

Uttlesford District Council

Great and Little Chesterford Neighbourhood Development Plan -Decision Statement

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

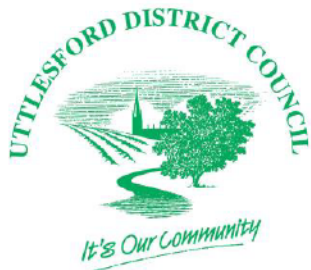
Uttlesford District Council decided at an Emergency Council meeting on 2nd February 2023 to 'make' (adopt) the Great and Little Chesterford Neighbourhood Development Plan under Section 38A(4) of the Planning and Compulsory purchase Act 2004. The Great and Little Chesterford Neighbourhood Development Plan now forms part of the Development Plan for Uttlesford.

1. Decision

- 1.1 Following an Independent Examination and a positive referendum result, Uttlesford District Council decided on 02 February 2023 pursuant to section 38A (4) of the Planning and Compulsory Purchase Act 2004, to '**make**' the **Great and Little Chesterford Neighbourhood Plan** (the 'Plan').
- 1.2 In accordance with the Regulations and the District Council's decision of 02 February 2023 the Great and Little Chesterford Neighbourhood Plan is **made** and now forms part of the Development Plan for Uttlesford District Council.

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 08 December 2022 met the requirements of the Localism Act 2011. It was held in the referendum area (consisting of the parish areas of Great and Little Chesterford) and posed the question "Do you want Uttlesford District Council to use the Neighbourhood Plan for Great and Little Chesterford to help it decide planning applications in the neighbourhood area?"
- 2.3 The count took place on 08 December 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 1,497. The total votes cast were 333 meaning that the turnout was approximately 22.24%. The results of the referendum were:



Response	Votes	Percent of Total
YES	317	95.2%*
NO	16	4.8%*
SPOILT PAPERS	0	0
TURNOUT	333	22.24%

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 Neighbourhood Plan Area, situated in the north of Uttlesford District closely bordered by Cambridgeshire County to the north, comprises the parish areas of Great and Little Chesterford. The neighbourhood area was designated on 18 June 2015 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 Great Chesterford Parish Council (the 'qualifying body') submitted the draft Great and Little Chesterford Neighbourhood Plan, along with supporting documents, to Uttlesford District Council on 31 March 2022 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 Great and Little Chesterford Neighbourhood Plan, Uttlesford District Council publicised the Plan and supporting documents and invited representations during the consultation period 14 April to 30 May 2022.

3.4 On 06 September 2021, Uttlesford District Council in consultation with the Qualifying Body appointed an independent examiner, Mr Tony Burton CBE BA MPhil(Town Planning) Hon FRIBA FRSA to examine the Plan and consider whether it should proceed to referendum.

3.5 The examiner's report was received on 02 August 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 Great and Little Chesterford Neighbourhood Area would be an appropriate area within which to hold a referendum.

3.6 Following receipt of the examiner's report, and on 20 October 2022 having considered each of the recommendations, Uttlesford District Council resolved to accept all the Examiner's recommendations. A Decision Statement was published to confirm that the Council was satisfied that the Great and Little Chesterford Neighbourhood Plan, as modified, complies with the legal requirements, and could proceed to referendum.



The Council also agreed with the examiner that the Great and Little Chesterford Neighbourhood Area would be an appropriate area within which to hold a referendum.

- 3.7 A referendum was held on 08 December 2022 and 95.2% 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.

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

<https://www.uttlesford.gov.uk/chesterfordsnp#made>

A copy of this decision statement is being sent to:

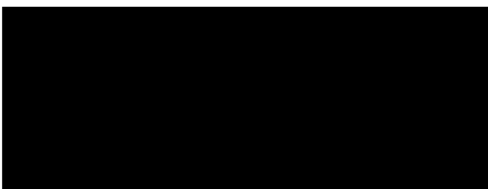
- The Qualifying Body (Great Chesterford Parish Council); and
- To any person who asked to be notified of the decision and all persons who made representations to the Regulation 16 consultation.

Information on where to view the Neighbourhood Plan and its associated documents

The Great and Little Chesterford Neighbourhood Development Plan and its associated documents are available to view on the Council's website at:

<https://www.uttlesford.gov.uk/chesterfordsnp#made>

Signed:



Dean Hermitage MA Mgeog, MRTPI
Director of Planning

Dated: 03 February 2023