



Decision Statement Regarding Stonnall Neighbourhood Plan Proceeding to Referendum

1. Summary

- 1.1 Following an Independent Examination, Lichfield District Council has recommended that the Stonnall Neighbourhood Plan proceeds to referendum subject to the modifications set out in table 1 below. The decision statement was reported to Cabinet on 03/11/2015 where it was confirmed that the Stonnall 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 with the provision made by or under sections 38A and 38B of the Planning and Compulsory Purchase Act 2004. The Plan can therefore proceed to referendum.

2. Background

- 2.1 On 2nd October 2012 Shenstone Parish Council requested that the Stonnall Neighbourhood Area be designated for the purposes of producing a neighbourhood development plan for the area. Following a six week consultation Lichfield District Council designated the Stonnall Neighbourhood Area on 19th February 2013.
- 2.2 From November 2014 to January 2015 Shenstone Parish Council published the draft Stonnall Neighbourhood Plan for a six week consultation, in line with regulation 14 of the Neighbourhood Planning (General) Regulations 2012.
- 2.3 The Stonnall Neighbourhood Plan was submitted by the Parish Council to Lichfield District Council on 16th January 2015 for assessment by an independent examiner. The Plan (and associated documents) was publicised for consultation by Lichfield District Council for six weeks between 6th February and 20th March 2015 (the Local Authority publicity consultation). Mr Andrew Ashcroft BA (Hons) MA DMS MRTPI was appointed as the Independent Examiner and all comments received at the Local Authority publicity consultation were passed on for his consideration.
- 2.4 He has concluded that, subject to modifications, the Stonnall Neighbourhood Plan will meet the necessary basic conditions (as set out in Schedule 4b (8) of the Town and Country Planning Act 1990, as amended by the Localism Act 2011) and subject to these modifications being made may proceed to referendum.

- 2.5 Schedule 4B (12) of the Town and Country Planning Act 1990, as amended by the Localism Act 2011, 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 being made, the draft Neighbourhood Plan meets the legal requirements and basic conditions as set out in legislation, then the Plan can proceed to referendum.

3. Stonnall Neighbourhood Plan Examiner’s recommended modifications and Local Authority’s response

3.1 The District Council considered the Examiner’s report and the recommendations/modification contained within. Table 1 (below) sets out the Examiner’s recommendations (in the order they appear in the Examiner’s report) and Lichfield District Council’s consideration of these recommendations.

3.2 The recommendations and reasons set out below have in some cases been paraphrased from the Examiner’s report to provide a more concise report. This document should be read in conjunction with the Examiner’s Final report. Which is available via: www.lichfielddc.gov.uk/stonnallnp

TABLE 1

Section in Examined Document	Examiner’s Recommendation	Examiner’s Reason	Local Authority’s decision and reason
Whole Plan	Amend any reference to the emerging Local Plan Strategy in the Stonnall Neighbourhood Plan to the adopted Local Plan Strategy.	To reflect the fact that the Lichfield District Local Plan Strategy has now been adopted.	Yes - to show the current status of the Lichfield District Local Plan.
Policy H1	Insert ‘within settlement boundary’ immediately after ‘Infill Development.	To directly associate infill development with the settlement boundary to provide clarity for the development management process. This is particularly important given the presence of the Green Belt in the Plan area. This will more closely reflect the strategic context set out in the adopted Local Plan Strategy.	Yes - to add clarity and so the policy more closely reflects strategic policy in the Local Plan. Modification suggested to meet the basic conditions.
Policy H2 & Supporting text	Policy modified to read: Proposals for small scale affordable housing on exception sites in the Plan area will be supported subject to the following criteria: <ul style="list-style-type: none"> • The proposed development meets the requirements of Policy H2 of the Lichfield Local Plan; and • The proposed development has due regard to the character and density of the surrounding area and 	The policy is extensive and, as drafted, complicated to read. It also includes an element of supporting text.	Yes – to add clarity.

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	<p>complies with the principles outlines in the Village Design Statement.</p> <p>All resulting affordable housing units will be required to demonstrate that they comply with a local lettings plan and which has been developed in accordance with the Lichfield District Council’s Allocation Policy.</p> <p>Relocate the final section of the policy to supporting text in 5.2.1 and as follows: <i>Policy H2 sets out to ensure that affordable housing is both well designed and delivers housing to meet local needs. Compliance with a local lettings plan will ensure that new affordable rented homes are allocated to people in need and with a local connection to the neighbourhood area.</i></p>		
Policy H3	<p>Remove ‘be built to Lifetime Home Standards’ from Policy H3. Remove the fifth and sixth paragraphs of supporting text from 5.3.1.</p>	<p>Following a written statement to Parliament the Secretary of State introduced significant changes to national policy with regards to building sustainability and design. The effect of this statement is that local planning authorities and qualifying bodies preparing neighbourhood plans should not set an additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings.</p>	<p>Yes – to reflect government guidance as reflected in written statement to Parliament.</p>
Policy H5	<p>Delete Policy H5. Delete paragraph 5.5.1 of the supporting text.</p>	<p>As above, following the written statement to Parliament the policy should be removed as the Policy’s whole approach is on the Code for Sustainable Homes.</p>	<p>Yes – to reflect government guidance as reflected in written statement to Parliament.</p>
Policy T1, T3, T4	<p>Reposition policies T1/T3/T4 as drafted to a separate, non-land use part of the Plan.</p>	<p>Policy’s T1/T3/T4 are not land use policies. In effect they offer support to</p>	<p>Yes – for clarity and to be in accordance with national</p>

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		non-land use measures or proposals that will be promoted by other bodies. In accordance with national guidance it is recommended that these policies are repositioned into a separate non-land use part of the plan.	guidance to meet the basic conditions.
Policy T2 & Supporting text	<p>Policy modified to read: Planning permission will be granted for new or improved cycling and walking access facilities and services providing that they take account of the residential amenities of adjacent properties and do not otherwise affect the free and safe flow of traffic on the highway network.</p> <p>Insert additional supporting text at the end of the first paragraph of 6.2.1 to read: <i>Insofar as planning permission may be required for the range of such facilities that may come forward in the Plan period Policy T2 sets out a positive context for their determination. In assessing the suitability of proposals that require planning permission the policy sets out the importance of safeguarding the residential amenities of residential properties that may be affected, and the integrity and safety of the wider highway network.</i></p>	Policy T2 as drafted is partly land use and partly a non-land use policy. Modification is proposed to the policy so that it indicates that permission will be granted (insofar as it may be required) to new or extended facilities for walking and cycling within the neighbourhood plan area.	Yes – for clarity and consistency with modifications proposed to Policy’s T1, T3 and T4.
Policy LSH1 & Supporting text	<p>Policy modified to read: Planning permission will be granted for proposals that seek to extend the range of facilities offered from the existing retail units along Main Street and identified on Map A. Planning permission will be granted for the use of the retail units along Main Street for business, services and other facilities subject to the following criteria;</p> <ul style="list-style-type: none"> • The proposed uses enhance local provision; and • The proposed uses do not detract from the vitality and viability of the Main Street retail centre 	Recommended modifications to reflect two related issues. Firstly, is that planning legislation does not make any distinction between different types of shops. The second is that the vitality of the local retail centre is made up of a variety of related uses. This range of uses is underpinned by commercial decisions on the part of the operators.	Yes – to ensure the policy is land use based and reflects national legislation.

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	<p>Insert additional supporting text at the end of the first paragraph of 7.1.1 to read: <i>Policy LSH1 recognises the importance of the retail units on Main Street to the sustainability of the village. The policy provides support for any planning applications that may be required to extend the range of facilities on offer in the individual units. The policy also offers support for the introduction of other facilities subject to criteria. The introduction of a post office and chemist/pharmacy facilities into the units on Main Street would be positively encouraged and supported.</i></p>	<p>Policy is also modified to ensure that it is entirely land use based.</p>	
Policy HC2	<p>Reposition policy HC2 as drafted to a separate, non-land use part of the plan.</p>	<p>Policy HC2 is not a land use policy. In accordance with national guidance it is recommended that these policies are repositioned into a separate non-land use part of the plan.</p>	<p>Yes – for clarity and to be in accordance with national guidance to meet the basic conditions.</p>
Policy CF1 & Supporting text	<p>Policy modified to read: The Plan supports proposals for the enhancement or adaptation of indoor flexible community spaces. Particular support will be given to proposals that result in the improvement of the community facilities available in the building concerned.</p> <p>Insert additional text at the end of the third paragraph of 10.1.1 as follows: <i>Policy CF1 provides a context to support proposals for the enhancement or extension of existing community facilities insofar as they may need planning permission. The Plan is particularly keen to promote the development of flexible community facilities and which meet the needs of all its residents.</i></p>	<p>As drafted the policy is partly non land use in nature. Modifications recommended are intended to set the policy within a land use basis.</p>	<p>Yes – for clarity and to be in accordance with national guidance to meet the basic conditions.</p>

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<p>Policy CF4, Supporting text, Map A & Plan appendix</p>	<p>Policy modified to read: Development proposals should not result in the loss of the following open space shown either on Map A or in Appendix C: Playing Fields Land at Glenwood Rise Land at junction of Main Street and Cartersfield Lane</p> <p>Appropriate development proposals should include the required accessible green space in accordance with the Lichfield District Local Plan Strategy or otherwise demonstrate how they would contribute to the improvement of other local green spaces.</p> <p>Insert an additional appendix to the Plan (appendix C) to identify the two smaller parcels of open space and at an appropriate scale.</p> <p>Amend supporting text at the end of the third paragraph of 10.4.1 to read: <i>Policy CF4 sets out a related series of approaches to safeguard and extend the provision of open space in the Plan area. The existing open spaces are both well-used and of significant community and environmental value to the community.</i></p> <p>Add '(Policy CF3 and CF4)' after Playing Fields in the legend to Map A.</p>	<p>A degree of modification is required to this policy to ensure that it complies with the basic conditions. The first involves the repositioning of some words for the policy to the supporting text. The second involves the clarification of open spaces to which the first part of the policy refers. Whilst paragraph 10.4.1 provides some indication of the location of open spaces the policy in the submitted Plan provides neither the clarity required by the NPPF nor sufficient detail for the application of the development management process by the District Council. It would be useful to identify the open spaces directly in the policy and geographically the smaller open spaces on separate maps in an appendix to the Plan.</p>	<p>Yes – for clarity and to meet the basic conditions.</p>
<p>Policy CF5 & Supporting text</p>	<p>Reposition the first component of the policy as drafted to a separate, non-land use part of the plan.</p> <p>Modify the remainder of the policy to read:</p>	<p>The first component of the policy is not a land use policy. The second part is a land use policy. It is recommended that the non-land use part of the policy is repositioned into a non-land use section</p>	<p>Yes – for clarity and to be in accordance with national guidance to meet the basic conditions. Also to provide a greater degree of</p>

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	<p>New community garden areas and allotments in and around the settlement centre will be supported providing that they take account of the residential amenities of adjacent properties and do not otherwise affect the free and safe flow of traffic on the highway network.</p> <p>Add new supporting text to the end of the first paragraph of 10.5.1 as follows: <i>Policy CF5 sets out a positive context for the consideration of proposals for new such facilities. A later section of the Plan sets out support for initiatives to encourage the long term take up of allotment plots.</i></p>	<p>of the plan. Propose modification to the second part of the policy to provide a degree of environmental protection.</p>	<p>environmental protection through the policy.</p>
Policy LE1 & Supporting text	<p>Replace ‘If development is permitted’ with ‘In the event that the proposal concerned is otherwise considered to comply with development plan policies’.</p> <p>Delete the final sentence of the first paragraph of supporting text 12.1.1.</p>	<p>Modification to the second part of the policy so that it more closely and logically refers to the earlier part of the policy. Recommend the removal of the first section of paragraph 12.1.1 as it seems to represent comments of other bodies on the plan itself.</p>	<p>Yes – for clarity.</p>
Policy LE4 & Supporting text	<p>Include an additional sentence at the end of 12.4.1 to read: <i>Applications which incorporate sustainable drainage systems with their proposals will be particularly welcomed.</i></p>	<p>Suggest comments made by the Environment Agency are incorporated into the supporting text of this policy.</p>	<p>Yes – to incorporate comments from the Environment Agency as recommended.</p>
Policy LE5 & Supporting text	<p>Reposition the first sentence of the second paragraph of the policy to the end of the first paragraph of 12.5.1.</p>	<p>The first part of the second paragraph of the policy is supporting text rather than policy and should be repositioned into supporting text at 12.5.1.</p>	<p>Yes – to ensure no supporting text is included within policy LE5.</p>
Plan A	<p>Retitle Plan A to read Map A.</p> <p>In the legend to Map A remove ‘1998 Local Plan’</p>	<p>To reflect the references to Map A within the Plan itself.</p>	<p>Yes – to ensure consistency between Map A and text within the Plan.</p>
Appendix A Glossary	<p>Delete reference to the Code for Sustainable Homes in Appendix A Glossary.</p>	<p>To reflect the recommended deletion of Policy H5.</p>	<p>Yes – to ensure consistency with proposed modification to Policy H5.</p>

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Stonnall Village Design Statement – Examiner’s recommendations:

The Stonnall Neighbourhood Plan is supported by a Village Design Statement (VDS). The Independent Examiner considered the VDS as part of the wider neighbourhood plan and provides a number of recommendations as set out below.

VDS Title Page	Change title on front cover to read: Stonnall Neighbourhood Plan 2014-2029 Appendix D Village Design Statement	Changes proposed are to either clarify the relationship between the Village Design Statement and the Neighbourhood Plan or to reflect the outcome of the Neighbourhood Plan examination and bring the document up to date.	Yes – to clarify the role of the VDS and its relationship to the Stonnall Neighbourhood Plan.
VDS Section 3.0	Include the following text at the end of the first paragraph of section 3.0: <i>This design statement was submitted to the District Council for independent examination as part of the Stonnall Neighbourhood Plan. It now sits as part of the made neighbourhood plan and the wider development plan.</i>		Yes – to clarify the role of the VDS and its relationship to the Stonnall Neighbourhood Plan.
VDS Section 3.1	Amend the third sentence of the first paragraph of Section 3.1 to read: <i>The Neighbourhood Plan forms part of the development plan and will be used in determining planning applications.</i>		Yes – to clarify the role of the VDS and its relationship to the Stonnall Neighbourhood Plan.
VDS Section 5.1	Include the following text at the end of the second paragraph of Section 5.1: <i>The production of this village design statement gets to the heart of the environmental dimension of sustainable development. It underpins relevant policies in the Neighbourhood Plan itself.</i>		Yes – to clarify the role of the VDS and its relationship to the Stonnall Neighbourhood Plan.
VDS Section 5.2	Amend the heading at Section 5.2 to read: <i>Lichfield District’s adopted Local Plan Strategy</i> Include the following sentence at the start of Section 5.2: <i>The Local Plan Strategy was adopted on 17 February 2015.</i>		Yes – to update the VDS in relation to position of the Local Plan Strategy.
VDS Section 5.4	Amend the heading at Section 5.4 to read: <i>The Stonnall Neighbourhood Plan was made on (insert date).</i> Amend third paragraph of Section 5.4 as follows: Replace ‘will set out’ with ‘sets out’ Replace ‘emerging’ with ‘adopted’		Yes – to clarify the role of the VDS and its relationship to the Stonnall Neighbourhood Plan.

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	<p>Amend first part of the fourth paragraph of Section 5.4 to read as follows: <i>The Neighbourhood Plan has an overarching vision to:</i></p>		
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