as applied by Section 38A of the 2004 Act) in relation to a Neighbourhood Development Plan.

Paragraph 12(4) of Schedule 4B to the Town and Country Planning Act 1990 (“the 1990 Act”) states that a referendum must be held on a proposal for a neighbourhood development plan or order if the LPA is satisfied that it meets the basic conditions and other legal requirements or would do so if modifications were made to the draft plan or order (whether or not recommended by the Examiner).

Decision

The Council have considered each of the recommendations contained in the independent Examiners Report, and the reasons for them, and have accepted all of the Examiner’s recommended modifications in order for the submitted Draft Plan to meet the Basic Conditions and legislative tests and to proceed to referendum. The Council agrees that, subject to the incorporation of the modifications set out in the report, and any necessary consequential changes to the supporting text, the Neighbourhood Plan should proceed to public referendum. The Council also agrees with the Examiner’s recommendation that the referendum of the Neighbourhood Plan should be based on the designated Neighbourhood Area that was designated by North Norfolk District Council as a Neighbourhood Area in February 2019.

The Council will modify the Plan in-line with the Examiners recommendations. This Decision Statement, and the Examiner’s Report, can be viewed at: www.north-norfolk.gov.uk/wellsnp

The modified referendum version of the Neighbourhood Plan along with further information on the Referendum date, time and location will be published on our website in due course.

To meet the requirements of the Localism Act 2011 a referendum which poses the question...

Continued...

“Do you want North Norfolk District Council to use the Neighbourhood Plan for Wells-next-the-Sea Neighbourhood Area to help it decide planning applications in the Neighbourhood Area?”

...will be held in the area formally designated as the Wells-next-the-Sea Neighbourhood Area.

Further Information on the referendum will be published through a **Referendum Information Statement** and shall be made available on the North Norfolk District Council website and advertised locally at least 28 days prior to a referendum.

Decision Taking

The Wells-next-the-Sea Neighbourhood Plan is not yet part of the North Norfolk Development Plan and can only become such following a successful referendum. Planning Law states that Planning applications are decided in accordance with the development plan unless material considerations indicate otherwise. It is for the decision maker in each case to determine what a material consideration is and what weight to give to it, i.e. the Local Planning Authority at the time of application.

The national planning practice Guidance states that:

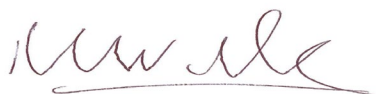
-“An emerging neighbourhood plan is likely to be a material consideration in many cases. [Paragraph 48](#) of the revised National Planning Policy Framework sets out that weight may be given to relevant policies in emerging plans in decision taking. Factors to consider include the stage of preparation of the plan and the extent to which there are unresolved objections to relevant policies”.....

[Paragraph: 007 Reference ID: 41-007-20190509](#)

The National [Planning Practice Guidance](#) goes on to state that in Decision Making:

- “Where the local planning authority has issued a decision statement (as set out under Regulation 18 of the Neighbourhood Planning (General) Regulations 2012) detailing its intention to send a neighbourhood plan to referendum, that plan can be given significant weight in decision-making, so far as the plan is material to the application.”

[Paragraph: 107 Reference ID: 41-107-20200925Revision Date 25.09.2020](#)



Russell Williams
Assistant Director of Planning

On behalf of the Director for Place and Climate Change
20th May 2024