

Everton Neighbourhood Development Plan 2018 - 2034

Post Hearing Notes

Prepared by the Independent Examiner

JOHN SLATER BA(Hons), DMS, MRTPI

John Slater Planning Ltd

15th January 2019

Introduction

1. As you will be aware, following my initial consideration of the Plan, I held a public hearing to assist my examination of the Everton Neighbourhood Plan. The hearing took place on 10th January 2019, at Everton Village Hall, Church Street, Everton.
2. The hearing commenced at 10 am and lasted until approximately 1.45 pm and then accompanied site visits were held. This Note summarises the actions that I wished to see take place following the hearing.
3. The hearing concentrated on two allocation sites and the question of whether Site 13 should be added as an allocation site, or alternatively whether Policy E8 – Housing within Everton Parish, should be amended, to reflect the change in circumstances arising from the reduction in the development potential of Site 2 – Park Farm and Site 3 - The Willows.

Site 2

4. At the hearing, I heard evidence that the landowner of Site 2 accepted that the existing access was unsuitable for more than 5 units. This is a view shared by the County Highway Authority's representative. It was therefore proposed by the site owner's submission that there should be a new access off Gainsborough Road, which would serve the new development, as well as providing an access to the agricultural land adjoining. This would be a new access, to the west of the farm building complex, which was outside the limits of the proposed allocation. The Highway Authority accepted that the new access, suitably designed, could serve up to 10 units. It would have to be designed with a turning head, so as to allow service vehicles, including refuse vehicles, to enter and leave the site in a forward gear.
5. I understand that the site owners are prepared to accept a stipulation that policy that would be 50% smaller units, 2-3 bed to accord with the aspirations of the neighbourhood plan and 50% larger units. A discussion took place that if the new access were to be built, the existing access

would be closed off for all vehicles, although it could be retained as a pedestrian access.

6. The allocation set out as Site 2, in Policy E9, had a developable area of 0.52 ha and the site is shown to have a capacity of between 10 and 16 dwellings. As a result of the new access proposal, it would be necessary for the site area to be enlarged to take in the proposed access road, which would be built on the agricultural land to the west. This enlargement of the site and the proposed new access road needs to be shown on the allocation plan.
7. Also, discussed at the Hearing, was the possibility of the development providing a new footpath on the south side of the boundary wall, parallel to Gainsborough Road, which could link the new development with the existing footway that runs up to the Sun Inn. I noted on the site visit that the section of the verge in front of the intervening house appeared to be highway land but I would appreciate if its status as such could be checked on highway records. I would ask that Bassetlaw DC explore that question with NCC.

Site 3

8. The discussion then turned to Site 3 - The Willows and we heard the representations made by Mr Eyre. He informed the hearing that his clients were looking for a scheme that retained the existing house with its own driveway and they wished the plan to promote the development of up to 5 houses on land to the rear, on a site running from the northern edge of the former ménage to the rear of the site shown as a pond on the plans, although we saw on site that the pond no longer exists. The Highways Authority representative stated that he could support a scheme of up to 5 units in that location which lay on the edge of the 30mph limit.
9. The implications are that conclusions are that the size of site would be much smaller and hence the capacity for the site would therefore be reduced from the 19 – 29 units, as stated in the neighbourhood plan, down to 5 units. The extent of the reduced site area needs to be shown on the map in Policy E9 along with a new access alignment.

Impact on Housing Numbers proposed

10. The hearing heard that the implications of these changes are that the capacity of the totality of the 3 sites, allocated in the neighbourhood plan would drop from a possible 46 units down to now a possible maximum of 16 units.
11. These changes had a significant implication on the balance of new development being promoted through the plan, by way of proposed allocations and by windfall. The Qualifying Body expressed a desire to revisit the wording of Policy E8.
12. In the pre-hearing correspondence, the Parish Council had responded positively to my question as to whether the housing numbers should be expressed as a *minimum* of 40 units, rather than referring to “around 40 new homes should be provided in the plan area during the lifetime of the plan”. That change recognised that the plan was already allocating development sites with a capacity in excess of that figure, as well as allowing for windfall sites of up to 10 units. In view of the highway limitations, it is evident now that the plan could no longer deliver the majority of the sites through the site allocations.
13. At the hearing, we discussed whether Site 13 should be allocated to make up the shortfall in allocations, as Rural Solution’s representative pointed out their proposals were helpfully in the region of 24 units which would make up the shortfall. It was accepted by the Parish Council that that site as well as two others, had not been the subject of the neighbourhood plan’s site selection consultation within the village, where the public had been offered the opportunity to express their preference as to which sites should be allocated for housing.
14. The Parish Council were not supportive of that proposal, as the site had been discounted by Bassetlaw DC, at the technical evaluation stage. There was a considerable amount of discussion, as to whether the Council’s assertion that the proposed allocation, was a form of backland development and out of character with the village (especially as recent consents had placed development up the public footpath boundary), or

whether that term reflected the Section 78 Inspector's conclusion on a particular layout on a small portion of the site. The Parish Council felt that to include that site would be unfair to other sites owners whose land was rejected by the site selection methodology.

15. Accordingly, the Parish Council felt that there could be a refinement of the wording of Policy E8, which would allow other sites to be considered for development which were not allocated by the Plan and would place greater emphasis on a criteria based housing policy. At the hearing, I posed the question whether a limit of 10 units, would lead to the delivery of sustainable development. An arbitrary limit on housing numbers which could be built on a site, irrespective of the size of sites coming forward, could lead to sites, not being developed efficiently, leading to a predominance of say 10 large units, rather than a higher equivalent of 2 and 3 bed units, that the plan is also seeking to encourage. If sites are not developed to their potential, it just means that developable parcels of land are arbitrarily sub divided or additional green field sites would need to be developed to meet housing requirements. It also had implications, in terms of the deliverability of on site, affordable homes including low cost starter units, on any scheme of less than 10 units. The policy refers to but does not define, what it considers is a small or medium sized scheme.

16. Instead of allocating additional site(s), one possibility is that I recommend a more relaxed windfall policy which could allow other sites to come forward that met the locational and character based criteria set out in the policy, possibly including Site 13. There could also be a commitment to an early review of the neighbourhood plan once the new Local Plan had been adopted,

The Way Forward

17. It was therefore agreed that the Parish Council would, following the Hearing, work with the District Council planners, who in their recently published draft of their Local Plan were themselves proposing a new windfall policy for villages. I would also encourage but cannot require, the

Parish Council to consult Mrs Troop's representatives, when the drafting is being undertaken. It will be necessary for the Parish Council to agree a revised Policy E8, plus also to the new wording of the two sites allocated in Policy E9 with revised site boundaries, prepared in consultation with the two site owners and the Highway Authority.

18. As a matter of law, at this point in the examination process, it is not possible for the Parish Council to amend the plan that it has submitted. However, it can make recommendations to me, as Examiner, as to the changes it would wish me to make as part of my recommendations to the Local Planning Authority in my final report. That is the way that I am suggesting we deal with these modifications.
19. Subsequently all these proposed changes need to be the subject of full public consultation, especially within Everton Village, as these proposals would not have been seen by the residents including adjacent landowners to land that could now meet the new criteria.
20. Therefore, once the Parish Council has agreed its revised proposals, then it should submit them to the Bassetlaw Planning Department. I would expect that this drafting stage could be completed within a maximum of 6 weeks. I would then request that Bassetlaw planners conduct a new public consultation, on the Proposed Modifications to Policies E8 and E9, which the Qualifying Body would wish me to make to my recommendations. I would consider that a 4 - week period of consultation would be sufficient
21. Once the consultation period has finished I would then ask that the revisions and any public comments to be sent to me to consider and I will then complete my examination.
22. I would ask that this note be circulated to all parties who attended the hearing and also place a copy on the appropriate websites.

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