

Putley NDP Independent Examination

Delegated Decision Statement

3 December 2018

Neighbourhood Planning (General) (Amendment) Regulations 2012

Name of neighbourhood area	Putley Neighbourhood Area
Parish Council	Putley Parish Council
Submission	9 May 2018 to 20 June 2018
Examination Date	5 July 2018
Inspector Report Received	29 November 2018

1 Introduction

- 1.1 The Town and Country Planning Act 1990 (as amended), states that the Council has a statutory duty to assist communities in the preparation of neighbourhood development plans and to take the plans through a process of examination and referendum.
- 1.2 The Localism Act 2011 (Part 6 chapter 3) details the Local Planning Authority's responsibilities under Neighbourhood planning.
- 1.3 This Decision Statement confirms that the modifications proposed by the examiner's report have been accepted, the draft Putley Neighbourhood Plan has been amended taking into account the modifications, and that NDP may proceed to referendum

2 Background

- 2.1 The Neighbourhood Area of Putley was designated on 24 February 2016. The Neighbourhood Area follows the boundary of Putley parish boundary. The Putley NDP has been prepared by Putley Parish Council. Work on the production of the plan has been undertaken by members of the local community through a Neighbourhood Plan Steering Group since early 2016.
- 2.2 The Plan was submitted to Herefordshire Council on 2 May 2018, and the consultation under Regulation 16 took place between the 9 May 2018 to 20 June 2018, where the Plan was publicised and representations invited.

- 2.3 On 26 July 2018 Ms Ann Skipper BSc (Hons) MRTPI FRSA AoU was appointed by Herefordshire Council, with the consent of the Parish Council, to undertake the examination of the Putley NDP and to prepare a report of the independent examination.
- 2.4 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.
- 2.5 Having considered each of the recommendations made within the examiner's report and the reasons for them, Herefordshire Council (in accordance with the 1990 Act Schedule 4B paragraph 12) has decided to make the modifications to the draft plan referred to in Section 3 below to ensure that the draft plan meets the basic conditions set out in legislation.

3 Recommendations by the examiner

- 3.1 The table 1 below details the recommendations made by the examiner within her report along with the justification:

Policy	Modification recommended	Justification
Setting the scene	Delete "...published in March 2010..." from paragraph 1.8 on page 2 of the Plan	Interests of accuracy and clarity
Put3	Add a new sentence at the beginning of the policy that reads: " <i>Two settlement boundaries for Putley Green are defined and are shown on Plan 4 and the Putley Green Policies Map.</i> "	Interests of accuracy and clarity.
Put4	Add a new sentence at the beginning of the policy that reads: " <i>A settlement boundary for Putley Common is defined as shown on Plan 6 and the Putley Common Policies Map.</i> "	Interests of accuracy and clarity.
Put7	Revise criterion 6 to read: " <i>preserving or enhancing the character or appearance of the Putley Conservation Area; and building design and access</i> "	Interests of accuracy and clarity. Clarification of the text and to add more detail/certainty.

Post Adoption SEA and HRA

- 4.1 The modifications made as a result of the Examiner's report, as outlined above in Section 3 of this document, have been considered in terms of any resultant changes to the Strategic Environmental Assessment and Habitat Regulations Assessment. None of the changes are considered to have a significant effect on the overall appraisals. The updated SEA and HRA are available to accompany the final plan.

4 Decision

- 4.1 The Neighbourhood Planning (General) Regulations 2012 requires the local planning authority to outline what action to take in response to the recommendations that the examiner made in the report under paragraph 10 of Schedule 4A to the 1990 act (as applied by Section 38A of the 2004 Act) in relation to a neighbourhood development plan. Herefordshire Council have considered each of the recommendations made in the examiner's report and the reasons for them and have decided to accept the modifications to the draft plan. The Parish Council have amended their plan in light of the examiners recommendations.
- 4.2 The draft plan will be altered in line with Table 1 above and also the points set out in paragraph 3.2, in line with paragraph 12 (6) of Schedule 4B to the 1990 Act.
- 4.3 Following the modifications made, the Putley Neighbourhood Plan will meet the basic conditions:
- Having regard to national policies and advice contained in guidance issues by the Secretary of State, it is appropriate to make the plan
 - The making of the neighbourhood plan contributes to the achievement of sustainable development
 - The making of the neighbourhood plan is in general conformity with the strategic policies contained in the Herefordshire Local Plan – Core Strategy
 - The making of the neighbourhood plan does not breach and is otherwise compatible with EU obligations and
 - The making of the neighbourhood plan is not likely to have a significant effect on a European site either alone or in combination with other plans and projects.
- 4.4 It is recommended that the Putley Neighbourhood Plan progresses to referendum. Consideration has been given as to whether the area should be extended beyond that of the neighbourhood area. Herefordshire Council concur with examiners conclusion that nothing has been suggested which would require an extension of the area beyond that designed on 24 February 2016.

Signed 

Dated *3rd December 2018*

Richard Gabb
Programme Officer – Housing and Growth

