



## **Rearsby Neighbourhood Plan – Decision Statement**

### Summary

This Decision Statement confirms that following an independent Examination the Rearsby Neighbourhood Plan will proceed to a Neighbourhood Planning Referendum.

The Decision Statement, the Examiner's Report, the Referendum Version Neighbourhood Plan and its supporting documents are available to view on the Council's website:

[https://www.charnwood.gov.uk/pages/rearsby\\_neighbourhood\\_plan](https://www.charnwood.gov.uk/pages/rearsby_neighbourhood_plan)

### Background

Rearsby Parish Council was designated as a Neighbourhood Area, under the Neighbourhood Planning (General) Regulations (2012) on the 25<sup>th</sup> August 2015.

The Rearsby Neighbourhood Plan was submitted to Charnwood Borough Council on the 4<sup>th</sup> February 2021. Following an assessment against the statutory requirements set out in Schedule 4B of the Town and Country Planning Act 1990 the plan was publicised by the Borough Council for consultation, ending on the 30<sup>th</sup> April 2021.

The Borough Council, with the agreement of the Parish Council, then appointed an independent examiner, Mr Andrew Matheson, to review whether the Neighbourhood Plan met the Basic Conditions required by legislation and should proceed to Referendum. The Examiner published his report on the 10<sup>th</sup> August 2021 which determined that the Rearsby Neighbourhood Plan met the basic conditions against which it was examined, subject to a number of proposed modifications, and recommended that the plan should proceed to referendum.

### Decision and Reasons

Charnwood Borough Council, in consultation with Rearsby Parish Council, has considered each of the recommendations made by the Examiner and the reasons for them. All of the modifications to the Plan recommended by the Examiner have been made. The modifications and modified Neighbourhood Plan ensure that the Basic Conditions set out in Paragraph 8(2), Schedule 4B of the Town and Country Planning Act 1990 are met. For clarity, the relevant basic conditions are:

- a) Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).
- d) The making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.

- e) The making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).
- f) The making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.
- g) Prescribed conditions are met in relation to the order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).

In addition to the basic conditions set out in primary legislation, Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) sets out further requirements that a neighbourhood plan should not have a significant effect on a European site or a European offshore marine site either alone or in combination with other plans and projects. The Strategic Environmental Assessment Screening Report and the Habitats Regulation Screening Report (February 2021) confirmed it is unlikely that there will be any significant environmental effects, including on European sites, arising from the Rearsby Neighbourhood Plan and that further testing was not required.

Taking the above into account, Charnwood Borough Council considers that the Rearsby Neighbourhood Plan, as modified to incorporate the Examiner's recommendations, should proceed to Referendum. The referendum will take place on the 28<sup>th</sup> October 2021 which has been agreed with the Parish Council.



Richard Bennett  
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13<sup>th</sup> August 2021