



BROADSTONE NEIGHBOURHOOD PLAN

DECISION STATEMENT

1. SUMMARY

- 1.1. This Decision Statement is required to be made and published under Regulation 18 of the Neighbourhood Planning (General) Regulations 2012. The council has agreed to the recommended changes to the Broadstone Neighbourhood Plan following independent examination. It also confirms that the Plan, as modified, meets the basic conditions as set out in paragraph 8(2) of Schedule 4B to Town & Country Planning Act 1990; and complies with the provisions made by or under Sections 38A and 38B of the Planning & Compulsory Purchase Act 2004.

2. BACKGROUND

- 2.1. On 12th February 2013, the Council approved the application for designation of a neighbourhood area for Broadstone for five years in accordance with the provisions of Section 61G of the 1990 Act and the Section 5(1) (c) of the Neighbourhood Planning (General) Regulations 2012 (as amended). The neighbourhood plan area covers the Broadstone ward boundary. Having had their status renewed in February 2018 for a further five years until 2023, the Broadstone Neighbourhood Forum remains a qualifying body for the purposes of producing a Neighbourhood Plan.
- 2.2. Broadstone Neighbourhood Forum – the ‘qualifying body’ submitted the draft Broadstone Neighbourhood Plan, along with supporting documents to the Borough of Poole council in November 2017 for the council to carry out public consultation, independent examination and the remaining stages of the draft Plan’s preparation in accordance with the Neighbourhood Planning (General) Regulations 2012.
- 2.3. Following the submission of the draft Broadstone Neighbourhood Plan, the Borough of Poole publicised the Plan and supporting documents and invited representations during the consultation period. This commenced in November 2017 for a six week period ending on 22nd December 2017. The council also ran a consultation on the renewal application for the designation of the Broadstone neighbourhood area and no objections have been received by the council.
- 2.4. In December 2017, an independent examiner was appointed to examine the Plan and consider whether it should proceed to referendum.
- 2.6. The examiner’s report was received on 23 January 2018 and concluded that subject to making the modifications recommended in the report, the draft Plan meets the Basic Conditions and should proceed to referendum. The examiner

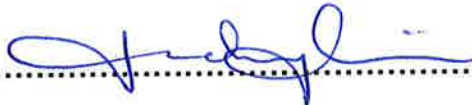
also recommended that the neighbourhood area is an appropriate area within which to hold a referendum.

- 2.7. In accordance with legislation, Borough of Poole must consider each of the recommendations made in the examiner's report; decide what action to take in response to each recommendation and what modifications should be made. The purpose of this is for the Borough of Poole to conclude that the Plan meets the Basic Conditions and ensure it is compatible with Convention Rights. If the authority is satisfied that these legal conditions have been met, then a referendum must be held. Consideration also needs to be given as to whether to extend the area to which the referendum is to take place.

3.0 DECISION AND REASONS

- 3.1. Having considered the examiner's recommendations and reasons for them, the Council concurs with the examiner's views and have decided to make modifications to the draft Broadstone Neighbourhood Plan to ensure that it meets legal requirements including the Basic Conditions as set out in legislation. The modifications, reasons for them and local planning authority's consideration are set out on the schedule attached to this Decision Statement.
- 3.2. The Council is satisfied that the Neighbourhood Plan, as modified, complies with the legal requirements and can proceed to referendum.
- 3.3. The Council also agrees with the examiner that the referendum area should reflect the area designated by the Borough of Poole on 12th February 2013.

SIGNED



Head of Growth & Infrastructure, Borough of Poole

DATED

17 APRIL 2018.

SIGNED



Portfolio Holder for Planning, Regeneration and Transportation Services,
Borough of Poole

DATED

26 APRIL 2018

BROADSTONE NEIGHBOURHOOD PLAN

Schedule of Examiner's modifications following independent examination.

Examiner Modification No.	Nature of Proposed Change	Reason	LPA Consideration
1	<p>Modify Policy BP1:</p> <p>Adjustment and insertion of new text to read:</p> <p>Proposals for development that would result in the loss of public open space in the following locations, identified on the Proposals [Policies] Map, will not be permitted except [unless]:</p> <ul style="list-style-type: none"> • Where replacement open space of an equivalent or greater area and value is provided in the same locality; or • There is an overriding requirement for the development for essential community purposes." <p>Maps of each location at a scale sufficient to identify adjoining property boundaries should be added to the Neighbourhood Plan and referred to in the final sentence of the policy.</p>	<p>To ensure the policy is in general conformity with strategic policies in the Development Plan and in particular Policy DM9 of the Site Specific Allocations DPD.</p> <p>To ensure that the policy provides a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency as required by paragraph 17 of the National Planning Policy Framework (NPPF, 2012)</p> <p>To ensure sites are adequately identified for clarity and decision making.</p>	<p>Agree with all modifications.</p> <p>The modifications to Policy BP1 meets basic conditions for the reasons expressed by the examiner.</p>
2	<p>Modify Policy BP2:</p> <p>Replace "as a community asset" with "where new development is ruled out other than in very special circumstances</p> <p>Delete Part B.</p> <p>Add street names to the inset map of the area of land designated as Local Green Space in Figure 3.2</p>	<p>To reflect exact wording of paragraph 76 of the NPPF.</p> <p>Surplus wording, incorporated into BP2A.</p> <p>To ensure the site is adequately identified for clarity and decision making.</p>	<p>Agree with all modifications.</p> <p>The modifications to Policy BP2 meets basic conditions for the reasons expressed by the examiner.</p>

Examiner Modification No.	Nature of Proposed Change	Reason	LPA Consideration
3	<p>Modify Policy BP3</p> <p>Delete "Broadstone" in policy title</p> <p>Delete "be well designed and"</p> <p>Continue (i) after "biodiversity" with "unless it is clearly demonstrated the need for, and benefits of, development in that area that clearly outweigh[s] the loss."</p> <p>In (ii) delete "where appropriate" and continue after "corridors" with "unless it is clearly demonstrated that this is not appropriate"</p> <p>In B continue after "mitigated" with "or as a last resort, compensated"</p>	<p>Surplus wording.</p> <p>To reduce imprecise wording.</p> <p>To strengthen policy and reflect NPPF guidance which states that development that results in the loss of irreplaceable habitats should be refused unless the need for, and benefits of development in that location clearly outweigh the loss.</p>	<p>Agree with all modifications.</p> <p>The modifications to Policy BP3 meets basic conditions for the reasons expressed by the examiner.</p>
4	<p>Modify Policy BP4</p> <p>In Part A</p> <p>Before "Proposals" insert "To be supported"</p> <p>Delete "encourage high quality"</p> <p>Delete "consider" and insert "demonstrate consideration of"</p> <p>Delete "where appropriate" and insert "unless it is demonstrated to be inappropriate where trees are to be lost"</p> <p>Replace (i)(b) with "demonstrate proposals will not result in adverse impact on residential amenity"</p>	<p>To reduce imprecise wording and provide clarity for decision makers.</p> <p>To ensure that the policy provides a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency as required by paragraph 17 of the National Planning Policy Framework (NPPF, 2012)</p>	<p>Agree with all modifications.</p> <p>The modifications to Policy BP4 meets basic conditions for the reasons expressed by the examiner.</p>

Examiner Modification No.	Nature of Proposed Change	Reason	LPA Consideration
	<p>Delete Part A(ii) In Part B After “within” insert “or within the setting of” Before “the Conservation Area” insert “or better reveal the significance of”</p>		
5	<p>Modify Policy BP5 Delete “encouraged” and insert “supported”.</p>	<p>For clarity and to provide practical framework for decision making</p>	<p>Agree with modifications. The modifications to Policy BP5 meets basic conditions for the reasons expressed by the examiner.</p>
6	<p>Replace policy BP6 Wording as follows: “To be supported proposals for conversion or replacement of single storey homes on the Fairview Estate, identified on Figure 3.5 must demonstrate how they retain the significance of single storey buildings in the streetscape, and do not adversely affect the amenity of adjacent occupiers”</p>	<p>To ensure that the policy is strengthened to serve its purpose of retaining a viable pool of small bungalows within a character of existing low pitch roofscapes of single storey height and to reinforce the local distinctiveness of the streetscape of the Fairview Estate. To ensure that the policy provides a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency as required by paragraph 17 of the National Planning Policy Framework (NPPF, 2012)</p>	<p>Agree with replacement policy. The replacement Policy BP6 meets basic conditions for the reasons expressed by the examiner.</p>

Examiner Modification No.	Nature of Proposed Change	Reason	LPA Consideration
7	<p>Modify Policy BP7</p> <p>Insert "To be supported before "Development"</p> <p>Replace "will be expected to" with "must"</p> <p>In (i) after "building" continue "where alternatives or extensions are proposed"</p> <p>In (v) replace "Where" with "unless it is demonstrated they are not"</p>	<p>To ensure that the policy provides a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency as required by paragraph 17 of the National Planning Policy Framework (NPPF, 2012)</p> <p>To have regard to components of the Framework concerned with ensuring the vitality of town centres and requiring good design reinforcing local distinctiveness.</p>	<p>Agree with all modifications.</p> <p>The modifications to Policy BP7 meets basic conditions for the reasons expressed by the examiner.</p>
8	<p>Modify Policy BP8</p> <p>Delete "permitted" and insert "supported"</p> <p>In Part B delete "preserve or enhance the Conservation" and insert "enhance or better reveal the significance of the Conservation Area, and where there is less than substantial harm to the significance of the Conservation Area this should be weighed against the public benefits of the proposal"</p>	<p>To clarify the plan led system, that the basis of decision making on planning applications starts with the development plan unless material considerations indicate otherwise.</p> <p>To have greater regard to the components of the NPPF concerned with requiring good design, and conserving and enhancing the historic environment.</p>	<p>Agree with modifications.</p> <p>The modifications to Policy BP8 meets basic conditions for the reasons expressed by the examiner.</p>
9	<p>Modify Policy BP9</p> <p>Delete "permitted" and insert "supported"</p> <p>Delete "town centre type" and insert "main town centre"</p> <p>In text under Figure 3.6 delete "retail, commercial and community" and insert "main town centre"</p>	<p>To clarify the plan led system, that the basis of decision making on planning applications starts with the development plan unless material considerations indicate otherwise.</p> <p>To have greater regard to the components of</p>	<p>Agree with modifications.</p> <p>The modifications to Policy BP9 meets basic conditions for the reasons expressed by the examiner.</p>

Examiner Modification No.	Nature of Proposed Change	Reason	LPA Consideration
10	<p>Modify Policy BP10</p> <p>In Part A replace the text before the colon with "Development proposals that will result in the loss, or part loss, of the following community and sports and recreational facilities will not be supported unless it is demonstrated that the facility is either"</p> <p>Before "Council's" insert "Borough of Poole"</p> <p>Include the list of facilities on page 67 of the Neighbourhood Plan within the policy text.</p>	<p>the NPPF concerned with building a strong competitive economy and ensuring the vitality of town centres.</p> <p>To reduce imprecise wording and provide clarity for decision makers where applications for developments to improve or modernise facilities are proposed for the benefit of the community.</p> <p>To ensure that development guards against unnecessary loss of valued facilities and services where this would reduce the community's ability to meet its day-to-day needs.</p> <p>To have greater regard to the components of the NPPF concerned with promoting healthy communities</p> <p>To ensure that the policy provides a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency as required by paragraph 17 of the NPPF.</p>	<p>Agree with modifications.</p> <p>The modifications to Policy BP10 meets basic conditions for the reasons expressed by the examiner.</p>
ADDITIONAL MINOR CORRECTIONS TO THE NEIGHBOURHOOD PLAN			
	Adjustment to paragraphs 1.1.4. and 1.3.11	Necessary to achieve clarity the designations of named areas	Agree with minor modifications.

Examiner Modification No.	Nature of Proposed Change	Reason	LPA Consideration
	Adjustment of paragraphs 1.3.12 and 3.1.6	To more accurately describe the effect of Fields in Trust status.	Agree with modifications.. minor
	Adjustment of Figures 3.1 and 3.2	To include missing sections of public open space and designated land	Agree with modifications minor
	Adjustment of Figure 3.3	To clarify correct designations	Agree with modifications minor
11	Modification of general text	Necessary to achieve consistency with the modified policies, and to correct identified errors including those arising from updates.	Agree with consequential modifications.

Further Consequential modifications to the Neighbourhood Plan

Change Number	Page Number SUBMISSION DOCUMENT	Page Number MODIFIED DOCUMENT	Proposed Change	Reason	Impact on Basic Conditions
1	Front Cover	Front Cover	Delete "Submission draft – September 2017" Insert "draft February 2018"	To differentiate between submission version and modified version of the Neighbourhood Plan.	None.
2	Neighbourhood Plan Area Fig 0.2		Delete additional "Consultation Area" from Plan and Key	To reflect examiner's recommendation that the referendum area is based on the neighbourhood area designated on 12	None.

Change Number	Page Number SUBMISSION DOCUMENT	Page Number MODIFIED DOCUMENT	Proposed Change	Reason	Impact on Basic Conditions
3	Table of Contents		<p>Delete "Submission draft – September 2017 Insert " draft February 2018</p> <p>Delete Section 5 Appendices, retaining Glossary of Terms</p>	<p>February 2013.</p> <p>To differentiate between submission version and modified version of the Neighbourhood Plan.</p> <p>Consequential change – appendices needed only during consultation and examination.</p>	None.
4	7	7	Para 0.4 Delete Section 5 Appendices, retaining Glossary of Terms	Consequential change – see above.	None.
5	7	7	Para 0.31 Delete "in this case Poole's emerging Local Plan 2017	Surplus wording.	None.
6	11	11	Para 1.1.1. Delete "through the consultation process"	Surplus wording	None.
7	47	47	<p>Retitle "Proposals" Map to "Policies"</p> <p>Incorporate Fairview Estate Area into special character area</p> <p>Delete Prime Transport Corridor</p> <p>Incorporate allotments into and rename Public Open Space to Open Space & Allotments</p> <p>Rename "designated as Local Green Space" to "Local Green Space (Lyckett Drive)</p>	<p>Minor additional corrections to update to fig. 3.1 including <u>map title</u> and wording of <u>key</u> to clarify and indicate boundaries where specific neighbourhood plan policies apply including housing, employment, retail and open space.</p>	None.

Change Number	Page Number SUBMISSION DOCUMENT	Page Number MODIFIED DOCUMENT	Proposed Change	Reason	Impact on Basic Conditions
8	48	48	Para 3.1.9 Insert "the six sites are shown on the following pages in more detail (figures 3.2 a-f)	Consequential change to signpost location maps of the individual sites.	None.
9	49	49	Fig 3.2 – Rename title from "Public Amenity Space" to "Key Public & Private Amenity Space" Delete "Proposed" on local green space Rename "Proposed Public Amenity space" to "New open space" Rename "urban green spaces" to "school playing field" Show key open space names	Minor additional corrections to update to fig. 3.2 including colours on key, adding site names to improve clarity.	None.
10	50	50	Add individual maps to show precise locations of each of the six areas of open space referred to in BP1: Designating public open spaces	Consequential change to meet examiner's recommended modification no. 2	None.
11	53	55	Fig 3.3 – Rename title from "Green Infrastructure" to "Green Infrastructure & biodiversity" Delete "main green areas" and show clearer boundaries for each designation.	Consequential change to meet examiner's additional minor recommendation to clarify correct designations. Some tidying up of the map to show where wildlife corridors link to green infrastructure outside of the plan area.	None.