

## Walkeringham Neighbourhood Development Plan

### Examiner's Clarification Note

This Note sets out my initial comments on the submitted Plan. It also sets out areas where it would be helpful to have some further clarification. For the avoidance of any doubt matters of clarification are entirely normal at this early stage of the examination process.

#### *Initial Comments*

The Plan provides a distinctive vision for the neighbourhood area. The Plan has addressed the identification and allocation of housing sites in a positive and professional fashion.

The presentation of the Plan is very good. The difference between the policies and the supporting text is very clear. The Community Projects are also distinct from the land use policies.

The Character Study and Design Guide is an exemplary part of the Plan. The incorporation of key elements from the Guide into the Plan itself (Table 7) is also very well-considered.

The various other submission documents are very comprehensive.

#### *Points for Clarification*

I have read the submitted documents and the representations made to the Plan. I have also visited the neighbourhood area. I am now in a position to raise issues for clarification with the Parish Council.

The comments made on the points in this Note will be used to assist in the preparation of my report and in recommending any modifications that may be necessary to the Plan to ensure that it meets the basic conditions.

I set out specific policy clarification points below in the order in which they appear in the submitted Plan.

##### *Policy 1*

I can see that the part of the third part of the policy overlaps with paragraph 106.

However, to what extent is the statement in paragraph 106 underpinned with evidence?

Could the third part of the policy be modified so that it relates more to plot sizes and design/character issues, and as such move away from the prescriptive approach in the submitted Plan? In this approach paragraph 106 could remain as it recognises that the 'normal' yield is likely to be one or two houses.

##### *Policy 2*

The policy addresses a comprehensive series of matters as follows: views (part 1), landscape character (parts 2/3/4), viewpoints (part 5), green gaps (part 6), drainage (part 7) and biodiversity (part 8).

Did the Parish Council consider addressing the various issues in separate policies?

Did the Parish Council undertake any detailed assessment of the proposed Significant Green Gaps?

In any event are such designations necessary given the approach incorporated in Policy 1 (2) of the Plan?

In addition, is it appropriate for the Plan to take an approach towards the identified Green Gaps which is even more onerous than that which would be experienced within a Green Belt location?

As I read the Plan and its associated Character Study the principal issues which the proposed Green Gaps have been designed to address are captured in paragraph 114 of the submitted Plan. In this context could this element of the policy be more general in its approach (and which would avoid the need to identify specific gaps of the type shown on Map 14)? Such an approach would not support developments which unacceptably impacted on the relationship between the landscape breaking into the village and the existing gaps between the identified character areas.

#### *Policy 3*

Could the examples in part 6 be relocated into the supporting text without affecting the integrity of the policy approach?

As I read part 8 it is more process based than policy. Could it be relocated into the supporting text without affecting the integrity of the wider policy approach?

#### *Policy 4*

The direction of travel of the policy is largely clear.

However, the first part of the policy simply requires housing development to take housing need 'into account' rather than to deliver housing proposals that directly reflect housing needs. Is the Parish Council happy for me to recommend a modification accordingly?

Does the Parish Council have any comments on the representation from the District Council's Planning Policy team?

#### *Policy 5*

The various site descriptions and photographs are very helpful.

Given that Site A is 16 hectares in size is it reasonable to conclude that it is not an extensive tract of land?

In any event is the designation of Site A as local green space necessary given the approach incorporated in Policy 1 (2) of the Plan?

Policy 5 (2) goes slightly beyond the matter-of-fact approach in the NPPF. I am minded to recommend that this part of the policy is modified so that it adopts the NPPF approach and with the potential exceptions being addressed in the supporting text. Does the Parish Council have any comments on this proposition?

#### *Policy 6*

I can see the connection between parts 3 and 4 of the policy.

However how would the 'priority' issue in part 4 be applied by the District Council in a consistent fashion throughout the Plan period?

Does the Parish Council intend that the application of part 4 of the policy would result in the refusal of planning applications which did not incorporate the 'priority' identified in part 4?

#### *Policy 7*

I understand the circumstances as anticipated in part 4 of the policy.

However, does 'up front' suggest that the replacement community facility should be built and/or ready for use before residential development commences on the original site of the community facility (or at some other point)?

If this is the case, have the potential implications on viability been assessed?

Could a more nuanced approach be incorporated in part 4 of the policy?

#### *Policies 8-15*

In each case the policies require 'high quality development'.

However, 'high quality' is not defined. Could these policies be effectively referenced back to Policy 3 of the Plan?

#### *Policies 10/11*

I saw the relationships between NP09 and NP 13a/13b. Similarly, I can understand the basis on which the Parish Council has sought to relate the two policies.

However, has the Parish Council tested the potential impact of the submitted prescriptive approach on the development/phasing/viability of the three sites concerned?

Could general principles be agreed for the development of the three sites concerned which would then allow the individual sites to be developed separately and in response to market conditions?

#### *Section 20 Monitoring and Review*

The Plan properly addresses this matter.

I am minded to recommend that this section makes a more explicit reference to the emerging Local Plan (and now published).

Does the Parish Council have any observations on this proposition?

#### ***Representations***

Does the Parish Council wish to comment on any of the representations made to the Plan?

#### ***Protocol for responses***

I would be grateful for responses and the information requested by 12 February 2020.

Please let me know if this timetable may be challenging to achieve. It is intended to maintain the momentum of the examination.

In the event that certain responses are available before others I am happy to receive the information on a piecemeal basis. Irrespective of how the information is assembled please

could it come to me directly from the District Council. In addition, please can all responses make direct reference to the policy or the matter concerned.

Andrew Ashcroft

Independent Examiner

Walkeringham Neighbourhood Development Plan.

28 January 2020