

Date: 26<sup>th</sup> April 2017  
Your Ref:  
Our Ref: GHF - NP/ Compliance letter  
Contact: Jo Deacon  
Email: [Jo.deacon@dacorum.gov.uk](mailto:Jo.deacon@dacorum.gov.uk)  
Directline: 01442 228366



Mr M Devlin  
Chairman, Grovehill Future Forum  
170 St Agnells Lane  
Grovehill  
Hemel Hempstead  
Herts HP2 6EQ

The Forum  
Marlowes  
Hemel Hempstead  
Hertfordshire  
HP1 1DN

Telephone: 01442 228000  
[www.dacorum.gov.uk](http://www.dacorum.gov.uk)  
DX 8804 Hemel Hempstead  
D/deaf callers, Text Relay:  
18001 + 01442 228000

**Draft Grovehill Future Neighbourhood Plan 2016-2031, submitted 13 March 2017: Legal Check under Schedule 4B of the Town and Country Planning Act 1990**

I write to you on behalf of Dacorum Borough Council (DBC) to confirm receipt of the submission version of your draft neighbourhood development plan (the Grovehill Future Neighbourhood Plan 2016-2031), along with accompanying supporting documentation. Firstly, I would like to wholeheartedly congratulate your neighbourhood planning Forum on successfully reaching the submission stage in the neighbourhood planning process.

As you may be aware, under Paragraphs 5 and 6 of Schedule 4B of the Town and Country Planning Act (TCPA) 1990 there is now a requirement for DBC, as the local planning authority, to undertake a compliance check of the contents of the plan along with its development/process to date. The relevant legal tests are set out in the 1990 TCPA and relevant sections of the Planning and Compulsory Purchase Act (PCPA) 2004. It is then an obligation of the local planning authority to issue a written statement clarifying the compliance (or otherwise) of the plan. Accordingly, this letter comprises the formal view of DBC and recommends whether the Neighbourhood Plan should be submitted for independent inspection.

At this stage it is not a duty of the local planning authority to consider the plan proposal against the 'basic conditions' tests set out under Paragraph 8(2) of the TCPA 1990 (this is the role of the independent examiner). For the purposes of added surety and as a result of the Council's close working with Grovehill Future Forum throughout the plan making process we set out our view below.



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We are confident that the Neighbourhood Plan meets all requirements for conformity with relevant national and local strategic policy, as well as relevant EU obligations, as set out in the Basic Conditions Statement (see below). However we recognise that this will need to be formally tested through the inspection process.

I note that your submission includes a Basic Conditions Statement, which provides your detailed consideration of the plan submission against the requirements of the TCPA 1990 and the PCPA 2004. In a similar manner, I am pleased to confirm the following view on behalf of DBC (without prejudice), (as we accept the final view/decision on the following matters sits with the Examiner):

- The plan **DOES** accord with all relevant provisions of the PCPA 2004 in that it: specifies a plan period; does not include any provision for excluded development; and does not relate to more than one neighbourhood area;
- The plan **DOES NOT** comprise a 'repeat proposal' as defined under Paragraph 5 of the TCPA 1990;
- The plan **HAS** been prepared by a qualifying body (Grovehill Future Forum), who are authorised to deliver a neighbourhood plan;
- The submission **DOES** comprise the relevant documentation required under Paragraph 1 of Schedule 4B of the TCPA 1990 and as prescribed by Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 ('the Regulations');
- The statutory consultation undertaken to date **DOES** comply with the requirements and regulations set out under Paragraph 4 of the TCPA 1990 and as prescribed by Regulation 14 of the Regulations; and
- The plan **DOES** comply with all other provisions under section 61E(2), 61J and 61L of the TCPA 1990.

**The Council can confirm that the Grovehill Future Neighbourhood Plan 2016-2031 will now be publicised under Regulation 16 of the Regulations with a view to then making the plan available for independent examination.**

DBC is now required to publicise the Neighbourhood Plan along with details of how to make representations to it on its website for a minimum of 6 weeks. Consultation will take place from **Wednesday 14 June – Friday 28 July (inclusive)**.

Alongside this the Council will publicise and consult on the plan to ensure the requirements within the regulations and the commitments within the Council's Statement of Community Involvement are met. Furthermore, in due course we will discuss with the Forum the appointment of an examiner along with the arrangements for the examination itself.

Finally, on behalf of DBC this letter represents the Council's formal view that the draft Grovehill Future Neighbourhood Plan, as submitted, adequately complies with the relevant statutory requirements, allowing for the Neighbourhood Plan to process to examination. Please do not hesitate to contact us if you have any further queries regarding the neighbourhood planning process from hereon.

Yours Sincerely,



James Doe  
Assistant Director  
Planning and Regeneration