

## **West Bergholt Neighbourhood Development Plan**

### **Decision Statement**

Statement published 17 January 2025, pursuant to Section 38A of the Planning and Compulsory Purchase Act 2004 and Regulation 19 of the Neighbourhood Planning (General) Regulations 2010.

**On 24 October 2024 West Bergholt Neighbourhood Plan group submitted their Neighbourhood Plan review to Colchester City Council, the local planning authority (LPA) for approval. The West Bergholt Neighbourhood Development Plan forms part of the Development Plan for Colchester.**

### **Background**

The West Bergholt Neighbourhood Plan covers the area designated by Colchester Borough Council<sup>1</sup> as the Neighbourhood Plan Area in July 2013. The West Bergholt Neighbourhood Plan 2018-2033 was adopted in October 2019.

### **Decision and Reasons**

There are 3 Categories of review which can be made to a neighbourhood plan (NP), depending on the degree of modifications and they are:

1. Minor (non-material) modifications to a NP are those which would not materially affect the policies in the NP. Such a review can be agreed between the parish council/s and the LPA and there is no requirement for an examination, referendum, or remaking of the NP.
2. Material modifications to a NP which do not change the nature of the NP.
3. Material modifications which do change the nature of the NP.

Assessment and consideration of the three types of modification have been taken by the Local Planning Authority, in association with the Qualifying Body. The assessment found that the submitted NP Review's modifications are minor ones only (Category 1). They update the original NP adopted in October 2019.

Colchester City Council supported the West Bergholt NP group's submission. It has approved the review in November 2024 as a non-material review of the original NP.

The NP Review succeeds the original NP, to form part of Colchester City Council's Development Plan. As the Plan Review is a minor one only, it has not resulted in the

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<sup>1</sup> Following granting of City Status in November 2022, the Council is now Colchester City Council. However, reference to Colchester Borough Council remains for decisions made prior to this.

original plan's remaking. The Plan Review's aim, policies, policy maps, and key dates (adopted/plan period) remain the same as those given in the original plan.

Colchester City Council has assessed that the plan, including its preparation, does not breach or would not otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).

In accordance with the Neighbourhood Planning (General) Regulations 2012, the West Bergholt Neighbourhood Development Plan is made and planning applications within West Bergholt Neighbourhood Plan area must be determined in accordance with the West Bergholt Neighbourhood Development Plan (Reviewed 2024), as well as the existing development plan for Colchester, unless material considerations indicate otherwise.

### **Other Information**

The West Bergholt Neighbourhood Plan and relevant accompanying documents can be viewed on the Colchester City Council website:

<https://www.colchester.gov.uk/neighbourhood-planning/>

This Decision Statement is being sent to the qualifying body and anyone who asked to be notified of the decision. It is available to view on the Colchester City Council website.

*Simon Cairns*

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