

Polesworth Neighbourhood Plan Referendum Decision Statement

I confirm, that the Polesworth Neighbourhood Plan, as revised according to the modifications set out in Appendix A complies with the legal requirements and Basic Conditions set out in the Localism Act 2011, and can therefore proceed to Referendum. The Referendum is to be held on Thursday 20th March 2025

I also declare that I have no personal or prejudicial interest in respect of this decision.

Signed

Date:

DBarratt

12/02/2025

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North Warwickshire Borough Council

North Warwickshire Borough Council

Polesworth Neighbourhood Plan Referendum Decision Statement

1. Summary

- 1.1 Following an Independent Examination, North Warwickshire Borough Council now confirms the Polesworth Neighbourhood Plan will proceed to a Neighbourhood Planning Referendum.
- 1.2 The Decision Statement and the Examiner's Report are available for inspection on the Council's website and also Polesworth Parish Council's website.

2 Background

- 2.1 In April 2017 Polesworth Parish Council applied to designate the Parish a Neighbourhood Area. This was approved by North Warwickshire Borough Council in September 2017. Following approval, a Neighbourhood Plan Working Group was established to prepare the Neighbourhood Plan.
- 2.2 Polesworth Neighbourhood Plan has been subject to extensive community consultation and supported by a robust evidence base. In accordance with Regulation 14 of the Neighbourhood Planning (General) Regulations 2012, the Parish Council undertook a Regulation 14 Consultation for 6 weeks up to 30th April 2023. Following these consultations, Polesworth Parish Council made amendments to the final plan.
- 2.3 In March 2024, and in accordance with Regulation 15 of the Neighbourhood Planning Regulations, Polesworth Parish Council submitted their Neighbourhood Plan with supporting documents (Basic Conditions Statement, Consultation Statement) to the Council for publication and Independent Examination.
- 2.4 In accordance with Regulation 16 of the Neighbourhood Planning Regulations the Council publicised the Neighbourhood Plan inviting representations for 6 weeks up to 5th September 2024. The representations received were subsequently forwarded to the appointed Examiner.
- 2.5 Following the consultation, the Council, along with Polesworth Parish Council appointed Andrew Freeman, as Independent Examiner to undertake the independent Examination to examine the Neighbourhood Plan to see if it meets the basic conditions set out in paragraph 8(2) Schedule 4B of the Town and Country Planning Act 1990.
- 2.6 On 28th November 2024, the Council received the Examiner's Report on the Polesworth Neighbourhood Plan. The Examiner's Report recommends that the Neighbourhood Plan, subject to modifications, should proceed to Referendum.

3 Decisions and Reasons

- 3.1 The Examiner has concluded that, subject to modifications, the Polesworth Neighbourhood Plan meets the legal requirements of the Neighbourhood Planning (General) Regulations 2012 and meets the basic conditions set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990. The Basic Conditions are:
- Have regard to national policy and guidance from the Secretary of State;
 - Contribute to sustainable development;
 - Have general conformity with the strategic policies of the development plan for the area or any part of that area; and,
 - Doesn't breach or is otherwise compatible with EU obligations – this includes the SEA Directive of 2001/42/EC.
- 3.2 NWBC and Polesworth Parish Council have considered the Examiners' Report and recommendations and were satisfied in making the proposed modifications as suggested. NWBC also recommended some minor changes to the plan.
- 3.3 The Council consider the impacts from the Neighbourhood Plan are contained within the Polesworth Designated Neighbourhood Area and therefore agree with the Examiner, that there is no reason to extend the Neighbourhood Plan Area for the purpose of holding a referendum.
- 3.4 The amended and final version of the Polesworth Neighbourhood Plan is available by visiting [Neighbourhood Plans | Neighbourhood Planning | North Warwickshire \(northwaricks.gov.uk\)](http://neighbourhoodplans.northwarwickshire.gov.uk)

Appendix A – Examiners Recommended Modifications

Proposed modification number (PM)	Page no/ other reference	Modification
PM1	Page 27 and Table 1	<p>In connection with Policy PNP1 – Protecting Local Green Space, delete Paragraph 5.7.</p> <p>In the Local Green Spaces Assessment (Appendix 1, Table 1, Page 61), delete the words, “The Parish Council also suggest that a wider green buffer is identified to help protect this site – see paragraph 5.7 of the PNP.”</p> <p>In the Local Green Spaces Assessment (Appendix 1, Table 1, Page 64), complete the assessment for the St John’s Church Allotments site (PNP1/12).</p> <p>On the Policies Map, show site PNP1/12 – St John’s Church Allotments.</p>
PM2	Page 28, Table 2 and Policies Map	<p>Substitute the following for Policy PNP2:</p> <p>“Development that would result in the loss of other green spaces (shown on the Policies Map) will only be supported when it can be clearly demonstrated by the applicant that the open space no longer performs a useful open space function in terms of the local environment, amenity or active public recreation use.”</p> <p>Delete the spaces at Austrey Road, Warton from Table 2 and the Policies Map.</p> <p>Change the title of Table 2 to “Other Green Spaces Assessment”.</p> <p>Number all the Other Green Spaces shown on the Policies Map and give equivalent numbers to the spaces described in Table 2.</p> <p>Delete from Table 2 the entry for any Other Green Spaces not shown on the Policies Map.</p>

PM3	Pages 29 and 30	<p>In the opening paragraph of Policy PNP3, delete the second sentence.</p> <p>Replace the final section of Paragraph 5.13 with the following:</p> <p>“To this effect, there is a National Design Guide and National Model Design Code. In addition, the Parish Council has produced the draft Polesworth Design Codes and Guidelines. This is an advisory document that is indicative of the sort of considerations that might be addressed by applicants. Formal consultation on the draft document by the Parish Council is envisaged in due course.”</p> <p>At the end of criterion (e), add “in accordance with the Local Plan”.</p> <p>In criterion (f), change “wildlife” to “biodiversity”.</p> <p>At the end of criterion (i), add “in accordance with the tests relating to planning obligations”.</p> <p>In the final paragraph of Section 5.13, delete all but the first sentence.</p>
PM4	Page 33	<p>In Policy PNP4, at the commencement of criterion (f), insert the following words:</p> <p>“Other than in relation to land to the east of Polesworth and Dordon (Local Plan Policy H4),”.</p>

PM5	Pages 38, 39 and elsewhere	<p>Replace Policy PNP5 with the following:</p> <p>“Policy PNP5 – Assets of Local Historic Value</p> <p>The assets identified in Appendix 2 and shown on the Policies Map will be conserved in a manner appropriate to their significance, as demonstrated by the latest evidence, and national and development plan policy. When affected directly or indirectly by development proposals, the scale of any harm or loss will be taken into</p>
		<p>account as well as the significance of the asset.</p> <p>The Parish Council will work with North Warwickshire Borough Council to include these assets on the Borough's Local List.”</p> <p>Carry out consequential amendments to the text of the Neighbourhood Plan and the Policies Map recognising, in particular, the use of the term Assets of Local Historic Value instead of non-designated heritage assets.</p>

PM6	Page 41 and Policies Map	<p>Number the services and facilities identified in Policy PNP6.</p> <p>On the large scale Policies Map, show the numbered services and facilities.</p>
PM7	Page 43 and Policies Map	<p>In relation to Policy PNP7, show the sport, recreation and leisure facilities on the large-scale Policies Map.</p>

PM8	Page 45	At the end of Policy PNP8 – Transport, insert the following sentence: “Development proposals will be expected to contribute to these projects where the tests set out in Paragraph 57 of the NPPF are met.”
PM9	Page 49	In Policy PNP9, substitute the following for consideration c): “Maintaining as open land the Other Green Spaces identified under Policy PNP2.”

Appendix B – modifications suggested by NWBC

PAGE	Paragraph	NWBC COMMENT	Number
	General 2	There are some references that will be out of date when the plan moves forward which will need to be removed or amended accordingly (1.4, 1.5, 2.1 – 2.7)	NWBC1
12	3.4	The planning application has been determined the appeal has been dismissed so this needs to be deleted or reworded so will need rewording to reflect this. We suggest that the last sentence should be amended to read “Any development would potentially detract from this village/hamlet environment”	NWBC2
51	6.0	Following Examination – this chapter will need updating or deleting	NWBC3
Comments below will be taken into consideration at the adoption stage of the plan as they are only very minor layout changes			
	General 3	There is a lot of text taken out of the NPPF, NWLP and other documents. As this is already contained in other documents, it could just be referenced. If it is felt that the text is relevant then it could all be put into a suite of Appendices (NWLP, NPPF, LCA etc). The focus should be on the Polesworth Neighbourhood Plan and not other documents	
18	4.5	This is the NWBC Local Plan vision and is not needed. If the PC feel it is relevant, then it should be put in an Appendix alongside any other repetitions of plans and Policies from the Adopted Local Plan 2021. The text should be altered to say that they support the vision of the Local Plan (see General 3 Comment)	
19	4.6	Again the Objectives of the Local Plan are not needed and can be deleted or put in an Appendix as suggested above in the general comment (see General 3 Comment)	
21	4.7	It is sufficient just to reference para 7.2 of the Local Plan (see General 3 Comment)	
21	4.8	The NWLP Settlement Hierarchy should be an Appendix if felt it is needed or it could be reworded to simply show Polesworth’s standing in the Settlement Hierarchy (see General 3 Comment)	
22	4.9	This is just a repeat of NWBC Local Plan and is not needed. If the PC feel it is relevant, then it should be put in an Appendix alongside any other repetitions of plans and Policies (see General 3 Comment)	
31	5.13	Reference to Para 126 of the NPPF is sufficient and there is no need to write out the whole para (see General 3 Comment)	
33-35	5.19 - 5.21	Reference to the NCA is fine and the actual text is not needed – hyperlink can always be given to the actual document or as suggested previously an Appendix can contain all Policies, Plans and Documents that text is taken from (see General 3 Comment)	
35-38	5.23 – 5.26	It is just a repeat of the LCA and does not bring any meaningful value and could be shortened and the quotes	

		taken from the LCA put in the suggested Appendix (see General 3 Comment)	
42	5.32	Again the whole Policy (LP21) from the NWLP is not needed and reference is enough (see General 3 Comment)	
43	5.34	LP22 can again just be referenced, and a hyperlink added or the Policy added to an Appendix (see General 3 Comment)	