

WOKING BOROUGH COUNCIL

HOOK HEATH NEIGHBOURHOOD PLAN – FINAL DECISION STATEMENT

22 OCTOBER 2015

1.0 Summary

- 1.1 Following a positive referendum result on the Hook Heath Neighbourhood Plan on 8 October 2015, Woking Borough Council has made the Hook Heath Neighbourhood Plan part of the Development Plan for the purposes of managing development in the Hook Heath Neighbourhood Area. This decision takes effect from 22 October 2015.

2.0 Background

- 2.1 The Hook Heath Neighbourhood Forum, as a qualifying body was formally designated by Woking Borough Council as a Neighbourhood Forum on 24 October 2013. The Hook Heath Neighbourhood Forum applied for the Hook Heath Neighbourhood Area to be designated as a Neighbourhood Area under the Neighbourhood Planning (General) Regulations 2012. The Neighbourhood Area was designated on 24 October 2013. The Neighbourhood Plan relates to the Neighbourhood Area as designated by Woking Borough Council.
- 2.2 The Hook Heath Neighbourhood Plan was published for Regulation 16 consultation between 2 February 2015 and 16 March 2015. It was submitted for Examination on 22 May 2015. Following an Independent Examination of the Neighbourhood Plan and the receipt of the Examiner's Report, the Council at its meeting on 9 July 2015 decided that subject to the Examiner's proposed modifications, the Hook Heath Neighbourhood Plan should proceed to referendum.
- 2.3 A referendum was held on 8 October 2015. Of the 577 people who voted, 545 (94%) voted **yes** for Woking Borough Council to use the Neighbourhood Plan for the Hook Heath Neighbourhood Area to help it decide planning applications in the Neighbourhood Area. 32 (6%) people voted **no**. 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 the people who voted have voted in favour of the Neighbourhood Plan. The Council is not subject to this duty if the making of the Neighbourhood Plan would breach, or would otherwise be incompatible with, any European Union obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).

3.0 Decision and Reasons

- 3.1 The Neighbourhood Plan as published for referendum (in this regard, the Neighbourhood Plan that incorporates the Examiner's recommended modifications) meets the basic conditions set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990, is compatible with European Union obligations and the European Convention of Human Rights and complies with relevant provision made

by or under Section 38A and B of the Planning and Compulsory Purchase Act 2004 as amended.

- 3.2 The referendum held on 8 October 2015 met the requirements of the Localism Act 2011.
- 3.3 The count took place on 8 October 2015 and more than 50% of those who voted were in favour of the Neighbourhood Plan being used to help decide planning applications in the Neighbourhood Area. Of the 577 people who voted, 545 voted yes and 32 voted no. Turnout was 39%.
- 3.4 The Council has decided that the Neighbourhood Plan and its preparation does not breach, and would not otherwise be incompatible, with, any European Union obligation or of the Convention rights (within the meaning of the Human Rights Act 1998)
- 3.5 Woking Borough Council therefore decided at its meeting on 22 October 2015 to make the Hook Heath Neighbourhood Plan part of the Development Plan for the area.

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