



Welland Neighbourhood Plan

Decision Statement published pursuant to Section 38A (9) and (10) Planning and Compulsory Purchase Act 2004 (as amended) and Regulations 19 and 20 of the Neighbourhood Planning (General) Regulations 2012 (as amended)

On 9 April 2024 Malvern Hills District Council decided to make the Welland Neighbourhood Plan under 38A(4)(a) of the Planning and Compulsory Purchase Act 2004 (as amended). The Welland Neighbourhood Plan became part of the Development Plan for Malvern Hills District after a successful referendum on 7 March 2024 and is now formally adopted following the aforementioned Council meeting.

Reasons for the Decision

The Welland Neighbourhood Plan meets the Basic Conditions and its promotion process is compliant with legal and procedural requirements. Paragraph 38A(4)(a) of the Planning and Compulsory Purchase Act 2004 requires the Council to make the Neighbourhood Plan if more than half of those voting in the Referendum have voted in favour of the Plan being used to help decide planning applications in the area. The Plan was endorsed by more than the required threshold in the Referendum on 7 March 2024.

Background

The Welland Neighbourhood Plan was prepared by Welland Parish Council, which is the relevant body for the purposes of neighbourhood plan preparation. The application to designate the parish of Welland as a Neighbourhood Area for the purposes of preparing a neighbourhood plan was approved by Malvern Hills District Council in May 2014.

The Parish Council published the draft Welland Neighbourhood Plan for pre-submission consultation between December 2015 and January 2016, in line with Regulation 14 of the Neighbourhood Planning (General) Regulations 2012. Progress on the Neighbourhood Plan was paused after this stage and resumed in early 2018. Further public consultation took place in 2018, followed by an additional Regulation 14 Consultation which took place between September 2021 and November 2021.

The Parish Council submitted the draft Welland Neighbourhood Plan and supporting documents (including a Basic Conditions Statement and Consultation Statement) to the District Council in May 2023 (in accordance with Regulation 15 of the Neighbourhood Planning (General) Regulations 2012). The submitted Plan was published by the District Council for public consultation between 26 June 2023 and 21 August 2023.

Malvern Hills District Council, with the consent of Welland Parish Council, appointed an independent examiner, Chris Collinson, to review the Plan and consider whether it should proceed to referendum.

The Examiner's Report was received on 15 December 2023 which concluded that subject to several modifications, the Plan met the Basic Conditions and should proceed to Referendum. The modifications are required to ensure that the Plan will meet the Basic Conditions and legal requirements.

Paragraph 38A(4)(a) of the Planning and Compulsory Purchase Act 2004 requires the District Council to make the Neighbourhood Plan if more than half of those voting in a referendum have voted in favour of the Plan being used to help to decide planning applications in the area.

A local referendum was held in Welland on 7 March 2023 to decide whether the local community were in favour of the Welland Neighbourhood Plan. From the votes recorded, 208 out of 230 (90.44%) of the votes cast were in favour of the Plan. The turnout of electors was 18.8%.

The District Council has also assessed and concluded 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). As such, the District Council decided on 9 April 2024 to make (adopt) the Welland Neighbourhood Plan. The Neighbourhood Plan is part of the statutory Development Plan for Malvern Hills District, sitting alongside the South Worcestershire Development Plan and other material considerations in determining planning applications in the parish of Welland.

Inspection of Decision Statement and made Neighbourhood Plan

This decision statement can be viewed on the Malvern Hills District Council and Welland Parish Council websites:

<https://www.malvernhillsgov.uk/planning/planning-policy/neighbourhood-planning>

<https://www.wellandparishcouncil.org.uk/>

In accordance with Regulation 20 of the Regulations, the Welland Neighbourhood Plan can be viewed on the Malvern Hills District Council and Welland Parish Council websites.

Paper copies of this statement and the made Welland Neighbourhood Plan can also be viewed at:

- Customer Services, Malvern Hills District Council, Council House, Avenue Road, Malvern, WR14 3AF (*Monday-Friday 9am-5pm*)
- Malvern Library, Graham Road, Malvern, WR14 2HU (*Monday, Tuesday, Wednesday, Thursday and Friday 9am-5.00pm and Saturday 9am-4pm*)

A handwritten signature in black ink, appearing to read 'Vic Allison', is centered on the page.

Vic Allison

Chief Executive

Malvern Hills District Council

09 April 2024