Folkestone
& Hythe

District Council

January 2019

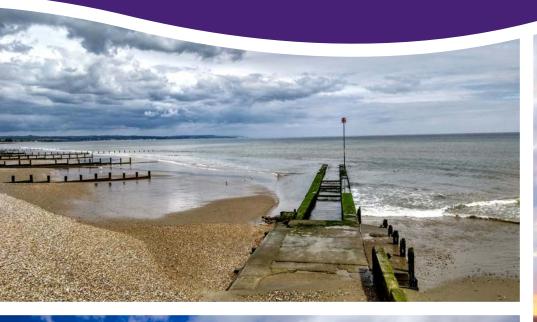# St Mary in the Marsh
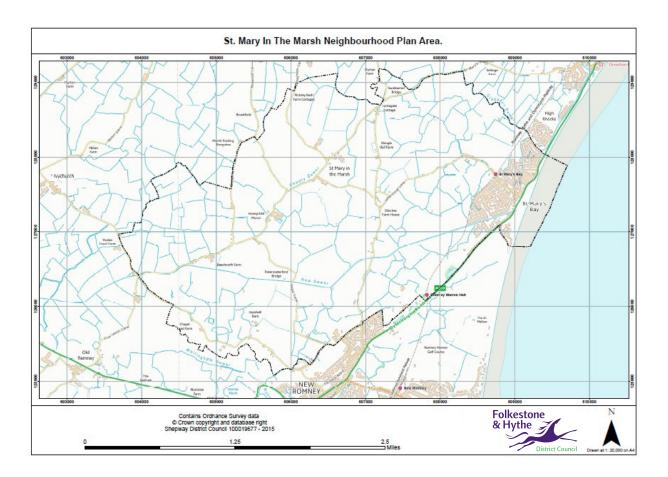# Neighbourhood Development Plan

Decision Statement

Summary

1. Following a successful independent examination, undertaken by written representations, Folkestone & Hythe District Council's Cabinet agreed on the 12th September 2018 that the St Mary in the Marsh Neighbourhood Development Plan should proceed to a Neighbourhood Planning Referendum.

2. The Neighbourhood Planning Referendum was held on the 8th November 2018. Local people were asked whether they wanted the District Council to use the Neighbourhood Development Plan to help decide planning applications in the St Mary in the Marsh Neighbourhood Area.

3. Of those who voted, 87.2% (477 people) voted in favour of using the Neighbourhood Development Plan.   A simple majority of 51% (of those who had voted) in favour of the Plan is required to bring the plan into force.

4. At Council on the 13th March 2019, in accordance with Section 38A(4) of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) the District Council made the Plan part of the development plan for the district.

Background

5. The District Council designated the St Mary in the Marsh Neighbourhood Area on the 17th April 2013. The Neighbourhood Area corresponds with St Mary in the Marsh parish boundary.

St. Mary In The Marsh Neighbourhood Plan Area.

6. Following the submission of the St Mary in the Marsh Neighbourhood Development Plan to the District Council, it was published for consultation and representations were invited. The consultation period ended on the 21st December 2017.

7. The District Council appointed an independent Examiner, Rosemary Kidd, Dip TP, MRTPI, to examine whether the Neighbourhood Development Plan met the basic conditions as set out in Schedule 4B to the Town and Country Planning Act 1990 and whether it should proceed to a referendum.

8. The Examiner's Report recommended a number of modifications so that the St Mary in the Marsh Neighbourhood Development Plan complied with the 'basic conditions' and other relevant statutory provisions.

9. The Examiner's Report (April 2018) concluded that:

   'Subject to the recommended modifications being made to the Neighbourhood Plan, I am able to confirm that I am satisfied that St. Mary in the Marsh Neighbourhood Plan satisfies the Basic Conditions and that the Plan should proceed to referendum.'

10. Having considered each of the recommendations made by the Examiner's report, and the reasons for them, Folkestone & Hythe District Council, in consultation with St Mary in the Marsh Parish Council, accepted the modifications to the draft plan.

11. To meet the requirements of Localism Act 2011 a referendum was held on Thursday 8th November 2018, which asked local people whether they wanted the District Council to use the Neighbourhood Development Plan to help decide planning applications in the St Mary in the Marsh Neighbourhood Area.

12. In accordance with the Regulations, the question posed was:

   'Do you want Folkestone & Hythe District Council to use the Neighbourhood Plan for St. Mary in the Marsh to help it decide planning applications in the Neighbourhood Area?'

13. There was a 23% turnout of the overall Neighbourhood Area electorate. Of those who voted, 87.2% (477 people) voted in favour of using the Neighbourhood Development Plan and 12.61% (69 people) voted against. A simple majority of 51% (of those who had voted) in favour of the Plan is required to bring the plan into force.

14. In accordance with Section 38A(4) of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) the District Council, at the meeting on the 13th March 2019, made the St Mary in the Marsh Neighbourhood Plan part of the development plan for the district. The development plan currently includes the Core Strategy Local Plan (2013) and the saved policies in the Shepway Local Plan (2006). The emerging Core Strategy Review and the Places and Policies Local Plan will also become part of the Development Plan (and replace the 2013 and 2006 plans respectively) when they are adopted.