

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

LOCAL PLAN COMMITTEE – 26 JUNE 2019

Title of report	BLACKFORDBY NEIGHBOURHOOD PLAN – PROPOSED RESPONSE TO PRE-SUBMISSION DRAFT
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Purpose of report	To determine the District Council's response to the pre-submission draft of the Blackfordby Neighbourhood Plan and set out the proposed delegation arrangements for the future stages in the preparation of the Neighbourhood Plan
Council Priorities	Business and Jobs Homes and Communities
Implications: Financial/Staff	<p>The Blackfordby Neighbourhood Plan will incur direct costs to the District Council to support an independent examination of the plan and, should the examination be successful, a local referendum. Grant funding from central government (£30,000 per neighbourhood plan) is payable to the authority to support this agenda, but may not meet the costs in full. Any such additional costs would need to be met from the contingency budget held by the Planning Service.</p> <p>Once the Neighbourhood Plan is made it will form part of the Development Plan for North West Leicestershire. Should the document be subject to legal challenge, the District Council will be responsible for meeting such costs. Any such costs would need to be met from the contingency budget held by the Planning Service.</p>
Risk Management	The ultimate decision on how to proceed in respect of the Neighbourhood Plan rests with Ashby de la Zouch Town Council. As currently set out there are some issues with the Submission version Neighbourhood Plan which represent a risk to the success

	of the Neighbourhood Plan. It is appropriate for the District Council to work with the Town Council to seek to minimise risks to the Neighbourhood Plan.
Equalities Impact Screening	Not applicable.
Human Rights	None discernible.
Transformational Government	Not applicable.
Comments of Head of Paid Service	The Report is Satisfactory
Comments of Section 151 Officer	The Report is Satisfactory
Comments of Monitoring Officer	The Report is Satisfactory
Consultees	A number of teams within the District Council have been consulted to provide a comprehensive Council-wide response, including Building Control, Business Focus, Environmental Health and Community Focus.
Background papers	Blackfordby Neighbourhood Plan – Pre-Submission Version National Planning Policy Framework
Recommendations	<p>1. THAT THE COMMITTEE ENDORSES THE SUGGESTED PRE-SUBMISSION (REGULATION 14) RESPONSE TO ASHBY DE LA ZOUCH TOWN COUNCIL IN RELATION TO POLICIES BE2 AND H3 (AS SET OUT IN PARAGRAPHS 3.3 - 3.5 BELOW);</p> <p>2. THAT THE COMMITTEE NOTES THE ADDITIONAL COMMENTS ALREADY SENT BY OFFICERS TO ASHBY TOWN COUNCIL, AIMED AT IMPROVING THE GENERAL ROBUSTNESS OF THE NEIGHBOURHOOD PLAN (AS SET OUT IN APPENDIX B);</p> <p>3. THAT THE COMMITTEE AGREES TO DELEGATE ENDORSEMENT OF ANY FURTHER RESPONSE BY OFFICERS AT SUBMISSION (REGULATION 16) STAGE TO THE STRATEGIC DIRECTOR OF PLACE, IN CONSULTATION WITH THE PORTFOLIO HOLDER FOR PLANNING & REGENERATION;</p> <p>4. THAT THE COMMITTEE NOTES THAT ONCE THE NEIGHBOURHOOD PLAN HAS BEEN SUBMITTED THE</p>

	<p>STRATEGIC DIRECTOR OF PLACE, IN CONSULTATION WITH THE PORTFOLIO HOLDER FOR PLANNING & REGENERATION WILL:</p> <p>A) PUBLISH THE PLAN FOR A SIX WEEK PERIOD AND INVITE REPRESENTATIONS;</p> <p>B) NOTIFY CONSULTATION BODIES; AND</p> <p>C) APPOINT AN INDEPENDENT EXAMINER TO CONDUCT THE EXAMINATION OF THE NEIGHBOURHOOD PLAN;</p> <p>5. THAT THE COMMITTEE NOTES THAT FOLLOWING RECEIPT OF THE INDEPENDENT EXAMINER'S REPORT, THE STRATEGIC DIRECTOR OF PLACE IN CONSULTATION WITH THE PORTFOLIO HOLDER FOR PLANNING & REGENERATION WILL DETERMINE WHETHER THE CONDITIONS HAVE BEEN MET FOR THE NEIGHBOURHOOD PLAN TO PROCEED TO REFERENDUM</p>
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1.0 INTRODUCTION

1.1 Ashby de la Zouch Town Council has published a pre-submission draft (in accordance with Regulation 14 of the Neighbourhood Planning (General) Regulations 2012) of its Neighbourhood Plan. The purpose of this report is to i) seek the Committee's endorsement of comments relating to two policies in particular, ii) note other less fundamental comments which have already been sent by officers to Ashby Town Council – aimed at improving the overall robustness of the Neighbourhood Plan and iii) agree the approval process for the subsequent stages of the Neighbourhood Plan preparation.

2.0 BACKGROUND

2.1 Neighbourhood planning was introduced under the Localism Act 2011 to give local communities a more hands on role in the planning of their neighbourhoods. It introduced new rights and powers to allow local communities to shape new development in their local area.

2.2 Neighbourhood plans can be prepared by a Parish or Town Council (or neighbourhood forums in areas not covered by a Parish or Town Council) once they have been designated as a neighbourhood area by the District Council.

2.3 Neighbourhood plans should consider local and not strategic issues and must be in line with higher level planning policy. A Neighbourhood plan can be detailed or general, depending on what local people want but they must be in line with European Union obligations as incorporated into UK law and human rights requirements; they must have regard to national planning policy and must be in general conformity with strategic policies in the adopted development plan in force for the local area.

2.4 The District Council as Local Planning Authority has an important role to play in the neighbourhood plan process even though the District Council is not responsible for its preparation. The key stages in producing a neighbourhood plan as governed by The Neighbourhood Planning (General) Regulations 2012 and The Neighbourhood Planning (General) (Amendment) Regulations 2015 together with the District Council's role are

summarised in the Table at Appendix A of this report.

- 2.5 At present, there is one 'made' Neighbourhood Plan in the district (Ashby de la Zouch) and one further Neighbourhood Plan which will shortly go to Referendum (Ellistown and Battleflat).

3.0 BLACKFORDBY NEIGHBOURHOOD PLAN

- 3.1 The Blackfordby Neighbourhood Plan area covers the Ashby de la Zouch Town Council ward of Blackfordby and was designated in January 2018. This is the remaining area covered by Ashby de la Zouch Town Council that was not included in the Ashby Neighbourhood Plan Area.
- 3.2 The Town Council published a pre-submission Neighbourhood Plan (pursuant to Regulation 14 of the Neighbourhood Planning (General) Regulations 2012) for consultation between 13 May and 26 June 2019. At this stage the role of the District Council is as a consultee (See Appendix A for details of each Neighbourhood Plan preparation stage).
- 3.3 Officers have assessed the draft Neighbourhood Plan and have two main concerns relating to:
- Policy H3: Windfall Housing Sites
 - Policy BE2: Support for New Business and Employment

As currently worded, we believe both policies conflict with policies in the adopted Local Plan.

- 3.4 Policy H3 conflicts with policies S2 of the adopted Local Plan (Settlement Hierarchy) and S3 (Countryside) as the Local Plan policies allow for development (including residential development) on previously developed land within *or well related to* the limits to development of Blackfordby. However Policy H3 of the Neighbourhood Plan limits proposals for infill and redevelopment to small groups of up to five dwellings and only *within* the limits to development. This is therefore a more restrictive policy than the one included in the adopted Local Plan.
- 3.5 Policy BE2 similarly conflicts with Ec2 of the adopted Local Plan (New Employment Sites) as the Neighbourhood Plan policy restricts new employment development to within the limits to development for Blackfordby (with some exceptions). However Ec2 of the Local Plan states that where evidence indicates an immediate need or demand for additional employment land, the Council will consider favourably sites which meet a set of criteria – but not restricted to sites within limits to development. The Neighbourhood Plan policy is again more restrictive than, and therefore conflicts with, the adopted Local Plan policy.
- 3.6 Regulations require that policies in Neighbourhood Plans must be in general conformity with strategic policies in Local Plans (and this includes policies S2, S3 and Ec2). Policies H3 and BE2 would not meet this test. In addition, they would be in conflict with national policy as well. We are therefore recommending that these policies be modified (to remove these conflicts) or be removed.

- 3.7 In addition, officers have noted a number of other issues which do not fundamentally affect the operation of the Neighbourhood Plan, but which, if addressed we believe could help the Town Council better achieve the aims they have identified. This is either through seeking clarification on a number of points, making suggestions on how to strengthen policies, highlighting potential conflicts within/between policies, and helping to close any potential loopholes/unintended consequences of the policies as they are currently worded. This is to ensure that the final Neighbourhood Plan is as robust as possible as it will be used alongside the Local Plan by District Council Planning Officers to help determine planning applications within the Blackfordby area. These more minor comments have already been reported back to Ashby Town Council.

4.0 NEXT STEPS

- 4.1 Once the current consultation period ends, Ashby Town Council will have to consider all of the comments received, including those provided by the District Council. Following any changes to the Neighbourhood Plan that they believe are necessary, the Town Council will then submit a revised version to the District Council.
- 4.2 As set out at Appendix A, the District Council's role at submission stage is firstly to be a consultee - but to also arrange for a further round of consultation, subject to the Neighbourhood Plan meeting the various legal requirements. The District Council is also required to appoint an independent examiner (with the agreement of the Town Council) who will examine the Neighbourhood Plan. Given the technical / procedural nature of these various tasks, it is recommended that they be delegated to the Strategic Director of Place, in consultation with the Portfolio Holder for Planning & Regeneration – in line with the procedure undertaken for both Ashby de la Zouch and Ellistown and Battleflat neighbourhood plans.
- 4.3 Following receipt of the independent examiner's report, the District Council must formally decide whether to send the Neighbourhood Plan to referendum (with or without modifications proposed by the examiner or NWLDC). Reg 17A(5) of the Neighbourhood Planning (General) Regulations 2012 as added by the Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016 gives the District Council 5 weeks from receipt of the examiner's report to decide whether to proceed with the referendum or not. Given the short timescale, the Strategic Director of Place, in consultation with the Portfolio Holder for Planning & Regeneration will exercise the executive power of making this decision as delegated to them in the Constitution (paragraph 5.2.1 of the Scheme of Delegation).
- 4.4 Should the Neighbourhood Plan be sent to referendum, and the referendum declares in favour of the Neighbourhood Plan, then the District Council is required to make (i.e. adopt) the Neighbourhood Plan within 8 weeks of the referendum (Reg 18A(1) of the Neighbourhood Planning (General) Regulations 2012 as added by the Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016). While the decision to adopt is an executive decision, it is hoped that a specific report will be brought to a future meeting of this committee at the appropriate time to allow this committee to advise the executive prior to the decision being taken.

APPENDIX A – TABLE HIGHLIGHTING STAGES OF NEIGHBOURHOOD PLAN PREPARATION PROCESS

RELEVANT Regulation WITHIN THE NEIGHBOURHOOD PLANNING (GENERAL) REGULATIONS 2012 Reg 6A	Stage of neighbourhood plan process Designating a neighbourhood area	District Council role To agree to the designation of a neighbourhood area
	Preparing a draft neighbourhood plan	To provide advice and assistance
Reg 14	Pre-submission publicity & consultation	To be a consultee
Reg 15	Submission of a neighbourhood plan to the local planning authority	Ensure that the submitted draft neighbourhood plan is accompanied by the following: (a) a map or statement which identifies the area to which the proposed neighbourhood development plan relates; (b) a consultation statement; (c) the proposed neighbourhood development plan; and (d) a statement explaining how the proposed neighbourhood development plan meets the “basic conditions” (requirements of paragraph 8 of Schedule 4B to the 1990 Act). Basic conditions are: (a) That it has regard to national policies and advice; (b) That it contributes to the achievement of sustainable development; (c) That it is in general conformity with the strategic policies in the local Development Plan; (d) That it is compatible with EU obligations; and (e) That it is not likely to have a significant effect on a European site or a European offshore marine site
Reg 16	Publicising a plan proposal	Organise and undertake consultation on the draft neighbourhood plan for a 6 week period
Reg 17	Submit the draft plan for independent examination	Arrange for an independent examination including the appointment of an examiner in consultation with the Parish or Town Council. The examination will normally take the form of written representations rather than formal hearings, although the examiner can undertake hearings if considered necessary.

RELEVANT Regulation WITHIN THE NEIGHBOURHOOD PLANNING (GENERAL) REGULATIONS 2012	Stage of neighbourhood plan process	District Council role
Reg 18	Publication of examiner's report and plan proposal decisions	<p>To receive the examiner's report and decide to:</p> <ul style="list-style-type: none"> (a) Decline to consider a plan Proposal; (b) To refuse a plan proposal; (c) What action to take in response to the recommendations of an examiner regarding a NP; (d) What modifications if any they are to make to the draft Plan; (e) Whether to extend the area to which a referendum is to take place; or <p>That they are not satisfied with the plan proposal</p> <p>As soon as possible after making a decision referred to above, the District Council must publish on their website and elsewhere as appropriate:</p> <ul style="list-style-type: none"> (a) The decision and the reasons(the decision statement); (b) Details of where and when the decision statement may be inspected; and (c) The report made by the examiner
Para 12, Sch 4B TCPA 1990	Referendum	<p>If the District Council is satisfied that the draft plan meets the basic conditions, a referendum on the plan must be held where this reflects the advice of the Examiner. The District Council is responsible for arranging and paying for the cost of the referendum.</p>
Reg 19	Decision on a plan proposal	<p>As soon as possible after deciding to make a neighbourhood development plan (or refusing to make a plan), the District Council must:</p> <ul style="list-style-type: none"> (a) Publish on their website or elsewhere as appropriate <ul style="list-style-type: none"> (i) a statement setting out the decision and their reasons(the decision statement); and (ii) details of where and when the decision statement may be inspected; and (b) Send a copy of the decision statement to: <ul style="list-style-type: none"> (i) The qualifying body; and (ii) any person who asked to be notified of the decision
Reg 20	Publicising a neighbourhood development plan	<p>As soon as possible after making a neighbourhood development plan, the District Council must:</p> <ul style="list-style-type: none"> (a) Publish on their website and elsewhere as appropriate: <ul style="list-style-type: none"> (i) the neighbourhood development plan; and (ii) details of where and when the neighbourhood development plan may be Inspected; and (b) Notify any persons who asked to be notified of the making of the neighbourhood development plan that it has been made and where and when it may be inspected.

APPENDIX B - OFFICER RESPONSE TO PRE-SUBMISSION DRAFT

Plan Section/Policy Number (Page Number in brackets)	Officer Response
General	The document would benefit from paragraph numbering to assist when determining applications.
Contents (P3)	Policies should be section 4 not 5 Section D: Sustainability is missing Monitoring and review should be section 5 not 4
Foreword (P4)	The application for designation was 24.10.2017 (as per the letter from the Town Council). Area was designated on 23.01.2018 not 22.09.2017 (see https://minutes-1.nwleics.gov.uk/ieDecisionDetails.aspx?ID=1596)
Introduction (P6)	It would be more accurate to say ' <i>Whilst planning applications will still be determined by North West Leicestershire District Council, or for certain types of application, Leicestershire County Council...</i> '
Blackfordby Profile (P12)	When determining housing requirements for Blackfordby last year, officers calculated the population at the 2011 Census to be 1159 residents and 514 households. This is different from the figures contained on page 11. The issue is that the Neighbourhood Plan has taken figures from the Census Profile in Appendix 4.1 – the area of which doesn't correlate fully with the Neighbourhood Plan area as it also includes parts of Norris Hill outside of the NP area. All of the statistics which use this incorrect boundary (within the NP and the appendices) therefore need re-calculating. This can easily be done by basing all data on four 2011 Census Output areas (E00131686, E00131687, E00131688 and E00131689). Added together, these should correlate to the correct boundary.
Blackfordby Profile (P12)	The NP refers to a separate area of housing extending along Heath Lane and along the Leicestershire side of the A511, as far as the traffic lights marking the start of Woodville. It might be useful and provide greater clarity to refer to this as the hamlet or boundary?
Vision for Blackfordby (P14)	Key objective b) refers to " <i>encourage development</i> ". Is this what is really intended? If not would it be more appropriate to say " <i>To ensure that development maintains the character of Blackfordby</i> ".
Vision for Blackfordby (P14)	Key objective e) <i>To ensure that infrastructure is in place to meet the predicted needs of the village prior to expansion of housing being permitted.</i> It is acknowledged that new development should be supported by the necessary infrastructure and facilities. Appropriate infrastructure contributions can be sought through the planning system. However if relying on developers to provide the infrastructure, the infrastructure cannot be required prior to a development being permitted.

Plan Section/Policy Number (Page Number in brackets)	Officer Response
Vision for Blackfordby (P14)	<p>The layout of the following gives the impression that this section is a sub-section of the paragraph above.</p> <p>If this is not correct it would be worth examining the layout of this section.</p>
G1 (P17)	It would be useful to also include reference in the first part of the policy to complying with the Local Plan as well as the Neighbourhood Plan
G2 (P18)	<p>It is pleasing to see that in reflecting local character the Plan is open to contemporary interpretations.</p> <p>Has any viability evidence been produced to justify the policy given the likely additional cost to developers of meeting accessibility standards M2 and M3?</p>
G3 supporting text (P19)	<p>Sustainability covers a wider range of subjects than just biodiversity so it may be helpful to change the first sentence to be in line with the subject covered by the policy.</p> <p>Replace reference to NPPF with Planning Practice Guidance.</p>
G3 policy (P19)	<p>The bullet points of the policy refer to a narrow selection of biodiversity with assumptions that all developments, from house extensions to farm buildings, need the same approach. Is this suitable for a general policy or is this best suited in the Env policies?</p> <p>If it is retained as a general policy, it may be helpful to widen the scope of the policy to consider other elements of biodiversity and that each site or development will have different needs and impacts, on both the site and surrounding area, so that biodiversity is protected and enhanced without being too onerous.</p>
H1 supporting text (P21)	<p>The NP period is stated as being to 2031 and that 147 dwellings would be an appropriate target. However, these figures are not as quoted from NWLDC. An email of 02/07/2018 identifies indicative housing figures for the NP area for the plan period 2011-2031 to be 126 dwellings and 2011-2036 to be 147 dwellings. If the NP period is to 2031 the housing target needs amending to 126 dwellings.</p> <p><i>“there have been recent planning approvals totalling 197”</i> Unsure what the base date for this figure is and the figure does not tally with information/figures previously sent by the council via email.</p>
H1 (P21)	The supporting text states that the housing allocation is to meet an identified need (i.e homes for elderly people, small family homes, homes for people with disabilities and homes for young people). Policy H1 refers to “residential accommodation” which is vague. There is an opportunity for the policy to refer to the types of housing identified as being needed.
H2 supporting text (P22)	Reference is made to the housing mix provided by the HEDNA - suggest it is made clear that this refers specifically to market housing.

Plan Section/Policy Number (Page Number in brackets)	Officer Response
H2 (P22)	Does ‘the appropriate mobility standards’ mean the accessibility standards M2 and M3 set out in Policy G2? If so, the same comments relating to viability evidence apply.
H4 (P24)	The Council does not operate local lettings policies that restrict homes to households with a local connection unless the properties are provided on Rural Exception Sites. There have been circumstances where a housing association has agreed that preference will be given, on advertising, to households with a local connection, and while the Council is content to support this on sites in rural villages, we would not be supportive of a move to enshrine this in any legal agreement attached to sites, as this could affect future levels of delivery of affordable housing.
Existing Environmental Designation (P26)	<p>The plan area is also within the River Mease Special Area of Conservation – a recommendation on whether a Habitats Regulation Assessment is required will be provided separately.</p> <p>The count of certain sites could be evidenced with plans - for example the number of Local Wildlife Sites in the Phase 1 survey appears to number 6 not 14. This is an old survey and it may be prudent to check with the County Ecologist to get up to date data.</p> <p>The reference to 12 further sites of historic significance is confusing as figure 6 shows four sites, which does not include the ridge and furrow shown in figure 10?</p>
Environmental Inventory (P27 + P28)	P27 refers to 9 criteria for Local Green Space selection whereas P28 refers to using 8 criteria for LGS designation.
ENV1 (P28)	<p>Unclear what “<i>exceptional circumstances</i>” might be, therefore it may be worth detailing what is meant by this.</p> <p>Policy identifies 3 sites to be designated as Local Green Space however Appendix 5 identifies 4 sites that have scored 18/24 or more. Does the Policy therefore also need to include site 020?</p>
ENV2 (P30)	<p>The policy states the sites are mapped and listed but there is no list in the supporting text or policy.</p> <p>The policy refers to “<i>(natural and/or historical)</i>” but then continues as if every site has both designations. It may be helpful to sub divide the policy to its respective topics to provide clarity.</p>
Important Open Spaces (P31)	<p>Cannot find the Open Space Audit 2017.</p> <p>The term OSSR is not defined anywhere in the document.</p>
ENV3 (P31)	Please note that the District Council is the Local Planning Authority and as such the decision maker on any application. The reference to “the community and Ashby de la Zouch Town Council” should be replaced with ‘Local Planning Authority’.

Plan Section/Policy Number (Page Number in brackets)	Officer Response
Local Heritage Assests (P33)	It is the responsibility of the District Council to designate Local Heritage Assets. In order to maintain this list in the plan it may be better to title the section 'Key Buildings' instead as only one of the buildings has been included on the list of Local Heritage Assets.
ENV4 (P34)	The policy title and text should be amended to remove references to Local Heritage Assets as per the comments on the supporting text.
Ridge and Furrow (P35)	Figure 10.2 and 10.3 do not seem to fully correlate with the location of the surviving ridge and furrow locations.
ENV5 (P36)	<p>The policy seems to contradict itself stating that any loss or damage is to be avoided and then allowing for a consideration of a proposal.</p> <p>Perhaps add the ridge and furrow to the previous policy as the same level of protection is being sought.</p>
Heading 'General Policies' (P36)	There is a heading for general policies after Env 5. Is this needed?
Biodiversity and habitat connectivity (P36)	The text refers to 2 strategies, however, there are three bullet points.
ENV6 (P37)	In figure 11 there is no reference to the fact that corridor 1 is bisected by the built up area as defined in figure 2.
ENV7 (P38-39)	<p>There is some confusion over how this policy would be applied and clarification would be useful. It is our understanding that development must not harm the identified views. However unsure how to apply <i>"should include a statement of proposed mitigation and/or protection of views."</i> Should a proposal be supported by a statement of proposed mitigation or a statement of protection of views? Or should it be supported by both statements.</p> <p>Is there evidence to support or justify these views and what their features are, why they are designated for protection. It would be useful to have this as an Appendix to the Plan – this would also give assistance to those submitting a planning application and would support their preparation of the necessary supporting statement.</p> <p>Fig 12 - is there a reason that the arrows are a different size? If not it is suggested that they are all of the same size.</p> <p>View 3: Has the impact of the new housing under construction at Butt Lane been considered when designating this view.</p>
Natural and Historic Environment (P39)	No Policy Env8

Plan Section/Policy Number (Page Number in brackets)	Officer Response
ENV9 (P39-40)	<p>It is not correct to state that “This Neighbourhood Plan adds detail to the Local Plan and provides the environmental evidence to which consideration should be given when assessing proposals for such developments.” The NP does however refer to and list evidence that has informed the North West Leicestershire Local Plan.</p> <p>Suggest for ease of use that the 1st part of the policy is amended to read ‘<i>Small-scale solar and wind generation infrastructure will be supported, subject to their complying with the environmental protection conditions listed in North West Leicestershire Local Plan Policy Cc1 (1).</i>’ It is suggested that the inclusion of the wording “<i>local resident, business, amenity or community-initiated</i>” is not necessary. Also unclear what is meant by amenity solar and wind generation infrastructure.</p> <p>The second part of the policy comes across a little confusing. Perhaps it would be clearer to state that:</p> <p><i>‘Large and medium scale turbine developments will only be supported, if in conformity with North West Leicestershire Local Plan Policy Cc1 (2a) and the detail and legend on the map of suitability for large and medium scale wind energy to which the policy refers, and Policy Cc1 (2b).’</i></p>
ENV10 (P40-41)	<p>It is suggested that clarification is provided with respect to this policy. Policy wording gives the impression that this is countryside designation (as defined by Policy G1) and countryside type uses would be permitted. If this is the case, it is suggested that the type of uses to be allowed should be detailed in the policy, for clarification. Alternatively, if appropriate, reference could be made to Policy S3 of the NWL Local Plan.</p> <p>However as this particular area has been defined as an Area of Separation should more stringent controls be applied and a more limited form of development be allowed e.g. agriculture, forestry, nature conservation. Leisure, sport, recreation?</p>
CFA1 (P45)	<p>It is suggested that it may be more appropriate to include the ‘bolded wording’ within the text supporting the policy, rather than in the Policy itself.</p> <p>b) The existing community facility is, demonstrably, no longer economically viable or able to be supported by the community – such viability and support includes fundraising and volunteering by parishioners and others; or...</p>

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BE1 (P46)	<p>Does this policy apply to all employment uses or just 'B' class uses?</p> <p>How is 'land that provides future potential employment opportunities' defined?</p> <p>How does this relate to criterion a? For example, the policy doesn't make clear if the active use for an area that is a future potential employment opportunity has to be employment related.</p> <p>In criterion b, land that has future potential for employment opportunities may not be able to comply as it cannot be redeveloped or reoccupied if it hasn't previously been developed.</p> <p>How is 'an activity that does not provide employment opportunities' defined?</p> <p>Is the 12 months referred to in a) and the 6 months referred to in b) in effect 18 months in total? Or can they be undertaken in parallel?</p> <p>Can the valuation report refer to any employment generating uses?</p>
BE2 (P47)	<p>What are likely to be the exceptional circumstances referred to in criterion a? This could be interpreted very widely/loosely.</p> <p>What is development appropriate to a countryside location?</p> <p>It is presumed that a development is expected to meet all of these criteria (rather than just one) but this is not explicitly stated in the policy.</p>
BE3 (P48)	<p>To avoid any confusion, it would be helpful to state in the supporting text that in many cases planning permission is not required for home working. Then the policy could also start with "Where planning permission is required..."</p>
TR1 (P53)	<p>It is not clear as to whether all of a) to f) have to be satisfied, particularly as there is an 'and' between d) and e) but not other criteria.</p> <p>Why does the policy only apply to housing and commercial development? Also, what is meant by commercial development?</p> <p>Criterion f) refers to there being a "<i>significant increase in traffic</i>" whilst the first part of the policy refers to the need to "<i>minimise any increase in vehicular traffic</i>". Would it be better to say in the first part of the policy "<i>minimising the impact of any increase in vehicular traffic</i>"?</p>

Plan Section/Policy Number (Page Number in brackets)	Officer Response
TR2 (P54)	<p>As written the first part of the policy will be difficult to apply to new development. It might be better to say "<i>The maintenance, upgrading and , where appropriate, extension of the pedestrian footpath network in the Plan Area will be supported as part of new developments :</i></p> <p style="padding-left: 40px;">a) <i>provide connections to the existing pedeestrain footpath newtwork</i></p> <p>Then b) and c) as drafted.</p>
TR3 (P54)	<p>No comments but we will forward separately an article which may be of interest in relation to this.</p>
Appendix 3 Housing Site Assessments	<p>Refers to there being 2 housing allocations (rear of 31 Main Street and the Blue Bell Inn) – but Policy H1 only identifies 1 housing allocation.</p> <p>Refers to 'HDC's emerging Local Plan'. This will need amending.</p> <p>The acronyms TG and HTG need writing in full on first use.</p> <p>Suggest that the RAG Score needs some explanation.</p> <p>Would be useful to see how the sites scored in each category to understand how the final scores were arrived at.</p>
Appendix 4 Housing Needs Report	<p>Need to delete all references to MSOA E02005612 and Rockingham, Cottingham, East Carlton and Middleton.</p>
Appendix 5 Environmental Inventory	<p>It would be useful to have a map showing the location of the parcels of land.</p>

Plan Section/Policy Number (Page Number in brackets)	Officer Response
Appendix 6 Local Green Space Assessment	<p>Generally the scoring system is confusing. Our interpretation of paragraph 100 of the NPPF is that sites only need to meet one of the following criteria: beauty, historic significance, recreational value, tranquility or richness of wildlife. Whereas the scoring system used appears to require sites to meet all of these criteria.</p> <p>Access criteria and scoring is questioned as the Planning Practice Guidance states that land can be considered for designation as Local Green Space even if there is no public access. Therefore sites with public access should not score higher than those with no public access.</p> <p>The third criteria listed refers to 'bounded, not extensive' sites. There is no requirement in the NPPF for sites to have a specific boundary. Overall, it is considered that this criteria may be better outside of the scoring system, for example, it would seem easier to apply a first sieve of sites and for them to be discounted if they are considered to be an extensive tract of land before any detailed assessment work is undertaken. A paragraph could be added to the supporting text stating that sites were discounted where they were considered to be an extensive tract of land.</p> <p>There is a column labelled 'special' in the assessment tables – this doesn't appear to be populated or have an explanation and therefore could be removed.</p>