

Correspondence between Examiner, LPA and QB – Houghton on the Hill Neighbourhood Plan

To Examiner 2/10/2017

Andrew

I hope you are well.

I believe you will now have received the contract for the above Examination. Hopefully the contract process is now a little more streamlined than previously.

I have uploaded the submission documents, the responses to regulation 16 and the Core Strategy to Dropbox.. You can find the files at the following link.

The redacted version of the consultation responses is on the [Council website](#)

Please let me know which documents you would like as a hard copy and I will post them to you.

The Parish Council have made a representation at Regulation 16 , which I hope is fairly self explanatory; events and planning applications rather overtook the NDP after submission to HDC. The representation is made for your consideration as amended text to reflect the updated position.

The District Council's emerging Local Plan is now undergoing its statutory consultation. The link to the Plan is below. Please let me know if you would like a copy of the emerging Local Plan, which I will post to you.

<http://www.harborough.gov.uk/local-plan>

If you need anything else please let me know

Regards

Matthew

From Examiner 22/10/2017

Matthew

I have realised that I do not have the attachments to the QB's representation; they refer to replacement figures and diagrams, at least one of which may be crucial to me gaining an understanding of how Policy H1 has been changed. I would be grateful for a copy of the attachments please.

Andrew

Documents sent to Examiner

From Examiner to LPA 12/10/2017

Matthew

I have been trying to identify the applications relating to the 3 sites mentioned (but not referenced) in the Plan as having an outline consent. I believe that the Plan's Site 1 is 15-01975 and Site Z 17/00212 (I note there is presently an approval of details application with you at the moment). I

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cannot confidently locate Site 2 because the boundaries of the outline application and the current details application appear to differ. Please could you confirm or correct the details that I have suggested and provide the reference(s) for Site 2 please.

Many thanks

Andrew

LPA response 13/10/2017

Andrew

The sites are as follows

Site 1 – 17/00257/REM | Erection of 70 dwellings (reserved matters of 15/01975/OUT) | Land Part OS 8797 Uppingham Road Houghton On The Hill Leicestershire

Site 2 – 14/01439/FUL | Demolition of two existing dwellings, demolition of existing builders yard and associated outhouses and hard standing, and erection of 17 dwellings with associated external works | 2A Uppingham Road Houghton On The Hill Leicestershire LE7 9HH

Site Z – 17/00212/OUT | Outline application for residential development of up to 48 dwellings with associated infrastructure and public open space (means of access to be considered) | Land Off Winckley Close Houghton On The Hill Leicestershire

The boundary of site 2 is as set out on the attached which is from our Planning Online.
Below is the site boundary



I am not aware the boundary has changed from outline to full application, but hopefully the attached will give you the information you require

Regards

Matthew

Email to Stephen Derry, Clerk to Houghton on the Hill PC – 16/10/2017

Dear Mr Derry

As you are aware I have been appointed to conduct the Examination of the Houghton on the Hill NDP. I have started my work and have identified a few initial queries on which I need some more information. In the interests of transparency I am requesting Harborough Council (via this email) to add my queries and your response on behalf of the Qualifying Body to the Council's webpages relating to the Neighbourhood Plan. I have also copied in Ian Hill and Ann Sleath as suggested by Mr Hill.

- I note that you have suggested, via a submission to the formal consultation, a number of amendments most of which relate to factual changes as a result of some matters having progressed since Plan submission. Bringing content up to date is a natural part of the Examination process. However, the changes proposed to the wordings of para 1 of Policy H1 and parts of Policy H3 are of a different character and consequence.
- I am assuming that there is a typo in the suggested new wording for Policy H1 and that 'the limits to development' is to be replaced by 'the NDP area' (rather than NOP area as written here and at other places)? The effect of the change of the wording of para 1 of Policy H1 is, apparently, to remove any locational constraint on prospective permissions for housing within the Neighbourhood Area; previously the restriction had been 'within the limits to development'. I am aware that the emerging Local Plan will not provide for 'limits to development' as such, but there will still be locational criteria to which housing proposals will have to show regard. Given its context within the Neighbourhood Plan I doubt that you had intended that Policy H1 should challenge the Local Plan, adopted or prospective, with a more liberal approach to additional housing, and so I need your guidance please on what had been the intention for the Policy and its relationship to the new Policy H7? (Policy H7 has its own problems partly because it makes reference to Site 3 which has not now been allocated). A further confusion arises from the (retained) reference to Figure 4.2; this neither defines the 'limits to development' nor the Neighbourhood Area and is not, as is suggested, the "Policies Map". Therefore I am left wondering whether a correct Figure has been omitted or the reference should show another of the existing Figures; your guidance please.
- The original version of Policy H3, on which there has been a formal consultation, says: " The reserve site 3 for housing will be made available if it becomes necessary to provide for additional homes in excess of that provided for within the sites 1 and 2 coupled with the outcome of outstanding applications and appeals relating to a site off Winckley Close". It is now known that the development off Winckley Close has a planning consent but there will still be a shortfall in numbers below the likely Local Plan *minimum* requirement. However, the amendment submitted now suggests a different approach to meeting the shortfall, albeit I can see that prospectively there would be a surplus beyond the minimum requirement. Given that the change of approach has not been the subject of consultation, as well as that no evidence has been provided to suggest that windfall sites over the lifetime of the Plan could be assumed to be sufficient for 17 dwellings, I am doubtful that the suggested amendment is reasonable. Retaining the allocation of Site 3 is what readers had been led to expect and would be in line with current Planning Guidance (Can a neighbourhood plan come forward before an up-to-date Local Plan is in place? ref: [41-009-20160211](#)). I invite your response to this line of thinking.
- I note that although not referred to in the representation, a substitute for Fig 4.3 has in fact been included with the attachments.
- From my researches to date it would appear that the three sites 1, 2 & Z have all reached the stage of a full planning application/permission without any increase in housing numbers from the outline permission. I can therefore see no practical benefit to these sites now being included in the Plan other than as a part of the calculation of meeting housing needs. I invite your response to this line of thinking.
- I further need your guidance on thinking in relation to the protection of open spaces. The NPPF makes provision for the designation of Local Green Space, but this is subject to very specific criteria which many areas of open space may not satisfy. You do not propose, it would seem, to use the Local Green Space designation but you do say that "all formally identified green spaces" "should be protected" (Policy D3) and repetitiously again at Policy

E4. I am not sure what "formally identified" here might mean, but I can see that three spaces in Houghton are recognised in the Local Plan as Public Open Space and therefore they are already protected by that designation. Many seem to be protected in practice because of ownership - freehold or lease - by the Parish Council and, to a lesser degree, some are protected as assets of community value? Both Policies D3 & E4 seem to be making statements about future actions rather than Policy commitments about protection although D3 says "should be" and E4 "will be". One of the areas that seems to be intended for protection is the Allotments and yet elsewhere in the Plan (text related to Policy S3) the prospect is raised that the site of the Allotments might be sold for housing (although it is also suggested that this might be a statutory allotments site already protected by that designation). Therefore new protections would need to be distinguished from existing protections and new protections need to be justified individually not merely marked on a Map. But perhaps you are in fact simply identifying the distribution of existing open space as a background to the Policy requirement for complementary spaces to be provided within new housing developments? Can you please clarify your intentions here. It may be worth me noting here that policies should "provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency" (NPPF para 17).

There may well be further questions that I will need to raise as the Examination progresses but I would appreciate some further clarity on the issues above to help with progress.