



## Mitcheldean Neighbourhood Development Plan Final Decision Statement

**Date of Publication: 1<sup>st</sup> March 2020**

### **Decision**

Following an independent Examination and a positive referendum result, Forest of Dean District Council has decided on 1<sup>st</sup> March 2020 pursuant to Section 38A (4) of the Planning and Compulsory Purchase Act 2004, to 'make' the Mitcheldean Neighbourhood Development Plan (the 'plan')

The Mitcheldean Neighbourhood Development Plan now forms part of the Development Plan of the Forest of Dean District and the policies in the plan will be given full weight when assessing planning applications that affect land covered by the plan.

### **Reasons for the Decision**

With the Examiner's recommended modifications the Plan meets the basic conditions set out in paragraph 8(2) of the Schedule 4B of the Town and Country Planning Act 1990, is compatible with EU obligations and the Convention rights and complies with relevant provision made by or under Sections 38A and 38B of the Planning and Compulsory Purchase Act 2004 (as amended).

The referendum held on 6<sup>th</sup> February 2020 met the requirements of the Localism Act 2011. It was held in the neighbourhood plan area and posed the question "Do you want Forest of Dean District Council to use the neighbourhood plan for the Parish of Mitcheldean to help it decide planning applications in the neighbourhood area?"

The count took place on 7<sup>th</sup> February 2020 and more than 50% of those who voted were in favour of the plan being used to help decide planning applications in the plan area. The results of the referendum were:

### **Response**

Number of votes cast in favour of a "Yes"	411 (89.74%)
Number of votes cast in favour of a "No"	46 (10.04%)
Number of rejected ballot papers	1 (00.22%)
The total number of votes recorded represented <b>20%</b> of the registered electors.	

Forest of Dean 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).

This decision statement can be viewed on the Forest of Dean website:

<https://www.fdean.gov.uk/residents/communities/neighbourhood-planning/mitcheldean-neighbourhood-plan/>

and at the Council Offices, Forest of Dean Council, High Street, Coleford, Glos. GL16 8HG during normal opening hours.

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