



## Decision Statement for making the Odiham and North Warnborough Neighbourhood Plan Review 2014-2032

Date of Decision Statement: 25/04/2025

1. This document sets out the decision of Hart District Council to make the [Odiham and North Warnborough Neighbourhood Plan Review 2014-2032](#) ('the Plan Review') and the reasons for that decision.

### **The Referendum**

2. The Council held a referendum on 25 March 2025. A total of 576 votes were recorded: 545 voted 'yes' (95%), 30 voted 'no' (5%) and 1 vote was rejected for technical reasons.
3. A plan passes referendum if more than 50% of the votes are in favour.
4. On passing the referendum, the Plan Review became part of the development plan for the Hart District.

### **Making the Plan Review**

5. Following a positive referendum result, [Section 38A of the Planning and Compulsory Purchase Act 2004](#) requires the Council to 'make' the plan unless it considers that the plan would breach, or otherwise be incompatible with:
  - any assimilated obligations i.e. the assimilated obligations of EU legislation (as consolidated in the Retained EU Law (Revocation and Reform) Act 2023 (Consequential Amendment) Regulations 2023), or
  - any of the Convention rights (within the meaning of the Human Rights Act 1998).
6. A decision not to make a neighbourhood plan would mean it would cease to be part of the development plan for Hart.
7. At its meeting on 24 April 2025, the Council decided to 'make' the [Odiham and North Warnborough Neighbourhood Plan Review 2014-2032](#). It took the view that to do so would not breach, or otherwise be incompatible with, any assimilated obligations i.e. the assimilated obligations of EU legislation (as consolidated in the Retained EU Law (Revocation and Reform) Act 2023

(Consequential Amendment) Regulations 2023), or any of the Convention rights (within the meaning of the Human Rights Act 1998).

8. With regards to assimilated obligations of EU legislation, the Plan Review was subject to an SEA screening process which found no need for a full SEA, and a Habitat Regulations Assessment (HRA) which found that no likely significant effects will arise on any protected sites either alone or in combination with other plans or projects.
9. With regards to Convention rights, the Examiner found that the submitted plan complied with the Human Rights Act and did not breach, nor was in any way incompatible with the European Convention on Human Rights. There is no reason to disagree with his findings, nor to suggest that the plan as modified changes this position.
10. The Council remains of the view that making the Plan Review would not breach or otherwise be incompatible with any retained EU obligation or any of the Convention Rights (within the meaning of the Human Rights Act 1998).

#### **For further information**

11. This Decision Statement and the made [Odiham and North Warnborough Neighbourhood Plan Review 2014-2032](#) can be viewed online at:
  - <https://www.hart.gov.uk/planning-and-building-control/planning-policy/neighbourhood-planning>