

## **HBC COMMENTS ON THE PRE-SUBMISSION DRAFT ROECLIFFE AND WESTWICK NEIGHBOURHOOD PLAN**

1. The pre-submission draft of the Plan is well presented, with clear distinctions between policies, community actions and justification. It is evident that substantial public consultation and engagement has been undertaken to inform the Plan's development. In addition, considerable effort has clearly been taken to evidence policies and there is a good range of visuals and maps to clarify and justify the policies. However, there are concerns with a small number of the draft policies as detailed below. A number of general comments are also proposed in order to provide constructive feedback and improve the Plan.

2. **General points** – The 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 planning practitioners to shape and manage development. The National Planning Policy Framework makes this clear in paragraph 16, which includes that:

- Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals.
- Plans should serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).

The following updates to the policy context as outlined below should also be noted:

- **Harrogate District Local Plan** – The Draft Harrogate District Local Plan is currently at Examination. Hearing sessions were held in January/February 2019 and the Inspector has issued a post hearings letter (EXINS003a) which provides advice to the Council on the modifications expected in order to make the Plan sound. As a result, significant weight can now be given to the Draft Plan (and accompanying schedule of modifications). It is anticipated that the Neighbourhood Plan will be submitted after the Local Plan's adoption and therefore this response assesses the Neighbourhood Plan against the emerging Local Plan (2014-2035).

- **Rocliffe's status within the Local Plan** – The Local Plan seeks to focus growth in the main settlements, public transport corridors and a new settlement. Rocliffe is identified in the Draft Local Plan as a service village. Policy GS2 (Growth Strategy to 2035) states that

within Service Villages land will be allocated for new homes to support the continued provision of a basic range of services and facilities; with new village shops and businesses supported to maintain their continued sustainability. No sites have been allocated in Roecliffe as no suitable land was identified during the site selection process.

- **Revisions to National Planning Policy Framework 2019** – The National Planning Policy Framework was updated in February 2019. The changes primarily relate to housing delivery and therefore are unlikely to impact on the Neighbourhood Plan. However, the group should ensure that they consider the latest version while preparing their basic condition statement to accompany their submission.

3. **Foreward** – This section outlines the aims of the Plan. However, this could be confused with the vision and objectives outlined in Chapter 8 so it is suggested that this section is revised in order to avoid unnecessary repetition and/or confusion.

4. **Chapters 2-7 Introduction and Contextual Chapters** – These chapters outline the preparation of the plan to date as well as providing useful context for the Plan. As detailed in the general comments this section could benefit from editing to make it more succinct.

5. **Policy A1: Design and Development** – This policy outlines a number of clauses relating to design requirements, including using traditional bricks and pantiles and the continued use of rural and vernacular detailing. National policy emphasises the importance of good design but also states that plans should allow for a degree of variety where justified. Whilst much of the Neighbourhood Area forms part of the Roecliffe Conservation Area, it is suggested that the wording is amended to allow more flexibility in exceptional cases. In particular, the following points should be considered:

- The policy requires the keeping to two storey eaves height. This would preclude a single storey outbuilding which could otherwise be acceptable.
- The clause relating to rural and vernacular detailing would benefit from amendment to read “New buildings should incorporate architectural detailing that respects the local vernacular, in order to maintain local distinctiveness”.
- The clause requiring regularly spaced windows is very specific and perhaps not necessary / too restrictive.

The points raised above in relation to the lack of flexibility could perhaps be resolved by having an additional clause which allows for contemporary design so long as it is of high quality and locally distinctive.

The clause relating to development outside the Conservation Area should also mention setting, so suggest it reads “Ensuring that developments outside the Conservation Area do not adversely affect the setting and character and appearance of the Conservation Area”.

The policy also prohibits the removal of trees that have a significant amenity value without the support of an arboriculture report by a reputable company. However, it is not clear what defines “significant amenity value”, or what constitutes “reputable company”. In any case, trees in Conservation Areas are already subject to protection. If there are other trees that the community feel warrant protection, then Tree Protection Orders may be a better option to pursue the Plan’s objective. The group could also consider defining (and marking on the policies map) which trees are deemed to have “significant amenity value” and accompanying this with appropriate evidence.

**6. Policy A2: Design of Extensions** – The comments relating to Policy A1 are applicable here in terms of allowing flexibility for contemporary design. In particular, the policy states that original features should be replicated in the extension. However, it is entirely possible to create appropriate, locally distinctive design without replicating all original features of the host building. It is also not clear what is meant by features in this case.

**7. Policy A3: Community Involvement** – This policy seeks to ensure planning applications for 10 or more dwellings go through a process of community involvement and proposes that applications will only be supported where feedback from the community has been taken into account as far as practicable. In short, a binding policy to require community engagement would not meet the basic conditions. National planning policy stipulates that local planning authorities can only request supporting information that is relevant, necessary and material to the application in question. The Council’s Statement of Community Involvement (SCI) outlines consultation guidance for developers on “significant applications” (which includes schemes of 10 or more dwellings). However, the Council cannot refuse to accept a planning application just because the applicant has not done enough pre-application community involvement.

To meet the Plan’s objection of community involvement, the Plan could include a policy which provides encouragement to developers to engage with the community using a variety of methods etc. Whilst this wouldn’t be binding, developers will be using this Plan while preparing applications and are therefore likely follow such encouragement in order

to gain community and Parish Council support. It should also be noted that this policy at present also only applies to dwellings, so would exclude employment applications.

8. **Policy B1: Small Scale Housing Development** – Essentially this policy precludes any development outside of the defined Development Limit. This approach is not in general conformity with Submission Local Plan Policy GS2 (Growth Strategy to 2035) or GS3 (Development Limits). Whilst no sites have been allocated in Roecliffe, it remains a service village where some development may be appropriate in the future to support local facilities and services and future reviews of the Plan may seek to consider some further development.

In addition, although the Local Plan Policy on Development Limits was modified during the examination to place stricter control on development outside of Development Limits, there is still scope for limited development outside Development Limits where expressly permitted by other policies within the Local Plan or a Neighbourhood Plan or national planning policy. This may include affordable or entry level housing (see NPPF Chapter 5) or exceptional cases as per EC2 (Expansion of existing businesses), EC3 (Employment development in the countryside) and Housing under HS6 (Conversion of rural buildings for Housing), HS7 (Replacement Dwellings in the Countryside), and HS9 (Rural worker's dwellings).

Suggest rewording to reflect the exceptional circumstances as per Policy GS3. Clause a) also refers to small-scale major development which is ambiguous.

9. **Policy C1: Maintaining Village Facilities and Services** – This usefully outlines the facilities of importance to the community. Suggest reference to emerging Local Plan Policy HP8 which affords protection and is actually more emphatic in its wording.

10. **Policy C2: Non – designated heritage assets** – This provides a list of non-designated heritage assets. These are mapped and assessments included. This provides a useful list and context, however would benefit from some changes to the policy wording as follows:

- The language of the supporting text could do with being better aligned to the official conservation terminology e.g. referencing ‘listed buildings and scheduled monuments’.

- For clarity, the first sentence should perhaps read ‘Non-designated local heritage assets will be conserved and enhanced, wherever possible, in a manner that conserves their historic significance and/or their importance to local distinctiveness, character and sense of place’.
- In the second sentence which reads ‘Proposals for development that affect such assets should take full and proper account of the scale and impact of any harm or loss to the community’, it is suggested that proposals should also take account of any benefit / enhancement as well.

With regard to the list of assets, it is noted that there are more ‘Buildings of Local Interest’ in the Roecliffe Conservation Area Appraisal than listed here. Whilst a different terminology was used for the appraisal, they are usually in effect non-designated heritage assets. The Parish Council may wish to consider these additional assets if they haven’t done so already. It may also be helpful to reference which specific Historic England guidance was used for assessing the assets.

Finally, the list of assets protected by the policy cannot be subject to change outside of a Neighbourhood Plan review as any changes to the Plan must go through due process.

**11. Policy E1: Local Green Spaces** – This policy designates two Local Green Spaces. The Policy references national policy on Green Belt. Whilst policies for managing development within a Local Green Space should be consistent with those for Green Belts, for the avoidance of doubt it is suggested that the policy is reworded as follows:

The areas listed below and identified on the Policies Map are designated as areas of Local Green Space, which will be protected in a manner consistent with the protection of land within Green Belts:

**12. Policy E2: Green Infrastructure** – This policy identifies green corridors and requires that development should not disrupt the functioning of these corridors. It is suggested that the chapter and policy is amended to reference Green and Blue Infrastructure to emphasise the importance of the ponds and rivers around Roecliffe. In addition, the following points should be noted:

- Page 43 – the claypit ponds are proposed as a “Sites of Interest for Nature Conservation” (SINC) within the emerging Local Plan not an “area of Special Scientific Interest”. Reference repeated on p.53.

- Green Corridors – it is suggested that the “Bar Lane Green Gap” is extended along the footpath/track adjacent to Roecliffe Meadows SINC and the western edge of the industrial estate. This links the two ponds and meadow SINC sites and incorporates a double hedged lane which is lined with oaks.

## **CONCLUSIONS**

The Neighbourhood Plan contains and a number of proposed policies for the Reoecliffe and Westwick Neighbourhood Area. In broad terms it is felt that this pre-submission draft forms a good plan reflective of much hard work by the group, but would benefit from some further modifications as outlined above to ensure that the Plan is in general conformity with the strategic policies in the development plan and has regard to national policy.