

Rother District Council

Report to:	Cabinet
Date:	27 February 2023
Title:	Peasmarsh Neighbourhood Plan – Rother District Council Representations to the Regulation 16 Consultation
Report of:	Ben Hook, Director – Place and Climate Change
Cabinet Member:	Councillor Vine-Hall
Ward(s):	Eastern Rother
Purpose of Report:	To seek delegated authority to draft, agree and submit the Council’s representations to the Regulation 16 Consultation on the Peasmarsh Neighbourhood Plan
Decision Type:	Non-Key

Officer

Recommendation(s): It be **RESOLVED**: That the Director - Place and Climate Change be granted delegated authority to submit this Council’s representations on the Peasmarsh Neighbourhood Plan, subject to the approval of the representations by the Cabinet Portfolio Holder for Strategic Planning and Ward Councillors for Eastern Rother.

Reasons for

Recommendations: To allow Council representations to be approved and submitted before the pre-election period.

This report has been accepted as an Additional Agenda Item to enable the Cabinet to consider this matter now and which cannot wait until the next scheduled meeting of Cabinet on 27 March 2023, due to the pre-election period.

Introduction

1. The Peasmarsh Neighbourhood Plan (PNP) has been prepared by Peasmarsh Parish Council following designation of the parish as a Neighbourhood Area in March 2021. It is currently the subject of a statutory public consultation ending on 31 March 2023, during which period representations may be made. Duly-made representations will be considered through an examination process by an independent Examiner to determine whether the Plan meets the ‘basic conditions’ required in order for the Plan to proceed to referendum.
2. It is normal practice to report draft representations to Cabinet for approval as part of this process. However, in order to make comments prior to the pre-election period (formerly known as Purdah), which starts on 24 March 2023, the Cabinet is requested to agree that the preparation and submission of

representations is delegated to the Director - Place and Climate Change, subject to approval of the representations by the Cabinet Portfolio Holder for Strategic Planning and the Ward Councillors for Eastern Rother.

Analysis

3. The Neighbourhood Plan, together with supporting documents, can be viewed on the Council's website at <https://www.rother.gov.uk/planning-and-building-control/planning-policy/neighbourhood-planning-2/neighbourhood-plans-in-preparation/peasmarsh-neighbourhood-plan/>

The submitted documents are:

- Peasmarsh Neighbourhood Plan 2021-2039 (Submission) (Feb 2023)
 - Peasmarsh NP Addendum 1: Housing Needs Assessment (Jan 2022)
 - Peasmarsh NP Addendum 2: Site Options and Assessment (Jun 2022)
 - Peasmarsh NP Addendum 3: Peasmarsh Site Assessments (Aug 2022)
 - Peasmarsh NP Addendum 4: SEA Scoping Report (Feb 2022)
 - Peasmarsh NP Addendum 5: Strategic Environmental Assessment (Oct 2022)
 - Peasmarsh NP Addendum 6: Peasmarsh Villagescape and Design Codes (Feb 2023)
 - Peasmarsh NP – Basic Conditions Statement (Feb 2023)
 - Peasmarsh NP – Consultation Statement (Feb 2023)
4. The Neighbourhood Plan contains 23 planning policies and additional community aspirations.
 5. The Neighbourhood Plan relates to the period 2019-2039 to align with the emerging Rother District Council (RDC) Local Plan, however it should be noted that the PNP is required to be in general conformity with the strategic policies of the adopted Local Plan (the Core Strategy 2014 and Development and Site Allocations (DaSA) Local Plan 2019)

General conformity and other 'basic conditions' requirements

6. The National Planning Policy Framework (NPPF) 2019 states that: *'Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan.'* Paragraph 29 goes on to advise: *'Neighbourhood plans should reflect these policies and neighbourhood plans should plan positively to support them. Neighbourhood plans and orders should not promote less development than set out in the Local Plan or undermine its strategic policies.'*
7. Other basic conditions relate to: having regard to national policies and advice contained in guidance issued by the Secretary of State; having special regard to the desirability of preserving any listed building (or its setting) or conservation area; contributing to the achievement of sustainable development; and compatibility with EU obligations.
8. Hence, a critical function of this Council is to consider and advise on whether each Neighbourhood Plan policy – and the Plan overall – is in 'general conformity' with the policies of the adopted Local Plan Core Strategy. A pre-submission version of the PNP was consulted on for the Regulation 14

Consultation, managed by the Parish Council from 31 October – 12 December 2022. RDC submitted representations which are included in the Consultation Statement, submitted as part of the current consultation.

Conclusion

9. The Peasmarsh Neighbourhood Plan has been submitted for the Regulation 16 consultation which is being held over a 6-week period from 17 February – 31 March 2023. Due to the political sensitivities of the pre-election period, the Council is seeking approval from Cabinet that the preparation and submission of representations is delegated to the Director - Place and Climate Change, subject to approval of the representations by the Cabinet Portfolio Holder for Strategic Planning and the Ward Councillors for Eastern Rother. This will ensure that the Council's representations are approved and submitted prior to the commencement of the pre-election period.

Legal Implications

10. The legal implications are that Cabinet is required to agree Council representations on Regulation 16 submission versions of Neighbourhood Plans. This report seeks to agree that Cabinet grant delated authority to the Director - Place and Climate Change to agree and submit the comments, subject to approval by the Portfolio Holder for Strategy & Planning and the Eastern Rother Ward Councillors.

Other Implications	Applies?	Other Implications	Applies?
Human Rights	No	Equalities and Diversity	No
Crime and Disorder	No	Consultation	No
Environmental	No	Access to Information	No
Risk Management	Yes	Exempt from publication	No

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e-mail address:	Ben.Hook@rother.gov.uk
Appendices:	None
Relevant	None
Previous Minutes:	
Reference Documents:	Peasmarsh Neighbourhood Development Plan 2019-2039 Peasmarsh NP Addendum 1: Housing Needs Assessment (Jan 2022) Peasmarsh NP Addendum 2: Site Options and Assessment (Jun 2022) Peasmarsh NP Addendum 3: Peasmarsh Site Assessments (Aug 2022) Peasmarsh NP Addendum 4: SEA Scoping Report (Feb 2022) Peasmarsh NP Addendum 5: Strategic Environmental Assessment (Oct 2022) Peasmarsh NP Addendum 6: Peasmarsh Villagescape and Design Codes (Feb 2023) Peasmarsh NP – Basic Conditions Statement (Feb 2023) Peasmarsh NP – Consultation Statement (Feb 2023)