

Newcastle-under-Lyme Borough Council

Madeley 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 Madeley Neighbourhood Development Plan (the Plan) 2018-2037. 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 October 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 13th January 2022.

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 Madeley 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 Madeley Neighbourhood Development Plan to help it decide planning applications in the Madeley Neighbourhood Area?'

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

The Plan can proceed to a Neighbourhood Planning Referendum. The Madeley 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:

- The Madeley Centre, New Rd, Madeley, Crewe CW3 9DN (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:



Martin Hamilton
Chief Executive
8 March 2022

Appendix 1 – Madeley Neighbourhood Development Plan: Schedule of Examiner’s Recommended Modifications and Newcastle-under-Lyme Borough Council’s response			
Madeley Neighbourhood Plan Policy/Section	Examiner’s Report Reference	Recommended Modification(s)	NULBC Response
The Neighbourhood Development Plan Policies	Policy HOU1: Housing Development	In the first sentence after “supported” insert “where it is in accordance with development plan policy and in particular” In the first bullet, remove the text in parenthesis	Agreed. Text to be amended as recommended.
	Policy HOU2: Housing Mix	In the first bullet point omit one of the “for”	Agreed. Text to be amended as recommended.
	Policy DES1: Design	In the first sentence, delete “and be sustainable”	Agreed. Text to be amended as recommended.
	Policy DES2: Development in the Madeley Conservation Area	Amend Map DES2 to remove the arrowheads closest to Station Road on the bottom 2 arrows showing View B	Agreed. Text to be amended as recommended.
	Policy CF2: Community Infrastructure	That the policy be deleted but the contents can be moved to the supporting text	Agreed. Text to be amended as recommended.
	Policy NE1: Natural Environment	In the first sentence, after “Development must” insert “where appropriate”	Agreed. Text to be amended as recommended.
	Policy TRA1: Critical Road Junctions	In the first paragraph replace “must” with “which is likely to create additional journeys will be expected to” In the second paragraph, first sentence replace “must” with “will be encouraged to”	Agreed. Text to be amended as recommended.
	Policy CMW1: Centre of Madeley Village Special Policy Area	In the second paragraph, replace the existing text in parenthesis with “(including uses that fall within Use Class E)” and replace “considered for approval” with “approved”	Agreed. Text to be amended as recommended.

Map of Madeley Parish designated area for Neighbourhood Plan.

