



DECISION STATEMENT: 2021-2029 MARTON WEST MODIFIED NEIGHBOURHOOD PLAN

DETERMINATION UNDER PARAGRAPH 8 OF SCHEDULE 4B TO THE TOWN AND COUNTRY PLANNING ACT 1990 AS APPLIED TO NEIGHBOURHOOD PLANS BY SECTION 38A OF THE PLANNING AND COMPULSORY PURCHASE ACT 2004, AND IN ACCORDANCE WITH THE NEIGHBOURHOOD PLANNING (GENERAL) REGULATIONS 2012 AND THE LOCALISM ACT 2011

SUMMARY

This Decision Statement confirms that, following an independent examination of the 2021-2029 Marton West Modified Neighbourhood Plan, Middlesbrough Council accepts the Examiner's recommendation that, subject to modifications, the Neighbourhood Plan can proceed to a Referendum.

This Decision Statement, Examiner's Report, submission version of the 2021-2029 Marton West Modified Neighbourhood Plan and associated documents are available to view on the Council's website at: [Marton West Neighbourhood Plan | Middlesbrough Council](#)

BACKGROUND

The Marton West Neighbourhood Forum as the qualifying body has reviewed and modified the current adopted 2016 Marton West Neighbourhood Plan, to incorporate recent Ward boundary changes, update relevant planning policies to reflect the enlarged Neighbourhood Area boundary, and to include a proposed Local Green Space designation. The new 2021-2029 Marton West Modified Neighbourhood Plan once adopted will form part of the Council's Statutory Development Plan, against which future-planning applications within the designated Marton West Neighbourhood Area will be determined.

With the agreement of the qualifying body, the Council appointed an independent examiner to conduct the examination of the submitted 2021-2029 Marton West Modified Neighbourhood Plan. The examination is required to test whether the 2021-2029 Marton West Modified Neighbourhood Plan meets the basic conditions, and other matters set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as amended), as applied to Neighbourhood Plans by Section 38A of the Planning and Compulsory Purchase Act 2004.

EXAMINER'S RECOMMENDATIONS

The Examiner's report was received on 26 January 2021. In her report, the Examiner recommended a number of modifications to the proposed policies within the Modified Neighbourhood Plan in order that the Plan and its policies met the 'basic conditions'.

Additional minor modifications were also recommended to improve clarity. Full details of the 'basic conditions' against which the Plan was examined, the recommended modifications and reasons for these can be found in the Examiner's Report.

The report concluded that, subject to the recommended modifications, the 2021-2029 Marton West Modified Neighbourhood Plan met the basic conditions and could proceed to a Referendum.

COUNCIL'S DECISION

As required under paragraph 12 of Schedule 4B to the Town and Country Planning Act 1990, the Council must consider each of the Examiner's recommendations and the reasons for them and decide what action to take in response to each.

Having considered the Examiner's report, the Council accepts the recommended modifications and the reasons given for these.

The Council considers that the 2021-2029 Marton West Modified Neighbourhood Plan, meets the basic conditions as set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 and that the Plan complies with provisions made by or under sections 38A and 38B of the Planning and Compulsory Purchase Act 2004.

Accordingly, the 2021-2029 Marton West Modified Neighbourhood Plan, incorporating the Examiner's recommended modifications, may proceed to a Referendum.

A referendum will be held as soon as reasonably practicable following the publication of this Decision Statement. Please note, however, all neighbourhood planning referendums are postponed until 6th May 2021, in line with the Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020. In the interim, the issuing of this Decision Statement enables the 2021-2029 Marton West Modified Neighbourhood Plan to be afforded significant weight in the determination of future planning applications within the designated Marton West Neighbourhood Area, until the referendum can take place.

It is a requirement that notification of the referendum will be publically announced 25 working days before it can take place.

Paul Clarke, Head of Planning for Middlesbrough Council.

For further information, please contact the Planning Policy Team at planningpolicy@middlesbrough.gov.uk