

Broadwas and Cotheridge Parish Council

7.10.26

Report for agenda item 26/154

Review of Neighbourhood Development Plan

Councillors will recall from previous reports that the final draft was submitted to Malvern Hills District Council (referred to as the Local Authority in this report), for a

1.Strategic Environmental Assessment (SEA) this determines whether an emerging plan is likely to cause significant environmental effects and requires formal assessment under the Environmental Assessment of Plans and Programmes Regulations. MHDC has consulted with Natural England, The Environment Agency and Historic England.

1.1. As a result of the screening assessment the Local Authority has determined that a full Strategic Environmental Assessment is not required.

2. Habitats Regulations Assessment (HRA). This is a mandatory legal requirement in the UK designed to ensure that the plan's policies and allocations do not negatively impact internationally designated wildlife sites.

2.1 As a result a HRA Advanced Assessment is not required.

Councillors will want to refer to the full report from the Local Authority circulated for the meeting.

This means that the Parish Council is now in a position to proceed with the next steps in the review process.

We are able to proceed on the basis that the revised plan does not contain modifications that are substantial enough to require a local public referendum.

3. Therefore the next steps we need to take are as follows:

Regulation 14 Pre Publication Public Consultation

3.1 Publicise the revised plan and conduct a public consultation period of no less than 6 weeks.

3.2 Publish alongside the revised plan the completed SEA/HRA Screening Report.

3.3 Publish a statement from the Parish Council setting out the justification for why the modifications do not change the nature of the plan.

3.3 The Parish Council must notify local residents, businesses and Statutory Consultees.

3.4 Once the consultation exercise is completed the Parish Council must collate and review all the feedback, in order to make any necessary minor adjustments or textual amendments to the modified NDP based on valid planning representations.

3.5 The Parish Council then has to formally submit the revised NDP to the Local Authority (**Regulation 15**)

3.6 The Local Authority then checks the submitted revised plan and other documents that are also required and will organise its own 6 week consultation. They will also pay for and organise the next stage in the examination process. This involves the appointment of an independent examiner who review the plan to ensure it meets the basic conditions.

3.7 The Parish Council in addition to closely monitoring this part of the process should note that the Independent Examiner makes the **Ultimate Legal Determination** whether they agree with the Local Authority or not that a referendum is not required.

3.8 The Independent Examiner will determine and recommend whether the modified plan can proceed straight to adoption without a vote.

3.9 The Local Authority will then issue a **Decision Statement** and formally **"make" (adopt) the modified NDP**. It will immediately replace the old plan as part of the statutory development framework for determining local planning decisions.

4. Councillors will want to consider the above in order to:

4.1 Plan for and set a timeline for the next required stages

4.2 Identify and consider any necessary costs for this

4.3 Confirm the continued use of the consultant to support the above, and if necessary any changes to the present brief and agreement.

Richard Burrows

Chair .