

# Boxford Neighbourhood Plan 2021 - 2037

## Post-Examination Decision Statement



Dated: 24 June 2022

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

### Summary

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 of the recommendations made by the Independent Examiner and to publish its decision on its website. This Decision Statement fulfills that purpose.

The submission draft Boxford Neighbourhood Plan 2021 - 2037 has been independently examined by Janet Cheesley BA (Hons) DipTP MRTPI. Her final report dated 13 June 2022 set out a number of modifications and advised that subject to those being made, the Plan meets the Basic Conditions and can proceed to referendum. The Examiner also concluded that the referendum area should be the same as the Plan area.

Having considered the Examiners Report, Babergh District Council hereby agree to accept all of the recommendations made. It also instructs Boxford Parish Council to:

*'... make all the necessary modifications to their Neighbourhood Plan in accordance with the Examiner's recommendations, and, subject to the satisfactory completion of that task (to be signed-off by the Corporate Manager for Strategic Planning), the Neighbourhood Plan will be advanced to a local referendum covering the parish of Boxford.'*

### Background

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

- In August 2018, designation of the whole parish as a Neighbourhood Plan Area by the District Council. This enabled the Parish Council, as the 'qualifying body,' to prepare its Plan.
- Publication by the Parish Council of their Regulation 14 Pre-submission draft Plan for consultation between 8 July and 13 September 2021
- In January 2022, submission of the draft Plan to Babergh District Council. This was made available for public consultation between 7 March and 29 April 2022
- Starting in May 2022, independent examination of the Plan. The Final Examination Report was issued on 13 June 2022.



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 Boxford Neighbourhood Plan was subject to independent screening. This identified the need to undertake an Appropriate Assessment (AA). An AA was prepared, it recommending some policy wording changes, particularly with reference to recreational disturbance and the adopted Suffolk Coast Recreational disturbance Avoidance & Mitigation Strategy. After consultation with Natural England, the Council issued its formal Determination Notice in September 2021.

## **Decision**

The Boxford Neighbourhood Development Plan as modified to incorporate all the modifications set out in the Independent Examiners Report dated 13 June 2022 complies with the Basic Conditions as set out in Paragraph 8(2) of Schedule 4B of the Town & Country Planning Act 1990 (as amended) and should proceed to a local referendum.

The date of the referendum will be announced separately.

The 'Referendum Version' of the Neighbourhood Plan, i.e., the version incorporating all the required modifications, will be published either on the day that the referendum is announced, or sooner if it is practical to do so.

## **References:**

1. Independent Examiners Report on the Boxford Neighbourhood Plan:

<https://www.babergh.gov.uk/assets/Neighbourhood-Planning/Boxford-NP-Exam-Report.pdf>