



Sandridge Neighbourhood Development Plan

Decision Statement

This document sets out the decision of St Albans City and District Council on whether to make the Sandridge Neighbourhood Plan under section 38A(4) of the Planning and Compulsory Purchase Act 2004 (as amended), following a positive referendum result.

Background

St Albans City and District Council approved the designation of the neighbourhood plan area for the Sandridge Neighbourhood Plan on 24 April 2014. The Neighbourhood Plan Area covers the current parish boundaries.

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

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

The examination was carried out by way of written representations. The examiner's final report was received 22 December 2020. It contains the Examiner's findings on legal and procedural matters and their assessment of the Sandridge Neighbourhood Plan against the basic conditions. The Examiner's Report concludes that, subject to modifications, the Sandridge Neighbourhood Plan satisfies the basic conditions and legal requirements and should proceed to referendum.

St Albans City and District Council, at its 25 February 2021 Cabinet meeting, considered the Examiner's report and recommended modifications to the Sandridge Neighbourhood Plan. Cabinet decided to accept the Examiner's modifications and agreed the Sandridge Neighbourhood Plan should proceed to referendum. In February 2021 a 'Decision Statement' was published in accordance with Regulation 18 of the Neighbourhood Planning (General) Regulations 2012 which set out the decision of St Albans City and District Council on whether the Sandridge Neighbourhood Plan could proceed to referendum and its reasons for its decision.

The Sandridge Neighbourhood Plan referendum took place on 6 May 2021. Voters were asked the question *'Do you want St Albans City and District Council to use the Neighbourhood Plan for Sandridge to help it decide planning applications in the neighbourhood area?'* Voters were given the opportunity to vote YES or NO.

The results were as follows:

	Votes Recorded	Percentage
Number of votes cast for YES	3,187	87%
Number of votes cast for NO	469	13%

The number of ballot papers rejected was as follows:	Number of ballot papers
A want of an official mark	0
B voting for more answers than required	7
C writing or mark by which voter could be identified	0
D being unmarked or wholly void for uncertainty	217
Total	224

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).

St Albans City and District Council at its Full Council formally decided to 'make' the Sandridge Neighbourhood Plan as a statutory planning document at its meeting on 14 July 2021.

Decision

St Albans City and District Council 'makes' the Sandridge Neighbourhood Plan as a statutory planning document in accordance with Section 38A (4) (a) of the Planning and Compulsory Purchase Act 2004.

Reasons

Neighbourhood Plans enable local communities to shape and direct sustainable development in their local area.

The reason for the decision to 'make' the Sandridge Neighbourhood Plan is that subject to the Examiner's suggested modifications, the Sandridge Neighbourhood Plan has been independently examined and has been found to meet the Basic Conditions as set out in paragraph 8 of Schedule 4B, of the Town and Country Planning Act 1990 (as amended). The Sandridge Neighbourhood Plan has been endorsed by the community at referendum and otherwise complies with all the legal requirements of Plan production. The Sandridge Neighbourhood Plan meets European legislation and is compatible with the European Convention on Human Rights (within the meaning of the Human Rights Act 1998), and complies with the relevant provisions made by or under Section 38A and B of the Planning and Compulsory Purchase Act 2004 (as amended).

This decision statement and the Sandridge Neighbourhood Plan can be viewed on St Albans City and District Council's website at www.stalbans.gov.uk.