

Great Waldingfield Neighbourhood Plan 2018 - 2037

Post-Examination Decision Statement

Dated: 16 August 2023



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 the decision on its website. This Decision Statement fulfills that purpose.

The submission draft Great Waldingfield Neighbourhood Plan 2018 - 2037 has been independently examined by Ann Skippers BSc (Hons) MRTPI FHEA FRSA AoU. In summary, the examiner noted that some modifications were needed to aid clarity but that these would not significantly or substantially alter the overall nature of Plan which had been presented to an exceptionally clear and high standard. The report also concluded that subject to all the modifications being made, the Plan meets the Basic Conditions, that it should proceed to a local referendum, and that the referendum area should be the same as the Plan area.

Having considered the proposed modifications, it is the District Council recommendation that:

‘Great Waldingfield Parish Council make all the necessary modifications to their Neighbourhood Plan in accordance with the Independent Examiner’s Report and, subject to the satisfactory completion of that task, this Plan will be advanced to a local referendum covering the parish of Great Waldingfield.’

Background

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

- In July 2017, 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 11 June and 1 August 2022
- In February 2023, submission of the draft Plan to Babergh District Council. This was made available for public consultation between 19 April and 2 June 2023
- Starting in June 2023, independent examination of the Plan. No issues were raised and the Final Examination Report was issued on 2 August 2023



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 Great Waldingfield Neighbourhood Plan has been subject to independent screening. This concluded that an Appropriate Assessment was not required as none of the policies would result in development and likely significant effects from the plan could therefore be ruled out. After consulting Natural England on the screening report etc., the Council issued its formal Determination Notice in September 2022.

Decision

The Great Waldingfield Neighbourhood Plan as modified to incorporate all the modifications set out in the Independent Examiners Report dated 2 August 2023 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 Great Waldingfield Neighbourhood Plan:

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