



Newcastle-under-Lyme Borough Council

Audley Rural Neighbourhood Plan

Regulation 18 of the Neighbourhood Planning (General) Regulations 2012 (as amended)

Decision Statement Regarding the Borough Council's Consideration of the Examiner's Report – Proceed to Referendum

1. Purpose

The purpose of this Decision Statement is to set out Newcastle-under-Lyme Borough Council's (the Council) decision in relation to the Audley Rural Neighbourhood Plan (the Plan) 2024-2042. This Decision Statement outlines the Council's decision in respect of:

- The actions to be taken in response to recommendations made by the Independent Examiner in the Examiner's Report;
- What modifications are to be made to the plan;
- Whether the plan meets the basic conditions, and would not breach or be incompatible with any EU obligation or Convention rights; and
- The area in which the referendum will take place.

2. Response to the Examiner's Report and details of modifications

The Plan was submitted for examination in June 2024. The Council, with the agreement of the Qualifying Body, appointed John Slater BA (Hons) MRTPI DMS to independently examine the plan. The Council received the Examiner's report on 10 March 2025.

The Examiner's report recommended that the Plan, subject to a number of modifications, should proceed to referendum. The Council, in liaison with the Qualifying Body, has considered each of the recommendations made by the Examiner, and assessed what modifications need to be made the Plan. The recommendation modifications and the Council's response are set out in Appendix 1.

In summary the Council is satisfied that, subject to the modifications being made, the Plan meets the basic conditions and other legal requirements, and can proceed to referendum.

3. Referendum Area

In recommending that the modified Audley Rural Neighbourhood Plan go forward to referendum, the Examiner considered whether or not the referendum area should extend beyond the designated Neighbourhood Area. The Examiner recommended that there is no need to extend the referendum area. The Council agrees with this recommendation and concludes that the referendum area will not be extended and will be applied only to the designated Neighbourhood Area.

4. Conclusions

The Neighbourhood Planning (General) Regulations 2012, Regulation 18 (as amended), requires the local planning authority to outline what action to take in response to the recommendations of an Examiner made in a report under paragraph 10 of Schedule 4a to the Town and Country Planning Act 1990 (as amended) (as applied by Section 38A of the Planning and Compulsory Purchase Act 2004) within five weeks of receiving that Report unless an alternate date is agreed with the Qualifying Body (this being the case with Audley Neighbourhood Plan Group).

Following the independent examination, having considered the recommendations made by the Examiner's report, and the reasons for them, the Council has agreed that the Plan meets the basic conditions and other legal requirements, and agrees in general (and subject to the planning authorities detailed position as stated in the NuLBC response column of Appendix 1) to accept the modifications made to the submitted plan under paragraph 12(6) of Schedule 4B to the Town and Country Planning Act 1990 (as amended) in response to the Examiner's recommendations/ modifications.

To meet the requirements of the Localism Act 2011 a referendum will take place which poses the question:

'Do you want Newcastle-under-Lyme Borough Council to use the Audley Rural Neighbourhood Plan to help it decide planning applications in the Audley Rural Neighbourhood Area?'

The referendum will be held in the area formally designated as the Audley Rural Neighbourhood Area.

The Plan can proceed to a Neighbourhood Planning Referendum. The Audley Rural Neighbourhood Area shall define the extent of the referendum area. The date on which the referendum will take place will be within 56 working days of the day immediately following the date of this decision.

This decision statement and the Examiner's Report are available for inspection on the Borough Council's website. A hard copy is also available for viewing at:

- Audley Library, Hall St, Audley, ST7 8DB (during normal opening hours)

A hard copy of the decision statement and Examiner's Report will also be available at Newcastle-under-Lyme Borough Council Offices, Castle House, Barracks Road, Newcastle-under-Lyme, ST5 1BL during opening hours.

Signed:

Simon McEneny

Deputy Chief Executive

Dated: 18 July 2025

Appendix 1 – Audley Rural Neighbourhood Plan: Schedule of Examiner's Recommended Modifications and Newcastle-under-Lyme Borough Council's response			
Audley Neighbourhood Plan Policy/Section	Examiner's Report Reference	Recommended Modification(s)	NULBC Response
The Neighbourhood Development Plan Policies	Cover page	That the title of the plan should be Audley Rural Neighbourhood Plan 2024-42	Text modified as per recommendation
	Policy ANP1: Residential Development	Replace 1a) with "Within the settlement boundaries of Audley and Bignall End or within the built settlements of Alsager Bank, Halmer End, Miles Green and Wood Lane; Delete 4. Delete 5c)	Text modified as per recommendation Deleted, with subsequent numbering amended accordingly. Deleted
	Policy ANP2: Business and Community Facilities	Replace 1a) with "Within the settlement boundaries of Audley and Bignall End or within the built settlements of Alsager Bank, Halmer End, Miles Green and Wood Lane; In 3. After 'include" insert "the necessary infrastructure including ducting, to allow for the installation of "	Text modified as per recommendation Text modified as per recommendation Following discussions and agreement between the Qualifying Body and Council, it is considered expedient given the emerging Local Plan to add the following to the first paragraph of the Interpretation text: '...see plans at Figure 3.3 to 3.8. *Scot Hay however does not have a defined settlement boundary as it is overwashed

			by Green Belt. The emerging Local Plan retains settlement boundaries only for Audley and Bignall End. Therefore, the policy refers to 'settlement boundaries' and 'built settlements'.
	Policy ANP4: Sustainable Design	In 1. after "locally distinctive" insert "where it is appropriate Replace the numbering "2- 10" with "a)-j)" In 4. replace "should" with "which" and after "carbon impacts and" insert "will be encouraged as well as" In 6. replace "should" with "which" and after "finish" insert "will be encouraged"	Following discussions and agreement between the Qualifying Body and Council, for ease of understanding 1. has been refined to delete: meeting the following requirements of this policy, proportionate to the scale and nature of the development. This negates the need to undertake any subsequent numbering changes. Minor adjustment made to wording of 4. (for ease of understanding and in line with the essence of recommended modification) which continues to affirm support to reducing carbon impacts and enhancing biodiversity, to read: 'Development that includes positive features to reduce carbon impacts and support biodiversity in its design, specification and landscaping will be supported, taking account of the Green Guidance Note later in this plan.' Minor adjustment made to wording of 6. (for ease of understanding, & in line with essence of recommended modification), which continues to affirm support for durable materials with a high standard of finish, to read:

			'Development that uses durable materials with a high standard of finish will be supported, including.'
	Policy ANP5: Audley Conservation Area	In 1. After "characteristics" insert "as appropriate"	Text modified as per recommendation
	Policy ANP6: Character of Settlements	In 1. After "characteristics" insert "as appropriate"	Text modified as per recommendation
	Policy ANP8: Shopfronts	At the end of 1. Insert "having regard to the guidance set out in the Newcastle under Lyme Shopfront Design Guide and the Audley Conservation Area Appraisal"	Following discussions and agreement between the Qualifying Body and Council, the recommended modification was addressed in 2. with the following text inserted: '...having regard to the Newcastle under Lyme Shopfront Design Guide, Audley Conservation Area Appraisal and other relevant guidance.' Consequent changes to the Interpretation text were made, which deleted the following: 'The Audley Rural Design Code, AECOM, May 2023 may be useful in securing compliance with the policy'. and replaced with: 'Local guidance relevant to shopfronts includes: • Audley Rural Design Code, AECOM, May 2023; • Newcastle under Lyme Shopfront Design Guide; • Audley Conservation Area Appraisal'

	Policy ANP9: Natural Environment and Landscape	Replace 1. with “development should seek to avoid, or if not possible, mitigate and as a last resort compensated for the harm to biodiversity including restoring damaged or lost habitat and should take opportunities to enhance Audley’s green landscapes, wildlife corridors, habitat and biodiversity” In 3a) insert at the start” Wherever feasible,” At the start of 4. insert “Except in exceptional circumstances where the public benefit would clearly outweigh the loss or deterioration of habitat,”. At the end of 5. insert” as shown in Figure 6.12”	Following discussions and agreement between the Qualifying Body and Council, changes were made to wording of 1. (for ease of understanding, & in line with essence of recommended modification), with the following text inserted: ‘Development should take opportunities to enhance Audley’s green landscapes, wildlife corridors, habitats & biodiversity and: a. avoid causing harm: or b. if avoidance to harm is not possible, mitigate such harm; or c. as a last resort, compensate for such harm.’ Text modified as per recommendation Text modified as per recommendation Text modified as per recommendation
	Policy ANP11: Local Green Space	Insert at the end of the policy “The policy for managing development within these local green spaces should be consistent with policies for the control of development within the Green Belt.”	Following discussions and agreement between the Qualifying Body and Council, changes were made to wording of the Interpretation text (for ease of understanding, & in line with essence of recommended modification), with the following text inserted: ‘The NPPF makes clear that managing development within these local green spaces should be consistent with policies for the control of development within the Green Belt’.

	Policy ANP12: Transport and Active Travel	In 1. insert “significant amount of” before “additional travel” In 4. before “horse riders” insert “within the rural parts of the plan area”	Text modified as per recommendation Text of 4. modified in line with essence of recommendation, to read: ‘,,including in rural parts of the area, meeting the requirements of this Neighbourhood Plan’s Sustainable Design policy’.
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Appendix 2: Map of Audley Parish designated area for Neighbourhood Plan

