



HIGH PEAK BOROUGH COUNCIL PEAK DISTRICT NATIONAL PARK AUTHORITY

CHAPEL-EN-LE-FRITH NEIGHBOURHOOD PLAN DECISION STATEMENT

This Decision Statement is published pursuant to the Localism Act 2011 Schedule 38A and Regulation 19 of the Neighbourhood Planning (General) Regulations 2012

1. Summary

- 1.1 Following a positive referendum result, under Section 38A(4) of the Planning and Compulsory Purchase Act 2004, High Peak Borough Council and the Peak District National Park Authority resolved to make the Chapel-en-le-Frith Neighbourhood Development Plan at meetings of the Borough Council on 5 August 2015 and National Park Planning Committee on 7 August 2015.
- 1.2 The Chapel-en-le-Frith Neighbourhood Development Plan now forms part of the Development Plans for High Peak Borough Council and the Peak District National Park Authority.

2. Background

- 2.1 High Peak Borough Council (on 11 April 2013) and the Peak District National Park Authority (on 14 December 2012) designated the area comprising the Parish of Chapel-en-le-Frith as a Neighbourhood Area for the purpose of preparing a Neighbourhood Plan.
- 2.2 Following submission by Chapel-en-le-Frith Parish Council of the draft Chapel-en-le-Frith Neighbourhood Plan to High Peak Borough Council and the Peak District National Park Authority, the plan was publicised and representations were invited. The publicity period ended on 13 November 2014.
- 2.3 In December 2014, High Peak Borough Council and the Peak District National Park Authority, with the agreement of Chapel-en-le-Frith Parish Council, appointed an independent Examiner, Ms Janet Cheesley, to review whether the plan met the Basic Conditions required by legislation and should proceed to referendum.
- 2.4 The Examiner's report was received on 2 February 2015 and has been made available for viewing on the Councils' web-sites. The Examiner concluded

that the Chapel-en-le-Frith Neighbourhood Plan, as modified by her recommendations, met the Basic Conditions set out in the legislation.

- 2.5 High Peak Borough Council at its meeting of 9 March 2015, and the Peak District National Park Authority, at the Planning Committee on 13 March 2015, determined that the modifications recommended by the Examiner be accepted and confirmed their satisfaction that the Chapel-en-le-Frith Neighbourhood Plan meets the Basic Conditions, is compatible with the Convention rights, complies with the definition of a Neighbourhood Development Plan and the provisions that can be made by a Neighbourhood Plan and should proceed to a Neighbourhood Planning referendum.
- 2.6 A referendum was held on 16 July 2015. The Neighbourhood Plan received a majority “yes” vote; 96% of people voting “yes”, on a turn-out of 32%.
- 2.7 Paragraph 38A(4)(a) of the Planning and Compulsory Purchase Act 2004 requires the Council to “make” (adopt) the Neighbourhood Plan if more than half of those voting in a referendum upon the plan have voted in favour of the plan being used to help decide planning applications in the area. The Council is not subject to this duty if the making of the plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).

3. Decision and Reasons

- 3.1 The Councils decided at meetings held on 5 August 2015 (High Peak Borough Council) and 7 August 2015 (Peak District National Park Authority) to make the Chapel-en-le-Frith Neighbourhood Development Plan part of the Development Plan for the Parish.
- 3.2 The reasons for this decision are that the Neighbourhood Plan meets the Basic Conditions and its preparation and promotion complied with legal and procedural requirements. Paragraph 38A(4)(a) of the Planning and Compulsory Purchase Act 2004 requires the Councils to make the Neighbourhood Plan if more than half of those voting in a referendum upon the plan have voted in favour of the plan being used to help decide planning applications in the area. The plan was endorsed by a majority yes vote in the referendum held on 16 July 2015.

4. The Decision Statement

- 4.1 This Decision Statement can be inspected on the Councils’ web-sites as well as at the following locations:
 - Library and Town Hall, Market Street, Chapel-en-le-Frith, High Peak, SK23 0HP (Town Hall open: Monday to Friday, 9am to 12.30pm; Library open 9.30am to 1pm and 2pm to 5.30pm; closed Wednesday, Saturday: 9.30am to 1pm)

- Town Hall, Market Place, Buxton, Derbyshire, SK17 6EL (Mon – Fri 9am-4.30pm)
- Municipal Buildings, Glossop, Derbyshire, SK13 8AF (Mon - Fri, 9am - 4.30pm)
- Peak District National Park Authority, Aldern House, Baslow Road, Bakewell, Derbyshire DE45 1AE (Monday to Friday, 8.45am to 5pm)

4.2 A copy of this Decision Statement is being sent to:

- The qualifying body, namely Chapel-en-le-Frith Parish Council.
- Any person who asked to be notified of the decision.

5. The Neighbourhood Plan

5.1 The Chapel-en-le-Frith Neighbourhood Development Plan and its associated documents are available to view on the Councils' web-sites at:

<http://www.highpeak.gov.uk/hp/council-services/neighbourhood-planning/chapel-en-le-frith-neighbourhood-development-plan>

<http://www.peakdistrict.gov.uk/planning/community-led-planning/neighbourhood-planning/neighbourhood-plans/chapel-neighbourhood-plan>

5.2 Paper copies of the Neighbourhood Plan are also available to view at the times and locations set out at paragraph 4.1 of this Decision Statement.

This Statement is dated 13 August 2015.