

## **Battle Civil Parish Neighbourhood Development Plan Decision Statement** **(Regulation 18, 2)**

### **Summary**

1. Following an independent examination undertaken by written representations, Rother District Council now confirms that the Battle Civil Parish Neighbourhood Development Plan will proceed to a Neighbourhood Planning Referendum.
2. This decision statement is available on the [Battle Civil Parish Neighbourhood Plan](#) page of the Rother District Council website.

### **Background**

3. On 13<sup>th</sup> April 2015, Rother District Council formally designated the area shown at Appendix 1 as the Battle Neighbourhood Area.
4. Following the submission of the Battle Civil Parish Neighbourhood Development Plan to Rother District Council the plan was publicised and representations were invited. The publicity period ran from 4<sup>th</sup> December 2020 to 29<sup>th</sup> January 2021.
5. The District Council appointed an independent Examiner, Mr John Slater BA (Hons), DMS, M.R.T.P.I. to examine whether the Battle Civil Parish Neighbourhood Development Plan met the basic conditions as set out in Schedule 4B to the Town and Country Planning Act 1990, and whether the Battle Civil Parish Neighbourhood Development Plan should proceed to a referendum.
6. The Examiner's Report recommended a number of modifications so that the Battle Civil Parish Neighbourhood Development Plan is able to comply with the 'basic conditions' and other relevant statutory provisions and that the submission plan if modified can be put to referendum.
7. The Examiner's Report concludes by stating:

*'It is clear that much work has gone into this plan by volunteers on behalf of the local community and the work does the Town Council and its volunteers' great credit.*

*To conclude, 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 Rother District Council that the Battle Neighbourhood Plan, as modified by my recommendations, should proceed, in due course, to referendum.'*

### **Recommendations, Decisions and Reasons**

8. The Neighbourhood Planning (General) Regulations 2012, Regulation 18 requires the local planning authority to outline what action to take 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).
9. Having considered the recommendations made by the Examiner's report, and the reasons for them, Rother District Council in conjunction with Battle Town Council (the Qualifying Body) has agreed to accept the modifications made to the draft plan under paragraph 12(6) of Schedule 4B to the Town and Country Planning Act 1990 in response to the Examiner's recommendations/modifications.
10. To meet the requirements of the Localism Act 2011 a referendum which poses the question, 'Do you want Rother District Council to use the Battle Civil Parish Neighbourhood Development Plan to help it decide planning applications in the Battle Neighbourhood Development Area?' will be held in the area formally designated as the Battle Neighbourhood Area.
11. The date on which the referendum will take place is 16<sup>th</sup> September 2021.

**2<sup>nd</sup> July 2021**