

Trawden Forest Neighbourhood Plan



**Decision
Statement**
Regulations 19 & 20



February 2019


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Pendle Borough Council

Trawden Forest Neighbourhood Plan

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

Decision

NOTICE IS HEREBY GIVEN that Pendle Council has decided by resolution at Council on 26 February 2019 to make the Trawden Forest 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 8 November 2018, the Trawden Forest Neighbourhood Plan now forms part of the adopted Development Plan for the Borough of Pendle.

Introduction

This document sets out the Council's considerations and formal decision in bringing the Trawden Forest Neighbourhood Plan ["TFNP"] into legal force, following an independent examination and positive referendum, held on Thursday 8 November 2018.

Background

On 11 July 2016 Trawden Forest Parish Council, as the qualifying body, submitted an application to Pendle Council requesting that it designate the Parish of Trawden Forest as a Neighbourhood Area for the purposes of preparing a Neighbourhood Plan. Following a six week consultation, the Neighbourhood Area was formally designated by Pendle Council's Executive committee on 25 August 2016.

Trawden Forest Parish Council made the Pre-submission Draft TFNP available for a minimum six week consultation between 27 November 2017 and 8 January 2018.

The Submission Draft TFNP was received by Pendle Council on 6 February 2018. A final stage of publicity and consultation was held for a minimum of six weeks between 23 February and 6 April 2018, to determine if there were any unresolved objections to the plan. On 20 April 2018 the Submission Draft TFNP, all supporting documents and the representations received in response to the consultation, were forwarded to Mr. David Proctor BSc, MTPL, MInstLM, MRTPI, the independent examiner appointed to conduct the Examination of the Plan.

The Examiner's Report was received by Pendle Council on 16 August 2018, concluding the Examination. The report recommended that subject to modifications the TFNP met the necessary Basic Conditions and should proceed to Referendum.

The agreed modifications to the TFNP, were published as part of the Regulation 18(2) Decision Statement issued on 19 September 2018, which confirmed that Pendle Council was satisfied that the TFNP met the Basic Conditions and that its promotion process was compliant with legal and procedural requirements.

Reasons for decision

With the Examiner's recommended modifications the TFNP:

- 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 & Compulsory Purchase Act 2004 Act (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).

A referendum was held in the Parish of Trawden Forest on Thursday 8 November 2018. A total of 709 votes were cast – from an electorate of 2,127 – representing a 33% turnout. The result of the votes cast in the referendum was as follows:

Number cast in favour of **Yes** 668 (94%)

Number cast in favour of **No** 41 (6%)

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.

More than half of those voting in the Referendum on 8 November 2018 voted in favour of the TFNP, which was duly made by Pendle Council on 26 February 2019.

A copy of this decision statement is being sent to:

- the qualifying body, namely Trawden Forest Parish Council; and
- to any person who asked to be notified of the decision.

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

www.pendle.gov.uk/trawdenforestnp

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

- Nelson: Number One Market Street
- Colne: Public Library
- Trawden: Parish Council Office and Community Centre

Dean Langton
Chief Executive
Pendle Council
27 February 2019

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

