Hugglescote & Donington le Heath Neighbourhood Development Plan – Final Decision Statement

1. Summary

1.1 Following a positive referendum result North West Leicestershire District Council is publishing its decision to 'make' the Hugglescote & Donington le Heath Neighbourhood Development Plan in accordance with Regulation 19 of the Neighbourhood Planning (General) Regulations 2012. The Hugglescote & Donington le Heath Neighbourhood Development Plan forms part of the Development Plan for North West Leicestershire District.

2. Reasons for Decision

2.1 The Hugglescote & Donington le Heath Neighbourhood Plan meets the Basic Condition and its promotion process is compliant with legal and procedural requirements. Paragraph 38A(4)(a) of the Planning and Compulsory Purchase Act 2004 requires the Council to make the Neighbourhood Plan if more than half of those voting in the referendum have voted in favour of the Plan being used to help decide planning applications in the area. The Plan was endorsed by more than the required threshold in the referendum on 21 October 2021.

3. Background

3.1 In June 2017 Hugglescote & Donington le Heath Parish Council successfully applied for the designation of a Neighbourhood Area under Part 2 of the Neighbourhood Planning (General) Regulations 2012.

3.2 On 4 March 2021, Hugglescote & Donington le Heath Parish Council submitted the Examination Version of the Plan to the District Council. It underwent a period of consultation from 12 March to 23 April 2021. North West Leicestershire District Council appointed an Independent Examiner, Mr Andrew Mead, to assess whether the plan met the basic conditions required by legislation and whether the plan should proceed to referendum.

3.3 The Examiner's report concluded that, subject to modifications, the Hugglescote & Donington le Heath will meet the necessary basic conditions and subject to these modifications being made should proceed to a referendum based on the Hugglescote & Donington le Heath Neighbourhood Area.

3.4 A referendum was held on 21 October 2021, and the question asked at referendum was:-

"Do you want North West Leicestershire District Council to use the Neighbourhood Plan for Hugglescote & Donington le Heath to help it decide planning applications in the Neighbourhood Area?"

The turnout was 20% and 91.9% of those who voted were in favour of the Neighbourhood Plan.

3.5 North West Leicestershire 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 Convention rights (within the meaning of the Human Rights Act 1998).

3.6 In accordance with the regulations the Hugglescote & Donington le Heath Neighbourhood Plan is 'made' and planning applications in the Neighbourhood Area must be considered against the Hugglescote & Donington le Heath Neighbourhood Plan, as well as other existing planning policy, including the adopted North West Leicestershire Local Plan.