



The Bures Neighbourhood Plan 2021 - 2037

Regulation 18 Decision Statement

Dated: 27 August 2026

Summary: Babergh District Council, and Braintree District Council, hereby confirm that the Bures Neighbourhood Plan 2021 - 2037 (the Plan), as amended to incorporate all of the modifications set out in the Independent Examination Report dated 20 April 2026 [re-issued on 17 June 2026], complies with the basic condition tests set out in Paragraph 8(2) of Schedule 4B of the Town & Country Planning Act 1990 (as amended), and that this Plan should proceed to a local referendum.

Background: Regulation 18(1)(c) of the Neighbourhood Planning (General) Regulations 2012 (as amended) requires the relevant local planning authority; in this case both Babergh District Council, and Braintree District Council, to decide what action to take in response each recommendation set out in the Independent Examiner Report. They must then publish their decision. This statement fulfils that purpose.

The submission draft Bures Plan was examined by Ann Skippers BSc (Hons) MRTPI FRSA FHEA AoU. A Final Report was first issued on 20 April 2026, but was then withdrawn while additional consultation was carried out on new provisions introduced through the implementation of Section 98 and Section 99 of the Levelling-up and Regeneration Act ((LURA) 2023. The Final Report was re-issued on 17 April 2026, alongside an Addendum Report. The latter addresses the new provision matters. It was also made clear that both the report and addendum should be read together. These can be found online at:

<https://www.babergh.gov.uk/w/bures-neighbourhood-plan>

<https://www.braintree.gov.uk/planning-building-control/neighbourhood-planning/14>

The Report notes that the Plan is well presented, and that it contains twenty-four policies covering a variety of topics. It goes on to say that it has been necessary to recommend some modifications to the Plan to ensure that it is clear and precise and that it will provide a practical framework for decision-making as required by national policy and guidance. All of the proposed modifications are helpfully set out in an annex to the main report. Subject to all of these modifications being made, the Examiner also concludes that the Bures Neighbourhood Plan will meet the basic condition test and all the other requirements that she was obliged to examine and that the Plan should go forward to a local referendum.

Having considered both the Final Report and the Addendum Report, Bures Hamlet and Bures St Mary Parish Councils are instructed to make all the necessary modifications to their Plan in accordance with the examination report and, subject to the satisfactory completion of that task - to be jointly signed-off by the two district councils - this Plan will be then be advanced to a local referendum.

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

- In November 2021, designation of the parishes of Bures Hamlet and Bures St Mary as a Neighbourhood Plan Area, enabling them (the qualifying body) to prepare this Plan;

- Publication of a Regulation 14 Pre-submission draft Plan for consultation between 2 September and 28 October 2024;
- In Spring 2025, submission of the draft Plan to both Babergh District Council, and Braintree District Council. Following amendments to one of the required document, the Plan was made available for public consultation between 29 September and 14 November 2025; *and*
- Commencing in January 2026, independent examination of the Plan. This included a focused consultation exercise on new provisions introduced through the LURA 2023, which took place between 11 May and 29 May 2026. A revised Final Examination Report and an Addendum Report were issued on 17 June 2026.

The 'Basic Conditions', set out in Paragraph 8(2) of Schedule 4B of the Town & Country Planning Act 1990, and as now also amended by the LURA 2023 require that 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;
- not have the effect of preventing housing development from taking place which is proposed 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 Pre-submission draft Bures Neighbourhood Plan was subject to independent screening by consultants appointed by the two parish councils. This concluded that an Appropriate Assessment was not required. After consulting the relevant statutory bodies on the outcome, the two District Councils issued a formal Determination Notice in November 2024 that agreed with this outcome.

Decision: The Bures Neighbourhood Plan 2021 - 2037 as amended to incorporate all of the modifications set out in the Examination Report dated 20 April 2026 [re-issued 17 June 2026] 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. The two Councils must give 25 clear working days' notice of the Referendum before the day of poll.

The question that will be asked is: *'Do you want Babergh District Council, and Braintree District Council, to use the neighbourhood plan for Bures to help them decide planning applications in the neighbourhood area?'*

The referendum version of the Bures Neighbourhood Plan, i.e., the version that incorporates all of the required modifications will be published either on the day that the referendum is announced, or sooner if it is both district councils feel that it is practical to do so.

[Ends]