

# Elmsett Neighbourhood Plan

## MODIFICATION PROPOSAL

### REGULATION 14 STATEMENT

1. This statement is made by Elmsett Parish Council (“the Qualifying Body”) pursuant to Regulation 14 (a) (v) of the Neighbourhood Planning (General) Regulations as amended by the Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016 and 2017.
2. Regulation 14 (a) (v) applies to a proposal to modify an existing “made” neighbourhood development plan. It requires that *“in relation to a modification proposal, a statement setting out whether or not the qualifying body considers 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 qualifying body is of this opinion”*.
3. Government Planning Practice Guidance notes that there are 3 types of modification which can be made to a neighbourhood plan or order. The process will depend on the degree of change which the modification involves:
  - Minor (non-material) modifications to a neighbourhood plan or order are those which would not materially affect the policies in the plan or permission granted by the order. These may include correcting errors, such as a reference to a supporting document, and would not require examination or a referendum.
  - Material modifications which do not change the nature of the plan or order would require examination but not a referendum. This might, for example, entail the addition of a design code that builds on a pre-existing design policy, or the addition of a site or sites which, subject to the decision of the independent examiner, are not so significant or substantial as to change the nature of the plan.
  - Material modifications which do change the nature of the plan or order would require examination and a referendum. This might, for example, involve allocating significant new sites for development.

Paragraph: 106 Reference ID: 41-106-20190509

4. The Elmsett Neighbourhood Development Plan was made by Babergh District Council on 10 December 2019. The Plan contains 16 planning policies covering:
  - the location of development,
  - housing development,
  - an allocated site for housing,
  - affordable housing,
  - housing space standards,
  - an area of local landscape sensitivity,
  - the designation of local green spaces,
  - protecting important views,
  - the identification of a “special character area”,
  - heritage assets,
  - development design considerations,
  - communications technology,
  - employment sites,
  - community facilities and services, and
  - open space, sport and recreation facilities
5. The Qualifying Body (Elmsett Parish Council) proposes to modify the existing made plan to amend Policy EMST 1 – Spatial Strategy to bring it into line with the recently adopted Babergh and Mid Suffolk Joint Local Plan Part 1.
6. The Qualifying Body considers that the nature of the modifications to be not so significant or substantial as to change the nature of the made Plan. It considers that the modifications would require examination but, subject to the decision of the independent examiner, would not require a referendum.

**Elmsett Parish Council**

**March 2024**