

Hailsham Town Council Neighbourhood Plan

Decision Statement

Wealden District Council

Hailsham Neighbourhood Plan – Decision Statement

(published pursuant to Section 38A(9) of the Planning and Compulsory Purchase Act 2004 and Regulation 18 of the Neighbourhood Planning (General) Regulations 2012 (as amended))

Background

1. On 28th August 2016, Wealden District Council formally designated the area shown at Appendix A as the Hailsham Town Council Neighbourhood Area.
2. Following the submission of the Draft Hailsham Neighbourhood Plan to Wealden District Council, in accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 (as amended), the plan was publicised and representations were invited. The publicity period ran for a period of six weeks between 7th May 2019 and 18th June 2019.
3. Wealden District Council appointed an independent Examiner, John Slater BA (Hons), DMS, MRTPI to examine whether the Hailsham Neighbourhood Plan met the 'basic conditions' as set out in Schedule 4B to the Town and Country Planning Act 1990, and whether the Hailsham Neighbourhood Plan should proceed to a referendum.
4. The final Examiners Report was received by Wealden District Council on 11th March 2020 which recommended a number of modifications to the Hailsham Neighbourhood Plan. These are required to ensure the Hailsham Neighbourhood Plan complies with the basic conditions and other relevant statutory provisions, and so that the draft plan as modified can be submitted for referendum. It concludes by stating:

"I can confirm that my overall conclusions are that the Plan, if amended in line with my recommendations, meets all the statutory requirements including the basic conditions test and that it is appropriate, if successful at referendum, that the Plan, as amended, be made. I am therefore delighted to recommend to Wealden District Council that the Hailsham Neighbourhood Plan, as modified by my recommendations, should now proceed to referendum"

Recommendations, Decisions and Reasons

5. Regulation 18 of the Neighbourhood Planning (General) Regulations 2012 (as amended), requires the local planning authority to outline what action needs to be taken 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).

6. Having considered the recommended modifications, as set out in the Examiner's Report and the reasons for them, Wealden District Council has agreed to accept these modifications and for them to be made to the Hailsham Neighbourhood Plan in accordance with paragraph 12(6) of Schedule 4B to the Town and Country Planning Act 1990. The Council confirms that subject to the Examiner's proposed specific modifications, the Hailsham Neighbourhood Plan will proceed to referendum, to be undertaken when it would be suitable to do so, following advice as necessary from Public Health England, for the following reasons. The Neighbourhood Plan:
- will be compatible with the European Convention of Human Rights;
 - will not breach, and is otherwise compatible with, European Union obligations;
 - is not likely to have significant effect on a European designated site or a European Offshore Marine site either alone or in combination with other plans or projects;
 - taken as a whole has regard to national policies and advice contained in guidance issued by the Secretary of State and would contribute to the achievement of sustainable development;
 - is in general conformity with the strategic policies contained in the Development Plan for the area;
 - meets the basic conditions; and
 - has undergone consultation in accordance with the requirements of the Regulations.
7. The Council also agrees with the Examiner's recommendation that the referendum of the Neighbourhood Plan should be based on the designated Neighbourhood Area approved by the Council on 28th August 2016.
8. To meet the requirements of the Localism Act 2011, a referendum which poses the question, 'Do you want Wealden District Council to use the Hailsham Neighbourhood Plan to help it decide planning applications in the Hailsham Neighbourhood Area¹?' will be held in the area formally designated as the Hailsham Neighbourhood Area.
9. The date on which the referendum will take place is yet to be decided. The Council will work with Hailsham Town Council and the Neighbourhood Plan Steering Group to determine an appropriate date for the referendum to be undertaken when it would be suitable to do so, following advice as necessary from Public Health England.
10. This Decision Statement, the Examiner's Report, including the proposed modifications and the HNP can be viewed on Wealden District Council's website www.wealden.gov.uk/neighbourhoodplans. The documents are also available for inspection at the following locations:

¹ Neighbourhood Planning (Referendums) Regulations 2012 (as amended).

- Wealden District Council offices, Vicarage Lane, Hailsham BN27 2AX
- Hailsham Town Council Offices, Inglenook, Market Street, Hailsham, East Sussex, BN27 2AE (by arrangement).

11. For any questions please contact the Planning Policy Team on 01892 602008 or email nplans@wealden.gov.uk

Appendix A – Hailsham Parish Neighbourhood Area

