

Lavenham Neighbourhood Plan 2 (2023 – 2037)

Regulation 17(e)(ii) Modification Statement

Dated: 7 September 2023



Decision:

The Lavenham Neighbourhood Plan [LNP1] was 'made' (adopted) by Babergh District Council in September 2016. It contains twenty-four policies and covers the plan period to 2031. LNP1 is now undergoing modification by Lavenham Parish Council.

The submission draft Lavenham Neighbourhood Plan 2 [LNP2] seeks to, amongst other things, update the plan with regard to policy context at both a national and district level, to extend the plan period to 2037 (to coincide with the emerging Babergh & Mid Suffolk Joint Local Plan), to designate an up-to-date settlement boundary, to provide local policy guidance in response to a declared climate change emergency, to re-designate previously identified open spaces as Local Green Spaces, and much more.

Taken as a whole, Babergh District Council are of the opinion that while LNP2 carries over and updates many of the policies from LNP1, the changed emphasis on responding first and foremost to the climate change emergency, and the cumulative other amendments are sufficient enough to alter the Plan such that it would require both examination and, subject to the recommendations of that exercise, a new referendum. In reaching this decision, due consideration has been given to the advice set out in National Planning Practice Guidance (NPPG) and on the Neighbourhood Planning Regulations.

Background:

NPPG paragraph 106 (Reference ID: 41-106-20190509)¹ explains that '*There are 3 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*'. The example given of a material modification which changes the nature of the plan (and would require it to be examined and proceed to a referendum) is allocating significant new sites for development.

NPPG paragraph 085 (Reference ID: 41-085-20180222)² sets out what is required of the local planning authority if more substantive changes are being made to the neighbourhood plan.

Regulation 17(e)(ii) of the Neighbourhood Planning (General) Regulations 2012 (as amended)³ 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/ukxi/2012/637/regulation/17>

