

Great Glen Neighbourhood Development Plan Review

Independent Examiner's Clarification Note

Context

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 is well-presented. The quality of the photographs and maps is very good. It results in a very readable and interesting document. The submitted Plan properly captures the character and appearance of Great Glen.

The Plan provides a clear and distinctive vision for the neighbourhood area. It is also clear that the production of the Plan has focused on appropriate matters. The distinction between the policies and the supporting text is very clear.

Thank you for these helpful comments.

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 some initial issues for clarification. They are for the Parish Council.

The comments that are made on these points will be used to assist in the preparation of my report. They will also inform any potential modifications that may be necessary to the Plan to ensure that it meets the basic conditions.

Points for Clarification

Policy GG1

Does the proposed allocated site already have outline planning permission for residential use? If so, please can I have its application number.

No, it doesn't – although it is adjoining a larger site which has planning permission.

Policy GG2

Is the main driver for this policy the decision of the District Council not to continue with the use of 'Limits to Development' in its emerging Local Plan?

Yes – the Parish council was keen to shape development by re-instating and updating the settlement boundary in order to preserve the integrity of the village and to direct the location of future sustainable development.

Policy GG12

Section 1 of the Plan comments that GG/LGS/02 St Cuthbert's churchyard has been added to the LGSs in the made Plan. Should this be GG/LGS/04 as set out in Policy GG12?

Yes – this is correct. The reference in section 1 should be GG/LGS/04

Policy GG14

In some cases, there is an overlap between the sites listed in GG12 and GG14. How would the two policies work in practice on the sites concerned when the policies are different?

If the sites in GG12 are confirmed as LGSs, they can be removed from policy GG14. They are included in GG14 to afford a degree of protection for locally valued open spaces should the proposed designation as LGS not be supported.

Policy GG17

As the supporting text comments, the proposed Historic Landscape Character Area incorporates several environmental matters already captured in the Plan. The defined area is already affected by Local Green Space designation (GG12) and by the policy on ridge and furrow (GG13) and Figure 7.

On this basis why does the Parish Council consider that the additional layer of protection proposed in Policy GG17 is required?

In addition, how would the decision-maker know which policy to apply for any given development proposal that falls within the area included in Figure 12?

The Historic Landscape Character Area includes Local Green Spaces /02 and /04 and ridge and furrow fields 078, 079, 080, 081 and 097 but it extends beyond these bounded sites to encompass the other visible heritage assets listed in Policy GG17. The HLCA's concentration of heritage assets in this relatively small area defines, precisely and proactively, the area providing the historic setting of the Grade II Listed St Cuthbert's Church in a way that Historic England only does imprecisely and reactively (in response to any Planning proposal).

Decisions are expected to be made by applying the hierarchy of the three policies: GG12 providing statutory protection for the churchyard and some ridge and furrow fields; GG13 requiring developers to seek to preserve the ridge and furrow in LGS/02 and beyond; and GG17 requiring planning decision-makers to balance the benefit of any new development proposal within the mapped HCLA area against the heritage significance of the palimpsest of seven defining historic features in the HLCA.

Representations

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

In particular please can it comment on the District Council's representation to Policy GG2 and the relationship between Policies GG2/GG3.

Thank you for this opportunity to comment.

We do not feel that it is necessary to respond to every representation, but we feel that the following comments help to clarify our position:

HDC comments (page 5 onwards ...)

High resolution maps are available under supporting information

The Parish Council is content with the adjustment of the Settlement Boundary as proposed on pages 8 and 9.

Boundary of St Cuthberts to be changed

Gladmans comments (page 14 onwards)

Gladmans question the scale of the allocation and ask if discussion had taken place with the LPA. Very detailed on longstanding discussions took place with HDC. No allocations are

required in the NP so providing an allocation and a positive policy on windfall exceeds the minimum requirements.

Gladmans question the treatment of the countryside in policy GG2 (page 14). The policy seeks to ensure that development is located in the most sustainable areas and that development in the countryside is suitable and appropriate to that location.

Gladmans object (page 15) to criterion a) of policy GG3 on windfall for being too restrictive. In fact, this policy criterion is drawn from the Made NP, replacing the term 'built-up area' with 'settlement boundary' to reflect the inclusion of the settlement boundary in the NP.

The PC is happy to amend the wording as proposed for criterion f).

Gladmans comment that policy GG4 should be changed to remove the presumption against homes of more than 4 bedrooms. In fact, this policy is a direct extract from the Made NP. Notwithstanding this, the PC is happy to allow for flexibility by referencing more up to date housing surveys should they become available.

Gladmans also seek to soften the design policy GG6 by replacing conformity with the design statement with regard for. However, this policy wording is part of the Made NP and has not changed so is considered appropriate and proportionate.

In terms of the policy on heritage assets (GG7) this is again a direct word for word repeat of a policy that was approved by examination less than 2 years ago.

Gladmans objection to the policy on assets of community value (GG11) is rejected as it is the same as the policy which is contained in the Made NP.

The evidence in support of the LGS designations is contained in the appendices.

The policy wording objected to by Gladmans in policy GG14 'area of open space to population size' is the same phrasing which is contained in the equivalent policy in the Made NP which has passed examination and referendum.

Gladmans consider that the views policy (GG19) is too protective. However, the policy wording clearly seeks to ensure that any development takes the views into account and mitigates them where possible It does not seek to prevent development but rather to diminish its impact in the most sensitive areas.

Gladmans suggest that policy GG21 on residential parking is too prescriptive, however this is the identical policy to that which is in the Made NP. It has not changed. And the circumstances behind its inclusion remain in place.

Protocol for responses

I would be grateful for responses to the various questions by 14 August 2019. Please let me know if this timetable may be challenging to achieve.

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 can all responses be sent to me by Harborough District Council and make direct reference to the policy/issue concerned.

Andrew Ashcroft

Independent Examiner

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26 July 2019