

# Elmsett Neighbourhood Plan Review 2025

## Regulation 17(e)(ii) Modification Statement

Dated: 2 July 2025



### Decision:

The Elmsett Neighbourhood Plan was first 'made' (adopted) by Babergh District Council in December 2019. It contains sixteen policies, and covers the plan period 2017 - 2036. It is now undergoing modification by Elmsett Parish Council.

The Foreword to the submission draft 'Elmsett Neighbourhood Plan Review 2025' explains that, following adoption at the district level in November 2023 of Part 1 of the Babergh & Mid Suffolk Joint Local Plan, it was necessary to update Policy EMST1 which determines where development would be allowed to take place within in the parish. The Foreword also explains that while the primary focus of the review was to bring this policy and the planning strategy chapter up-to-date, the opportunity had also been taken to update other background information. This includes the deletion of what was the only site allocation policy in the 2019 Plan on the basis that the resulting development is nearing completion. The remaining policies are unchanged.

Taken as a whole, Babergh District Council are of the opinion that while modifications have been made to the Elmsett Neighbourhood Plan, these do not significantly or substantially alter its overall nature. Consequently, we consider that the Review Plan will require examination but, subject to the decision of the examiner, would not require a referendum.

In reaching this decision, due consideration has been given to the advice set out in National Planning Practice Guidance (NPPG) and in the Neighbourhood Planning Regulations.

### Background:

National Planning Practice Guidance (NPPG) paragraph 106 (Reference ID: 41-106-20190509)<sup>1</sup> explains that '*there are three types of modification which can be made to a neighbourhood plan*' and that '*the process will depend on the degree of change which the modification involves*'. One of those options is a material modification which does not change the nature of the Plan, would require an examination, but would not require a referendum.

NPPG paragraph 085 (reference ID: 41-085-20180222)<sup>2</sup> also sets out what is required of the local planning authority when sending a modified plan to an independent examiner.



In the case of a modification proposal, Regulation 17(e)(ii) of the Neighbourhood Planning (General) Regulations 2012 (as amended)<sup>3</sup> requires the relevant local planning authority to submit to the examiner '*a statement setting out whether or not the authority consider that the modifications contained in the modification proposal are so significant or substantial as to change the nature of the neighbourhood development plan which the modification proposal would modify, giving reasons for why the authority is of this opinion.*'

This statement fulfils that purpose.

**References:**

1. Under: <https://www.gov.uk/guidance/neighbourhood-planning--2#updating-neighbourhood-plan>
2. *ibid*
3. NP Regulations 2012: <https://www.legislation.gov.uk/uksi/2012/637/regulation/17>