

# **WEALDEN DISTRICT COUNCIL**

## **Ninfield Neighbourhood Plan 2022-2039**

### **Decision Statement**

**This Statement was published on 16 October 2024, pursuant to Section 38A(9) of the Planning and Compulsory Purchase Act 2004 (as amended) and Regulation 19 of the Neighbourhood Planning (General) Regulations 2012 (as amended)**

In accordance with Regulation 19 of the Neighbourhood Planning (General) Regulations 2012 (as amended), this statement hereby gives notice that on the 16 October 2024, Wealden District Council made (adopted) the Ninfield Neighbourhood Plan as a Development Plan Document. This means that the Ninfield Neighbourhood Plan now forms part of the Development Plan for Wealden.

#### **Background**

The Council formally designated the Ninfield Neighbourhood Area on 23 January 2020 in accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended). This formally established Ninfield Parish Council (NPC) as the qualifying body to produce a neighbourhood plan for the designated area.

The draft plan, which covers the period 2022 to 2039, was submitted to the council (Regulation 15) in August 2023. The Council published the draft plan for consultation in accordance with Regulation 16 between 25 September 2023 until 13 November 2023.

The Council, in agreement with NPC, appointed an Independent Examiner in November 2023, in accordance with Regulation 17. The Examiner's final report was received on 9 April 2024.

The Council published their decision in accordance with Regulation 17A and accepted the Examiner's recommendations and proposed modifications to allow the referendum plan to progress towards becoming a 'made' plan and part of Wealden District's development plan, subject to a 'yes' vote in a referendum.

A local referendum was held on 5 September 2024 to decide whether the local community were in favour of the plan. Of the votes received, 297 (90.82%) voted 'yes' in response to the referendum question. The turnout of electors was 24.18%.

#### **Reason for the decision**

The Ninfield Neighbourhood Development Plan meets the basic conditions and is compliant with legal and procedural requirements. Paragraph 38A(4)(a) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that Wealden District Council must 'make' the Neighbourhood Plan if more than half of those voting in the referendum vote in favour of the plan, unless (under paragraph 38A(6)) this

would breach or would otherwise be incompatible with a retained EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).

The results of the referendum held on 5 September 2024 returned a vote in favour of the plan being used in the determination of planning applications. Further to the referendum outcome and having considered whether 'making' the Neighbourhood Plan would breach or otherwise be incompatible with any retained EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998), the Ninfield Neighbourhood Plan was formally 'made' at a meeting of Full Council on 16 October 2024.

### **How to view the documents**

This Decision Statement (Regulation 19), the 'made' Ninfield Neighbourhood Plan and associated documents are available to view on the Council's website at:

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

Copies of the Decision Statement and adopted Ninfield Neighbourhood Plan are also available for public inspection, at the Council Offices, Vicarage Lane, Hailsham, BN27 2AX during normal office hours.

For any questions, please contact the Planning Policy Team on 01892 602008 or e-mail [nplans@wealden.gov.uk](mailto:nplans@wealden.gov.uk).