

# Capel St Mary Neighbourhood Plan 2024 - 2037

## Post-Examination Decision Statement

Dated: 30 July 2025

### Regulation 18 - 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 recommendation made by the Independent Examiner and to publish its decision. This statement fulfills that purpose.

The submission draft Capel St Mary Neighbourhood Plan has been independently examined by Ann Skippers BSc (Hons) MRTPI FRSA FHEA AoU. Her final report was issued on 22 July 2025. It notes that this Plan is well presented, that it covers a variety of topics, that it has been careful not to duplicate policies at the District level and that, with some modifications, it will provide a clear, precise, and practical framework for decision making. The modifications include the addition of a new objective, amendments to Spatial Strategy Policy CSM1, and new supporting text to demonstrate that this Plan has met the duty to 'seek to further' the purpose of the Suffolk & Essex Coast and Heaths National Landscape, part of which falls within the designated neighbourhood plan area. The report concludes by saying that subject to all of the modifications being made, this Plan meets the basic conditions and other statutory requirements against which it was examined, and that it should proceed to a local referendum.

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

'Capel St Mary Parish Council make all the necessary modifications to their Neighbourhood Plan in accordance with the recommendations set out in the Independent Examiner's Report dated 22 July 2025 and that, subject to the satisfactory completion of that task (to be signed-off by the Head of Strategic Planning), this Plan will then be advanced to a local referendum covering the parish of Capel St Mary.'

#### Background

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

- In April 2018, designation of the whole parish as a Neighbourhood Plan Area, which enabled the Parish Council (the 'qualifying body') to prepare its Plan
- Publication of Regulation 14 pre-submission draft Plans in Spring 2020, Summer 2023, and Autumn 2024. Consultation on the latter took place between 5 September and 21 October 2024



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- In January 2025, submission of the draft Plan to Babergh District Council, which was then made available for public consultation between 10 February and 28 March 2025
- Commencing in April 2025, independent examination of the Plan. The final Examination Report was issued on 22 July 2025

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 2024 pre-submission draft Capel St Mary Neighbourhood Plan was subject to independent screening. This concluded that an Appropriate Assessment was not required. After consulting the relevant statutory bodies on the screening outcome, the Council issued its formal Determination Notice in November 2024.

## **Decision**

The Capel St Mary Neighbourhood Plan 2024 - 2037 as amended to incorporate all of the modifications set out in the Independent Examiners Report dated 22 July 2025 complies with the Basic Conditions 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 this 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 Capel St Mary NP:  
<https://www.babergh.gov.uk/documents/d/babergh/cstm-np-exam-report>
2. Capel St Mary NP Examination Correspondence document:  
<https://www.babergh.gov.uk/documents/d/babergh/cstm-np-exam-correspondence>