



**Hart District Council
Dogmersfield Neighbourhood Development Plan 2016 - 2032
Neighbourhood Plan Decision Statement
26 September 2019**

**Published pursuant to the Localism Act 2011 Schedule 38A(9) and
Regulation 19 of the Neighbourhood Planning (General) Regulations
2012 (as amended)**

1.0 Summary

- 1.1 In accordance with the above regulations and following a positive referendum result, Hart District Council has made the Dogmersfield Neighbourhood Plan (“the Plan”) part of the Development Plan at a Council meeting on 26 September 2019.
- 1.2 This document sets out the Council’s considerations and formal decision in bringing the Dogmersfield Neighbourhood Plan into legal force following the successful local referendum held on 25 July 2019.

2.0 Background

- 2.1 The Dogmersfield Neighbourhood Plan Area, covering the entire Parish, was designated by Hart District Council on 6th August 2015, under the Neighbourhood Planning (General) Regulations (2012), which came into force on 6 April 2012.
- 2.2 The Dogmersfield Neighbourhood Plan was submitted to Hart District Council on 23 January 2019. The Regulation 16 consultation took place between February and March 2019 whereby the Plan was publicised and comments were invited from the public and stakeholders.
- 2.3 Hart District Council appointed an Independent Examiner; Andrew Ashcroft, to review whether the Plan met the basic conditions required by legislation and whether the plan should proceed to referendum.
- 2.4 The Examiner’s Report concluded that the Plan meets the Basic Conditions, and that subject to the modifications in the examiner’s report, the plan should proceed to referendum.

2.5 A Referendum was held on 25th July 2019. 98% of those who voted (valid votes) were in favour of the plan.

3.0 Decision and reasons

3.1 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 rights (within the meaning of the Human Rights Act 1998).

3.2 The referendum held on 25th July 2019 met the requirements of the Localism Act 2011, it was held in the parish of Dogmersfield and posed the statutory question: 'Do you want Hart District Council to use the Neighbourhood Plan for Dogmersfield Neighbourhood Planning Area to help it decide planning applications in the neighbourhood area'.

3.3 The count took place on 25th July 2019 and greater than 50% of those who voted were in favour of the plan being used to help decide planning applications in the Plan area.

3.4 The 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). The Plan preparation process was compliant with legal and procedural requirements and more than half of those who voted in the referendum, voted in favour of making the Plan.

3.5 The Council decided at the [Council meeting on 26 September 2019] to make the Dogmersfield Neighbourhood Plan 2016-2032, part of the Development Plan for Hart District.

4. Other Information

4.1 In accordance with Regulation 19(b) of the Regulations, a copy of this Decision Statement has been sent to:

- The qualifying body, namely, Dogmersfield Parish Council
- The persons who asked to be notified of the decision.

4.2 The Decision Statement, the Dogmersfield Neighbourhood Plan and relevant documents can be viewed on the Councils website at www.hart.gov.uk/dogmersfield and Parish Council website at <http://www.dogmersfieldparish.co.uk/> and in hard copy at Hart District Council Offices, Harlington Way, Fleet during normal opening hours.

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