

Cheshire East Council

Bunbury Neighbourhood Plan Decision Statement

Summary

Following an independent examination and hearing, Cheshire East Council now confirms that the Bunbury Neighbourhood Plan will proceed to a Neighbourhood Planning Referendum

Background

On 14th October 2014 Cheshire East Council designated Bunbury Neighbourhood Area for the purpose of preparing a Neighbourhood Plan in accordance with Part Two of the Town and Country Planning (England), Neighbourhood Planning (General) Regulations 2012.

Following the submission of the Bunbury Neighbourhood Plan to the Council, the plan was publicised and representations were invited. The publicity period ended on 16th October 2015.

Cheshire East Council appointed an independent examiner, Mr. Nigel McGurk, BSc(Hons), MCD, MBA, MRTPI, to examine whether the Plan meets the necessary basic conditions and legal requirements and should proceed to referendum.

The examiner's report concludes that subject to making the minor modifications recommended by the examiner the Plan meets the basic conditions set out in the legislation and should proceed to a Neighbourhood Planning Referendum.

Cheshire East's Portfolio Holder for Housing and Planning agreed on 5th January 2015 that the Bunbury Neighbourhood Plan should proceed to referendum.

Having considered each of the recommendations made by the examiner's report, and the reasons for them, the Council has decided to make the modifications to the draft plan set out in Appendix A Table 1 to ensure that the draft plan meets the basic conditions set out in legislation, and has decided to make the modifications to the draft plan and set out in Appendix Table 2 below for the purpose of correcting errors or for clarity.

Decision and Reasons

The Council will make the modifications, proposed by the examiner, to secure that the draft plan meets the basic conditions, including those modifications proposed for the purpose of correcting errors and to enhance clarity. A table of these modifications is set out below at Appendix A.

The Council has considered whether to extend the area in which the referendum is to take place and agrees with the examiner that there is no reason to extend the Neighbourhood Plan Area for the purpose of holding the referendum .

The examiner has concluded that with the proposed modifications made the Plan meets the basic conditions and other relevant legal requirements. The Council concurs with this view. Therefore to meet the requirements of the Localism Act 2011 a referendum which poses the question: ***'Do you want Cheshire East Council to use the Neighbourhood Plan for Bunbury to help it decide planning applications in the neighbourhood area?'*** will be held in Bunbury with the count taking place in Crewe.

A copy of the Decision Statement will be available via Cheshire East Councils Website and in hard copy, on request at Council headquarters in Westfields Offices, Sandbach.

The date on which the referendum will take place is agreed as 10th March 2015.

APPENDIX A

TABLE 1: EXAMINER RECOMMENDED MODIFICATIONS

Policy	Modification	Reason
Policy H1	Policy H1, end first sentence "...March 2030." (delete rest of sentence)	Clarity
Policy H1	Delete the rest of Policy H1 and replace with " <i>Development in the Neighbourhood Area will be focused on sites within or immediately adjacent to Bunbury village, with the aim of enhancing its role as a sustainable settlement whilst protecting the surrounding countryside.</i> "	Clarity
Policy H2	Policy H2, re---word a) "... <i>greenfield site immediately adjacent to the village.</i> <i>Such developments should not be co---located with other new housing developments unless there are demonstrable sustainable benefits from doing so.</i> " (delete rest of H2a)) Change ending of c) to "... <i>adjacent to the village.</i> " Delete d) and e)	To meet basic conditions / No supporting evidence provided
Policy H3	Delete Policy H3	To meet basic conditions
Appendix A	Delete Appendix A	To meet basic conditions
Policy H4	Delete Policy H4	To meet basic conditions
Policy H5	Policy H5, first bullet point, delete "...and enhance where appropriate..." Second bullet point, change "...general..." to "... <i>noise and...</i> " Delete third and sixth bullet points Fifth bullet point, change "Provide for..." to " <i>Consider the changing...</i> " Penultimate bullet point, change "...expected..." to "... <i>encouraged...</i> " Last bullet point, change to "... <i>streetscape.</i> "	To meet basic conditions
Policy H6	Delete Policy H6	To meet basic conditions
Policy LC1	Policy LC1, line one, change "developments" to " <i>development</i> "	To meet basic conditions
Policy LC2	Delete Policy LC2	To meet basic conditions / No supporting evidence provided
Policy LC3	Delete Policy LC3	To meet basic conditions / No supporting evidence provided
Policy ENV1	Delete Policy ENV1, Appendix E page 51 and the first list on page 52.	To meet basic conditions / No supporting evidence provided
Policy ENV2	Policy ENV2, change first paragraph to " <i>Development proposals that impact on the important local views and vistas identified below must demonstrate that the local views and</i>	To meet basic conditions / No supporting evidence provided

	<i>vistas will be preserved.</i>	
Policy ENV2	Delete the rest of Policy ENV2	To meet basic conditions
Policy ENV2	Move the list of important views and the accompanying photographs from the Appendices to the end of Policy ENV2	Clarity
Appendix E	Delete Appendix E	Unnecessary inclusion
Policy ENV3	Delete Policy ENV3	To meet basic conditions / No supporting evidence provided
Policy ENV4	Policy ENV4, delete second sentence	To meet basic conditions
Policy ENV5	Policy ENV5, change last paragraph to "... <i>Where appropriate, development providing sustainable urban drainage schemes should incorporate new wildlife areas.</i> "	To meet basic conditions
Policy ENV6	Policy ENV6, delete "... <i>subject to the criteria set out in Policy E4.</i> " Delete final paragraph	To meet basic conditions
Policy ENV7	Delete Policy ENV7	To meet basic conditions
Policy ENV8	Delete Policy ENV8	To meet basic conditions / No supporting evidence provided
Policy BIO1	Delete Policy BIO1	To meet basic conditions / No supporting evidence provided
Page 27	Rather than lose sight of the aspiration to create Wildlife Corridors, change the title on page 27 to " <i>Biodiversity Project</i> " and change "Justification and Evidence" to " <i>Background.</i> " Replace "The following...policies" on page 30 with " <i>Supporting Documents.</i> "	Retain aspiration to create wildlife corridor
Policy BIO1	Replace the deleted Policy BIO1 with " <i>Wildlife Corridor Project – Community Action</i> " and support with the following text " <i>The Parish Council supports the creation of Community Wildlife Corridors. It will work with other bodies to promote the creation of detailed, justified wildlife corridors to connect, protect and boost Bunbury's wildlife resources.</i> " Substitute " <i>the Parish Council</i> " for "we."	Retain aspiration to create wildlife corridor
Policy BIO2	Re---word Policy BIO2 " <i>Proposals to conserve or enhance biodiversity will be supported. Development to incorporate biodiversity in and around developments is encouraged, particularly where it forms part of a wider network or wildlife corridor.</i> "	Clarity / To meet basic conditions
Policy E1	Policy E1, change line 4 to "... <i>or provides the opportunity for local employment or training.</i> "	To meet basic conditions
Policy E3	Delete Policy E3	To meet basic conditions
Policy E4	Delete Policy E4	To meet basic conditions / No supporting evidence provided
Policy T1	Policy T1, delete "Development proposals...towards." (Start	To meet basic conditions

	the Policy “ <i>Improvements to...</i> ”)	
Policy T2	Change Policy T2 to “ <i>The development of high speed broadband technology will be supported.</i> ”	To meet basic conditions / No supporting evidence provided
Policy T3	Delete Policy T3	To meet basic conditions / No supporting evidence provided
Policy T4	Delete Policy T4	No supporting evidence provided
Policy T5	Policy T5, end Policy “or proposed footpaths or footways.” (delete rest of Policy).	No supporting evidence provided
Policy T6	Delete Policy T6	To meet basic conditions / No supporting evidence provided
Policy T7	Delete Policy T7	To meet basic conditions / No supporting evidence provided
Policy C11	Policy C11, end middle paragraph “...least 12 months.” (delete rest of paragraph) First paragraph, second sentence, add “...relocation of <i>community services or community facilities...</i> ”	To meet basic conditions
Policy C12	Delete Policy C12	To meet basic conditions
Policy C12	Replace the former Policy with a “ <i>Community Action – Contribution to Community Infrastructure</i> ” with text stating “ <i>The Parish Council will seek to pool developer contributions to deliver the aspirations set out in the “Delivery Plan” appended to this Neighbourhood Plan. This may include the provision of community infrastructure in lieu of financial contributions.</i> ”	To meet basic conditions
Policy C13	Delete Policy C13 Replace with a “ <i>Community Action – Tourism.</i> ” Below this, retain the text from the deleted Policy C13	To meet basic conditions
Policy C14	Delete Policy C14 and replace with “ <i>Community Action – Village Car Parking.</i> ” Below this, retain the text from the deleted Policy C14	To meet basic conditions
Page 41	Change title on Page 41 to “Implementation and Delivery” and delete reference to Appendix D	Correction

TABLE 2: Examiner corrections

Location	Modification	Reason
Title	Titlepage, change “2015” to “2015--2030”	Correction
P.5	After the first sentence of “Scope of the Plan” on page 5, add “ <i>The Neighbourhood Plan period runs from 2015 to 2030.</i> ”	Correction

P.5	Page 5 third paragraph, change to "...should <i>be in general conformity with</i> the strategic..."	Correction
P.6	Page 6, delete paragraphs one and two, "The starting point for any...status of a Development Plan Document."	Clarity / Correction
P.6	Page 6 Delete last paragraph	Clarity / Correction
P.6	Move the " <i>Bunbury Neighbourhood Plan Area</i> " plan from the Appendices to the introductory section of the Neighbourhood Plan	Clarity / Correction
P.6	Page 6, change fourth paragraph to "...is shown <i>below</i> ."	Clarity / Correction
General	Distinguish the Policies from the rest of the text in the Neighbourhood Plan. This could be achieved through the use of different fonts, colours, bold print, boxes, shading etc	Clarity / Correction
Appendixes	Delete Appendix B, H and K	Unnecessary inclusion
Page 31	Remove the "Justification" subtitle on page 31.	Correction