

Three Rivers District Council

Croxley Green Neighbourhood Development Plan

Final Decision Statement

Summary

Following a positive referendum result Three Rivers District Council is publishing its decision to 'make' the Croxley Green Neighbourhood Development Plan part of the Development Plan for Three Rivers District Council in accordance with Regulation 19 of the Neighbourhood Planning (General) Regulations 2012.

Background

The Croxley Green Neighbourhood Area was designated by resolution of the Executive Committee on 27 January 2014. 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 It was subsequently withdrawn to allow for amendments to be made following an independent review and was resubmitted on 6 April 2017.

Following submission of the Draft Croxley Green Neighbourhood Plan to the Council, the plan was publicised and comments were invited from the public and stakeholders. The consultation period closed on 2 June 2017.

Three Rivers District Council appointed independent Examiner, Ann Skippers BSc (Hons) MRTPI FRSA AoU, to review whether the plan met the basic conditions required by legislation and whether the plan should proceed to referendum.

The Examiner's Final Report concluded that the plan meets the basic conditions and that subject to the modifications proposed in her report, and which are set out in the Three Rivers District Council's Decision Statement published October 2018, the Plan should proceed to referendum. At its meeting on 23 October 2018, The Council agreed that the amended Neighbourhood Plan should proceed to referendum and that 'Subject to the result of the referendum and any legal issues, the intention is for the Plan to be brought to the next available Full Council meeting after the referendum with a recommendation that the Plan be made'.

A referendum was held on 6 December 2018, 94.12% 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 right (within the meaning of the Human Rights Act 1998).

Decision and Reasons

With the Examiner's recommended modifications the Croxley Green Neighbourhood Development 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 made by or under Section 38A and B of the Planning and Compulsory Purchase Act 2004(as amended).

The referendum held on 6 December 2018 met the requirements of the Localism Act 2011: it was held in the Parish of Croxley Green and posed the question 'Do you want Three Rivers District Council to use the Neighbourhood plan for Croxley Green to help it decide planning applications in the neighbourhood area?'

The count took place on 7 December 2018 and more than 50% of those who voted were in favour of the plan being used to help decide planning applications in the plan area. The results of the referendum were:

	Votes Recorded	Percentage
Number of votes cast as Yes	2611	94.12%
Number of votes cast as No	161	5.80%

Three Rivers 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).

In accordance with the Regulations and the District Council's decision of 23 October 2018 the Croxley Green Neighbourhood Plan is 'made' and now forms part of the Development Plan for Three Rivers District Council.