



Decision Statement (Reg. 18): Isleham Neighbourhood Plan

21 March 2022

Purpose

This Decision Statement has been prepared and published in accordance with Regulation 18(2) of the Neighbourhood Planning Regulations 2012 (as amended). This statement sets out the Council's decision and proposed actions following receipt of the Examiner's Report into the Isleham Neighbourhood Plan.

This decision has been taken by the Director (Commercial) as per the Council's Neighbourhood Planning governance arrangements¹.

The Isleham Neighbourhood Plan, this Decision Statement and the Examiner's Report are available to view and download from the Council's website². Paper copies may be inspected at East Cambridgeshire District Council's Customer Service Centre at The Grange, Ely, Cambridgeshire CB7 4EE during normal opening times. Please refer to the Council's website for details.

Further information about the neighbourhood planning process, including the purpose of the examination and referendum is provided on the Council's website.

Background

The Isleham Neighbourhood Area³ was designated by East Cambridgeshire District Council in February 2019.

The Isleham Neighbourhood Plan (the Plan) and supporting evidence documents, were submitted to the Council by Isleham Parish Council on 07 December 2021.

The Council published the Plan for a period of six weeks from 08 December 2021 to 26 January 2022. Comments were received from ten respondents during this period. Following publication, the District Council submitted the Plan for independent examination.

The main purpose of the independent examination is to assess whether or not the Plan satisfies certain "basic conditions" and other legal requirements which must be met before a Neighbourhood Plan can proceed to a local referendum.

The Independent Examination was held in February and March 2022. The Plan was examined by Mr David Kaiserman BA DipTP MRTPI of Penny O'Shea Consulting. The examination was carried out through written representations, meaning no public hearing session was required, and included a site visit to the Neighbourhood Area.

Council's Decision

The Independent Examiner's recommendations are set out in the *Examiner's Report*⁴ which accompanies this Decision Statement.

¹ http://www.eastcamb.gov.uk/sites/default/files/agendas/fc080115_P157.pdf

² <https://www.eastcamb.gov.uk/local-development-framework/isleham-neighbourhood-plan>

³ A map of Isleham Neighbourhood Area is available at:

<https://www.eastcamb.gov.uk/sites/default/files/IslehamNA.pdf>

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<https://www.eastcamb.gov.uk/sites/default/files/Isleham%20NP%20examiner%27s%20report%20%20mar%202022.pdf>

In his report, the Independent Examiner confirms he is satisfied that the Isleham Neighbourhood Plan makes appropriate provision for sustainable development. The Independent Examiner concludes that, subject to applying a number of *recommended modifications*, the INP has appropriate regard to national policy and achieves general conformity with the strategic policies in the development plan for the local area.

The Independent Examiner also confirms there is no evidence to suggest that the Plan is not compatible with relevant EU obligations (as transposed into UK law), including human rights requirements.

Consequently, the Independent Examiner concludes that provided that his recommended modifications are applied, the Isleham Neighbourhood Plan would meet the basic conditions and should proceed to a referendum.

The examiner's recommendations are summarised in Appendix 1 of this statement.

The regulations require the Council to take a decision as to what action to take in response to the recommendations of the examiner, including what modifications to make to the draft plan. The Council has agreed with Isleham Parish Council, the *Qualifying Body*, that the Isleham Neighbourhood Plan will be modified as per the examiner's recommendations.

A paper copy of this Decision Statement is available for inspection at the Council's Customer Service Centre at *The Grange, Nutholt Lane, Ely CB7 4EE*.

Based on the examiner's findings and recommendations, the Council is satisfied that the Isleham Neighbourhood Plan, where modified as informed by the examiner's recommendations, meets the basic conditions and is otherwise legally compliant.

Referendum arrangements

Following this decision, the Council will proceed to arrange and hold a referendum. The purpose of the referendum is to enable local people to vote on whether the Council should use the Isleham Neighbourhood Plan in taking planning decisions.

Where the Isleham Neighbourhood Plan is supported by the majority of voters, the plan will be 'made' by East Cambridgeshire District Council and will form a part of the Development Plan for East Cambridgeshire.

The Independent Examiner is required to consider whether the referendum area should be extended beyond the Isleham Neighbourhood Area boundary (the Isleham Neighbourhood Area's boundary is coterminous with Isleham Civil Parish boundary). The Independent Examiner concluded that such an extension is not necessary.

The referendum will be held within 56 days of publication of this Decision Statement, as per the statutory requirements. Formal details will be confirmed on publication of the Information Statement.

Summary

East Cambridgeshire District Council is satisfied that, subject to applying the modifications recommended by the Independent Examiner, the Isleham Neighbourhood Plan meets the basic conditions and other legal requirements and will proceed to referendum.

Appendix 1: Summary of Examiner's Recommendations

The following table provides a summary of the examiner's recommendations. For full details, refer to the Examiner's Report⁵.

Table 1: Summary of Independent Examiner's recommendations

Examiner's report paragraph no.	Isleham Neighbourhood Plan (submission version) reference	Recommendation
18	Section 1.2, page 8	Reconsider the statement regarding the Sunnica project as suggested.
36	Whole Plan	Add individual paragraph numbers.
40	Policy 1a	Delete reference to the Government White Paper.
47	Policy 1a	Delete third bullet point.
49	Policy 1a	Reword the policy as suggested in order to simplify it.
52	Map 4	Redraw development envelope as described.
54		Add a new policy which modifies the development envelope and explains the approach to development outside it.
57	Policy 1 b	Reword the policy as suggested.
59	Policy 2	Add a new paragraph as suggested after the last bullet point of the policy.
62	Material preceding Policy 2 (pages 31-33)	Revisit the material to assess if any of it should be included in Policy 2 and move the remainder to an appendix.
63	Policy 3	Include the correct reference to the NPPF in the policy and supporting material.
66	Policy 3/Map 7	Correct policy heading to refer to Map 7. Add a key to Map 7.
70	Policy 4	Delete the policy.
71	Policy 5/Map 9	Identify the individual viewpoints on Map 9.
75	Policy 6	Make suggested corrections to the policy, supporting text and maps. Make clear the location of the local heritage assets on one of the maps.
77	Policy 7	Reword the last paragraph of the policy as suggested.
81	Policy 10	Delete third paragraph unless clarification is provided.

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<https://www.eastcambs.gov.uk/sites/default/files/Isleham%20NP%20examiner%27s%20report%202%20mar%2022.pdf>