



Hinckley & Bosworth
Borough Council

Stoke Golding Neighbourhood Plan Review

Decision Statement – 9 May 2024

Regulation 18 and Regulation 19 of The Neighbourhood Planning (General) Regulations 2012 (as amended)

Summary

Following an independent examination on the review of Stoke Golding Neighbourhood Plan, the council have considered all of the information available and this Decision Statement outlines the Local Planning Authority's (LPA) decision to "make" the reviewed Stoke Golding Neighbourhood Plan.

The reviewed neighbourhood plan was not subject to a referendum, and the reasons for this are outlined later in this decision statement.

This Decision Statement will be made available on the Borough Council's website.

Background

On 27 May 2016, Hinckley and Bosworth Borough Council formally designated the Stoke Golding Parish boundary and a section of Higham on the Hill Parish Council as a Neighbourhood Area for the purpose of producing a neighbourhood development plan. The original neighbourhood plan was subject to Regulation 16 submission consultation between 9 June and 21 July 2021, and the examination concluded the plan could proceed to referendum following modification. The referendum was held on 3 March 2022, and subsequently was made by the LPA.

The review of the made neighbourhood plan commenced to take account of changes to national and local planning policies. Stoke Golding Neighbourhood Plan Group undertook their Regulation 14 Pre-Submission consultation from 9 May to 20 June 2023. The Regulation 16 Submission consultation ran from Wednesday 8 November to Wednesday 20 December 2023.

The Borough Council, with the agreement of Stoke Golding Parish Council appointed an independent Examiner, Louise Brooke-Smith to examine whether the review of the Stoke Golding Neighbourhood Plan met the basic conditions as set out in Schedule 4B to the Town and Country Planning Act 1990, and to determine which 'type' of modifications have been made to the neighbourhood plan, as per Paragraph: 106 of the Neighbourhood Planning Practice Guidance (Reference ID: 41-106-20190509). The three types of modification include:

- minor (non-material) modifications which would not materially affect the policies in the plan
- material modifications which do not change the nature of the plan that would require an examination or a referendum
- material modifications which do change the nature of the plan that would require examination and a referendum.

The Examiner's Report recommends modifications to policies and modifications to the supporting content in the Plan, including corrections, to provide clarity in order to ensure that the Basic Conditions are met. However, overall the Examiner's Report (April 2024) concludes by stating:

'In summary, and only subject to the modifications identified within this report, I find that the Plan complies with the legal requirements set out in Paragraph 8(1) and 8(2) of Schedule 4B to the Town and Country Planning Act 1990 and the relevant regulations relating to the preparation of an updated Neighbourhood Development Plan.

Hence, I recommend that, further to my proposed modifications, the Updated Stoke Golding Neighbourhood Plan can proceed to be 'made' by Hinckley and Bosworth Borough Council'.

Decision

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).

Having considered the recommendations made in the examiner's report, and the reasons for them, Hinckley and Bosworth Borough Council 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.

As per the decision by the Examiner, the Stoke Golding Neighbourhood Plan can proceed to be made without the need for a referendum.

In accordance with the regulations, the reviewed Stoke Golding Neighbourhood Development Plan is 'made' and planning applications within the Neighbourhood Area must be considered against the Stoke Golding Neighbourhood Plan Review, as well as existing planning policy such as the National Planning Policy Framework and Guidance, and the Borough Council's Local Plan 2006-2026.

Where to view this Decision Notice

This Decision Statement may be viewed at:
Hinckley and Bosworth Borough Council
Hinckley Hub
Rugby Road
Hinckley
Leicestershire
LE10 0FR