



*Basingstoke
and Deane*

Basingstoke and Deane Borough Council

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Mr I Pryce
Parish Clerk
Oakley and Deane Parish Council
24 Medway Avenue
Oakley
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RG23 7DP

10 August 2015

Dear Ian

Compliance Check for the Oakley and Deane Neighbourhood Plan

Thank you for submitting the Oakley and Deane Neighbourhood Plan and supporting documentation to the Local Planning Authority (LPA).

The LPA commends the Oakley and Deane Neighbourhood Planning Group for all the hard work to reach such an advanced stage in the neighbourhood plan making process.

Under Paragraphs 5 and 6 of Schedule 4B of the Town and Country Planning Act (TCPA) 1990 there is a requirement for Basingstoke and Deane Borough Council, as the LPA, to undertake a check of the compliance of the plan along with its process to date. The relevant legal requirements are set out in both the TCPA and relevant sections of the Planning and Compulsory Purchase Act (PCPA (2004)). It is then an obligation of the LPA to issue a written statement clarifying the compliance (or otherwise) of the neighbourhood plan. Accordingly, this letter comprises the formal view of the LPA and recommends whether it should be made available for formal examination.

At this stage it is not a duty of the LPA to consider the neighbourhood plan proposal against the 'basic conditions' set out under Paragraph 8(2) of the TCPA 1990.

A detailed consideration against the TCPA 1990 (as amended) and PCPA 2004 is set out as an attachment to this letter. However, in summary I can confirm the following:

- The Neighbourhood Plan **DOES** accord with all the provisions of the PCPA 2004 in that it: specifies a plan period; does not include any provision for excluded development; and does not relate to more than one neighbourhood area.
- The Neighbourhood Plan **DOES NOT** comprise a 'repeat proposal' as defined under Paragraph 5 of the TCPA 1990;



INVESTOR IN PEOPLE

Chief Executive **Tony Curtis**
Director of Borough Council Services and Returning Officer **Karen Brimacombe**
Director of Governance and Commissioning **Laura Taylor**

- The Neighbourhood Plan **HAS** been prepared by a qualifying body who are authorised to deliver a neighbourhood plan;
- The submission **DOES** comprise the relevant documentation required under Paragraph 1 of Schedule 4B of the TCPA 1990 and as prescribed by Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (the regulations’).
- The statutory consultation undertaken to date **DOES** comply with the requirements and regulations set out under Paragraph 4 of the TCPA 1990 and as prescribed by Regulation 14 of the Regulations; and
- The Neighbourhood Plan **DOES** comply with all other relevant sections of the TCPA 1990.

Therefore, I am pleased to confirm that the LPA is satisfied that the neighbourhood plan and process followed complies with the statutory requirements as set out in paragraph 6 of Schedule 4B of the Town and Country Planning Act 1990 (as amended).

The Oakley and Deane Neighbourhood Plan will now be published for Regulation 16 consultation with a view to then making the plan available for independent examination.

The LPA are now required to publish the plan for consultation along with details of how to respond to it on our website for a minimum of 6 weeks. We will undertake this process from the 17 August to 5 October 2015.

We will meet with the Neighbourhood Planning Group to ensure that all the consultation requirements are covered. Additionally, we will seek to meet with Oakley and Deane Neighbourhood Planning Group to discuss the appointment of an examiner along with the arrangements for the examination.

I trust the information set out in this letter is welcome and I look forward to speaking with you further in due course.

Yours sincerely

Edward Rehill
Principal Planning Officer

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Enc. Compliance check of the Submission Oakley and Deane Neighbourhood Plan