



**Broxtowe  
Borough  
COUNCIL**

**COSSALL NEIGHBOURHOOD DEVELOPMENT PLAN  
(2022 – 2037)**

**THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**

**THE NEIGHBOURHOOD PLANNING (REFERENDUMS)  
REGULATIONS 2012 (AS AMENDED)**

**THE PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS  
AMENDED)**

**THE NEIGHBOURHOOD PLANNING (GENERAL) REGULATIONS  
2012 (AS AMENDED)**

**STATEMENT BY  
BROXTOWE BOROUGH COUNCIL  
IN ITS ROLE AS LOCAL PLANNING AUTHORITY THAT THE DRAFT  
COSSALL NEIGHBOURHOOD DEVELOPMENT PLAN  
MEETS THE BASIC CONDITIONS**

**BROXTOWE BOROUGH COUNCIL**

**JANUARY 2024**

## **1.0 Introduction**

- 1.1 Following an Independent Examination, Broxtowe Borough Council has made the decision that the Cossall Neighbourhood Development Plan (the 'Neighbourhood Plan') should proceed to a neighbourhood planning referendum.
- 1.2 This Statement has been prepared in order to meet the requirements of the Neighbourhood Planning (Referendums) Regulations 2012 (as amended), which require that certain 'specified documents' are made available for inspection in advance of Neighbourhood Development Plan referendums. One of these specified documents is:

*'A statement: in the case of a draft neighbourhood plan, that the local planning authority are satisfied the draft plan meets those basic conditions and complies with the provision made by or under sections 38A and 38B of the 2004 Act'.*

(Neighbourhood Planning (Referendums) Regulations 2012 (as amended): <https://www.legislation.gov.uk/uksi/2012/2031>).

- 1.3 The basic conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004.
- 1.4 This Statement confirms that Broxtowe Borough Council, as the local planning authority, is satisfied that the Cossall Neighbourhood Development Plan meets the basic conditions and all other relevant legislative requirements.
- 1.5 This Statement, along with the Independent Examiner's report, and other specified documents as set out within Broxtowe Borough Council's Information Statement, can be viewed on the Broxtowe Borough Council website at the following link: <https://www.broxtowe.gov.uk/cossallneighbourhoodplan> and at other locations as set out within the Borough Council's Information Statement.

## **2.0 Background**

- 2.1 On 20 September 2017, Cossall Parish Council submitted an application to Broxtowe Borough Council for the designation of Cossall Parish as a Neighbourhood Area. On 4 December 2017, Broxtowe Borough Council approved the Neighbourhood Area Designation, following a six-week consultation.

- 2.2 The Pre-Submission Draft Cossall Neighbourhood Plan was made available for consultation in accordance with Regulation 14 of the Neighbourhood Planning (General) Regulations 2012 (as amended), from 20 September until 1 November 2022.
- 2.3 Cossall Parish Council formally submitted the Neighbourhood Plan to Broxtowe Borough Council on 9 March 2023. Broxtowe Borough Council held a consultation (in accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 (as amended)), on the Submission Draft of the Cossall Neighbourhood Plan from 30 May until 14 July 2023.
- 2.4 An Independent Examiner (Jill Kingaby BSc (Econ) MSc MRTPI) was appointed by Broxtowe Borough Council to undertake the Independent Examination of the Submission version of the Cossall Neighbourhood Plan. The Independent Examiner's Report was sent to Broxtowe Borough Council and Cossall Parish Council on 9 November 2023.
- 2.5 The Independent Examiner's Report is available to view on Broxtowe Borough Council's website at the following link:  
<https://www.broxtowe.gov.uk/media/hm3lya1o/cossall-ndp-examiner-report.pdf>. A printed copy will be available for inspection at the offices of Broxtowe Borough Council, Foster Avenue, Beeston, Nottingham, NG9 1AB.

### **3.0 Decisions and Reasons**

- 3.1 The Independent Examiner concluded that, subject to the modifications recommended, the Cossall Neighbourhood Plan will meet the Basic Conditions and other relevant legal requirements. The Borough Council concurs with this view and has made the modifications proposed by the Examiner within her Report.
- 3.2 Broxtowe Borough Council (in liaison with Cossall Parish Council) agreed that all of the modifications recommended by the Independent Examiner be incorporated within the revised Cossall Neighbourhood Plan, in order for it to proceed to public referendum. This decision was made at the 5 December 2023 meeting of Broxtowe Borough Council's Cabinet.
- 3.3 Further information in relation to the 5 December 2023 meeting of the Council's Cabinet is available to view on the Borough Council's website at the following link:  
<https://democracy.broxtowe.gov.uk/ieListDocuments.aspx?CIId=229&MIId=3969> (Item 93.2).
- 3.4 At its 5 December 2023 meeting, Broxtowe Borough Council's Cabinet resolved that:
1. The Cossall Neighbourhood Plan should be modified as proposed by the Independent Examiner.
  2. Once modified as proposed by the Independent Examiner, it is considered the Neighbourhood Plan will meet the Basic Conditions.

3. The Cossall Neighbourhood Plan should proceed to a referendum, with the extent of the area eligible to vote to be based upon the Cossall Neighbourhood Area as shown within appendix 1 to this report.
- 3.5 A copy of the plan referred to within part 3 (appendix 1) of the above decision is included as Plan A within this Statement.
- 3.6 Further information in relation to the Cabinet decision is available to view on Broxtowe Borough Council's website at the following link:  
<https://democracy.broxtowe.gov.uk/ieDecisionDetails.aspx?AllId=12732>.
- 3.7 The Borough Council has considered whether to extend the area in which the referendum is to take place, but agrees with the Examiner that there is no need to extend this area beyond the Neighbourhood Plan Area (which is the pre- April 2023 Parish of Cossall, as per 'Plan A' below).
- 3.8 To meet the requirements of the Localism Act 2011, a referendum to be held on 15<sup>th</sup> February 2024, will pose the following question:
- “Do you want Broxtowe Borough Council to use the Neighbourhood Plan for Cossall to help it decide planning applications in the neighbourhood area?”**
- 4.0 Further Information
- 4.1 This Statement is available to view on Broxtowe Borough Council's website at the following link: <https://www.broxtowe.gov.uk/cossallneighbourhoodplan>
- 4.2 If you have any questions or would like any further information in relation to the Cossall Neighbourhood Plan or this Decision Statement, please feel free to contact the Borough Council's Planning Policy Team on 0115 917 3015 or via email at: [policy@broxtowe.gov.uk](mailto:policy@broxtowe.gov.uk).

**Broxtowe Borough Council**  
**January 2024**

# PLAN A: COSSALL NEIGHBOURHOOD PLAN AREA BOUNDARY

