



## **East Hampshire District Council**

### **Medstead and Four Marks 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 Medstead and Four Marks Neighbourhood Plan (“the Plan”) part of the Development Plan at a Council meeting on Thursday 12 May 2016.

### **2.0 Background**

**2.1** The Medstead and Four Marks Neighbourhood Plan Area, covering the entire Parish, was designated by East Hampshire District Council on 19 June 2014, under the Neighbourhood Planning (General) Regulations (2012), which came into force on 6 April 2012.

**2.2** The Medstead and Four Marks Neighbourhood Plan was submitted to East Hampshire District Council on 14 August 2015. The Regulation 16 consultation took place between Friday 15 August and Friday 9 October 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; Nigel McGurk, 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, 93% 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 parishes of Medstead and Four Marks and posed the question: 'Do you want East Hampshire District Council to use the Neighbourhood Plan for the Medstead and Four Marks 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 Medstead and Four Marks Neighbourhood Plan 2015-2028, part of the Development Plan for East Hampshire.



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