

Fawkham Neighbourhood Plan – Decision Statement

Reg. 18(2) – The Neighbourhood Planning (General) Regulations 2012

Summary

1. Following an independent examination undertaken by way of written representations, Sevenoaks District Council (SDC) now confirms that the Fawkham Neighbourhood Plan (FNP) will proceed to a Neighbourhood Planning Referendum.
2. This decision statement is available on the FNP page of the SDC website: www.sevenoaks.gov.uk/fawkhamnp and will be displayed at the Sevenoaks District Council Officers, Argyle Road, Sevenoaks, TN13 1HG. A copy will also be sent to Fawkham Parish Council to display at their offices.

Background

3. SDC formally designated the area shown at **Appendix A** as the Fawkham Neighbourhood Plan Area in May 2021.
4. Following the submission of the FNP to SDC, the plan was publicised, and representations were invited. The publicity period ran between Friday 7 June and Friday 19 July 2024.
5. The District Council appointed an Independent Examiner, Derek Stebbing BA (Hons) DipEP MRTPI, of Intelligent Plans and Examinations Ltd, to examine whether FNP met the basic conditions as set out in Schedule 4B to the Town and Country Planning Act 1990, and whether the FNP should proceed to referendum.
6. The Examiner's Report recommended a number of modifications so that the FNP 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 (**DATE TBC**) states "From my examination of the Fawkham Neighbourhood Plan (the Plan) and its supporting documentation including the representations made, I have concluded that subject to the modifications set out in the Appendix to this report, the Plan meets the Basic Conditions".
8. In the summary, the Examiner's Report states that the independent Examiner recommends that "the Plan, once modified, proceeds to referendum".

Recommendations, Decisions and Reasons

9. 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).

10. Having considered the recommendations made by the Examiner's report, and the reasons for them, SDC in conjunction with FPC (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.
11. To meet the requirements of the Localism Act 2011, a referendum will be held in the area formally designated as the Fawkham Neighbourhood Area, that is Fawkham Parish Council Boundary (see Appendix 1), to ensure the community has the final say on whether the Neighbourhood Plan comes into force or not. The referendum will pose the question: *'Do you want Sevenoaks District Council to use the Fawkham Neighbourhood Plan to help it decide planning applications in the Fawkham Neighbourhood Area?'*
12. The date on which the referendum will take place is: **TBC**

