

Colne Neighbourhood Development Plan



**Decision
Statement**
Regulations 19 & 20



September 2023

  اردو
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Pendle Borough Council

Colne Neighbourhood Plan

Decision Statement published pursuant to the Localism Act 2011 Schedule 38A (9) and Regulations 19 & 20 of the Neighbourhood Planning (General Regulations) 2012

Decision

NOTICE IS HEREBY GIVEN that Pendle has decided by resolution at Council on 28 September 2023 to make the Colne Neighbourhood Plan under Section 38A(4)(a) of the Planning and Compulsory Purchase Act 2004 (as amended by the Neighbourhood Planning Act 2017), and under Regulation 19 of the Neighbourhood Planning (General) Regulations 2012 (as amended).

In accordance with Regulation 19 of the Neighbourhood Planning (General) Regulations 2012, following a positive referendum result on the 20 July 2023, the Colne Neighbourhood Plan now forms part of the adopted Development Plan for the Borough of Pendle.

1. Introduction

- 1.1 This document sets out the Council's considerations and formal decision in bringing the Colne Neighbourhood Development Plan ("CNDP") into legal force, following an independent examination and positive referendum, held on Thursday 20 July 2023.

2. Background

- 2.1 In October 2016 Colne Town Council, as the qualifying body, submitted an application to Pendle Council requesting that it designate the Town Parish of Colne as a Neighbourhood Area for the purposes of preparing a Neighbourhood Plan. On 17 November 2016, following consultation, the Neighbourhood Area was formally designated by Pendle Council.
- 2.2 Colne Town Council prepared the pre-submission version of the CNDP during 2020. A public consultation, held in accordance with Regulation 14, was carried out between 25 October 2020 and 8 January 2021. A further consultation relating to the Colne Design Code took place in early 2022.
- 2.3 The submission version of the CNDP was received by the Council on 8th August 2022 and a formal six week public consultation, held in accordance with Regulation 16, was carried out between 2 September 2022 and 17 October 2022.

- 2.4 Mr Andrew Ashcroft BA (Hons) M.A. DMS MRTPI was appointed by the Council in December 2022 to carry out the independent examination of the submission version of the CNDP. The examination included a hearing session which took place on 15 March 2023. The examination concluded on 2 May 2023 with the receipt of the Examiner's final report. The report recommended that subject to modifications, the CNDP met the necessary Basic Conditions and should proceed to referendum.
- 2.5 The agreed modifications to the CNDP, were published as part of the Regulation 18(2) Decision Statement on 25 May 2023, which confirmed that Pendle Council was satisfied that the CNDP met the Basic Conditions and that its promotion process was compliant with legal and procedural requirements.

3. Reasons for decision

- 3.1 With the Examiner's recommended modifications the CNDP:
- Meets the Basic Conditions set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004;
 - Would not breach and is otherwise compatible with EU or human rights obligations; within the meaning of the Human Rights Act 1998, s61E (8) of the Town and Country Planning Act 1990 and s38A (8) of the Planning and Compulsory Purchase Act 2004 (as amended) by the Localism Act 2011; and
 - Complies with relevant provision made by or under Section 38A and B of the Planning and Compulsory Purchase Act 2004 (as amended).
- 3.2 A referendum was held in the town parish of Colne on Thursday 20 July 2023. A total of 1,908 votes were cast – from an electorate of 13,202 – representing a 14.45% turnout. The result of the votes cast in the referendum was as follows:
- | | | |
|---------------------------------------|-------|---------|
| • Number cast in favour of Yes | 1,758 | (92.1%) |
| • Number cast in favour of No | 145 | (7.6%) |
| • Rejected ballots | 5 | (0.3%) |
- 3.3 Paragraph 38A(4)(a) of the Planning and Compulsory Purchase Act 2004 (as amended), requires Pendle Council to make a Neighbourhood Plan if more than half of those voting in the referendum have voted in favour of the Plan being used to help determine planning applications in the neighbourhood area.
- 3.4 More than half of those voting in the referendum on 20 July 2023 voted in favour of the CNDP, which was duly made by Pendle Council on 28 September 2023.
- 3.5 A copy of this decision statement is being sent to:
- The qualifying body, namely Colne Town Council; and
 - To any person who asked to be notified of the decision.

3.6 This decision statement can be viewed on the Pendle Council website at:

https://www.pendle.gov.uk/info/20072/planning_policies/588/colne_neighbourhood_plan

3.7 Copies are also available to view at the following locations, during their normal opening hours:

- Colne Town Hall, Albert Road, Colne, BB8 0AQ
- Number One Market Street, Nelson, BB9 7LJ

Rose Rouse

Chief Executive, Pendle Borough Council

Friday 29 September 2023

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آپ کے لئے زیادہ مفید ہو تو برائے مہربانی ہمیں ٹیلیفون کریں۔



Liberata

