

EXAMINER'S REPORT
EGLINGHAM
NEIGHBOURHOOD DEVELOPMENT PLAN
2023 - 2036

R J Bryan B.A. Hons. M.R.T.P.I.

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ABBREVIATIONS and ACRONYMS

The following are acronyms and abbreviations used in this examination:

HRA - Habitats Regulation Assessment.
NDP- Neighbourhood Development Plan.
NCC- Northumberland County Council
NLP- Northumberland Local Plan, 2016 – 2036
NPPF - National Planning Policy Framework (Dec 2023)
NPPG - National Planning Practice Guidance.
SEA - Strategic Environmental Assessment.
SAC - Special Area of Conservation
SSSI - Site of Special Scientific Interest
The Plan - the Neighbourhood Development Plan under examination.

INTRODUCTION

1. This is an independent examination of a Neighbourhood Plan prepared by the Eglington Parish Council in consultation with the local community. The Localism Act 2011 provided local communities with the opportunity to have a stronger say in their future by preparing neighbourhood plans, which contain policies relating to the development and use of land.
2. A plan is considered made if following a local referendum, it receives the support of over 50% of those voting. It will then form part of the statutory development plan. It will be an important consideration in the determination of planning applications as these must be determined in accordance with development plan policies unless material considerations indicate otherwise.
3. I have been appointed by Northumberland County Council (NCC) in consultation with the parish council to carry out this independent examination. I am a Chartered Town Planner with over 35 years' experience working at a senior level in local government and as a private consultant. I am a member of the Royal Town Planning Institute
4. I confirm that I am independent of the Parish Council and NCC and have no interest in any land, which is affected by the Neighbourhood Development Plan (the Plan).

5. This report is the outcome of my examination of the submitted version of the Plan.

6. My report will make recommendations based on my findings on whether the Plan should go forward to a referendum.

BACKGROUND DOCUMENTS

7. I have considered the following documents as part of this examination:

Documents submitted for the examination

Eglington Neighbourhood Development Plan, 2023-2036, Regulation 15 (Submission Draft Plan).

Eglington Neighbourhood Plan Policies Map - Submission Draft.

Eglington Neighbourhood Plan Policies Map Eglington Village Inset - Submission Draft.

Eglington Neighbourhood Plan Policies Map South Charlton Inset - Submission Draft.

Eglington Neighbourhood Plan, Consultation Statement, Submission Version, January 2024.

Eglington Neighbourhood Development Plan Basic Conditions Statement, Submission Version, January 2024.

Strategic Environmental Assessment (SEA) for The Eglington Neighbourhood Plan Environmental Report December 2022, Aecom, December 2022.

Eglington Neighbourhood Plan Update Strategic Environmental Assessment Addendum Note, Aecom, 19/10/23.

Habitat Regulations Assessment Report January 2024 of the Eglington Neighbourhood Development Plan, Submission Draft Plan, Northumberland County Council.

Local Green Space: Methodology and Background Report Eglington Neighbourhood Plan (March 2023).

Local Green Spaces: Background Report Eglington Neighbourhood Plan – Submission Version (Dec 2023)

Background Report on Significant Viewpoints – For the purposes of:
Policy 3: 'Development within Eglington Village Conservation Area'; and Policy 5: "Area of High Landscape Value".

Settlement Boundary Methodology and Background Report Eglington Neighbourhood Plan.

Settlement Boundary Methodology and Background Report Eglington Neighbourhood Plan – Addendum for Submission Plan (December 2023).

Eglington Parish Neighbourhood Plan, Landscape Assessment, Final Report, Aliaon Farmer Associates, May 2021(updated January 2022).

Local and National Policies and relevant evidence

“National Planning Policy Framework”, (NPPF), Dec 2023.

“National Planning Practice Guidance”, (NPPG).

Northumberland Local Plan 2016 – 2036 Adopted 31 March 2022.

Eglington Parish Design Code, AECOM, June 2020.

Eglington Conservation Area Character Appraisal, Alnwick District Council.

THE EXAMINATION

8. The nature of the independent examination is set out in Section 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended).

9. The examiner has to make a recommendation as to whether the Plan should be submitted to a referendum, with or without modifications, and if the area for the referendum should extend beyond the plan area.

10. As a general rule the examination should be carried out on the basis of written representations unless a hearing is necessary to allow adequate consideration of an issue or to allow a person a fair chance to put a case.

PROCEDURAL MATTERS

11. It is necessary to determine that the Plan complies with the following procedural matters¹:

- The Plan has been prepared and submitted by a qualifying body
- The Plan has been prepared for an area that has been properly designated
- The Plan specifies the period to which it has effect, does not include provisions

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

about excluded development and does not relate to more than one neighbourhood area

- The policies relate to the development and use of land for a designated neighbourhood area.

12.A Neighbourhood Area application was submitted under the Neighbourhood Planning Regulations 2012 (part 2 section 6) to Northumberland County Council who approved the application on 31st May 2019. The Parish of Eglingham was therefore designated as a Neighbourhood Area for the purposes of section 61(G) of the 1990 Act.

13.In accordance with the regulations², the Plan sets out policies in relation to the development and use of land and does not refer to “excluded” development which is specified as not to be referred to in neighbourhood plans. It specifies the period for which it has effect (2023-2036). It does not relate to more than one neighbourhood area.

CONSULTATION

14.The Consultation Statement explains the manner in which the public and statutory bodies were involved in the development of the Plan.

15.Following the approval of the Plan area designation by NCC in May 2019 a Steering Group was established by the parish council to oversee the development of a Neighbourhood Plan.

16.In 2020, Eglingham Parish Council produced a detailed questionnaire which sought to gain views from residents on a number of key issues. A Background Paper accompanied the questionnaire and provided an informative basis on which residents could respond. The ninety-seven responses to the questionnaire guided the formulation of a vision, a set of objectives, and policies for the Neighbourhood Plan. The “Consultation Statement” summarises how the responses reacted to the policy ideas in the Background Paper.

17.The parish council then embarked on gathering evidence and policy formulation. This involved commissioning of work to prepare a design code and a landscape study. Residents contributed to the landscape study.

18.The Plan was developed in 2022 and then the subject of formal publicity for 6 weeks in April and May 2023, under the terms of Regulation 14 of the Neighbourhood Planning (General) Regulations 2012.

19.Notices were placed on the parish council’s website and the individual statutory consultees were written to with information about how to view and respond to the plan. The Plan and all supporting evidence were available to view on the parish council

² Neighbourhood Planning (General) Regulations 2012

website. Hard copies were also made available for those unable to access the online versions. These were placed in the village halls at Eglingham and South Charlton during the consultation period. Finally, drop in events were organised both at Eglingham (2nd May) and South Charlton (10th May) at the respective village halls.

20. The “Consultation Statement” summarises the responses with a brief comment from the parish council as to how these were considered in informing the development of the plan.

21. During the consultation process, the Parish Council website has had publicly accessible records of all documents which related to policy formulation and consultation responses. These included latest working drafts of the Plan, background evidence reports listed in the Plan and copies of parish council and Steering Group meetings/minutes.

22. Local residents, landowners and businesses were kept informed about progress through the Plan website hosted by Eglingham Parish Council²² and via the parish newsletter “Hearabouts”.

23. Both village halls have had suggestion boxes for residents to place their views.

24. The plan was then submitted to NCC and the final six-week formal consultation³ was carried out in February and March 2024. I will assess the comments received as part of this examination.

25. I am satisfied that the “Consultation Statement”, demonstrates an adequate level of consultation, which has engaged the community and offered the opportunity for technical consultees and developers to be effectively involved in the emerging plan.

BASIC CONDITIONS

26. It is necessary to decide whether the Neighbourhood Development Plan meets the “basic conditions” specified in the Act.⁴ This element of the examination relates to the contents of the Plan.

27. This Plan meets the basic conditions if:

- a) It has regard to national policies and advice contained in guidance issued by the Secretary of State,
- b) The making of the plan contributes to sustainable development,
- c) The making of the plan is in general conformity with the strategic policies contained in

³ Regulation 16 of the Neighbourhood Planning (General) Regulations 2012

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

the development plan for the area,

d) The making of the plan does not breach, and is otherwise compatible with, EU obligations and human rights requirements,

e) prescribed conditions are met in relation to the Plan and prescribed matters have been complied with in connection with the proposal for the plan.

f) The making of the neighbourhood development plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010(2)) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats Regulations 2007(3)) (either alone or in combination with other plans or projects).

28. The Parish Council has submitted a “Basic Conditions Statement” to seek to demonstrate conformity. The analysis of conformity with the basic conditions is carried out below. Note this is not in the order specified above.

SUSTAINABLE DEVELOPMENT

29. The Parish Council submits in the Basic Conditions Statement that the Plan complies with NPPF core policies, which require the Plan to promote sustainable development. The NPPF establishes that the three components of sustainability are economic, social and environmental and that these underpin all planning policy.

30. Table 1 of the Statement demonstrates that the Plan is firmly aligned with the core principles of the NPPF and the principles of sustainability, which underpin them. The table demonstrates that each policy has sustainability credentials.

31. In the social respect, the Plan seeks to support a strong, healthy vibrant community. It contains policies to provide exception sites which meet the community’s identified needs and protects appropriate community facilities, including sports and recreation facilities. The Plan further encourages healthy lifestyles by protecting local green spaces.

32. In its environmental role the Plan seeks to protect and enhance the particularly sensitive natural and physical environment. Policy 2 is specifically orientated to “sustainable design”. Policies, also, protect the landscape character, green spaces, ecology and the built character and heritage.

33. In economic terms the Plan has limited objectives in terms of economic development as it is primarily rural. However, the Plan seeks to protect key local community facilities and services which support business uses indirectly.

34. I accept that the policies in the Plan meet the claims referred to in the Statement. I am satisfied that the Plan contributes to sustainable development as defined by the NPPF.

EU OBLIGATIONS, HUMAN RIGHTS REQUIREMENTS

35. A neighbourhood plan must be compatible with European Union Directives as retained into UK law, under the European Withdrawal Act 2018. Key directives are the Strategic Environmental Assessment Directive⁵ and the Habitats and Wild Birds Directives⁶. These require that consideration should be given to the need for a Strategic Environmental Assessment (SEA) to assess any significant environmental impacts and /or an appropriate Habitats Regulations Assessment (HRA) to assess any impact on a site/habitat recognised as protected under European legislation⁷ A neighbourhood plan should also take account of the requirements to consider human rights.

36. The aim of undertaking a SEA is to suggest measures to avoid, reduce or manage damaging environmental impacts and enhance positive effects.

37. The NCC carried out a screening exercise to determine whether or not the content of the emerging Plan required a full SEA or HRA. It concluded that both of these were required.

38. A Scoping Report was produced in December 2021 and statutory bodies were consulted on it. An Environmental Report was then produced by AECOM for the Parish Council dated March 2022. This was consulted on at the Regulation 14 stage of the plan in accordance with the SEA Regulations. No comments were received in relation to the SEA report but the report was further updated following amendments to the Plan resulting from the Regulation 14 consultation.

39. The report describes the environmental baseline position, highlighting areas of special value and designation and identifies the main threats..

40. The report then appraises the Plan objectives, reasonable alternatives and proposed policies in accordance with the recommended framework. The report concentrates on the following main themes biodiversity, climate change (including flood risk), historic environment, landscape and population and housing.

41. The report concludes that the likely environmental effects are mainly positive effects with one potential minor negative effect.

⁵ Article 3(5) of Directive 2001/42/EC transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, commonly referred to as the SEA Regulations

⁶ European Directives 92/43/EEC and 2007/147/EC transposed into the Conservation of Habitats and Species Regulations 2010.

⁷ Often referred to as Natura 2000 sites and include Ramsar sites - wetlands of international importance, Special Areas of Protection (SAP) - providing protection to bird habitats and Special Areas of conservation (SAC) - protect a variety of plants animals and habitats.

42. Moderate positive effects are anticipated in relation to the following topics; biodiversity due to policies aimed at improving river water quality; climate change, due to the increase in the areas resilience following increased landscape protection; historic environment, due to strong design control; landscape protection due to stronger landscape designations and control.

43. In relation to population and housing minor positives are identified due to stronger design controls and the increased community identity resulting from the designation of areas of local green space. During the process, following recommendations in the first SEA report, two areas of potential local green space were not designated and remain areas of public open space as designated in the Northumberland Local Plan. It was considered they may have some scope to change their use including for alternative sport and recreation use.

44. The statutory consultation bodies Natural England, Historic England and the Environment Agency have not raised an objection to these findings and the submission Plan.

45. I am satisfied that the SEA has been carried out appropriately and properly integrated into the development of the Plan.

46. An “appropriate” HRA assessment was required as the Plan would be likely to have significant effects on “European sites” designated on account of their ecological value as habitats. An HRA report was prepared by NCC in January 2004.

47. The HRA concludes that there are potential threats to habitats in the Northumbria Coast Special Protection Area SPA/Ramsar Site, the North Northumberland Dunes SAC and the River Tweed SAC on account of the minor increases in population and encouragement to more tourism. The potential impacts are identified as disturbance from extra recreational walking, particularly dogs off leads, more threat to vegetation development and from invasive plant species.

48. The report states the plan may have an adverse effect on the integrity of European sites without mitigation. However, Policy 9 provides mitigation for recreational disturbance impacts on the Northumbrian Coast SPA/Ramsar Site. Policy 10 provides mitigation for impacts on water quality within the River Tweed SAC. It was therefore concluded that the plan will not have adverse impacts on the site integrity of the Northumbria Coast SPA and Ramsar Site, the North Northumberland Dunes SAC or the River Tweed SAC.

49. Natural England agrees with these findings.

50. I consider the HRA was properly included in the plan process.

51. I do not consider the Plan raises any issues under the European Convention and the Human Rights Act 1998. In terms of the Article 6 of the Act and the right to a “fair hearing” I consider the consultation process has been effective and proportionate in

its efforts to reach out to those potentially affected. Neighbour responses have been considered in a satisfactory manner during the processing of the Plan.

CONFORMITY WITH NATIONAL AND LOCAL STRATEGIC POLICIES

52. The Parish Council states in the “Basic Conditions Statement” that the Plan takes into account national planning policies and guidance in the National Planning Policy Framework, July 2021 (NPPF) and National Planning Practice Guidance (NPPG) and is in general conformity with local strategic planning policies.

53. The Statement, in table 1, analyses all the plan policies, in detail, against relevant national policy guidance in the NPPF and the local strategic planning policies. This is done in appropriate detail and illustrates close alignment with the national guidance and general conformity with strategic policies.

54. I have made some recommendations below to alter or exclude certain policies which mainly repeat or misinterpret strategic policies. This is necessary in order to be clear and unambiguous and ensure the policies have a genuine local dimension and do not merely duplicate local plan policies and national guidance. The NPPG⁸ states neighbourhood plans “It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared”

GENERAL MATTERS IN RELATION TO BASIC CONDITIONS

55. I have made recommendations below, which will allow the plan to conform to various of the “basic conditions”. Where I am suggesting modifications, I have given reasons. In cases of minor grammatical or formatting issues, I have simply highlighted the need for correction without explanation.

56. I have considered all aspects of the representations received during the Plan process. In most cases, these do not require specific reference as they do not, in my view, effectively raise a concern that the Plan does not conform to basic conditions. I can only consider matters relating to conformity with the basic conditions in relation to the policies proposed. It is not the remit of this examination to include new policies covering issues which consultees may consider should be included.

57. In some cases, I have referred to NCC due to the specific and detailed nature of its representation and its particular relevance to “basic conditions”.

58. A recurring issue is the need for policies to be drafted with appropriate clarity. The National Planning Practice Guidance (NPPG)⁹ requires that “A policy in a

⁸ Paragraph: 041 Reference ID: 41-041-20140306

⁹ NPPG Paragraph: 041 Reference ID: 41-041-20140306

neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence". I have therefore suggested some modifications in the interests of greater clarity and meeting this guidance.

59. I have explained my recommendations in accordance with the order and format of the Plan and expressed them in bold type at the end of the various sections.

COMMENTS ON SECTIONS 1.0-6.0

56. These introductory sections set out a basic summary of the Plan process including an overview of the consultation process and the "basic conditions" to which a neighbourhood plan must conform. This is helpful and accurate.

57. There is reference to the Strategic Policy Background and the Northumberland Local Plan 2016 – 2036 Adopted 31 March 2022 and the role of Eglington in the settlement strategy as a "small village". This establishes sufficient background clarity.

58. The Spatial Portrait describes the essential demographic and economic profile of the area. It further describes the landscape and highlights the special qualities and designations.

59. A correction is required in paragraph 5.2 to establish that the dualling of the A1 is a possibility rather than a definite commitment.

60. The section "Vision and objectives for the Plan period" adequately explain the vision and sets objectives which are relevant to the neighbourhood planning process. I consider that the policies are satisfactorily linked to the vision and objectives.

61. This introductory section is helpful and pitched at a sufficient level of detail.

62. The header at the top of each page in the main part of the document refers Regulation 15 (Submission) Draft Plan. This should be deleted in the final made version of the Plan

RECOMMENDATION 1

In the Contents page Policy 5 change "Areas" to "Area" (to match with title on page 22).

In the title to section 1 correct "Eglington" with "Eglington".

In paragraph 5.2 delete the second sentence and replace with "Transport links are strong in terms of road transport, and there is a possibility of the dualling of the A1 during the Plan period."

Delete page header “Regulation 15(Submission) Draft Plan”.

POLICY 1: SETTLEMENT BOUNDARIES FOR THE VILLAGES OF EGLINGHAM AND SOUTH CHARLTON

63.The policy delineates settlement boundaries for the two villages in order to give clarity to the development strategy for the Plan area.

64.The submitted “Settlement Boundary Methodology and Background Report”, provides an explanation of the methodology and a justification for the delineation of the settlement boundary.

65.The report states “In considering where to draw the settlement boundaries for Eglington and South Charlton, the parish council has taken into account:

- i. the Northumberland Local Plan housing requirement for the Parish;
- ii. previously defined settlement boundaries;
- iii. housing commitments; and
- iv. local features on the ground that provide recognisable boundaries.”

66.This expression of the methodology establishes clarity and forms the basis for the planning rationale to support the boundaries.

67.There is currently no requirement to provide land for additional housing in the Parish before 2036, which provides scope to draw a relatively tight settlement boundaries around both settlements, whilst allowing for windfall development on appropriate sites.

68.The policy provides guidance for the location of housing development and refers to the scope for exceptions to allow housing in the countryside area. This is consistent with national and strategic policies aimed at providing sustainable housing provision catering for local needs and protecting areas of countryside, particularly those of high value such as in the Plan area.

69.There was mixed support for the established boundaries expressed at the formal consultation stages during the Plan process. There are some concerns that the settlement boundaries allow for more development and there is inadequate physical and economic and social infrastructure to support further development. However, I consider on the evidence supplied in the submitted background report and that the settlement boundaries only allow limited scope for development, the boundaries are justified. In terms of basic conditions, the policy is in accordance with the NPPF, which states in paragraph 83 “Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services.” and the Local Plan, which in policy STP 1 d identifies both settlements as “small villages” where there is support for a “proportionate level of development”.

70. The policy describes the approach to development proposals within the settlements and in the open countryside outside them. I agree with NCC that these aspects of planning decision-making are covered in the NPPF and Local Plan. The NPPF¹⁰ emphasises that 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 proposed policy uses different language and only partly repeats strategic policies in the Local Plan relating to control of development in the settlements and outside which is confusing. The main relevant Local Plan policies are QOP 2 Good Design and Amenity, STP 1 Spatial strategy (Strategic Policy), paragraph g., Policy HOU 7 Exception sites, paragraph 2 and Policy HOU 8 Isolated residential development in the open countryside I recommend that paragraphs 2-5 of the policy be deleted. However, there is benefit to clarity in referring to the most relevant Local Plan policies in the supporting text.

RECOMMENDATION 2

Delete paragraphs 2-5 from the policy text.

Insert the following paragraph after paragraph 7.5

**“The detailed policies relating to development proposals both inside and outside the settlement boundaries are contained in the Local Plan. The following policies are particularly relevant;
QOP 2 Good Design and Amenity, STP 1 Spatial strategy (Strategic Policy), paragraph g., Policy HOU 7 Exception sites, paragraph 2, Policy HOU 8 Isolated residential development in the open countryside.”**

POLICY 2: HIGH QUALITY AND SUSTAINABLE DESIGN

71. This policy is in accordance with national guidance as it provides a locally distinctive extra degree of design guidance.

72. The policy refers to the Eglington Parish Design Code, prepared by AECOM, in June 2020 and section 4 of the document is reproduced as Appendix B. This is a valuable reference for design guidance. There should be a reference to the whole document in the supporting text to establish clarity as to the provenance of the appendix document.

73. The policy requires “all” development to incorporate “high quality” design which is inflexible and could result in confusion in its implementation when more utilitarian or particularly well-screened development is under consideration. I recommend that “all” should be omitted from the policy text.

¹⁰ NPPF Paragraph 16 f)

74.NCC is concerned that the policy criteria are too generic and do not reflect the Design Code. I do not share this view as all the general matters referred to in the policy criteria are in the Design Code. I consider there is value in terms of clarity in highlighting the matters covered in the Design Code. Whilst the policy text does not exclusively cover all the aspects of the Design Code the text can be adjusted to reflect this.

75.Criterion c should be reworded to allow flexibility for removal of trees and hedgerows in certain cases.

76.The policy in criterion g seeks to establish that opportunities should be taken to incorporate embedded renewables into development to reduce the carbon footprint of buildings. In the Written Ministerial Statement, March 2015¹¹, the government confirmed that technical standards for buildings, including energy performance standards will be operated by the Building Regulations. Local plans can endorse national technical standards but not neighbourhood plans. The policy implies standards for energy performance which in accordance with the above Statement is not appropriate for inclusion in this Plan.

77.The design guidance relating to siting and orientation to optimise passive solar gain is, however, suitable as this does not relate to any national technical standards. I have therefore suggested amendments to this policy.

78.The Ministry of Defence have concerns that the plan does not contain a policy to protect defence installations in the area. However, I consider that the NPPF paragraph 101 b) contains an adequate policy basis to cover this and to include a similar policy in this plan would be confusing and unnecessary.

RECOMMENDATION 3

In paragraph 7.14 last sentence insert after “Design Code”, “an extract of which is”.

Insert a final sentence in paragraph 7.14, “The document containing the full Design Code is titled “The Eglington Parish Design Code” prepared by AECOM in June 2020 and is available from the Parish Council or County Council Planning and Building Service or via the following link (insert appropriate link)”

Delete “All” from the first sentence of the policy text.

Delete the last sentence of the first paragraph of the policy text and insert “The following criteria will be particularly relevant in assessing design matters;”

¹¹ Written Statements Wednesday, March 25th, Business Innovation and Skills, National Measurement and Regulation Office

In criterion c after hedgerows insert “, whenever possible.”.

In criterion g) delete text and insert “Opportunities should be taken in terms of layout and building orientation to minimise energy consumption and maximise passive solar gain.”

In the last paragraph delete h) and replace with g).

POLICY 3 EGLINGHAM VILLAGE CONSERVATION AREA

79.The policy accords with national guidance and strategic policies regarding conservation areas but there are elements of detail which contravene basic conditions.

80.The last sentence of the first paragraph of the policy text is repetitious.

81.The policy lists certain views which need to be protected. However, the views are described in very general terms and refer to areas outside of the conservation area. The views also do not wholly correspond to those listed in the Conservation Area Character Appraisal which is confusing particularly as this aspect of the policy is based on that appraisal. Also, no evidence is provided to support the reference to these views. I recommend the reference in criterion a) to protected views be deleted.

82. I note the Design Code in Appendix 4 refers to these views allowing them to be considered as part of general design advice.

83.Criterion c is repetitious and not an element of the Appraisal and should be deleted

84.I do not share NCC’s concerns that criterion d is ‘too generic’ as the criterion relates to specific advice in the appraisal.

85.The inclusion of a requirement for “local stone” is unreasonable and too specific as the Appraisal refers to 'buff sandstone', which could be sourced from elsewhere and would be a suitable building material. Furthermore, reference to “pantiles” is not justified as these are not referred to in the appraisal and not significant in the conservation area.

86.It is not clear why some buildings have been individually specified as suitable for enhancement. On the basis of a lack of evidence this aspect of the policy should be deleted.

RECOMMENDATION 4

In the first paragraph delete the last sentence

In the first paragraph of the policy text after “Design Code” insert “(see appendix B)”.

Delete criteria a) and c).

Replace criterion e with the following “the use of traditional building materials in the form of timber framed windows, slate and coursed buff sandstone using appropriate mortar mix.”.

Delete the third and fourth paragraphs of the policy text i.e. from “Proposals which...” to “...Village Farm are visible”.

POLICY 4: LOCAL GREEN SPACE

87. Local communities can identify areas of green space of particular importance to them for special protection. Paragraph 105 of the Framework states that “The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them.”

88. Paragraph 107, of the Framework requires policies for the managing of development within a Local Green Space to be consistent with those for Green Belts. This designation therefore provides protection that significantly restricts development.

89. The Local Green Space tests set out in the NPPF are that the green space is in reasonably proximity to the community it serves; that it is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquility or richness of its wildlife; and that it is local in character and is not an extensive tract of land.

90. The supporting information submitted in the Local Green Space: Methodology and Background Reports (March and December 2023) provides evidence to demonstrate that the designation of each of the sites named in the policy meet the relevant policy tests set out in the NPPF.

91. The policy text sets out that the designated spaces will be protected in a manner consistent with that of land in the green belt which is in line with national guidance in the NPPF. I consider that in the interests of clarity, the supporting text should be embellished to explain in more detail what this designation implies based on the advice in the NPPF.

RECOMMENDATION 5

Insert a new paragraph in the policy text after 7.21, as follows; “. The NPPF advises on the type of development which is “inappropriate” and should not be permitted other than where very special circumstances can be demonstrated. Very special circumstances will not exist unless the harm to the Local Green

Space by reason of inappropriateness and other harm is clearly outweighed by other considerations.”

POLICY 5: AREA OF HIGH LANDSCAPE VALUE AND ITS PROTECTION AND ENHANCEMENT

92.The proposed designation of a large part of the Plan area as a special landscape, worthy of a strong form of protection, is in accordance with national guidance in the NPPF¹².

93.The policy is backed up by evidence in the “Eglington Parish Neighbourhood Plan ,Landscape Assessment, Final Report”, Alison Farmer Associates, May 2021(updated January 2022), which highlights the special attributes of the local landscape.

94.The parish council is concerned that previous designations of almost the entire plan area as an Area of High Landscape Value were not saved from former local plans when the current Local Plan replaced them. The current Local Plan contains policy ENV3 Landscape which offers more generic landscape protection and does not designate areas for special protection but relies on the “Northumberland Landscape Character Assessment” to identify special qualities in the Plan area.

95.NCC consider the term Area of High Landscape Value “implies a level of protection that is stronger than actually intended, which seems to be more about protecting the landscape characteristics that are most important and valued while also considering other landscape characteristics.” I find this distinction to be insignificant and the suggested alternative does not improve the clarity of the policy.

96.The formal consultation stages revealed strong support for this designation.

97.In the supporting text paragraph 7.25, I agree with NCC that it is misleading to state that “for many years following the abolition of District Authorities this part of the Northumberland landscape had no protective landscape designation.” The Alnwick Core Strategy (which superseded those policies in the Alnwick District Local Plan), and the Northumberland Local Plan (which superseded the Alnwick Core Strategy) had more holistic protection across the wider landscape rather than defined areas. I recommend this text be corrected.

98.I agree with NCC that there is value in providing detail and clarity regarding those views which are regarded as significant. The views and associated photographs listed in section 3.5 of the submitted “Background Report on Significant Viewpoints” should be added as an appendix to the Plan and referenced in the policy text.

99.Paragraphs 7.33 to 7.35 refer to the intrusive landscape impacts from the existing operation windfarms at Middlemoor and Wandylaw. I note the Middlemoor Wind Farm is

¹² NPPF paragraph 132

not located within the proposed 'Area of High Landscape Value' and Wandylaw is outside the Parish. The policy 5, therefore, has very limited significance for any future proposals on these sites. Furthermore, the negative statements in the Plan against existing and future cumulative impact are presumptive and can be read as contrary to the NPPF paragraph 106 which requires Plans to have a positive and balanced strategy towards renewable technologies.

100.I, therefore, recommend that paragraphs 7.32-7.35 be deleted and replaced with a general reference to concerns about potential landscape impacts from windfarms and the Local Plan policy safeguarding high-quality landscapes.

RECOMMENDATION 6

Alter the last sentence in paragraph 7.25 “When the plans were reviewed the landscape designation policy was not saved and subsequent policies including Local Plan policy ENV 3 Landscape adopted a more holistic control across all landscapes rather than defined areas.”

Delete paragraph 7.27 and replace with the following paragraph “There are important views that are relevant to the Area of High Landscape Value and its setting. Many are appreciable from the many public access ways and areas of ‘right to roam’ that cover the Plan area. Important or key views are not shown on the policies map because they are numerous. The Eglington Parish Landscape Assessment drew attention to examples in section 3.5, which is attached as Appendix C. The description of Northumberland as ‘the land of far horizons’ is particularly apt, within and from outside the Parish. Accordingly, there may be other views and landscape impacts which need to be taken into account”.

Add the section 3.5 text and associated photographs of the “Background Report on Significant Viewpoints”, as an new Appendix C to the Plan. Use the following title to the new Appendix C "Background Report on Significant Viewpoints – For the purposes of Policy 5: ‘Area of High Landscape Value’.

Add the new Appendix C to the Table of Contents.

Remove paragraphs 7.33-7.35 and replace with “There is concern about potential impacts from windfarm development on this valued and high-quality landscape. Local plan policy **Policy REN 1 Renewable and low carbon energy and associated energy storage contains criteria for assessing these developments including the protection of “Landscape character and sensitivity of landscape and visual receptors including landscapes and views demonstrated to be of value at the local community level”.**

Replace criterion g with “Important views identified in the Design Code and section 3.5 of the “Background Report on Significant Viewpoints” and included as appendix C to the Plan.”.

POLICY 6: NON-DESIGNATED HERITAGE ASSETS AND AREAS OF ARCHAEOLOGICAL INTEREST

101. This policy is in accordance with the NPPF which encourages their identification and incorporation into planning policies.

102. The supporting text should be extended to inform the reader about the status of non-designated heritage assets to establish clarity.

103. The supporting text refers to ‘listing’ and non-designated items that are ‘listed’ in Appendix A which is confusing as it implies ‘listed’ status. This should be corrected with alternative text.

104. I note that some of the non-designated heritage assets are not shown on the policies map. Some are shown on the larger scale map and on the inset plans which could lead to confusion as those on the larger scale map are at a scale which makes it difficult to understand their location or extent of the feature. I agree with Historic England that in the interests of clarity and implementation of the policy all these items need to be shown on the policies map and at a scale which makes it easy to identify them on the ground. If an item is not located on an inset map, it is recommended this be achieved by larger scale inset maps or individual site plans with sufficient coverage to allow ease of location in relation to other features, such as roads and buildings.

105. In cases where the extent of an archaeological asset is not known this could be referenced with a graphic spot identification and a caveat that in the event of a development proposal further investigation may be necessary.

106. The NPPF¹³ states that “The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application”. The term “significance” should be added to the policy text.

RECOMMENDATION 7

Add the following additional paragraphs to the start of the supporting text;

“Non-designated heritage assets are those buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions because of their heritage interest but do not meet the criteria for designation.

Historic England encourages the identification of these in neighbourhood plans or local lists prepared by local planning authorities.”

¹³ NPPF paragraph 209

In paragraph 7.36 replace “listing” and “listed” with “recording” and recorded”, as appropriate.

In the first paragraph, first sentence of the policy text after “affecting” insert “the significance of ” .

Add the NPPF definition of “Significance” to the Glossary after that relating to “Setting of Heritage Asset”;

“The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage assets physical presence but also from its setting.”

Add a footnote to the term “significance” in the policy text; “The term significance is defined in the NPPF Glossary and repeated in this Plan’s “Glossary of Terms” in section 10. Page 34.”

Include all non-designated heritage assets on an appropriate plan as part of the Policies map such that their location is readily understood.

POLICY 7 COMMUNITY FACILITIES

107.This policy accords with national guidance and Local Plan policy INF 2 Community services and facilities and INF3 Local village convenience shops and public houses which seek to retain these facilities where they are viable.

108.The policy in addition to listing protected community facilities contains guidance relating to proposals that will enhance community facilities and provision of new facilities. I agree with NCC that this does not add anything to existing planning policy, contained in Local Plan Policy INF 2 and should be deleted.

109.The policy text in the third paragraph contains guidance regarding the loss of these facilities which is a repeat of the Local Plan polices referred to above in paragraph 108 However, in this case an element of repetition is necessary for clarity and to explain what the policy is about.

RECOMMENDATION 8

Delete the second paragraph of the policy text.

POLICY 8 HABITATS AND SPECIES

110.This policy seeks to preserve and restore priority habitats. The references to priority habitats are generic rather than specific.

111. I agree with NCC that the policy does not add anything to Local plan policy ENV 2 Biodiversity and Geodiversity and should be deleted.

RECOMMENDATION 9

Delete Policy 8 and all associated text.

POLICY 9 COASTAL MITIGATION SERVICE

112. This policy is in conformity with policy ENV 2 Biodiversity and Geodiversity of the Local Plan requiring contributions to address extra pressure on coastal nature conservation designations.

113. I have no recommendations to alter it.

POLICY 10 RIVER TWEED SAC

114. This policy seeks to protect the River Tweed Special Area of Conservation (SAC) from nitrate and phosphate pollution and is in accordance with national guidance and supports Local Plan policies ENV 2 Biodiversity and Geodiversity and WAT 2. Water Supply and Sewerage.

115. I have no recommendations to alter it.

MONITORING AND REVIEW

116. This explains the responsibility to monitor and review the Plan. I have no recommendations to alter it.

GLOSSARY

117. This is a very useful guide to the Plan.

THE DESIGN CODE

118. This is referenced as Appendix c when it should be Appendix B. The title should also refer to policy 2 which relates to the Design Code.

RECOMMENDATION 10

In the title to Appendix C change “C” to “B”, and after “POLICY” add “2 and”.

SUMMARY

119. I have completed an independent examination of the Neighbourhood Development Plan.

120. The parish council has carried out an appropriate level of consultation and shown how it has responded to the comments it has received. I have considered the further comments received as part of the consultation under Regulations 14 and 16 of the Neighbourhood Planning Regulations 2012.

121. I have recommended modifications to the policies in order to satisfy the basic conditions particularly to ensure that they provide a clear basis for decision-making in accordance with the NPPF and Local Plan policies.

122. Subject to these modifications, I am satisfied that the plan meets the Basic Conditions.

123. I am also satisfied that the Plan meets the procedural requirements of Schedule 4B of the Town and Country Planning Act 1990.

124. I am required to consider whether the referendum area should extend beyond the Neighbourhood Plan area, and if it is to be extended, the nature of that extension.

125. There is no evidence to suggest that the referendum area should extend beyond the boundaries of the Plan area, as they are currently defined.

126. I am therefore pleased to recommend that this Neighbourhood Development Plan, as modified by my recommendations should proceed to a referendum.