

LONGFRAMLINGTON NEIGHBOURHOOD DEVELOPMENT PLAN Submission Draft Version

**Neighbourhood Plan Examiner's Questions
by Independent Examiner, Rosemary Kidd**

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27 September 2021

Longframlington Neighbourhood Development Plan Examiner's Questions

Following my initial assessment of the Neighbourhood Plan and representations, I would appreciate clarification and comment on the following matters from the Qualifying Body and/or the Local Planning Authority. In order to ensure openness and transparency of the examination process, these questions and the responses should be published on the Council's website.

I have afforded the PC the opportunity to comment on the representation from NCC and have noted that they have not proposed any changes in response to the comments. I have considered the points raised and am proposing to recommend modifications in my report on these and other matters to improve the clarity of the Plan and to ensure that it meets the Basic Conditions.

I would welcome confirmation or further information on the points set out below. I wish to ensure that the QB and/ or LPA has the opportunity to respond to my concerns and comment on my proposed modifications, if they wish, in advance of receiving my examination report.

- 1. HRA Screening** – This was carried out on the Reg 14 draft. Would the LPA confirm that there were no changes to the submission draft that would affect the conclusions of the screening opinion.
- 2. Vision and Objectives** - As the Plan does not address local housing need and no evidence has been prepared on the subject, I am proposing that reference to it in the Vision and Objective 2 should be deleted.
- 3. Objective 1** – I am proposing revisions to better explain the purpose of the settlement boundary and to delete reference to “locally valued landscape” for which no evidence has been provided. Would the QB comment on the proposed revision to Objective 1:

“In order to preserve *the countryside* around Longframlington and the rural setting of the village *and to direct development to the sustainable location of Longframlington village*, we will identify a settlement boundary for Longframlington.”
- 4. Paragraph 5.2.1** - The section should explain that the LNP is part of the Development Plan and should be used alongside the strategic policies as stated in para 1.1.3. Would the QB / LPA comment on the proposed revision:

“*The Neighbourhood Plan (LNP) is part of the Development Plan along with the policies of the Local Plan and Core Strategy. Policies in the LNP will be used alongside other development plan policies to determine planning applications.*”

5. **Housing Requirement** - Would the LPA confirm the figure for the housing requirement? Section 1 of the Settlement Boundary Methodology report states a figure of 47 from 2018 - 2036. Would the LPA confirm that this is correct. Would the LPA confirm the number of completions since 2018 and the latest figures for housing commitments.

6. **Policy LNP1** - The policy states that the settlement boundary is to be used “*to determine the limits for new housing development*”. This is considered to be unduly restrictive as exceptional forms of development may be acceptable outside the settlement boundary. Settlement boundaries are defined to identify locations that are best suited to the delivery of sustainable development. To better align the policy with national policy and emerging Local Plan Policy STP1, I am proposing to recommend that the approach to the use of settlement boundary should be stated that they identify the locations where sustainable development will be supported. It should not be limited to housing development but should include various forms of development.

The policy should better explain the type of exceptional forms of housing and other development that may be supported in the countryside. Would the QB and LPA comment on the following proposed revisions to the policy and justification:

- a. Revise the first paragraph of the policy to read: “***Development within the settlement boundary defined on the Policies Map, including new housing development and the redevelopment of previously developed land, will be supported subject to compliance with relevant policies elsewhere in the Development Plan.***”
- b. Revise the third paragraph of the policy to read: “***Only exceptional development proposals that satisfy national and strategic planning policy will be supported outside the settlement boundary. New housing development will only be supported where it delivers affordable housing through rural exception sites, or proposals for isolated dwellings that satisfy one or more of the exceptional circumstances set out in the NPPF. Proposals for rural business and economic development proposals, diversification of agriculture and other land-based businesses, and proposals for community and leisure facilities and rural tourism will be supported where they accord with the NPPF and strategic policies.***”
- c. Add the following after the first sentence of paragraph 6.1.3. “***The purpose of the settlement boundary is to identify the locations that are most suitable for sustainable development, including housing, economic, commercial and community uses.***”
- d. Revise the second paragraph of 6.3.1: “***Outside the settlement boundary, only exceptional development proposals that satisfy national and strategic planning policy will be supported. This includes proposals for affordable housing***

delivered through rural exception sites, rural business and economic development proposals, diversification of agriculture and other land-based businesses, and proposals for community and leisure facilities and rural tourism. Isolated rural dwellings will only be supported where the proposal satisfies one or more of the exceptional circumstances set out in the NPPF.”

7. **Policy LNP2** – I share NCC’s concerns about the approach that is taken in this policy to list the types of economic development that are most likely to be appropriate. Planning policies should set out the factors to be considered in making decisions on planning applications. It is not clear how other forms of business development are to be considered.

I am proposing modifications to amalgamate points a) and b) and to incorporate matters set out in NPPF paragraph 85 on rural economic development to provide a policy to cover all forms of rural business development outside of the settlement boundary.

I am proposing that points c) and d) should be revised to more clearly set out the matters to be considered with reference to Policy LNP7. It is not clear what point e) is referring to; in any case any proposal would be considered against the rest of the policy.

Would the QB and LPA comment on the proposed modifications:

- a. Delete from the first paragraph. **“The following types of business are considered to be particularly appropriate to the Longframlington Neighbourhood Area.”**
- b. Replace criteria a) and b) with
 - “a) *The development of rural businesses outside the settlement boundary should be:***
 - i. located close to settlements or existing buildings, where the opportunities exist;***
 - ii. make use of existing buildings, where possible;***
 - iii. ensure new buildings are well designed and located sensitively in the landscape, respecting the character of the countryside; and***
 - iv. should not have an unacceptable impact on highway safety.”***
- c. Revise point c) to read: **“The expansion of home based businesses *will be supported* provided that there are no *unacceptable* adverse impacts on residential *amenity* or highway safety.”**
- d. Revise point d) to read: **“*New and extended commercial premises and business units should be well related to existing development and well designed, taking account of Policy LNP7.*”**
- e. **Delete point e).**

8. **Policy LNP3** – As NCC has commented, this policy cannot be applied where the change of use is permitted development. I am proposing a modification to make it explicit that the policy will be applied to those proposals that require planning permission. The policy cannot ensure that local businesses and services are “retained” as stated in para 8.1.3. It can set out requirements that new development proposals that require planning permission have to satisfy before the community use or business is lost. Would the QB and LPA comment on the proposed modifications.
- a. Revise the final paragraph of the policy to read: “**Development proposal that require planning permission that would result in the loss of**”
 - b. Revise the second sentence of paragraph 8.1.3 to read: “**Policy LNP3 seeks to ensure that local community facilities and businesses serving the community are safeguarded. Any proposals that require planning permission that would result in their loss will have to demonstrate that the existing facility is no longer needed or no longer economically viable.**”
9. **Assets of Community Value** - The statements in paragraphs 7.1.4 and 8.1.4 that registering community facilities as ACV afford some protection is not strictly correct. Would the LPA / QB comment on the proposed revision to the wording of paragraphs 7.1.4 and 8.1.4 to read: “ **as Assets of Community Value which will afford the community six months to determine if they can raise the finance to purchase the asset.**”
10. **Policy LNP4** - Can the colour of the shading used on the Policies Map be changed to be more distinctive?
11. **Policy LNP5** – Would the QB/LPA comment on the proposal to revise the first paragraph of the policy by deleting “**All**” and “**latest**” and adding “**secured through planning conditions or planning obligations**” at the end of the first paragraph.
- The second paragraph of the policy lists examples of how biodiversity net gain can be delivered. Examples are normally set out in the justification to explain how the policy is to be applied. Would the QB and LPA confirm whether they would wish to place this paragraph in the justification or retain it in the policy and delete the words “for example”.
12. **Policy LNP6** – would NCC advise on the revisions to the wording of this policy that they would like to see. Other Plans use the following wording “**Development on the Local Green Space will not be supported except in very special circumstances.**” Would the PC be in agreement with this?

13. Policy LNP7 - The final paragraph of the policy states that permission will be refused for development of poor design. It is acknowledged that NPPF paragraph 134 states that development that is not well designed should be refused. However, NPPF paragraph 2 states that *“Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.”* Planning policies should not stipulate when permission should or should not be granted. It will be for the decision maker to take all matters into account. I am therefore recommending that the final paragraph of the policy should be deleted and a new paragraph included in the justification to make reference to NPPF paragraph 134. Would the QB / LPA comment on this proposed modification.

- a. ***“NPPF paragraph 134 makes it clear that significant weight should be given to development that reflects local design policies and government guidance on design and/or that promote high levels of sustainability through outstanding or innovative designs. It also makes it clear that poorly designed development should be refused.”***
- b. I am proposing that point d) should be revised to explain the main purpose of SuDS: ***“....(SuDS) to manage surface water drainage and which takes opportunities.....”***

14. Has the **Northumberland Design Guidance** referred to in the emerging Local Plan policy been adopted yet?