

Stratton St Margaret Neighbourhood Plan Decision Statement

Introduction

Under the Town and Country Planning Act 1990 (as amended), Swindon Borough Council has a statutory duty to assist communities in the preparation of neighbourhood development plans and orders. The Localism Act 2011 and the Neighbourhood Planning Regulations 2012 (as amended) outline the Local Planning Authority's responsibilities under Neighbourhood Planning and the legal process to be followed.

The Independent Examiners Report has been received for the Stratton St Margaret Neighbourhood Plan which recommends that the plan proceed to referendum subject to modifications. The Council is now required to make a decision on the plan proposals and the recommendations in the Examiner's Report; and publish in a Decision Statement their decision and reasons for it.

The Council's response to the Examiner's recommendations are listed in Table 1 below.

Background

The Stratton St Margaret Neighbourhood Plan relates to the area that was designated by Swindon Borough Council as a neighbourhood area on 17th May 2018. This area is coterminous with the Stratton St Margaret Parish Council boundary.

Following submission of the Stratton St Margaret Neighbourhood Plan to Swindon Borough Council the plan was publicised and representations were invited. Consultation on the plan was undertaken by the Council from 13th November 2019 to 3rd January 2020.

The Council, with the agreement of Stratton St Margaret Parish Council, appointed Barbara Maksymiw MRTPI as Independent Examiner to review whether the plan met the "Basic Conditions" (as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990) and whether it should proceed to referendum.

The Examiner's report concludes that, subject to making the modifications recommended by the Examiner, the neighbourhood plan meets the Basic Conditions set out in the legislation and should proceed to a Neighbourhood Planning referendum.

The Council is now bound by Paragraph 12(2) of Schedule 4B to the Town and Country Planning Act 1990 to consider each of the recommendations made by the Examiner in their report (and the reasons for them); and decide what action to take in response to each recommendation.

Decision and Reasons

Having considered each of the recommendations made in the examiner's report, and the reasons for them, Swindon Borough Council accepts all the Examiner's recommendations in order to ensure that the draft plan meets the basic conditions as set out in Schedule 4B of The Town and Country Planning Act 1990 (as amended by the Localism Act 2011). Table 1 below lists all of the recommendations in the Examiner's Report and the Council's response to them.

Next Steps

Swindon Borough Council is satisfied that once the recommended modifications are made to the Neighbourhood Plan it would then meet the Basic Conditions and therefore a referendum must be held on the making of the Neighbourhood Plan.

As soon as possible after making a decision on the plan proposals and the Examiner's recommendations, the Council must (in accordance with Regulation 18 of the Neighbourhood Planning Regulations 2012) publish on their website and in such other manner as they consider is likely to bring the decision statement and the report to the attention of people who live, work or carry on business in the neighbourhood area:

- the decision and their reasons for it ("the Decision Statement");
- details of where and when the Decision Statement may be inspected; and

If the plan obtains over 50% of the votes cast at referendum the Council can then 'make' the plan and bring it into legal force. The Neighbourhood Plan would become part of the Development Plan and would be taken into account in planning decision-making within the Stratton St Margaret Neighbourhood Plan Area (defined as the existing Stratton St Margaret Parish area).

Table 1:

No	Part/Policy Number	Independent Examiner's Recommendations	Swindon Borough Council Decision and Reasons
1.	Basic Conditions Statement	<p>In response to my query, the Parish Council, has provided some additional text to add to the Basic Conditions Statement to explain how the NP contributes to achieving sustainable development.</p> <p><i>Add the following text to the Basic Conditions Statement as a new section between the National Planning Policy Framework (2019) section (para 16) and the Conformity with the Development Plan section (para 17):</i></p> <ul style="list-style-type: none"> • <i>The Stratton St Margaret NDP delivers sustainable development in all its policies:</i> • <i>Policy SSM2 seeks to encourage developers of large employment sites within the Parish to engage with the Stratton St Margaret community to ensure that development brings benefits to parishioners in the form of appropriate employment opportunities and the design of major schemes. This policy is read in conjunction with other policies in the NDP. It meets all three sustainability objectives.</i> • <i>Policy SSM3 seeks to introduce a locally-defined mix of new housing thus meeting the social objective of ensuring that a range of homes can meet the needs of present and future generations.</i> • <i>Policy SSM4 seeks to protect key community infrastructure to meet the needs of present and future generations, part of the social objective.</i> • <i>Policy SSM5 seeks to encourage greater walking and cycling in the Parish which meets the economic objective in that it identifies necessary infrastructure, but also encourages non-motorised transport which has a positive effect on how we manage climate change in a low carbon economy. It also meets a social objective in that it seeks to provide accessible services.</i> 	Accept modification for reasons to meet the Basic Conditions

No	Part/Policy Number	Independent Examiner's Recommendations	Swindon Borough Council Decision and Reasons
		<ul style="list-style-type: none"> • <i>Policy SSM6 seeks to direct local services to neighbourhood clusters so that people can walk or cycle to them, rather than drive to more distant service centres. Like SSM5, this contributes to management of climate change in a low carbon economy.</i> • <i>Policy SSM7 identifies locally important buildings and assets which meets the social objective by fostering a well-designed environment and protects the Parish's cultural well-being. It meets the environmental objective in that it seeks to protect the built and historic environment.</i> • <i>Policy SSM8 contributes to protecting and enhancing the natural environment and seeks to allow provision for allotments which meet the environmental objective of using natural resources prudently.</i> 	
2.		<p><i>Add a new Table 3 to the Basic Conditions Statement which sets out how the policies in the Neighbourhood Plan fit with those in the merging Local Plan, along with a short explanatory paragraph. This should be based on the information supplied to me by Swindon Borough Council on 4 March 2020.</i></p>	Accept modification for reasons of clarity and correction
3.		<p>A much clearer statement should be made about the scope and timescale of the Swindon Borough Local Plan Review and the limited time frame of the Stratton St Margaret Neighbourhood Plan should be also recognised more explicitly in the NP</p> <p><i>Add a new paragraph 31 and 32 to read : "31. Swindon Borough Council has prepared an updated Local Plan which it proposes to submit to the Secretary of State for Housing, Communities and Local Government. The Local Plan relates to the whole Borough and provides a strategy for delivering growth for Swindon Borough up to 2036. The document provides the vision, objectives, strategic policies, development management policies and site-specific allocations for delivering new homes, jobs, services, facilities and infrastructure. The</i></p>	Accept modification for reasons of clarity and correction

No	Part/Policy Number	Independent Examiner's Recommendations	Swindon Borough Council Decision and Reasons
		<p><i>consultation period on the Submission Draft of the Local Plan ran from 17 December 2019 until 31 January 2020.</i></p> <p><i>32. The emerging Local Plan could well have implications for the Stratton St Margaret Neighbourhood Plan area in the longer term and these will need to be assessed through an early review of the Neighbourhood Plan. In the meantime, it is therefore appropriate that the timeframe for the current NP remains short – ie up to 2026, in line with the policies in the adopted Swindon Borough Local Plan.”</i></p> <p><i>Renumber existing paragraphs 31 and 32 and paragraphs 33 and 34 respectively. Renumber all subsequent paragraphs accordingly.</i></p>	
4.	Figure 7	<p><i>Add names of Key Employment Areas within the neighbourhood plan area to Figure 7. Add Swindon Urban Area Boundary to figures 7, 8 and 9</i></p>	Accept modification for reasons of clarity and correction
5.	SSM1	<p>As drafted it is not a land use planning policy, it is a policy about the process of consultation which the Steering Group would like to see followed when proposals are being drawn up for the Strategic Development areas. It is therefore not appropriate for a Neighbourhood Plan and should be deleted.</p> <p><i>Delete Policy SMM1 and renumber subsequent policies accordingly.</i></p>	Accept modification for reasons to meet the Basic Conditions
6.	SSM2	<p>In response to my query, both Swindon Borough Council and the Parish Council has confirmed that the correct figure is between 50 and 100 dwellings and that paragraph 47 should be deleted. The Borough Council also confirmed that 341 dwellings had been built in the NP area between 1 April 2015 and 31 March 2019 and that there were live planning permissions for 231 dwellings at 31 March</p>	Accept modification for reasons of clarity and correction

No	Part/Policy Number	Independent Examiner's Recommendations	Swindon Borough Council Decision and Reasons
		<p>2019. This means that the housing requirement set out in the strategic policies in the Swindon Borough Local Plan 2026 can be met. A statement to this effect should be added to the NP.</p> <p><i>Delete Paragraph 47 and insert new paragraph 42 to read "A total of 341 dwellings were built in the NP area between 1 April 2015 and 31 March 2019. In addition, there were live planning consents for 231 dwellings at 31 March 2019. This means that the housing requirement set out in the strategic policies in the Swindon Borough Local Plan 2026 can be met." Renumber subsequent paragraphs accordingly.</i></p>	
7.	SSM3	<p><i>Delete criterion c. from Policy SSM3 and renumber subsequent criteria accordingly. Reword criterion e. to read "the affordable housing provision is for smaller dwellings (1-2 bedrooms)". Delete criteria d. and f. and add new paragraph at the end of the policy to read "Development that will result in the loss of bungalows will be resisted. Housing developments designed to meet the needs of older people, including but not limited to sheltered housing, assisted living, retirement villages and nursing homes, should be located within walking distance of services."</i></p>	
8.	SSM4	<p><i>Add after "priority" in paragraph 64 "for maintenance and improvement works "</i></p>	Accept modification for reasons of clarity
9.	SSM5	<p><i>In clause A delete "on site" and replace "across the site" with "to key destinations." Reword clause B to read "Development should make a contribution towards improving and extending the pedestrian and cycle network"</i></p>	Accept modification for reasons of clarity

No	Part/Policy Number	Independent Examiner's Recommendations	Swindon Borough Council Decision and Reasons
		<i>where they add pressure to it.” In SSM5C, delete “tree root damage” from criterion a. ; delete “remedial work required” from criterion b.; delete “small concrete plinth slightly raised” from criterion c.; delete “very poor condition” from criterion d.; delete “tree root damage” from criterion e.; delete “cycle risk, splits in tarmac “ from criterion f.; delete “tree root damage” from criterion g. and delete “tree root damage and low hanging branches” from criterion h.</i>	
10.	SSM6	<i>Add “At” before Hobley Drive in SSM6Ab.; add “In” before “The area” in SSM6Ac. And delete “seek to” after “policy SSM2 should”</i>	Accept modification for reasons of clarity
11.	SSM7	<i>Delete “A.” from the first line of policy SSM7. Delete “should be considered as” in second line of policy SSM7 and replace with “are”.</i>	Accept modification for reasons of clarity
12.	SSM8	<i>Reword clause SSM8Eb to read “make additional provision to meet the Parish’s needs”</i>	Accept modification for reasons of clarity