

Walsham le Willows Neighbourhood Plan 2023 - 2037

Post-Examination Decision Statement

Dated: 22 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 'Walsham le Willows Neighbourhood Plan 2023 - 2037' has been independently examined by Janet Cheesley BA (Hons) DipTP MRTPI. In summary, the examiner notes that the Plan sets out clear objectives for the future of the parish. Some modifications are also made but these do not significantly alter the nature of the plan. Of note, the community facilities that are also identified as Local Green Spaces are deleted from the list of community facilities in Policy WLW4. The Report also concludes that, subject to all the modifications being made, the Plan meets the Basic Conditions and can proceed to a local referendum. The Examiner also agreed that the referendum area should be the same as the Plan area.

Having considered the examination report, it is the District Councils recommendation that:

'Walsham le Willows 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 Walsham le Willows.'

Background

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

- In July 2018, 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 17 October and 2 December 2022
- In April 2023, submission of the draft Plan to Mid Suffolk District Council. The Plan was then made available for public consultation between 5 June and 21 July 2023
- Commencing in July 2023, independent examination of the Plan. The final Examination Report was issued on 18 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 Walsham le Willows Neighbourhood Plan was subject to independent screening. This concluded that an Appropriate Assessment was not required. After consulting Natural England, who agreed with the outcome, the Council issued its formal Determination Notice in February 2022.

Decision

The Walsham le Willows Neighbourhood Development Plan as modified to incorporate all the modifications set out in the Independent Examiners Report dated 18 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 Walsham le Willows Neighbourhood Plan:

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

2. Walsham le Willows Neighbourhood Plan Examination Correspondence:

<https://www.midsuffolk.gov.uk/assets/Neighbourhood-Planning/WalshamleWillows-NP-Exam-Correspondence.pdf>