



Hinckley & Bosworth
Borough Council

Sheepy Neighbourhood Plan Review

Decision Statement – 25 April 2022

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

Summary

Following an independent examination on the review of Sheepy Parish Neighbourhood Plan (undertaken by written representations), 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 Sheepy Parish 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 22 October 2015, Hinckley and Bosworth Borough Council formally designated the Sheepy Parish boundary 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 5 September and 17 October 2018, and the examination concluded the plan could proceed to referendum following modification. The referendum was held on 14 March 2019, and subsequently was made by the LPA.

The review of the made neighbourhood plan commenced formally in 2021. Sheepy Neighbourhood Plan Group published proposed modifications to the 'made' plan in April 2021 and undertook their Regulation 14 Pre-Submission consultation from 20 April 2021 to 1 June 2021. The Regulation 16 Submission consultation ran from Friday 3 December 2021 to Friday 21 January 2022.

The Borough Council, with the agreement of Sheepy Parish Council appointed an independent Examiner, Andrew Matheson MSc MPA DipTP MRTPI FCIH to examine whether the review of the Sheepy Parish 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 (8 April 2022) concludes by stating:

'Subject to a series of recommended modifications set out in this Report I have concluded that the Sheepy Neighbourhood Development Plan Review meets all the necessary legal requirements and should proceed to be made by Hinckley & Bosworth Borough Council.'

'I have properly considered these assessments and have concluded that the Plan Review includes material modifications which do not change the nature of the Plan and which would require examination but not a referendum.'

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 Sheepy Neighbourhood Plan can proceed to be made without the need for a referendum.

In accordance with the regulations, the reviewed Sheepy Parish Neighbourhood Development Plan is 'made' and planning applications within the Neighbourhood Area must be considered against the Sheepy Parish Neighbourhood Plan, 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