

HUMSHAUGH NEIGHBOURHOOD PLAN

Report to Northumberland County Council of the Independent Examination

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August 2024

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1. Executive Summary

1. I was appointed by Northumberland County Council with the support of Humshaugh Parish Council to carry out the independent examination of the Humshaugh Neighbourhood Plan.

2. I undertook the examination by reviewing the submitted Plan, associated documents and written representations, and by making an unaccompanied visit to the Neighbourhood Area.

3. I consider the Plan to be an adequate expression of the community's views and ambitions for Humshaugh. It is based on an effective programme of public consultation which has informed a Vision to 2036. This is to be achieved through a set of four objectives delivered through nine planning policies dealing with matters distinct to the locality and 12 community actions (which do not form part of this examination). The Plan is supported by a Consultation Statement and Basic Conditions Statement and Strategic Environmental Assessment and Habitats Regulations Assessment screening reports. There is supporting evidence provided and there is evidence of community support and the involvement of the local planning authorities.

4. I have considered the 10 separate representations made on the submitted Plan. These are addressed in this report as appropriate.

5. Subject to the recommended modifications set out in this report I conclude that the Humshaugh Neighbourhood Plan meets all the necessary legal requirements, including satisfying the Basic Conditions. I make a number of additional optional recommended modifications.

6. I recommend that the modified Plan should proceed to Referendum and that this should be held within the Neighbourhood Area of Humshaugh.

2. Introduction

7. This report sets out the findings of my independent examination of the Humshaugh Neighbourhood Plan. The Plan was submitted to Northumberland County Council by Humshaugh Parish Council as the Qualifying Body.

8. I was appointed as the independent examiner of the Humshaugh Neighbourhood Plan by Northumberland County Council with the agreement of Humshaugh Parish Council.

9. I am independent of Humshaugh Parish Council, Northumberland County Council and Northumberland National Park Authority. I do not have any interest in any land that may be affected by the Plan. I possess the appropriate qualifications and experience to undertake this role.

10. My role is to examine the neighbourhood plan and recommend whether it should proceed to referendum. A recommendation to proceed is predicated on the Plan meeting all legal requirements as submitted or in a modified form, and on the Plan addressing the required modifications recommended in this report.

11. As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended). To comply with the Basic Conditions, the Plan must:

- have regard to national policies and advice contained in guidance issued by the Secretary of State; and
- contribute to the achievement of sustainable development; and
- be in general conformity with the strategic policies of the development plan in the area; and
- be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations, including the Conservation of Habitats and Species Regulations 2017.

12. An additional Basic Condition was introduced by Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) in 2018 that the making of the neighbourhood plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017. I am also required to make a number of other checks under paragraph 8(1) of Schedule 4B of the Town and Country Planning Act 1990.

13. In undertaking this examination I have considered the following documents as the most significant in arriving at my recommendations:

- the submitted Humshaugh Neighbourhood Plan
- the Basic Conditions Statement
- the Consultation Statement
- the Strategic Environmental and Habitats Regulations Assessment screening reports
- the relevant parts of the existing development plan, comprising the Northumberland Local Plan 2016-2036 and Northumberland National Park Local Plan 2017-2037
- representations made on the submitted neighbourhood plan
- relevant material held on the Humshaugh Parish Council, Northumberland County Council and Northumberland National Park Authority websites
- National Planning Policy Framework (December 2023)
- Planning Practice Guidance
- relevant Ministerial Statements

14. The Basic Conditions Statement addresses the version of the NPPF published in December 2023 and this is the version used throughout this examination. A revised draft NPPF was published during the examination but I do not consider it raises issues in respect of meeting the Basic Conditions.

15. No representations were received requesting a public hearing and having considered the documents provided and the representations on the submitted Plan I was satisfied that

the examination could be undertaken by written representations without the need for a hearing.

16. I carried out an unaccompanied visit to the Neighbourhood Area on a weekday during July. I visited the main locations addressed in the Plan, including the Local Green Spaces, Protected Open Spaces, Conservation Area (including the Historic Core), community facilities, heritage assets, settlement boundary and the surrounding countryside.

17. Throughout this report my recommended modifications are bulleted. Where modifications to policies are recommended they are highlighted in **bold** print with new wording in “speech marks”. Existing wording is in “*italics*”. Other modifications, including to the supporting text, are also recommended and these are not in bold. The recommended modifications are numbered from M1 and are necessary for the Plan to meet the Basic Conditions. A number of modifications are not essential for the Plan to meet the Basic Conditions and these are indicated by [square brackets]. These optional modifications are numbered from OM1. Some changes will also be needed to the supporting text and documents consequential to the modifications. These should be agreed between Northumberland County Council and Humshaugh Parish Council with appropriate input from Northumberland National Park Authority where relevant.

18. Producing the Humshaugh Neighbourhood Plan has clearly involved significant effort led by the Steering Group. The process began in 2022 and is informed by significant community involvement. There is evidence of collaboration with Northumberland County Council and Northumberland National Park Authority continuing this will be important in ensuring implementation of the Plan. The commitment of all those who have worked so hard over such a long period of time to prepare the Plan is to be commended and I would like to thank all those at Humshaugh Parish Council, Northumberland County Council and Northumberland National Park Authority who have supported this examination process.

3. Compliance with matters other than the Basic Conditions

19. I am required to check compliance of the Plan with a number of matters.

Qualifying body

20. The neighbourhood plan has been prepared by a suitable Qualifying Body – Humshaugh Parish Council – which being a parish council is the only organisation which can prepare a neighbourhood plan for the area.

Neighbourhood Area

21. I am satisfied that the Plan relates to the development and use of land for a designated neighbourhood area which was designated by Northumberland County Council on 17 March 2022 and by Northumberland National Park Authority on 16 March 2022.

22. The boundary of the neighbourhood area is shown in Figure 1 and accompanying large scale (1:8,500) Policies Map. A detailed map of the parish boundary is also available on the online Northumberland Development Plan Policies Map.

Land use issues

23. I am satisfied that the Plan's policies relate to relevant land use planning issues

Plan period

24. The period of the neighbourhood plan runs to 2036. The period is referenced in the Plan (paragraph 1.13) and in the Plan's Vision. It aligns with the Northumberland Local Plan.

Excluded development

25. I am satisfied that the neighbourhood plan makes no provisions for excluded development (such as national infrastructure, minerals extraction or waste).

4. Consultation

26. I have reviewed the Consultation Statement and relevant information provided on the Humshaugh Neighbourhood Plan website. It provides a clear record of the consultation process, including the materials used, that has been undertaken since the prospect of a neighbourhood plan was first developed in 2022. This was guided by a Steering Group once the neighbourhood area had been designated.

27. The preparation of the neighbourhood plan has been open and transparent with very good levels of participation. A number of different engagement methods have been used, including a website, public meetings, and interactive drop in events. Information and consultation documents have been physically delivered to every household in the neighbourhood area on multiple occasions. A resident survey generated 145 responses and the views of local businesses and relevant stakeholders sought. Landowners for the proposed Local Green Spaces and Protected Open Spaces along with the owners of the undesignated heritage assets identified and the important community facilities have been consulted. Information has been published in the bimonthly Humshaugh News and regular updates included in the Hexham Courant.

28. The process has been staged with early input on aims and objectives informing the scope and subsequently the content of a draft Plan. The Plan's preparation has been informed by reports prepared by AECOM drawing on the technical support available under the Government's neighbourhood planning support programme. These provided both a housing needs assessment and design input. Background papers on heritage and Local Green Space and Open Space are included in the supporting evidence and there has been support from a planning consultant. Northumberland County Council has been involved from the genesis of the Plan.

29. The Plan was subject to Regulation 14 consultation between 7 December 2023 and 25 January 2024. The consultation included circulation of an information leaflet to every household and the public display of posters as well as promotion online and, in the local

newspaper. There is evidence of the consultation including the required statutory and other consultees. Physical copies of the Plan were made available on request and in the village shop. Multiple channels for making comments were provided and two drop in events were organised. There were responses from 30 residents, 11 consultation bodies and five other organisations.

30. A detailed report on the issues raised is provided in the Consultation Statement appendices and there is evidence of changes being made to the Plan.

31. 10 separate representations have been made on the submitted Plan, including from statutory bodies, landowning and development interests. All the representations have been considered as part of the examination and are addressed as appropriate in this report.

32. I am satisfied with the evidence of the public consultation undertaken in preparing the Plan. The Plan has been subject to appropriate public consultation at different stages in its development. Participation rates have been good and appropriate opportunities to shape the Plan as it has developed have been provided. The Plan has been amended as a result of the consultation feedback. Local businesses, landowners, other stakeholders and the local planning authorities have been engaged through the process.

5. General comments on the Plan's presentation

Vision and Objectives

33. The Plan includes a Vision for Humshaugh in 2036. This reflects the feedback received through consultation and is consistent with the aims and policies in the Plan. It has a strong environmental and conservation focus and recognises the importance of meeting resident needs. The Vision is consistent with sustainable development and this is complemented by the Plan's Objectives. I do not agree with representations made by JC Davison, M Grundseth and PJ McKee that the Plan cannot be more ambitious in the timescale for achieving net zero than national policy.

Other issues

34. The Plan is clearly structured, well written and has a consistent format. The general approach is to focus on issues where the Plan can add value to existing Local Plans and national planning policy. This is commendable. It addresses the expectation in national Planning Practice Guidance that neighbourhood plans 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"* (Paragraph: 041 Reference ID: 41-041-20140306,NPPG). The Policies are clearly identified by tinted boxes and generally supported by evidence although there are issues which I address in relation to individual policies.

35. The evidence base is referenced and made available online but many of the documents provided on Humshaugh Parish Council's website relate to the pre-submission draft Plan. It will avoid confusion if the final versions of documents used to support the Plan are provided in a single location. Earlier versions might be archived and still available.

- OM1 – [Provide the most up to date versions of the Plan's evidence base documents in a single location online]

36. The Plan includes many references to a *"Policies Map"*. This is available as a separate document, including with an inset to show the detail in and around Humshaugh village. It would be helpful to include a copy of the inset map in the body of the Plan and to

provide a direct link to the map online wherever it is mentioned. Neither the Northumberland National Park nor the World Heritage Site: Core Area should be included in the Map Legend for the Inset Policies Map as they lie outside the area covered. There is provision for Northumberland County Council to include all relevant neighbourhood plan policies on its Development Plan Policies Map once they have been made.

- OM2 – [Include the Inset Policies Map in the Plan and delete “*Northumberland National Park*” and “*World Heritage Site: Core Area*” from the Map Legend for the Inset Policies Map]

6. Compliance with the Basic Conditions

National planning policy

37. The Plan is required to “*have regard*” to national planning policies and advice. This is addressed in the Basic Conditions Statement which relates each of the Plan’s policies and objectives to the National Planning Policy Framework (NPPF). The Basic Conditions Statement relates the Plan to the December 2023 version of the NPPF.

38. The Basic Conditions Statement includes a table that relates each of the Plan’s policies to relevant paragraphs of both the NPPF and National Planning Practice Guidance and provides a short commentary. No instances of conflict are identified and the assessment concludes that “*the Submission Draft HNP has been prepared having regard to the NPPF and NPPG*”.

39. I address some issues with regard to national planning policy in my consideration of individual policies and recommend some modifications. These include addressing representations made by JC Davison, M Grundseth and PJ McKee. They also address areas where the drafting of the Plan’s policies needs to be amended in order to meet the NPPF’s principles regarding the clarity of policies, the need for policies to be positively worded, to serve a clear purpose and to avoid duplication. I also address the requirement expressed in national planning policy and Planning Practice Guidance that “*A policy in a 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. 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.*” (NPPG Paragraph: 041 Reference ID: 41-041-20140306).

40. I agree with the Basic Conditions Statement and conclude that the Plan has regard to national planning policy and guidance but there are exceptions as set out in my comments below. These include the need for some policies to be more clearly expressed and/or evidenced, for policies to be positively worded and avoid being overly restrictive, for policies

to serve a clear purpose and for duplication with other planning policies or the NPPF to be avoided.

41. I am satisfied that the Plan meets this Basic Condition other than where identified in my detailed comments and recommended modifications to the Plan policies.

Sustainable development

42. The Plan must *“contribute to the achievement of sustainable development”*. This is addressed in the Basic Conditions Statement by relating relevant Plan policies and aims to each of the economic, social and environmental objectives of the planning system which contribute to sustainable development. It concludes that this *“illustrates the alignment of aims and policies of the HNP with the three objectives of sustainable development”*. I am satisfied that the overall contribution of the Plan to sustainable development is positive and that the Plan meets this Basic Condition.

Development plan

43. The Plan must be *“in general conformity with the strategic policies of the development plan”*. The Basic Conditions Statement addresses this by relating each of the Plan’s policies to relevant strategic policies in the Northumberland Local Plan and Northumberland National Park Local Plan and providing a brief commentary. It concludes that this *“sets out how the HNP policies are in general conformity with the relevant strategic development plan policies”*.

44. Neither Northumberland County Council nor Northumberland National Park Authority has raised any questions about the Plan’s general conformity with the strategic policies of the development plan.

45. I am satisfied the Plan meets this Basic Condition other than where identified in this report.

Strategic Environmental Assessment

46. The Plan must be informed by a Strategic Environmental Assessment if it is likely to have significant environmental effects. A screening opinion of the policies in the submitted Plan was undertaken by Northumberland County Council (March 2024). This followed earlier screening of the draft Plan in October 2023. The final Screening Opinion concluded that *“Humshaugh Neighbourhood Plan is unlikely to have any significant positive or negative effects on the environment. Therefore, Strategic Environmental Assessment is NOT required for the Humshaugh Neighbourhood Plan”*. Environment Agency and Historic England agreed with this conclusion and Natural England concluded significant affects are *“unlikely”*.

47. I am satisfied by the Screening Opinion and in the absence of any contrary evidence conclude that the Plan meets this Basic Condition.

Habitats Regulations Assessment

48. The Plan must be informed by a Habitats Regulations Assessment if it is likely to lead to significant negative effects on protected European sites. A screening assessment of the policies in the submitted plan was undertaken by Northumberland County Council (March 2024). The assessment concludes that while there are protected European sites within and near to the neighbourhood area *“No policies in the plan have a credible risk of a likely significant effect on European sites, and Appropriate Assessment is not required”*. No contrary view has been expressed.

49. I am satisfied with the screening assessment and conclude that the Plan meets this Basic Condition.

Other European obligations

50. The Plan must be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations. The Basic Conditions Statement asserts compliance and no contrary evidence to the Plan meeting this Basic Condition has been presented. There is good evidence of changes being made to the Plan during its preparation. I consider that there has been adequate opportunity for those with an interest in the Plan to make

their views known and representations have been handled in an appropriate manner with changes made to the Plan.

51. I conclude that the Plan meets this Basic Condition.

7. Detailed comments on the Plan policies

52. This section of the report reviews and makes recommendations on each of the Plan's policies to ensure that they meet the Basic Conditions. I make comments on all policies in order to provide clarity on whether each meets the Basic Conditions. Some of the supporting text will need to be amended to take account of the recommended modifications.

Sustainable development and climate change

Design

53. **Policy 1** – This provides support for community energy developments subject to a number of planning considerations.

54. The Policy is the result of consideration of a range of ways in which the Plan might address sustainable development and climate change so as to be additional to existing development plan policy. It is justified on the grounds that it provides support for community-led energy development which goes beyond the approach in the Northumberland Local Plan and for onshore wind turbines greater than the 25m span limit specified in the Northumberland Local Plan for the area.

55. On the first issue there is already clear additional support for "*community-led*" low carbon and renewable energy development in Local Plan Policy REN1. On the second issue support for onshore wind turbines with a greater than 25m span is justified on the basis that smaller schemes "*would not be economically viable*" (paragraph 4.12). No evidence was provided with the submitted Plan to support this and Northumberland County Council has made representations that "*there is insufficient evidence to alter the strategy of*" Northumberland Local Plan Policy REN2. It also considers the locational issues to be already addressed by Local Plan Policy REN1.

56. Local Plan Policy REN 2 states that:

“Proposals for the development of one or more wind turbines, except for proposals for the repowering of existing wind turbines, will not be permitted unless:

a. The development site is in an area identified as potentially suitable for wind energy development of the same scale as that proposed, as identified on the Local Plan Policies Map or in a Neighbourhood Plan; and

b. Following consultation it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and the proposal has their backing.”

57. The Local Plan does not identify the neighbourhood area as being suitable for wind turbines with a span of more than 25m and Policy 1 seeks to take a more positive approach on the basis that such developments will not be viable and there is a need to generate renewable energy locally.

58. On request I was provided with a justification which compared the costs of installing multiple wind turbines no greater than 25m in comparison to a single larger turbine. This showed significant cost advantages in a single larger turbine to achieve an ambition for an output of 1MW. I have also considered the *Policy statement on onshore wind* issued during this Examination on 8 July 2024. This will need to be reflected in any future review of development plan policies and will be a material consideration if development comes forward in the meantime that is not limited to “suitable” locations.

59. The policy considerations relating to the suitability of proposals are already addressed in Local Plan Policy REN 1 and there are additional considerations in Local Plan Policy REN 2.

60. I have carefully considered the new evidence regarding viability and it is unfortunate that this has come forward so late in the process of preparing the neighbourhood plan. Although Northumberland Local Plan policies REN1 and REN2 are not strategic they are based on significant evidence as to the suitability of different locations for different scales of

wind turbine. While the evidence relating to viability is pertinent it does not provide a sufficient evidence base to support a departure from this approach and does not meet the requirement in national planning policy that *“The preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate....”* (paragraph 31, NPPF). The policy considerations regarding the suitability of location contained in Policy 1 are already addressed in the Local Plan and so it is in conflict with national planning policy that Plans should *“serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area”* (paragraph 16).

61. Policy 1 does not meet the Basic Conditions. Humshaugh Parish Council may wish to amend the supporting text to indicate that proposals for new wind energy developments will be addressed through existing Local Plan policies.

- **M1 – Delete Policy 1**

Distinctive environment

Local Green Space

62. **Policy 2** - This designates 12 Local Green Spaces to be protected in a manner consistent with the Green Belt.

63. The location of each Local Green Space is provided in the Policies Map. A Local Green Space and Protected Open Space background paper addresses the reasoning behind designation of each Local Green Space in accordance with the requirements of the National Planning Policy Framework (paragraph 102). This is a comprehensive document which also records the process through which the Local Green Spaces have been identified and consulted on. In total 22 sites were reviewed and 12 selected as Local Green Spaces. The process has included all the landowners. I am content with the rigour of the approach.

64. I visited each of the proposed Local Green Spaces. I agree with the rationale and proposed boundaries and no significant contrary representations were received in relation to LGS02, LGS05, LGS06, LGS07, LGS08, LGS11 and LGS12. There are additional detailed considerations relating to the remaining proposals, including objections from landowners.

65. **LGS01** – I have considered Northumberland County Council’s representations suggesting this land might be better recognised as Protected Open Space rather than the more restrictive Local Green Space given its recreational function. I am content that Humshaugh Parish Council has considered this option and believes there would still be sufficient flexibility to address future proposals.

66. **LGS03** – I share concerns expressed by Northumberland County Council that this land does not meet the requirements for designation. It has the feel of being part of the wider countryside rather than a close relationship with the settlement. Its merits largely relate to the views and land outside the site. This is supported by the fact of it being located outside the settlement boundary and having open boundaries around half of its perimeter. This contrasts with LGS04 which has a strong physical and visual relationship to the settlement. The fact of not being designated a Local Green Space does not mean that this site should be considered as suitable for development. It is subject to policies in the Northumberland Local Plan and development proposals have previously been refused because of their impact on the countryside.

67. **LGS04** – I have considered representations from JC Davison, M Grundseth and PJ McKee objecting to designation of this land as Local Green Space and representations from Northumberland County Council that it *“does not meet the threshold”* for designation. I do not agree that designation conflicts with the expectation in national planning policy that *“designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services”* (paragraph 101, NPPF). It is suggested that the combination of viewing the indicative housing requirement provided by Northumberland County Council as a minimum, meeting the level of need identified in the Housing Needs Assessment and fulfilling its role as a *“Service Village”* means the Plan does not make sufficient provision for housing development. This is expected to result in the Local Green Space designations not being *“capable of enduring beyond the end of the plan period”* (paragraph 101, NPPF) as new site allocations will be needed. I disagree with this analysis and am content the Plan appropriately addresses future housing requirements. The estimates of need from Housing

Needs Assessments are not an appropriate input into this and significantly more homes than the indicative requirement have already been provided. There is also a range of options for new homes coming forward within the existing settlement boundary and/or through future amendments to it if required.

68. I do not agree with the assessment in representations from JC Davison, M Grundseth and PJ McKee that the constraints on other sites means that the site should not be designated so that it can provide for future development needs. This assessment makes a number of assumptions about the immutability of protection for some other sites and is not comprehensive.

69. Representations from JC Davison, M Grundseth and PJ McKee question the grounds for designation as set out in the evidence base. By contrast there is recognition for the important contribution made by areas of green space to the character of Humshaugh in AECOM's report – *"This patch work of built form and open space is part of the character of the village and therefore Local Green Spaces should be protected"* (paragraph 3.4). My own experience of the site was that by virtue of its boundaries and adjacent development on most sides it felt part of the village and made an important contribution to its character as one of these open spaces. The fact of the site not being of sufficient merit to be designated as a Scheduled Monument highlighted in the representations does not mean it lacks local historic significance.

70. I am satisfied this land meets the requirements for designation. Its boundaries provide a sense of enclosure and there is a strong relationship with the settlement, further evidenced by it being located within the settlement boundary. I consider its designation to be capable of enduring beyond the end of the plan period. There is disagreement over the spelling of the sites' name – Leggit or Legitt – which should be resolved.

71. **LGS09** – I have considered the representations made on behalf of the Diocese of Newcastle as to why Glebe Field should not be designated. I share the view that this land is only lightly managed and relatively secluded. Nevertheless, there is an important physical and visual relationship with the well-established graveyard included in LGS08 and I consider

it to have a significant impact on local character as a result, particularly in respect of the tranquillity it provides. This is additional to the protection afforded by its location in the Conservation Area. As the Diocese acknowledges there is also no requirement for public access to a Local Green Space. I note that the proposed area for designation has been reduced through the consultation process and that this has focused the reason for designation on the relationship with the graveyard. I am content with the proposed designation.

72. **LGS10** – I agree with the rationale for this designation. This does not extend to the strip of land running north between the road and the boundary of Waynriggs. This serves a different function to the rest of the site which is similar to the strip of land on the opposite side of the road that is not proposed for designation. I recommend its deletion.

73. I note that Humshaugh Parish Council is content to add a further extract from national planning policy to paragraph 5.6 in response to representations from JC Davison, M Grundseth and PJ McKee that the statement “*Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or updated, and be capable of enduring beyond the end of the plan period*” (paragraph 5.6, NPPF) should be included. This would be appropriate but it is not necessary for the purposes of meeting the Basic Conditions and has the effect of further lengthening the Plan.

74. To be afforded a level of protection consistent with them being Green Belt, Local Green Spaces need only be designated by the Plan. This follows a Court of Appeal case relating to a Local Green Space policy in a neighbourhood plan (Lochailort Investments Limited v. Mendip District Council and Norton St Philip Parish Council, [2020] EWCA Civ 1259) which means it is inappropriate without clear justification to include any wording that sets out how development proposals should be managed.

75. Policy 2 does not meet the Basic Conditions.

- **M2 – Amend Policy 2 to:**
 - delete from “*which*” to “*Belt*”
 - delete “LGS03 Bog Field”
- M3 - Amend the boundary of LGS10 as recommended
- OM3 – [Consider amending paragraph 5.6 to include an additional extract from national planning policy]
- OM4 – [Use a spelling for the name of LGS04 that is consistent within the Plan and has the widest support possible]

Protected Open Space

76. **Policy 3** – This designates three areas of “*Protected Open Space*” and establishes policy considerations for development that would result in its loss

77. The location of each Protected Open Space is provided in the Policies Map. A Local Green Space and Protected Open Space background paper addresses the reasoning behind each designation. This is on grounds relating to their contribution to amenity, character and/or recreational value. It is judged that they do not meet the criteria for designation as Local Green Space. Respective landowners have been consulted as part of the process.

78. The Northumberland Local Plan designated Protected Open Space in Policy INF2. The Local Plan acknowledges that the assessment on which these designations were made is “*somewhat dated*” (paragraph 14.40, Northumberland Local Plan) and there is a commitment to carry out a new assessment. As a result it is especially appropriate for sites to come forward through a neighbourhood plan

79. I visited each of the sites and agree with the assessment of the value and the proposed boundaries for POS01 and POS03.

80. Representations from Savills on behalf of Cussins North East Limited object to the inclusion of POS02. For the reasons given in response to representations from JC Davison, M Grundseth and PJ McKee I do not agree that designation “*prevents realistic opportunities for the identified local housing needs of Humshaugh to be delivered for the whole of the plan period*”. Nevertheless I do share the view that the evidence base supporting designation is limited and it has been inconsistently applied. The site makes a contribution to the character of the village although it is recognised this is not sufficient to warrant being proposed as Local Green Space. It is in low intensity agricultural use and there is no public access. There is no evidence that its wildlife value is greater than nearby land. It shares many of the same characteristics as sites 17, 21 and 22 which have not been proposed as Protected Open Space.

81. I do not support designation of POS02 as Protected Open Space and recommend its deletion from Policy 3. The fact of not being Protected Open Space does not mean that this site should be considered as suitable for development. It is subject to policies in the Northumberland Local Plan and, once made, the neighbourhood plan.

82. The drafting of the Policy could be clearer and more positively worded. The policy considerations relate to the loss of any area of Protected Open Space and the drafting is unduly restrictive in stating what will “*only*” be supported.

83. Policy 3 does not meet the Basic Conditions.

- **M4 – Amend Policy 3 to:**
 - **delete “POS02 Doctor’s Lane Field”**
 - **insert “partial or complete” before “loss” and delete “only” in the second paragraph**

Heritage assets

84. **Policy 4** – This addresses the impact of development in relation to Humshaugh Conservation Area.

85. The Policy comprises three parts:

- A general approach to development within or affecting the setting of Humshaugh Conservation Area – this does not add anything distinct to the neighbourhood area and does not serve a clear purpose as it duplicates Local Plan Policy ENV 9 and national planning policy (Section 16, NPPF). There is also a risk of ambiguity as the Policy introduces different wording to address the impact of development on the Conservation Area.
- Key considerations relating to the impact of development on the Conservation Area – in the absence of an adopted Conservation Area Character Appraisal this is based on the Humshaugh Conservation Area Heritage Paper submitted with the Plan and which draws on a draft Conservation Area Character Appraisal. I recommend that specific mention is made of the Heritage Paper which includes but is not limited to the considerations addressed in the Policy. There is evidence supporting the definition of the “*historic core*” to the village provided in the Heritage Paper and this is included on the Policies Map. I have considered Northumberland County Council’s representations and am content the drafting is clear that the Policy only relates to maintenance and repairs where planning permission is required. I share its view that greater clarity about the views should be provided and recommend this relates to the “*primary views*” identified in the Heritage Paper and recommend other drafting changes to provide greater clarity and more positive wording
- An expectation that “*special attention*” will be paid to the impact of development on five key unlisted buildings in the Conservation Area as identified in the Heritage Paper. Paragraph 3.2 the Heritage Paper identifies the first four of the five buildings included in the Policy. It does not identify “*Humshaugh Village Hall*” and the rear of the Village Hall is identified as a negative feature. It does identify “*South View Terrace*” but this is not included in the Policy. The lack of evidence for the Village Hall making a positive contribution to the Conservation Area means I recommend it is deleted from the Policy. It would not be appropriate to include South View Terrace at this late stage in the preparation of the Plan as it would not be subject to public consultation. The 19th century villa “*Waynriggs*” is also identified as “*Wayn Riggs*” in the Heritage Paper.

86. Policy 4 does not meet the Basic Conditions.

- **M5 – Amend Policy 4 to:**
 - **Delete Part 1**
 - **Delete “*The following are key considerations*” and insert after “*setting*” “development proposals should have regard to the Humshaugh Conservation Area Background Paper and address the following considerations where appropriate:” at beginning of Part 2**
 - **Replace the first “*the*” with “minimise” and replace “*should be resisted*” with “where possible” in Part 2a.i.**
 - **Replace Part 2c. with “the impact on the primary views identified in the Humshaugh Conservation Area Background Paper”**
 - **Delete “*CA5 Humshaugh Village Hall*” in Part 3**
 - **Renumber the Parts**
- **OM5 – [Be consistent in the use of “*Waynriggs*” or “*Wayn Riggs*” in the Plan and Humshaugh Conservation Area Background Paper]**

Design

87. **Policy 5** – This identifies a range of design considerations as “*codes*” and additionally expects these to be addressed in the Design and Access Statement where one is required.

88. The Policy is informed by the Humshaugh Design Guidance and Codes prepared by AECOM as part of the support programme for producing the Plan. This provides both a character study and “*codes to promote good design in Humshaugh*”. The Policy takes the same structure as the AECOM report and extracts some of the text from each section of the Code relating to rural character, materials, landscape character, infill development and conversions.

89. The AECOM document is clearly presented and the Policy does not seek to expand on it. The approach to drafting the Policy by using selective extracts from the AECOM report

is limiting in that only those elements included in the policy are part of the development plan. I also share Northumberland County Council's view that the approach is more one of providing design guidance than a design code for Humshaugh. Humshaugh Parish Council confirmed with me that its intention was that development should have regard to the full AECOM report. I have considered whether a simplified amended policy which requires development to have regard to the AECOM report would suffice. Humshaugh Parish Council has, however, proposed some helpful redrafting which more clearly expresses the intent and does not express the policy as code. Along with a new Policy title I am content with these changes with only minor variations to avoid duplication and being unduly prescriptive. The approach applies to all forms of development and is not limited to residential. Representations from Northumberland National Park Authority that more utilitarian development may be appropriate in some cases are addressed in the drafting that the policy considerations should be addressed only where "*appropriate and relevant*".

90. Policy 5 does not meet the Basic Conditions.

- **M6 – Replace Policy 5 as follows:**

- "Humshaugh design guidance**

- 1. To protect and enhance the rural character of the Parish, new development should have regard to the requirements of the Humshaugh Design Guidance and Codes (December 2023). The following are considered to be key design considerations which, where appropriate and relevant, should be reflected in new development:**

- a. Development should include setbacks from the road to limit the visual impact on the rural setting and to make a positive contribution to the landscape character;**
 - b. The historical character of the Parish should be respected in new development, particularly through the use of low stone boundary walls and natural screening such as hedgerows and trees. Existing mature hedgerows and trees should be retained where possible;**
 - c. Development should protect and enhance the rural setting, in form, character and location. Existing views to the rural landscape should be retained, wherever possible, especially from public spaces;**
 - d. Dwellings should be low density, low rise and be modest in scale to prevent the urbanising of a rural environment;**
 - e. Development should allow for useable, overlooked amenity pockets of green space within new housing developments in and amongst dwellings to create a balance between open space (including gardens) and development, such that formal open spaces are fully integrated in the layout; and**

- f. Development should include provision for generous front and back gardens that respect existing local set backs. Open green space should be considered for public use.
2. Materials used within new development should, where appropriate and relevant, have regard to the requirements of the Humshaugh Design Guidance and Codes (December 2023), in particular:
 - a. Façade materials should adopt a palette which reflects locally distinctive materials such as sandstone. Where manmade materials such as reconstituted stone, render and brick are selected, the colour, tone, quality and finish should be considered to make a positive contribution to the existing character;
 - b. Roofing materials should consist of high quality Welsh slate where possible, or a sympathetic alternative which will match the tonality and texture of the local vernacular style. Solar panels should be incorporated where possible, integrated sensitively into the roof pattern to minimise visual disruption. Heritage assets should sensitively balance energy performance whilst maintaining heritage value; and
 - c. Opportunities should be taken to reflect the local architectural vernacular (when appropriate) by incorporating features such as stone mullions, sash windows, rectangular windows and doorways, covered porches and pitched roofs.
3. To protect and enhance the landscape character of the Parish, new development, where appropriate and relevant, should:
 - a. Generally not be higher than two storeys;
 - b. Retain mature trees and hedgerows wherever possible and provide new planting;
 - c. Integrate into its surrounding landscape through the use of planting and soft landscaping;
 - d. Consider key views; both the unique, ‘hidden’ quality of many areas in the village and outward views to the wider countryside; and
 - e. Respect its relationship to the Hadrian’s Wall UNESCO World Heritage Site, maintaining and enhancing an integrated range of appropriate and sustainable connections to this key site, prioritising ease of access for both the local community and wider special-interest groups.
4. Development which creates urban levels of development should be avoided. Infill development should:
 - a. Reflect the density of the adjacent development;
 - b. Not result in large scale backland development behind existing dwellings which would disrupt the settlement pattern;
 - c. Respect the existing setback if there is a standard street edge or variety of setbacks; and
 - d. Be of a similar scale and height to adjoining properties and not overwhelm them.

5. **Proposals for extensions or conversions of existing buildings should respond to and enhance the building by ensuring, where appropriate and relevant, that:**
- a. **External additions are subordinate in scale to the original or primary form of the building;**
 - b. **Extensions are designed to match or complement the existing façade material of the structure; and**
 - c. **Modifications retain evidence of a building or structure’s previous use, where possible, and enhance the appearance of the original building and the wider setting.**
6. **Where a Design and Access Statement is required as part of a planning application, this should demonstrate how the proposal has responded to the above as an integral part of the design process.”**

Communities and the economy

Housing

91. With one exception the Plan acknowledges that planning policy requirements for new housing are already addressed in existing development plan policy. This includes evidence that sufficient provision has been made to significantly exceed the indicative figure of 28 dwellings to be accommodated between 2016 and 2036. I have addressed representations on this matter in my consideration of the approach to providing Local Green Spaces.

92. **Policy 6** – This provides a range of policy considerations to be addressed by the development of affordable housing on exception sites outside the settlement boundary.

93. The Policy is presented as providing additional detail to existing Northumberland Local Plan Policy HOU7 in response to the evidence provided by the Housing Needs Assessment undertaken to support the Plan’s preparation. I note Northumberland County Council’s support in relation to Local Plan Policy HOU7 and am content with the approach, including the need for evidence that there are no other more suitable sites.

94. The Policy makes specific reference to the need for *“affordable homes to buy”*. There is limited evidence supporting this emphasis on affordable housing products to buy rather than rent in the Housing Needs Assessment and Humshaugh Parish Council has

indicated its support for the distinction being removed from the Policy. In places the drafting is unduly restrictive in stating what “*must*” or is “*required*” to happen.

95. Policy 6 does not meet the Basic Conditions.

- **M7 – Amend Policy 6 to:**

- replace “*are required to*” with “*should*” in d.
- replace “*must*” with “*should*” and delete “*to buy*” in g.

Community facilities

96. **Policy 7** – This identifies six facilities as “*having great importance*” to the local community, supports development which sustains existing shops and facilities and establishes policy requirements to be met before valued services and facilities can be lost.

97. The six community facilities are identified on the Policies Map and I visited each of them. Their significance was identified through the consultation process and there is support for the approach in public consultation feedback.

98. The third part of the Policy serves no clear purpose and duplicates Local Plan Policy INF 2 which applies to all the facilities specifically identified in the Policy. There is no evidence supporting the need for slightly different wording. This could also create ambiguity with the development plan having two policies that deal with planning applications in very similar but different ways.

99. Policy 7 does not meet the Basic Conditions.

- **M8 – Amend Policy 7 to delete Part 3**

Tourism

100. **Policy 8** – This applies different policy considerations to supporting tourism development within the settlement boundary and in open countryside or inaccessible locations.

101. The Policy is positively worded and takes a supportive approach which is informed by the public consultation. Nevertheless I share some of Northumberland County Council's concern that the additional detail provided by the Policy to that in Northumberland Local Plan Policy ECN15 may make it more and not less restrictive.

102. The second part of the Policy extends the approach to visitor accommodation in open countryside in Local Plan Policy ECN15 to include "*small-scale tourism facilities*". There is no substantive evidence provided to support this more restrictive approach. There are also small differences in the drafting which have the potential to create ambiguity in conflict with national planning policy (Paragraph 16, NPPF).

103. The third part relates to visitor accommodation in "*inaccessible locations*" but no definition is provided which is a further cause of ambiguity and uncertainty. The policy considerations would apply wherever such proposals came forward. I agree with representations from Northumberland National Park Authority that the term is unhelpful and also that such developments should be "small scale", including to be consistent with Northumberland National Park Authority Local Plan Policy DM7. As drafted all the policy considerations must be applied. As noted by Northumberland County Council in its representations, some of the considerations may be desirable but not essential and this is also recognised in the supporting text. I recommend a modification to recognise this flexibility. This would also mitigate Northumberland County Council's concerns as to the restrictiveness of the Policy.

104. Policy 8 does not meet the Basic Conditions.

- **M9 – Amend Policy 8 to:**
 - **delete Part 2**
 - **in Part 3:**
 - **insert "small scale" before "*chalets*"**
 - **delete "*in inaccessible locations*"**
 - **insert ", as appropriate," after "*where*" in the second line**

Transport and accessibility

Sustainable transport

105. **Policy 9** – This supports development maximising use of sustainable transport modes and requires this to be evidenced. There is support for rapid EV charging points in appropriate locations.

106. The Policy is positively worded and applies only *“where relevant to the proposal”*. Nevertheless I share Northumberland County Council’s view that the matters addressed by the Policy are already considered in the Northumberland Local Plan, most notably Policy TRA1. As a result Policy 9 serves no clear purpose.

107. Policy 9 does not meet the Basic Conditions. Humshaugh Parish Council may wish to amend the supporting text to indicate that these issues will be addressed through existing Local Plan policies.

- **M10 – Delete Policy 9**

8. Recommendation and Referendum Area

108. I am satisfied the Humshaugh Neighbourhood Plan meets the Basic Conditions and other requirements subject to the modifications recommended in this report and that it can proceed to a referendum. I have received no representations on the referendum area and recommend it matches that of the Neighbourhood Area.