

Roecliffe Neighbourhood Plan

Informal Officer Comments - September 2018

Further to our meeting on the 2nd October, I have summarised my informal officer comments on the Draft Roecliffe Neighbourhood Plan (Pre-submission Draft July 2018).

Policies Maps

- I appreciate that the plan is still in draft but the current mapping quality will need to be improved. As part of HBC's Duty to support we can produce a policies map for you in preparation for your regulation 14 consultation.

General points

- Plan is well presented and clear distinctions between policies, community actions and justification etc.
- Plan shows substantial public consultation and engagement.
- Plan as a whole could be made more succinct e.g. detailed consultation feedback (such as conversations with specific individuals) moved to the consultation statement. This point is perhaps more pertinent to the final submission which will need to be accompanied by a consultation statement and comprise a succinct document to be used by developers and development management in shaping development.
- Any references to national policy should be updated to reflect publication of revised National Planning Policy Framework (NPPF, 2018).
- Parts of the Plan still reference The Local Plan Core Strategy. These should be removed and the Plan should reflect the status of the emerging Local Plan (submitted August 2018).
- Key points in the NPPF which underpin many of my comments:
 - **Clarity – NPPF 16.** Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals.
 - **Avoid repetition - NPPF 16.** Plans should serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).

Comments on Specific Policies

A1 – design and development

This is a lengthy policy which in parts could benefit from editing to avoid repetition and in others provide additional clarity, for example:

- *Respecting local landscape quality ensuring that views and vistas are maintained. The visual impact should be considered both from local impact and from longer distance views.* Which views and vistas? However, there is a separate policy on views so suggest deleting this clause as the matter is addressed in the plan later on.
- Clauses relating to historic assets - approach to protection of heritage assets clearly defined in national policy and laws. Suggest looking at existing protection and

evaluating what (if anything) the NP policy adds. As discussed, you could make reference to the fact Conservation Areas are already subject to protection in the supporting text if you feel strongly that you need to acknowledge the fact that villagers feel strongly about this aspect. Likewise, trees in Conservation Areas are already protected. If there are other trees you think need protection we could perhaps look at TPO protection?

I'd also question the clause prohibiting the installation of street lights. What is the justification for this? Assuming the objective behind this is to preserve the rural character then I'd suggest a broad policy on all external lighting, e.g. proposals for external lighting requiring planning permission must demonstrate how they respect local character, residential amenity and biodiversity.

Clauses on design features - national policy emphasises the importance of good design but also states that plans should allow for a degree of variety where justified. Suggest wording to allow more flexibility in exceptional cases.

A2 – extensions

- See my comments on design clauses above.

A3 – Community Involvement

- Whilst I appreciate the intent behind the policy, requiring a statement of community involvement for all developments of more than one dwelling runs the risk of being deleted at examination for being unduly onerous. NPPF para 44. States that local planning authorities should publish a list of their information requirements for applications for planning permission. It goes on to state that, "These requirements should be kept to the minimum needed to make decisions, and should be reviewed at least every two years. Local planning authorities should only request supporting information that is relevant, necessary and material to the application in question". So this is really a matter for the Local Planning Authority.
- I suggest a policy which provides encouragement to developers to engage with the community using a variety of methods etc. Whilst this wouldn't be binding, it is likely that developers will use this plan and may follow the encouragement in order to gain community and parish council support. This policy also only applies to dwellings, so would exclude employment applications.

A4 – Key Views

- Make clear on policies exactly where the viewpoints and vistas are so developers and development management know exactly which parts of the village this applies to. The photos are helpful, so suggest full coverage of these too.

B1 – Small Scale Development

- Essentially this policy precludes any development outside of the development limit (including agricultural development, community facilities etc.). This approach, as well as restricting development to existing plots, is not in general conformity with Submission Local Plan Policy GS2 and GS3.
- I don't feel that sufficient justification has been given for departing from the emerging Local Plan approach (e.g. what is the rationale for 10 dwellings) and feel the policy runs the risk of deletion at examination for placing a hurdle in the achievement of sustainable development.

B2 – Access to facilities

- The 5 min walk / 400m “standard” was used as a tool to assess and compare sites and seems unsuitable for inclusion in a policy (is this as the crow flies? What if bus services decrease?).
- See Submission Draft Policy TI1 – Sustainable Transport. What can NP add?

B4 – Car parking

- See Submission Draft Policy TI3. What can NP add?

C1 – Village Assets

- Why in NP? Legal right for communities to make nominations (and decision made within 8 weeks of nomination).
- This policy seems to confuse the Assets of Community Value rights with a restrictive policy (designating an ACV doesn’t restrict development, if an asset is listed and then comes up for sale, the new right could give communities six months to put together a bid to buy it). For more information see:
https://www.harrogate.gov.uk/info/20123/community_rights/314/assets_of_community_value

E1 – Local Green Spaces

- Suggest wording in the appendices references more of the NPPF criteria (e.g. tranquillity, beauty etc.) to assist the case for designation.

E2 – Green Infrastructure

- More information needed on the extent of the Green Corridors and the implications for development (the plan later includes a green corridor with seemingly different implications for development).
- See Submission Draft Policy NE5
- Suggest that GI could be mapped and presented in the neighbourhood plan as areas for consideration and opportunity – but will need more detailed mapping and annotation that in the current draft to be used effectively.

Green Corridor

- To me this doesn’t read as a policy and the implications for development are unclear. Are you suggesting that no development is permitted? Or only certain types of development? Is this another LGS? Or recreational designation?
- What is the evidence for the area which isn’t designated as a SINC?
- Assuming you wish to prevent all development in this area I would suggest that this is contrary to emerging Local Plan policy (in the absence of robust evidence as to the land’s ecological quality or suchlike).

Broadband/connectivity

- What does this add to Submission Draft Policy TI15? New employment and housing development must already show how development will contribute to and be compatible with Fibre.
- Concern at requirements for an additional “connectivity statement” (for reasons outlined in my response to A3 – Community Involvement).

Industrial Zone

- Current wording is very restrictive – see NPPF para 120/121 which talks about effective use of land and responding to changes in demand etc.
- Under current wording, small scale businesses such as a community shop would not be permitted – is this the policy intent?

- Draft policy ambiguous to apply, i.e. does “available land” depend on the needs/wants of a business? What denotes an “economically reasonable prospect” of continued use?

Next Steps

The Locality Road-map (<https://neighbourhoodplanning.org/toolkits-and-guidance/create-neighbourhood-plan-step-by-step-roadmap-guide/>) provides a comprehensive overview of the next stage with the Plan and requirements for submission etc. but a few brief notes below:

Regulation 14 Consultation

- The group will need to undertake a 6 week formal consultation on a draft plan together with provision of supporting documents and consultation.
- The consultation must include key consultees: Natural England, Historic England, Environment Agency, LPA, Neighbouring PCs, significant landowners, local community organisations and other relevant groups and organisations. We can give you the contact details for statutory bodies.
- In the consultation material, please be mindful of data protection, i.e. ensuring that consultees are aware that their details passed will onto HBC for notification of next steps of the plan (as per neighbourhood planning regulations). We can provide appropriate wording as this is quite an important aspect!
- HBC formal response – this will need to go through Management Board so as much notice of your consultation as possible would be greatly appreciated so I can schedule this in.
- After the 6 week consultation window, the group will need to consider consultation comments and amendments to the plan. The decisions made and reasoning behind them should be recorded in the consultation statement.
- As well as a consultation statement, a supporting statement is also needed for submission which sets out how the plan meets the basic conditions.
- As discussed, I will produce a draft SEA screening statement which we can send to the consultation bodies (Natural England, Historic England and Environment Agency) that can accompany the Plan.

Post Regulation 14

- Further to considering comments and changes to your Plan after the Reg 14 consultation, I suggest you run amendments by HBC informally – thereafter comment will be formal, public passed and straight to examiner as per the regulations for publication and examination.
- but a few key points are to ensure
- Submission – must be final, including all documents appropriately redacted etc. Include all evidence etc. as this may not be able to be submitted once we have appointed an examiner.
- Examiner – we will agree an examiner with yourselves through the Neighbourhood Planning Independent Examiner Referral Service (NPIERS).