

Cheshire West and Chester Council

Tattenhall and District Neighbourhood Development Plan Decision Statement

1. Summary

- 1.1 Following an independent examination and hearing, Cheshire West and Chester Council now confirms that the Tattenhall and District Neighbourhood Development Plan will proceed to a Neighbourhood Planning referendum.

2. Background

- 2.1 On 17 January 2013, Cheshire West and Chester Council designated Tattenhall and District 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.
- 2.2 Following the submission of the Tattenhall and District Neighbourhood Development Plan to the Council, the plan was publicised and representations were invited. The publicity period ended on Friday 19 July 2013.
- 2.4 Cheshire West and Chester Council appointed an independent examiner, Mr Nigel McGurk, to review whether the Plan should proceed to referendum.
- 2.5 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.
- 2.6 The Executive of Cheshire West and Chester Council agreed on 4 September 2013 that the Tattenhall Neighbourhood Development Plan should proceed through referendum.
- 2.7 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 Table 1 below, 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 Table 2 below for the purpose of correcting errors.

3. Decision and Reasons

- 3.1 The Council has made the modifications, proposed by the examiner, to secure that the draft plan meets the basic conditions, for the reasons given. These are set out in Table 1 below.
- 3.2 The Council has also made modifications for the purpose of correcting errors in the text to enhance the clarity of the plan as set out in Table 2 below.

Table 1: Modifications in line with Examiner's Recommendations

Examiner Recommendation	Reason	Action Taken
Further use is made of map-based plan and that the Green Spaces Plan or Plans are included within the Neighbourhood Plan, rather than as a separate document. It is also recommended that further thought is given to the title of this map – subject to comments specific to Policy 6 this could be simply 'Local Green Spaces Plan'.	To improve the Neighbourhood Plan and make it more user friendly.	Map of heritage assets included at policy 2 (page 14) to the Neighbourhood Plan. Larger scale map of neighbourhood area included at beginning of the plan. Local green space maps included as an appendix. Green spaces map renamed as Local Green Spaces.
Recommended that the titles in each section of the Neighbourhood Plan correspond to those in the contents page. In particular, the Contents should refer to 'Sustainable Development for the Whole Community'. The section on page 12 should be headed 'Housing Growth'. 'Local Economy' and 'Local Facilities' are in the wrong order on the Contents page.	To correct errors in the drafting of the Neighbourhood Plan.	Modifications made as set out in the recommendation. Contents page updated.
Deletion of the final sentence of policy 1 and replace it with a sentence that reads 'Maintain Tattenhall village's strong and established sense of place'.	To ensure the Neighbourhood Plan meets the basic conditions.	Modifications made as set out in the recommendation on page 13.
In policy 2, delete 'new' and commence policy 2 with 'development will be supported where...'	To prevent ambiguity in the Neighbourhood Plan.	Modifications made as set out in the recommendation on page 16.
Combine and alter the first two sentences of policy 4 to read 'Proposals for development will be required to identify their likely impact on local infrastructure, services and facilities and to demonstrate how any such impacts will be	To improve the clarity of policy 4 and to ensure it is in general conformity with the development plan.	Modifications made as set out in the recommendation on page 20.

addressed’.		
Add ‘combined’ before ‘.... with other schemes that have planning permission’ into line 5 of policy 4.	To improve the clarity of policy 4 and to ensure it is in general conformity with the development plan.	Modifications made as set out in the recommendation on page 20.
Re-word policy 5 to refer to development in the singular throughout by changing ‘developments’ to ‘development’; ‘they are’ to ‘it is’; ‘they’ to ‘it’ and ‘them’ to ‘it’.	To improve the clarity of policy 5 and ensure it is consistently worded with other policies in the Neighbourhood Plan.	Modifications made as set out in the recommendation on page 21.
To remove any doubt in relation to the National Planning Policy Framework it is recommended policy 6 refers to ‘Local Green Spaces’.	To prevent ambiguity in the Neighbourhood Plan.	Modifications made as set out in the recommendation in policy 6 (page 24) and appendix.
Deletion of reference to proposals map in policy 6.	To prevent ambiguity in the Neighbourhood Plan.	Reference to proposals map deleted
Deletion of proposed green spaces c7 and c11 and a recommendation that any possible replacement sites are agreed by appropriate parties.	To ensure Green Space allocations are accurate.	Deletion of sites c7 and c11 and sites re- numbered in policy 6 (page 24) and appendix to reflect deletions. No replacement sites to be included.
Include a map of heritage assets.	To improve the Neighbourhood Plan and make it more user friendly	Map of heritage assets added in policy 2 on page 15.
A decision needs to be taken as to whether any of the comments made by the heritage team at the Council should be incorporated into the supporting text.	Not required to need basic conditions. At discretion of the Parish Council.	Cheshire Historic Landscape Characterisation and Cheshire Historic Environment Record added as background documents to policy 2 (page 16) and into the references at the end of the plan.

		Inclusion of a map plotting the heritage assets in policy 2 (page 15)
		Paragraph to justification and evidence to policy 2 (page 14) in relation to historic character of the surrounding landscape stating "The landscape surrounding Tattenhall retains a significant historic character. Areas bordering the north, north-west and north-east of the village are classified as 'Ancient Field Systems' or 'Medieval Townfields' by the Cheshire Historic Landscape Characterisation. These areas contribute to local distinctiveness and the retention of their character is a key element in achieving sustainable development."
		On page 10, amendment to paragraph 5 "To achieve this, a thoughtful and innovative approach is required, which works more positively; <i>with residents</i> , landowners and developers ..."
		Tattenhall Conservation Area Appraisal (2013) added to the list of documents supporting Policy 1 (page 13)
		On page.14 insertion after sentence 1 to read "of which several have been listed for their special architectural or historic interest"
		On page 24 Local Character actions amended to read:"The Parish Council will work with residents, owners of land and buildings, and other stakeholders to bring back into economic use brownfield sites, such as the disused school swimming pool building, and vacant properties, especially those which make a positive contribution to the character of the area.

Table 2: List of corrections made to errors in text

Page Number	Amendment
Contents	Contents page updated and corrected to match chapter headings
Page 5 – Foreword paragraph 4	Last sentence amended to read “and <i>with</i> the help of Cheshire”
Page 5 Foreword paragraph 4	Word draft removed to now read “The Plan ...”
Page 8 Consultation & Evidence Gathering Sub heading	“Early” removed from Consultation and Evidence Gathering title
Page 8 Consultation & Evidence Gathering paragraph 1	Sentence amended to read “.... teenagers – a requirement of entry ...
Page 8 Consultation & Evidence Gathering paragraph 2	“and helps” changed to “that helped”
Page 7 Vision and Objectives Sub Heading	Added as follows: Vision and Objectives “Development”
Page 7 Draft Plan Sub Heading	“Draft Plan” to “Draft Plan Creation”
Page 8 The Neighbourhood Plan Vision for Tattenhall	In second sentence “we” changed to “the community”
Page 8 The Neighbourhood Plan Vision for Tattenhall	Start of second paragraph changed from “We will do this” to “The Parish Council will do this”
Page 10 paragraph 3	“Approach proposed” changed to “Approach adopted”
Page 10 paragraph 5	“New” residents changed to “Current” residents
Page 10 paragraph 5	“New” people changed to “more” people
Page 11 Strategy paragraph 1	The village “heart” changed to “The heart of the village ..”
Page 11 Strategy paragraph 6	Inserted “including in the village of Tattenhall and at the ..”
Page 12 Neighbourhood Plan Policies paragraph 1	“Read” changed to “accept” in sentence beginning “Decision makers..”
Page 12 Neighbourhood Plan Policies paragraph 2	“In line with” changed to “To reflect”
Page 12 Neighbourhood Plan Policies paragraph 3	“.. decision takers” changed to “decision makers”
Page 12 Heading Housing	Housing changed to “Housing Growth”
Page 19 policy 4	Formatting change to being in line with other policy formats
Page 21 paragraph 2	“Hamlets” changed to “hamlets”

Page 20 policy 5	"Developments should" has been unbolded and line space corrected
Page 27 Appendix B	Tattenhall Green Spaces changed to Local Green Spaces
Pages 27, 28, 29	Site numbers added to reflect policy 6 and maps
Throughout document	"parish" changed to "Parish"
Throughout document	"sustainability assessment" changed to "Sustainability Assessment"

- 3.3 The Council has considered whether to extend the area in which the referendum is to take place. Like the examiner, the Council has decided that there is no reason to extend the Neighbourhood Plan area for the purpose of holding the referendum.
- 3.4 The examiner has concluded that with the minor 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 West and Chester Council to use the Neighbourhood Plan for Tattenhall and District to help it decide planning applications in the neighbourhood area?' will be held in Tattenhall and District.
- 3.5 The date on which the referendum will take place is agreed as 24 October 2013.