



Wheathampstead Neighbourhood Development Plan

Decision Statement – 16 December 2022

This document sets out the decision of St Albans City and District Council on whether the Wheathampstead Neighbourhood Plan can proceed to referendum and its reasons for its decision.

Background

St Albans City and District Council approved the designation of the neighbourhood plan area for the Wheathampstead Neighbourhood Plan in July 2015. The neighbourhood plan area covers the whole of Wheathampstead Parish.

The Wheathampstead Neighbourhood Plan was submitted to St Albans City and District Council and, following a statutory publicity period of at least six weeks, was the subject of an independent examination.

St Albans City and District Council, with the agreement of the qualifying body (Wheathampstead Parish Council), appointed Mr Andrew Freeman as the independent examiner of the Wheathampstead Neighbourhood Plan.

The examination was carried out by way of written representations. The Examiner's final report was received 01 August 2022. It contains the Examiner's findings on legal and procedural matters and their assessment of the Neighbourhood Plan against the basic conditions. The Examiner's Report concludes that, subject to modifications, the Wheathampstead Neighbourhood Plan satisfies the basic conditions and legal requirements and should proceed to referendum.

Decision

The Neighbourhood Planning Regulations (2012), Regulation 18, requires the local planning authority to decide what action to take with regard to the examiner's recommendations.

St Albans City and District Council, at its 15 December 2022 Policy Committee, considered the Examiner's report and recommended modifications to the Wheathampstead Neighbourhood Plan. Policy Committee decided to accept the Examiner's modifications and agreed the Wheathampstead Neighbourhood Plan should proceed to referendum. The reason for this decision is that subject to the Examiner's suggested modifications the Wheathampstead Neighbourhood Plan meets the basic conditions, is compatible with the Convention rights and complies with the other requirements in paragraph 12(4) of Schedule 4B to the Town and Country Planning Act 1990, and the provision made by or under sections 38A and 38B of the Planning and Compulsory Purchase Act 2004.

The Wheathampstead Neighbourhood Plan will be updated to incorporate all the modifications recommended by the Examiner.

The Neighbourhood Planning (Referendums) (Amendment) Regulations 2016 amended the timescale set in the original Regulations. This now requires a referendum to be held within 56

working days of the Decision Statement being published unless the local planning authority and the qualifying body agree that the referendum need not be held within 56 working days. Wheathampstead Parish Council have agreed to the publication of the Decision Statement after Policy Committee decision on 15 December 2022, and for the Neighbourhood Plan to go to referendum in May 2023.

In accordance with paragraph 107 of the National Planning Policy Guidance, the Wheathampstead Neighbourhood Plan can be given significant weight in decision-making. This is from the date of the Decision Statement, so far as the Plan is material to the application.

St Albans City and District Council's Policy Committee report, Examiners Report including the schedule of the Examiner's modifications, and copy of the Wheathampstead Neighbourhood Plan can be viewed on St Albans City and District Council's website at www.stalbans.gov.uk.

The date of the referendum will be Thursday 4 May 2023