



Basingstoke
and Deane

Basingstoke and Deane Local Planning Authority

East Woodhay Parish Neighbourhood Plan 2022 – 2029

REGULATION 18 DECISION STATEMENT (proceeding to referendum)

1. Introduction

- 1.1 In accordance with the Town and Country Planning Act 1990 (as amended), the borough council has a statutory duty to assist communities in the preparation of neighbourhood plans and to progress their neighbourhood plans through examination, referendum and to 'make' the Plan.
- 1.2 In accordance with Regulation 18 of the Neighbourhood Planning (General) Regulations 2012 Basingstoke and Deane Borough Council (BDBC) has produced this 'Decision Statement' in relation to the East Woodhay Neighbourhood Plan (EW NP). This statement confirms that the modifications proposed in the Examiner's Report on the EW NP have been accepted by the borough council and the Plan has been consequently amended. The Plan can now proceed to referendum.
- 1.3 The Examiner's Report and submission EW NP, including supporting documents, can be viewed on the council's website at:

<https://www.basingstoke.gov.uk/EWNP>

Hard copies of the documents can also be viewed at the borough council offices (Basingstoke and Deane Borough Council, Civic Offices, London Road, Basingstoke, RG21 4AH).

2. Background

- 2.1 On 5 November 2018 BDBC designated the East Woodhay Neighbourhood Area for the purpose of preparing a Neighbourhood Plan. The plan area covers the parish of East Woodhay and lies solely within the Basingstoke and Deane Local Planning Authority Area.
- 2.2 East Woodhay Parish Council (EW PC), the qualifying body, submitted the draft EW NP and supporting documents to BDBC on 1 March 2022.

- 2.3 Following submission of the EW NP, BDBC publicised the Plan and supporting documents and invited representations during the consultation period which ran from Monday 14 March for 7 weeks, ending on Tuesday 3 May 2022.
- 2.4 BDBC, with the consent of EW PC, appointed an independent examiner, Janet Cheesley to review the Plan and assess whether it should proceed to referendum.
- 2.5 However, the examination of the Plan was delayed allowing further work to take place on the impact of the Plan upon protected nature conservation sites in the Solent. The Plan was resubmitted and re consulted upon between 18 July 2022 and 5 September 2022.
- 2.6 The Examiner's Report was received on 7 October 2022 and recommended that, subject to a number of proposed modifications, the Plan should proceed to referendum. The modifications are required to ensure that the Plan meets the basic conditions set out in the legislation (Para 8(2) Schedule 4B Town and Country Planning Act 1990). The examiner also recommended that the area for the referendum should be based on the designated neighbourhood area which the Plan relates to.
- 2.7 In accordance with the legislation (Schedule 4B paragraph 12 Town and Country Planning Act 1990), the Local Planning Authority must decide what action to take in response to the examiner's recommendations, what modifications to make to the Plan and whether the Plan should proceed to referendum.
- 2.8 If the Local Planning Authority is satisfied that the Plan can proceed to referendum, it is also required to consider whether the Referendum Area should be extended beyond the East Woodhay Neighbourhood Area (Schedule 4B paragraph 12(8) Town and Country Planning Act 1990).

3. Local Planning Authority Decision

- 3.1 Having considered the Examiner's Report the Local Planning Authority confirms that:
- The Examiner's recommended modifications are accepted and agreed. The modifications have been agreed and are supported by the Local Planning Authority in the interests of ensuring that the EW NP meets the basic conditions, improving precision for accurate interpretation of the Plan, and making necessary minor edits to the Plan.

- The EW NP, incorporating all the recommended modifications and consequential modifications¹, should proceed to referendum as the Plan:
 - meets the basic conditions in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as amended);
 - is compatible with Convention Rights (the European Convention on Human Rights) and complies with the Human Rights Act 1998;
 - is compliant with the provision made by or under sections 38A and 38B of the Planning and Compulsory Purchase Act 2004.

 - The recommended modifications will not have significant environmental effects. A Strategic Environmental Assessment was not required for the EW NP.

 - It agrees with the Examiner's recommendation to proceed to a referendum based on the East Woodhay Neighbourhood Area as approved by the council.
- 3.2 This decision has been made in accordance with the relevant legislation, guidance and advice and in response to the recommendations made in the Examiner's Report.
- 3.3 Not less than 28 days before the date of the referendum the borough council must publish on their website and make available an information statement and specified documents (which will include the EW NP, as revised in light of the Examiners recommendations). These documents will be made available during the referendum period for inspection including at the council's Civic Offices.

¹ Modifications in order to correct errors/inaccuracies resulting from the amendments made in light of the Examiner's Report.