

Peasmarsh Neighbourhood Development Plan Decision Statement (Regulation 18, 2)

Summary

1. Following an independent examination undertaken by written representations and a hearing, Rother District Council now confirms that the Peasmarsh Neighbourhood Development Plan will proceed to a Neighbourhood Planning Referendum.
2. This decision statement is available on the [Peasmarsh Neighbourhood Plan](#) page of the Rother District Council website.

Background

3. On 25th March 2021, Rother District Council formally designated the area shown at Appendix 1 as the Peasmarsh Neighbourhood Area.
4. Following the submission of the Peasmarsh Neighbourhood Development Plan to Rother District Council the plan was publicised and representations were invited. The publicity period ran from 17th February to the 31st March 2023.
5. The District Council appointed an independent examiner, Mr John Slater BA (Hons), DMS, M.R.T.P.I. to examine whether the Peasmarsh Neighbourhood Development Plan met the basic conditions as set out in Schedule 4B to the Town and Country Planning Act 1990, and whether the Peasmarsh Neighbourhood Development Plan should proceed to a referendum.
6. The Examiner's Report recommended a number of modifications so that the Peasmarsh Neighbourhood Development Plan is able to comply with the 'basic conditions' and other relevant statutory provisions and that the submission plan if modified can be put to referendum.
7. The Examiner's Report concludes by stating:

'I can confirm that my overall conclusions are that the Plan, if amended in line with my recommendations, meets all the statutory requirements including the basic conditions test once the screening of the plan under the Conservation of Habitats and Species Regulations has been carried out by Rother District Council, and that it will then be appropriate, if successful at referendum, that the Plan, as amended, be made.'

I am therefore delighted to recommend to Rother District Council, subject to the above caveat, that the Peasmarsch Parish Neighbourhood Plan, as modified by my recommendations, should proceed, in due course, to referendum.'

Recommendations, Decisions and Reasons

8. The Neighbourhood Planning (General) Regulations 2012, Regulation 18 requires the local planning authority to outline what action to take in response to the recommendations of an examiner made in a report under paragraph 10 of Schedule 4a to the Town and Country Planning Act 1990 (as applied by Section 38A of the Planning and Compulsory Purchase Act 2004).
9. Having considered the recommendations made by the Examiner's report, and the reasons for them, Rother District Council in conjunction with Peasmarsch Council (the Qualifying Body) has agreed to accept the modifications made to the draft plan under paragraph 12(6) of Schedule 4B to the Town and Country Planning Act 1990 in response to the Examiner's recommendations/modifications.
10. To meet the requirements of the Localism Act 2011 a referendum which poses the question, 'Do you want Rother District Council to use the Peasmarsch Neighbourhood Development Plan to help it decide planning applications in the Peasmarsch Neighbourhood Development Area?' will be held in the area formally designated as the Peasmarsch Neighbourhood Area.
11. The date on which the referendum will take place is 29th February 2024.

16 January 2024