

Highams Park Neighbourhood Plan Decision Statement

1. Summary

1.1 Following independent examination of the Plan, Waltham Forest Council recommends that the Highams Park Neighbourhood Plan proceeds to referendum subject to the modifications set out in Appendices 1 and 2 of this statement.

1.2 The Council concur with the Examiner's recommendation that the referendum area for the Highams Park Neighbourhood Plan (as modified) should be the approved Neighbourhood Area as set out in Fig.1 of the Plan at Appendix 1.

1.3 The Decision Statement, Examiner's Report and other documents can be inspected on the Council's website at [www. https://walthamforest.gov.uk/content/highams-park-neighbourhood-area-forum](https://walthamforest.gov.uk/content/highams-park-neighbourhood-area-forum)

Copies are also available for inspection in the libraries at:

[Chingford Library](#)

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1.4 The Neighbourhood Plan, if approved at referendum, will be used alongside Council plans when making decisions on planning applications in the Neighbourhood Area. In line with recent changes to the regulations, on being approved at referendum the Plan becomes part of the statutory development plan for the area.

2. Background

2.1 On 17 January 2014 Highams Park Planning Group was first approved as the qualifying body for the area and the boundary of the Neighbourhood Plan Area was designated by the Council, in accordance with Section 61G of the Town & Country Planning Act 1990. The Highams Park Planning Group was redesignated in June 2019 for a further five years.

The Highams Park Plan Area comprises Highams Park, Hale End, the areas of Woodford within Waltham Forest, including Oak Hill, the Highams Estate, Mallinson Park and part of the Chingford Hatch area to the north. The Area of the Plan spreads across four council wards including the part of Hale End & Highams Park ward to the north of the North Circular Road and around 50% of Hatch Lane ward (the southern part); and small parts of Chapel End and Larkswood wards to the south-east and north-east of the boundary.

2.2 The Neighbourhood Plan was published by Highams Park Neighbourhood Forum for Regulation 14 pre-submission consultation in March – May 2017.

2.3 Following the submission of the Highams Park Neighbourhood Plan to the Council in October 2018, the Plan was publicised and comments invited from the public and stakeholders. The consultation period ran from 7th January to 18th February 2019.

2.4 Waltham Forest Council, in consultation with the Highams Park Neighbourhood Forum, appointed an independent examiner, Mr John Parmiter, to review whether the Plan met the basic conditions required by legislation and other legal requirements and should proceed to referendum.

2.5 The Examiner considered that a public hearing into the Plan was not required. The Examiner's report (Appendix 3) concludes that, subject to making the modifications recommended in his report, the Plan meets the basic conditions set out in legislation and should proceed to a local referendum.

2.6 The Examiner's report recommends that the area for the referendum should be the Neighbourhood Plan Area.

3. Decision

3.1 The Neighbourhood Planning (General) Regulations 2012 requires the local planning authority to outline how it intends to respond to the recommendations of an examiner.

3.2 Having considered each of the recommendations made in the Examiner's report, and the reasons for them, the Council has decided to make the modifications to the draft Plan set out in Appendix 1 of this Decision Statement. These changes are considered to be necessary to ensure that the draft Plan meets the basic conditions and legal requirements.

3.3 The modifications set in Appendices 1 and 2 produce no significant changes to the policy and strategy of the Neighbourhood Plan overall. Therefore, a Strategic Environmental Assessment or Habitats Regulations Assessment is not required. Waltham Forest Council has undertaken an Equalities Impact Assessment of a draft version of the Plan.

3.4 Waltham Forest Council agrees:

A) That the recommendations of the Examiner and the subsequent amendments proposed as set out in Appendix 1 be accepted.

B) That the Examiner's recommendation that the Highams Park Neighbourhood Plan, as modified, proceed to referendum on the basis that the Plan meets the basic conditions, is compatible with the European Convention on Human Rights, complies with the statutory definition of a neighbourhood development plan and comprises provisions that can be made by such a document.

C) That, in accordance with the Examiner's recommendation, the referendum area be the Neighbourhood Area as designated by the Council on 17th January 2014.

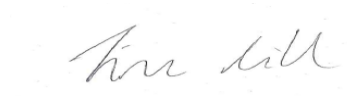
3.5 Accordingly I confirm that the draft Highams Park Neighbourhood Plan as modified:

- i. Meets the basic conditions set out in paragraph 8 (2) of Schedule 4B of the Town and Country Planning Act 1990;
- ii. Is not considered to breach or otherwise be incompatible with any EU obligation or

any of the Convention rights (within the meaning of the Human Rights Act 1998); and

iii. Complies with the provisions made by or under 38A and 38B of the Planning and Compulsory Purchase Act 2004.

Signed

A handwritten signature in dark ink, appearing to read 'Simon Miller', is written over a faint, light blue circular stamp. The stamp contains some illegible text, possibly a council or official seal.

Councillor Simon Miller

Cabinet Member for Economic Growth and Housing Development

Date: 28th November 2019