



UTTLESFORD DISTRICT COUNCIL

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12 October 2022

SAFFRON WALDEN NEIGHBOURHOOD PLAN: FINAL DECISION STATEMENT TO MAKE PLAN

Date of publication: 12 October 2022

1. Decision

- 1.1 Following an Independent Examination and a positive referendum result, Uttlesford District Council decided on 11 October 2022 pursuant to section 38A (4) of the Planning and Compulsory Purchase Act 2004, to **'make'** the **Saffron Walden Neighbourhood Plan** (the 'Plan').
- 1.2 The Saffron Walden Neighbourhood Plan now forms part of the Development Plan, and its policies will be given full weight when assessing planning applications that affect land covered by the Plan.

2. Reasons for Decision

- 2.1 With the Examiner's recommended modifications, the Plan meets the basic conditions set out in paragraph 8(2) of the Schedule 4B of the Town and Country Planning Act 1990, is compatible with EU obligations and the Convention rights and complies with relevant provision made by or under Section 38A and B of the Planning and Compulsory Purchase Act 2004 (as amended).
- 2.2 The referendum held on 15 September 2022 met the requirements of the Localism Act 2011. It was held in the referendum area (consisting of the parish area of Saffron Walden and posed the question "Do you want Uttlesford District Council to use the Neighbourhood Plan for Saffron Walden to help it decide planning applications in the neighbourhood area?"
- 2.3 The count took place on 16 September 2022 and greater than 50% of those who voted were in favour of the Plan being used to help decide planning applications in the neighbourhood plan area. The number of people entitled to vote in the referendum was 12,947. The total votes cast were 2,345 meaning that the turnout was approximately 18.1%. The results of the referendum were:



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Response	Votes	Percent of Total
YES	2,186	93.2%*
NO	154	6.6%*
SPOILT PAPERS	5	
TURNOUT	2,345	18.1%

***Percentages based on valid votes**

- 2.4 Uttlesford District Council has assessed that the Plan, including its preparation, does not breach, and would not otherwise be incompatible, with, any EU obligation or any of the Convention Rights (within the meaning of the Human Rights Act 1998).

3. Background

- 3.1 The Saffron Walden Neighbourhood Plan Area, situated in the north of Uttlesford District, comprises the parish area of Saffron Walden. The neighbourhood area was designated on 13 December 2012 as an area for the purpose of preparing a neighbourhood plan in accordance with section 61G of the Town and Country Planning Act 1990 (as amended).
- 3.2 Saffron Walden Town Council (the 'qualifying body') submitted the draft Saffron Walden Neighbourhood Plan, along with supporting documents, to Uttlesford District Council on 29 January 2021 for consultation, independent examination and remaining stages of the draft Plan's preparation in accordance with the Neighbourhood Planning (General) Regulations 2012 as amended.
- 3.3 Following submission of the draft Saffron Walden, Uttlesford District Council publicised the Plan and supporting documents and invited representations during the consultation period 15 February 2021 to 12 April 2021.
- 3.4 On 28 January 2020, Uttlesford District Council in consultation with the Qualifying Body appointed an independent examiner, Ms Ann Skippers MRTPI FRSA AoU to examine the Plan and consider whether it should proceed to referendum.
- 3.5 The examiner's report was received on 28 April 2022 and concluded that, subject to making the recommended modifications in the report, the draft Plan met the Basic Conditions and should proceed to referendum. The examiner also recommended that the Saffron Walden Town Council Neighbourhood Area would be an appropriate area within which to hold a referendum.



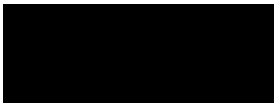
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- 3.6 Following receipt of the examiner's report, and on 07 July 2022 having considered each of the recommendations, Uttlesford District Council resolved to accept all the Examiner's recommendations. On 08 July 2022, a Decision Statement was published to confirm that the Council was satisfied that the Saffron Walden Neighbourhood Plan, as modified, complies with the legal requirements and could proceed to referendum. The Council also agreed with the examiner that the Saffron Walden Neighbourhood Area would be an appropriate area within which to hold a referendum.
- 3.7 A referendum was held on 15 September 2022 and 93% of those who voted were in favour of the Plan. Paragraph 38A (4)(a) of the Planning and Compulsory Purchase Act 2004 as amended requires that the Council must make the neighbourhood plan if more than half of those voting have voted in favour of the plan. The Council is not subject to this duty if the making of the Plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).
- 3.8 This Decision Statement and the Neighbourhood Plan have been published on Uttlesford District Council's website along with details of where they can be inspected.

This information has also been brought to the attention of people who live, work or carry out business in the neighbourhood plan area.

Signed:



Dean Hermitage MA, Mgeog, MRTPI
Director of Planning

Dated: 12 October 2022