



STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL

DECISION STATEMENT : CHECKLEY PARISH NEIGHBOURHOOD PLAN

Town and Country Planning Act 1990 Schedule 4B, Para 12 (11)

Date: 28 February 2024

At its meeting on 28th February 2024, the Council resolved that following the inclusion of the Examiner's recommended modifications that the **Checkley Parish Neighbourhood Plan (NP) meets the 'Basic Conditions' and can proceed to a referendum.**

To meet the requirements of the Localism Act 2011 a referendum will be held in the area formally designated as the Checkley Neighbourhood Area¹.

The referendum will pose the following question:

- "Do you want Staffordshire Moorlands District Council to use the neighbourhood plan for Checkley to help it decide planning applications in the neighbourhood area?"

If approved at referendum, the Checkley Parish NP will both form part of the statutory development plan and will be used by SMDC, alongside the Staffordshire Moorlands Local Plan, for determining applications for development.

This Decision Statement, the Examiner's Report and a copy of final version of the Neighbourhood Plan and other supporting documents that were subject to the examination can be viewed on the SMDC website and the locations as set out below:

<https://www.staffsmoorlands.gov.uk/article/7877/Checkley-Neighbourhood-Plan>

- The Raddle Inn, 3 Quarry Bank, Hollington, ST10 4HQ
- Great Wood Hall, Hollington Road, Upper Tean, ST10 4JY
- Checkley Community Centre, Uttoxeter Road, Checkley, ST10 4NB

(during normal opening hours).

1. Background

Staffordshire Moorlands District Council accepted the application by Checkley Parish Council to be recognised as the 'appropriate body' under paragraph 61F of the Town & Country Planning Act 1990 on the 16th February 2016, and formally designated the Checkley Neighbourhood Area.

¹ Checkley Neighbourhood Area as confirmed by SMDC on 16th February 2016, under paragraph 61F of the Town & Country Planning Act 1990

The Pre-Submission NP underwent consultation in accordance with Regulation 14 of the Neighbourhood Planning (General) Regulations 2012 (as amended) ('the Regulations') on two occasions: initially between 11th February 2022 and 25th March 2022; comments of the District Council regarding Local Green Spaces led to a decision of the Parish Council to amend the plan and undertake a second period of Regulation 14 consultation between 3rd June 2022 and 15th July 2022.

Subsequently, the NP and supporting documents were submitted by Checkley Parish Council to the District Council under Regulation 15(1). Following consideration by SMDC at Cabinet on 14th February 2023, the NP was then formally published for comments (statutory "regulation 16") for a period of six weeks between 2nd March and 13th April 2023.

Mr Christopher Collison BA (Hons) MBA MRTPI MIED IHBC was then appointed by SMDC with the consent of Checkley Parish Council to undertake the examination of the NP, and to prepare a report of the independent examination. The examination commenced on 29th June 2023 and was conducted through written representations. The Examiner's report was received on the 9th October 2023. It concluded that the NP, subject to recommended modifications, meets the basic conditions set out in the legislation and other statutory requirements and should proceed to referendum.

2. Decision and Reasons

The Regulations require that the Local Planning Authority (Staffordshire Moorlands DC) publishes how they intend to respond to the Examiner's recommendations.

On 28th February 2024, SMDC considered each of the recommendations made in the Examiner's Report in relation to the NP and the reasons for them and decided to accept all of the modifications to the draft NP as set out in Appendix 1 of this Decision Statement. The agreed modifications are necessary to ensure that the draft plan meets the basic conditions, legal requirements or to correct errors.

The submitted NP was accompanied by a Strategic Environmental Assessment Screening Assessment, and a Habitats Regulations Assessment Screening Assessment. None of the modifications set out in the Appendix are considered to necessitate revisiting any of these assessments.

SMDC agrees that:

- 1) a formal decision statement is published detailing the response to the Examiner's recommendations within his report for the NP;
- 2) following the inclusion of the Examiner's recommended modifications into the NP (as set out in Appendix 1), it is approved that it meet the Basic Conditions such that it can proceed to a referendum;
- 3) the referendum boundary is approved and will cover the designated Checkley Parish Neighbourhood Area only; and
- 4) SMDC conducts a referendum on the NP

The date on which the referendum will take place is agreed as 2nd May 2024.

Appendix 1 to Decision Statement

Checkley Parish Neighbourhood Plan

List of agreed modifications made to the submitted Neighbourhood Plan.

Modification number	Policy / Section / Page no	Proposed Modification
1	Section 1.0	Include a map of the Neighbourhood Area in Section 1.0 of the Neighbourhood Plan
2	<p>Section 2.0</p> <p>Housing Section 'Purpose' Page 34</p> <p>Policy HSG1</p> <p>Page 42, Site Allocation maps</p> <p>Consequential amendments to text throughout document</p> <p>Interpretation Section to Policy HSG1</p> <p>Upper Tean village maps on pages 36 and 41</p> <p>All maps in NP</p>	<p>In the aims in section 2.0 of the Neighbourhood Plan</p> <ul style="list-style-type: none"> • housing - delete “the local” and “a mixture of” and “with a primary focus on brownfield sites” • transport – after “Promote” insert “active travel and” • environment – delete “and wildlife” and after “feel” continue “and enhance biodiversity” <p>In the purpose stated on page 34 replace “local” with “identified”</p> <p>Replace Policy HSG1 with:</p> <p><i>“1. The 2.02-hectare site at Fole Dairy, Uttoxeter Road, Fole identified on the map on page 42 below is allocated for residential development.</i></p> <p><i>2. In addition to the above allocated site, and sites allocated in the Local Plan, residential development, appropriate to the Settlement Hierarchy established by Policy SS2 of the Local Plan, will be supported:</i></p> <ul style="list-style-type: none"> - <i>within the development boundaries of the smaller villages of Checkley and Lower Tean, and the larger village of Upper Tean, defined on the maps on pages 39-41 below; and</i> - <i>in other locations in accordance with Policies SS8 and SS9 of the Local Plan.</i> <p><i>3. Proposals for residential development elsewhere will be assessed in accordance with strategic and national policy.”</i></p> <p>Note: The page numbers referred to in the policy may need to be adjusted.</p> <p>On page 42 of the Neighbourhood Plan</p> <ul style="list-style-type: none"> •delete the heading, map and aerial photograph

		<p>relating to the Tearne House, Quarry Bank site</p> <ul style="list-style-type: none"> •in respect of the Fole Dairy allocation site delete the aerial photograph and amend the site allocation plan to show more clearly the site boundaries do not include the former Fole Reformed Evangelical Chapel site. On the site allocation plan state the site area. <p>Modify all references to “<i>settlement boundary</i>” and “<i>settlement boundaries</i>” in the Neighbourhood Plan, including on Maps, to state “<i>development boundary</i> and “<i>development boundaries</i>.”</p> <p>In the Interpretation set out the provisions of Local Plan Policies SS2, SS8 and SS9 and explain that whilst it has not been considered appropriate to define a development boundary for Hollington due to its spatial form the three villages of Checkley, Lower Tean and Hollington remain identified as ‘smaller villages’ under Policy SS9 of the Local Plan, and therefore serve the same strategic function.</p> <p>In the Interpretation include reference to Policy DES1 which establishes design principles for development.</p> <p>In the Interpretation third paragraph delete “<i>in brownfield locations</i>”</p> <p>The Upper Tean Development Boundary (currently referred to as Settlement Boundary) identified on the Maps on pages 36 and 41 of the Neighbourhood Plan should be adjusted to be consistent.</p> <p>The Key to the Map on page 36 of the Neighbourhood Plan should be modified so that the area of land with dotted boundaries is described as “<i>Land outside the Neighbourhood Area where a residential planning permission has been granted.</i>”</p> <p>All maps in the Neighbourhood Plan should state their scale.</p>
3	<p>Policy HSG2</p> <p>Interpretation Section to Policy HSG2</p>	<p>In Policy HSG2</p> <ul style="list-style-type: none"> •in part 1 after “<i>based on</i>” insert “<i>the latest</i>” •in part 1 after “<i>including</i>” insert “<i>consideration of the need for</i>” •replace part 2 with “<i>Where on-site affordable</i>

		<p><i>housing, including First Homes, is provided within a development it should be distributed throughout the site and be of similar specification to the market housing.</i></p> <p>Replace the text of the Interpretation with “<i>This policy should be read alongside Policy H3 of the Local Plan.</i>”</p>
4	<p>Policy EMP1</p> <p>Interpretation Section to Policy EMP1</p>	<p>In Policy EMP1</p> <ul style="list-style-type: none"> •in part 1 replace the text before “<i>to complement</i>” with “<i>Where changes of use require planning permission, ground floor frontage units in the Upper Tean High Street area identified on the map below should remain in commercial uses open to the public, or in community uses open to the public</i>” •in part 2 replace “<i>settlement</i>” with “<i>area identified on the map below</i>” <p>Insert below the policy a map identifying the area to which the policy applies.</p> <p>In the interpretation add an explanation that “<i>some changes of use do not require planning permission</i>”.</p>
5	<p>Policy EMP2</p> <p>Interpretation Section to Policy EMP2</p>	<p>Delete Policy EMP2 and the Interpretation below</p>
6	<p>Policy EMP3</p> <p>Interpretation Section to Policy EMP3</p>	<p>Replace Policy EMP3 with “<i>Development proposals that will result in a growth of rural enterprise and tourism will be supported where there is no significant adverse impact on the amenities of nearby residential properties or landscape character; where they demonstrate consideration of any opportunities for sustainable travel; and where the scale of development is appropriate in accordance with Local Plan policies</i>”</p> <p>Add reference to Local Plan Policy E4 in the third paragraph of the Interpretation.</p>
7	<p>Policy COM1</p> <p>Interpretation Section to Policy COM1</p>	<p>In Policy COM1</p> <ul style="list-style-type: none"> •in part 1 after “<i>facilities</i>” insert “<i>in accessible locations for users</i>” •replace part 2 with “<i>Development proposals that</i>”

		<p>would involve the loss of an existing community facility will only be supported where a similar existing or replacement facility will be available in a convenient location for users, or it can be demonstrated in accordance with Local Plan Policy C1(3) that the community use is no longer needed or viable.”</p> <p>•continue part 3 with “For larger developments of 10 or more dwellings in-development play areas should be included in accordance with the recommendations of Play England. Contributions of smaller developments will be assessed in accordance with Local Plan Policy SS12.”</p> <p>Delete the final sentence of the Interpretation.</p>
8	<p>Policy LGS1</p> <p>Interpretation Section to Policy LGS1</p>	<p>In Policy LGS1</p> <p>•in part 1 delete LGS2, LGS3 and LGS14, and remove those sites from the Interpretation</p> <p>•replace parts 2 and 3 with “2. The designated areas will be protected from development in a manner consistent with the protection of land within Green Belt.”</p>
9	<p>Policy DES1</p>	<p>In Policy DES1</p> <p>•replace “a mix of car parking provision” with “for parking of vehicles”</p> <p>•replace “or materials and construction with superior environmental performance is encouraged” with “where available”</p> <p>•replace part 7 with “Development proposals should identify views into and out of the site, and local landmarks, considered to be of merit, and demonstrate how the layout and design of the proposal responds to views and landmarks identified.”</p> <p>•continue 8b with “of all major developments”</p>
10	<p>Policy DES2</p> <p>Interpretation Section to Policy DES2</p>	<p>Replace Policy DES2 with “All residential development on infill sites should be designed to:</p> <ol style="list-style-type: none"> a. complement the character of its surroundings and not adversely affect the residential amenity of occupiers of existing dwellings; and b. avoid the appearance of over-development or development disproportionate to

		<p><i>surrounding properties.”</i></p> <p>Replace the policy title with “<i>DES2: Residential Infill Development</i>”</p> <p>In the Interpretation delete “points 3 and 4”</p> <p>In the Interpretation refer to Policy HSG1 which clarifies the scale of development should be consistent with the strategic settlement hierarchy set out in Policy SS2 of the Local Plan, and that infill sites on the edge of villages must be in accordance with Policies SS8 and SS9 of the Local Plan.</p>
11	Policy DES3	<p>Recommended modification 11: In Policy DES3</p> <ul style="list-style-type: none"> •in part 1 replace “<i>must complement the rural character of the area and preserve or</i>” with “<i>should minimise impact on, and where possible</i>” •replace part 1c with “<i>Priority Habitats, and other Nature Conservation Sites including Local Wildlife Sites and Sites of Biological Importance (Broadgatehall Drumble, Greatgate Wood)</i>” •delete parts 1d and 1f •in part 2 replace “<i>Action</i>” with “<i>Alert</i>” •in part 3 replace “<i>High quality boundary treatments must be provided for new-build development to reflect the rural character</i>” with “<i>Boundary treatments in new-build development should reflect the predominant boundary treatment in its surroundings</i>” •in part 4 delete “<i>high quality</i>” and replace “<i>must</i>” with “<i>should</i>”
12	Policy DES4 Interpretation Section to Policy DES4	<p>In Policy DES4</p> <ul style="list-style-type: none"> • in part 1 replace “<i>Areas</i>” with “<i>Area</i>” • in both part 1 and part 2 after “<i>following</i>” insert “<i>existing predominant</i>” <p>In the Interpretation continue the first sentence with “<i>and ensure new development complements those features</i>”</p>
13	Policy TRA1	In Policy TRA1

	Interpretation Section to Policy TRA1	<ul style="list-style-type: none"> •in part 1 replace “<i>surround</i>” with “<i>surrounding</i>” and delete “<i>meeting the requirements of Policy DES1</i>” •in part 2 after “<i>made</i>” insert “<i>where appropriate</i>” and after “<i>development</i>” insert “<i>that will generate significant amounts of movement</i>” •continue part 2 with “<i>3 – Hollington Road/Heath House Lane.</i>” •in part 3b replace “<i>have no significant</i>” with “<i>demonstrate consideration of any</i>” <p>In the Interpretation replace “<i>Plan/Map above outlining shows</i>” with “<i>Maps below identify the location of</i>”</p>
14	Various	Modify policy Interpretation sections, general text, figures, and images, and supporting documents to achieve consistency with the modified policies, and to achieve updates and correct identified errors.
Other Proposed Modifications recommended by SMDC	Various	<p>[Recommendations for amendments not deemed necessary to meet the basic conditions by the Examiner. Examiner therefore recommends they should be considered further by the District Council when it considers making the Neighbourhood Plan.]</p> <p>[4 x textual/clarity amendments suggested by District Council in Regulation 16 response identified by the examiner]</p>