

**Teversal, Stanton Hill and Skegby Neighbourhood Plan
Decision Statement**

The Neighbourhood Planning (General) Regulations 2012 (as amended)

Decision: The Teversal, Stanton Hill and Skegby Neighbourhood Plan, subject to modifications set out in this Decision Statement, meets the basic conditions and other legislative requirements and must proceed to a Referendum. The area in which the Referendum take place is the Teversal, Stanton Hill and Skegby Neighbourhood Plan Area.

1.0 BACKGROUND

- 1.1 The Independent Examiner has made a Report under The Town and Country Planning Act 1990 Schedule 4B, paragraph 10 in relation to the Teversal, Stanton Hill and Skegby Neighbourhood Plan. Ashfield District Council, as the local planning authority, must decide what action to take in response to each recommendation made by the Independent Examiner's Report¹. The Council is required to publish the decision and the reasons for it (The decision statement)².
- 1.2 Teversal, Stanton Hill and Skegby Neighbourhood Forum was designated as the qualifying body to prepare a neighbourhood plan on 23rd February 2015 and the Neighbourhood Plan Area was designated on the same date.
- 1.3 The Neighbourhood Forum undertook pre-submission consultation on the draft Plan in accordance with Regulation 14 between 29th August 2016 and 28th October 2016.
- 1.4 Following the submission of the Teversal, Stanton Hill and Skegby Neighbourhood Plan to Ashfield District Council on 27th March 2017, the District Council publicised the draft Plan for a period from 28th April 2017 to 12th June 2017 with representations being invited in accordance with Regulation 16.

¹ The Town and Country Planning Act 1990 Schedule 4 B (12) & The Neighbourhood Planning (General) Regulations 2012 (as amended) Regulation 17A (4)

² & The Neighbourhood Planning (General) Regulations 2012 (as amended) Regulation 18 (2)

- 1.5 This document should be read in conjunction with the Teversal, Stanton Hill and Skegby Neighbourhood Plan 2016-2031 Submission Version and the Teversal, Stanton Hill and Skegby Neighbourhood Plan Independent Examination dated 10th July 2017. These documents are available on the Council's website.

2.0 INDEPENDENT EXAMINATION

- 2.1 The Council appointed Janet. L.Cheesley BA(Hons) DipTP MRTPI of CHEC Planning Ltd, with the consent of Teversal, Stanton Hill and Skegby Neighbourhood Forum, to undertake the independent examination of the Teversal, Stanton Hill and Skegby Neighbourhood Plan and to prepare a report of the independent examination.
- 2.2 The Examiner's Report was received on 10th July 2017. The Report concludes that, subject to modifications, the Teversal, Stanton Hill and Skegby Neighbourhood Plan meets the necessary basic conditions³ and other requirements. The Report recommends that, subject to these modifications, the Neighbourhood Plan should proceed to Referendum.
- 2.3 The Examiner recommended that the Referendum area is the Neighbourhood Plan Area.

3.0 DECISION AND REASONS

- 3.1 Schedule 4B (12) of the Town and Country Planning Act 1990, as amended by the Localism Act 2011, requires that a local authority must consider each of the recommendations made in the Examiner's Report and decide what action to take in response to each recommendation. If the authority is satisfied that, subject to the modifications being made, the draft Neighbourhood Plan meets the legal requirements and basic conditions as set out in legislation, then the Plan can proceed to Referendum.
- 3.2 The Neighbourhood Planning (General) Regulations 2012 (as amended), Regulation 18 requires the local planning authority to outline what action it is taking in response to the recommendations of an examiner in relation to a neighbourhood plan.
- 3.3 Ashfield District Council has considered each of the recommendations made in the Examiner's Report and the reasons for them. Table 1 (below) sets out the Examiner's recommendations (in the order they appear in the Examiner's report) and Ashfield District Council's response to the recommendations. Table 2 sets out modifications by Ashfield District Council. In summary:
- The Council agrees with the Examiner's recommendations.

³ The Town and Country Planning Act 1990, Schedule 4b (8).

- A number of minor additional modifications are set out by the Council to reflect what the Examiner identifies in the Report as minor editing matters, to correct minor errors and update the plan to the Referendum Version.

The Submission Plan will be amended as set out in Table 1 and Table 2 to form the Teversal, Stanton Hill and Skegby Neighbourhood Plan Referendum Version.

3.4 Ashfield District Council is satisfied that following these modifications the Teversal, Stanton Hill and Skegby Neighbourhood Plan meets the legal requirements set out in the provisions made under Section 38A, and 38B of the Planning and Compulsory Purchase Act 2004 and the basic conditions set out in the Town and Country Planning Act 1990, Schedule 4B:

- 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 Ashfield Local Plan Review 2002;
- 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.

As, subject to the modifications, the Teversal, Stanton Hill and Skegby Neighbourhood Plan meets the legislative requirements the Plan must⁴ proceed to a Referendum.

⁴ The Town and Country Planning Act 1990, Schedule 4b, 12 (4)

Table 1 - Teversal, Stanton Hill and Skegby Neighbourhood Plan

N.B. To illustrate the changes in the policy or paragraph (or parts thereof) additional or amended wording is identified in blue font. The policy or paragraph reflects any deletions recommendations by the Examiner. The changes should be seen in combination with the Teversal, Stanton Hill and Skegby Neighbourhood Plan 2016 – 2031 Submission Version and the Examiner’s Report on the Neighbourhood Plan dated 10th July 2017.

Neighbourhood Plan Policy/ paragraph	Examiner’s reference	Recommended Modification	Ashfield District Council consideration/justification.
Paragraph 129	Paragraph 37	Modification to Paragraph 129 to reflect the following: ‘Due to the varied nature of the area and the resources of the Forum pre-application consultation is encouraged on major development in Stanton Hill and Skegby but for all applications in Teversal village due to its Conservation Area status’.	Modify the Plan to change the paragraph accordingly. Agree with modification for the reasons set out in the Examiner’s Report paragraph 34. Pre application Consultation is not a statutory requirement and the amendment deletes ‘required’ and includes ‘encouraged’ to reflect this.
Paragraph 136	Paragraph 44	Delete the last sentence of paragraph 136, that is: ‘Schemes that include contributions for improved bus services raised kerbs and waiting facilities, for example, will be given priority over proposals which do not’.	Modify the Plan to change the paragraph accordingly. Agree with modification for the reasons set out in the Examiner’s Report paragraph 43.
Paragraph 189 c) Family Housing	Paragraph 55	Delete the reference to the need for terraced or semi-detached family properties in paragraph 189c. . That is ‘The majority of houses should be 2 or 3 bedroom dwelling s. This is in keeping with the existing housing stock and this size provides flexibility to accommodate both the needs of a growing family and is suitable for people looking to downsize’.	Modify the Plan to change the paragraph accordingly. Agree with modification for the reasons set out in the Examiner’s Report, paragraph 54. Add ‘dwelling’s’ in order to complete the sentence.
Policy NP4: Protecting the	Paragraph 64	Modification to the Policy to replace Criterion 3 with the following:	Modify the Plan to change the Policy accordingly Agree with modification

Neighbourhood Plan Policy/ paragraph	Examiner's reference	Recommended Modification	Ashfield District Council consideration/justification.
Landscape Character. Criterion 3		<p>3. Contributions will be sought for the improvement of the Strategic Corridor G1-23²⁶ from development in the vicinity of the Strategic Corridor in accordance with the tests as set out in the Community Infrastructure Levy Regulations 2010.</p> <p>Deleted 3. Development in the vicinity of Strategic Corridor G1-23²⁶ should contribute to the improvement of that Strategic Corridor</p>	for the reasons set out in the Examiner's Report paragraph 56 to 61.
Policy NP 5: Protecting and Enhancing Heritage Assets. Criterion 2	Paragraph 73	<p>Modification of Criterion 2 of the Policy to the following:</p> <p>Criterion 2. Development adjacent and within the setting of Teversal Conservation Area should not cause substantial harm to the character and appearance of the area and/or the setting of the Listed Buildings, unless there are exceptional circumstances as outlined in the National Planning Policy Framework. New development within the Conservation Area and/or its setting should reflect the historic character of the village in terms of site layout, scale and boundary treatments.</p>	Modify the Plan to change the Policy accordingly. The proposed modification adds to the Policy 'unless there are exceptional circumstances as outlined in the NPPF'. Agree with modification in order to have regard to national planning guidance.
Policy NP 6: Improving Access to the Countryside. Criterion 3	Paragraph 77	<p>Modification of Criterion 3 of the Policy to the following:</p> <p>Criterion 3. Proposals for housing development will be expected to demonstrate how they protect and enhance existing public rights of way affected by those developments and show the opportunities taken to improve linkages between existing routes and from the edge of the existing settlement to the countryside and open spaces.</p>	Modify the Plan to change the Policy accordingly. The proposed modification adds, 'those' development's'. Agree with the modification for the reasons set out in the Examiner's Report at paragraph 76.

Table 2: Amendments proposed by Ashfield District Council in response to Minor Updates, Clarifications and Corrections

N.B. To illustrate the changes in the paragraph (or parts thereof) additional or amended wording is identified in blue font. Deletions to the paragraph are crossed through. The changes should be seen in combination with the Teversal, Stanton Hill and Skegby Neighbourhood Plan 2016 – 2031 Submission Version and the Examiner’s Report on the Neighbourhood Plan dated 10th July 2017.

Page/para of the Neighbourhood Plan Submission	Change proposed	Decision/Justification
Titles and dates amended	‘Submission’ version changed to ‘Referendum version, and date of document updated	Modify the Plan. To reflect the latest stage of the Plan.
General	Amend any text to reflect that the Plan is the Referendum version.	Modify the Plan. To reflect the latest stage of the Plan.
Page 4	Foreword amend from Forward?	Modify the Plan. Minor correction.
Paragraph 9	<p>Amendment paragraph to add text identified in blue font and to delete text crossed through:</p> <p>9 These Neighbourhood Plan policies are also written within the context of District and County policies which aim to support sustainable development. These include the Ashfield Local Plan Review 2002, Nottinghamshire County Council’s Replacement Waste Local Plan Part 1, Waste Core Strategy 2013 and the Nottinghamshire Minerals Local Plan 2005. For example, Nottinghamshire County Council’s Policy WCS2 of the Nottinghamshire and Nottingham Replacement Waste Local Plan Part 1, Waste Core Strategy 2013 02 and the Nottinghamshire Minerals Local Plan 2005 requires that all development should be designed, constructed and implemented to minimise the creation of waste, maximise the use of recycled materials and assist the collection, separation, sorting, recycling and recovery of waste.</p>	Modify the Plan to amend the paragraph accordingly. Minor correction for clarification.
Paragraph 18	<p>Amendment paragraph to add text identified in blue font and to delete text crossed through:</p> <p>18. The Neighbourhood Plan consultation process enabled people to think about what they wanted to see in their area over the next 15 years rather than just reacting to</p>	Modify the Plan to change the paragraph accordingly. Minor correction for clarification. The Council has not consulted on a specific site allocations Local Plan.

Page/para of the Neighbourhood Plan Submission	Change proposed	Decision/Justification
	<p>District consultation on site allocation policies potential sites proposed to be allocated in the District Council's local plan consultations.</p>	
Paragraph 68	<p>Add a footnote to the 'over 65 expected to increase by 53%' is set out in the Ashfield District Council Strategic Housing Market Assessment, Table 71: Projected Change in Population of Older Persons (2013 to 2033)</p>	<p>Modify the Plan to add the footnote. Minor correction for clarification.</p>
Paragraph 84	<p>Change paragraph to reflect that part of the Registered Park and Gardens are within the Plan area.</p> <p>Revised paragraph</p> <p>84. Teversal village sits on a hill top looking out over open, rolling countryside that provides wide vistas to Hardwick Hall. The Hall is outside the Plan area but the narrow country lanes provide very pleasant walking or cycling access to the Hall. Part of Hardwick Hall's Registered park and garden falls within the Plan area.</p>	<p>Modify the Plan to amend the paragraph according. The Examiner's Report in paragraph 62 identifies the National Trust comments as minor editing matters. The Council agree with the minor correction identified by the National Trust.</p>
Paragraph 100	<p>Amendment paragraph to add text identified in blue font and to delete text crossed through:</p> <p>'Some of this area is protected from development by District policy part of it is designated as a Site of Important Nature Conservation (Stanton Grasslands) with the historic gardens at Skegby Hall being identified as a locally listed non-register park and garden. The emerging Local Plan identifies these Gardens together with Stoneyford Trail as protected green spaces and recreational facilities. and other areas around the ruins of the Old Manor House and Stoneyford Trail are protected open spaces. This green gap runs into Brierley Country Park (just outside the Plan area) and is seen as a green lung which is highly valued by local people'.</p>	<p>Modify the Plan to amend the paragraph according. Minor correction for clarification as the paragraph currently does not accurately reflect the position.</p>
Paragraph 127	<p>Amend paragraph to add text identified in blue font and to delete text crossed through:</p> <p>The Forum has the same status as a parish council → in relation to planning applications and will necessarily be consulted on planning applications once</p>	<p>Modify the Plan to amend the paragraph according. Minor correction for clarification.</p>

Page/para of the Neighbourhood Plan Submission	Change proposed	Decision/Justification
	submitted to ADC. ⁵³ . This key principle seeks to get engagement with developers before the significant costs submitting an application have been incurred when it is hoped that there will be more opportunity to influence proposals.	
Page 33, Footnote 13	Footnote 13. Delete existing footnote The Housing and Planning Act 2016 section 142 and the Neighbourhood Planning and Development Management Procedure Regulations 2016 replace with Once The Neighbourhood Planning Act 2017, Section 2 'Notification of applications to neighbourhood planning bodies' comes into force.	Modify the Plan to amend the footnote according. Minor correction.
Paragraph 183 & Paragraph 184	Change all references to SDS to SuDS.	Modify the Plan to amend the paragraph according. Minor Correction as sustainable drainage systems are typically abbreviated to SuDS.
Paragraph 189 d) Affordable Housing	District policy, reflected in the Ashfield Local Plan Review 2002 emerging Local Plan , requires that in the Plan area 10% of all market housing on schemes of 15 units or more should to be affordable. Whilst feedback from the consultation expressed concern about the availability of affordable housing, particularly for younger people, the HNA analysis draws the conclusion that District policy will deliver the amount of affordable housing required across all types and tenures based on the amount of development proposed over the Plan period.	Modify the Plan to amend the paragraph according. Minor correction for clarification Paragraph sets out, information on affordable housing, which is not reflected in the Ashfield Local Plan Publication 2016 Policy HG2, but the Ashfield Local Plan Review 2002.
Paragraph 193	Change reference to Map 13 to Map 12	Modify the Plan to amend the Map reference accordingly. The Examiner's Report in paragraph 63 identifies that the map reference is incorrect Agree with the minor correction.
Paragraph 199	Amend 'It does not make an assessment of the sensitivity of landscape character around the Hall and Gardens' to include ' per se, but considers the landscape as part of the setting ' around the Hall and Gardens.	Modify the Plan to amend the paragraph according. The Examiner's Report in paragraph 62 identifies the

⁵ The Housing and Planning Act 2016 section 142 and the Neighbourhood Planning and Development Management Procedure Regulations 2016

Page/para of the Neighbourhood Plan Submission	Change proposed	Decision/Justification
	<p>Revised paragraph:</p> <p>199. The Hardwick Setting Study 2016 (commissioned by the National Trust and done by Atkins) focuses on the setting of Hardwick and the interventions that may impact on the significance of heritage assets. It does not make an assessment of the sensitivity of landscape character, <i>per se</i>, but considers the landscape as part of the setting around the Hall and Gardens. Area B Stanley and Silverhill and Area, C Sutton Plateau are within the Neighbourhood Plan area. The report notes that Area B <i>'forms a key part of views southwards from Hardwick... this area is therefore sensitive to change in terms of affecting the setting of Hardwick'</i> and Area C <i>'provides an important rural buffer between Hardwick and the urban area of Sutton in Ashfield'</i></p>	<p>National Trust comments as minor editing matters. Agree with the minor correction identified by the National Trust.</p>
Paragraph 202	Change reference to Section 15 rather than Section 16	<p>Modify the Plan to amend the Section reference accordingly. The Examiner's Report in paragraph 63 identifies that a minor modification as an editing matter is required. Agree with the minor correction.</p>
Page 52	Footnote - delete reference to 'Rural' as should be The 'Hardwick Setting Study'.	<p>Modify the Plan to amend the footnote accordingly. The Examiner's Report in paragraph 62 identifies that a minor modification as an editing matter is required. Agree with the minor correction.</p>
Paragraph 211	<p>Amend the final sentence to reflect that local list of heritage assets is available on Ashfield District Council's website.</p> <p>Revised paragraph:</p>	<p>Modify the Plan to amend the paragraph accordingly. The Examiner's Report in paragraph 71 identifies that a minor modification as an editing matter is required. Agree with the</p>

Page/para of the Neighbourhood Plan Submission	Change proposed	Decision/Justification
	211. A map and a description of the non-designated heritage assets are in the TSS Heritage Report. Those identified by the Forum in 2016 can be found at Appendix B. A project in this plan is to work with ADC's Conservation Officer to secure these local listings. For an up to date list of those heritage assets that are listed please see https://historicengland.org.uk/listing/the-list/ . For locally listed heritage assets please see Ashfield District Council's website.	minor correction.
Paragraph 213	Change reference to paragraph 152 to 199	A Modify the Plan to amend the paragraph number accordingly. The Examiner's Report in paragraph 72 identifies that a minor modification as an editing matter is required. Agree with the minor correction.
Map 15 Stanton Hill Local Centre	Set out note to Map 15 to identify that as at July 2017 the former Co-operative Store is utilised as Star Boxing Club falling within Class D2 of the Town and Country Planning (Use Classes) Order 1987, as amended.	Modify the Plan to amend the Map accordingly. The Examiner's Report in paragraph 82 identifies that a minor modification as an editing matter is required. Agree with the minor correction.
Paragraph 238	Change reference to Section 6 rather than Section 7	Modify the Plan to amend the Section accordingly. The Examiner's Report in paragraph 83 identifies that a minor modification as an editing matter is required. Agree with the minor correction.
Paragraph 238 footnote	Change footnote pages 29 and 30 not 33 and 34	Modify the Plan to amend the footnote accordingly. The Examiner's Report in paragraph 83 identifies that a minor modification as an editing matter is required. Agree with the minor correction.

Page/para of the Neighbourhood Plan Submission	Change proposed	Decision/Justification
Paragraph 261	Change reference to Table 9 not Table 8	Modify the Plan to amend the Table accordingly. The Examiner's Report in paragraph 87 identifies that a minor modification as an editing matter is required. Agree with the minor correction.

- 3.5 The Council is required to consider whether to extend the area to which the Referendum is to take place under Regulation 18(1e). The Council agrees with the Examiner's recommended that the Neighbourhood Plan should proceed to a Referendum based on the Neighbourhood Plan Area.