

# **Stafford Borough Council**

## **Eccleshall Neighbourhood Plan – Referendum Decision Statement**

### **1. Summary**

- 1.1 Following an Independent Examination of written representations, Stafford Borough Council now confirms the Eccleshall Neighbourhood Plan will proceed to a Neighbourhood Planning Referendum.
- 1.2 The Decision Statement and the Examiner’s Report are available for inspection on the Council’s website and also Eccleshall Parish Council’s website.

A hard copy is available for viewing at the Council Office Reception Desk during opening hours. The Council’s address is:

Stafford Borough Council,  
Civic Centre,  
Riverside,  
Stafford  
ST16 3AQ

### **2. Background**

- 2.1 In February 2013 Eccleshall Parish Council applied to designate the Parish a Neighbourhood Area. This was approved by Stafford Borough Council in July 2013. Following approval a Neighbourhood Plan Working Group consisting of local volunteers was established to prepare the Neighbourhood Plan.
- 2.2 Eccleshall Neighbourhood Plan has been subject to extensive community consultation and supported by a robust evidence base. In accordance with Regulation 14 of the Neighbourhood Planning (General) Regulations 2012, the Parish Council published a pre-submission version (draft) of the Neighbourhood Plan and invited comments on the draft between 19 January to 28 February 2015. Following the consultation, Eccleshall Parish Council made subsequent amendments to the final plan.
- 2.3 In May 2015, and in accordance with Regulation 15 of the Neighbourhood Planning Regulations, Eccleshall Parish Council submitted their Neighbourhood Plan with supporting documents (Basic Conditions Statement, Consultation Statement and a Screening Assessment) to the Council for publication and Independent Examination.

- 2.4 In accordance with Regulation 16 of the Neighbourhood Planning Regulations the Council publicised the Neighbourhood Plan inviting representations between 29 May to 13 July 2015. The representations received were subsequently forwarded to the appointed Examiner.
- 2.5 Following the consultation, the Council appointed Nigel McGurk, as Independent Examiner to undertake the independent Examination in September 2015 to examine if the Neighbourhood Plan meets the basic conditions set out in paragraph 8(2) Schedule 4B of the Town and Country Planning Act 1990.
- 2.6 On the 7 October 2015, the Council received the Examiner's Report on the Eccleshall Neighbourhood Plan. The Examiner's Report recommends that the Neighbourhood Plan, subject to modifications, should proceed to Referendum.

### **3. Decisions and Reasons**

- 3.1 The Examiner has concluded that, subject to modifications, the Eccleshall Neighbourhood Plan meets the legal requirements of the Neighbourhood Planning (General) Regulations 2012 and meets the basic conditions set out in [paragraph 8\(2\) of Schedule 4B to the Town and Country Planning Act 1990](#). The Basic Conditions are:
- Have regard to national policy and guidance from the Secretary of State
  - Contribute to sustainable development
  - Have general conformity with the strategic policies of the development plan for the area or any part of that area
  - Doesn't breach or is otherwise compatible with EU obligations – this includes the SEA Directive of 2001/42/EC.
- 3.2 Borough Council Officers and Eccleshall Parish Council have considered the Examiners' Report and recommendations, and are satisfied in making the proposed modifications as suggested. The modifications made and the reasons behind the changes are shown in Table 1 below.
- 3.3 The Council consider the impacts from the Neighbourhood Plan are contained within the Eccleshall Neighbourhood Area and therefore agree with the Examiner, that there is no reason to extend the Neighbourhood Plan Area for the purpose of holding a referendum.
- 3.4 The amended and final version of the Eccleshall Neighbourhood Plan is available by visiting <http://www.staffordbc.gov.uk/eccleshall-neighbourhood-plan>

### 3.5 Table 1: Modifications in line with the Examiner’s Recommendations

	<b>Examiners Recommendation</b>	<b>Reason for change</b>	<b>Action taken</b>
1	Title Page: replace “April 2015” with “2011-2031”	For clarity.	Agreed and modified.
2	Page 8, Para 1, change last sentence to “ <i>The Neighbourhood Plan must, with due consideration to the basic conditions set out within legislation, have regard to national policies and advice; and be in general conformity with the strategic policies set out within the Plan for Stafford Borough.</i> ”	For clarity.	Agreed and modified.
3	Check font size on page 2 and standardise where necessary	For presentation purposes.	Agreed and modified.
4	Page 6, Para 2.7, delete “period” and Para 2.9, lines 2 and 3, delete “era” and “period,” respectively.	For clarity.	Agreed and modified.
5	Policy 1, delete “ <i>In accordance with Policy SP7 of the Plan for Stafford Borough 2014...</i> ” There is no need to include reference to another policy of another plan – this detracts from Policy 1 and may lead to unnecessary confusion.	To avoid any unnecessary confusion.	Agreed and modified.
6	Delete Map 2.	The map is misleading. The Neighbourhood Plan does not allocate sites for development. Policy 1 simply supports development within the settlement boundary. In addition, this map is simply one snapshot in time; any relevance will decline over time.	Agreed and modified.

7	Delete the last three sentences of paragraph 6.7 of the supporting text, from "...The Additional areas...Eccleshall town."	The first sentence relates to Map 2, the penultimate sentence is confusing and the final sentence is unnecessary.	Agreed and modified.
8	Policy 2, line 2, add "...houses. <i>Self---build housing will be supported. Applications...</i> "	To reduce ambiguity so that it does not conflict with other development plan policies.	Agreed and modified.
9	Change second sentence to " <i>The provision of 3 bedroom houses and 2 bedroom bungalows within housing developments will be supported.</i> "	To reduce ambiguity so that it does not conflict with other development plan policies.	Agreed and modified.
10	Delete Policy 3 and all related supporting text.	This policy does not meet the basic conditions.	Agreed and modified.
11	Policy 4, delete first four words and replace With " <i>Major development proposals (as defined by the Town and Country Planning Act) should:</i> "	The policy can, through clearer wording, more appropriately seek to achieve its aspiration of promoting sustainable patterns of movement.	Agreed and modified.
12	Replace "any impacts" with " <i>harm.</i> "	The policy can, through clearer wording, more appropriately seek to achieve its aspiration of promoting sustainable patterns of movement.	Agreed and modified.
13	Change penultimate line to " <i>...of the Parish. The linking of new and existing pedestrian and cycle routes to Green Spaces will be supported.</i> "	The policy can, through clearer wording, more appropriately seek to achieve its aspiration of promoting sustainable patterns of movement.	Agreed and modified.
14	Delete "Public transport should be supported."	The policy can, through clearer wording, more appropriately seek to achieve its aspiration of promoting sustainable patterns of movement.	Agreed and modified.

15 Delete Policy 5 and all associated supporting text.	Fails to meet the basic conditions. Does not provide the decision maker with a clear indication of how to react to a development proposal. There is no evidence to demonstrate that it contributes to the achievement of sustainable development.	Agreed and modified.
16 Policy 6, change title to “ <i>Local Green Space</i> ”.	For clarity.	Agreed and modified.
17 Change first Paragraph to “ <i>Four sites are identified on Map 3 (NB, the numbering of the Maps will change as a result of other recommendations in this Report) as Local Green Space. No development will take place on these sites, other than in very special circumstances.</i> ”	For clarity. Only four sites meet the Framework’s requirements for designation.	Agreed and modified.
18 Delete second paragraph	The paragraph promotes a confused approach to Local Green Space. It fails to have regard to national policy, including the Framework’s requirements for designation.	Agreed and modified.
19 Delete paragraphs 9.4 and 9.5	The Country Park element of Policy 6 has been deleted.	Agreed and modified.
20 Delete Map 4	The Country Park element of Policy 6 has been deleted.	Agreed and modified.
21 Policy 7, change first sentence to “ <i>New development should be designed to respect the existing heritage of Eccleshall.</i> ”	For clarity.	Agreed and modified.

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<b>22</b> Change second sentence to <b><i>“To maintain the town’s distinctive character and local architecture, applicants should demonstrate that they have considered the Eccleshall Design Statement to help inform the design process”</i></b>	The Eccleshall Design statement is simply a guide. It would therefore be inappropriate to “require” all development proposals to “use the principles” set out within it.	Agreed and modified.
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