



**WINSLOW
NEIGHBOURHOOD PLAN
(REVIEW) -
DECISION STATEMENT
ON PROCEEDING TO A
REFERENDUM**

Date: 16/01/2023

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Executive summary

Following the examination of the Winslow Neighbourhood Plan, this Decision Statement sets out the modifications to the Plan which have been proposed by the Examiner in the Examiner's report, the decision to proceed to referendum and the area for the referendum.

1. Introduction

1.1. Under the Town and Country Planning Act 1990 (as amended) and the Neighbourhood Planning (General) Regulations 2012 (as amended) and all other relevant legislation, Buckinghamshire Council ("the Council") has a statutory duty to consider whether the Winslow Neighbourhood Plan (Review) can proceed to referendum following its examination. Pursuant to the Buckinghamshire Council constitution, the Planning Policy Manager or a Planning Policy Team Leader are responsible for making decisions relating to neighbourhood planning.

2. Background

- 2.1. The Winslow Neighbourhood Plan (Review) relates to the Winslow Neighbourhood Area that was designated by the former Aylesbury Vale District Council on 25th February 2013. This area covers the whole of the Parish of Winslow and is entirely within the Local Planning Authority Area. Winslow Town Council is the designated qualifying body for the Plan.
- 2.2. Winslow Town Council undertook pre-submission consultation on the draft Plan in accordance with Regulation 14 from 10th January to 28th February 2022.
- 2.3. Following the submission of the Plan and the required supporting documents to the Council, Buckinghamshire Council publicised the Neighbourhood Plan between 16th June to 28th July 2022 and representations were invited in accordance with regulation 16.

3. Independent examination

3.1. The Council, with the agreement of Winslow Town Council, appointed Andrew Ashcroft BA MA MRTPI to undertake the examination of the Winslow Neighbourhood Plan (Review) and to prepare a report of the

independent examination.

- 3.2. The Examiner decided to deal with the Neighbourhood Plan via written representations and made a site visit of the Parish on 19th September 2022.
- 3.3. The Examiner's report was received on 5th December 2022. The report 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 a Neighbourhood Planning Referendum. The Examiner also recommended that the referendum area should be based on the designated Winslow Neighbourhood Area which is the same as the Winslow Parish area.
- 3.4. Following this, pursuant with regulation 17A(5a) of the Neighbourhood Planning (General) Regulations 2012 (as amended) Buckinghamshire Council agreed with Winslow Town Council to make this decision by 20th January 2023.

4. Reasons for the decision

- 4.1. The Council has reviewed the Examiner's report and concludes that the modifications proposed by the Examiner are valid in that they meet the Basic Conditions.
- 4.2. The Neighbourhood Planning (General) Regulations 2012 (as amended) requires under Regulation 18 for the Local Planning Authority to outline what action to take in response to the recommendations of an Examiner made in a report under paragraph 10 of Schedule 4A to the 1990 Act (as applied by Section 38A of the 2004 Act) in relation to a Neighbourhood Plan. The Regulations (13) provide that where the Council disagrees with the Examiner's decision made in his report the Council has to re-consult, however this provision is not engaged in this instance for the reasons set out in Annex 1.
- 4.3. Having considered each of the recommendations made by the Examiner in the Examiners report and the reasons for them, the Council has decided to accept the Examiner's modifications to the Neighbourhood Plan. The Parish Council have accepted the Examiners recommendations and that the Neighbourhood Plan referendum version should be the submitted Neighbourhood Plan as modified by the Examiner.

- 4.4. Annex 1 below outlines the Plan Modifications to the Plan under paragraph 12(6) of Schedule 4B to the 1990 Act (as applied by Section 38A of the 2004 Act) in response to each of the Examiner's recommendations.
- 4.5. The Council is satisfied that subject to those modifications which it considers should be made to the Plan as set out in Annex 1 below, the Plan meets the Basic Conditions set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990, is compatible with the Convention Rights and complies with the provision made by or under 61E(2), 61J and 61L of the said Act.
- 4.6. As a result of the above, the Plan as modified should proceed to Referendum.
- 4.7. The date for the referendum will be set in due course.

5. Other information

- 5.1. The Independent Examiner's Report and the Winslow Neighbourhood Plan (Review) and supporting documents can be viewed on the Council's website: <https://www.buckinghamshire.gov.uk/planning-and-building-control/planning-policy/neighbourhood-planning/the-plans/>

Financial and Legal Implications

- 5.2 Financial – there are no significant costs, other than officer time, involved in the consideration of the Examiners recommendations. However, there are costs associated with the decision to allow the plan to proceed to referendum. The costs of organising and holding the referendum are borne by the Council. The Government provides grant funding should a neighbourhood plan be produced, and the Council determines that the plan should proceed to a referendum. The grant is intended to cover the costs of the referendum and contribute to the additional costs to the council of providing neighbourhood plan support. The grant is available per neighbourhood plan. However, it should be borne in mind that the Government could amend the neighbourhood grants scheme or end the grants at any time.
- 5.3 Legal – as explained above the Council is legally required to consider the recommendations within a neighbourhood plan examiner's report and come to a decision on each recommendation.

Delegated authority

Part I Section 2 (Scheme of Delegation to Officers) Para 2.21 of Buckinghamshire Council's Constitution authorises the Director of Planning and Environment to determine all decisions relating to neighbourhood planning. The Director of Planning and Environment has further delegated authority to the Head of Planning Policy and Compliance, the Planning Policy Manager and Planning Policy Team Leaders to make decisions relating to neighbourhood planning in a note dated August 9th 2021 titled 'Non-Financial Delegations to Officers'; 'Relating to Planning and Development Management'.

6. Exercise of Delegated Authority

I, John Cheston, Planning Policy Manager, determine that the Winslow Neighbourhood Plan (Review) meets the Basic conditions subject to the modifications set out in Annex 1 and the Examiner's report and therefore should proceed to a referendum. I agree with the Independent Examiner that the referendum area should be the same as the neighbourhood area.

Signed: *JR Cheston*

Dated: 16 January 2023

Background papers

- **Winslow Neighbourhood Plan (Review) Examiners Report**
- **Winslow Neighbourhood Plan (Review) – Submission version**

Annex 1: Schedule of proposed Plan Modifications made by the Examiner and Buckinghamshire Council decision

Proposed modification number (PM)	Page no. of examiners report	Modification proposed	Buckinghamshire Council decision
PM1	17	<p>Policy 1 A Spatial Plan for the Town</p> <p>Replace Part A of the policy with:</p> <p>‘The Plan designates a Winslow Settlement Boundary (WSB), as shown on the Policies Map to direct future housing, economic and community-related development in the town of Winslow. Development proposals within the WSB will be supported where they comply with development plan policies.’</p> <p><i>At the end of paragraph 4.6 add: ‘As such the overall purpose and effect of Policy 1 is based on: [at this point add a-d from the submitted Part A of the policy]’</i></p>	Accept Examiner’s recommendations and justification.
PM2	18	<p>Policy 2 Housing Developments and Allocations</p> <p>Delete Part B of the policy</p> <p><i>At the end of paragraph 4.12 add the deleted Part B from the submitted policy</i></p>	Accept Examiner’s recommendations and justification.
PM3	19	<p>Policy 3 Affordable Housing</p> <p>Delete Part C of the policy</p> <p><i>Reposition Part C of the policy to the end of paragraph 4.29</i></p>	Accept Examiner’s recommendations and justification.
PM4	20	<p>Policy 4 Housing Design</p> <p>In Part A replace ‘respect’ with ‘preserve’</p> <p>Replace Part B with:</p> <p>‘Housing development proposals elsewhere in the town should reflect the character of Winslow in their scale, siting, layout, materials, landscaping, and design details. Modern and distinctive design solutions will be supported where they take account of the wider character of the town.’</p> <p><i>At the end of paragraph 4.32 add: ‘The first part of the policy refers to proposals within the Conservation Area or within its setting. The principles of the Conservation Area Appraisal will be applied to such proposals. Whilst the Appraisal will not directly apply to proposals elsewhere in the town, it should be</i></p>	Accept Examiner’s recommendations and justification.

		<i>used as a basis to identify the types of distinctive development which would be supported. In addition, all development proposals throughout the town should also follow the most recent relevant national and local Design Guide principles for the area at the time when an application for permission is submitted.'</i>	
PM5	22	<p>Policy 5 Employment</p> <p>In part B of the policy replace the final part with: 'and consistent with any previously agreed master plan referred to in Policy 6 should be prepared as part of the submission of a planning application for the development of the site'</p> <p>In Part C delete 'a site which has been used for many years as workshops,'</p>	<p>An appeal decision APP/J0405/W/22/3303420 was allowed on 29 December 2022. The impact of this on Policy 5 was considered when making this decision. It has been concluded that whilst Part A of the Policy is now out of date, the overall policy still meets the basic conditions.</p> <p>Therefore: Accept Examiner's recommendations and justification.</p> <p>A statement will be issued to sit alongside the plan regarding the appeal decision's impact on Part A of the policy.</p>
PM6	23	<p>Policy 6 Sports and Recreation Facilities</p> <p>Replace the final paragraph of Part A of the policy with:</p> <p>'The development of ancillary facilities, including toilets, changing rooms, function rooms and a café, together with storage for sports and ground maintenance equipment will also be supported in order to meet the needs of all users of these sports and recreational facilities.'</p> <p>Replace the final part of the policy (after the criteria a-d in Part B) with:</p> <p>'and consistent with any previously agreed master plan referred to at Policy 5, should be prepared as part of the submission of a planning application for the development</p>	<p>Accept Examiner's recommendations and justification.</p>

		of the site'	
PM7	24	<p>Policy 7 Medical Facilities</p> <p>Replace the policy with:</p> <p>'Development proposals for a new Medical Centre within the town will be supported where it can be satisfactorily accommodated within the local highway network and it does not have an unacceptable impact on the amenity of any adjacent residential properties.'</p>	Accept Examiner's recommendations and justification.
PM8	26	<p>Policy 9 Site of the former Winslow Centre</p> <p>Replace Part B of the policy with:</p> <p>'The proposed development should also incorporate a scheme for the re-provision of the facilities hitherto afforded by the Multi-Use Games Area (which has already been removed from this site), two 5-a-side football pitches, three tennis courts and a football pitch (with associated changing facilities).'</p> <p>Replace Part C of the policy with:</p> <p>'A detailed master plan and design code for the whole of this site should be prepared by the owners and/or proposed developers and inform the submission of planning applications for the site. The master plan should include the location and scale of built development, the location of the green space and the access arrangements into the site.'</p> <p>Delete Parts D and E of the policy.</p> <p><i>Incorporate paragraph 4.50 at the end of 4.49.</i></p> <p><i>Insert a new paragraph 4.50 to read: 'Policy 9 sets out the Plan's approach to the development of this important site. Part A sets out the intended package of uses. Part B comments about the associated need to agree the relocation of the existing uses on the site. Part C comments about the need for a master plan to steer a comprehensive development of the site.'</i></p> <p><i>At the end of paragraph 4.52 add: 'In these circumstances planning applications to develop this site or any part of it should be accompanied by a comprehensive Traffic Impact Assessment demonstrating how the development of the site, to the maximum extent envisaged by this policy, and after such mitigating measures as may be proposed have been taken, will neither generate traffic movements of such a level as to impose an unacceptable burden on the local highway network; nor adversely impact established local residential vehicle parking. Any necessary independent assessment of a Traffic Impact</i></p>	Accept Examiner's recommendations and justification.

		<i>Assessment should be undertaken by a person or body who or which has not participated, directly or indirectly, in the preparation of the Assessment.'</i>	
PM9	27	<p>Policy 10 Winslow Shopping Area</p> <p>In the opening part of the policy replace 'supported if they' with 'supported where they'</p> <p>In a) replace 'encourage' with 'are designed to ensure'</p>	Accept Examiner's recommendations and justification.
PM10	28	<p>Policy 11 Traffic, Transport, Cycle Routes, and Parking</p> <p>Replace the policy with:</p> <p>'As appropriate to their scale, nature and location proposals for major residential development should make capital and/or revenue contributions to secure the operation of enhanced public transport services to meet the eventual needs of residents in such properties.</p> <p>Cycle-paths (which may in appropriate circumstances be combined with footpaths) should be incorporated as integral design features within major new developments and create useful and effective links for cyclists and pedestrians within the town and, for cyclists, with existing national and local cycle routes.'</p> <p><i>Delete paragraphs 4.66 and 4.67.</i></p>	Accept Examiner's recommendations and justification.
PM11	29	<p>Policy 13 Environment and Heritage</p> <p>Replace the first sentence of Part A of the policy with:</p> <p>'As appropriate to their scale, nature and location development proposals should include landscaping which incorporates green space, hedges, and trees, where practicable of local provenance, that are relevant to the type of development as well as sensitive habitats and other relevant measures to promote biodiversity within the natural environment.'</p> <p>Replace Part B of the policy with:</p> <p>'Development proposals should respond positively to publicly available views of listed buildings and other heritage assets of the town. Development proposals which would have an unacceptable impact on the setting on listed buildings and other heritage assets will not be supported'</p>	Accept Examiner's recommendations and justification.
PM12	30	Future Review of the Plan	Accept Examiner's recommendations

		<p><i>At the end of paragraph 1.11 add: 'In these circumstances the Town Council should consider the need for a full or partial review of the neighbourhood plan within six months of the adoption of the emerging Local Plan.'</i></p> <p><i>Modification of general text (where necessary) to achieve consistency with the modified policies and to accommodate any administrative and technical changes.</i></p>	<p>and justification.</p>
<p>PM13</p>	<p>31</p>	<p>Other Matters – Specific</p> <p><i>Under the third objective (page 20); 'To protect the special historic and landscape character of the town and its surroundings', change the wording of 'To protect' to 'To preserve and enhance'. This would be consistent with paragraph 206 of the National Planning Policy Framework and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.</i></p>	<p>Accept Examiner's recommendations and justification.</p>