

# ROTHER DISTRICT COUNCIL

## SEDLSCOMBE NEIGHBOURHOOD PLAN 2016-2028

### DECISION STATEMENT<sup>1</sup>

#### 1. Summary

- 1.1 Following a favourable Referendum result, notice is given that Rother District Council (“the District Council”), at its meeting on 23<sup>rd</sup> April 2018, ‘made’ the Sedlescombe Neighbourhood Plan 2016-28, meaning the Neighbourhood Plan comes in force with immediate effect. Hence, it forms part of the statutory Development Plan for the area and, as such, is a key policy document in the determination of planning applications for development in Sedlescombe Parish.<sup>2</sup>
- 1.2 The ‘made’ Sedlescombe Neighbourhood Plan can be viewed on the District Council’s website at: <http://www.rother.gov.uk/Sedlescombe-Neighbourhood-Plan> and a hard copy inspected at the Town Hall, Bexhill-on-Sea. Also available is the Strategic Environmental Assessment Adoption Statement. Further details of the availability of documents are given at the end of this Statement.

#### 2. Background

- 2.1 Upon application by Sedlescombe Parish Council (“the Parish Council”), as the qualifying body, the District Council designated Sedlescombe Parish as a ‘Neighbourhood Area’, under Part 2 of the Neighbourhood Planning (General) Regulations 2012, on 1<sup>st</sup> July 2013.
- 2.2 Following consultation on a draft version, a revised ‘Submission’ version of the Sedlescombe Neighbourhood Plan was prepared and submitted by the Parish Council. Public consultation on that took place between 28 November 2016 and 23 January 2017. All duly-made representations were forwarded to an independent Examiner, Mr. Edward Cousins who was appointed by the District Council, with the agreement of the Parish Council, to review the Neighbourhood Plan, consider whether it met the basic conditions required by legislation<sup>3</sup> and whether it should proceed to referendum.
- 2.3 The examination included a public hearing held on 19 June 2017. The Examiner reported his findings in November 2017 and concluded that, subject to certain modifications, the Neighbourhood Plan met the basic conditions and could therefore proceed to a local Referendum. He also recommended that the referendum area be the designated Neighbourhood Area.

#### 3 Decision and Reasons

- 3.1 With the incorporation of the Examiner’s modifications, the District Council agreed that the Neighbourhood Plan met the basic conditions and other requirements and could be put forward for a local Referendum. This was held on 15 March 2018. It posed the question “*Do you want Rother District Council to use the Neighbourhood Plan for Sedlescombe to help it decide planning applications in the neighbourhood area?*” The outcome was that 476 (86%) of the 552 people who voted were in favour of the Plan.

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<sup>1</sup> In accordance with regulation 19 of the Neighbourhood Planning (General) Regulations 2012 (as amended)

<sup>2</sup> NB The development boundary for Sedlescombe in the Neighbourhood Plan supersedes that in the 2006 Local Plan

<sup>3</sup> As set out in Paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended)

- 3.2 Paragraph 38A(4)(a) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that the District Council must 'make' the Neighbourhood Plan if more than half of those voting have voted in favour of the Plan, unless (under Para. 38A(6)) this would breach or would otherwise be incompatible with an EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).
- 3.3 In line with the outcome of the Referendum and having further considered whether making the Neighbourhood Plan would breach or would otherwise be incompatible with any EU obligation or any of the Convention rights, the District Council resolved, at its meeting on 23 April 2018 that:

*The Sedlescombe Neighbourhood Development Plan 2016-2028 incorporating the Examiner's modifications, as presented to local Referendum, be "made" with immediate effect and form part of the Council's Development Plan.*

#### **4 Availability of documents**

- 4.1 The 'made' Sedlescombe Neighbourhood Plan and related documents can be viewed on the District Council's website at the dedicated Sedlescombe Neighbourhood Plan page: <http://www.rother.gov.uk/Sedlescombe-Neighbourhood-Plan>
- 4.2 The Notice of referendum result can be viewed at <http://www.rother.gov.uk/article/12438/Past-Election-and-Referendum-Results>
- 4.3 A paper copy of the Sedlescombe Neighbourhood Plan, the Strategic Environmental Assessment Adoption Statement and this Decision Statement can also be inspected at the Customer Help Point at the District Council's offices at Town Hall, London Road, Bexhill-on-Sea, TN39 3JX during normal opening hours.
- 4.4 The report to Cabinet in relation to making of the Neighbourhood Plan is available to view on the Council's website at <http://www.rother.gov.uk/article/13084/Monday-9-April-2018>; the Full Council minute is at <http://www.rother.gov.uk/article/13095/Monday-23-April-2018>
- 4.5 For further information, please contact the Planning Policy Team at the above address or by email to [planning.strategy@rother.gov.uk](mailto:planning.strategy@rother.gov.uk), or telephone 01424 787000.

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