

# Adoption Decision Statement

## Hunsdon Area Neighbourhood Plan

### Decision

Following an Independent Examination and a positive referendum result, East Herts District Council decided on 16 November 2022, in accordance with section 38A (4) of the Planning and Compulsory Purchase Act 2004, to 'make' the Hunsdon Area Neighbourhood Plan.

### Reasons

With the Examiner's recommended modifications, the Hunsdon Area Neighbourhood Development Plan meets the basic conditions and is compliant with legal and procedural requirements. Paragraph 38A (4) (a) of the Planning and Compulsory Purchase Act 2004 requires the Council to make the Neighbourhood Plan if more than half of those voting in the referendum upon the plan have voted in favour of the plan being used to inform planning applications in the area.

The Referendum took place on 15<sup>th</sup> September 2022 and the Hunsdon Neighbourhood Area residents voted on the following question: *"Do you want East Hertfordshire District Council to use the Neighbourhood Plan for Hunsdon to help it decide planning applications in the neighbourhood area?"* There was a 33% turnout at the referendum, with an overall 'yes' vote of 279 votes (95%), against 14 (5%) who voted 'no'.

East Herts 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).

Therefore, the Hunsdon Area Neighbourhood Plan now forms part of the development plan. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act (2004), the determination of planning applications will need to be made in accordance with the development plan, unless material considerations indicate otherwise.

## **Background**

Hunsdon Parish Council submitted a request for Neighbourhood Area Designation of the Hunsdon area in August 2017 which was subsequently agreed on 29 November 2017.

The Parish Council submitted the draft Neighbourhood Plan to East Herts Council in November 2021. Following this, a six week consultation took place between January and February 2021. The Neighbourhood Plan was then assessed by an Independent Examiner between May and June 2022. The examiner recommended that the plan proceed, subject to recommended modifications, to referendum. For administrative and inclusivity purposes, the examiner extended the referendum area to the whole of Hunsdon Parish for the purposes of holding a referendum. On 18<sup>th</sup> July 2022 the Council made the decision, via the non-key decision process to proceed to a referendum.

This decision statement and the Hunsdon Neighbourhood Area Plan can be viewed online at [www.eastherts.gov.uk/hunsdonnp](http://www.eastherts.gov.uk/hunsdonnp). Please contact the planning policy team 01279 655261 if you would like to view a paper copy.