

APPENDIX C: Brenchley & Matfield Neighbourhood Development Plan Draft Decision Statement (Reg 18(2)1)

1 The Neighbourhood Planning (General) Regulations 2012

Summary

1. Following an independent examination undertaken by way of written representations, Tunbridge Wells Borough Council (TWBC) now confirms that the Brenchley & Matfield Neighbourhood Development Plan (BMNDP) will proceed to a Neighbourhood Planning Referendum.
2. This decision statement is available on the BMNDP page of the TWBC website <https://tunbridgewells.gov.uk/planning/planning-policy/neighbourhood-plans/brenchley-and-matfield> and will be displayed either at the Town Hall or The Gateway. A copy will also be sent to Brenchley & Matfield Parish Council for display within the parish.

Background

3. On 8 December 2017, TWBC formally designated the area shown at **Appendix 1** as the Brenchley & Matfield Neighbourhood Area.
4. Following the submission of the BMNDP to TWBC, the plan was publicised, and representations were invited. The publicity period ran from 29 November 2021 to 24 January 2022.
5. The Borough Council appointed an independent Examiner, Mr Andrew Ashcroft BA (Hons), DMS, MRTPI to examine whether the BMNDP met the basic conditions as set out in Schedule 4B to the Town and Country Planning Act 1990, and whether the BMNDP should proceed to a referendum.
6. The Examiner's Report recommended a number of modifications so that the BMNDP is able to comply with the 'basic conditions' and other relevant statutory provisions and that the submission plan if modified can be put to referendum.
7. The Executive Summary of the Examiner's Report (20 June 2022) states: "Subject to a series of recommended modifications set out in this report I have concluded that the Brenchley and Matfield Neighbourhood Development Plan meets all the necessary legal requirements and should proceed to referendum."
8. In the summary, the Examiner's Report states that the independent Examiner recommends to Tunbridge Wells Borough Council "that subject to the incorporation of the modifications set out in this report that the Brenchley and Matfield Neighbourhood Development Plan should proceed to referendum."

Appendix 1: Brenchley and Matfield Parish Boundary

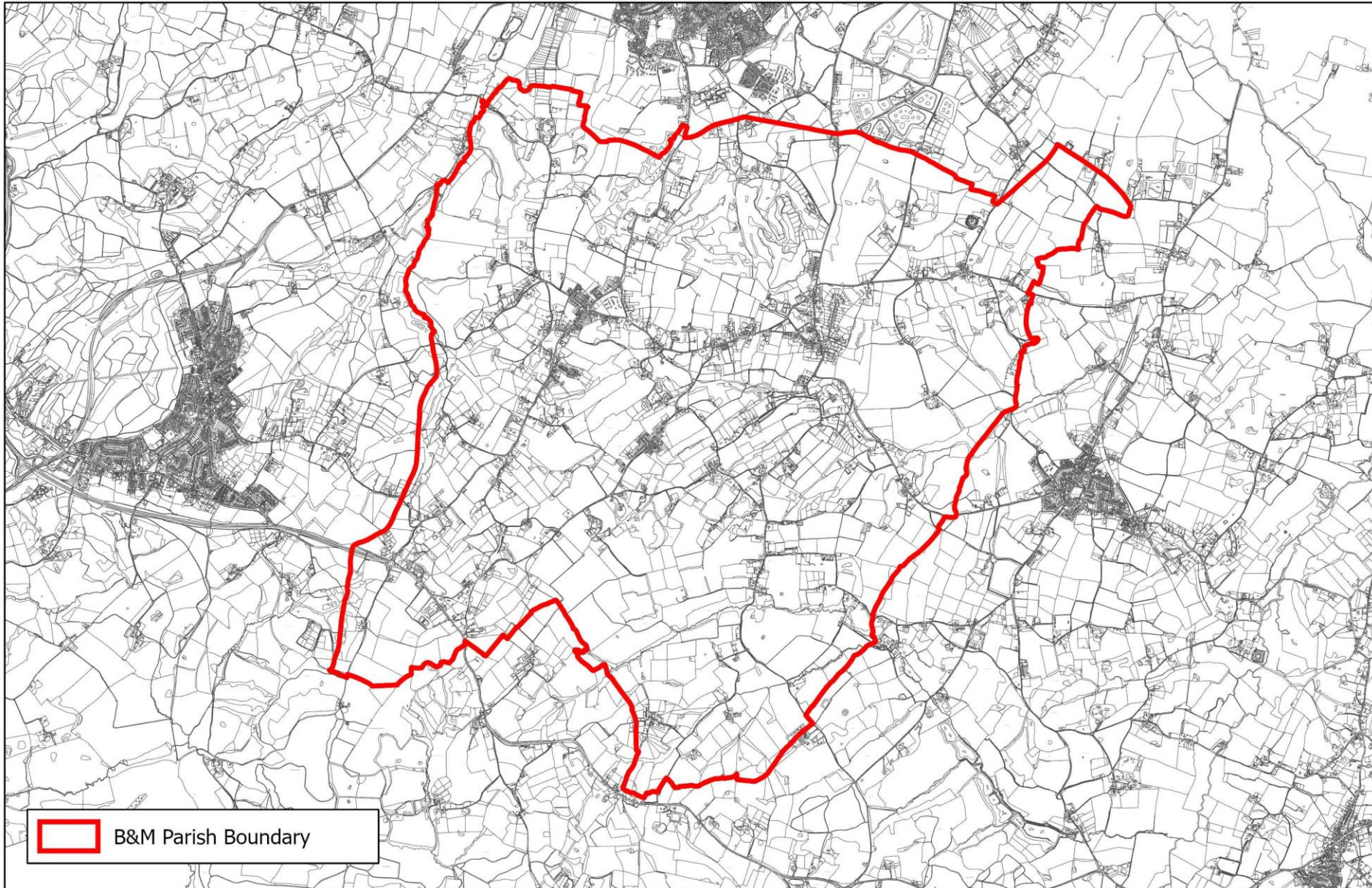
9. Recommendations, Decisions and Reasons

10. The Neighbourhood Planning (General) Regulations 2012, Regulation 18 requires the local planning authority to outline what action to take in response to the recommendations of an examiner made in a report under paragraph 10 of Schedule 4a to the Town and Country Planning Act 1990 (as applied by Section 38A of the Planning and Compulsory Purchase Act 2004).
11. Having considered the recommendations made by the Examiner's report, and the reasons for them, TWBC in conjunction with Brenchley & Matfield Parish Council (the Qualifying Body) has agreed to accept the modifications made to the draft plan under paragraph 12(6) of Schedule 4B to the Town and Country Planning Act 1990 in response to the Examiner's recommendations/ modifications.
12. To meet the requirements of the Localism Act 2011 a referendum which poses the question, *'Do you want Tunbridge Wells Borough Council to use the Brenchley & Matfield Neighbourhood Development Plan to help it decide planning applications in the Brenchley & Matfield Neighbourhood Area?'* will be held in the area formally designated as the Brenchley & Matfield Neighbourhood Area, that is Brenchley & Matfield Parish, to ensure the community has the final say on whether the neighbourhood plan comes into force or not.
13. The date on which the referendum will take place is Thursday 10 November 2022.

19 August 20

Appendix 1: Brenchley and Matfield Parish Boundary

BRENCHLEY & MATFIELD PARISH BOUNDARY



Scale 1:40,000

