

## **Statement concerning the basic conditions and the provision made under sections 38A and 38B of the 2004 Act**

The Swanley Neighbourhood Plan 2020-2040 has been subject to independent examination, which was undertaken by David Hogger BA MSc MRTPI MCIHT of Intelligent Plans and Examinations Ltd, having been mutually agreed as the independent examiner with Swanley Town Council. The examination was carried out through written representations between 30 January 2024 and 04 April 2024, when the examiner issued his final report. The examiner concluded that the plan, subject to modifications, meets the basic conditions and other relevant legal requirements and that the plan should proceed to referendum.

The modifications are set out in the appendix to the examiner's report and the reasoning for the recommendations is given within the main body of his report. Further minor modifications have been put forward by Swanley Town Council. View the [examiner's report and a schedule of all modifications](#).

The plan has been modified in accordance with the examiner's recommendations and the minor modifications agreed with Swanley Town Council.

Sevenoaks District Council, as local planning authority for the Swanley Neighbourhood Area is satisfied that the Swanley Neighbourhood Plan 2020-2040, as modified:

- meets the basic conditions in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as amended);
- is compatible with Convention Rights (the European Convention on Human Rights) and complies with the Human Rights Act 1998; and
- is compliant with the provision made by or under sections 38A and 38B of the Planning and Compulsory Purchase Act 2004.