

Clehonger NDP Independent Examination

Delegated Decision Statement

07 September 2020

Neighbourhood Planning (General) (Amendment) Regulations 2012

Name of neighbourhood area	Clehonger Neighbourhood Area
Parish Council	Clehonger Parish Council
Submission	9 January to 20 February 2020
Examination Date	March to August 2020
Inspector Report Received	04 September 2020

1 Introduction

- 1.1 The Town and Country Planning Act 1990 (as amended), states that the Council has a statutory duty to assist communities in the preparation of neighbourhood development plans and to take the plans through a process of examination and referendum.
- 1.2 The Localism Act 2011 (Part 6 chapter 3) details the Local Planning Authority's responsibilities under Neighbourhood planning.
- 1.3 This Decision Statement confirms that any modifications proposed by the examiner's report have been accepted, the draft Clehonger Neighbourhood meets the legal requirements, and that NDP may proceed to referendum.

2 Background 20

- 2.1 The Neighbourhood Area of the Clehonger was designated on 25 September 2014. The Neighbourhood Area is slightly larger than the parish boundary and included a small number of properties that are within Allensmore parish but form part of the village of Clehonger. The Clehonger Neighbourhood Development Plan has been prepared by Clehonger Parish

Council. Work on the production of the plan has been undertaken by members of the local community through a Neighbourhood Plan Steering Group since September 2014.

- 2.2 The Plan was submitted to Herefordshire Council on 19 December 2019 and the consultation under Regulation 16 took place between the 9 January to 20 February 2020, where the Plan was publicised and representations invited.
- 2.3 In March 2020, Ann Skippers MRTPI FHEA FRSA AoU was appointed by Herefordshire Council, with the consent of the Parish Council, to undertake the examination of the Clehonger NDP and to prepare a report of the independent examination. The start of the examination was delayed due to the Coronavirus Virus outbreak.
- 2.4 The Examiner's report concludes that no modifications are required, the plan meets the basic conditions set out in the legislation and should proceed to a Neighbourhood Planning referendum.
- 2.5 Herefordshire Council (in accordance with the 1990 Act Schedule 4B paragraph 12) has considered the examiner's report and concluded that the Clehonger NDP meets the Basic Conditions and the legal requirements and no modifications are required.

3 Recommendations by the examiner

- 3.1 The examiner commented that it has not been necessary to recommend any modifications to the Clehonger NDP following the examination. She went on to indicate that this is only the second plan in over 100 that had been examined that has not needed any modifications and commended the clarity of the plan to others.

4 Post Adoption SEA and HRA

- 4.1 As no modifications have been made, the SEA and HRA which accompanied the submission plan are still valid.

5 Decision

- 5.1 The Neighbourhood Planning (General) Regulations 2012 requires the local planning authority to outline what action to take in response to the recommendations that the examiner made in the report under paragraph 10 of Schedule 4A to the 1990 act (as applied by Section 38A of the 2004 Act) in relation to a neighbourhood development plan.
- 5.2 Herefordshire Council have considered the examiner's report.
- 5.3 The Clehonger Neighbourhood Development Plan meets the basic conditions:
 - Having regard to national policies and advice contained in guidance issues by the Secretary of State, it is appropriate to make the plan
 - The making of the neighbourhood plan contributes to the achievement of sustainable development
 - The making of the neighbourhood plan is in general conformity with the strategic policies contained in the Herefordshire Local Plan – Core Strategy
 - The making of the neighbourhood plan does not breach and is otherwise compatible with EU obligations

- The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 and
- The making of the neighbourhood plan is not likely to have a significant effect on a European site either alone or in combination with other plans and projects.

5.4 It is recommended that the Clehonger Neighbourhood Plan progresses to referendum. Consideration has been given as to whether the area should be extended beyond that of the neighbourhood area. Herefordshire Council concur with Examiner's conclusion that nothing has been suggested which would require an extension of the area beyond that designated on 25 September 2014.



A handwritten signature in blue ink, appearing to be 'R. Gabb', is written over a vertical line.

Signed

Dated8 September 2020.....

Richard Gabb
Programme Director Housing and Growth