

Sproughton 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 Sproughton Neighbourhood Plan 2018 - 2037 has been independently examined by Ann Skippers BSc (Hons) MRTPI FHEA FRSA AoU. In summary, the examiner noted that the Plan contains a number of policies that seek to add local detail or address matters of importance to the local community, but that it was necessary to recommend a number of modifications. Of note are the removal of the 'Valued Landscape' designation from Policy SPTN7 and the deletion of Policy SPTN8 which identified a number of settlement gaps. Changes to other policies and supporting text were also recommended to improve clarity for decision makers. The report concludes that subject to all the modifications being made, this 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:

'Sproughton 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 Sproughton.'

Background

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

- In April 2020, 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 2 October and 15 November 2021
- In November 2022, submission of the draft Plan to Babergh District Council. This was made available for public consultation between 12 December 2022 and 3 February 2023
- Starting in February 2023, independent examination of the Plan. Written clarification was sought on a number of matters prior to the issue of the Final Report on 24 July 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 Sproughton Neighbourhood Plan has been subject to independent screening. This concluded that an Appropriate Assessment was not required but it did recommend that Policy SPTN12: Recreation Disturbance Avoidance & Mitigation should include a reference to Natural England's general advice regarding natural greenspace requirements on larger development proposals. After consulting Natural England on the Screening Report, the Council issued its formal Determination Notice in September 2022.

Decision

The Sproughton Neighbourhood Plan as modified to incorporate all the modifications set out in the Independent Examiners Report dated 24 July 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 Sproughton Neighbourhood Plan:

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