

# Eye Neighbourhood Plan



## Post-Examination Decision Statement

### Regulation 18 of the Neighbourhood Planning (General) Regulations 2012 (as amended)

Dated: 7 May 2020

#### Summary

The submission draft Eye Neighbourhood Plan has been independently examined by Rosemary Kidd, Dip TP MRTPI. In her final report dated 25 October 2019, she sets out a number of detailed modifications and advises that, subject to those being made, the Plan meets the Basic Conditions and can proceed to referendum. The Examiner also concluded that the Referendum Area should be the same as the Plan Area.

Regulation 18 of the Neighbourhood Planning (General) Regulations 2012 (as amended) requires the relevant local planning authority to decide what action to take in response each of the recommendations made by the Examiner and to publish its decision on its website. This Decision Statement fulfills that purpose.

Following consideration of the Independent Examiners Report at its meeting on 13 January 2020, Mid Suffolk District Council Cabinet Committee agreed to accept all of the modifications proposed. It further resolved that:

1. Eye Town Council be requested to make all the modifications to their Neighbourhood Plan in accordance with the Examiner's recommendations, *and*
2. Subject to satisfactory completion of the above (to be agreed by the Corporate Manager for Strategic Planning), this Neighbourhood Plan be advanced to a local referendum covering the parish of Eye.

#### Background

The Eye Neighbourhood Plan has been prepared in accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended). The key stages are set out below:

- In October 2017, designation of the whole parish as a Neighbourhood Plan Area by the District Council, enabling the Town Council, as the 'qualifying body', to prepare its Plan.
- Publication by Eye Town Council of their Regulation 14 Pre-submission draft Neighbourhood Plan for public consultation between 8 November and 20 December 2018
- In May 2019, formal submission of the draft Plan to the District Council, which was checked for compliance with the relevant requirements prior to being made available for public consultation between 22 May and 5 July 2019.
- Between July and October 2019, independent examination of the Plan by Rosemary Kidd, Dip TP MRTPI. The Final Exam Report was issued on 25 October 2019.



The 'Basic Conditions' are set out in Paragraph 8(2), Schedule 4B the Town and Country Planning Act, 1990. In order to satisfy them a Plan must:

- have regard to national policies and advice contained in guidance issued by the Secretary of State,
- be in general conformity with the strategic policies contained in the Development Plan for the area,
- contribute to the achievement of sustainable development; *and*
- not breach and be otherwise compatible with EU obligations and human rights requirements.

Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended) also prescribes the following basic condition - *that the making of the neighbourhood plan should not have a significant effect on a European site or a European offshore marine site either alone or in combination with other plans or projects.*

The Eye Neighbourhood Plan was subject to an independent screening assessment. This concluded that the need to undertake a Habitats Regulation Assessment was 'screened-out' and therefore, the making of the Plan is not likely to have a significant effect on a European site or a European offshore marine site. Following consultation with the statutory bodies, the Council issued its formal Determination Notice on this matter in January 2019.

## **Decision**

The Eye Neighbourhood Development Plan as modified to incorporate all of the modifications set out in the Independent Examiners Report dated 25 October 2019 complies with the 'Basic Conditions' as set out in Paragraph 8(2), Schedule 4B the Town and Country Planning Act, 1990 and should proceed to a local referendum.

The date of the Local Referendum will be announced separately.

A copy of the 'Referendum Version' Eye Neighbourhood Plan, i.e. the version incorporating all of the required modifications, will be published on the same day that the local referendum is announced, or sooner if it is both practical and sensible to do so.

## **References:**

1. Independent Examiners Report on the Eye Neighbourhood Plan:

<https://www.midsuffolk.gov.uk/assets/Neighbourhood-Planning/Eye-NP-Exam-Report.pdf>

2. Report to and Minutes of the Mid Suffolk Cabinet Meeting held on 13 Jan 2020 [Report number MCa/19/39 Eye Neighbourhood Plan refers]:

<https://baberghmidsuffolk.moderngov.co.uk/ieListDocuments.aspx?CId=522&MId=2621>