

# **Stafford Borough Council**

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

### **1. Summary**

- 1.1 Following an Independent Examination of written representations, Stafford Borough Council now confirms the Hixon 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 Hixon 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 January 2013 Hixon 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 Hixon 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 8 July to 21 August 2015. Following the consultation, Hixon Parish Council made subsequent amendments to the final plan.
- 2.3 In November 2015, and in accordance with Regulation 15 of the Neighbourhood Planning Regulations, Hixon 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 30 November 2015 and 15 January 2016. 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 January 2016 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 11 February 2016, the Council received the Examiner's Report on the Hixon 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 Hixon 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 Hixon 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 Hixon 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 Hixon Neighbourhood Plan is available by visiting <http://www.staffordbc.gov.uk/hixon-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 “SUBMISSION DOCUMENT TO STAFFORD BOROUGH COUNCIL NOVEMBER 2015” with “2011-2031”	For clarity.	Agreed and modified.
2	Paragraph 1.2, change to “ <i>The Hixon Neighbourhood Plan has regard to the National Planning Policy Framework and is in general conformity with the strategic policies of the Plan for Stafford Borough (PFSB), adopted in June 2014.</i> ”	To meet the basic conditions.	Agreed and modified.
3	Paragraph 1.3 line 3, change to “...(see <i>Map 6</i> )...”	For clarity.	Agreed and modified.
4	Paragraph 1.7, first line, change date to “ <i>July 4<sup>th</sup> 2013</i> ”	Typographical error.	Agreed and modified.
5	Move Appendix 1 to follow Map 6	For clarity.	Agreed and modified.
6	Delete “Appendices (continued)” from the top of page 3	For clarity.	Agreed and modified.
7	For each “ <i>policy objective</i> ,” replace the detailed title (which repeats and appears similar to the corresponding Policy title) with a simple title “ <i>Parish Objective</i> ”	To avoid confusion of what is a ‘Policy’.	Agreed and modified.
8	Change the colour of the policy objective text box. This should be the same for every policy objective and if possible, the colour chosen should be different to the colour of the Policy text boxes	To avoid confusion of what is a ‘Policy’.	Agreed and modified.

9	Change the font of the policy objective text. This should be smaller than the Policy text. I recommend that it is the same as the supporting text.	To avoid confusion of what is a 'Policy'.	Agreed and modified.
10	Policy 1, change first sentence to " <i>Proposals for new housing development within the Settlement Boundary identified on Map 1 will be supported subject to respecting local character and residential amenity.</i> "	For clarity.	Agreed and modified.
11	Change second Paragraph "3.8" to "3.9" and delete the second sentence of that Paragraph.	For clarity.	Agreed and modified.
12	Policy 2 second sentence, change "...shall..." to "...should..."	To allow for flexibility.	Agreed and modified.
13	Amend paragraph number 45 to 4.5	Typographical error.	Agreed and modified.
14	Policy 3, change opening sentence to " <i>Housing development should respect and, where possible and appropriate, complement local character.</i> "	To promote design that is complementary to local character.	Agreed and modified.
15	Delete the second and third sentences.	There is no indication of how a new development might achieve the second sentence. The third sentence does not make grammatical sense.	Agreed and modified.
16	Change the fourth sentence to " <i>The provision of attractive, high quality open spaces within residential development sites will be supported.</i> "	For clarity.	Agreed and modified.
17	Change final sentence to " <i>The provision of self-build plots within residential development sites will be supported.</i> "	For clarity. The wording is unclear.	Agreed and modified.
18	Paragraph 5.1 delete "...with little or no regard for the site location."	The supporting text to Policy 3 contains an assertion, not supported by evidence, and reference to matters not covered by the Policy itself.	Agreed and modified.

19	Change Paragraph 5.5 to “ <i>Where required, affordable housing should comprise an integral...scene.</i> ”	As above.	Agreed and modified.
20	Delete Paragraphs 5.6 to 5.11.	As above.	Agreed and modified.
21	Policy 4, delete all Policy text and replace with “ <i>The delivery of a diverse range of local open spaces for plan and leisure activities for all ages and abilities will be supported. This could take the form of attractive, high quality and well-equipped open spaces within development sites, or improvements to existing open spaces within the village.</i> ”	The policy is confusing and does not provide the decision maker with a clear indication of how to react to a development proposal.	Agreed and modified.
22	Policy 5, delete all Policy text and replace with “ <i>The conservation and/or enhancement of Hixon’s heritage assets (not just Listed Buildings) and their settings will be supported.</i> ”	The policy, as worded, moves away from ‘land-use planning’.	Agreed and modified.
23	Policy 6, delete all Policy text and replace with “ <i>The delivery of community facilities and other local facilities to enhance the sustainability of the Neighbourhood Area will be supported.</i> ”	For clarity.	Agreed and modified.
24	Change Paragraph 8.7 to read “ <i>The Parish Council will seek to use financial contributions from...relevant to the Parish to address local needs as highlighted above. Where possible, the Parish will prioritise the delivery of the following:</i> ”	For clarity.	Agreed and modified.

25	Replace Parish Objective with “ <i>To encourage development to help provide community facilities and local services for the Hixon community.</i> ”	For clarity.	Agreed and modified.
26	Delete Policy 7, supporting text and Objective	Policy 7 is confusing and sets out onerous requirements without justification.	Agreed and modified.
27	Policy 8, first line, change to “ <i>Business uses will be supported within the...</i> ”	For clarity.	Agreed and modified.
28	Change second sentence to “Proposals within, but at the edge of the RIEs, should demonstrate that a green buffer is provided between the development and residential areas.”	For clarity.	Agreed and modified.
29	Change last sentence to “ <i>The provision of Hi--- Tec, Information Technology, Research and Development, Scientific, Administration, Education and Social Enterprise business uses within the RIEs will be especially welcome.</i> ”	For clarity and to conform with national policy.	Agreed and modified.
30	Change title of Policy 9 to Local Green Space	‘Local Green Space’ should be referred to in the singular.	Agreed and modified.
31	Change wording of Policy 9 to “ <i>Local Green Space has been...not permitted on the Local Green Space identified...</i> ”	As above.	Agreed and modified.
32	Paragraph 9.2, change to “ <i>...Local Green Space...</i> ”	As above.	Agreed and modified.
33	Paragraph 9.3, change to “ <i>Hixon Neighbourhood Plan identifies seven areas of Local Green Space. Each of these are in close proximity to the community they serve. Each area of Local Green Space is demonstrably special...due to</i>	As above.	Agreed and modified.

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*recreational value as a place for children to play...All of the Local Green Space in Hixon is local in character and none comprises an extensive tract of land."*

**34** Move Appendix 1 to earlier in this Report. In addition it will be necessary to update the policy numbering, paragraph numbers and pagination based on the recommendations contained in this Report.

As above.

Agreed and modified.