



Basingstoke  
and Deane

## **Appendix 3:**

### **Basingstoke and Deane Local Planning Authority**

### **Cliddesden Neighbourhood Plan 2022 – 2039**

### **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 Cliddesden Neighbourhood Plan (CLID NP). This statement confirms that the modifications proposed in the Examiner's Report on the CLID 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 CLID NP, including supporting documents, can be viewed on the council's website at:

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

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 June 2018, BDBC designated the Cliddesden Neighbourhood Area for the purpose of preparing a Neighbourhood Plan. The plan area covers the parish of Cliddesden and lies solely within the Basingstoke and Deane Local Planning Authority Area.

- 2.2 Cliddesden Parish Council (CLID PC), the qualifying body, submitted the draft CLID NP and supporting documents to BDBC on 30 October 2023.
- 2.3 Following submission of the CLID NP, BDBC publicised the Plan and supporting documents and invited representations during the consultation period which ran from Friday 24 November 2023 to Friday 12 January 2024.
- 2.4 BDBC, with the consent of CLID PC, appointed an independent examiner, Janet Cheesley to review the Plan and assess whether it should proceed to referendum.
- 2.5 During the examination, the examiner wrote to the Local Planning Authority and the Parish Council expressing concerns about whether Policy ENV5 (Valued Landscapes) complied with the basic conditions and indicating that she would recommend that the policy was deleted. Given the significance of this proposed modification, the examiner asked the Parish Council whether they wished to withdraw the plan or continue with the examination. The Parish Council decided to continue with the examination and the examiner therefore requested an additional two week mid-examination consultation to enable all interested parties to make comments on the proposed deletion of the policy.
- 2.6 The Examiner's Report was received on 2 April 2024 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 Cliddesden 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 are supported by the Local Planning Authority in the interests of

ensuring that the CLID NP meets the basic conditions and improving precision to enable the accurate interpretation of the Plan.

- The CLID NP, incorporating all the recommended modifications and consequential modifications<sup>1</sup>, 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; and
    - 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.
  - It agrees with the Examiner's recommendation to proceed to a referendum based on the Cliddesden 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.
- 3.4 Not less than 28 working 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 CLID 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.

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