

Newcastle-under-Lyme Borough Council

Betley, Balterley and Wrinehill Neighbourhood Development 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 Betley, Balterley and Wrinehill Neighbourhood Development Plan (the Plan) 2021-2037. 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 2021. 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 6th September 2021.

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 and are set out in Appendix 1.

In summary the Council is satisfied that, subject to the Examiner's recommended 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 Betley, Balterley and Wrinehill Neighbourhood Development 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 (see map).

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.

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 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 which poses the question:

'Do you want Newcastle-under-Lyme Borough Council to use the Betley, Balterley and Wrinehill Neighbourhood Development Plan to help it decide planning applications in the Betley, Balterley and Wrinehill Neighbourhood Area?'

The referendum will be held in the area formally designated as the Betley, Balterley and Wrinehill Neighbourhood Area.

The Plan can proceed to a Neighbourhood Planning Referendum. The Betley, Balterley and Wrinehill Neighbourhood Area shall define the extent of the referendum area. The date on which the referendum will take place will be within 56 days of 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

- **Betley Village Post Office and Shop,
Main Rd, Betley, Crewe CW3 9AB**

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:



Martin Hamilton
Chief Executive

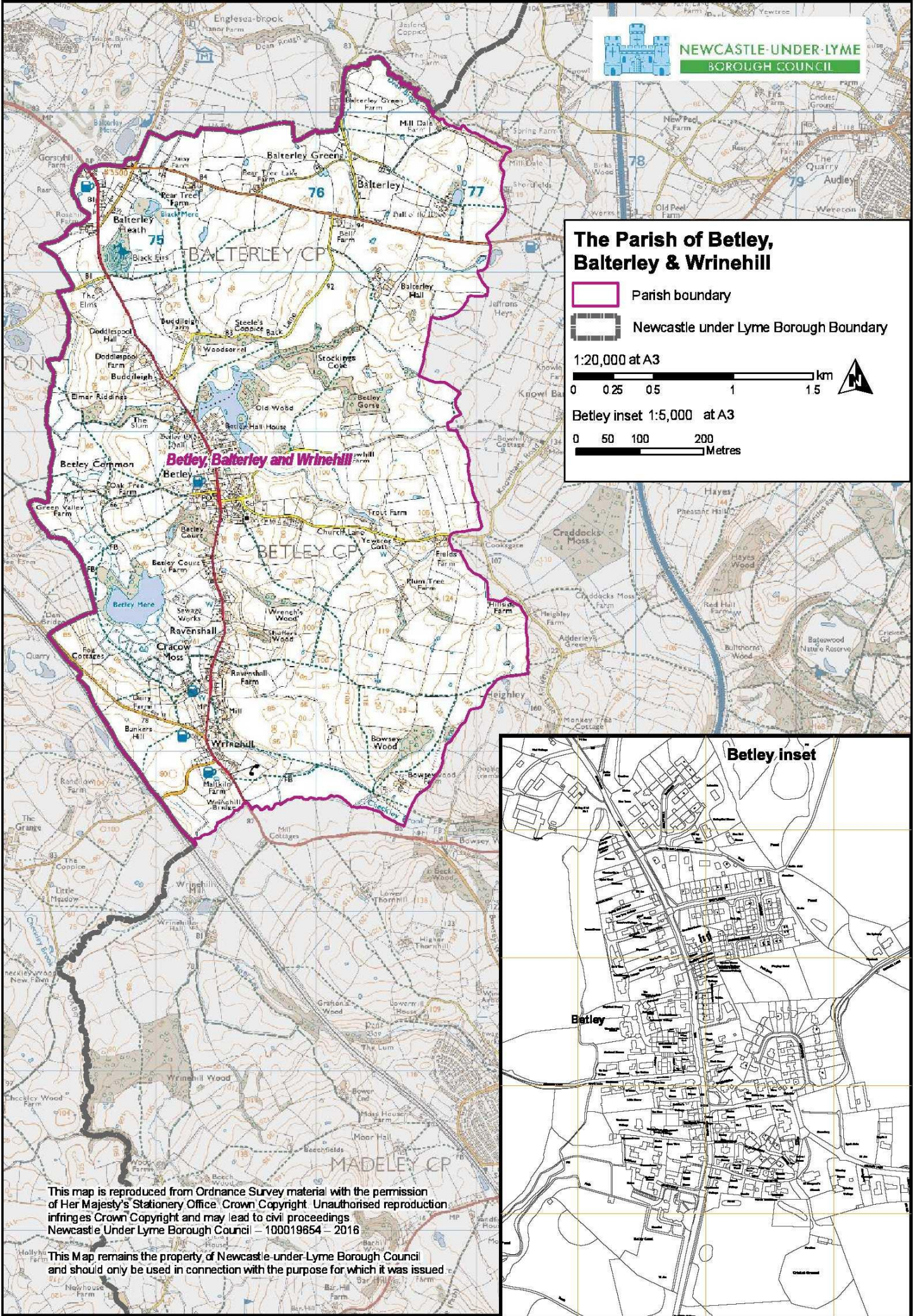
Dated: 11th October 2021

Appendix 1 – Betley, Balterley and Wrinehill Neighbourhood Development Plan: Schedule of Examiner’s Recommended Modifications and Newcastle-under-Lyme Borough Council’s response			
Betley, Balterley and Wrinehill Neighbourhood Plan Policy/Section	Examiner’s Report Reference	Recommended Modification(s)	NULBC Response
The Neighbourhood Development Plan Policies	Policy BBW1: Promoting Sustainable Development (page 11)	<p>At the end of the first paragraph insert “and to provide beautiful buildings and places”</p> <p>In 1A delete all text after “resource efficiency”</p> <p>In 1C before “historic buildings” insert “the significance of”</p> <p>In 2B omit “flood risk”</p> <p>In 4 after “flood risk” insert “to all areas known to be at risk from flooding” and after “should” add “where appropriate and relevant to the development”</p> <p>In 4A replace the third sentence with “any development which could impact on any watercourse which does not have any flood extents associated with it, will be required to demonstrate through proportionate evidence or modelling that it will be safe and not increase flood risk”</p>	Agreed. Text to be amended as recommended.
	Policy BBW2: New Housing in Betley Village Envelope (page 12)	<p>In the first paragraph, after “Village Envelope” insert “, especially if located on a previously developed site” and replace all text after “satisfy all” with “relevant development plan policies”</p> <p>Delete 1. In the second paragraph.</p>	Agreed. Text to be amended as recommended.
	Policy BBW3: Housing Mix (page 12)	<p>At the start of the second paragraph, insert “Market housing”.</p> <p>At the start of the third paragraph, after “new housing” insert “on rural exception sites aimed” and at the end of that sentence change “Neighbourhood” to “Development”</p>	Agreed. Text to be amended as recommended.
	Policy BBW4: Detailed Design in the Parish (page 13)	In 4A after “previously developed sites” insert “within the Green Belt” and add at the end “so as not to have a greater impact on its openness”	Agreed. Text to be amended as recommended.

		Replace 4B with “Within Betley Village Envelope, proposals will need to demonstrate how the development will effectively integrate into the surrounding built form, village scape and landscape”	
	Policy BBW6: Recognising the Intrinsic Character of the Countryside and Protecting and Enhancing Valued Landscapes (page 14)	Delete the paragraph headed “Landscape and visual impact assessment”	Agreed. Text to be amended as recommended.
	Policy BBW8: Supporting Homeworking (page 14)	At the start of the policy insert “Where planning permission is required” and omit “internal space standards”	Agreed. Text to be amended as recommended.



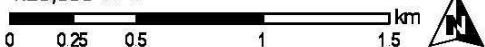
NEWCASTLE-UNDER-LYME
BOROUGH COUNCIL



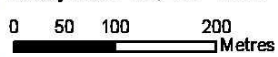
The Parish of Betley, Balterley & Wrinehill

- Parish boundary
- Newcastle under Lyme Borough Boundary

1:20,000 at A3



Betley inset 1:5,000 at A3



Betley inset



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