

# Adoption Decision Statement

## Much Hadham 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 Much Hadham Neighbourhood Area Plan.

### Reasons

With the Examiner's recommended modifications, the Much Hadham 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 23<sup>rd</sup> June 2022 and the Much Hadham Neighbourhood Area residents voted on the following question: *"Do you want East Hertfordshire District Council to use the Neighbourhood Plan for Much Hadham to help it decide planning applications in the neighbourhood area?"* There was a 28% turnout at the referendum, with an overall 'yes' vote of 372 votes (80%), against 92 (20%) 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 Much Hadham 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**

Much Hadham Parish Council submitted a request for Neighbourhood Area Designation of the Much Hadham Parish in June 2015 which was subsequently agreed on 1 September 2015.

The Parish Council submitted the draft Neighbourhood Plan to East Herts Council in February 2021. Following this, an eight week consultation took place between March and May 2021. The Neighbourhood Plan was then assessed by an Independent Examiner between October 2021 and March 2022. The examiner recommended that the plan proceed, subject to recommended modifications, to referendum. On 22nd April 2022 the Council made the decision, via the non-key decision process to proceed to a referendum.

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