



East Hampshire District Council

Bentley Neighbourhood Development Plan 2011- 2028

The Neighbourhood Planning (General) Regulations 2012

Neighbourhood Plan Decision Statement

1.0 Summary

- 1.1** Following a positive referendum result, East Hampshire District Council has made the Bentley Neighbourhood Plan (“the Plan”) part of the Development Plan at a Council meeting on Thursday 12 May 2016.

2.0 Background

- 2.1** The Bentley Neighbourhood Plan Area, covering the entire Parish, was designated by East Hampshire District Council on 21 October 2014, under the Neighbourhood Planning (General) Regulations (2012), which came into force on 6 April 2012.
- 2.2** The Bentley Neighbourhood Plan was submitted to East Hampshire District Council on 1 May 2015. The Regulation 16 consultation took place between Friday 19 June and Friday 31 July 2015 whereby the Plan was publicised and comments were invited from the public and stakeholders.
- 2.3** East Hampshire District Council appointed an Independent Examiner; John Parmiter, 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 meets the Basic Conditions, and that subject to the modifications in the examiner’s report, the plan should proceed to referendum.

2.5 A Referendum was held on 5 May 2016, 90% of those who voted were in favour of the plan. 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. 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).

3.0 Decision and reasons

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

3.2 The referendum held on 5 May 2016 met the requirements of the Localism Act 2011, it was held in the parish of Bentley and posed the question: 'Do you want East Hampshire District Council to use the Neighbourhood Plan for the Bentley area to help it decide planning applications in the neighbourhood area'.

3.3 The count took place on 6 May 2016 and greater than 50% of those who voted were in favour of the plan being used to help decide planning applications in the Plan area.

3.4 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 The Council decided at the Council meeting on 12 May 2016 to make the Bentley Neighbourhood Plan 2015-2028, part of the Development Plan for East Hampshire.



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