

Dinnington St John's Neighbourhood Plan

Decision Statement (Regulation 19)

May 2021

**1. Summary**

1.1 Following a positive referendum result on the 6 May 2021 Rotherham Council is publicising its decision to 'make' the Dinnington St John's Neighbourhood Development Plan part of the Development Plan for Rotherham in accordance with Regulation 19 of the Neighbourhood Planning (General) Regulations 2012 (as amended)

**2. Background**

2.1 Dinnington St John's Town Council, as the qualifying body, successfully applied for the parish to be designated as a Neighbourhood Area, under the Neighbourhood Planning (General) Regulations (2012) (as amended) in July 2016

2.2 Following submission of the Dinnington St John's Neighbourhood Plan to the Council the plan was publicised, and comments were invited from the public and stakeholders. The consultation period closed on Friday 20 December 2019.

2.3 The Council appointed an independent Examiner; Terry Raymond Heselton BA (Hons) Dip TP MRTPI to review whether the plan met the basic conditions required by legislation and whether the plan should proceed to referendum.

2.4 The Examiner's Report concluded that the plan met the basic conditions, and that subject to the modifications proposed in his report and which are set out in the Dinnington St John's Neighbourhood Plan Decision Statement dated Thursday 30 April 2020, the plan should proceed to a referendum.

2.5 A referendum was held on the 6 May 2021 where a majority of the voters were in favour of the plan.

2.6 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.

2.7 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 Reasoning

3.1 The referendum held on 6 May 2021 met the requirements of the Localism Act 2011 and posed the question: “Do you want Rotherham Metropolitan Borough Council to use the Neighbourhood Plan for Dinnington St. John’s to help it decide planning applications in the neighbourhood area?”

3.2 The result was declared on 9 May 2021. Greater than 50% of those who voted were in favour of the plan being used to help decide planning applications in the plan area.

3.3 The results of the referendum were:

Electorate	6,662	
Verified ballot papers	1,879	
Turnout	28.2%	
Number of votes cast in favour of:		
	Yes	1,651
	No	210
Total Number of Rejected Ballot papers	18	

3.4 The 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).

3.5 At the Council Meeting on 26 May 2021 it was resolved that Dinnington St John’s Neighbourhood Plan is formally adopted as part of the Statutory Development Plan for the borough of Rotherham.

3.6 In accordance with the Regulations and the Council’s procedure the Dinnington St. John’s Neighbourhood Development Plan is ‘made’ and planning applications in the area must be considered against the Dinnington St. John’s Neighbourhood Development Plan, as well as existing planning policy, such as the Rotherham Local Plan Core Strategy (2014) and Sites and Policies document (2018) and their successors, and the National Planning Policy Framework and Guidance.