

John Slater Planning

Membury Neighbourhood Plan 2016-2031

Pre Submission Version

A Healthcheck Report to East Devon DC and Membury Parish Council
on the emerging Membury Parish Neighbourhood Plan

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Introduction

I have been asked by the East Devon District Council to undertake a health check assessment of the draft Membury Neighbourhood Plan. I have approached the review on the same basis that an Independent Examiner would, although some of the documentation is not currently available. A traditional health check carried out uses the NPIERS Health check template. I have completed that template and will expand on a number of the key findings in this report.

The main purpose is to check that the requirements set out in the legislation have been complied with. Particular focus is given to the Basic Conditions Tests. However, I have also reviewed the Plan from the point of view of a former local government development management officer and planning consultant. I have carried out a site visit to the Plan area.

As I understand it the Plan as drafted has not yet gone through its Pre Submission Consultation (Regulation 14). The Steering Group may wish to consider this report before publishing that version of the Plan.

General Introductory Remarks

The Document

I must congratulate the Parish Council on the clarity of the vision for what the Plan is looking to achieve – it is a really positive statement of intent, balancing protecting the unique character and landscape quality of the Parish with a specific recognition that that small scale, sustainable, organic growth is needed. That view appears to be supported by the residents. That is exactly the type of positive planning that the neighbourhood planning and the NPPF supports (para 183).

I have offered a number of comments that do not specifically relate to the Basic Conditions test or the other checks, that an examiner will cover at examination but are recommendations which the Parish Council may or may not wish to take on board.

In terms of structure of the document, the Plan essentially launches straight into the Plan policies and a lot of the background to the area and its characteristics are contained within the separate sections. It is not necessarily wrong but it does lead to duplication e.g. information about the location of the parish appears at Page 5 and 21. It also means that the chance to paint a more holistic picture of the area and the issues it faces, is missed. Similarly, there could be a section that describes the plan making process and the results of the consultation e.g. the questionnaire results appear under the built environment chapter. A major part of the analysis of the

John Slater Planning

relationship between the new Local Plan and the neighbourhood plan is contained in the Housing and Population chapter. It would be more coherent if there was a discussion of what the plan is trying to achieve and how that relates to the Local Plan at the start of the document. It may be worth looking at other Neighbourhood Plans to see how they are structured.

The other area where I have some misgivings, relates to the differentiation of Aims and Objectives. It does seem to me that the matter has been overcomplicated. What is set as a policy aim is what I would normally expect to see as an objectives of the policy - what is the policy trying to achieve and then the way that it will be delivered through the application of the planning policy. In a number of instances, the objective of the planning policy is totally unrelated to the actual policy as written and is in some cases, a community action. To give an example; the objective 1b is actually a proposed community action(CA7) under Natural Environment –, which proposes the preparation of an asset register of trees, shrubs and copses which the community will help to protect. Incidentally the action is silent as to how the community will protect the trees e.g. is it to encourage EHDC to place TPOs on important trees and woodland?

What an Examiner is Looking For At Examination

The remit of the Independent Examiner is closely controlled by legislation. That is set out in Para 8(1) of Schedule 10 of the Localism Act. That is :-

- Whether the draft plan meets the basic conditions
- Whether it meets specific legislative requirements
- Whether the plan period is appropriate
- Whether the area for the referendum should extend beyond the neighbourhood area.

The Basic Conditions will have been met if:-

- Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the Plan.
- The making of the Plan contributes to the achievement of sustainable development.
- The making of the Plan is in general conformity with the strategic policies contained in the development plan.
- The making of the Plan does not breach or is otherwise compatible with EU Obligations and Human Rights legislation.
- Whether the making of the Plan will have a significant effect on a European Site or a European Offshore marine site

John Slater Planning

The examiner is restricted to looking at these issues. A Qualifying Body can signpost how these requirements are met through the Basic Conditions Statement which will need to be prepared when the application is submitted to the LPA. That is a powerful means of signposting how each policy relates to national and local policy. It is however not a strict process of one policy not complying with national policy meaning the plan fails, but an overall assessment by the examiner, as to whether it is appropriate to make the whole plan, taken as a whole, having regard to national policy.

The way the plan has been consulted upon will also have to be summarised in a Consultation Statement, which needs to explain how the policies have changed as a result of consultation process. The Plan will need to be screened by East Devon DC as to whether a Strategic Environmental Assessment is required. In making that decision they will consult Historic England, Natural England and the Environment Agency. The Plan will also need to be screened under the Habitat Regulations. That is an important part of the assessment.

Other Legislative Requirements

The legislation requires that the Examiner satisfies himself/ herself that the plan meets the various legislative requirements. I set down what these are and my findings in respect of the Membury Plan.

- Do the policies relate to the development or use of land? *Yes; apart from one instance which I have highlighted in this report.*
- Does the plan specify the period that it has effect? *Yes; the plan covers the period 2016-31*
- Has the Plan area been designated a neighbourhood area? *Yes; the plan covers the area designated by East Devon District Council on 4th June 2014.*
- Has the plan been submitted by a qualifying body? *Whilst the plan has been produced by a Steering Group the actual submission will have to be done by the Parish Council.*
- Does the plan cover more than one neighbourhood area? *No; the plan does not cover more than one neighbourhood area.*
- Does the plan deal with excluded development? *No; the Plan does not deal with excluded development.*

Relationship between the Local Plan and the Neighbourhood Plan

It is evident that from reading the plan that there have been tensions between the parish council and the district council about the status to be afforded to the settlement of Membury, which stems from the decision not to designate Membury as

John Slater Planning

a settlement to have a built up boundary. I have not been privy to that decision or its rationale. However, there are parts of the plan that are written as if to be a manifesto for departing from Local Plan policy. There are whole sections devoted to showing that the Local Plan has got it wrong. I do have concerns about the text taking such an overtly antagonistic stance into what will, if made, be as much part of the development plan as the Local Plan, used by applicants and decision makers alike. Whilst neighbourhood plans can take communities in a different direction to that promoted by a Local Plan, I do not consider it appropriate to include aggressive statements such as “it will not help sustainability and instead be a self-fulfilling prophecy of gradual decline” and reiterating comments made on previous local plan consultation in a seemingly “I told you so” attitude. This will no longer be relevant when the Plan is “made”. Government policy is for the two tier of development planning to demonstrate that they work together, in a spirit of cooperation, in the preparation of neighbourhood plans. The East Devon Local Plan has been through its public examination in front of a Planning Inspector and is now the Plan that the Neighbourhood Plan must have regard to, in taking on board, its strategic approach to development. If the Neighbourhood Plan does not do this, the Independent Examiner could conclude that it does not meet the Basic Conditions test. It is not sensible for the two plans to be seen as moving in different directions.

Having said all that, my reading of the Neighbourhood Plan is not accurately reflecting what the overarching Local Plan policy is saying about settlements with the same status as Membury. The relevant policy for non-allocated villages is Strategy 7 dealing with Development in the Countryside. The wording of that Policy includes the wording that allows Neighbourhood Plans to promote development in their area and, in that case, a proposal compliant with neighbourhood plan policy would mean compliance with Strategy 7 and would therefore be acceptable. These words are excluded from the quotation of that local plan policy in the neighbourhood plan. In other sections of the Local Plan it specifically recognises that communities may wish to promote more development in their area and that that is perfectly acceptable under the auspices of “localism”.

My recommendation is that the language of the Neighbourhood Plan should be moderated from appearing to be an attack on the Local Plan and instead should positively articulate the Vision of the Plan and particularly the reasons why it is promoting the concept of sustainable organic growth, which means promoting more development than would otherwise be considered acceptable by the local plan. Within that review the Plan could articulate what it considers to constitute “sustainable development.”

NEIGHBOURHOOD PLAN POLICIES

Natural Environment

Policy NE1 – retaining and enhancing the natural beauty of our Parish

1) I am concerned that the requirement of there being “no adverse impact on biodiversity”, goes beyond the threshold set out by the relevant section of the NPPF. The Framework proposes that plans should adopt a criteria based approach, which distinguishes between sites, based on a hierarchy of their importance, e.g. a SSSI deserves more protection than a non-designated site in the parish (para 113 of NPPF).

In terms of the landscape quality, the AONB designation offers the highest level of protection, but whilst the protection and conservation of wildlife is important, the threshold is not as high as in national parks. The plan is silent as to whether there are any protected or designated wildlife sites in the plan area. In future, there could be development, which may have an adverse effect on biodiversity e.g. loss of a section of hedgerow for a new house but that could be outweighed by other benefits accruing from the development. The impacts on a non-designated resource could be afforded less weight than, if for example, it was adversely impacting upon a protected species.

2) I consider that it is perfectly acceptable to indicate that native species should be incorporated within landscaping schemes.

3) Equally, Devon banks are exactly the sort of feature which is representative of this part of the countryside, it is part of its distinctiveness. Neighbourhood planning can and should respond and protect that distinctiveness, as it is a matter of local importance.

4) This is a reasonable policy but the authors of the Plan should recognise that without statutory protection, trees are at risk of being felled before development proposals are submitted.

5) This policy is not a policy covering the use and development of land – it is a proposed action to be taken by the Parish Council. This proposal should be changed from a neighbourhood plan policy to a Community Action and Project.

Policy MEC2– Preserving tranquillity and our dark skies

1) Paragraph 123 of the NPPF states that plans should identify and protect tranquil areas. This raises the question as to whether all parts of the parish, for example whether the area where the A30 crosses the parish, “are relatively undisturbed by noise and are prized for their recreational and amenity value” and therefore are worthy of protection. It maybe that it does, but it is a point worth considering rather than assuming that all the parish is a tranquil area.

Another somewhat pedantic point, but one that could be open to interpretation, relates to the use of the words “frequency of noise”. In the acoustic terms, frequency can relate to the characteristics of the sound or an alternative interpretation could be how often the noise is experienced. This may want to be clarified.

2) The requirements of no adverse effects through light pollution is a higher threshold than is set in the NPPF (para 125) which seeks to “limit the impact of light pollution”. As written a planning application for a conservatory with a glass roof would have to be refused.

Incidentally, this is a good example of the point I made earlier, in that the policy does not deliver the outcome that the objective requires, which made reference to road schemes and also seeking ways of reducing any existing impact. I would recommend a fundamental review of how the objectives are written throughout the plan. To take this policy as an example my recommendation is that the objective should be “To protect the tranquillity of the environment and maintain the dark skies.

Built and Historic Environment

Policy BHE1- Protecting Our Valued Historic and Heritage Asset

The threshold as set out in the policy is that a proposal should have “no adverse impact”. The approach set out in the NPPF is that the degree of impact allowable should be related to the significance of the heritage asset. The greater the significance of the buildings or sites, the more weight should be given to their protection (Para 132). The policy does not do that and imposes the same criteria irrespective of the relative importance of the building. The approach deviates from national advice and this may be an issue that an independent examiner could well pick up at examination.

One of the underlying principles of neighbourhood planning policy drafting is that a policy should offer certainty to both the decision maker and indeed the applicant. “It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence.” (Para 041 PPG). That is due to the pre-eminence of the development plan in the determination of planning applications. The policy refers to “other valued archaeological and historic assets”. It goes on to list some, but caveats that list by the use of “not limited to”. The question that raises is, how will the decision maker know whether a feature is “a valued asset” if the plan does not identify it as such? The same point relating to uncertainty, applies to the second element of the policy. How will an applicant be able to demonstrate they have fully taking into account “any additional local evidence”?

The plan is able to identify non-designated heritage assets as part of the neighbourhood plan making process—creating what was in the past known as “local listed buildings”. The policy should be able to offer these buildings some protection depending on their significance and their retention be balanced against the benefits that accrue (para 135 - NPPF).

Policy BHE2 – Maintaining the Built Character of Our Parish through High Quality Design

One of the issues with the Plan that I have identified, which reoccurs in a number of policies, is the requirement to demonstrate that considerations have been given to a particular issue, in a Design and Access Statement. That would have been acceptable when every application had to be accompanied by such statement. However, the requirements as to what documents are required to be submitted with the planning application is not within the gift of the planning policy. In recent years the need to submit a Design and Access Statement has been radically reduced as part of the Government's agenda to reduce the burden on applicants. In the most recent version of the Town and Country Planning (Development Management Procedures) Order 2015 the requirements to submit a Design and Access Statement are limited to "major proposals" only, which covers residential schemes of over 10 dwellings or other buildings with a floorspace of over 1000 sq.m. or sites over 1 ha in the area and the only exception is our relation to designated areas, such as conservation areas or schemes affecting World Heritage Sites.

The other issue relates to the need for compliance with the Membury Design Statement and the Blackdown Hills AONB Design Guide for Houses. In my version of the plan only the Design Statement is attached as an appendix. Having read the Membury Design Statement it may be better to extract the most relevant parts of the statement and incorporate that specific design policy into the Plan and omit that which is out of date or are not planning issues. To give an example there is a requirement to have a maximum plot coverage of 25%. If the intention for that to be retained, then it should be an explicit policy in the Neighbourhood Plan.

Again in terms of the policy requirement it is that the policies in the accompanying documents *must* be met. In my view it may be more relevant for applicants to be "encouraged" to have regard to the advice contained in the two documents – which are in any event *guidance*. The blanket adoption of the AONB Design Guide for Houses would include technical standards for domestic energy. This would be contrary to the Ministerial Statement given to the House of Commons on 25th March 2015 explicitly stating that technical standards for residential properties can no longer be included in neighbourhood plans.

The policy splits the advice into those relating to residential developments in the first element and "any development" in the second. Consideration could be given to the combination of the two elements in a single policy, as the 3 matters referred to in the second part would be equally applicable to residential development.

My final point on this policy relates to the use of the term "handling" in terms of

vehicles. This is not a term that is ordinarily used and if I am not clear as to what the intention of requirement is, then nor will other users of the plan. I assume that the term relates to the on-site manoeuvring space

Housing and Population

As a whimsical aside, most neighbourhood plans I read are able to reference their community back to the Domesday book, but this plan is the first to refer to the long term effects on the population profile arising from the Black Death!

The plan does include a convincing justification as to why the Plan is promoting modest development over the plan period. It goes on to encourage the influx of young families into the community. There are several pages in the chapter addressing the status given to Membury arising from the now adopted local plan. As I have earlier noted, I do not believe that it is helpful for the neighbourhood plan to be the avenue for revisiting old disagreements. Rather it is the opportunity for the community to promote its own vision for its settlements. The East Devon Local Plan recognises e.g. paragraph 15.20 and 15.23 that limited development can be promoted through the neighbourhood plan process which will demonstrate that the local population support the proposals through referendum. Furthermore, the recent changes in national planning practice guidance now states that “blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence.”

In terms of the scale of the modest new housing, the neighbourhood plan does not seek to quantify the amount of new dwellings it is looking to promote. It refers to an earlier version of the local plan which allocated a figure of five units. Elsewhere the document refers to an average of one new house been required per year, which would equate to roughly 15 new homes over the plan period. The danger with not having even indicative numbers, is that it is difficult, by having criteria based policies, to avoid the plan allowing planning permission to be granted for more development than the community may otherwise consider it acceptable. It is then difficult to call a halt without reviewing the whole Plan.

Collectively the plan has five policies, each of which allow the introduction of new housing.

HP1– allows new homes to be built for any type of housing so long as they meet the three criteria

HP2 – provides homes for low-cost starter homes for young family members or carers by residential annexes

HP 3 – allows for low-cost homes for young families and the elderly where there is demonstrable local housing need or is to be provided by a Community Land Trust.

John Slater Planning

HP 4 - the creation of new residential units by the conversion of existing buildings

HP 5 - individual small scale self-build housing for local people

Whilst the neighbourhood plans desire is for small-scale organic growth, there is the possibility of unforeseen consequences, where proposals come forward which meet all the criteria, but which will cumulatively lead to more development the community may be expecting. That may not be seen as a problem and is certainly in line with Government policy aimed at securing a significant boost in housebuilding. It may be worth the Plan trying to articulate what levels of growth are being actually promoted within the plan.

The other issue that the plan clear about is spreading the development across the hamlets as well as in Membury. This was a clear response from the residents' questionnaire. However, I do have concerns about this strategy, which may prevent the Plan meeting one of the basic conditions, namely "the achievement of sustainable development". The reason quoted within the justification is "due to the high flash flood risk within the village centre". However, I do not consider that this by itself constitutes a sound basis for a policy of dispersal, in that it is not preventing development in areas at risk from flooding. The document refers to hamlets but from my site visits my impression was that a number of the places quoted as hamlets were just a loose collection of houses. There is no widely held definition of what constitutes a settlement and in a number of instances, what I saw did not, fall within what I would describe as a settlement. The NPPF presumes against "isolated new houses in the countryside (para 55)". New housing in some of the "hamlets" quoted would, in my mind, be just that – more isolated houses in the countryside. I have to balance that conclusion with the recent PPG advice that "all settlements can play a role in delivering sustainable development in rural areas and so blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence". If the Parish Council is committed to pursue its strategy of dispersal, it needs to provide more convincing justification that the hamlets quoted actually do constitute "settlements" in terms of planning policy. That will be important information to put before the Examiner in the Basic Conditions Statement. Whilst there is no legislative requirement for a neighbourhood plan to be accompanied by a Sustainability Appraisal – it would be a method of demonstrating that the strategy being promoted is more sustainable than other alternatives.

I also consider that there are some inherent contradictions in the overall policy stance, in as much as the policies which seek to direct elderly person accommodation to walking distance to village facilities could be equally applicable to young families who will use the local school. By allowing the development of unrestricted houses in the hamlets will necessitate parents having to drive to school

John Slater Planning

each day, which does seem to run contrary to the aspirations of sustainable development.

Policy HP1- Meeting new build within an evolving parish

This policy firstly requires residential development to comply with other policies in the plan. That is unnecessary duplication as a proposal will have to be judged against all relevant policies in the plan, in any event.

The first element of the policy refers to the additional housing development being of an *appropriate* type. However, I am not aware what the plan considers to be “appropriate”.

The second point refers to the cumulative impact “destroying” the heritage or character of the village. The prevention of “destruction” is a very low threshold and the plan may wish to protect the settlements from *harm* to the heritage or character of the community. The policy does not translate the aspiration of development coming forward being small-scale.

My final concern regarding this policy is that the Plan does not define what is meant by “infill” – which ordinarily means the closing off of a small gap within the frontage of a settlement. I am not convinced that such circumstances exist in respect of all the hamlets cited in the plan. The plan needs to come up with its own definition to aid decision makers who will be using the Plan in the future

Policy HP2 – Residential Annexes (attached and detached)

The justification refers to low cost starter homes for young family members. The text also refers to carers for elderly residents, but this is not included in the policy. The term “starter homes” is at the forefront of Government plans with new legislation referring to the aim to deliver homes at 80% market value. In order to avoid confusion, it may be better for the justification merely to refer, in its second paragraph, to “a home for young family members”.

The reference to an annexe ‘being capable of forming a separate dwelling in contravention of housing policies of the local plan’; it could be argued that the residential use would actually comply with Policy HP4 i.e. it will be the conversion of an existing building into residential use.

Policy HP3- Meeting Housing needs demands

As previously mentioned, planning practice guidance requires that policy should be *clear and concise*. There should be clarity as to what the constitutes a policy of the neighbourhood plan. This plan falls into the trap of appearing to be making policy, but does not identify it as policy but rather it is hidden within the text. To give an example, in the third paragraph on page 28, it states “we stipulate that suitable accommodation for all residents should be within Membury village built up envelope and no more than 350 m (as the crow flies) from the amenities of the church, school, village hall, shop, post office and meeting plan. [Incidentally must the site be within 350m of each of these amenities?]”

The text of the policy talks about identifying a site for local needs housing, both are for young families and the elderly. The policy does not refer to the identification of a single development but is a proposal for *additional* housing development but it does not clarify *additional* to what. The policy could be a lot clearer by stating that a single development site is being promoted. Similarly, the supporting text talks about exemption sites, which tends to be sites outside village envelope where residential development is not ordinarily approved. However, the supporting text refers to sites falling within the village envelope, but that would be in any event be acceptable under Policy HP1. If the intention is this local needs housing should be allowable outside the settlement envelope, it should be explicit stated.

The second criterion could mean that an isolated house could justifiably have another property built for either a carer or a member of the family (rather than by way of an annexe). Personal circumstances justifying the need for a new home could change but it would still have led to the creation of another isolated house in the countryside, which would be against national policy. Similarly the justification of “supporting local employment” is too loose – for an isolated home to be justified in terms of national policy the test is whether it meets “the essential need for a rural worker to live permanently at or near their place of work in the countryside.”

Policy HP4 - Conversion of existing buildings to housing or work/live units

The justification of the policy relates to the conversion of existing redundant buildings but the wording of the policy would allow the conversion of any building, irrespective of its current use. Also the building must be capable of conversion rather than as an opportunity to rebuild a dilapidated property to secure a new residential use. To bring the policy into line with paragraph 55 of the NPPF the policy should refer to redundant or disused buildings.

John Slater Planning

Conversion of “existing larger houses” is implied, by which the intention is to allow, I suspect, the subdivision of larger houses into smaller units- but it does not state “larger than what”- if the intention is to allow the subdivision of large houses, that could be stated more clearly. By having a minimum size of the original building above which properties could be subdivided would prevent smaller properties being firstly extended to make them suitable for conversion.

The policy can stipulate that if a building is converted, permitted development rights can be removed, if justified, to prevent replacements being erected without planning permission. It is not clear to me how the conversion of a building can impact on flood issues.

Policy HP5- Small Scale Self Build Housing

This section of the plan completely misinterprets paragraph 55 of the NPPF. The *special circumstances* relating to the exceptional quality or innovative nature of the design of the dwelling, is in the context of a general presumption against **isolated new homes in the countryside**. It is the policy that allows approval of unique architectural masterpieces where in the past they would have been the stately homes built in the countryside. It is not a policy to be applied to new general needs housing in settlements. The policy for single self-built local needs housing has 11 requirements. The Policy needs to be clear that all conditions apply.

I have a number of detailed comments on the particular criteria:

3) what would happen if the building is not completed within two years of permission being granted. Is that period reasonable and would that condition to that effect be enforceable?

5) as referred to above, the special circumstances test relates only to isolated houses in the countryside, which would not be acceptable in terms of other policies in the plan including criteria seven.

8)-11) these are policies requiring compliance with our policies on the plan which is unnecessary duplication.

The definition of local connections set out in Panel 1 should be integrated into the actual wording of the policy itself.

Community facilities and services

Policy CFS1- Improvements to Existing Local Community Facilities

The wording requires promoters of applications to enhance or improve existing facilities to demonstrate the need to make the change. That seems to be an unreasonable requirement. If a proposal is acceptable in planning terms, there should not be a need for additional justification.

Policy CFS2- Membury Primary Academy

I have no comments or issues with this policy.

Policy CF3 - Loss of Local Community Facilities, Amenities and Locally Valued Assets through Redevelopment

The title of the policy refers to loss of facilities through redevelopment, when the wording of the policy also refers to their loss through change of use. The policy is not clear as to whether a planning application has to meet all criteria, if it does then the insertion of the word “and” at the end of each of the requirements will make that clear.

The implications of the property would have to stand vacant for two years seems unreasonable. A twelve-month marketing period would be more reasonable to assess whether the property and its use can find the new buyer. This would bring the policy in line with the Local Plan policy.

The neighbourhood plan should list what the local community facilities, amenities and locally valued assets are and explain what the difference is between the different definitions.

Flooding

Policy F1- New build, self- build, conversion or extension

It is clear that flooding has been a major issue in Membury and Rock and it is clearly important that the neighbourhood plan addresses this issue.

Regarding point 2, as already been mentioned, most planning applications (apart from major development) will not be required to submit a Design and Access Statement. It may well be that if the area is designated by the Environment Agency

John Slater Planning

as an area susceptible to surface water flooding, applicants could be required to submit flood risk assessments with their application. This can demonstrate how the proposal has been designed to deal with flooding matters including addressing flood risk. The text the policy could usefully refer to DEFRA non-statutory technical standards for drainage sustainable systems or whatever document replaces that in due course.

I am not clear as to what is implied by a proposal being *flood neutral*. I assume that the intention is that it should not lead to higher rates of surface water discharge than currently discharges from the site.

A neighbourhood plan cannot remove, through a policy, permitted development rights. That can only be done via an Article 4 Direction. What can happen is that the planning permission is granted, a condition can then be imposed withdrawing permitted development rights for further development in respect of the building that has been allowed.

The requirement for all surface water to be dealt with by soakaways may not be the only solution available when using sustainable drainage systems e.g. some proposals can provide for the storage of surface water in storm events and subsequent discharge into watercourses, when levels subside.

Transport and access

Policy TRA1 – Rights of Way (Public Footpaths and Bridleways)

I have no comments to make on this policy except the final caveat. There could be development that affects a public right way through its adjacency, but it will be impractical for them to have to prevent motorised vehicles using them. That is a matter to be dealt with by a Traffic Regulation Order.

Economy and employment

Policy EE1- Super-fast Connectivity

I have no comments to make on this policy.

Policy EE2- Conversion of Agricultural Buildings

It will be helpful to clarify whether the policy refers also to the conversion of the buildings for tourist uses. Alternatively, it could be interpreted that such uses are

John Slater Planning

already covered by Policy HP4.

Policy EE3- Farming (New Development Proposals)

Please note that policy D7 quoted in the supporting text is not the same version of the policy that appears in the adopted local plan.

It is not the role of the planning system to be taking a view on whether the proposal promotes or enhances best practice farming methods. The policy refers to proposal on “farmland”, but the definition could be extended to include farm buildings and complexes.

Energy and low carbon

Policy ELC1- Small Scale Renewable and Low Carbon Energy Schemes

It seems to me that the first two elements could be incorporated into a single policy as essentially the wording does the same thing in both cases

Policy ELC2 – Large Scale Renewable and Low Carbon Energy Schemes

The policy needs to be able to quantify what is meant by large-scale schemes e.g. how would a medium scale turbine referred to in Table 4 be categorised. Would it fall under policy ELC1 or ELC2?

Concluding Remarks

This is a really impressive neighbourhood plan in the way that it seeks to deliver a clear future for its settlements and to which the population has clearly signed up to. My comments do not seek to change in any way the direction of travel that the neighbourhood plan is taking. My comments are designed to improve the plan, by ensuring that it is broadly consistent with national policy. The plan takes a positive attitude to new housing with a clear desire to allow the village and its hamlets to evolve in the future in the same way that it has done so in the past. I do however think that the housing policies could lead to more development being allowed, as it meets the criteria, than the community may consider acceptable. I hope that my comments will encourage a clearer view of how much residential development is needed over the next fifteen years and the Steering Group may wish to consolidate the five housing policies, setting out the circumstances where different types of residential development is acceptable and a possible quantum so as to ensure the

John Slater Planning

aspiration of small scale organic growth is what is delivered. I am also not convinced that all the hamlets can be justifiably described as settlements and accordingly be appropriate locations for new development. More convincing evidence is required to convince an Examiner that all the hamlets are sustainable locations and will not be creating more isolated houses in the countryside.

I am sure that having taken on board my recommendations that the Plan is capable of passing the Basic Conditions test. If I can be of any further assistance, please do not hesitate to contact me or if any of my conclusions are unclear I would be happy to elaborate.

I offer the Steering Group every good wish in moving forward with the Neighbourhood Plan

John Slater

Independent Neighbourhood Plan Examiner