

## **Appendix 2: Decision Statement**

### **Coventry City Council**

#### **WILLENHALL NEIGHBOURHOOD PLAN: POST- EXAMINATION DECISION STATEMENT**

**9 February 2018**

#### **Regulation 18 of the Neighbourhood Planning (General) Regulations 2012 (as amended)**

This document is the decision statement required to be prepared under Regulation 18(2) of the Neighbourhood Planning Regulations 2012 (as amended). It sets out the Council's response to each of the recommendations contained within the Report to Coventry City Council of the independent examination of the Willenhall Neighbourhood Plan ("the Plan") by independent Examiner Mr Andrew Ashcroft, which was submitted to the Council on 3 July 2017.

This decision statement, the independent Examiner's Report and the submission version of Willenhall Neighbourhood Plan and supporting documents can be viewed on the Council's website: [www.coventry.gov.uk/neighbourhoodplanning](http://www.coventry.gov.uk/neighbourhoodplanning)

### **Background**

Under the Town and Country Planning Act 1990 (as amended), Coventry City Council ("the Council") has a statutory duty to assist communities in the preparation of neighbourhood (development) plans and to take plans through a process of examination and referendum. The Localism Act 2011 (Part 6, Chapter 3) sets out the Local Planning Authority's responsibilities under neighbourhood planning.

This statement confirms that the modifications proposed by the Examiner's Report have been considered and accepted and that subject to making the recommended modifications (and other minor modifications) the Plan may now be subject to a public referendum.

The Willenhall Neighbourhood Plan relates to the area that was designated by the Council as a Neighbourhood Area on 17 October 2013. This area mirrors the boundary of the electoral ward of Willenhall and is entirely within the Local Planning Authority's area. Similarly, the designation of the Neighbourhood Forum (Willenhall Neighbourhood Planning Forum) was approved in February 2014.

Willenhall Neighbourhood Planning Forum undertook pre-submission consultation on their draft Plan in accordance with Regulation 14 in November 2016. Following the submission of the neighbourhood plan to the Council in July 2017, the Council publicised the draft Plan for a six week period and representations were invited in accordance with Regulation 16.

## **Independent Examination**

The Council appointed Mr Andrew Ashcroft BA (Hons) MA, DMS, MRTPI, with the consent of the Willenhall Neighbourhood Planning Forum, to undertake the independent examination of the Willenhall Neighbourhood Plan and to prepare a report of the independent examination.

The Examiner considered the Neighbourhood Plan supported by an unaccompanied site visit of the Willenhall area. The Examiner's Report is dated 8 January 2018, and concludes that subject to making the modifications recommended by the Examiner, the Plan meets the basic conditions set out in the legislation and should proceed to referendum. The Examiner also recommends the referendum area should be the same as the designated Neighbourhood Area. Following receipt of the Examiner's Report, legislation requires the Council to consider each of the modifications recommended, the reasons for them, and decide what action to take. The Council is also required to consider whether to extend the area to which the referendum is to take place.

## **Decisions and Reasons**

Having considered each of the recommendations made in the Examiner's Report and the reasons for them, the Council, with the agreement of Willenhall Neighbourhood Planning Forum, has decided to accept all of the Examiner's recommended modifications to the draft Plan. These are set out in Table 1 below.

The Council considers that, subject to the modifications being made to the Plan as set out in Table 1 below, the Willenhall Neighbourhood Plan meets the basic conditions mentioned in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended) is compatible with the Convention rights and meets the requirements of paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended).

As a consequence of the required modifications, the Council will modify the Willenhall Neighbourhood Plan accordingly, for it then to proceed to referendum. The Examiner recommended the Neighbourhood Plan should proceed to a referendum based on the designated Neighbourhood Area. The Council has considered this recommendation and the reasons for it, and has decided to accept it. The referendum area for the final Willenhall Neighbourhood Plan will therefore be based on the designated Willenhall Neighbourhood Area. A decision was made at a meeting of the Council's Cabinet Member meeting for Community Development on 30 January 2018. This decision statement is dated 9 February 2018, when that decision became effective.

The Willenhall Neighbourhood Plan local referendum is scheduled to take place on 3 May 2018 as agreed by the Councils Cabinet Member for Community Development and Returning Officer.

**Other information:**

The Neighbourhood Plan document will be updated to incorporate all modifications required and re-titled Referendum Version. The date for the referendum and further details will be publicised through agreed channels and in accordance with the relevant Regulations.

Table 1: Examiners Recommended Modifications

WNP Policy/Para	Examiners Report Reference	Recommended Modification	CCC Consideration/ Justification
Policy 1 – Scale and Distribution of Housing Development	Para 7.18	<p>Introduce a third part of the policy to read:</p> <p><i>The residential development of the following sites as shown on Proposals Map 2 will be supported:</i></p> <ul style="list-style-type: none"> <li>• <i>The former Chase Extended Learning Centre in Robin Hood Road</i></li> <li>• <i>The Willenhall Education, Employment and Training Centre in Robin Hood Road; and</i></li> <li>• <i>The Children and Social Care offices in Stretton Avenue</i></li> </ul> <p><i>In each case the development concerned should be designed in a way which would not cause unacceptable harm to the amenities of adjacent residential properties. In addition, in each case the sites will only be released for residential purposes once their existing uses have been transferred into the new Community Hub as proposed in Policy 5 of this Plan.</i></p>	Agree with the modifications for the reasons set out in the Examiners Report.
Table 2	Para 7.18	<p>In Table 2 insert after WEETC site:</p> <p><i>'Estimated redevelopment of the Children and Social Care Offices, Stretton Avenue 10'.</i></p> <p><i>Modify 626 to 636 and 674 to 664.</i></p>	Agree with the modifications for the reasons set out in the Examiners Report.
Proposals Map 2	Para 7.18	<p>In Proposals Map 2 modify the information to read:</p> <p><i>A: Former Chase Extended Learning Centre, Robin Hood Road (53 dwellings)</i></p> <p><i>B: at the end add 'Robin Hood Road (25 dwellings)</i></p> <p><i>C: at the end add 'Stretton Avenue (10 dwellings)</i></p>	Agree with the modifications for the reasons set out in the Examiners Report.

Policy 4 – Willenhall Local Centre	Para 7.26	<p>At the start of both the first and second parts of the policy insert <i>'Insofar as planning permission is required'</i>.</p> <p>In the first part of the policy delete the second criterion (b) and make the necessary changes to the remainder of the policy so that 'the unit.... secured' flows immediately on from 'demonstrated that...'</p>	Agree with the modifications for the reasons set out in the Examiners Report.
Policy 5 – Willenhall Community Hub	Para 7.30	<p>Replace the first part of the policy to read:</p> <p><i>A proposal for a community hub on the site of the Hagard Community Space in Remembrance Road will be supported subject to the following criteria:</i></p> <ul style="list-style-type: none"> <li>• <i>it incorporates a range of integrated community services delivered by statutory bodies and the voluntary sector; and</i></li> <li>• <i>it is of an appropriate design to its setting and location.</i></li> </ul> <p>Delete the second part of the policy.</p>	Agree with the modifications for the reasons set out in the Examiners Report.
Para 7.62	Para 7.30	<p>At the end of paragraph 7.62 add:</p> <p><i>'The Community Hub also offers the opportunity for the West Midlands Constabulary to have a presence with other statutory and voluntary agencies providing co-ordinated services to the local community.'</i></p>	Agree with the modifications for the reasons set out in the Examiners Report.
Policy 6 – Education	Para 7.32	<p>Replace the policy with the following:</p> <p><i>Proposals for new residential development will be supported where they make appropriate contributions towards the creation of new primary school provision or towards the improvement of existing primary school facilities in the neighbourhood area in accordance with the standards operated by Coventry City Council at the time of the determination of the relevant planning application.</i></p>	Agree with the modifications for the reasons set out in the Examiners Report.
Para 7.79	Para 7.32	<p>Add the following to the end of paragraph 7.79:</p>	Agree with the modifications for the reasons set

		<i>Policy 6 requires that applications for new residential development in the Plan area make appropriate contributions to primary school places or associated improvements to City Council published standards.</i>	out in the Examiners Report.
Policy 7 – Health and Wellbeing	Para 7.34	Delete criterion e.	Agree with the modifications for the reasons set out in the Examiners Report.
Policy 8 - Transport	Para 7.37	Replace the opening part of the policy with the following:  <i>Proposals that would result in the development of the following facilities, including associated improvements to the highways network in the neighbourhood area, will be supported:</i>  Delete criteria a) and c) <i>Reposition them into a policy into a separate non-land use part of the Plan</i>	Agree with the modifications for the reasons set out in the Examiners Report.
Policy 10 – Willenhall Village Green	Para 7.43	In part 2 of the policy replace ‘ <i>should not be permitted</i> ’ with ‘ <i>will not be supported</i> ’.	Agree with the modifications for the reasons set out in the Examiners Report.
Policy 11 – Important Open Spaces	Para 7.45	In the second part of the policy replace ‘ <i>will be resisted</i> ’ with ‘ <i>will not be supported</i> ’.	Agree with the modifications for the reasons set out in the Examiners Report.