

## **Sevenoaks District Council**

### **Swanley Neighbourhood Plan 2020-2040: DECISION STATEMENT**

#### **1. Summary**

Following a favourable referendum result, notice is given that Sevenoaks District Council, at its meeting on 25 July 2024, 'made' the Swanley Neighbourhood Plan 2020-2040, meaning that the Neighbourhood Plan comes into force with immediate effect.

Since a positive referendum on 04 July 2024, the Neighbourhood Plan has had full weight and 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 within the Swanley parish boundary.

The 'made' Development Plan can be viewed on the Council's website at:

[https://www.sevenoaks.gov.uk/info/20069151/neighbourhood\\_planning/703/swanley\\_neighbourhood\\_plan](https://www.sevenoaks.gov.uk/info/20069151/neighbourhood_planning/703/swanley_neighbourhood_plan)

#### **2. Background**

Swanley Town Council, as the Qualifying Body, applied for Swanley Parish to be designated a Neighbourhood Area under Part 2 of the Neighbourhood Planning (General) Regulations 2012. It was designated as a Neighbourhood Area in November 2014.

Following consultation on a draft (pre-submission) Plan, the Plan was submitted to the District Council and in accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations 2012, Sevenoaks District Council publicised the Plan from 30 November 2023 to 11 January 2024.

The Plan was submitted for examination at the end of January 2024, being received by the independent examiner on 30 January 2024. Sevenoaks District Council appointed David Hogger BA MSc MRTPI MCIHT at Intelligent Plans and Examinations (IPE) to examine the Plan. He published his final report on 04 April 2024, concluding that the Plan, subject to certain modifications proposed in his report, did meet the basic conditions as set out in legislation and is compatible with Schedule 4B of the Town and Country Planning Act 1990 and could therefore proceed to local referendum. The 'referendum area' was determined to be the Swanley Town Council administrative boundary.

#### **3. Decision and Reasons**

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 04 July 2024. The referendum question was 'Do you want Sevenoaks District Council to use the Neighbourhood Plan for Swanley to help it decide planning applications in the Neighbourhood Area?' The designated neighbourhood area followed that of the Swanley Town Council parish boundary.

The outcome was that 5436 (80.8%) of the people who voted were in favour of the Plan.

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).

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 25 July 2024 that:

*Following a favourable local Referendum result, the Swanley Neighbourhood Development Plan 2020-2040, incorporating the Examiner's modifications, as presented to local Referendum, be "made" (adopted) with immediate effect and form part of the Council's Development Plan, to help determine planning applications in the Neighbourhood Area.*

#### **4. Availability of documents**

The 'made' Swanley Neighbourhood Development Plan, Declaration of Referendum results and related documents can be viewed on the Council's website at:

[https://www.sevenoaks.gov.uk/info/20069151/neighbourhood\\_planning/703/swanley\\_neighbourhood\\_plan](https://www.sevenoaks.gov.uk/info/20069151/neighbourhood_planning/703/swanley_neighbourhood_plan)

The report to Full Council in relation to the 'making' of the Neighbourhood Plan can be viewed at:

<https://cds.sevenoaks.gov.uk/ieListDocuments.aspx?CId=121&MId=3307&J=8>

For further information, please contact the Planning Policy Team by email at:

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