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Mrs J Letsome
Parish Clerk
Burghclere Parish Council
Sent via email

Our ref: BURNP Compliance Check 03 January 2023

Dear Jacqui,

Compliance Check for the Burghclere Neighbourhood Plan Modification Proposal

Thank you for submitting the Burghclere Neighbourhood Plan Modification Proposal and supporting documentation to the Local Planning Authority (LPA).

Under Paragraphs 5 and 6 of Schedule 4B of the Town and Country Planning Act (TCPA) 1990 there is a requirement for Basingstoke and Deane Borough Council, as the LPA, to undertake a check of the compliance of the plan along with its process to date. The relevant legal requirements are set out in both the TCPA and relevant sections of the Planning and Compulsory Purchase Act (PCPA (2004). It is then an obligation of the LPA to issue a written statement confirming that they are satisfied the compliance (or otherwise) of the neighbourhood plan. Accordingly, this letter comprises the formal view of the LPA and recommends whether it should be made available for formal examination.

At this stage it is not a duty of the LPA to consider the neighbourhood plan modification proposal against the 'basic conditions' set out under Paragraph 8(2) of the TCPA 1990.

A detailed consideration against the TCPA 1990 (as amended) and PCPA 2004 is set out as an attachment to this letter. However, in summary I can confirm the following:

- The Neighbourhood Plan **DOES** accord with all the provisions of the PCPA 2004 in that it: specifies a plan period; does not include any provision for excluded development; and does not relate to more than one neighbourhood area.
- The Neighbourhood Plan **DOES NOT** comprise a 'repeat proposal' as defined under Paragraph 5 of the TCPA 1990;
- The Neighbourhood Plan **HAS** been prepared by a qualifying body who are authorised to deliver a neighbourhood plan;
- The submission **DOES** comprise the relevant documentation required under Paragraph 1 of Schedule 4B of the TCPA 1990 and as prescribed by Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (the Regulations).

- The statutory consultation undertaken to date **DOES** comply with the requirements and regulations set out under Paragraph 4 of Schedule 4B of the TCPA 1990 and as prescribed by Regulation 14 of the Regulations; and
- The Neighbourhood Plan **DOES** comply with all other relevant sections of the TCPA 1990.

Therefore, I am pleased to confirm that the LPA is satisfied that the Neighbourhood Plan Modification Proposal and process followed complies with the statutory requirements as set out in paragraph 6 of Schedule 4B of the Town and Country Planning Act 1990 (as amended).

The Burghclere Neighbourhood Plan Modification Proposal will now be published for Regulation 16 consultation with a view to then making the plan available for independent examination.

The LPA is now required to publish the plan for consultation along with details of how to respond to it on our website for a minimum of 6 weeks. The Council will hold a six week consultation running from Monday 9 January 2023 until 5pm on Monday 20 February.

Thank you for all the hard work that has gone into getting the Plan to this stage.

Yours sincerely

Jessica Wells
Planning Policy Officer

CC: Richard Carrow –Chairman Burghclere Parish Council

Enc. Compliance check of the Submission Burghclere Neighbourhood Plan