

DECISION NOTICE

Notice is given that the following decision has been taken under the Provisions set out in the Council's Constitution

Decision maker: Portfolio Holder for Planning

Decision in the matter of: Hankelow Neighbourhood Development Plan: Decision to Proceed to Referendum

Decision: That the Portfolio Holder:

- 1 accepts the examiner's recommendations to make modifications to the Hankelow Neighbourhood Plan, as set out in the examiner's report.
- 2 confirms that it is the Council's intent to hold a referendum on the Hankelow Neighbourhood Plan (as amended), within the Hankelow Neighbourhood Plan area, at the earliest opportunity available after the current restrictions on polling are lifted.
- 3 confirms that the Council will use the Hankelow Neighbourhood Plan in planning decisions, giving policies significant weight so far as they are material to planning applications within the Hankelow Neighbourhood Area.

Background: The Hankelow Neighbourhood Development Plan was submitted to the Council in September 2020 and, following a statutory publicity period, proceeded to independent examination. The Examiner's report has now been received and recommends that, subject to modifications, the Plan proceed to referendum.

It should be noted that local planning authorities are normally required to hold a referendum within 8 weeks of deciding to progress a neighbourhood plan to referendum. The exception to this is where an alternative date can be agreed between both parties. In this instance, due to the current restrictions in place due to the Covid-19 pandemic, it is not possible to hold a referendum within the 8-week time frame, and as set out in the Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020, all polls are suspended until 6th May 2021.

Despite the inability to currently hold a referendum on the plan, the progress of the plan to the post examination stage ensures it must be awarded significant status in planning decisions. Section 70 (2) of the Town and Country Planning Act 1990 requires that local planning authorities must have regard to a post-examination neighbourhood plan, so far as the relevant policies are material to the application.

Background Documents: Report to the Portfolio Holder for Planning entitled 'Hankelow Neighbourhood Development Plan: Decision to Proceed to Referendum'

Background documents relating to this decision can be viewed by contacting the report author.

Approved: Councillor Toni Fox
Portfolio Holder for Planning

Date: 8 March 2021

Executive Director: Frank Jordan
Executive Director Place