

# INDEPENDENT EXAMINATION OF THE GILMORTON NEIGHBOURHOOD DEVELOPMENT PLAN

INDEPENDENT EXAMINER:  
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To Harborough District Council and Gilmorton Parish Council

By email to Matthew Bills, Neighbourhood and Green Spaces Officer, Harborough District Council and Yvette Walters, Clerk, Gilmorton Parish Council

Dated 26 July 2021

Dear Yvette and Matthew

## **Gilmorton Neighbourhood Development Plan Independent Examination - Examiner Letter Seeking Clarification of Matters**

Further to my initial letter of 12 July 2021 I am writing to seek clarification of the following matters:

### **Policy G3**

1. Please confirm each of the identified views and vistas are seen from publicly accessible locations and provide me with an amended version of the map presented at page 35 of the Neighbourhood plan more clearly indicating this to be the case. Viewpoint 3 should be positioned on Flat Lane. Viewpoint 4 may need to be positioned on the adjacent highway if it is not on publically accessible land. The direction of view indicator for viewpoint 1 does not match the description on page 36 of the Neighbourhood Plan.

### **Policy G7**

2. It is unnecessary and confusing for this policy (and no other policy of the Neighbourhood Plan) to include the non-specific statement "*and the other policies of the Neighbourhood Plan*" as the Neighbourhood Plan should be read as a whole. I invite comment on my intention to recommend a modification to delete those words so that the Neighbourhood Plan is "*clearly written and unambiguous, so it is evident how a decision maker should react to development proposals*" as required by paragraph 16d) of the Framework.

### **Policy G9**

3. How is the term "*historic settlement core of Gilmorton and Cotes de Val*" to be interpreted by parties preparing development proposals and by decision makers determining development proposals?
4. The policy wording refers to public benefit. Whilst this is a matter referred to in paragraph 201 of the Framework in respect of proposals affecting designated heritage assets it is not a matter to be considered with respect to non-

designated heritage assets. Paragraph 203 of the Framework states “*The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.*” I intend to recommend a modification so that assessment of impact on locally valued heritage assets should be as though they were non-designated heritage assets so as to have sufficient regard for national policy and guidance in this respect. I invite comment on my intention to recommend a modification so the policy has sufficient regard for paragraph 203 of the Framework.

5. It is stated assets A - G are shown on the Policies Map. Asset G Ridge and Furrow is not shown on the Policies Map. I invite comment how this error can be corrected.

### **Policy G10 and Policy G1**

6. It is confusing for two policies to seek to specify the approach to development proposals outside the Gilmorton Limits to Development. I invite comment on my intention to recommend a modification so that Policy G1 relates to land outside the Limits to Development and Policy G10 relates to land within the Limits to Development. Indeed, the policy titles suggest that is the intended approach.

### **Policy G11**

7. The Written Ministerial Statement to Parliament of the Secretary of State (CLG) on 25 March 2015 included the following: “*From the date the Deregulation Bill 2015 is given Royal Assent, local planning authorities and qualifying bodies preparing neighbourhood plans should not set in their emerging Local Plans, neighbourhood plans, or supplementary planning documents, any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings*”. The policy is also reliant on a third party to the applicant and local planning authority for its realisation which it may not be. The policy does not meet the basic conditions. I invite comment on my proposal to recommend a modification so that the policy is deleted.

### **Policy G13**

8. Paragraph 78 of the National Planning Policy Framework states local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs. Paragraph 7.13 of the Neighbourhood Plan quantifies anticipated delivery of affordable houses. Could you please direct me to the assessment of local needs for affordable housing that justifies the approach taken in Policy G13.

### **Policy G14**

9. Paragraph 111 of the Framework states “*development should only be prevented or refused on highway grounds if there would be an unacceptable*

*impact on highway safety, or the residual cumulative impacts on the road network would be severe.”* Could you please explain:

- how the policy has regard for paragraph 111 of the Framework?
- how it will be determined if new development would generate additional traffic in Gilmorton village
- how it could be demonstrated development will not make issues identified in A and B worse?
- how the development of a house for example, could provide opportunities to reduce speeding traffic?

### **Policy G15**

10. In that the policy is seeking to introduce parking standards please direct me to the evidence demonstrating the matters listed in paragraph 107 of the National Planning Policy Framework have been taken into account.

I request any response to these requests for clarification is agreed as a joint response of the Parish and District Councils wherever possible. This request for clarification and any response should be published on the District Council website.

In order to maintain the momentum of the Independent Examination I would be grateful if any reply could be sent to me by 12.00 Noon on Tuesday 10 August 2021.

As the Independent Examination progresses, I may seek clarification with respect to other matters. For the avoidance of doubt recommendations of modification of the Neighbourhood Plan that may be contained in my report of Independent Examination will not be limited to those matters in respect of which I have requested clarification.

I should be grateful if the District Council and the Parish Council could acknowledge receipt of this email.

Best regards

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