

Horam Neighbourhood Plan

Regulation 18 Decision Statement

Issued: 13 August 2024

Wealden District Council

Horam Neighbourhood Plan- Decision Statement

(published pursuant to Regulation 18 (2) of the Neighbourhood Planning (General) Regulations 2012 (as amended)).

Summary

1. Following an independent examination undertaken by written representations, Wealden District Council now confirms that the Horam Neighbourhood Plan will proceed to a Neighbourhood Planning Referendum.

Background

2. On 6 November 2019 (implemented on 14 November 2019), Wealden District Council formally designated the area shown at Appendix A as the Horam Parish Council Neighbourhood Area.
3. Following the submission of the Draft Horam Neighbourhood Plan to Wealden District Council (under Regulation 15) by Horam Parish Council, in accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 (as amended), Wealden District Council publicised the plan, and representations were invited. The publicity period ran for a period of eight weeks between 11 December 2023 and 6 February 2024.
4. Wealden District Council, with the agreement of the Parish Council, appointed an Independent Examiner, Andrew Ashcroft, to examine whether the Horam Neighbourhood Plan met the 'basic conditions' as set out in Schedule 4B to the Town and Country Planning Act 1990, and whether the Horam Neighbourhood Plan should proceed to a referendum.
5. The final Examiner's Report was received by Wealden District Council on 12 July 2024, which recommended a number of modifications to the Horam Neighbourhood Plan. These modifications are required to ensure the Horam Neighbourhood Plan complies with the basic conditions and other relevant statutory provisions, and so that the submission plan, if modified, can be put to referendum.
6. The conclusion of the Examiner's Report states that:

"Following the independent examination of the Plan, I have concluded that the Horam Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications. On the basis of the findings in this report, I recommend to Wealden District Council that, subject to the incorporation of the modifications set out in this report, the Horam Neighbourhood Development Plan should proceed to referendum".

Recommendations, Decisions and Reasons

7. 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 4B to the Town and Country Planning Act 1990 (as applied by Section 38A of the Planning and Compulsory Purchase Act 2004).
8. Having considered the recommended modifications, as set out in the Examiner's Report and the reasons for them, Wealden District Council, in conjunction with Horam Parish Council (the Qualifying Body), has agreed to accept these modifications and for them to be made to the Horam Neighbourhood Plan in accordance with paragraph 12(6) of Schedule 4B to the Town and Country Planning Act 1990. The modifications made to the Plan are set out in the Schedule of Modifications.
9. Paragraph 12(4) of Schedule 4B of the Town and Country Planning Act 1990 states that a referendum must be held on a proposal for a neighbourhood development plan if the Local Planning Authority is satisfied that it meets the Basic Conditions and other legal requirements or would do so if modifications were made to the draft plan.
10. The Council confirms that, subject to the Examiner's proposed modifications, the Horam Neighbourhood Plan will proceed to referendum 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.
11. The Council also agrees with the Examiner's recommendation that the Plan should proceed to referendum based on the neighbourhood area as approved by the District Council on 14 November 2019.
12. To meet the requirements of the Localism Act 2011, a referendum which poses the question, 'Do you want Wealden District Council to use the neighbourhood plan for Horam to help it decide planning applications in the

neighbourhood area?¹ will be held in the area formally designated as the Horam Neighbourhood Area.

13. The referendum needs to be held within 56 working days of the decision being issued (this excludes Saturdays, Sundays and Public Holidays)². The referendum will take place on 26 September 2024.

14. This Decision Statement, the Examiner's Report and the Horam Neighbourhood Plan (Referendum Version) can be viewed on Wealden District Council's website:

<https://www.wealden.gov.uk/planning-and-building-control/planning-policy/neighbourhood-planning/>

15. The documents are also available for inspection at the following locations:

- Wealden District Council Offices, Vicarage Lane, Hailsham BN27 2AX
Monday, Tuesday, Thursday, Friday 8.30am-5pm, Wednesday 9am - 5pm.
- The Horam Centre, 3 Bank Buildings, Horam TN21 0EH
Tuesday: 9.30 - 12.30, Wednesday: 9.30 - 12.30, Thursday: 9.30 - 12.30, Friday: 10.00 - 13.00. Additionally, Saturday 21st September 10-2pm.

16. For any questions, please contact the Planning Policy Team on 01892 602008 or email Nplans@wealden.gov.uk

¹ [Schedule 1 of the Neighbourhood Planning \(Referendums\) Regulations 2012](#)

² [Regulation 2A of the Neighbourhood Planning \(Referendums\) Regulations 2012](#)

Appendix A- Horam Neighbourhood Area

