



EAST CAMBRIDGESHIRE DISTRICT COUNCIL

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By Email

Clerk – Sutton Parish Council

*This matter is being dealt with by: Richard Kay,
Strategic Planning Manager*

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My Ref: Reg16\SuttonNP

Your ref:

21 December 2023

Dear Rosie Hughes, Clerk

Re: Sutton Neighbourhood Plan (Replacement Plan) Submission of 10 December 2023

I am writing to confirm receipt of the Sutton Neighbourhood Plan (Replacement Plan) (Submission Version) and supporting documents which the Council received on 10 December 2023.

I have had the opportunity to review the documents submitted.

Statutory requirements

Where the submitted Neighbourhood Plan meets the statutory requirements set out in paragraph 6 of Schedule 4B of the Town and Country Planning Act 1990 (as amended), East Cambridgeshire District Council is required to publicise the Plan for a minimum of 6 weeks; invite representations; notify any consultation body referred to in the consultation statement; and send the draft Neighbourhood Plan to independent examination. For reference, the statutory requirements are available at: <http://www.legislation.gov.uk/ukpga/2011/20/schedule/10/enacted>. Specifically, paragraph 6 sets out a 'checklist' as to what East Cambridgeshire District Council must do, in order to confirm whether or not a valid set of documents have been submitted. That 'checklist' is used below, by way of reference:

Authorisation to prepare plan (as required by para 6(2)(a) of Sch 4B of the 1990 Act)

The plan was submitted by Sutton Parish Council and applies to the designated Sutton Neighbourhood Area. The boundary of the Neighbourhood Area is coterminous with the Sutton Parish boundary, and does not include land within any other parish. As a parish council, Sutton Parish Council is authorised to prepare a Neighbourhood Plan for the designated Sutton Neighbourhood Area¹. Para 6(2)(a) is therefore deemed to have been met.

Compliance with section 61F of the 1990 Act (as required by para 6(2)(b) of Sch 4B of the 1990 Act)

The District Council has reviewed the wider requirements of Section 61F, and can confirm that Sutton Parish Council is authorised to act in relation to Neighbourhood Areas in the way it is proposing. Para 6(2)(b) is therefore deemed to have been met.

Compliance with para 1 of Sch 4B (as required by para 6(2)(c) of Sch 4B of the 1990 Act)

To comply with this particular requirement, regulation 15 of The Neighbourhood Planning (General) Regulations 2012² sets out a further checklist of what documents are required to be submitted. That checklist is set out below:

¹ Paras. 6(a) & (b) of Sch. 4B.

² See <https://www.legislation.gov.uk/uksi/2012/637/regulation/15>

Para 15(a): a map identifying the area to which the Plan will apply

The Plan itself includes such a map. This requirement is therefore deemed met.

Para 15(b): a consultation statement

A consultation statement has been submitted, and appears to meet the legislative requirements. This requirement is therefore deemed met.

Para 15(c): the proposed neighbourhood plan

A proposed neighbourhood plan has been submitted, and appears to be in the form (in general terms) suitable to be a neighbourhood plan. This requirement is therefore deemed met.

Para 15(d): a 'basic conditions' statement

Such a statement has been submitted. Whilst it is not for the District Council to assess and agree with its findings, it is satisfied that the statement as submitted is of the form to meet the requirements of the regulations. This requirement is therefore deemed met.

Para 15(e): an 'environment report'; or a 'determination statement' that the Plan is unlikely to have significant environmental effect.

A duly made 'determination statement' has been submitted. This requirement is therefore deemed met.

Para 15(f): modification proposals statement

This requirement is not applicable to the submitted Sutton Neighbourhood Plan, because it is not a modification proposal plan. Instead, it is a full replacement plan. By default, therefore, this requirement is therefore deemed met.

Compliance with para 4 of Sch 4B (as required by para 6(2)(d) of Sch 4B of the 1990 Act)

This is a largely 'catch all' requirement, checking whether the Parish Council appears to have met any wider regulations for the preparation and submission of the Plan. The District Council has not identified any deficiencies in this regard. Consequently, therefore, this requirement is therefore deemed met.

Compliance with sections 61E(2), 61J and 61L of the 1990 Act (as required by para 6(3) of Sch 4B of the 1990 Act)

The submitted Neighbourhood Plan sets out proposed planning policies which apply to the Sutton Neighbourhood Area only. The submitted Neighbourhood Plan does not directly grant planning permission. If the plan is made, development proposals will continue to be subject to the planning application process. The draft Neighbourhood Plan does not provide for the granting of planning permission for any development that is excluded development. The submitted Plan therefore appears to comply with para 6(3) and this requirement is therefore deemed to have been met.

Conclusion

In conclusion, East Cambridgeshire District Council is satisfied that the submitted Sutton Neighbourhood Plan (Replacement Plan) complies with the statutory requirements.

Next Steps

Having concluded that East Cambridgeshire District Council is satisfied that the submitted Sutton Neighbourhood Plan complies with the statutory requirements, the Council will therefore shortly proceed to publish the plan for a minimum 6-week consultation period, inviting representations during this time. To avoid clashing with the Christmas break, it will commence that consultation very early in the New Year.

The Strategic Planning Team will be in contact with Sutton Parish Council in due course to discuss arrangements for the Independent Examination.

In the meantime, I would be happy to discuss any matters arising in this letter.

Yours Sincerely

Richard Kay
Strategic Planning Manager