

Burnham-on-Crouch Neighbourhood Development Plan Decision Statement



Purpose

1. In line with Regulation 18 of the Neighbourhood Planning (General) Regulations 2012 Maldon District Council have produced this 'Decision Statement' in relation to the Burnham-on-Crouch Neighbourhood Development Plan (BoCNDP) submitted to them by Burnham-on-Crouch Town Council.
2. The purpose of this Decision Statement is to set out Maldon District Council's decision on the Burnham-on-Crouch Neighbourhood Development Plan proposal and its reasons for it. The Decision Statement outlines the Council's decision in respect of:
 - Actions taken in response to recommendations made by the Independent Examiner in the Examiner's Report;
 - Modifications that are to be made to the Neighbourhood Development Plan proposal to ensure the Neighbourhood Development Plan meets the basic conditions and other legal requirements; and
 - The area in which the Referendum will take place.

Background

3. Burnham-on-Crouch Town Council submitted a Neighbourhood Development Plan proposal and supporting documentation to Maldon District Council for Examination in October 2016. Maldon District Council held a 6 week consultation period on the document from 3 November to 15 Dec 2016.
4. An Independent Examiner was appointed in February 2017 to undertake the Examination of the Burnham-on-Crouch Neighbourhood Development Plan and this was completed with the Examination Report sent to both the Parish Council and District Council on 22 March 2017.
5. The Independent Examiner recommended that, once modified to meet all relevant legal requirements, the Plan should proceed to referendum.

Council's Decisions and Reasons

6. The Council considered the Examiner's recommendations at Planning & Licencing Committee on 25 April and Full Council on 11 May 2017. The approved modifications, as set out in the Appendix to this Statement, are in accordance with the Examiner's recommendations and ensure that the Plan meets the Basic Conditions.
7. The Appendix of this report sets out the Examiner's recommended modifications and the Council's decisions in respect of each of them.
8. The Examiner has concluded that, with specified modifications, the Plan meets the Basic Conditions and other relevant legal requirements. The Council concurs with this view, subject to some minor modifications to correct errors.
9. Therefore, to meet the requirements of the Localism Act 2011, a Referendum which poses the question **"Do you want Maldon District Council to use the neighbourhood plan for Burnham-on-Crouch to help it decide planning applications in the neighbourhood area?"** will be held in Burnham-on-Crouch.

Referendum Area

10. The Burnham-on-Crouch Neighbourhood Area was approved by Maldon District Council on 23 April 2013.
11. In recommending that the modified Plan go forward to Referendum, the Independent Examiner considered whether or not the Referendum Area should extend beyond the designated Neighbourhood Area. The Independent Examiner recommended the Referendum Area be the same as the Neighbourhood Area.
12. Following this recommendation, Maldon District Council concludes that the Referendum Area will not be extended and will be applied to the Neighbourhood Area.

Conclusions

13. Following an Independent Examination, Maldon District Council confirms that the Burnham-on-Crouch Neighbourhood Development Plan, as modified, meets the basic conditions and other legal requirements.
14. The Burnham-on-Crouch Neighbourhood Development Plan can proceed to a neighbourhood planning Referendum. The Burnham-on-Crouch Neighbourhood Area shall define the extent of the Referendum Area.

Where to see the Decision Statement

This Decision Statement, along with the Independent Examiners Report can be viewed on

- **Maldon District Council website** – https://www.maldon.gov.uk/info/20048/planning_policy/8112/community_led_planning_and_neighbourhood_plans/7
- **Burnham-on-Crouch Neighbourhood Plan website** – <http://www.burnhamoncrouchtowncouncil.gov.uk/>

The documents can also be viewed at:

- **Maldon District Council offices**, Princes Road, Maldon CM9 5DL (Mon-Thurs 8.30am-5pm; Friday 8.30am-4,30pm), Email: policy@maldon.gov.uk
- **Burnham-on-Crouch Town Council offices**, Chapel Road, Burnham-on-Crouch, CM0 8JA (Monday, Tuesday, Wednesday and Friday 9.30am - 12pm, Thursday 9.30am - 1pm), Email: office@burnhamtowncouncil.com