**Hayton 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 presentation of the Plan is good. The difference between the policies and the supporting text is very clear.

The Plan is impressively underpinned by the package of appendices. The Design Guidance and Code (Appendix 5) the assessment of Local Green Spaces (Appendix 7b) and the Development Land Assessment (Appendix 18) have been very influential in the development of the Plan

***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 able 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 1a*

The policy takes a generally positive approach to the issue of sustainable development. However as submitted the policy comments that the types of development listed in a-d would be appropriate in Tiln. Is this the Parish Council’s ambition?

*Policy 2*

The policy approach is healthily underpinned by the excellent Design Guidance and Code. In the round the policy is an excellent local response to Section 12 of the NPPF.

The first part of the policy comments about the implications of applications which fail to be consistent with the Code. Should this approach come after the second part of the policy for completeness?

Is the final part of the policy necessary given that it largely repeats the approach in Policy 1b?

*Policy 3*

The purpose of the policy is clear. However as submitted it has a complicated and repetitive structure. Was this deliberate?

In the second batch of bullet points how would the Parish Council anticipate that the District Council would assess the capacity/infrastructure issues raised? In any event, would such an assessment be proportionate for proposals for single dwellings?

Is the final part of the policy necessary given the contents of the existing development plan and the other policies in the neighbourhood plan?

*Policy 4*

The policy has clearly sought to address a range of employment-related matters and to encourage proposals which would assist in the consolidation and extension of a vibrant economy.

However has the Parish Council assessed the extent to which the policy has regard to the contents of Section 6 of the NPPF?

*Policy 5*

The policy’s intentions are clear. However, the format of the policy is slightly confusing. I am minded to recommend modifications so that the facilities are listed and then a protective policy based on pints i to iii is applied. In this context the comments in the policy about marketing would become supporting text rather than policy. The final bullet point would also be repositioned into the text.

Does the Parish Council have any comments on this proposition?

*Policy 6*

I am satisfied that the proposed non-designated heritage assets have been carefully assessed.

As submitted the policy is partly a policy and partly explanatory text. I am minded to modify the policy so that the relevant national policy guidance is applied separately to designated and to non-designated heritage assets. Does the Parish Council have any comments on this proposition?

*Policy 8*

I looked at the proposed Local Green Spaces (LGSs) carefully during my visit. I saw that they had been carefully selected.

Part 2 of the policy reads as supporting text and goes beyond the approach for LGSs as set out in paragraph 103 of the NPPF. As such, I am minded to recommend that it is deleted and repositioned into the text. Does the Parish Council have any comments on this proposition?

*Policy 9*

I am minded to recommend a modification so that the policy would apply in a proportionate way. Plainly different proposals will have their own impact (or indeed no impact) on trees. Does the Parish Council have any comments on this proposition?

*Policy 11*

As submitted the policy is partly a policy and partly explanatory text. I am minded to modify the policy so that it sets out the implications for development proposals from the identification of the views in the Plan. Does the Parish Council have any comments on this proposition?

*Policies 11a/b*

The purpose of these policies is generally clear. However, in both cases they need an opening element to offer the support intended to the development of the sites (subject to the various design principles being met). I am minded to recommend modifications on this basis. Does the Parish Council have any comments on this proposition?

Are the two indicative layouts necessary or indeed appropriate for a development plan document?

*Policy 11c*

In isolation this policy reads well. However as with Policies 11a/b it will need an opening element to offer the support intended to the development of infill sites (subject to the various design principles being met). However the policy has significant overlaps with Policy 3. Did the Parish Council consider the overlapping nature of this policy with Policy 3 during the Plan-preparation process? Could the two policies practically be combined?

Does the policy intend to allocate land at Windrush (paragraph 8.2.15), Farm Cottage (paragraph 8.2.16), and Ridgeley Wood Farm (paragraph 8.2.17) for residential use or are they set out as examples of land which may come forward in the Plan period? I raise the point both generally and as set out in the Plan, the three sites are included in the supporting text rather than the policy.

*Policy 12*

The figures in the first part of the policy are both specific and prescriptive. Was this deliberate?

The third part of the policy comments about the expectations for the delivery of housing on Corner Farm and Church Farm. How would the policy be applied in practical terms? Is there an expectation that each site would take a proportionate share of the requirement?

Has the overall effect of the house size and the affordable housing requirements of the policy been tested for its impact on the commercial viability of potential development sites?

***Representations***

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

I would find it helpful to receive the Parish Council’s comments on the representations made by:

* Bassetlaw District Council (Representations 1-3);
* Brown and Co (Representation 4); and
* Severn Trent Water (Representation 13).

***Other matters***

The District Council has raised detailed comments about the way in which the Plan’s format is accessible and the various references to the Core Strategy and the emerging Local Plan. My report will need to address these matters but will not provide a detailed breakdown of how such matters should be incorporated into future versions of the Plan.

It would be helpful if the Parish Council and the District Council provide an agreed statement about how these matters will be addressed and incorporated into the referendum version of the Plan.

***Protocol for responses***

I would be grateful for responses and the information requested by 24 April 2023. Please let me know if this timetable may be challenging to achieve. It is intended to maintain the momentum of the examination.

If 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

Hayton Neighbourhood Development Plan.

17 March 2023