

# Brettenham Neighbourhood Plan 2024 - 2037

## Post-Examination Decision Statement



Dated: 11 November 2024

**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 recommendation made by the Independent Examiner and to publish its decision. This statement fulfills that purpose.

The submission draft Brettenham Neighbourhood Plan 2024 - 2037 has been independently examined by Ann Skippers BSc (Hons) MRTPI FRSA FHEA AoU. Her final report was issued on 22 October 2024. It praises the clarity and intent of thought that runs through this Plan but also explains that some modifications are necessary, that these do not significantly or substantially alter the nature of the plan, and that in the main they are intended to ensure that the Plan is clear and precise and provides a practical framework for decision making. Of some interest are the modifications that relate to Policy BRET 6 (Biodiversity & Wildlife) and Policy BRET 8 (Non-designated Heritage Assets). The report concludes by saying that subject to all of the modifications being made, this Plan meets the basic conditions and other statutory requirements against which it was examined, and that it should proceed to a local referendum.

Having considered the examination report, it is the District Councils recommendation that:

Brettenham Parish Council should make all the necessary modifications to their Neighbourhood Plan in accordance with the recommendations set out in Independent Examiner's Report dated 22 October 2024 and that, subject to satisfactory completion of that task (to be signed-off by the Head of Strategic Planning), this Plan will then be advanced to a local referendum covering the parish of Brettenham.

### Background

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

- In January 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 22 January and 8 March 2024



- In June 2024, submission of the draft Plan to Babergh District Council, which was then made available for public consultation between 15 July and 30 August 2024
- Commencing at the start of October 2024, independent examination of the Plan. The final Examination Report was issued on 22 October 2024

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 pre-submission draft Brettenham Neighbourhood Plan was subject to independent screening. This concluded that an Appropriate Assessment was not required. After consulting the relevant statutory bodies on the screening outcome, the Council issued its formal Determination Notice in April 2024.

## **Decision**

The Brettenham Neighbourhood Plan as modified to incorporate all the modifications set out in the Independent Examiners Report dated 22 October 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) and should proceed to a local referendum.

The date of the referendum will be announced separately.

A '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 Brettenham NP:  
<https://www.babergh.gov.uk/documents/d/babergh/brettenham-np-exam-report-oct24>
2. Brettenham NP Examination Correspondence document:  
<https://www.babergh.gov.uk/documents/d/babergh/brettenham-np-exam-correspondence>