



Gnosall Neighbourhood Plan – Referendum Decision Statement

1. Gnosall Neighbourhood Plan

- 1.1 I confirm, that the Gnosall Neighbourhood Plan, as revised according to the modifications set out in Table 1 (further below), complies with the legal requirements and Basic Conditions set out in the Localism Act 2011, and can therefore proceed to Referendum. The Referendum is to be held on 22 October 2015.
- 1.2 I also declare that I have no personal or prejudicial interest in respect of this decision.

Signed

Date:

Ted Manders

Head of Planning and Regeneration

Stafford Borough Council

Gnosall Neighbourhood Plan – Referendum Decision Statement

1. Summary

- 1.1 Following an Independent Examination of written representations, Stafford Borough Council now confirms the Gnosall 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 Gnosall Parish Councils 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 May 2013 Gnosall 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 Gnosall 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 10 December 2014 to 22 January 2015. Following the consultation, Gnosall Parish Council made subsequent amendments to the final plan.
- 2.3 In February 2015, and in accordance with Regulation 15 of the Neighbourhood Planning Regulations, Gnosall 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 24 February to 8 April 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 May 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 8 June, the Council received the Examiner's Report on the Gnosall 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 Gnosall 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 Gnosall 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 Gnosall 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 Gnosall Neighbourhood Plan is available by visiting <http://www.staffordbc.gov.uk/gnosall-neighbourhood-plan>

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

Examiners Recommendation	Reason for change	Action taken
<p>1 Reword paragraph 3.3 as follows <i>“In accordance with legislation, the Neighbourhood Plan must meet the basic conditions. To meet these, the Plan must: -</i></p> <ul style="list-style-type: none"> ○ <i>The plan must have regard to national policies and advice contained in guidance issued by the Secretary of State;</i> ○ <i>Contribute to the achievement of sustainable development;</i> ○ <i>Be in general conformity with strategic policies of the development plan for the area;</i> ○ <i>Be compatible with European Rights (EU) and European Convention on Human Rights (EUCR) obligations.</i> 	To avoid confusion and doubt.	Agreed and modified.
<p>2 Re-word paragraph 1.3 so that it reads <i>“The Neighbourhood Area equates to all land within the Parish Boundary and is shown on Maps 1 and 9. The Neighbourhood Plan covers the period up to 2031, which ...(PFSB).”</i></p>	For clarity.	Agreed and modified.
<p>3 Map 1 change title to “Map 1: Gnosall Parish Boundary (Neighbourhood Area) and Map 9, change Key to refer to <i>“Parish Boundary (Neighbourhood Area)”</i></p>	For clarity.	Agreed and modified.
<p>4 Delete paragraph 1.1 and change paragraph 1.2 to read as follows: <i>“The production of the Gnosall Neighbourhood Plan was supported by a wide range of information. Working Group minutes and all Neighbourhood Planning</i></p>	To reduce repetition and delete references that would appear out of date in a ‘made’ document.	Agreed and modified.

documents are available on the Parish Council website
www.gnosallparishcouncil.org.uk

5	Delete paragraph 1.6 to 1.8 inclusive.	This section will appear out of date in any 'made' plan.	Agreed and modified.
6	Change paragraph 3.2 so that it reads as follows "have them formally <i>made by the Borough...</i> "	The correct term in this sentence is 'made' not 'formally adopted'	Agreed and modified.
7	In paragraph 3.28, end sentence at line 14 " <i>...been provided</i> " and delete rest of the sentence.	This refers to matters that will quickly become out of date.	Agreed and modified.
8	Delete paragraph 3.35 and 3.36.	This is a repetition of consultation and unnecessarily amounts to overkill.	Agreed and modified.
9	Move Chapter 4 to a new page, to clearly denote the start of the policy section of the Neighbourhood Plan.	This is an important chapter which introduces the first policies and should therefore be presented on a new page.	Agreed and modified.
10	In Policy 1-Home Working, add to criteria a " <i>..noise and disturbance, smell...</i> "	To meet the basic conditions of the Neighbourhood Planning Regulations.	Agreed and modified.
11	Re-word Policy 2 to read as follows, " <i>The sustainable growth and expansion of businesses and enterprise in rural areas, through conversion of existing buildings and well-designed new buildings, will be supported</i> ".	To have regard to national policy.	Agreed and modified.
12	Delete paragraphs 5.1 to 5.10 and replace with " <i>5.1 National Policy establishes that the purpose of planning is to help achieve sustainable development. "Sustainable" means ensuring that better lives for ourselves don't mean worse</i>	To provide relevant context to the Community and Housing Policies that follow, having regard to national policy.	Agreed and modified.

lives for future generations. “Development” means growth. We must house a rising population, which is living longer and wants to make choices.

5.2 There are many factors in determining how much new development is needed and these include the social, economic and environmental impacts of accommodating new development. For example, relevant factors include demographics and the impact of the market on demand and supply. The starting point for this Neighbourhood Plan is to provide for a reasonable share of 1,200 new dwellings allocated to the Key Service Villages (KSVs), proportionate to the function and sustainability of Gnosall; as well as a share of the 800 dwellings for the remaining rural area of the Borough (2011-2031). It is noted that the 800 figure is an overall Borough figure, rather than one intended to be apportioned to different rural area/Parishes.”

13	Delete paragraph 5.13 and begin paragraph 5.14 with <i>“By November 2014, more than 200 dwellings had already been built or committed with planning permission. Taking account of...fair, appropriate and sustainable target.”</i>	This appears to be unnecessary and refers to matters that will inevitably become out of date during the plan period.	Agreed and modified.
14	Re-word Policy 3 to read as <i>“To meet the housing needs of the Parish over the plan period, the development of at least 230 dwellings within the Settlement Boundary and at least 20 dwellings in the rural area will be supported.”</i>	To meet the basic conditions.	Agreed and modified.
15	Delete second part of Policy 3.	Fails to provide decision makers with a clear indication of how they should react to development proposal, as required by the NPPF (paragraph 154).	Agreed and modified.

16	Delete paragraph 5.15 to 5.20 inclusive and delete Table 1. Delete the last sentence of paragraph 5.22.	This refers to a snapshot in time and will inevitably become out of date.	Agreed and modified.
17	Re-word Policy 4 to read <i>“The conversion of existing houses and the re-use and conversion of other buildings to create more housing will be supported where it can be demonstrated that the amenity and character of existing residential areas would be retained. Housing in rural areas should be located where it will maintain the vitality of rural communities.”</i>	To meet the basic conditions.	Agreed and modified.
18	Re-word Policy 5 to read <i>“Infill development that does not harm residential amenity or the overall character of the area will be supported. Particular support will be afforded to creative or innovative forms of infill development that complement local character.”</i>	Policy 5 has no reference to creative and innovative development. It is also repetitive and unnecessarily prescriptive.	Agreed and modified.
19	In Policy 6, delete “..and;” at the end of the first 12 criteria.	Policy 6 is considered unduly restrictive and difficult to achieve.	Agreed and modified.
20	In Policy 6 re-word (e) to read <i>“Retain wildlife habitats and retain trees, shrubs and hedges that contribute to local character;”</i>	It is considered not appropriate for development to ensure retention and enhancement of all trees and shrubs. Not all trees and shrubs are attractive or provide valuable wildlife habitats and their management can take different forms.	Agreed and modified.
21	In Policy 6, add text to (f) <i>“..their environments unless it can be demonstrated that the use of non-traditional materials can complement local character. The use of ...”</i>	To meet the basic conditions and ensure a consistent approach.	Agreed and modified.

22	Change Policy 7 to <i>“Development within the Settlement Boundary, as defined on Map 6, will be supported.”</i>	There is no need to state that the policy accords with the PFSB. This is a legislative requirement.	Agreed and modified.
23	Delete paragraphs 6.1 to 6.13. Introduce a new introductory Paragraph 6.1 to read <i>“The Settlement Boundary, as shown on Map 6, provides for sustainable growth over the plan period taking into account a variety of factors, including:”</i> ..Provide the 14 bullet points from paragraph 6.7 (minus the confusing headings) here <i>“..coalescence of Gnosall and Gnosall Heath.”</i>	There is no need to repeat vast chunks of the PFSB. Policy 7 does not need to be supported by long descriptions of how the policy came about.	Agreed and modified.
24	Change title to <i>“Policy 8 – Space for Recreation”</i>	This policy title reads as a policy itself.	Agreed and modified.
25	Change the second sentence to read <i>“...arise, especially where this incorporates a children’s play area and a space for casual sports.”</i>	To meet the basic conditions.	Agreed and modified.
26	In Policy 9, change wording to read <i>“Any new developments must ensure that...”</i>	Rights of way are protected by Law.	Agreed and modified.
27	Change the second sentence of Policy 9 to read <i>“The improvement or extension of the existing rights of way network will be supported.”</i>	To meet the basic conditions. It would be inappropriate to seek improvements to the public rights of way network as part of a proposal for, say, a residential extension.	Agreed and modified.
28	Delete Policy 10, however rather than remove the text, which relates to a key objective of the Neighbourhood Plan, I propose that the text is retained under the title <i>“Community Action.”</i>	Policy 10 is not a land use planning policy.	Agreed and modified.

The text should not be in bold font, as it will simply compromise supporting information.

<p>29 Delete reference to consistency with the PFSB in paragraph 7.16.</p>	<p>The PFSB does not designate Local Green Space.</p>	<p>Agreed and modified.</p>
<p>30 Delete paragraphs 7.17 to 7.18.</p>	<p>The supporting text to Policy 11 is considered inappropriate for such an important designation.</p>	<p>Agreed and modified.</p>
<p>31 Include a new paragraph of supporting text. This should set out that Local Green Spaces have been designated in the Neighbourhood Plan to afford special protection to green areas of particular importance to the local community. It should also state, briefly with specific bullet points, why each, named, Local Green Space is demonstrably special to the local community and what the particular local significance of each space comprises.</p> <p>The detailed boundaries of each Local Green Space should be provided, in this section, on clearly defined maps. This should be in addition to the smaller scale Policy Map at the rear of the Neighbourhood Plan.</p> <p>Policy 11 should be re-worded as follows <i>“The areas shown individually on Maps X-Y (numbers of new Maps) and together on Map 10, are designated as Local Green Spaces, where new development is ruled out other than in very special circumstances.”</i> All of the rest of Policy 11 should be deleted.</p>	<p>No clear, detailed boundaries of the Local Green Spaces are provided. The small scale map (Map 10) provides insufficient detail. Much of the supporting text relates to land that isn't even being designated as Local Green Space. The specific reason why each of Local Green Space is being designated is not provided. Policy 11 fails to have regard to national policy but rather miss interprets the protection afforded by Local Green Spaces and sets out an entirely different approach which conflicts with national policy.</p>	<p>Agreed and modified.</p>

32	Delete Policy 12.	Policy 12 is not a land use policy.	Agreed and modified.
33	Delete paragraphs 8.1 to 8.6.	The introductory text to this section appears long winded, confusing and adds very little to the Neighbourhood Plan.	Agreed and modified.
34	Retain the text of Policy 12 and re-title as a “ Community Action. ” Change shall to “ should ”.	Policy 12 is not a land use policy, but simply sets out an important aspiration for pre-application engagement.	Agreed and modified.
35	Delete Policy 13.	Policy 13 is not a land use policy.	Agreed and modified.
36	Retain the text of Policy 13 and re-title as a “ Community Action. ”	Policy 13 is not a land use policy, however sets out an important aspiration for pre-application engagement.	Agreed and modified.