

# Mendlesham Neighbourhood Plan 2018 - 2037

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

Dated: 8 October 2021



### Decision:

The Mendlesham Neighbourhood Plan was first made (adopted) by Mid Suffolk District Council in March 2017 and covered the period to 2031. It is now undergoing modification. The submission draft 'Mendlesham Neighbourhood Plan 2018 - 2037' (dated May 2021) now includes housing site allocations and increases the number of homes planned for. The opportunity has also been taken by the Parish Council to review and make small amendments to a number of other policies within the Plan.

Given that the adopted Plan did not set out any housing allocations, Mid Suffolk District Council are of the opinion that *'this alone is a material modification which does change the nature of the plan'* and that *'the plan will require examination and [subject to the examiner's recommendations], it should require a local 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:

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'*. The example given of a material modification which changes the nature of the plan and which 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)<sup>2</sup> 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)<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/ukxi/2012/637/regulation/17>

