

WALTON NEIGHBOURHOOD DEVELOPMENT PLAN DECISION STATEMENT

Wakefield Metropolitan District Council

**Town and Country Planning Act 1990, as amended by The Localism Act 2011,
Schedule 9**

**The Neighbourhood Planning (General) Regulations 2012 as amended by the
Neighbourhood Planning (General) (Amendment) Regulations 2015.**

In accordance with regulation 18(2) of the Neighbourhood Planning (General) Regulations 2012 as amended by the Neighbourhood Planning (General) (Amendment) Regulations 2015 Wakefield Metropolitan District Council hereby publishes its decision statement in relation to the Walton Neighbourhood Development Plan (the Plan).

Independent Examination

Wakefield Council, with agreement from Walton Parish Council, appointed Mr Paul McCreery B.SC., M.Phil, FRTPI (the examiner) to carry out an independent examination of the Plan in accordance with regulation 17. The examiner published his report on 20 August 2015.

Options Considered

Regulation 18(1) states that the Council must consider the examiner's report and the options as set out in that regulation and publish a decision on the plan proposals. Table 1 sets out a summary of the options considered at the Planning and Highways Committee on 3 September 2015.

Plan Proposal Decision

On 3 September 2015 the Council's Planning and Highways Committee resolved:

"That the Planning and Highways Committee approve the draft Walton Neighbourhood Plan, subject to it being modified in accordance with section 6.1 (d) of this report, to go forward to referendum in the parish of Walton."

Background Information

The following documents are available at:

<http://www.wakefield.gov.uk/residents/planning/policy/neighbourhood-planning/walton>

- Draft Walton Neighbourhood Development Plan
- Examiner's Report – 20 August 2015
- Planning and Highways Committee Report – 3 September 2015

Table 1: Options Considered

	Option	Council Decision
6.1 (a)	Decline to consider the plan proposal as it is considered a repeat proposal	There is no justification to decline the Plan as it was not a repeat proposal.
6.1 (b)	Refuse the plan proposal on the basis that the body who prepared it was not in a legal position to do so	There is no justification to decline the Plan as Walton Parish Council was in a legal position to prepare the Plan.
6.1 (c)	Decide what action to take in response to the recommendations in the examiner's report.	The examiner's report did not make any recommendations.
6.1 (d)	Decide what modifications, if any, to make to the draft plan	<p>The examiner's report paragraph 9.13 advised that, so the plan can meet all the relevant legal requirements, the following modifications should be made to Policy 13 of the Plan:</p> <p><i>"Weighing the above policy considerations in the balance, I have concluded that in order to comply with the basic conditions WNP Policy 13 'New Windfall Housing Sites' should include two additional bullet points as follows:</i></p> <ul style="list-style-type: none"> • <i>Not comprise residential gardens where the proposal is of a form or density which would cause harm to the amenities of the surrounding dwellings.</i> • <i>Demonstrate that proper consideration has been given to employment and community uses before residential."</i> <p>It is considered that the modifications advised by the examiner are a reasonable modification to make to the Plan.</p>
6.1 (e)	Decide whether to extend the area to which the referendum is to take place.	The referendum area should not be amended as the examiner's report states that the referendum area should be the same as the Walton Neighbourhood Area
6.1 (f)	Decide whether the Plan meets the basic conditions.	The Council agrees with the examiner's report in that, once modified, the Plan can meet all the basic conditions.