

DECISION STATEMENT

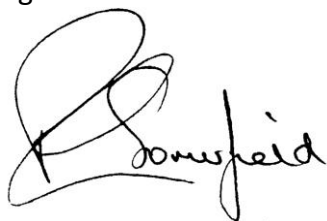
NEIGHBOURHOOD PLAN PROCEEDING TO REFERENDUM

1. Horninglow and Eton Neighbourhood Development Plan

1.1 I confirm, that the Horninglow and Eton Neighbourhood Plan, as revised according to the modifications set out below, complies with the legal requirements and basic conditions set out in the Localism Act 2011, and can therefore proceed to referendum. The referendum will be held on 5th March 2015.

1.2 I also declare that I have no personal or prejudicial interest in respect of this decision.

Signed



Philip Somerfield
Head of Regulatory Services

2. Background

2.1 On 25th June 2012, Horninglow and Eton Parish Council requested that, in accordance with section 5(1) of the Neighbourhood Planning (General) Regulations 2012 (“the Regulations”), their parish area be designated as a neighbourhood area, for which a Neighbourhood Plan will be prepared.

2.2 The Council confirms that for the purposes of section 5 (1) of the Regulations the Parish Council is the “relevant body” for their area.

2.3 In accordance with section 6 of the Regulations, East Staffordshire Borough Council placed on their website these applications, including parish boundary maps, details of where representations could be sent, and by what date, for a six week period (10th October to 21st November 2012). In addition, it publicised the application by issuing a press release,

although maps and individual letters did not appear with this. Similarly, the relevant application, together with details of where representations could be sent, and by what date, were advertised within the appropriate parish via the Parish Councils.

2.4 The Borough Council designated the Parish Council by way of Executive Decision of the appropriate Deputy Leader on 29th November 2012.

2.5 In accordance with Regulation 7, the decision to designate the Parish Council was advertised on the Council website together with the name, area covered and map of the area.

2.6 The Parish Council consulted on a pre-submission version of their draft Neighbourhood Plan between 3rd March and 14th April 2014, fulfilling all the obligations set out in Regulation 14.

2.7 The Parish Council submitted their Neighbourhood Plan to East Staffordshire Borough Council on 4th August 2014 in accordance with Regulation 15.

2.8 The Borough Council publicised the submitted Plan and its supporting documents for 6 weeks between 11th August and 6th October 2014 in accordance with Regulation 16.

2.8 Dr Angus Kennedy was appointed to examine the Plan, and the Examination took place in October 2014.

2.9 The Examiner concluded he was satisfied that the Neighbourhood Plan was capable of meeting the legal requirements set out in the Localism Act 2011, including meeting the basic conditions, subject to the modifications set out in his report (see table below).

2.10 Schedule 4B s.12 to the Town and Country Planning Act 1990 requires that a local authority must consider each of the recommendations made in the Examiner's report and decide what action to take in response to each recommendation. If the authority is satisfied that, subject to the modifications made, the draft Neighbourhood Plan meets the legal requirements and Basic Conditions as set out in legislation, a referendum must be held on the making of the Plan by the Borough Council. (If the local authority is not satisfied that the plan meets the basic conditions and legal requirements then it must refuse the proposal.) A referendum must take place and a majority of residents must vote in favour of the Neighbourhood Plan before it can be 'made'.

2.11 The Basic Conditions are:

1. Has regard to national policy and guidance from Secretary of State
2. Contributes to sustainable development
3. Is in general conformity with the strategic policy of the development plan for the area or any part of that area
4. Does not breach or is otherwise compatible with EU obligations – this includes the SEA Directive of 2001/42/EC

5. The making of the Neighbourhood Plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species regulations 2010(d) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats &c) regulations 2007 9(e) (either alone or in combination with other plans or projects).

3. Examiner's Recommendations and Local Authority's Response (Regulation 18(1))

3.1

Examiner's Recommendation (paragraph number)	Section in NP Examination Document	Decision and reason	New text if applicable
Text should refer to paragraph 1.122 of the (emerging) Local Plan not 1.22 (3.5)	3.7	Agreed, change made to correct error.	
Include some information on the national indices of deprivation for Eton park Ward (3.6)	3.9 and 3.10	Agreed, additional text inserted to give a background of the area with relevance to housing.	Insert additional paragraph 3.10 and renumber accordingly "Compared to East Staffs as a whole significantly more people in Eton ward live in terraced housing (48.6% compared to 25.7%). The 2008 house condition survey showed that in the three inner Burton wards, which includes Eton park houses in the private housing stock are more likely to exhibit category 1 hazards, more likely to be non-decent, more likely to fail the Decent Homes energy rating and are more likely to be in fuel poverty. 24% of the housing stock in Eton Ward is in the private rented sector."
Clarify the diagram to put Neighbourhood Plan alongside the Local Plan in terms of hierarchy. (5.3)	4.0	Agreed to correctly show the plan hierarchy	Insert new diagram.
Move most of section 4.1 to an appendix and insert some	4.1 -4.4 pages 11-13	Agreed, move	Insert text

<p>text from the Basic conditions statement</p>		<p>sections 4.1-4.4 to appendix II. New text to be inserted to reflect the basic conditions the plan meets.</p>	<p>Insert following text: 4.1 National Planning Policy Framework (NPPF)</p> <p>The National Planning Policy Framework (NPPF) sets out the Government are planning policies and priorities. The Horninglow and Eton Neighbourhood Plan has been produced with appropriate regard to the guidance contained within the NPPF, particularly paragraphs 183-185 which outline specific guidance in relation to the production of neighbourhood plans.</p> <p>Paragraph 184 states that “The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the local area. Neighbourhood plans must be in general conformity with the strategic policies of the local plan.” The Horninglow and Eton Neighbourhood Plan has been drafted with regard to the planning policies of East Staffordshire Borough Council, and the comprehensive evidence base that supports these policies in identifying needs for development within the wider area, as outlined below.</p> <p>Paragraph 184 also states that neighbourhood plans should “not promote less development than set out in the Local Plan or undermine its strategic policies”. The Horninglow and Eton</p>
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			<p>Neighbourhood Plan does not restrict overall development within the area, rather it sets a policy framework to shape development to secure environmental and transport improvements to facilitate sustainable development.</p> <p>Further details of relevant national and local planning policies can be found in Appendix II</p>
<p>Include some text in the plan of how it meets the economic, social and environmental aspects of sustainable development (6.4).</p>	<p>4.1-4.4 Info from basic conditions statement</p>	<p>Agreed, Insert new section 4.2</p>	<p>4.2 Contribution to the Achievement of Sustainable Development</p> <p>The purpose of the planning system is to contribute to the achievement of sustainable development (NPPF para 6). There are three dimensions to sustainable development: economic, social and environmental (NPPF para 7).</p> <p>Table 1 Submission Plan's contribution to the economic, social and environmental aspects of sustainable development.</p> <p>(see appendix 1)</p>
<p>Identify A511 on map 1 (12.7)</p>	<p>Page 3</p>	<p>Agreed</p>	<p>New map with A511 highlighted</p>
<p>Identify A511 on map 2 on page 22 (12.7)</p>	<p>Page 22</p>	<p>Agreed</p>	<p>New map with A511 highlighted</p>
<p>Amend key on map 3 and turn 90 degrees</p>	<p>Page 25</p>	<p>Agreed</p>	<p>Map to be turned 90 degrees and sentences in key removed.</p>
<p>Due to recent detailed planning permission granted on Citroen Garage site delete policy HE4 (12.10)</p>	<p>Page 27</p>	<p>Agreed</p>	

Policy HE5 more appropriate considered as part of Theme 6 Local Built Heritage Assets. (12.11)	Page 28	Agreed	Insert new para 6.6.3: "The Parish Council has set out its policy towards Lansdowne School in para 6.1.11 and why it is now included in the list of Non Designated Local Heritage Assets". Move HE5 to follow this new para. Renumber policies as necessary.
Add the following wording to policy HE7 "For one bedroom affordable housing a parking standard of 1.5 parking spaces per dwelling shall apply." (13.3)	Page 31	Agreed	Suggested text to be included as a new bullet point in Policy HE7.
Insert the following wording into policy HE8 "Each application for changes to garage colonies will be considered on its merits and a level of use established at the time." (13.5)	Page 31	Agreed	
Replace phrase 'refuge collection' with ' <i>refuse collection</i> ' in section 6.2.1 line 4. (13.6)	Page 30	Agreed	
Include an additional action stating the Parish council will work with ESBC on garage colonies. (13.7)	Page 32	Agreed	Add "Action 4: The Parish Council will work closely with East Staffordshire Borough Council to ensure that any redevelopment of garage sites, when permitted, will provide appropriate levels of parking, taking account of the development proposed and the requirements of Policy HE8 (renumbered HE6)" (subsequent actions and/or policies will be renumbered).
Remove 'and adjacent to' from Policy HE9 (14.1)	Policy HE9, page 34	Agreed	
Add to Action 4 including a statement that the Parish Council will work with ESBC to agree how the Community Infrastructure Levy will be implemented. (14.1)	Action 4, page 37	Agreed	Add text to Action 4 (subsequently renumbered Action 5) "The Parish Council will also work with East Staffordshire Borough Council to agree whether a cost per

			dwelling charge or the Community Infrastructure Levy (CIL) is the most appropriate way of calculating contributions.”
Delete phrase ‘likely to have’ and insert ‘are considered by the Local Highway Authority to have.’ In Policy HE10 (15.2)	Policy HE10 page 41.	Agreed	
Remove quotation mark from last bullet point in section 6.5.6. (16.1)	Last bullet point page 44	Agreed	
In 6.5.10 the word ‘strategy’ should be replaced by ‘study’ (16.1)	Para 6.5.10 page 45	Agreed	
In 6.5.11 line 2 should read ‘green spaces <i>are</i> disappearing’ (16.1)	6.5.11 page 45	Agreed	
Move the title and heading of table 1 to page 46, to ease reading (16.1)	Table 1, page 45	Agreed	
Formatting errors for maps in Policy HE11, move text so map follows directly after each one. (16.1)	Maps in Policy HE11, p47-53	Agreed	
Remove the word ‘draft’ from the Integrated Transport Strategy in Appendix 1 (16.1).	Appendix 1, page 58	Agreed	
Remove reference to ‘Staffordshire and Stoke on Trent structure Plan’ (16.1)	Appendix 1, page 58	Agreed	
Delete local green space 9 (Addie Road garages) from Policy HE11 as the site has planning permission (16.2)	Policy HE11, number 9 and map 8.9 page 52	Agreed	
Delete local green space 6 (land adjacent to boxing club, Bradmore Road) (16.3)	Policy HE11, number 6 and map 8.6, page 50	Agreed	
Insert the phrase ‘to conserve’ into para 6.6.2 after ‘were particularly concerned...’ (17.2)	Para 6.6.2 on page 55	Agreed	

Appendix 1

Table 1

Sustainable Development Role	Neighbourhood Development Plan's Contribution
Economic	<p>The Submission Neighbourhood Plan seeks to support Local Centres through promoting a viable mix of uses, and through facilitating transport and environmental improvements.</p> <p>If implemented these policies will have a positive impact on the local economy, safeguarding jobs and local services.</p>
Social	<p>The Neighbourhood Plan sets a strong framework that will help to support the achievement of sustainable social development.</p> <p>The Plan sets a comprehensive policy suite that supports local centres and services, and improves the environmental and amenity of these, further enhancing the viability of local services.</p> <p>The Plan safeguards and promotes improvement of locally important green spaces.</p> <p>Policies seek to promote the local distinctiveness of the area, and recognise locally important heritage assets.</p> <p>Transport policies seek to mitigate the negative impacts of the existing highways infrastructure, making roads a safer and more welcoming environment for pedestrians and cyclists.</p>
Environmental	<p>The Submission neighbourhood plan sets out a comprehensive set of policies that support the transition to a low- carbon future.</p> <p>The Plan seeks to promote more sustainable transport patterns through the creation of safer green routes, and through highways improvements that facilitate cycling and pedestrian journeys.</p> <p>Proposals for highways and junction improvements have the potential to improve traffic flow through the area reducing carbon emissions, and with their concomitant environmental improvements are likely to have a positive impact on air quality.</p> <p>Proposals to safeguard and improve locally important green spaces also have a positive impact on the environmental sustainability of the plan.</p>

3.2 The Council concurs with the view of the Examiner that:

- subject to the modifications above, the Plan meets the Basic Conditions set out in para. 2.11 above; and that

- the referendum area should be coterminous with the neighbourhood area.

4. Availability of Decision Statement and Examiner's Report (Regulation 18(2))

This Decision Statement and the Examiners Report can be inspected online at:

(insert weblink)

and in paper form at:

Customer Service Centres, Burton and Uttoxeter, during normal opening hours –see link below:

<http://www.eaststaffsbc.gov.uk/Services/Pages/CustomerServiceCentres.aspx>

Or by application to the Parish Clerk, Mrs Kay Lear, PO Box 6884, Burton upon Trent, De13 0WZ. Email: clerk@horninglowandetonparishcouncil.co.uk Tel: 01283 530554