



Basingstoke  
and Deane

## **Basingstoke and Deane Local Planning Authority**

### **Updated Burghclere Parish Neighbourhood Plan 2011 – 2029**

#### **REGULATION 18 DECISION STATEMENT (accepting the examiner's recommendations)**

##### **1. Introduction**

- 1.1 In accordance with the Town and Country Planning Act 1990 (as amended), the borough council has a statutory duty to assist communities in the preparation of neighbourhood plans and to progress their neighbourhood plans through examination, referendum and to 'make' the Plan.
- 1.2 In accordance with Regulation 18 of the Neighbourhood Planning (General) Regulations 2012 Basingstoke and Deane Borough Council (BDBC) has produced this 'Decision Statement' in relation to the updated Burghclere Neighbourhood Plan (BUR NP). This statement confirms that the modifications proposed in the Examiner's Report on the BUR NP have been accepted by the borough council and the Plan has been consequently amended. The Plan can now proceed to be made by Full Council.
- 1.3 The Examiner's Report and submission BUR NP, including supporting documents, can be viewed on the council's website at:  
<https://www.basingstoke.gov.uk/BURNP>
- 1.4 Hard copies of the documents can also be viewed at the borough council offices (Basingstoke and Deane Borough Council, Civic Offices, London Road, Basingstoke, RG21 4AH).

##### **2. Background**

- 2.1 On 26 February 2018, BDBC designated the Burghclere Neighbourhood Area for the purpose of preparing a Neighbourhood Plan. The plan area covers the parish of Burghclere and lies solely within the Basingstoke and Deane Local Planning Authority Area.

- 2.2 The current Burghclere Neighbourhood Plan was ‘made’ at Full Council on 27 May 2021 following an independent examination and a positive vote at referendum.
- 2.3 Burghclere Parish Council (BUR PC), the qualifying body took the decision to update this plan in December 2021. They submitted the updated plan and supporting documents to BDBC on 7 December 2022.
- 2.4 Following submission of the updated BUR NP, BDBC publicised the Plan and supporting documents and invited representations during the consultation period which ran from Monday 9 January through to Monday 20 February 2023. BDBC also published a Modification Proposal Statement setting out its view that the plan required an independent examination but did not require a referendum.
- 2.5 BDBC, with the consent of BUR PC, appointed an independent examiner, Janet Cheesley to review the Plan and assess the type of modification that was being proposed and whether this would require a referendum.
- 2.6 The Examiner’s Report was received on 27 March 2023 and recommended that, subject to a number of proposed modifications, the Plan should be made. The modifications are required to ensure that the Plan meets the basic conditions set out in the legislation (Para 8(2) Schedule 4B Town and Country Planning Act 1990).
- 2.7 In accordance with the legislation (Schedule 4B paragraph 12 Town and Country Planning Act 1990), the Local Planning Authority must decide what action to take in response to the examiner’s recommendations, what modifications to make to the Plan and whether the Plan should proceed to be made.

### **3. Local Planning Authority Decision**

- 3.1 Having considered the Examiner’s Report the Local Planning Authority confirms that:
  - The Examiner’s recommended modifications are accepted and agreed. The modifications have been agreed and are supported by the Local Planning Authority in the interests of ensuring that the updated BUR NP meets the basic conditions, improving precision for accurate interpretation of the Plan, and making necessary minor edits to the Plan.
  - The BUR NP, incorporating all the recommended modifications and consequential modifications<sup>1</sup>, should proceed to Council to be made as the Plan:

---

<sup>1</sup> Modifications in order to correct errors/inaccuracies resulting from the amendments made in light of the Examiner’s Report.

- meets the basic conditions in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as amended);
  - is compatible with Convention Rights (the European Convention on Human Rights) and complies with the Human Rights Act 1998;
  - is compliant with the provision made by or under sections 38A and 38B of the Planning and Compulsory Purchase Act 2004.
- The recommended modifications will not have significant environmental effects.
  - The plan should be made based on the Burghclere Neighbourhood Area, as approved by the council in 2018.

3.2 This decision has been made in accordance with the relevant legislation, guidance and advice and in response to the recommendations made in the examiner's report.