

ROTHER DISTRICT COUNCIL

SALEHURST AND ROBERTSBRIDGE NEIGHBOURHOOD DEVELOPMENT PLAN 2016-2028

DECISION STATEMENT¹

1. Summary

- 1.1 Following a favourable Referendum result, notice is given that Rother District Council (“the District Council”), at its meeting on 9 July 2018, ‘made’ the Salehurst and Robertsbridge Neighbourhood Development Plan 2016-28 with immediate effect; hence, it forms part of the statutory Development Plan for the area and, as such, is a key policy document in the determination of planning applications for development in Salehurst and Robertsbridge Parish.²
- 1.2 The ‘made’ Salehurst and Robertsbridge Neighbourhood Development Plan can be viewed on the District Council’s website at: <http://www.rother.gov.uk/Salehurst-and-Robertsbridge-Neighbourhood-Plan> and a hard copy inspected at the Town Hall, Bexhill-on-Sea. Also available is the Strategic Environmental Assessment Adoption Statement. Further details of the availability of documents are given at the end of this Statement.

2. Background

- 2.1 Upon application by Salehurst and Robertsbridge Parish Council (“the Parish Council”), as the qualifying body, the District Council designated Salehurst and Robertsbridge Parish as a ‘Neighbourhood Area’, under Part 2 of the Neighbourhood Planning (General) Regulations 2012, in April 2015.
- 2.2 Following consultation on a draft (pre submission) Plan, the Salehurst and Robertsbridge Neighbourhood Plan was submitted to the District Council in December 2016. The Plan and its supporting documents were publicised and representations invited. The period of formal consultation ran from 10 February to 24 March 2017. Independent Examination followed. The appointed Examiner, Mr. John Slater, undertook a hearing, on 27 September 2017, to explore issues notably surrounding the allocation of the Mill; flooding mitigation of the Mill site; the robustness of the SEA and site assessments; Local Green Spaces; and the allocation of and access to the Vicarage Land.

¹ In accordance with regulation 19 of the Neighbourhood Planning (General) Regulations 2012 (as amended)

² NB The development boundary for Salehurst and Robertsbridge in the Neighbourhood Development Plan supersedes that in the 2006 Local Plan

- 2.3 At the hearing, access to the Mill Site was a key issue. Due to the site being within a Flood Zone, the Examiner was concerned about access to the site in times of a major flooding event. At the time of the hearing, no mitigation was in place to ensure safe access and escape from the site in such an event. Developers for the site mooted an emergency access from the A21, which the Examiner indicated was necessary and gave the developers two months to provide requisite certainty of this access for emergency vehicles in perpetuity to inform the report. This timescale was met by the developer.
- 2.4 The Examiner also expressed reservations with aspects of the SEA, in particular the regard to the sequential test requirements of the NPPF and the relative scoring of alternative sites. He similarly gave the Parish Council the opportunity to produce a revised version, which it did in October 2017. The Examiner then undertook a focused consultation on this revised SEA, which ran from 1 November to 28 November 2017.
- 2.5 Having assessed the outcomes of the Examination hearing and revised version of the SEA, Mr. Slater concluded as follows *“I can confirm that my overall conclusions are that the Plan, if amended in line with my recommendations, meets all the statutory requirements including the basic conditions test and that it is appropriate, if successful at referendum, that the Plan, as amended, be made.”* He also recommended that the referendum area be Salehurst and Robertsbridge Parish.

3 Decision and Reasons

- 3.1 With the incorporation of the Examiner’s modifications, the District Council agreed that the Neighbourhood Plan met the basic conditions and other requirements and could be put forward for a local Referendum. This was held on 31 May 2018. It posed the question *“Do you want Rother District Council to use the Neighbourhood Plan for Salehurst and Robertsbridge to help it decide planning applications in the neighbourhood area?”* The outcome was that 760 (90%) of the 842 people who voted were in favour of the Plan.
- 3.2 Paragraph 38A(4)(a) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that the District Council must ‘make’ the Neighbourhood Plan if more than half of those voting have voted in favour of the Plan, unless (under Para. 38A(6)) this would breach or would otherwise be incompatible with an EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).
- 3.3 In line with the outcome of the Referendum and having further considered whether making the Neighbourhood Plan would breach or would otherwise be incompatible with any EU obligation or any of the Convention rights, the District Council resolved, at its meeting on 9 July 2018 that:

The Salehurst and Robertsbridge Neighbourhood Development Plan 2016-2028 incorporating the Examiner’s modifications, as presented to local Referendum, be “made” with immediate effect and form part of the Council’s Development Plan.

4 Availability of documents

- 4.1 The 'made' Salehurst and Robertsbridge Neighbourhood Plan and related documents can be viewed on the District Council's website at the dedicated Robertsbridge and Salehurst Neighbourhood Plan page:
<http://www.rother.gov.uk/Salehurst-and-Robertsbridge-Neighbourhood-Plan>.
- 4.2 The Notice of referendum result can be viewed at
<http://www.rother.gov.uk/article/12438/Past-Election-and-Referendum-Results>.
- 4.3 A paper copy of the Salehurst and Robertsbridge Neighbourhood Development Plan, the Strategic Environmental Assessment Adoption Statement and this Decision Statement can also be inspected at the Customer Help Point at the District Council's offices at Town Hall, London Road, Bexhill-on-Sea, TN39 3JX during normal opening hours.
- 4.4 The report to Cabinet in relation to making of the Neighbourhood Plan is available to view on the Council's website at
<http://www.rother.gov.uk/article/13178/Monday-2-July-2018>; the Full Council minute is at <http://www.rother.gov.uk/article/13185/Monday-9-July-2018>.
- 4.5 For further information, please contact the Planning Policy Team at the above address or by email to planning.strategy@rother.gov.uk, or telephone 01424 787000.

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