**Nether Langwith 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 a package of appendices. The Design Guide and Code (Appendix 4), the Environmental Inventory (Appendix 5), the Local Green Spaces Evidence Base (Appendix 6), and the assessment of Important Views (Appendix 7) have been very influential in the overall 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 HBE1*

This is a very effective policy. It establishes a spatial strategy for the parish.

*Policy HBE4*

The overall effect of this policy is very appropriate.

Nevertheless, I am minded to recommend that the initial part of the policy refers to development within the settlement boundary (rather than the settlement boundary being a criterion within the wider context set by the policy).

Does the Parish Council have any comments on this proposition?

*Policy HBE5*

This is an excellent policy. It is effectively underpinned by the Design Guide and Codes. In combination, the overall effect is a well-crafted local response to Section 12 of the NPPF.

*Policy ENV1*

This is a good policy which is underpinned by Appendix 6.

*Policy ENV2*

The policy recognises the importance of the various open spaces to the character of the neighbourhood area. It is underpinned by Appendix 6 and complements the approach taken in Policy ENV1 (on local green spaces).

*ENV Policies*

There is a gap in policy numbering between ENV8 and ENV11.

Does this reflect the removal of policies from the pre-submission version of the Plan (rather than omission of policies from the submitted Plan by error)?

*Policy CF1*

This is a good policy which takes account of viability and potential changes which may arise within the Plan period (such as the provision of alternative or replacement facilities).

*Policy E1*

In general terms, the policy takes a positive approach to employment-related development and has regard to Section 6 of the NPPF.

Nevertheless, is the second part of the policy necessary as it requires compliance with policies in the emerging Local Plan and with a range of amenity and parking issues which are already captured in other development plan policies?

*Policy E5*

As with Policy E1, this policy takes a positive approach to tourism-related development and has regard to Section 6 of the NPPF.

However:

* is the support for tourism related to the uses listed in the paragraph before the policy (based on feedback from the Community Survey)?
* how would the ‘benefits to the local community’ from any proposed tourism development be defined and applied consistently by the District Council through the development management process?
* given the significance of the reuse of existing buildings (criterion e) should this matter be incorporated into the initial part of the policy rather than being presented as a criterion?

***Representations***

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

The District Council suggests a series of revisions to some of the policies and parts of the general text in the Plan. It would be helpful if the Parish Council responded to the various issues raised.

***Protocol for responses***

I would be grateful for responses and the information requested by 16 February 2024. 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

Nether Langwith Neighbourhood Development Plan.

24 January 2024