

WEALDEN DISTRICT COUNCIL

East Hoathly with Halland Neighbourhood Plan

2022-2039

Decision Statement

This Statement was published on 16 October 2024, pursuant to Section 38A(9) of the Planning and Compulsory Purchase Act 2004 (as amended) and Regulation 19 of the Neighbourhood Planning (General) Regulations 2012 (as amended)

In accordance with Regulation 19 of the Neighbourhood Planning (General) Regulations 2012 (as amended), this statement hereby gives notice that on the 16 October 2024, Wealden District Council made (adopted) the East Hoathly with Halland Neighbourhood Plan as a Development Plan Document. This means that the East Hoathly with Halland Neighbourhood Plan now forms part of the Development Plan for Wealden.

Background

The Council formally designated the East Hoathly with Halland Neighbourhood Area on 7 August 2017 (implemented on 15 August 2017) in accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended). This formally established East Hoathly with Halland Parish Council (EHWHPC) as the qualifying body to produce a neighbourhood plan for the designated area.

The draft plan, which covers the period 2022 to 2039, was submitted to the council (Regulation 15) in November 2023. The Council published the draft plan for consultation in accordance with Regulation 16 between 8 January 2024 until 26 February 2024.

The Council, in agreement with EHWHPC, appointed an Independent Examiner in February 2024, in accordance with Regulation 17. The Examiner's final report was received on 17 April 2024.

The Council published their decision in accordance with Regulation 17A and accepted the Examiner's recommendations and proposed modifications to allow for the referendum plan to progress towards becoming a 'made' plan and part of Wealden District's development plan, subject to a 'yes' vote in a referendum.

A local referendum was held on 5 September 2024 to decide whether the local community were in favour of the plan. Of the votes received, 347 (97.19%) voted 'yes' in response to the referendum question. The turnout of electors was 28.98%.

Reason for the decision

The East Hoathly with Halland Neighbourhood Development Plan meets the basic conditions and is compliant with legal and procedural requirements. Paragraph 38A(4)(a) of the Planning and Compulsory Purchase Act 2004 (as amended)

requires that Wealden District Council must 'make' the Neighbourhood Plan if more than half of those voting in the referendum vote in favour of the plan, unless (under paragraph 38A(6)) this would breach or would otherwise be incompatible with a retained EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).

The results of the referendum held on 5 September 2024 returned a vote in favour of the plan being used in the determination of planning applications. Further to the referendum outcome and having considered whether 'making' the Neighbourhood Plan would 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), the East Hoathly with Halland Neighbourhood Plan was formally 'made' at a meeting of Full Council on 16 October 2024.

How to view the documents

This Decision Statement (Regulation 19), the 'made' East Hoathly with Halland Neighbourhood Plan and associated documents are available to view on the Council's website at:

<https://www.wealden.gov.uk/planning-and-building-control/planning-policy/neighbourhood-planning/>

Copies of the Decision Statement and adopted East Hoathly with Halland Neighbourhood Plan are also available for public inspection, at the Council Offices, Vicarage Lane, Hailsham, BN27 2AX during normal office hours.

For any questions, please contact the Planning Policy Team on 01892 602008 or e-mail nplans@wealden.gov.uk.