

Croxley Green Neighbourhood Plan Decision Statement (Regulation 18 (2))

1 Summary

- 1.1 Under the Town and Country Planning Act 1990 (as amended), Three Rivers District Council has a statutory duty to assist communities in the preparation of neighbourhood development plans and orders and to take plans through a process of examination and referendum. The Localism Act 2011 (Part 6 chapter 3) sets out the Local Planning Authority's responsibilities under Neighbourhood Planning.
- 1.2 This statement confirms that the modifications proposed by the examiner's report have been accepted, the draft Croxley Green Neighbourhood Plan has been altered as a result of it; and that this plan may now proceed to referendum.

2 Details

- 2.1 The Croxley Green Neighbourhood Plan relates to the area that was designated by Three Rivers District Council as a Neighbourhood Area on 27 January 2014. This area corresponds with the Croxley Green Parish Council boundary.
- 2.2 In January 2017 Croxley Green Parish Council formally submitted the draft Croxley Green Neighbourhood Plan and supporting documents to the District Council. It was subsequently withdrawn to allow for further amendments to be made following and independent review of the submitted Plan commissioned by Three Rivers District Council Officers. The Plan was then resubmitted on 6 April 2017.
- 2.3 Following the formal submission of the Croxley Green Neighbourhood Plan to Three Rivers District Council undertook a statutory six-week consultation between 21 April 2017 – 2 June 2017.
- 2.4 Three Rivers District Council, with the agreement of Croxley Green Parish Council, appointed Ann Skippers BSc (Hons) MRTPI FRSA AoU as the Independent Examiner for the Plan. The Examiner's role was to determine whether the Plan met the Basic Conditions as set out in Schedule 4B of the Town and Country Planning Act 1990, and whether the Croxley Green Neighbourhood Plan should proceed to referendum.
- 2.5 On 30 July 2017 the Examiner sought clarification from the Parish and District Councils on the procedure undertaken with regards to the Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA).
- 2.6 After considering the responses, she set out her preliminary findings in a letter dated 4 September 2017, that the Plan would fail to meet the Basic Conditions at that point. However, as the matter could be remedied she suggested that the examination be suspended in order for additional work and a further consultation be undertaken in relation to the SEA and HRA.
- 2.7 The Parish Council confirmed they wished to suspend the examination and proceed with the additional work. The examination was suspended on 7 September 2017.
- 2.8 The examination recommenced on 30 July 2018 following a formal consultation on the newly drafted SEA and HRA Screening Reports between 8 June and 20 July 2018.

- 2.9 The Independent Examiner's Report on the Croxley Green Neighbourhood Plan was issued on 21 September 2018. The Examiner recommended: that modifications be made to the Plan to ensure that the Basic Conditions and legal requirements are satisfactorily met; that the Plan as modified should proceed to referendum; and that the referendum area should be the same as the Croxley Green Neighbourhood Area.

3 Decision and Reasons for Recommendations

- 3.1 The Neighbourhood (General) Regulations 2012, Regulation 18 require the local planning authority to outline what action to take in response to the recommendations of made by the Independent Examiner in a report under paragraph 10 of Schedule 38A of Schedule 4A to the Town and Country Planning Act 1990 (as applied by Section 38A of the Planning and Compulsory Purchase Act 2004).
- 3.2 Having considered the recommendations made by the Examiner's Report, and the reasons for them, Three Rivers District Council has agreed to accept the modifications made to the draft plan under paragraph 12(6) of Schedule 4B to the Town and Country Planning Act 1990. Having made these modifications Three Rivers District Council is satisfied that the Croxley Green Neighbourhood Plan meets the Basic Conditions and should proceed to referendum.
- 3.3 To meet the requirements of the Localism Act 2011 a referendum which poses the question, 'Do you want Three Rivers District Council to use the Croxley Green Neighbourhood Plan to help it decide planning applications in the Croxley Green Neighbourhood Area?' will be held in the area formally designated as the Croxley Green Neighbourhood Area.
- 3.4 The date on which the referendum will take place is Thursday 6 December 2018.