



Leeds City Council

Decision Statement – Thorner Neighbourhood Development Plan

Planning & Compulsory Purchase Act 2004 and The Neighbourhood Planning (General) Regulations 2012

Regulation 18 Decision Statement

1. Summary

- 1.1 Following an independent examination, Leeds City Council now confirms that it is making modifications to the Thorner Neighbourhood Plan as set out in Table 1 below. The Plan will then proceed to a Neighbourhood Planning Referendum.
- 1.2 In accordance with the independent examiner's recommendations, the Thorner Neighbourhood Plan will proceed to referendum based on the Thorner Neighbourhood Area as designated by Leeds City Council on 31st January 2013.
- 1.3 This Decision Statement, the examiner's report and the draft Thorner Neighbourhood Plan and supporting documentation are available on the Council's website: <https://www.leeds.gov.uk/planning/planning-policy/neighbourhood-planning>
- 1.4 They are also on the Thorner Parish Council website <http://www.thorner-parish-council.org.uk/default.aspx>

2. Decisions and Reasons

- 2.1 The examiner has concluded that subject to the specified modifications being made to the Plan, the Thorner Neighbourhood Plan meets the Basic Conditions stated and other relevant legal requirements.
- 2.2 The Council accepts all of the modifications and the reasons put forward by the examiner for them. The examiner's reasons and Recommendations are set out in Table 1, followed by the Council's decisions.
- 2.3 The Council is satisfied that subject to the modifications specified in Table 1 below the Plan meets the relevant Basic Conditions mentioned 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 s38A and s.38B of the Planning & Compulsory Purchase Act 2004.
- 2.4 To meet the requirements of the Localism Act 2011, a referendum which poses the question "Do you want Leeds City Council to use the Neighbourhood Plan for Thorner to help it decide

planning applications in the neighbourhood area?" will be held in the Thorner Neighbourhood Area. It is anticipated that the referendum will take place in 2025

This Decision Statement is dated 04 February 2025.

TABLE 1 Schedule of Modifications Recommended in the Examiner's Report

Modification Number	Page/Part of the Plan	Examiner's recommended changes	Examiner's reason	Leeds City Council's decision
Introduction				
1	Page 6	Include a map that shows the Plan area boundary in its entirety and unencumbered in the main Plan document and move Plan Reference No 01 to Appendix 02	The Plan area is shown on Plan Reference No 01 on page 6 of the Plan. Gateways are also shown on this map and partially obscure the Plan area boundary in places. For clarity and the avoidance of doubt, a map showing the Plan area boundary in its entirety should be included within the Plan document.	Agree to include new map as indicated to comply with the examiner's recommendations
2	General	Correct Census figure of "75,500" in paragraph 1.2 on page 5 of the Plan to "751,485"	In addition, I am informed that the text contains a typo which should be corrected.	Agree to modify the text as indicated to comply with the examiner's recommendations.
Our Vision				
3	Page 10	Add the additional objectives on pages 12, 16, 18, 22, 24 and 26 of the Plan to the objectives on page 10 of the Plan	The objectives usefully appear before each policy. I noticed that some additional ones not shown in the list in this section appear on pages 12, 16, 18, 22, 24, 26 of the Plan. These should be added for completeness.	Agree to modify the text and maps as indicated to comply with the examiner's recommendations.
POLICY THEME A - Development				
4	Policy A1	Correct "...he..." in the second bullet point of the policy to "...the..."	There is a typo in the policy to correct.	Agree to modify the text as indicated to comply with the

				examiner's recommendations.
5	Policy A1	Change the full stops at the end of each criterion in the policy to ; and add the word “and” at the end of the fourth bullet point in the policy	Policy A1 has regard to the NPPF and is a local expression of CSSR Policies P10 and P11 in particular using the excellent and detailed VDS. It will help to achieve sustainable development in Thorne. However, it needs to be made clearer that all the criteria apply.	Agree to modify the text as indicated to comply with the examiner's recommendations.
6	Policy A1	Correct the reference to “Appendix 10” on page 12 to “Appendix 9”	The supporting text refers to Appendix 10 which should be Appendix 9.	Agree to modify the text and include new maps as indicated to comply with the examiner's recommendations.
7	Policy A2	Add the words “or appearance” after “...harm the character...” in the second bullet point of the policy	The policy could be made more robust with the addition of a reference to appearance as well as character and extending the amenity considerations specifically referred to.	Agree to modify the text and maps as indicated to comply with the examiner's recommendations
8	Policy A2	Add the words “or otherwise harm living conditions” at the end of the last bullet point in the policy	The policy could be made more robust with the addition of a reference to appearance as well as character and extending the amenity considerations specifically referred to.	Agree to modify the text as indicated to comply with the examiner's recommendations
9	Policy A2	Change the full stops at the end of each criterion in the policy to ; and add the word “and” at the end of the third bullet point in the policy	In addition, it needs to be made clearer that all the criteria apply.	Agree to modify the text as indicated to comply with the

				examiner's recommendations
10	Policy A3	- Amend the policy to read: "Backland Developments will not be supported unless: - the original burgage plot, garden or croft alignment is retained; - the vernacular appearance and the local character of development in the locality is not harmed; - the resulting density of development in the surrounding area would be appropriate given the prevailing character and setting; - smaller or affordable housing is provided; - the development would enhance the landscape, biodiversity and visual amenity of the site through planting schemes and opportunities for wildlife, for example through tree planting, hedgerows and shrubs; - it can be satisfactorily demonstrated that suitable access, parking and sustainable drainage can be provided; and - the development conforms to Building with Nature standards where possible."	However, the language used in the policy could be more robust and it should be clearer that all criteria need to be met. The policy does not need to refer to LCC level policies as any relevant policies will be applied anyway and light pollution is subject to the next policy in the Plan. It also refers to UDP Policy H9 which has been superseded by CS policies and so this reference should be removed. With these modifications, the policy will meet the basic conditions.	Agree to provide larger scale maps as indicated to comply with the examiner's recommendations
11	Policy A5	Add at the end of the first paragraph of the policy "and meet all of the following criteria:"	It also needs to be made clearer that all the criteria apply.	Agree to modify the text as indicated to comply with the examiner's recommendations.

12	Policy A5	Add two new criteria that read: “Parking areas are to provide <i>maximum surface permeability</i>.” and “Ensure suitable provision for charging plug-in and other ultra-low emission vehicles.”	The NPPF generally refers to the quality of parking, its convenience, accessibility, secure and safe parking and the enhancement of local areas through well designed and thought through provision. Two further criteria can be added to the policy to have better regard to the NPPF which supports plug-in and other ultra low emission vehicles in safe and accessible locations ⁴² alongside the provision of parking with surface permeability.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
POLICY THEME B - Green Spaces				
13	Policy B1	Substitute the amended plans sent in response to my questions of clarification for the LGSs Thorne Cricket and Football Club; Thorne Tennis Club; Bowling Green and School Grounds	Thorne Cricket and Football Club is valued for its recreational use. The designation includes a pavilion building which should be removed. An amended plan sent in response to my questions of clarification should be substituted...Thorne Tennis Club is valued for its recreational uses and green areas. The designation should ensure that the Village Hall does not form part of the designation. An amended plan sent in response to the questions of clarification should be substituted...Bowling Green is valued as a popular recreational space. Buildings should be removed from the proposed designation. An amended plan sent in response to the questions of clarification should be	Agree to include new map as indicated to comply with the examiner’s recommendations

			substituted...School Grounds are valued for their recreational purpose. Buildings and nongreen spaces such as car parks should be removed from the proposed designation. An amended plan sent in response to the questions of clarification should be substituted. Consequential amendments will be needed	
14	Policy B1	Correct Appendix 02 map base for Butts Garth LGS	Butts Garth is registered as a village green and is valued for its history which includes a late medieval cross base. Unfortunately the OS base in Appendix 02 showing the proposed space seemed to be to highlight the nearby allotments. I am however satisfied that the aerial photograph map base and Plan Reference No 04 shows the intended area and that this would be clear to any interested parties. The Appendix should be corrected.	Agree to include new map as indicated to comply with the examiner's recommendations
15	Policy B1	Add Norwood Bottoms Wood SSSI details to Appendix 02	Norwood Bottoms Wood SSSI (part) is valued for its biodiversity and habitat. There are no details for this LGS in Appendix 02 and these should be added for completeness and consistency to match the format of the other LGSs listed. Consequential amendments will be needed	Agree to modify the text as indicated to comply with the examiner's recommendations.
16	Policy B1	Refer to St Peter's Churchyard consistently throughout the Plan including in the policy itself and Appendix 02	St Peter's Churchyard is valued for its historic connections and as a green oasis in the heart of the village as well as an area of tranquility. This should be referred to consistently throughout the Plan.	Agree to modify the text as indicated to comply with the examiner's recommendations.

17	Policy B1	Amend the first paragraph of the policy to read: “the following areas are designated as Local Green Space (LGS) where development <i>will be managed in accordance with national policy on Green Belts:</i> ”	Turning now to the wording of the policy, it designates the LGSs and indicates how development proposals will be managed. The NPPF is clear that policies for managing development within a LGS should be consistent with those for Green Belts. I consider the policy should simply refer to this in order to have regard to the NPPF. A modification is therefore recommended.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
18	Policy B1	Update the reference to “paragraph 100” of the NPPF on page 24 of the Plan to “paragraph 106”	The supporting text refers to paragraph 100 of the NPPF which should be updated and there is a missing word. Consequential amendments will be needed	Agree to modify the text as indicated to comply with the examiner’s recommendations.
19	Policy B1	Amend the third bullet point objective on page 24 to “Sites of Special <i>Scientific</i> Interest”	The supporting text refers to paragraph 100 of the NPPF which should be updated and there is a missing word.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
20	Policy B2	Amend Policy B2 to read: “New development should <i>retain</i> trees of good arboricultural and/or amenity value. British Standards Classification suggest trees of Category C and above meet this need. Development will not be supported where trees are to be <i>removed or</i>	The policy wording could be more robust. It also suggests a replacement rate above the LP, but does not specify what this might be. Therefore a modification is made to amend the policy. With this modification, the policy will meet the basic conditions by having regard to the NPPF, be a local expression the	Agree to modify the text as indicated to comply with the examiner’s recommendations.

		replaced without good reason <i>essential to the overall scheme</i>. If <i>tree</i> removal is demonstrated to be necessary, <i>trees</i> should be replaced in accordance with the latest Local Plan Policy and, <i>where</i> possible, a tree replacement rate the same or better than the <i>Local Plan requirement</i>. The integration of existing trees and hedgerows into development proposals will be supported.”	CSSR and help to achieve sustainable development. The supporting text should be updated with regard to a map reference.	
21	Policy B2	Update “(Refer to the map on page 5 for Gateways....)” at the bottom of page 28 to “(Refer to the map on page 6...)”	The supporting text should be updated with regard to a map reference.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
22	Policy B3	Substitute the map (Plan Reference 02) and the amended Appendix 04 sent on 27 September 2024 for the existing Plan Reference 02 found on pages 29 and 46 of the Plan and the existing Appendix 04 on page 47 of the Plan	In response to a query about the accuracy of the viewpoints, a revised map and amended Appendix 04 has helpfully been provided. The amended Appendix more accurately pinpoints each viewpoint and the description of each view, and in some cases, the photograph has been changed. I consider that the amended map and Appendix should be substituted in the interests of clarity.	Agree to include new map as indicated to comply with the examiner’s recommendations

23	Policy B3	Delete Views 8 and 9	I consider all of the views have been appropriately identified apart from Views 8 and 9. These two views are from locations outside the Plan area and as the Plan can only cover the Plan area, it is not possible to include these views.	Agree to include new map as indicated to comply with the examiner's recommendations
24	Policy B3	Amend the first bullet point of the policy to read: “To conserve the landscape and rural character and setting of the Neighbourhood Plan Area, development proposals shall, where appropriate, demonstrate how they will ensure that there is no detrimental impact on the key features and attributes of the views listed below and identified on Plan Reference 02 and in Appendix 04: [add list of the 15 retained views using the same names as in the amended Appendix 04]	With these modifications, the policy will meet the basic conditions by having regard to the NPPF, adding a local layer of detail to CSSR Policies P10 and P12 and helping to achieve sustainable development	Agree to modify the text as indicated to comply with the examiner's recommendations.
25	Policy B3	Amend the words towards the bottom of page 28 of the Plan to “(Refer to the map in Appendix 02)”	There are some modifications to the supporting text and Appendix 02. In the interests of clarity given these modifications, I consider it would be preferable for a new, separate appendix on the gateways be created with the inclusion of the four photographs and the Plan Reference No 01 moved to the same location. Consequential amendments will also be needed.	Agree to modify the text as indicated to comply with the examiner's recommendations.

26	Policy B3	Create a new [separate] appendix for the gateways information	There are some modifications to the supporting text and Appendix 02. In the interests of clarity given these modifications, I consider it would be preferable for a new, separate appendix on the gateways be created with the inclusion of the four photographs and the Plan Reference No 01 moved to the same location. Consequential amendments will also be needed.	Agree to modify the document as indicated to comply with the examiner's recommendations.
27	Policy B3	Move Plan Reference No 01 on page 6 of the Plan to Appendix 02 or new appendix	There are some modifications to the supporting text and Appendix 02. In the interests of clarity given these modifications, I consider it would be preferable for a new, separate appendix on the gateways be created with the inclusion of the four photographs and the Plan Reference No 01 moved to the same location. Consequential amendments will also be needed.	Agree to modify the text as indicated to comply with the examiner's recommendations.
Appendices				
28	Appendix 4	Correct the reference to "Policy B4" in Appendix 04 to "Policy B3"	Appendix 04 contains details about the views referred to in Policy B3. The appendix refers to Policy B4 so this should be corrected.	Agree to modify the text as indicated to comply with the examiner's recommendations.
29	Appendix 6	Add a sentence to Appendix 06 which reads: <i>"Up to date information on flooding should be sought from the Environment Agency or another reliable source."</i>	Appendix 06 contains information in support of Policy A6. The map on page 57 should be future-proofed.	Agree to modify the text as indicated to comply with the

				examiner's recommendations.
30	Appendix 10	Add a sentence to Appendix 10 which reads: “<i>Up to date information on listed buildings and other heritage assets should be sought from Historic England or another reliable source.</i>”	Appendix 10 contains details of listed buildings and should be future-proofed.	Agree to modify the text as indicated to comply with the examiner's recommendations.
31	Appendix 11	Replace the title “Public Footpath Plan” in Appendix 11 with “<i>Public Rights of Way</i>”	Appendix 11 is a map of rights of way and it would be preferable to retitle the map public rights of way. This appendix should again be future-proofed.	Agree to include new map as indicated to comply with the examiner's recommendations
32	Appendix 11	Add a sentence to Appendix 11 which reads: “<i>Up to date information about public rights of way should be sought from Leeds City Council or another reliable source.</i>”	Appendix 11 is a map of rights of way and it would be preferable to retitle the map public rights of way. This appendix should again be future-proofed.	Agree to modify the text as indicated to comply with the examiner's recommendations.
33	Page 71	Delete the comment reply sheet from page 71 of the Plan	Appendix 12 contains links to plans. It also has a comment reply sheet which should now be removed in the interests of clarity.	Agree to remove the sheet as indicated to comply with the examiner's recommendations.