



Sileby Neighbourhood Plan Review – Decision Statement

Summary

This Decision Statement confirms that following an independent Examination the Sileby Neighbourhood Plan Review will be Made by Charnwood Borough Council, without a Neighbourhood Planning Referendum.

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

https://www.charnwood.gov.uk/pages/sileby_neighbourhood_plan

Background

Sileby Parish Council was designated as a Neighbourhood Area, under the Neighbourhood Planning (General) Regulations (2012) on the 10th February 2017. The first Sileby Neighbourhood Plan was Made on 16th January 2020.

The Sileby Neighbourhood Plan Review was submitted to Charnwood Borough Council in July 2022. 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 between 26th July and 9th September 2022.

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 9th November 2022 which determined that the Sileby Neighbourhood Plan met the Basic Conditions against which it was examined, subject to a number of proposed modifications. The report also considered whether the plan review would require a referendum under the Neighbourhood Planning Act 2017 and recommends that Sileby Neighbourhood Plan Review represents "material modifications which do not change the nature of the plan or order and which would require examination but not a referendum".

Decision and Reasons

Charnwood Borough Council, in consultation with Sileby 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 (May 2022) confirmed it is unlikely that there will be any significant environmental effects, including on European sites, arising from the Sileby Neighbourhood Plan Review and that further testing was not required.

Taking the above into account, Charnwood Borough Council considers that the Sileby Neighbourhood Plan Review, as modified to incorporate the Examiner's recommendations, should be Made.



Richard Bennett
Head of Planning and Growth
15th November 2022