

ALNWICK AND DENWICK NEIGHBOURHOOD PLAN

Alnwick and Denwick Neighbourhood Plan Examination,
A Report to Northumberland County Council

by Independent Examiner, Nigel McGurk BSc(Hons) MCD MBA MRTPI

Nigel McGurk

Erimax Land, Planning and Communities

erimaxltd.com

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1. Introduction

The Neighbourhood Plan

This Report provides the findings of the examination into the Alnwick and Denwick Neighbourhood Plan (referred to as the Neighbourhood Plan).

Neighbourhood planning provides communities with the power to establish their own policies to shape future development in and around where they live and work.

“Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need.”
(Paragraph 183, National Planning Policy Framework)

Alnwick Town Council is the *qualifying body* responsible for the production of this Neighbourhood Plan. This is in line with the aims and purposes of neighbourhood planning, as set out in the Localism Act (2011), the National Planning Policy Framework (2012) and Planning Practice Guidance (2014).

As considered later in this Report, the Neighbourhood Area incorporates both Alnwick and Denwick Parishes. The Neighbourhood Plan states that it has been produced for Alnwick Town Council and Denwick Parish Council by the Alnwick and Denwick Community Partnership Steering Group, a group of local people brought together to work on plan production.

This Examiner’s Report provides a recommendation as to whether or not the Neighbourhood Plan should go forward to a Referendum. Were it to go to Referendum and achieve more than 50% of votes in favour, then the Neighbourhood Plan would be *made* by Northumberland County Council. The Neighbourhood Plan would then be used to determine planning applications and guide planning decisions in the Alnwick and Denwick Neighbourhood Area.

Role of the Independent Examiner

I was appointed by Northumberland County Council, with the consent of the qualifying body, to conduct an examination and provide this Report as an Independent Examiner. I am independent of the qualifying body and the local authority. I do not have any interest in any land that may be affected by the Neighbourhood Plan and I possess appropriate qualifications and experience.

I am a chartered town planner and an experienced Independent Examiner of Neighbourhood Plans. I have extensive land, planning and development experience, gained across the public, private, partnership and community sectors.

As the Independent Examiner, I must make one of the following recommendations:

- a) that the Neighbourhood Plan should proceed to Referendum, on the basis that it meets all legal requirements;
- b) that the Neighbourhood Plan, as modified, should proceed to Referendum;
- c) that the Neighbourhood Plan does not proceed to Referendum, on the basis that it does not meet the relevant legal requirements.

If recommending that the Neighbourhood Plan should go forward to Referendum, I must then consider whether or not the Referendum Area should extend beyond the Alnwick and Denwick Neighbourhood Area to which the Plan relates.

In examining the Plan, I am also required, under Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990, to check whether:

- the policies relate to the development and use of land for a designated Neighbourhood Area in line with the requirements of Section 38A of the Planning and Compulsory Purchase Act (PCPA) 2004;
- the Neighbourhood Plan meets the requirements of Section 38B of the 2004 PCPA (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one Neighbourhood Area);
- the Neighbourhood Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.

Subject to the contents of this Report, I am satisfied that all of the above points have been met.

Neighbourhood Plan Period

A neighbourhood plan must specify the period during which it is to have effect. The Neighbourhood Plan is clear in this regard. The title page of the Neighbourhood Plan sets out the plan period as 2014 - 2031.

In addition to the above, the Vision and Objectives make clear reference to the 2031 end-date of the Neighbourhood Plan. Also, whilst Policy H1 refers to the number of houses to be delivered between 2011 and 2031, I note that it is supported by Table HSG1, which shows completions during 2011-2014.

Taking the above into account, I confirm that the Neighbourhood Plan satisfies the relevant requirement in this regard.

Public Hearing

According to the legislation, *when the Examiner considers it necessary* to ensure adequate examination of an issue, or to ensure that a person has a fair chance to put a case, then a public hearing must be held.

However, the legislation establishes that it is a general rule that neighbourhood plan examinations should be held without a public hearing – by written representations only.

Further to consideration of the written representations submitted, I confirmed to Northumberland County Council that I was satisfied that the Alnwick and Denwick Neighbourhood Plan could be examined without the need for a Public Hearing.

2. Basic Conditions and Development Plan Status

Basic Conditions

It is the role of the Independent Examiner to consider whether a neighbourhood plan meets the “basic conditions.” These were *set out in law*¹ following the Localism Act 2011. In order to meet the basic conditions, the Plan must:

- have regard to national policies and advice contained in guidance issued by the Secretary of State;
- contribute to the achievement of sustainable development;
- be in general conformity with the strategic policies of the development plan for the area;
- be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations.

I have examined the Neighbourhood Plan against all of the basic conditions above.

On page 4, the Neighbourhood Plan, sets out the basic conditions. The bullet points in section 1.2 fully reflect the basic conditions, as established by law. However, there are a number of references on page 4 that could lead to confusion because they fail to properly reflect the basic conditions.

Whilst it is not uncommon for neighbourhood plans to seek to paraphrase the basic conditions, the wording of them is the result of careful consideration. Paraphrasing almost inevitably results in their misapplication, as in this case. I recommend:

- **Page 4 section 1.1, delete second sentence in second paragraph (“These policies...”)**
- **Page 4, section 1.2, change second sentence to “...plans *must meet the* ‘basic conditions’ ...”**
- **Page 4, section 1.2, change penultimate paragraph to “...*set out in the Local Plan, but it does not allow the Neighbourhood Plan to provide for less.*”**

The relevant development plan² for the area comprises the saved policies of the Alnwick District Core Strategy (2007). There is an emerging Northumberland Local Plan Core Strategy (emerging Core Strategy). At the time of this examination, the emerging Core Strategy had reached its pre-submission draft consultation stage, but had not undergone the rigours of an examination in public. Later in this Report, I

¹ Paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990

² I also note that the Northumberland waste local plan (2001), minerals local plan (2000) and county and national park joint structure plan all make up part of the planning policy framework for Northumberland.

make note of the fact that information relating to the emerging Core Strategy has been taken into account during the plan-making process.

European Convention on Human Rights (ECHR) Obligations

I am satisfied that the Neighbourhood Plan has regard to fundamental rights and freedoms guaranteed under the ECHR and complies with the Human Rights Act 1998 and there is no substantive evidence to the contrary.

European Union (EU) Obligations

There is no legal requirement for a neighbourhood plan to have a sustainability appraisal³. However, in some limited circumstances, where a neighbourhood plan is likely to have significant environmental effects, it may require a Strategic Environmental Assessment.

With the above in mind, draft neighbourhood plan proposals should be assessed to determine whether the plan is likely to have significant environmental effects. This process is referred to as a “screening” assessment. If the screening assessment identifies likely significant effects, then an environmental report must be prepared.

The Basic Conditions Statement confirms that a request from Alnwick Town Council for a screening opinion, to establish whether Strategic Environmental Assessment was required, was submitted to Northumberland County Council, which duly provided a screening opinion on 24 July 2014. This concluded that a Strategic Environmental Assessment was required.

Further to the screening opinion, a Scoping Report identified the key issues that should be the focus of the Strategic Environmental Assessment – described by Northumberland County Council as *“those issues where a significant effect on the environment, economy and communities might occur as a result of the Neighbourhood Plan.”*

Consultation on the Scoping Report was carried out with the statutory bodies, the Environment Agency, English Heritage (now, with regards to planning matters, Historic England) and Natural England. The statutory bodies were also consulted on the final *“Strategic Environmental Assessment (SEA) and Sustainability Appraisal (SA) Environment Report”* which was submitted together with the Neighbourhood Plan.

Comments by the statutory consultees were taken into account and none have raised any concerns with the conclusions of the final Strategic Environmental Assessment and Sustainability Appraisal. The Basic Conditions Statement states that *“no negative impacts on the sustainability objectives as a result of the plan aims, policies or proposals were identified.”*

³ Paragraph 026, Planning Practice Guidance 2014.

A Habitats Regulations Assessment (HRA) is required if the implementation of the Neighbourhood Plan may lead to likely negative significant effects on protected European sites.

The Basic Conditions Statement confirms that a HRA screening opinion was sought from Northumberland County Council and that the subsequent conclusion was that *“no policy or proposal of the ADNP either individually or in conjunction with any other plan proposal is likely to have a significant detrimental impact on any European or international site elsewhere.”*

Alnwick Town Council submitted a HRA Report alongside the Neighbourhood Plan. This recognised that three European sites (Northumbria Coast Special Protection Area (SPA) and Ramsar Site; Berwickshire and North Northumberland Coast Special Area of Conservation (SAC); and North Northumberland Dunes SAC are within 5km of the Neighbourhood Area.

The HRA Report concludes that *“Northumberland County Council considers that the Alnwick and Denwick Neighbourhood Plan is not likely to have a significant effect on any European sites...”* I note that Natural England concurred with this conclusion, by letter, on 29 July 2015.

With regards European obligations, national guidance establishes that the ultimate responsibility of determining whether or not a draft neighbourhood plan meets EU obligations lies with the local authority,

“the local planning authority must decide whether the draft neighbourhood plan is compatible with EU regulations.” (Planning Practice Guidance 11-031)

As set out above, Northumberland County Council has been closely involved in the environmental assessment process and does not have any concerns regarding the Neighbourhood Plan’s compatibility with EU obligations.

Taking all of the above into account, I am satisfied that the Neighbourhood Plan is compatible with EU obligations.

3. Background Documents and Alnwick and Denwick Neighbourhood Area

Background Documents

In undertaking this examination, I have considered various information in addition to the Alnwick and Denwick Neighbourhood Plan. This has included:

- National Planning Policy Framework (The Framework) (2012)
- Planning Practice Guidance (2014)
- Town and Country Planning Act 1990 (as amended)
- The Localism Act (2011)
- The Neighbourhood Planning Regulations (2012)
- Alnwick District Core Strategy (2007) (Core Strategy)
- Basic Conditions Statement
- Consultation Statement
- Strategic Environmental Appraisal (SEA) & Sustainability Appraisal (SA) Environmental Report
- Habitats Regulations Assessment Report

Also:

- Representations received during the publicity period

In addition, I spent an unaccompanied day visiting the Alnwick and Denwick Neighbourhood Area.

Alnwick and Denwick Neighbourhood Area

A plan showing the boundary of the Alnwick and Denwick Neighbourhood Area is provided on page 6 of the Neighbourhood Plan.

The Neighbourhood Plan states that the reason for the inclusion of Alnwick and Denwick Parishes in a single Neighbourhood Area was because much of the current development on the south east side of Alnwick, as well as possible future areas for development, fall within Denwick Parish⁴. This appears to me to be a logical and appropriate reason for the establishment of a Neighbourhood Area that encompasses both Parishes and there is no substantive evidence to the contrary.

Further to an application made by the qualifying body, Alnwick Town Council, Northumberland County Council approved the designation of Alnwick and Denwick as a Neighbourhood Area on 11 April 2013.

⁴ This includes Denwick Parish (Detached).

This satisfied a requirement in line with the purposes of preparing a Neighbourhood Development Plan under section 61G (1) of the Town and Country Planning Act 1990 (as amended).

4. Public Consultation

Introduction

As land use plans, the policies of neighbourhood plans form part of the basis for planning and development control decisions. Legislation requires the production of neighbourhood plans to be supported by public consultation.

Successful public consultation enables a neighbourhood plan to reflect the needs, views and priorities of the local community. It can create a sense of public ownership, help to achieve consensus and provide the foundations for a successful 'Yes' vote at Referendum.

Alnwick and Denwick Neighbourhood Plan Consultation

In line with legislative requirements, a Consultation Statement was submitted to Northumberland County Council. Further to consideration, I can confirm that this sets out who was consulted and how, together with the outcome of the consultation. In this regard, the Consultation Statement meets the requirements of the neighbourhood planning *regulations*⁵.

There is evidence to demonstrate that the views of the wider community were actively sought and taken into account. It is also clear that the plan-makers undertook significant and comprehensive public consultation, beyond that required by legislation.

Further to deciding to produce a Neighbourhood Plan in 2011, a Steering Group was formed, within which a Community Engagement Sub-Group was created. The Steering Group met on a monthly basis throughout the plan-making process.

An innovative start to engagement in early 2012 comprised a logo competition advertised in a local magazine that was distributed to every household. This followed the distribution of a questionnaire to 4,700 households and the launch of a dedicated website. Two drop-in sessions in separate locations and a public meeting supported the questionnaire process and 688 responses were received.

Further to consideration of the results of the questionnaire, an Issues and Options Booklet was produced and delivered, together with another questionnaire, to all households in the Neighbourhood Area, as well as being made available at various locations. The consultation was supported by a public meeting and via presence at market stalls and at the Town Hall. In addition, there were "*consultation visits*" to the Duchess's Community High School and to Pottergate Adult Learning Centre. 560 completed questionnaires were returned.

⁵Neighbourhood Planning (General) Regulations 2012.

The results of the consultation were taken into account and a workshop with various stakeholders was held. The draft plan was then progressed over the following year by the Steering Group and underwent consultation between August and October 2014. Leaflets summarising the draft plan were distributed to 4,700 households and to stakeholders. A DVD was produced and played on continuous loop in “Penroses’s” shop window and at the Alnwick Playhouse. The consultation pages and response forms were made available at local venues, as well as on the dedicated website.

Draft consultation was also supported by a public drop-in session and presence at a market stall throughout September. A total of 455 responses from 81 respondents, plus 15 “*workshop comments*” were received. These were considered and helped to inform the submission version of the Neighbourhood Plan.

Consultation was widely communicated and well-publicised in a variety of ways, including via the comprehensive Neighbourhood Plan website, advertisements in the local press and through the support of local traders and community organisations. The Agendas and Minutes of meetings were published and events were advertised via press releases, notices and posters.

Taking all of the information provided into account, the Consultation Statement presents a clear audit trail to demonstrate that consultation was wide-ranging, comprehensive and transparent. Comments were pro-actively sought and responses were duly considered. There is plentiful evidence to demonstrate that the Neighbourhood Plan reflects the views of local people.

Consultation was carried out in an open manner, and people and organisations were not just provided with a fair chance to have their say, but were actively encouraged to engage in shaping the Neighbourhood Plan.

Further to the above, I draw particular reference to the fact that the Steering Group was “*assisted throughout by officers of Northumberland County Council.*” Planning Guidance requires local planning authorities to be proactive in providing information to communities about neighbourhood planning and to constructively engage with the community throughout the process (Paragraph 009, Neighbourhood Planning, Planning Guidance). It is clear that Northumberland County Council were proactive and engaged constructively during the production of the Neighbourhood Plan.

I am satisfied that the consultation process was comprehensive and robust.

5. The Neighbourhood Plan – Introductory Section

Where modifications are recommended, they are presented as bullet points and highlighted in bold print, with any proposed new wording in italics.

The policies of the Neighbourhood Plan are considered against the basic conditions in Chapter 6 of this Examiner’s Report. I have also considered the Introductory Section of the Neighbourhood Plan and make recommendations below which are aimed at making it a clear and user-friendly document.

The Neighbourhood Plan is very well presented. The use of plans and diagrams is supplemented with interesting and informative photographs throughout the document. Much thought has been given to design, layout and the use of colours. Text is clearly set out and Policies are distinctive from supporting information. All of this combines to result in an attractive and easy-to-navigate Neighbourhood Plan.

However, the Proposals Maps are simply provided as loose inserts. The Policies of the Neighbourhood Plan refer specifically to allocations on the Proposals Map and consequently, the Proposals Maps should be contained within the Neighbourhood Plan and referenced in the Contents. I recommend:

- **Include the Proposals Maps in the Neighbourhood Plan and provide a clear reference to them in the Contents**

Whilst the Neighbourhood Plan is a large document, subject to the above comment, Contents have been kept to a single page and appear concise and appropriate. The Foreword is upbeat but its content is largely based around the submission consultation version, so it would require updating were the Neighbourhood Plan to progress to Referendum.

- **Update the Foreword, but maintain the positive, upbeat message, which provides a strong opening to the Neighbourhood Plan**

I have recommended a number of changes to page 4 of the Introduction Chapter earlier in this Report. Altogether, the Introduction provides an excellent summary of how the Neighbourhood Plan fits into the planning system, as well as background relating to its content and how it was prepared.

Section 1.3 of the Neighbourhood Plan points out that a number of key concerns identified by the community during the plan-making process could not be tackled directly through statutory planning policies, but that the Neighbourhood Plan has still taken these matters into account by creating a number of “Community Action Proposals.” This is an exemplary way of ensuring that the Neighbourhood Plan captures, and does not lose sight of, important local concerns that cannot be addressed by land use planning policies.

Another impressive feature of the Introduction is the simple reference to the evidence base and the provision of a website link. Many neighbourhood plans struggle with demonstrating that an evidence base exists and can become unbalanced by providing too much background information. The Neighbourhood Plan achieves this with a simple, succinct paragraph.

I note that the final two paragraphs of the Introduction would contain out of date information, were the Neighbourhood Plan to progress to Referendum. I recommend:

- **Delete final two paragraphs, “1.6 Next Steps”**

Section 2 of the Neighbourhood Plan presents a strong and well thought-out Vision. Aims are broken down into clearly presented topics. Together, the Vision and Aims provide a strong link between the views of the local community and the Policies of the Neighbourhood Plan.

6. The Neighbourhood Plan – Neighbourhood Plan Policies

Sustainable Development and Policy SD1

Section 3 of the Neighbourhood Plan considers sustainable development. This makes it clear that the presumption in favour of sustainable development lies at the heart of national planning policy

However, this section goes on to set out a Policy listing ten principles that *“will be applied when assessing all proposals for development.”* The Policy effectively comprises a list of statements, which include wide-ranging part-summaries of national policy, but that partly conflict with national policy – for example, *“Quality of heritage, ecological and environmental assets including water and air quality will be preserved and enhanced,”* as well as sweeping requirements, such as *“Full and effective use will be made of empty buildings.”*

No evidence is provided to demonstrate that the Policy is relevant to all planning applications and furthermore, there is nothing to demonstrate that it has regard to national policy or is in general conformity with Policies S1, S2 or S3 of the Core Strategy.

I note that Policy SD1 contains some general principles that the community would like to apply to the Neighbourhood Area. Bearing this in mind, whilst Policy SD1 would not provide decision makers with a clear indication of how to respond to a development proposal and fails to meet the basic conditions, I recommend the following:

- **Delete Policy SD1 and replace the ten bullet points (under the heading (not a Policy heading) *“General Sustainable Development Aims”***
- **Replace the opening sentence of the former Policy with *“The Town and Parish Councils aspire to achieve the following:”***
- **Delete the paragraph of text below the three bullet points on page 10 (*“Some elements of...”*)**
- **Delete the final paragraph of text before the former Policy (*“Accordingly...”*)**

I note that the emerging Core Strategy refers to safeguarding mineral resources. However, there is no legislative requirement for the Neighbourhood Plan to include a Policy in this regard.

Housing

Paragraph 4.1.3 states that the emerging Core Strategy provides “*key policy guidance.*” The emerging core strategy is not an adopted planning document. I recommend:

- **Paragraph 4.1.3, change to “local level by the adopted...Core Strategy. In addition, relevant information relating to the emerging Northumberland Local Plan Core Strategy (NLPCS) has helped to inform the Neighbourhood Plan. The main...”**

The last paragraph on page 11 does not apply national planning policy correctly. I recommend:

- **Change last paragraph on page 11 to “...the NPPF supports the development of housing in limited circumstances, which include meeting the needs of...assets and where development...buildings, amongst other things.”**

For clarity, I recommend the addition of the following sentence to the second paragraph on page 12:

- **Page 12, second paragraph, add (before “The housing strategy...”)** *“The NLPCS has not yet reached an advanced stage and as such, its Policies have not been adopted. However, it provides useful background information and indicates the likely direction of planning policy across Northumberland.”*

The supporting text states that, whilst the Core Strategy constrains the supply of housing in Alnwick, this approach has effectively been overtaken by national policy – which seeks to boost the delivery of housing.

Consequently, in seeking “*to deliver a higher volume of new houses*” than that set out in the Core Strategy, the Neighbourhood Plan aligns with national policy. In this regard, I am mindful that the Core Strategy pre-dates the Framework by several years and that the approach set out within the Framework is more up to date and takes precedent over that of the Core Strategy. Consequently, in terms of the volume of new housing to be provided for, the Neighbourhood Plan has regard to national policy.

The Neighbourhood Plan seeks to allocate land for 1,100 homes between 2011 and 2031. This is reflective of the higher end of the number set out in the emerging Core Strategy.

The supporting text clearly sets out how the housing requirement for the Neighbourhood Area has been arrived at, and refers to the evidence base for the Core Strategy. It seeks to provide for a level of housing growth above population projections, with the aim of supporting “*a diverse and resilient community and to*

complement economic growth aspirations.” This approach has regard to national policy, which supports sustainable growth (Ministerial Foreword, Framework).

I note earlier that plan-makers have worked closely with officers from Northumberland County Council. This has enabled the sharing of evidence and it is an approach that has regard to Paragraph 008 of the Neighbourhood Planning section of Planning Guidance, which states:

“Where a neighbourhood plan is brought forward before an up-to-date Local Plan is in place the qualifying body and the local planning authority should discuss and aim to agree the relationship between policies” in the relevant plans and the “local planning authority should take a proactive and positive approach, working collaboratively...sharing evidence and seeking to resolve any issues.”

Policy H1 – Quantity of Housing

National policy sets out a presumption in favour of sustainable development. Consequently, housing numbers in plans represent targets rather than maximum numbers, or caps on development. In additions, the Framework establishes that planning is not simply about “scrutiny” but instead, should be “a creative exercise in finding ways to enhance and improve the places in which people live their lives” (Paragraph 17). Also, in the case of affordable housing, Paragraph 49 of the Framework reflects a national policy desire for flexibility, in order to take into account changing market conditions.

Policy H1 provides for an additional 1,100 new dwellings between 2011 and 2031. A supporting Table (HSG1) breaks this down into more detail and as noted earlier in this Report, the Table states how many dwellings were completed between 2011 and 2014.

Taking the above into account, I consider that Policy H1 would better demonstrate having regard to national policy if its wording were less rigid. Further, I note that Table HSG1 simply provides a guide to housing allocations on each site, rather than a specific requirement. I recommend:

- **Policy H1, change to “...provide around 1100 new dwellings...”**

Part B) of the Policy states that housing development will only be released in a way that does not “outstrip the level of employment and service provision.” However, no indication of what such levels are, or how they have been calculated, or how they are to be monitored, or by whom and on what basis, is provided.

Consequently, Part B) of the Policy introduces uncertainty and it may prevent sustainable development from coming forward. It does not provide potential applicants with relevant information and nor does it provide decision makers with a clear indication of how to respond to a development proposal, having regard to

Paragraph 154 of the Framework. Similarly, Part C) refers to “*parallel growth in employment generating development and services*” without providing any clarity about what this might be or how it will be measured. I recommend:

- **Delete parts B) and C) of Policy H1**
- **Delete reference to part C under Paragraph 4.3.3**

Subject to the above, Policy H1 has regard to national policy. It boosts the provision of housing land in the Neighbourhood Area and does not seek to impose an absolute cap on the number of homes that can be built during the plan period. It contributes to the achievement of sustainable development and meets the basic conditions.

Policy H2 – Location of Housing Development

The supporting text to Policy H2 explains the rationale behind the location of the housing allocations in the Neighbourhood Plan. It explains, as established through the site assessment process, that redevelopment of brownfield land is supported; and that the greenfield allocations, including one site with outline planning permission, can be developed without undue harm to landscape setting and in line with sustainable development principles. This approach has regard to national policy, which protects local character and supports the effective use of land and the re-use of previously developed land.

The first part of Policy H2 states that priority will be given to the development of previously developed land for the first five years of the plan. No indication is provided as to how such land will be prioritised and what exactly will happen should an application for development on a greenfield site come forward before the end of this period. Consequently, this part of Policy H2 fails to provide clarity for potential applicants and it does not provide decision makers with a clear indication of how to respond to a development proposal. It does not meet the basic conditions.

The remainder of the Policy refers to the accompanying Table of allocations. These are specifically referred to in both Policy H2 and the Table as “guidelines.” Consequently, as guidelines, they should allow for some flexibility and not be regarded as a strict requirement. However, the terms used under the guidelines fail to reflect this approach. Rather, they appear as Policy requirements and use terms such as “*must*” and “*needs to*.” This is confusing and is not an approach supported by evidence, such as in the form of master plans, site plans or directly relevant supporting text.

Further confusion arises from other issues. For example, the largest allocation already has planning permission and no clarity is provided as to how the Neighbourhood Plan would seek to control the requirements imposed under the “guidelines.” Furthermore, Policy H2 requires the three greenfield allocations to be brought forward “*following the preparation of a master plan or development brief*.”

Notwithstanding that it would be unusual for a large development to come forward without being accompanied by some kind of masterplan, no indication is provided as to who will consider the master plan or development brief prior to a planning application being made and on what basis.

Taking all of the above into account, I recommend:

- **Policy H2, delete first paragraph**
- **Second paragraph, change to “...Proposals *Map and follow the guidelines in Table HSG2... and H2-3) planning applications should be accompanied by a master plan or development brief that demonstrates how the new development will integrate with the town and respect the...edge.*”**
- **Table HSG2, change heading of fifth column to “GUIDELINES”**
- **Table HSG2, under GUIDELINES, change references to “must...is to...needs to...will be required...will...have to...will be expected to...” to “*should*” or a grammatically correct equivalent, suited to the context. For clarity, the GUIDELINES will be presented as such and will not comprise Policy requirements**
- **I note that the allocation of Site 2 on the Proposals Map creates a site that is not contiguous with the settlement boundary. A representation has been received pointing out that the allocation does not reflect the masterplan area. I recommend that the boundaries of Site 2 are re-checked by Northumberland County Council and the qualifying body, and amended if incorrect**

Subject to the above, Policy H2 contributes to the achievement of sustainable development and meets the basic conditions.

Policy H3: Ensuring a Choice of Housing

Paragraph 50 of the Framework set out the national policy aim to deliver “*a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.*”

Policy H3 has regard to national policy. It requires different types of houses to be provided on sites larger than 0.25 hectares and different types and tenures on sites larger than 1 hectare. However, in this latter category, no clarity is provided on how the provision of housing for private rent can be controlled. I consider this in the recommendation below. I note that the third paragraph of Policy H3 provides for flexibility and has regard to the Framework’s requirement for policies to “*be sufficiently flexible to take account of changing market conditions over time,*” as referred to earlier in this Report.

I recommend:

- **Policy H3, change second paragraph to “...needs including market housing and affordable housing.”**

Policy H4 – Affordable Housing

Policy H4 is based on the emerging Core Strategy’s approach of requiring 35% of new housing to be affordable; and all housing sites with a net gain of 2 or more homes being required to provide either on-site affordable homes or a financial contribution. Consequently, Policy H4 is founded on an unadopted Policy in an emerging document.

Earlier in this Report, I note that the basic conditions are the result of careful consideration. Where relevant, neighbourhood planning policies should be in general conformity with the strategic policies of the adopted Local Plan. There is no requirement for conformity with emerging policies partially because emerging policies are simply that. They have not been adopted further to rigorous examination and as a consequence, such emerging policies are subject to change.

Not unusually, policies within the emerging Core Strategy have already changed as it has progressed. Notably, draft Policy 19 refers to “an overall target” of 30% affordable housing, but goes on to state that just “15% of homes on new permissions will be expected to be affordable.”

This is fundamentally different approach to that upon which Policy H4 of the Neighbourhood Plan is based. As Policy H4 is predicated on the emerging Core Strategy, it would be entirely inappropriate for the Policy to stand. I recommend:

- **Delete Policy H4 and related supporting text**

This does not mean that there will be no affordable housing strategy in the Neighbourhood Area. I note that the adopted Core Strategy requires 35% affordable housing. I also note that examination of the emerging Core Strategy has not yet taken place and that there will be an opportunity to make representations as appropriate.

Policy H5 – Housing Design

Good design is recognised by national policy as comprising

“a key aspect of sustainable development...indivisible from good planning”
(Paragraph 56, The Framework)

and national policy requires good design to contribute positively to making places better for people (Chapter 7, The Framework).

Generally, in seeking high quality design, Policy H5 has regard to national policy. However, as worded, Policy H5 treats CABE’s Building for Life 12 standards as though they comprise national policy, which they don’t. Building for Life 12 simply sets out guidance to help new housing attain higher quality design. All of the principles within Building for Life 12, like all of the principles within the Lifetime Homes Standard will not apply in all cases – especially as Policy H5 seeks to include every housing development, including conversions and single plots.

Further to the above, it is inappropriate to require documents that have been replaced to still be taken into account and I note that the Neighbourhood Plan has no control over Building Regulations. I recommend:

- **Policy H5, change to “...development briefs *where appropriate, should demonstrate that they have given consideration to Building for Life 12 and the Lifetime Homes Standard (or their successor documents).*” (delete the rest of the Policy)**

Subject to the above, Policy H5 contributes to the achievement of sustainable development and meets the basic conditions.

Policy H6 – Housing Stock

Permitted development allows some types of development to go ahead without planning permission. Some household extensions require planning permission and must be considered in the light of the presumption in favour of sustainable development.

Policy H6a effectively ignores the presumption in favour of sustainable development by seeking to impose a requirement for all extensions requiring planning permission to meet a stringent set of criteria. This does not allow for a balanced approach, whereby it may be that some harm can be overcome by some benefit(s) resulting from development. The Policy does not provide for this. As such, it does not have regard to national policy or contribute to the achievement of sustainable development. It fails to meet the basic conditions.

I note that national and local strategic policy already protect local character and residential amenity, and promote energy efficiency, and that, as worded, Policy H6a would allow development that caused significant harm to highway safety, contrary to national and local strategic policy.

Policy H6B seeks to support the use of vacant and disused living space in town centres subject to various criteria. In many circumstances, the reuse of such space is allowed without the need for planning permission. I note that the criteria set out in Policy H6B goes beyond the requirements of national policy in terms of protecting heritage assets and does not provide any indication of what *“impact on the operation of town centre uses on the ground floor”* actually means. A shared access might be an *“impact”* but would not necessarily be harmful.

Taking all of the above into account, Policy H6 fails to meet the basic conditions. I recommend:

- **Delete Policy H6 and related supporting text**

Policy H7 – Housing in the Countryside

National policy protects the countryside from inappropriate forms of development. Paragraph 55 of the Framework prevents the development of new isolated homes in the countryside unless special circumstances are met.

Policy H7 effectively ignores the Framework and seeks to impose its own, more stringent, approach to housing in the countryside. In so doing, it fails to contribute to the achievement of sustainable development. It does not, for example, allow for development that brings such significant sustainable development benefits as to wholly outweigh any harm to the countryside and nor does it allow for new housing of exceptional quality or innovative design. Consequently it does not have regard to the national policy and does not meet the basic conditions. I recommend:

- **Delete Policy H7 and related supporting text**

Economy and Employment

The supporting text to the Economy and Employment Chapter establishes that around 11 hectares of employment land was developed over the past ten years and that continuing this rate of growth would result in a requirement for 18.7 hectares of employment land over the plan period. The Neighbourhood Plan takes into account existing employment land and allocates further land, to provide around 18 hectares of employment land.

The above approach will provide a range of employment sites around Alnwick. Evidence has been provided to demonstrate that the approach meets anticipated needs over the plan period and in so doing, it positively and proactively encourages sustainable economic growth, having regard to Paragraph 21 of the Framework.

Whilst an objection to the Neighbourhood Plan refers to Paragraph 22 of the Framework, whereby *“planning policies should avoid the long term protection of sites for employment use where there is no reasonable prospect of a site being used for that purpose”* there is no substantive evidence that clearly demonstrates that the employment allocations in the Neighbourhood Plan have *“no reasonable prospect”* of coming forward. Rather, the approach set out by the Policy has regard to the Framework. I also note that there is no evidence to demonstrate that the past ten years, which included years of economic recession, witnessed unusually high build out rates of employment land such that the supply of employment land provided for by the Neighbourhood Plan is inappropriately high.

The fact that there may be low demand in Alnwick today for specific types of employment land does not necessarily mean that there will be no demand for such land during the plan period. Further, I note that the economy and employment Policies in the Neighbourhood Plan do not prevent investment in the appropriate redevelopment of existing employment sites to make them more attractive to end-users. Rather, Policies E1, E3 and E4 are especially positive in this regard. Further, there is no detailed, substantive evidence to demonstrate that the employment allocations are not economically viable or are not capable of becoming economically viable.

Policy E1 – Providing for Economic Growth

Policy E1 supports sustainable economic growth. It has regard to the Framework and contributes to the achievement of sustainable development. No changes are recommended.

Policy E2 – Location of Economic Growth

Policy E2 provides a long-term employment allocation in a location that has been demonstrated to be sustainable. In so doing, it provides certainty for investment decisions.

Policy E2 reflects a clear economic vision and strategy for the Neighbourhood Area, having regard to Chapter 1 of the Framework, “*Building a strong and competitive economy.*” It meets the basic conditions and no changes are recommended.

Policy E3 – Future Use of Existing Employment Sites

Policy E3 sets clear, supportive policy support for the appropriate re-use and redevelopment of existing main industrial sites. It contributes to the achievement of sustainable development and meets the basic conditions. No changes are recommended.

Policy E4 – Development on South Road

Policy E4 provides a supportive policy context for sustainable development along South Road. No changes are recommended.

Policy E5 – Tourism Development

The Framework supports sustainable rural tourism and leisure developments (Paragraph 28) and promotes policies that support the viability and vitality of town centres (Paragraph 23).

Policy E5 supports new tourism development and has regard to national policy. However, it is not clear how part iv) will be measured, in terms of development being accommodated within the social and physical infrastructure of the town. This conflicts with the opening part of the Policy which allows development adjacent to the town and it provides no indication of how social infrastructure has been, or will be measured.

I recommend:

- **Policy E5, delete part iv)**

Subject to the above, Policy E5 contributes to the achievement of sustainable development and meets the basic conditions.

Policy E6 – Employment and Training for Young People

Policy E6 is so wide ranging that it may have unintended consequences. For example, as worded, the Policy could “*particularly support*” the development of, say a coal-fired power station in Alnwick, or say, an animal waste incinerator in Denwick, so long as they generated employment and provided opportunities for the training and retention of young, economically active people.

Further to the above, there is no detail to demonstrate that the phrase “*particularly supported*” is any different to “supported.”

I recommend:

- **Policy E6, change to “*Development proposals that provide opportunities...plan area will be supported subject to local character and residential amenity being protected from significant harm.*”**

Town Centre and Retail

Policy TCR1 – Primary Shopping Frontages

This Policy seeks to protect ground floor retail use within the Primary Shopping Frontage, but supports changes of use so long as the new use “*encourages*” similar footfall, has an “*attractive window display*” and does not result in retail not being the “*predominant*” use.

As a consequence of the above, a Policy that aims to protect retail in a “Primary Shopping Frontage” would actively support the reduction of retail to just 51% of the frontage. Furthermore, no indication is provided as to what would constitute “*encouraging*” a “*high pedestrian footfall*” or who would measure what an “*attractive window display*” comprises and on what basis. Thus, the Policy would not provide prospective applicants with clarity and would not provide decision makers with a clear indication of how to respond to a development proposal.

Furthermore, the Policy then goes on to state that change of use will not be granted “*where there is considered to be a viable retail future for the unit.*” This last line conflicts with other parts of the Policy and no indication is given with regards what “*a viable retail future for the unit*” means or who will “*consider*” this and on what basis.

The Framework supports the clear definition of primary and secondary frontages in shopping areas along with “*policies that make clear which uses will be permitted in such locations.*” Policy TCR1 is not clear and consequently, it does not have regard to the Framework.

I recommend:

- **Delete Policy TCR1**

Policy TCR2 – Development Opportunities to Support Primary Shopping Frontages

Policy TCR2 comprises a positive Policy that has regard to the Framework’s aim of promoting the viability and vitality of town centres. It promotes appropriate development that will support the commercial viability of the Primary Shopping Frontage. The Policy contributes to the achievement of sustainable development and meets the basic conditions.

As worded, the Policy effectively pre-approves development proposals without considering relevant matters of detail. I recommend:

- **Policy TCR2, change end of first line to “...will *be supported* for the...”**

Policy TCR3 – Out of Centre Retail

Policy TCR3 sets out a positive Policy that has regard to the sequential approach to development set out in Chapter 2 of the Framework, “*Ensuring the vitality of town centres*” and is in general conformity with Core Strategy Policy S17, “*Town centres.*”

No changes are recommended.

Policy TCR4 – Local Convenience Retail

The supporting text makes it clear that the intention of Policy TCR4 is for local convenience retail to be considered should land at the High School come forward at some time in the future. However, Policy TCR4 then refers to two “*major new housing sites*” - HS1 and HS2 - not allocated or defined in the Neighbourhood Plan and states that the sites themselves “*will include proposals of how the need for local convenience retail outlets will be met.*” This is confusing.

In reality, Policy TCR4 does not set out a land use planning policy at all, but appears to present a somewhat muddled way of addressing the supporting text, which is much clearer. Policy TCR4 does not provide decision makers with a clear indication of how to respond to a development proposal and fails the basic conditions. I recommend:

- **Delete Policy TCR4 but retain previous supporting text**

Policy TCR5 – Market Place

The supporting text recognises the Market Place’s tremendous potential to add to the vitality and viability of Alnwick. Subject to the Policy wording effectively pre-approving development proposals without considering relevant matters of detail, the first part of Policy TCR5 presents a supportive approach to achieving this and thus contributes to the achievement of sustainable development, having regard to national policy.

However, the Policy then introduces non-land use planning matters beyond the control of the Neighbourhood Plan. I recommend:

- **Policy TCR5, change end of third line to “...will be *supported* where...”**
- **Policy TCR5, delete the last two sentences**

Subject to the above, Policy TCR5 meets the basic conditions.

Community Facilities

Policy CF1 – Protecting Key Community Facilities

The Framework recognises that community facilities play an important role in the health of communities and Paragraph 70 states that plans should “*guard against the unnecessary loss of valued facilities and services.*”

Policy CF1 has regard to this, but goes further than simply guarding against unnecessary loss. It seeks to prevent any loss of key community facilities under any circumstances. As worded, the only way that Policy CF1 would allow the change of use of community facilities would be if “*appropriate alternative provision is made.*”

This approach fails to have regard to the basic conditions. It would prevent a change of use, even if a community facility could no longer function viably. In this way, Policy CF1 could end up forcing buildings to remain vacant and prevent sustainable development from coming forward.

To address the above, I recommend:

- **Policy CF1, change to “*...provision is made or it can be demonstrated, further to twelve months pro-active marketing, that the use is no longer viable.*”**

Policy CF2 – Outdoor Sports and Leisure

Chapter 8 of the Framework, “*Promoting healthy communities,*” prevents sports and recreational buildings and land from being built on unless specific criteria are met.

Policy CF2 refers to “*outdoor sports and leisure facilities*” but does not define these. Unless the Policy is more clearly defined it cannot provide a decision maker with a clear indication of how to respond to a development proposal. National policy allows for the development of sports and recreational buildings and land where the loss would be replaced by equivalent or better provision. Policy CF2 fails to have regard to this as it requires replacement to be in the form of more provision *and* higher quality provision.

The second paragraph of the Policy is confusing. It states that improvements *will be made* – ie, it is very definitive – but it goes on to state that these will arise from on-site provision in new housing areas, or by off-site contributions from major housing development, without providing any further detail. Consequently, the Policy does not provide clarity with regards to how the improvements will be made – for example, will they be made by on-site provision or off-site contributions, what will the level of contribution be and how will it be calculated ?

Furthermore, no evidence is provided to demonstrate why major housing development should contribute to off-site play areas without any apparent consideration of providing on-site play areas – which may be more appropriate for major housing developments. No indication is provided as to what improvements need to be made and where.

Taking the above into account, I recommend:

- **Policy CF2, change to “Existing sports and recreational buildings and land, including playing fields will be protected from loss to development unless the loss would be replaced by equivalent or better provision, in terms of quantity and quality, in a suitable location; or the development is for alternative sports and recreation provision, the needs for which clearly outweigh the loss.”**
- **Delete second paragraph**

Policy CF3 – Greensfield Playing Pitches

This Policy safeguards land for playing fields in a flexible manner. It has regard to Paragraphs 73 and 74 of the Framework and no change is recommended.

Policy CF4 – Developing Greensfield for Education and Recreation

Policy CF4 safeguards land for education and recreation. It has regard to Paragraph 72 of the Framework which affords great weight to ensuring that a sufficient choice of school places is available to meet the needs of communities and gives great weight to the need to create or expand schools.

No changes are recommended.

Policy CF5 – Future Development of the Middle Schools

Policy CF5 also has regard to Paragraph 72. It considers the future use of the existing school sites should they become available for redevelopment during the plan period.

For clarity, I recommend:

- **Policy CF5, penultimate paragraph, change last sentence to “...site. Applications for the development of each of the sites should be accompanied by a master plan and/or a development brief that has emerged further to community engagement.”**

Policy CF6 – Dual Use of Greensfield Facilities

Whilst this Policy encourages dual use of facilities, the design and management of this is something that lies within the responsibilities of the local education authority. I recommend:

- **Change Policy CF6 to “*Dual use of facilities at the new school campus and adjoining fields by the school and the community is supported.*”**

Policy CF7 – Facilities for Older People

Policy CF7 has regard to the Paragraph 50 of the Framework, which supports planning for housing for older people. As worded, the Policy may have unintended consequences and I recommend:

- **Policy CF7, change to “...given to *the development of residential accommodation...*”**

Policy CF8 – Safeguarding Health and Medical Facilities

Policy CF8 has no control over the future of hospitals and GP surgeries. I recommend:

- **Delete Policy CF8 and related supporting text**

CF9 – Public Toilet Facilities

Policy CF9 doesn't make grammatical sense. It requires “*opportunities*” to contribute to development, but does not provide any information with regards exactly where the development will take place, or what form it will take. It is not clear how an opportunity can contribute to the improvement of existing facilities. I acknowledge the need for toilets and recommend:

- **Change Policy CF9 to “*The development of new public toilet facilities and/or the improvement of existing facilities will be supported.*”**

Transport

Policy TRA1 - Walking

Policy TRA1 is confusing. Its wide-ranging approach, whereby it effectively supports any development so long as it improves the provision for walking, could have unintended effects and conflicts with other Policies in the Neighbourhood Plan.

The list of principles include traffic management criteria beyond the control of the Neighbourhood Plan and state that new routes will be provided, but do not set out how this will be achieved. The Policy ends by stating that changes will be made to traffic arrangements and to the undefined “*public realm floorscape*,” but does not indicate how, or even provide evidence to demonstrate that this can be achieved.

Furthermore, it is not entirely clear how development proposals might “*further*” the principles, as required by the Policy.

Policy TRA1 does not provide decision makers with a clear indication of how to respond to a development proposal. It does not meet the basic conditions.

Notwithstanding the above, Paragraph 75 of the Framework supports the enhancement of rights of way and access. I recommend:

- **Change Policy TRA1 to “*The enhancement of public rights of way and access will be supported.*” (delete rest of Policy)**

Policy TRA2 – Cycling

The Framework encourages sustainable patterns of movement, giving priority to cycle movements and minimising conflicts between traffic and cyclists (Chapter 4 “*Promoting sustainable transport.*”)

Whilst it has regard to this, Policy TRA2 is unclear. It requires development that improves cycling provision to “*further*” a set of principles that appear to be aspirations rather than comprise land use planning policies. No evidence is provided with regards how continuous cycling routes “*will be developed progressively*” or how the Neighbourhood Plan can control speed limits.

The Policy goes on to state that the Wooler Line will be preserved for a cycling route. This contradicts earlier mention in (the deleted) Policy TRA1, which suggested that the Line would be preserved for a walking route.

Policy TRA2 effectively places onerous and unachievable requirements on the development of improved cycling provision. This does not have regard to the Framework and fails to contribute to the achievement of sustainable development.

I recommend:

- **Change Policy TRA2 to “*The development of safe cycling routes will be supported.*” (delete rest of Policy)**

Policy TRA3 – Bus, Coach and Related Services

The Neighbourhood Plan has no control over the provision of bus services. The last paragraph of Policy TRA3 gives unfettered support to the relocation of the bus station to “*a better and more accessible site.*” No indication is provided with regards to where the better and more accessible site is or on what basis this would be judged/who by.

The middle part of Policy TRA3 is generally supportive of the redevelopment of the bus station. Whilst ambiguously worded, this part of the Policy reflects a positive approach to sustainable development and has regard to national policy’s support for sustainable movement patterns. I recommend:

- **Policy TRA3, delete first and third paragraphs and re-word as “*Proposals for the redevelopment of the bus station to provide a transport hub will be supported subject to demonstrating high quality design that makes a positive contribution to local character.*”**

Policy TRA4 – Goods and Services

Policy TRA4 refers to improving the movement of goods and services. No baseline is provided to demonstrate how all goods and services are currently moved and so it is difficult to understand how improvements will be measured. It is unclear what “*a balanced improvement for all highway and footway users will be produced*” actually means. Formal lorry parking in an appropriately serviced estate would, by definition, be appropriately serviced and so planning permission would not be required.

Policy TRA4 does not provide decision makers with a clear indication of how to respond to a development proposal. I recommend:

- **Delete Policy TRA4 and related supporting text**

Policy TRA5 – Transport Links

The first part of Policy TRA5 is unclear as no detail is provided with regards what the “*wider transport network around Alnwick and Denwick is.*” On the face of it, taken to an extreme for the purpose of emphasis, the Policy could support the development of an eight-lane motorway between Alnwick and the A1. The Policy is also exceptionally wide-ranging, to the point that, as worded, it would support practically any development.

The Policy only seeks to safeguard the former rail route towards Alnmouth “*where the original alignment exists.*” This does not appear to fully reflect the supporting text. No detailed information is provided to show precisely what the Policy intends to safeguard and no indication of what safeguarding the route actually means in planning terms is provided.

Policy TRA5 does not provide a decision maker with a clear indication of how to respond to a development proposal. I recommend:

- **Delete Policy TRA5 and related supporting text**

Policy TRA6 – Environmental Impacts

This Policy supports proposals that “*affect the transport network.*” No indication is provided with regards what this actually means. As worded, the Policy supports development that results in severe harm on transport grounds, so long as the development improves “*streetscape attractiveness.*” Such an approach is in direct conflict with Paragraph 32 of the Framework. I recommend:

- **Delete Policy TRA6 and related supporting text**

Policy TRA7 – Maintenance

This Policy supports development that improves maintenance of “*pedestrian and cyclist infrastructure.*” The Policy would have unintended consequences as it supports any kind of development, so long as it maintains footways. There is no evidence to demonstrate that such an approach has regard to national policy, is in general conformity with strategic policies in the Core Strategy, or contributes to the achievement of sustainable development.

I recommend:

- **Delete Policy TRA7 and related supporting text**

Policy TRA8 – Traffic Management

Policy TRA8 requires all development to demonstrate that it has *“been designed for effective traffic management.”* Together with the following paragraph in the Policy, this sets an unduly onerous requirement that simply will not be relevant to many development proposals. The final part of the Policy refers to something *“required by the National Planning Policy Framework”* and so is unnecessary for the Policy to repeat.

I recommend:

- **Delete Policy TRA8 and supporting text**

Policy TRA9 – Parking

In a roundabout way, the first part of Policy TRA9 supports the provision of appropriate parking facilities. This has regard to Paragraph 40 of the Framework, which supports improvements to the quality of parking in town centres.

The middle part of the Policy refers to applying standards that are controlled by another body. The final part of the Policy provides no detail with regards to how a Travel Plan will contribute *“proportionately to any enhancements necessitated.”*

I recommend:

- **Change first paragraph of Policy TRA9 to *“The development of improved provision of public parking facilities...supported.”***
- **Delete second paragraph**
- **Last paragraph, delete *“..., contributing...necessitated.”***

Environment

Policy ENV1 – Natural and Semi-Natural Greenspace

Policy ENV1 seeks to designate “*Natural and Semi-Natural Greenspace*” but provides no apparent basis for such a designation. There is no indication of how proposals for development on such spaces will be considered, or how the proposed sites will be managed – for example, what kind of farming practices can take place on them. No indication is provided of what a “*high quality green space*” might comprise in this context.

From the information provided, Policy ENV1 simply seeks to place a new designation on land without demonstrating that such a designation has regard to national policy or is in general conformity with the strategic policies of the Core Strategy.

Whilst I note that part of the intention of the designations would be to place “*a focus on increased biodiversity*” this is something that could be achieved in any number of different ways. Also, the fact that people would like to see more green space does not provide a carte blanche to simply designate land without a land use planning policy basis that meets the basic conditions.

Taking the above into account, I recommend:

- **Delete Policy ENV1, Table ENV1, bullet point “Policy ENV1” on page 56 and reference on Proposals Map**
- **Replace text in ENV CAP 1 with “*The Town and Parish Councils will consider the opportunities to protect land as natural and semi natural greenspace.*”**

Policy ENV2 – Providing New Green Space Through Development

Policy ENV2 is reliant on standards that are the responsibility of another body. Furthermore, no substantive evidence is provided to demonstrate why every major development needs to specify how it would contribute to the requirements set out, or demonstrate how different areas of green space will be connected.

The Neighbourhood Plan provides no evidence to demonstrate that the different areas of green space referred to can be connected, or that a requirement to do so has regard to national policy or is in general conformity with the strategic policies of the Core Strategy. I recommend:

- **Delete Policy ENV2 and the related bullet point on page 56**

Policy ENV3 – Safeguarding Green Space on Middle School Sites

Policy ENV3 does not define a “*significant contribution.*” Without knowing what a future development on these sites might comprise, it is not possible to know what kind of contribution any such development might make to the provision of parks, gardens and amenity green space on the sites.

Policy ENV3 does not provide any guidance in this regard, but sets an undefined requirement. The Policy does not provide decision makers with a clear indication of how to respond to a development proposal. I recommend:

- **Delete Policy ENV3 and the related text on page 56**

Policy ENV4 – Protecting Green Space

Generally, Policy ENV4 has regard to Paragraph 74 of the Framework, which establishes that existing open space should not be built upon unless it is surplus to requirements or would be replaced by equivalent or better provision in a suitable location. I recommend:

- **Delete “...and natural and semi natural green space...”**

Policy ENV5 – Local Green Space

Policy ENV5 designates ten areas as Local Green Space. Whilst the sites are shown on the Proposals Map, it is not possible to clearly see the precise boundaries of the sites and this is something considered in the recommendations below.

Local Green Space is a restrictive and significant policy designation. The Framework states that

“By designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances” (Paragraph 76)

and goes on to state, explicitly, that

“The Local Green Space designation will not be appropriate for most green areas or open space.” (Paragraph 77)

Consequently, when designating Local Green Space, plan-makers must clearly demonstrate that the requirements for its designation are met in full. These requirements are that the green space is in reasonably close proximity to the community it serves; it is demonstrably special to a local community and holds a particular local significance; and it is local in character and is not an extensive tract of land. Furthermore, identifying Local Green Space must be consistent with the local

planning of sustainable development and complement investment in sufficient homes, jobs and other essential services.

Table ENV2 sets out why each Local Green Space has been designated, having regard to national policy and I note earlier that the Neighbourhood Plan has emerged through a robust consultation process.

Whilst there has been an objection to the amount of land designated at Duke's Middle School, there is no substantive evidence to demonstrate that this Local Green Space designation does not meet the basic conditions. The fact that the designation may impact on something that has not yet happened does not demonstrate that the designation fails to meet the tests set out in the Framework.

National policy prevents the development of Local Green Space other than in very special circumstances. Policy ENV5 adds its own version of Local Green Space policy to this, without any justification for not having regard to national policy.

I recommend:

- **Taking all of the above into account, I recommend:**
- **Policy ENV5, line one, delete "...proposed to be..." and change line two to "...map *and on the plans following this Policy.*"**
- **Create a new set of Local Green Space plans, clearly showing the precise boundaries of each designation on an OS base**
- **Policy ENV5, end the Policy "very special circumstances." (delete the rest of the Policy)**

Policy ENV6 – Areas for Nature Conservation

It is not clear on what basis Policy ENV6 seeks to designate Areas for Nature Conservation or what the land use planning policy status of such areas would be. There is no evidence that national policy or strategic local policy provides for such designations to be made by Neighbourhood Plans.

Consequently, I find that Policy ENV6 does not meet the basic conditions and there is no evidence to the contrary.

I recommend:

- **Delete Policy ENV6 and reference on Proposals Map**
- **Re-word ENV CAP 2 “*The Parish and Town Councils will seek to create and manage new sites for nature conservation.*”**

Policy ENV7 – Protecting Biodiversity

The first part of Policy ENV7 suggests that any development will be allowed within the sites referred to, so long as there is no loss of biodiversity. Such an approach may have unintended consequences and as such, affords significantly less protection to these sites than already exists.

The second part of Policy ENV7 has regard to Paragraph 118 of the Framework, which aims to “*conserve and enhance biodiversity*” and is in general conformity with Policy S12 of the Core Strategy, which considers development proposals against the need to protect and enhance biodiversity.

I recommend:

- **Policy ENV7, delete first paragraph**

Policy ENV8 – Future Allotment Provision

National policy requires planning policies to “*plan positively for the provision and use of shared space, community facilities...*” and “*...guard against the unnecessary loss of valued facilities*” (Paragraph 70).

Policy ENV8 protects existing allotments and provides for new ones. It has regard to national policy and contributes to the achievement of sustainable development. It meets the basic conditions and no changes are recommended.

Policy ENV9 – Protecting Trees

The Framework protects ancient and aged or veteran trees (Paragraph 118). Policy ENV9 seeks to protect trees from damage. National policy does not go so far as to protect all trees of good arboricultural value and I make a recommendation in this regard below.

Policy ENV9 refers to “*a management agreement*” which is not defined, but presumably relates to the ongoing management of trees and requires a carte-blanche protection of root zone compaction, regardless of which trees the roots are related to.

I recommend:

- **Policy ENV9, change to “...ancient trees will *not be permitted. Development that damages or results in the loss of trees of good arboricultural and amenity value and which does not replace them with equivalent trees will not be permitted. Proposals affecting ancient trees or trees of good arboricultural and amenity value should be...ancient trees or retain or replace trees of...value with equivalent trees.*” (delete rest of Policy)**

Policy ENV10 – Landscaping of New Developments

Policy ENV10 promotes the provision of appropriate landscaping proposals alongside major development. This is in general conformity with Core Strategy policy S13, which seeks to protect the distinctive landscape character of Alnwick.

The second part of the Policy goes on to require a provision not supported by an evidence base and subject to the undefined term “*substantial proportion.*” Further, no evidence supports the reference to “*at least 10 years.*” I recommend:

- **Policy ENV10, end second paragraph at “...*biodiversity targets.*” (delete the rest of the Policy)**

Policy ENV11 – Protecting Green Infrastructure

Policy 11 is confusing. It seeks to protect “*local green infrastructure*” yet the Proposals Map simply identifies walking and cycling routes, rather than “*green infrastructure*.” Most of the routes identified are public rights of way and as noted earlier in this Report, the Framework supports their enhancement.

However, at least one of the routes is not a public right of way (between the eastern side of Alnwick and the A1). No substantive evidence is provided to demonstrate that this route can provide for cycling and walking and the Neighbourhood Plan cannot simply impose public rights of way.

Existing public rights of way are already protected. It is not clear why the Policy would support the enhancement of some public rights of way but not others. No evidence is provided to demonstrate that the public rights of way identified provide corridors and habitats for wildlife, most are simply public footpaths. The supporting text refers to other “*local green infrastructure*” but these are not identified on the Proposals Map.

I recommend:

- **Policy ENV11, change to “*The provision of local green infrastructure which provides corridors and habitats for wildlife will be supported. The enhancement of public rights of way will be supported.*” (delete the rest of the Policy)**
- **Delete the routes highlighted in green on the Proposals Map (which do not show all of the public rights of way in the Neighbourhood Area)**

Policy ENV12 – Sustainable Urban Drainage

As worded, Policy ENV12 requires all development to incorporate SuDS, or to demonstrate that incorporating SuDS is not appropriate. This places an unnecessary burden on those forms of development where SuDS may be irrelevant or inappropriate.

The second part of the Policy is a matter for detailed planning conditions. I recommend:

- **Policy ENV12, change opening sentence to “*All proposals for major development should incorporate...*”**

Policy ENV13 – Small Scale Renewable Energy

Policy 13 is a supportive Policy that has regard to Paragraph 97 of the Framework, which aims to increase the use and supply of renewable and low carbon energy.

No changes are recommended.

Policy ENV14 – Energy Conservation in New Housing

Policy 14 is based on the assumption set out in the supporting text that *“there is no reason why provision of high quality energy efficiency measures or on-site renewables should be harder to implement on small developments than major ones...”* However, larger developments benefit from economies of scale and there is no substantive evidence to support the assertion in the supporting text. It is not the role of planning to place unnecessary financial burdens on development.

Further to the above, I note that there is no substantive evidence to demonstrate that there are guaranteed renewable energy sources within the Neighbourhood Area that are readily available to all new residential development. I recommend:

- **Delete Policy ENV14 and supporting text**

In making the above recommendation, I note that existing planning policy promotes the use of renewable energy and I am mindful that Northumberland County Council has standard planning conditions in this regard.

Policy ENV15 – Reducing Light Pollution

Both the Framework and the Core Strategy protect local character. Northumberland’s dark skies are an inherent part of its character. Policy ENV15 seeks to protect these and in doing so, contributes to the achievement of sustainable development. I note that Northumberland County Council has no objection to this Policy and that planning applications for floodlights already need to robustly justify necessity.

I recommend:

- **Policy ENV15, delete middle paragraph**

Policy ENV16 – Recycling Facilities

No substantive evidence is provided to demonstrate that every development of 30 or more houses, car parks for more than 30 spaces, petrol stations, supermarkets and new business/retail parks can viably provide recycling facilities for glass bottles and jars, domestic packaging materials and textiles.

Furthermore, no evidence is provided to demonstrate that placing recycling facilities on every such development will contribute to the achievement of sustainable development.

Policy ENV16 goes on to effectively place responsibility for controlling the Policy with NCC Waste Management. It is not the role of the Neighbourhood Plan to designate responsibilities to other bodies. I recommend:

- **Delete Policy ENV16 and replace the final paragraph in the supporting text on page 67 with a reference to the relevant ENV CAP proposals.**

Heritage, Design and Culture

HD1 – Protecting Landscape Setting

Subject to the comments below, Policy HD1 is in general conformity with Core Strategy policy S13, which seeks to protect Alnwick's distinctive landscape character.

The phrase "*incongruous visual elements*" is undefined and introduces a requirement that is unduly subjective. This fails to provide clarity and would be difficult to control. Further, no evidence is provided with regards which landscape features contribute "*to the health and well-being of residents and visitors*" or how they do this. Consequently, there is little to provide clarity for a prospective developer or a decision maker in this regard.

The final part of the Policy relates to views. Policy HD1 provides a general description of some views considered to be important. The Table is confusing as it includes a column headed "*Objectives*" which does not relate to Policy HD1 at all.

The description of the views is generally helpful, but it does not provide a comprehensive visual assessment of precisely which views are being protected from precisely where. The descriptions are not exact and specific and are not supported by visual evidence. Furthermore, the fact that Policy HD1 states that "*the above considerations apply to both views out of the town and village as well as views into...*" suddenly introduces an almost endless array of potential views into the Policy that are not set out in the Table.

Whilst I note that the Neighbourhood Plan considers culture in significant detail, no clarity is provided with regards how development will impact on physical views of the "*cultural character of Alnwick*" in the context of this Policy.

Taking the above into account, the Policy lacks sufficient detail to prevent development that would "*adversely affect the specific views*" in Table HD1.

I recommend:

- **Policy HD1, delete second bullet point "*incongruous...*"**
- **Change last part of Policy to "*Development proposals that would have an effect on the important views identified in Policy HD1 should demonstrate that they do not harm the distinctive landscape or historic character of Alnwick.*" (delete the rest of the Policy)**
- **Delete Objectives column in Table HD1**

Policy HD2 – Heritage Assets at Risk

The Framework recognises that heritage assets are irreplaceable and promotes positive strategies for the conservation of heritage assets most at risk (Paragraph 126). Policy HD2 has regard to the Framework in this regard.

However, as worded, Policy HD2 may have unintended consequences, whereby it would give favourable consideration to any form of development that would help secure heritage assets at risk. For example, and for the point of emphasis, it may be that a development of 1,000 homes could secure a heritage asset at risk by funding its restoration and management.

I recommend:

- **Policy HD2, change to “Where a development proposal helps to secure a sustainable future for a heritage asset at risk, or threatened by decay and under use, this will be a factor in its favour. Such proposals are encouraged.”**

Policy HD3 – Protecting Designated Heritage Assets

Policy HD3 fails to have regard to national policy, set out in Chapter 10 of the Framework, “*Conserving and enhancing the historic environment*,” which allows for the benefits of proposals to be weighed against harm. Consequently, Policy HD3 fails to contribute to the achievement of sustainable development.

I recommend:

- **Delete Policy HD3**

Policy HD4 – Protecting Non-Designated Assets

Policy HD4 has regard to Paragraph 135 of the Framework, which requires the significance of non-designated heritage assets to be taken into account. No evidence is provided to demonstrate that the final requirement of the Policy has regard to national policy or is in general conformity with the strategic policies of the Core Strategy. I recommend:

- **Policy HD4, end Policy “...and its setting.” (delete remainder of Policy)**

Policy HD5 – Enforcing Protection of Heritage Assets

Policy HD5 is confusing. It separates Conservation Areas from heritage assets and refers to them as “*areas of special quality*.” It suggests that heritage assets will be subject to a special enforcement regime, but does not detail how this will differ from statutory planning enforcement. It goes on to refer to adverse affects on public amenity, but provides no indication of what this means and on what basis it will be measured. It states that action will “*normally*” be taken against contraventions but does not set out the circumstances when action will not be taken against contraventions. It then refers to statutory powers not controlled by the Neighbourhood Plan.

I recommend:

- **Delete Policy HD5. (I note that the supporting text relates to HD CAP 7 and do not recommend the deletion of this supporting text)**

Policy HD6 – The Approaches to the Town

Whilst this Policy has regard to national policy, which protects local character and to Core Strategy policies S15 and S16, which also protect local character, it is worded in such a way that it seeks to place a requirement on another body. It is not for the Neighbourhood Plan to state in a Policy what Northumberland County Council “*will expect to see*.”

I recommend:

- ***“Design that is in keeping with local character and the use of structural landscaping to reinforce attractive entrances and routes into the town and to improve entrances and routes into the town, will be supported.”***

Policy HD7 – Design in the Wider Town

No definition of “*distinctive suburban townscapes*” is provided and it is therefore unclear where Policy HD7 applies. However the list provided in Policy HD7 provides helpful background information for all development proposals and has regard to national policy’s support for good design, referred to earlier in this Report.

I recommend:

- **Policy HD7, change opening sentence to “*New development is encouraged to take the following into account: a) Footprint...*”**

Policy HD8 – Protecting Town Gateways

Whilst Policy HD8 seeks to protect and enhance local character and conserve heritage assets, it is an unclear Policy. It states that gateways “*must be protected and enhanced.*” No indication is provided to set out on what basis this will happen, or what will occur if it does not happen. I recommend:

- **Policy HD8, change to “*The protection and enhancement of the gateways to the historic core identified in Table HD3 will be supported.*”**

Policy HD9 – Design in the Historic Centre

The opening sentence of Policy HD9 is unclear. No definition of “*opportunities*” or indication of when they “*should be taken*” is provided. However, in general, the Policy has regard to national policy’s support for good design and for the conservation of heritage assets.

I recommend:

- **Policy HD9, change opening sentence to “*New development in the historic centre of Alnwick is encouraged to take the following into account: 1. Footprint...*”**

Policy HD10 – Vital Historic Spaces

Policy HD10 is unclear. It does not set out on what basis development must enhance open space and does not define what is meant by “*buildings and the spaces between them are designed as a whole.*” In this regard, planning applications must relate to a specific site. The Policy does not provide decision makers with a clear indication of how to react to a development proposal. I recommend:

- **Delete Policy HD10**
- **Retain supporting text, which refers to policy TC5. This should be “*TCR5*”**

Policy HD11 – Streetscape Design

The Neighbourhood Plan cannot control the responsibilities of statutory authorities. I recommend:

- **Delete Policy HD11**

7. Neighbourhood Plan – Other Matters

Section 11 of the Neighbourhood Plan focuses on delivery. As worded, parts of this are incorrect and may lead to confusion. I recommend:

- **11.2.3 delete and replace with “*The Policies of the Neighbourhood Plan, further to being made, will form part of the development plan. They will carry statutory weight and will be used to determine planning applications in the Neighbourhood Area.*”**
- **11.2.4, change to “...County Council and should decisions be appealed, they will be used by Planning Inspectors to help determine appeals.”**
- **11.3.1, delete last sentence**

8. Summary

I have recommended a number of modifications further to consideration of the Alnwick and Denwick Neighbourhood Plan against the basic conditions.

Subject to these modifications, the Alnwick and Denwick Neighbourhood Plan

- has regard to national policies and advice contained in guidance issued by the Secretary of State;
- contributes to the achievement of sustainable development;
- is in general conformity with the strategic policies of the development plan for the area;
- does not breach, and is compatible with European Union obligations and the European Convention of Human Rights.

Taking the above into account, I find that the Alnwick and Denwick Neighbourhood Plan meets the basic conditions. I have already noted above that the Plan meets paragraph 8(1) requirements.

I have recommended the deletion of a number of Policies. I note that, as submitted, the Neighbourhood Plan included 63 separate Policies. Whilst there is no limit on the number of Policies a neighbourhood plan can include, 63 is a large number and it represents an ambitious approach.

It may well be that the Neighbourhood Plan attempted to achieve too many things and that an over-ambitious approach led to a loss of focus on ensuring that all Policies met the basic conditions. Consequently, a number of Policies failed to do so and for the Neighbourhood Plan to progress, it must meet the basic conditions.

In making the above recommendations, I am especially conscious that the Neighbourhood Plan is the result of a tremendous community effort and has emerged further to sustained commitment on behalf of the plan-makers. I would like to note that much of the Neighbourhood Plan and its supporting information is of an exceptionally high standard.

9. Referendum

I recommend to Northumberland County Council that, subject to the modifications proposed, the **Alwick and Denwick Neighbourhood Plan should proceed to a Referendum.**

Referendum Area

Neighbourhood Plan Area - I am required to consider whether the Referendum Area should be extended beyond the Alwick and Denwick Neighbourhood Area. I consider the Neighbourhood Area to be appropriate and there is no substantive evidence to demonstrate that this is not the case.

I recommend that the Plan should proceed to a Referendum based on the Alwick and Denwick Neighbourhood Area as approved by Northumberland County Council on 11 April 2013.

Nigel McGurk, December 2015
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