

Newington Neighbourhood Plan - Decision Statement

In accordance with Regulation 18 of the Neighbourhood Planning (General) Regulations 2012 I confirm that the Newington Neighbourhood Plan, as revised by the modifications set out in Appendix 1 below, complies with the legal requirements and Basic Conditions set out in the Localism Act 2012, and can therefore proceed to Referendum, which will be held on 9 November 2023.

I also declare that I have no disclosable personal or disclosable prejudicial interest in respect of this decision or that the plan area requires any further modification.

Signed
John Craig, Head of Planning Services, Hull City Council

Newington Neighbourhood Plan

Following an independent examination Hull City Council now confirms that the Newington Neighbourhood Plan will proceed to a Neighbourhood Planning Referendum on 29 June 2023.

Background

In July 2015 Hull City Council designated the Forum and area comprising Newington as a Neighbourhood Area for the purposes of preparing a Neighbourhood Plan. Because of expiry of 5 years from the date of Newington Forum re-designation occurred in September 2021.

Extensive community consultation over 2015 to 2018 culminated in the draft Newington Neighbourhood Plan. Regulation 14 consultation took place from September to October 2019. The consultation responses fed into the final version of the Newington Neighbourhood Plan which was submitted to (and approved by) Hull City Council in November 2019.

Because of the Covid pandemic the Newington Neighbourhood Plan and associated documentation was put on hold but further consultation occurred in July/August 2022 prior to the plan being endorsed by the Forum (in September 2022) and then submitted for examination (along with the associated Basic Conditions Statement, Consultation Statement and Strategic Environmental Assessment Screening Opinion) under Regulation 15 followed by it being publicised and representations being invited. The publicity period ran from 23 September to 4 November 2022.

Hull City Council appointed, in September 2022, as an independent Examiner, Mr Patrick Whitehead, from Intelligent Plans and Examinations Ltd, to review whether the Plan should proceed to referendum.

Having considered each of the recommendations made in the Examiner's Report (February 2023) and the reasons for them, in consultation with the Newington Neighbourhood Plan Forum, Hull City Council has decided to make the modifications to the Newington Neighbourhood Plan as detailed in Appendix 1 below in order to ensure the Plan meets the Basic Conditions as set out in the legislation.

Decisions and Reasons

Hull City Council will make the following modifications, as proposed by the examiner and agreed by Newington Forum, to ensure that the Newington Neighbourhood Plan meets the Basic Conditions.

Appendix 1: Modifications

Proposed modification number (PM)	Page no./ other reference	Modification
PM1	Page 10	<p>Policy GP1 justification</p> <p>Add the following sentence:</p> <p>“The Policy and the Design Guidance set out a clear design vision and expectations, to give applicants an indication of what is likely to be acceptable. The Guidance reflects local aspirations, and is grounded in an understanding and evaluation of the area’s local character and history, following NPPF policy regarding the achievement of well-designed places.”</p>
PM2	Page 10	<p>Policy GP2</p> <p>Provide an amended text as follows:</p> <p><i>“The repair and /or re-use (including temporary use and necessary refurbishment), of vacant properties, and other properties having an adverse effect on the visual or residential amenities of the surrounding area, will be encouraged and supported provided that any proposed uses have no undue adverse effects on highway or public safety, public health, or the residential amenities of the area.”</i></p>
PM3	Page 11	<p>Policy GP3</p> <p>Amend the Policy text as follows:</p> <p><i>“<u>In circumstances where planning permission is required, the provision of suitably designed and located security gates.....”</u></i></p>
PM4	Page 12	<p>Policy GP5</p> <p>Policy GP5 and its justification contained in subsequent paragraphs should be deleted from the Plan. As a consequence, policies GP6 – GP 15 should be renumbered.</p>
PM5	Page 12	<p>Policy GP6</p> <p>Delete the word ‘Maintain’ from the Policy Title and amend the Policy wording as follows:</p> <p><i>“<u>Development proposals leading to the preservation, maintenance, and re-use for appropriate purposes of the following “Local Landmark Buildings” as identified on the Policies Map, will be encouraged and supported: -”</u></i></p>

PM6	Page 13	<p>Policy GP7</p> <p>Amend the Policy Title as follows:</p> <p><u>"DISCOURAGE FURTHER THE SUB-DIVISION OF DWELLINGS"</u> .</p> <p>Amend the Policy text as follows:</p> <p><u>"Applications for tThe sub-division of existing dwellings into two or more separate residential units will only be allowed supported where it can be shown that such development would have no undue adverse effects on the residential or visual amenities of the locality and that adequate car parking, private open space, and refuse disposal facilities can be provided."</u></p>
PM7	Page 13	<p>Policy GP8</p> <p>Amend the second sentence of the Policy as follows:</p> <p><u>"..then the proposal will only not be allowed where supported unless any residual parking.."</u></p>
PM8	Page 14	<p>Policy GP10</p> <p>Amend the second sentence of the Policy as follows:</p> <p><u>"Total or partial loss will only not be allowed if supported unless it is evidenced there would be no undue open space shortfall within the plan area."</u></p>
PM9	Page 14	<p>Policy GP11</p> <p>The text of the Policy should be amended as follows:</p> <p><u>"Re-use of the former Carlton Cinema and the former Premiere Bar, involving one or more uses from within Use Classes C3, E(a), E(b), E(d), E(g) will be encouraged and supported, and the same should apply to t The former Premiere Bar building will be subject to the sequential approach outlined in the Hull Local Plan Policy 12.3 and 12.4. Similar uses on the site of the former Charleston Club and the land off Carnegie/Perry Streets would also be acceptable."</u></p>
PM10	Page 16	<p>Policy GP12</p> <p>Amend the Policy text as follows:</p> <p><u>"The provision of additional routes, crossings and facilities for cyclists and pedestrians, including improvements at the locations shown on the Proposals Map, will be encouraged. Development proposals will be expected to demonstrate that priority has been given to cyclists and pedestrians in the design and layout, taking into account the requirements of NASA Policy 15. , and improvements to, and better"</u></p>

		maintenance and <i>The safeguarding of the existing provision will be encouraged and supported within throughout the Neighbourhood Plan area.</i>
PM11	Page 16	Policy GP13 Policy GP13 and its justification contained in subsequent paragraphs should be deleted from the Plan. As a consequence, policies GP14 – GP 15 should be renumbered.
PM12	Page 17	Policy GP14 Amend the Policy as follows: <i>“Proposals for D development which would resulting in a significant adverse impact on highways or public safety impact, will only be accepted supported when there are no undue adverse effects or where these impacts can be mitigated to an acceptable degree.</i>”
PM13	Pages 18 - 29	West Park Policy Area Section 5.0 should be relocated to Appendix 1 and re-titled: “West Park Area – Community Vision” or similar. The content may be revised at the discretion of the Council and Forum as appropriate, but should ensure that the individual statements of intent (Policies WP1 – WP5) be renamed, for example “Community Aspiration CA1 – CA5”. In addition, references to “policy” and “policies” should be referred to as “community aspiration(s)” or similar. In so far as they relate to Policies WP1 – WP5, relevant references should be removed from the Policies Map. Other minor consequential and non-material changes may be made under the terms of paragraph 4.75 (of the above report), to ensure the coherence of the Plan following the recommended removal of Section 5.
PM14	Page 33	Policy AR1 Amend the Policy as follows: <i>“Within the Anlaby Road Local Centre, as defined on the Policies Map, applications for Hot Food Takeaways (Use Class Sui Generis) will only be allowed providing supported if the threshold of 20% of Hot Food Takeaways is not exceeded...”</i> .
PM15	Page 34	Policy AR2 Policy AR2 and its justification contained in subsequent paragraphs should be deleted from the Plan. As a

		consequence, policy AR3 should be renumbered.
PM16	Page 35	<p>Policy AR3</p> <p>Amend the text of the Policy as follows:</p> <p><i>“Where planning permission is necessary, the use of upper floors within the Local Centre for residential purposes will be encouraged and supported where car parking and refuse disposal facilities can be provided to an acceptable standard in line with Local Plan Policy 32 and provided there is no significant adverse impact on the residential amenities of the area will not unduly affected.”</i></p>
PM17	Page 37	<p>Policy CH2</p> <p>Amend the text of the Policy as follows:</p> <p><i>“...encouraged and supported where car parking and refuse disposal facilities can be provided to an acceptable standard in line with Local Plan Policy 32 and neither the residential nor the visual amenities of the area will be adversely affected.”</i></p>
PM18	Page 41	<p>Design Guidance</p> <p>Insert a new paragraph following paragraph 9.7, as follows:</p> <p><i>“The Design Guidance is intended to complement the principles and guidance referred to in saved policy NASA11 of the NASA AAP and provided in Annex A to the AAP. In the event of conflict between the two then the newer guidance in the Newington Neighbourhood Plan should take precedence in guiding future development within the plan area.”</i></p>

Post examination note made by the City Council/Newington Forum:

PM4, PM11 and PM15 requires the Policies Map to be amended in re-numbering the policies in the key. This includes removing reference to Policies GP5, GP13 and AR2 and re-ordering accordingly.

PM13 references the need to clarify the status of the appendix, so the following is to be added:

‘This appendix details community aspirations for this part of the plan area. The Examiner has confirmed policies WP1-5 as submitted, should not have ‘development plan’ status and should be referred to as statements of intent under CA1-5. Each of the statements refers to different parts of the plan area, as shown below in map x.’