

## **North East Derbyshire District Council ASHOVER NEIGHBOURHOOD PLAN**

### **Final Decision Statement**

**26 February 2018**

**In accordance with Regulation 19 of the Neighbourhood Planning (General) Regulations 2012, following a positive referendum result on the 8 February 2018 the Ashover Neighbourhood Development Plan is part of the North East Derbyshire Development Plan.**

#### Background

On 19 May 2017 Ashover Parish Council, as the qualifying body, submitted the Draft Ashover Neighbourhood Plan to North East Derbyshire District Council. In accordance with the Neighbourhood Planning (General) Regulations (2012) the Plan was publicised, and comments were invited from the public and stakeholders. The Plan was then examined by an independent examiner.

It was agreed at the Cabinet meeting of the District Council on the 13 December 2017 that in line with the examiner's Report on the plan and subject to the modifications proposed in that report the Plan meets the required Basic Conditions. The Council issued a decision that the Plan should proceed to referendum and on successful referendum it should be brought into effect ('made').

A referendum was held on 8 February 2018. Over half (93%) of those who voted were in favour of the plan and thus the Council must make the Neighbourhood Plan (see footnote). The results of the referendum are available on the Council's Web site:

[http://www.ne-derbyshire.gov.uk/images/Repository/D/Declaration\\_of\\_Result\\_of\\_Poll\\_Ashover\\_NP.pdf](http://www.ne-derbyshire.gov.uk/images/Repository/D/Declaration_of_Result_of_Poll_Ashover_NP.pdf)

Following consultation with the Portfolio Holder for the Environment, the Chief Executive Officer has exercised his authority, delegated by Cabinet on 13 December 2017, to make the Ashover Neighbourhood Development Plan.

Planning applications in the Ashover Parish will now be considered against the Ashover Neighbourhood Development Plan as part of the District's Development Plan.

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**Final Decision Statement:  
Ashover Neighbourhood Plan (Cont'd)**

This Decision Statement, the Plan, the independent examiners report and other plan documents can be inspected:

- At North East Derbyshire District Council's Offices at Mill Lane, Wingerworth between 9am – 4.30pm
- Online on the Ashover Parish Council's Neighbourhood Plan website:-  
<http://www.ashover-pc.gov.uk/neighbourhood-plan.html>
- Online via the Council's website:-  
<http://www.ne-derbyshire.gov.uk/index.php/resident/local-plan?accid=2>

**Note:**

Paragraph 38A (4)(a) of the Planning and Compulsory Purchase Act 2004 as amended requires that the Council must make the Neighbourhood Plan if more than half of those voting have voted in favour of the plan.

North East Derbyshire District Council are 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).

The North East Derbyshire District Council has assessed that the plan including its preparation does not breach, and would not otherwise be incompatible, with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).