

Whittlesey Neighbourhood Plan

Decision Statement (Regulation 19)

22 May 2023

Fenland District Council

1. Purpose

- 1.1. This Decision Statement has been prepared and published in accordance with Regulation 19 of the Neighbourhood Planning Regulations 2012 (as amended). This statement sets out Fenland District Council's (FDC / the Council) decision to formally make the Whittlesey Neighbourhood Plan, and the reasons for this decision.
- 1.2. This decision has been taken by Full Council, in accordance with the FDC constitution. The Whittlesey Neighbourhood Plan, the Decision Statement and Examiner's Report are published on the Council's website.

2. Background

- 2.1. The Whittlesey Neighbourhood Area was designated by Fenland District Council in April 2015.
- 2.2. The Whittlesey Neighbourhood Plan (the Plan) and supporting evidence documents were submitted to FDC by Whittlesey Town Council in June 2022.
- 2.3. The Council published the Plan for a period of eight weeks from 8th July to 1st September 2022. Following this publication period, the Council submitted the Plan for independent examination.
- 2.4. An independent examination was held in September to November 2022. The Plan was examined by Mr David Kaiserman BA DipTP MRTPI of Penny O'Shea Consulting. The examination was carried out through written representations. No public hearing session was required.
- 2.5. The examiner considered that, subject to applying his recommended modifications, the Whittlesey Neighbourhood Plan makes appropriate provision for sustainable development, has appropriate regard to national policy, and is in general conformity with the strategic policies in the development plan. In addition, the examiner concluded that there is no evidence to suggest the Plan is not compatible with EU obligations, including human rights requirements.
- 2.6. Where modified in accordance with his recommendations, the examiner concluded that the Plan meets the basic conditions¹ and recommended it proceed to referendum.

3. Decisions and reasons

- 3.1. In January 2023, the Council published its Regulation 18 decision statement explaining the actions which would be taken in response to the recommendations of the examiner, including the modifications which would be applied to the draft plan.

¹ As set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended)

- 3.2. Based on the examiner’s findings and recommendations, the Council is satisfied that the Whittlesey Neighbourhood Plan (Referendum Version), meets the basic conditions and is otherwise legally compliant.
- 3.3. The Council held a referendum on Thursday, 23rd February 2023. As recommended by the Independent Examiner, the boundary of the Whittlesey Neighbourhood Area formed the referendum area. The referendum ballot asked the following question:

“Do you want Fenland District Council to use the Neighbourhood Plan for Whittlesey to help it decide planning applications in the neighbourhood area?”

3.4. The referendum results were:

	Votes recorded	Percentage
Number cast in favour of a Yes	1,577	77.5%
Number cast in favour of a No	458	22.5%
Total	2,035	100.00%

There were 7 rejected ballots.

- 3.5. As the Whittlesey Neighbourhood Plan was supported by the majority of voters, the Town and Country Planning Act (1990) (as amended) requires the plan must be formally ‘made’ by Fenland District Council as soon as reasonably practicable after the referendum is held. Consequently, the plan is made by Fenland District Council’s Full Council at its meeting on 22nd May 2023.
- 3.6. As a made plan, the Whittlesey Neighbourhood Plan forms a part of the Development Plan for Fenland.

4. Summary

- 4.1. Fenland District Council considers that the Whittlesey Neighbourhood Plan (Referendum Version) meets the basic conditions and other legal requirements and was supported by the majority of voters at referendum. The plan is now formally made by Fenland District Council and will be used in making planning decisions.