

# Acton Neighbourhood Plan 2022 - 2037

## Post-Examination Decision Statement

Dated: 5 March 2024



### Regulation 18 of the Neighbourhood Planning (General) Regulations 2012 (as amended)

#### Decision:

Regulation 18 of the Neighbourhood Planning (General) Regulations 2012 (as amended) requires the relevant local planning authority to decide what action to take in response each recommendations made by the Independent Examiner and to publish its decision on that matter. This statement fulfills that purpose.

The submission draft 'Acton Neighbourhood Plan 2022 – 2037' has been independently examined by Janet L Cheesley BA (Hons) DipTP MRTPI. In summary, the examiner notes that while it has been necessary to make some modifications in the interest of precision, none of those significantly or substantially alter the intention and nature of the Plan. The report also concludes that subject to all the modifications being made, the Acton Neighbourhood Plan will meet the Basic Conditions, that it will provide a strong practical framework against which decisions on development could be made, and that it should proceed to a local referendum.

Having considered all of the proposed modifications, it is the District Councils decision that:

*The Acton Neighbourhood Plan as modified to incorporate all of the modifications set out in the Independent Examiners Report dated 29 February 2024 complies with the Basic Conditions as set out in Paragraph 8(2) of Schedule 4B of the Town & Country Planning Act 1990 (as amended).*

*Acton Parish Council are therefore instructed to amend their Neighbourhood Plan in accordance with the Examiner's Report and, subject to the satisfactory completion of that task, the District Council will advance this Plan to a local referendum covering the parish of Acton.*

#### Background:

The Acton Neighbourhood Plan has been prepared in accordance with the relevant regulations. The key stages are set out below:

- In October 2021, designation of the whole parish as a Neighbourhood Plan Area, which enabled the Parish Council (the 'qualifying body') to prepare its Plan
- Publication by the Parish Council of their Regulation 14 Pre-submission draft Plan for consultation between 3 April and 22 May 2023



- In late September 2023, submission of the draft Plan to Babergh District Council. This was made available for public consultation between 23 October and 6 December 2023
- Starting in early December 2023, independent examination of the Plan. The Final Examination Report was issued on 29 February 2024, after a focused consultation exercise had been conducted following the publication of a new NPPF.

The 'Basic Conditions' are set out in Paragraph 8(2) of Schedule 4B of the Town & Country Planning Act 1990 (as amended). In order to satisfy them a Plan must:

- have regard to national policies and advice contained in guidance issued by the Secretary of State,
- contribute to the achievement of sustainable development,
- be in general conformity with the strategic policies contained in the Development Plan for the area of the authority, *and*
- not breach and be otherwise compatible with EU obligations and human rights requirements.

Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended) also prescribes the following basic condition:

- The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017(7).

The Acton Neighbourhood Plan has been independently screened. This HRA Screening Report (April 2023) concluded that an Appropriate Assessment was not required as no likely significant effects were predicted, either alone or in-combination with other plans or projects. After consulting Natural England on the screening report, the Council issued its HRA Determination Notice in May 2023.

## **Next steps**

We will publish the referendum version of the Acton Neighbourhood Plan, (i.e., the version incorporating all of the required modifications) as soon as it is practical to do so.

A decision on the date of the referendum will also be announced at the proper time.

## **References:**

1. Independent Examination Report on the Acton Neighbourhood Plan:  
<https://www.babergh.gov.uk/documents/d/babergh/acton-np-exam-report-feb24>
2. Examination Focused Consultation Letter and Responses (Jan 2024)  
<https://www.babergh.gov.uk/documents/d/babergh/acton-np-focused-consultation-reps-jan24>