

Lowick Neighbourhood Development Plan

A report to Northumberland County Council of the Independent
Examination of the Lowick Neighbourhood Development Plan

Copy to Lowick Parish Council

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Contents

Summary of Main Findings	2
Neighbourhood Planning.....	3
Independent Examination	3
Basic Conditions and other Statutory Requirements	5
Documents.....	8
Consultation.....	9
The Neighbourhood Plan taken as a whole.....	12
The Neighbourhood Plan Policies	19
Policy L1: Community and Recreational Facilities	21
Policy L2: Local Green Spaces.....	22
Policy L3: Lowick Village Settlement Boundary.....	24
Policy L4: Design in New Housing Development.....	26
Policy L5: Biodiversity and Development.....	28
Policy L6: Coastal Mitigation	30
Policy L7: Water Quality and Nutrient Neutrality	31
Policy L8: Accessibility	32
Policy L9: Creation and Improvement of Footpaths and Cycleways	33
Policy L10: Broadband and Telecommunications	34
Policy L11: Local Employment and Rural Enterprise	34
Policy L12: Tourism.....	35
Policy L13: Non-Designated Heritage Assets	36
Policy L14: Lowick’s Historic Core.....	38
Policy L15: Conversion of Buildings	40
Conclusion and Referendum.....	40
Annex: Minor Corrections to the Neighbourhood Plan.....	41

Summary of Main Findings

This is the report of the Independent Examination of the Lowick Neighbourhood Development Plan. The plan has been prepared by Lowick Parish Council. The plan relates to the whole parish of Lowick which was designated as a Neighbourhood Area on 19 June 2015. The plan area lies within the Northumberland County Council area. The plan period runs until 2036. The Neighbourhood Plan includes policies relating to the development and use of land. The Neighbourhood Plan does not allocate land for development.

This report finds that subject to specified modifications the Neighbourhood Plan meets the Basic Conditions and other requirements. It is recommended the Neighbourhood Plan should proceed to a local referendum based on the plan area.

Neighbourhood Planning

1. The Localism Act 2011 empowers local communities to take responsibility for the preparation of elements of planning policy for their area through a neighbourhood development plan. Paragraph 29 of the National Planning Policy Framework (the Framework) states that “neighbourhood planning gives communities the power to develop a shared vision for their area”.
2. Following satisfactory completion of the necessary preparation process neighbourhood development plans have statutory weight. Decision-makers are obliged to make decisions on planning applications for the area that are in line with the neighbourhood development plan, unless material considerations indicate otherwise.
3. The Lowick Neighbourhood Development Plan (the Neighbourhood Plan) has been prepared by Lowick Parish Council (the Parish Council). The whole parish of Lowick was designated by Northumberland County Council (the County Council) as a Neighbourhood Area on 19 June 2015. The draft plan has been submitted by the Parish Council, a qualifying body able to prepare a neighbourhood plan, in respect of the Lowick Neighbourhood Area (the Neighbourhood Area). The Neighbourhood Plan preparation process was led by a Steering Group comprised of Parish Councillors and other community volunteers who are residents of the Neighbourhood Area.
4. The submission draft of the Neighbourhood Plan and accompanying documents were approved by the Parish Council for submission to the County Council. The County Council arranged a period of publication between 9 November 2022 and 22 December 2022 and subsequently submitted the Neighbourhood Plan to me for independent examination which commenced on 9 January 2023.

Independent Examination

5. This report sets out the findings of the independent examination of the Neighbourhood Plan. The report makes recommendations to the County Council including a recommendation as to whether or not the Neighbourhood Plan should proceed to a local referendum. The County Council will decide what action to take in response to the recommendations in this report.

6. The County Council will decide whether the Neighbourhood Plan should proceed to referendum, and if so whether the referendum area should be extended, and what modifications, if any, should be made to the submission version plan. Once a neighbourhood plan has been independently examined, and a decision statement is issued by the local planning authority outlining their intention to hold a neighbourhood plan referendum, it must be taken into account and can be given significant weight when determining a planning application, in so far as the plan is material to the application.
7. Should the Neighbourhood Plan proceed to local referendum and achieve more than half of votes cast in favour, then the Neighbourhood Plan will form part of the Development Plan and be given full weight in the determination of planning applications and decisions on planning appeals in the plan area unless the County Council subsequently decide the Neighbourhood Plan should not be 'made'. The Housing and Planning Act 2016 requires any conflict with a neighbourhood plan to be set out in the committee report, that will inform any planning committee decision, where that report recommends granting planning permission for development that conflicts with a made neighbourhood plan. Paragraph 12 of the Framework is very clear that where a planning application conflicts with an up-to-date neighbourhood plan that forms part of the Development Plan, permission should not usually be granted.
8. I have been appointed by the County Council with the consent of the Parish Council, to undertake the examination of the Neighbourhood Plan and prepare this report of the independent examination. I am independent of the Parish Council and the County Council. I do not have any interest in any land that may be affected by the Neighbourhood Plan.
9. I am a Member of the Royal Parish Planning Institute; a Member of the Institute of Economic Development; and a Member of the Institute of Historic Building Conservation. As a Chartered Parish Planner, I have held national positions and have 35 years' experience at Director or Head of Service level in several local planning authorities. I have been a panel member of the Neighbourhood Planning Independent Examiner Referral Service (NPIERS) since its inception, and have undertaken the independent examination of neighbourhood plans in every region of England, and in the full range of types of urban and rural areas.
10. As independent examiner, I am required to produce this report and must recommend either:
 - that the Neighbourhood Plan is submitted to a referendum, or
 - that modifications are made and that the modified Neighbourhood Plan is submitted to a referendum, or

- that the Neighbourhood Plan does not proceed to a referendum on the basis it does not meet the necessary legal requirements.

11. I make my recommendation in this respect and in respect to any extension to the referendum area, in the concluding section of this report. It is a requirement that my report must give reasons for each of its recommendations and contain a summary of its main findings.

12. The Planning Practice Guidance (the Guidance) states “it is expected that the examination of a draft Neighbourhood Plan will not include a public hearing.” The examiner has the ability to call a hearing for the purpose of receiving oral representations about a particular issue in any case where the examiner considers that the consideration of oral representations is necessary to ensure adequate examination of the issue, or a person has a fair chance to put a case. This requires an exercise of judgement on my part. All parties have had the opportunity to state their case and no party has indicated that they have been disadvantaged by a written procedure. Regulation 16 responses clearly set out any representations relevant to my consideration whether or not the Neighbourhood Plan meets the Basic Conditions and other requirements. Those representations and the level of detail contained within the submitted Neighbourhood Plan and supporting documents have provided me with the necessary information required for me to conclude the Independent Examination. As I did not consider a hearing necessary, I proceeded on the basis of examination of the submission and supporting documents, and consideration of the written representations.

13. This report should be read as a whole, and has been produced in an accessible format.

Basic Conditions and other Statutory Requirements

14. An independent examiner must consider whether a neighbourhood plan meets the “Basic Conditions”. A neighbourhood plan meets the Basic Conditions if:

- having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan;
- the making of the neighbourhood plan contributes to the achievement of sustainable development;
- the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);

- the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations; and
- the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

15. With respect to the penultimate Basic Condition the European Withdrawal Act 2018 (EUWA) incorporates EU environmental law (directives and regulations) into UK law and provides for a continuation of primary and subordinate legislation, and other enactments in domestic law. An independent examiner must also consider whether a neighbourhood plan is compatible with the Convention Rights, which has the same meaning as in the Human Rights Act 1998. All of these matters are considered in the later sections of this report titled 'The Neighbourhood Plan taken as a whole' and 'The Neighbourhood Plan Policies'. Where I am required to consider the whole Neighbourhood Plan, I have borne it all in mind.

16. In addition to the Basic Conditions and Convention Rights, I am also required to consider whether the Neighbourhood Plan complies with the provisions made by or under sections 38A and 38B of the Planning and Compulsory Purchase Act 2004 (in sections 38A and 38B themselves; in Schedule 4B to the 1990 Act introduced by section 38A (3); and in the 2012 Regulations made under sections 38A (7) and 38B (4)). I am satisfied the Neighbourhood Plan has been prepared in accordance with the requirements of those sections, in particular in respect to the Neighbourhood Planning (General) Regulations 2012 as amended (the Regulations) which are made pursuant to the powers given in those sections.

17. The Neighbourhood Plan relates to the area that was designated by the County Council on 19 June 2015. A map of the Neighbourhood Area is included on page 6 of the Submission Version Plan. The Neighbourhood Plan does not relate to more than one neighbourhood area, and no other neighbourhood development plan has been made for the neighbourhood area. All requirements relating to the plan area have been met.

18. I am also required to check whether the Neighbourhood Plan sets out policies for the development and use of land in the whole or part of a designated neighbourhood area; and the Neighbourhood Plan does not include provision about excluded development (principally minerals, waste disposal, development automatically requiring Environmental Impact Assessment, and nationally significant infrastructure projects). I am able to confirm that I am satisfied that each of these requirements has been met.

19. A neighbourhood plan must also meet the requirement to specify the period to which it has effect. The front cover of the Neighbourhood Plan states the plan period runs from 2022 until 2036. The plan period is confirmed in paragraph 5.2 of the Neighbourhood Plan. I have recommended the Foreword of the Neighbourhood Plan is corrected in this respect.

Recommended Modification 1:

In the Foreword replace “for the next 16 years” with “until 2036”

20. The role of an independent examiner of a neighbourhood plan is defined. I am not examining the tests of soundness provided for in respect of examination of Local Plans. It is not within my role to examine or produce an alternative plan, or a potentially more sustainable plan, except where this arises as a result of my recommended modifications so that the Neighbourhood Plan meets the Basic Conditions and other requirements that I have identified. I have been appointed to examine whether the submitted Neighbourhood Plan meets the Basic Conditions and Convention Rights, and the other statutory requirements.

21. A neighbourhood plan can be narrow or broad in scope. There is no requirement for a neighbourhood plan to be holistic, or to include policies dealing with all land uses or development types, and there is no requirement for a neighbourhood plan to be formulated as, or perform the role of, a comprehensive local plan. The nature of neighbourhood plans varies according to local requirements.

22. Neighbourhood plans are developed by local people in the localities they understand and as a result each plan will have its own character. It is not within my role to re-interpret, restructure, or re-write a plan to conform to a standard approach or terminology. Indeed, it is important that neighbourhood plans reflect thinking and aspiration within the local community. They should be a local product and have particular meaning and significance to people living and working in the area.

23. I have only recommended modifications to the Neighbourhood Plan (presented in bold type) where I consider they need to be made so that the plan meets the Basic Conditions and the other requirements I have identified. I refer to the matter of minor corrections and other adjustments of general text in the Annex to my report.

Documents

24. I have considered each of the following documents in so far as they have assisted me in determining whether the Neighbourhood Plan meets the Basic Conditions and other requirements:

- Lowick Neighbourhood Plan 2022 - 2036 Regulation 15 (Submission) Version (August 2022) including Policies Map and Policies Map inset
- Lowick Neighbourhood Plan 2022 - 2036 Submission Version Basic Conditions Statement October 2022 [In this report referred to as the Basic Conditions Statement]
- Lowick Neighbourhood Plan 2022 -2036 Submission Version Consultation Statement August 2022 [In this report referred to as the Consultation Statement]
- Lowick Neighbourhood Plan 2022 - 2036 Submission Version Strategic Environmental Assessment (SEA) Environmental Report August 2022
- Lowick Neighbourhood Plan 2022 – 2036 Habitats Regulations Assessment Report August 2022
- Information available on the Parish Council and the County Council websites
- Representations received during the Regulation 16 publicity period
- Correspondence between the Independent Examiner and the County Council and the Parish Council including the initial letter of the Independent Examiner dated 9 January 2023
- National Planning Policy Framework (2021) [In this report referred to as the Framework]
- Northumberland Local Plan 2016 - 2036 adopted 31 March 2022
- Permitted development rights for householders' technical guidance MHCLG (10 September 2019)
- Planning Practice Guidance web-based resource MHCLG (first fully launched 6 March 2014 and subsequently updated) [In this report referred to as the Guidance]
- Parish and Country Planning (Use Classes) Order 1987 (as amended)
- Parish and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2014
- Parish and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2015
- Parish and Country Planning Act 1990 (as amended)
- Planning and Compulsory Purchase Act 2004 (as amended)
- Equality Act 2010
- Localism Act 2011
- Housing and Planning Act 2016
- European Union (Withdrawal) Act 2018
- Neighbourhood Planning Act 2017 and Commencement Regulations 19 July 2017, 22 September 2017, and 15 January 2019

- Neighbourhood Planning (General) Regulations 2012 (as amended) [In this report referred to as the Regulations. References to Regulation 14, Regulation 16 etc in this report refer to these Regulations]
- Neighbourhood Planning (General) (Amendment) Regulations 2015
- Neighbourhood Planning (General) incorporating Development Control Procedure (Amendment) Regulations 2016
- Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018

Consultation

25. The submitted Neighbourhood Plan is accompanied by a Consultation Statement which outlines the process undertaken in the preparation of the plan. In addition to detailing who was consulted and by what methods, it also provides a summary of comments received from local community members, and other consultees, and how these have been addressed in the submission plan. I highlight here a number of key stages of consultation undertaken in order to illustrate the approach adopted.
26. In 2015 a Steering Group comprising Parish Councillors and other volunteers was established to oversee the development of the Neighbourhood Plan. A well-attended village meeting held in September 2016 was used to capture views on planning related matters. This input from residents and local businesses informed the development of a vision and objectives in 2018. A weekend event held by the Neighbourhood Plan Heritage Group led to the identification of locally valued heritage assets which informed the formulation of a specific policy relating to this matter. In June 2018 a second village open day was held to consult on the vision and objectives and to launch a two-week consultation on five alternative alignments of a settlement boundary. At this time a questionnaire was posted to every household in the parish and this was made available online. Feedback informed some adjustments to the emerging plan including the deletion of a proposed local green space. In 2019 a housing needs assessment included a questionnaire being sent to every resident which resulted in 94 responses, nine of which expressed a housing need.
27. Following a pause in the plan preparation process as a result of the Covid-19 pandemic, in accordance with Regulation 14 the Parish Council consulted on the pre-submission version of the draft Neighbourhood Plan between 5 May 2022 and 16 June 2022. The consultation on the pre-submission draft Plan was publicised on the Parish Council website and hard copy documents were made

available in St John the Baptist's Church and at the Platinum Jubilee Fete. Electronic copy documents were circulated to statutory and non-statutory consultees. The Consultation Statement includes in Appendix G details of the comments received from the County Council and from another party. Paragraphs 4.4 to 4.7 of the Consultation Statement set out a response. Suggestions have, where considered appropriate, been reflected in a number of changes to the Plan that was submitted by the Parish Council to the County Council.

28. The Submission Version of the Neighbourhood Plan has been the subject of a Regulation 16 period of publication between 9 November 2022 and 22 December 2022. Publicity was achieved through the County Council website and by making hard copies of the submission documents available at Lowick Library as well as at the Parish Council and the County Council offices. Representations were submitted during the Regulation 16 period of publication from a total of seven different parties.
29. The County Council has submitted supportive comments which contained much useful information that has assisted this Independent Examination, and suggestions to update and improve the clarity of the Neighbourhood Plan, in particular in respect of Policies L1; L3; L4; L5; and L10. Where those suggestions are necessary for the Neighbourhood Plan to meet the Basic Conditions, I have recommended modifications either in respect of individual policies or in the Annex to my report.
30. Natural England welcome references to biodiversity net gain in Objective 2 and in Policies L4 and L5, and agree the Habitats Regulations Assessment report and welcome Policies L6 and L7 responding to the conclusions of the Habitats Regulations Assessment. Natural England has suggested a modification to Policy L7 and an adjustment to the Glossary. I refer to these matters when considering Policy L7 later in my report. The Coal Authority refer to recorded coal mining features and surface coal resource within the Neighbourhood Area but on the basis the Neighbourhood plan does not allocate any sites for future development the Coal Authority has no specific comments. The owners of Lowick Community Orchard at Hunting Hall have proposed corrections to general text and Policy L9 which I consider when examining that policy. Historic England and the Environment Agency confirmed they have no comments on the Neighbourhood Plan. National Highways has concerns regarding the existing form and ability of the A1/B6353/U33 junction east of Lowick village to accommodate additional demands arising from proposed new development. The concerns principally relate to the U33 (Fenwick Granary) arm of the junction, and although located beyond the Neighbourhood Area, National Highways seek consultation on any proposal that will increase turning movements at the junction, particularly larger servicing vehicles and during the construction phase. National Highways request

additional wording in Section 3 of the Neighbourhood Plan. I refer to this matter in the Annex to my report.

31. I have read each of the Regulation 16 representations. In preparing this report I have taken into consideration all of the representations submitted, in so far as they are relevant to my role, even though they may not be referred to in whole in my report. Having regard to *Bewley Homes Plc v Waverley Borough Council* [2017] EWHC 1776 (Admin) Lang J, 18 July 2017 and Parish and Country Planning Act Schedule 4B paragraph 10(6) where representations raise concerns or state comments or objections in relation to specific policies, I refer to these later in my report when considering the policy in question where they are relevant to the reasons for my recommendations. Alternative policy approaches and additional policy content were relevant considerations in earlier stages of the Neighbourhood Plan preparation process. These matters are only relevant to my role if they are necessary for the Neighbourhood Plan to meet the Basic Conditions or other requirements that I have identified.
32. I provided the Parish Council with an opportunity to comment on the Regulation 16 representations of other parties. Whilst I placed no obligation on the Parish Council to offer any comments, such an opportunity can prove helpful where representations of other parties include matters that have not been raised earlier in the plan preparation process. The Parish Council did not submit comments in this respect
33. The Regulations state that where a qualifying body submits a plan proposal to the local planning authority it must include amongst other items a consultation statement. The Regulations state a consultation statement means a document which:
 - a) contains details of the persons and bodies who were consulted about the proposed neighbourhood development plan;
 - b) explains how they were consulted;
 - c) summarises the main issues and concerns raised by the persons consulted; and
 - d) describes how these issues and concerns have been considered and, where relevant, addressed in the proposed neighbourhood development plan.
34. The Consultation Statement includes information in respect of each of the requirements set out in the Regulations. I am satisfied the requirements have been met. In addition, sufficient regard has been paid to the advice regarding engagement in plan preparation contained within the Guidance. It is evident the Neighbourhood Plan Steering Group have ensured stakeholders have had full opportunity to influence the general nature, and specific policies, of the

Neighbourhood Plan.

The Neighbourhood Plan taken as a whole

35. This section of my report considers whether the Neighbourhood Plan taken as a whole meets EU obligations, habitats and Human Rights requirements; has regard to national policies and advice contained in guidance issued by the Secretary of State; whether the plan contributes to the achievement of sustainable development; and whether the plan is in general conformity with the strategic policies contained in the Development Plan for the area. Each of the plan policies is considered in turn in the section of my report that follows this. In considering all of these matters I have referred to the submission, background, and supporting documents, and copies of the representations and other material provided to me.

Consideration of Convention Rights; and whether the making of the Neighbourhood Plan does not breach, and is otherwise compatible with, EU obligations; and the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017

36. Page 21 of the Basic Conditions Statement states the Neighbourhood Plan does not breach and is compatible with EU obligations. It is also stated the Neighbourhood Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act 1998. I have considered the European Convention on Human Rights and in particular Article 6 (fair hearing); Article 8 (privacy); Article 14 (discrimination); and Article 1 of the first Protocol (property). The Human Rights Act 1998 which came into force in the UK in 2000 had the effect of codifying the protections in the European Convention on Human Rights into UK law. Development Plans by their nature will include policies that relate differently to areas of land. Where the Neighbourhood Plan policies relate differently to areas of land this has been explained in terms of land use and development related issues. I have seen nothing in the submission version of the Neighbourhood Plan that indicates any breach of the Convention. I am satisfied the Neighbourhood Plan has been prepared in accordance with the obligations for Parish Councils under the Public Sector Equality Duty (PSED) in the Equality Act 2010. Whilst an Equality Screening Assessment has not been prepared, from

my own examination, the Neighbourhood Plan would appear to have neutral or positive impacts on groups with protected characteristics as identified in the Equality Act 2010.

37. The objective of EU Directive 2001/42 (transposed into UK law through the Environmental Assessment of Plans and Programmes Regulations 2004) is “to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development, by ensuring that, in accordance with this Directive, an environmental assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment.” The Neighbourhood Plan falls within the definition of ‘plans and programmes’ (Defined in Article 2(a) of Directive 2001/42) as the Local Planning Authority is obliged to ‘make’ the plan following a positive referendum result (Judgement of the Court of Justice of the European Union (Fourth Chamber) 22 March 2012).
38. The Neighbourhood Planning (General) (Amendment) Regulations 2015 require the Parish Council, as the Qualifying Body, to submit to the County Council either an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004, or a statement of reasons why an environmental report is not required.
39. Page 21 of the Basic Conditions Statement confirms SEA and HRA Screening assessments were undertaken and that both reports concluded that the Neighbourhood Plan is unlikely to have significant negative impacts and therefore neither a full SEA or HRA would be required.
40. I have examined the Strategic Environmental Assessment Screening Statement dated December 2021 and have no reason to disagree with its conclusion. The SEA screening report states the conclusion is supported by consultation responses from Historic England and Natural England and no response was received from the Environment Agency. I am satisfied the requirements regarding Strategic Environmental Assessment have been met.
41. I have also examined the Habitat Regulation Assessment Screening Report prepared by the County Council dated October 2021 and have no reason to disagree with its conclusion. The report includes a consultation response from the statutory consultee, Natural England, confirming agreement that the Neighbourhood Plan either alone or in combination would not be likely to result in a significant effect on any European (now Habitats) Site and therefore no further assessment work would be required. I am satisfied that the Neighbourhood Plan meets the requirements of the Basic Condition relating to Habitats Regulations.

42. There are a number of other EU obligations that can be relevant to land use planning including the Water Framework Directive, the Waste Framework Directive, and the Air Quality Directive but none appear to be relevant in respect of this independent examination.
43. I conclude that the Neighbourhood Plan is compatible with the Convention Rights, and does not breach, and is otherwise compatible with, EU obligations. I also conclude 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.
44. The Guidance states it is the responsibility of the local planning authority to ensure that all the regulations appropriate to the nature and scope of a draft neighbourhood plan submitted to it have been met in order for the draft neighbourhood plan to progress. The County Council as Local Planning Authority must decide whether the draft neighbourhood plan is compatible with EU environmental law obligations (directives and regulations) incorporated into UK domestic law by the European Withdrawal Act 2018 (EUWA):
- when it takes the decision on whether the neighbourhood plan should proceed to referendum; and
 - when it takes the decision on whether or not to make the neighbourhood plan (which brings it into legal force).

Consideration whether having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the Neighbourhood Plan; and whether the making of the Neighbourhood Plan contributes to the achievement of sustainable development

45. I refer initially to the basic condition “having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan”. The requirement to determine whether it is appropriate that the plan is made includes the words “having regard to”. This is not the same as compliance, nor is it the same as part of the tests of soundness provided for in respect of examinations of Local Plans which requires plans to be “consistent with national policy”.
46. Lord Goldsmith has provided guidance (Column GC272 of Lords Hansard, 6 February 2006) that ‘have regard to’ means “such matters should be considered.” The Guidance assists in understanding “appropriate”. In answer to the question “What does having regard to national policy mean?” the Guidance states a

neighbourhood plan “must not constrain the delivery of important national policy objectives.”

47. The most recent National Planning Policy Framework published on 20 July 2021 sets out the Government’s planning policies for England and how these are expected to be applied. The Planning Practice Guidance was most recently updated, in part, on 25 August 2022. As a point of clarification, I confirm I have undertaken the Independent Examination in the context of the most recent National Planning Policy Framework and Planning Practice Guidance. The Government consultation on possible changes to the Framework published in December 2022 has not formed part of my consideration.
48. Table 1 of the Basic Conditions Statement sets out an explanation how each of the policies of the Neighbourhood Plan has regard to the Framework and the Guidance. I am satisfied the Basic Conditions Statement demonstrates how the Neighbourhood Plan has regard to relevant identified components of the Framework.
49. The Neighbourhood Plan includes in Section 2 a positive vision statement for Lowick with economic, social and environmental dimensions. Six objectives addressing specific thematic themes relating to community facilities; natural environment, biodiversity and landscape; accessibility; the local economy; and heritage, character and design are also set out that help support delivery of the vision.
50. Paragraphs 5.5 and 5.6 of the Neighbourhood Plan refer to community projects. It is explained these matters that have been raised through consultation are matters that were outside the remit of planning policy in a neighbourhood plan and will be taken forward, and progress monitored, by the Parish Council. The plan preparation process is a convenient mechanism to surface and test local opinion on ways to improve a neighbourhood other than through the development and use of land. It is important that those non-development and land use matters, raised as important by the local community or other stakeholders, should not be lost sight of. The acknowledgement in the Neighbourhood Plan of issues raised in consultation processes that do not have a direct relevance to land use planning policy represents good practice. The Guidance states, “Wider community aspirations than those relating to the development and use of land, if set out as part of the plan, would need to be clearly identifiable (for example, set out in a companion document or annex), and it should be made clear in the document that they will not form part of the statutory development plan”. The approach adopted to take the community projects forward separate from the Neighbourhood Plan is entirely satisfactory.

51. Apart from those elements of policy of the Neighbourhood Plan in respect of which I have recommended a modification to the plan I am satisfied that the need to 'have regard to' national policies and advice contained in guidance issued by the Secretary of State has, in plan preparation, been exercised in substance in such a way that it has influenced the final decision on the form and nature of the plan. This consideration supports the conclusion that with the exception of those matters in respect of which I have recommended a modification of the plan, the Neighbourhood Plan meets the basic condition "having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan."
52. At the heart of the Framework is a presumption in favour of sustainable development which should be applied in both plan-making and decision-taking. The Guidance states, "This basic condition is consistent with the planning principle that all plan-making and decision-taking should help to achieve sustainable development. A qualifying body must demonstrate how its plan or order will contribute to improvements in environmental, economic and social conditions or that consideration has been given to how any potential adverse effects arising from the proposals may be prevented, reduced or offset (referred to as mitigation measures). In order to demonstrate that a draft neighbourhood plan or order contributes to sustainable development, sufficient and proportionate evidence should be presented on how the draft neighbourhood plan or order guides development to sustainable solutions".
53. The Basic Conditions require my consideration whether the making of the Neighbourhood Plan contributes to the achievement of sustainable development. There is no requirement as to the nature or extent of that contribution, nor a need to assess whether or not the plan makes a particular contribution. The requirement is that there should be a contribution. There is also no requirement to consider whether some alternative plan would make a greater contribution to sustainable development.
54. The Framework states there are three dimensions to sustainable development: economic, social and environmental. Table 1 of the Basic Conditions Statement sets out a statement how the policies of the Neighbourhood Plan contribute to the achievement of sustainable development. The statement does not highlight any negative impacts of the Neighbourhood Plan policies.
55. I conclude that the Neighbourhood Plan, by guiding development to sustainable solutions, contributes to the achievement of sustainable development. Broadly, the Neighbourhood Plan seeks to contribute to sustainable development by ensuring schemes are of an appropriate nature and quality to contribute to

economic and social well-being; whilst also protecting important environmental features of the Neighbourhood Area. In particular, I consider the Neighbourhood Plan as recommended to be modified seeks to:

- Establish criteria for the loss of identified community facilities and for the provision of new community facilities;
- Designate five Local Green Spaces;
- Support appropriate development within an identified settlement boundary for Lowick village and treat land outside that boundary as open countryside;
- Establish design criteria for new housing development;
- Ensure development proposals protect and enhance biodiversity and avoid loss of hedgerows and mature trees;
- Ensure increased recreational disturbance on coastal SSSI and Habitats Sites arising from developments is mitigated;
- Ensure development proposals do not increase nitrogen entering the Lindisfarne SPA and Ramsar Site;
- Ensure new development has safe accessibility and cycle parking for visitors;
- Support environmentally appropriate broadband and telecommunications development;
- Support expansion of existing businesses and services within the identified settlement boundary and conditionally support new employment opportunities and home working;
- Conditionally support restoration of, and improvement of public access to, Barmoor Castle and extension of the Barmoor Castle caravan park;
- Identify non-designated heritage assets;
- Establish criteria for proposals affecting the defined historic core of Lowick; and
- Establish conditional support for conversion of appropriate buildings.

56. Subject to my recommended modifications of the Submission Plan including those relating to specific policies, as set out later in this report, I find it is appropriate that the Neighbourhood Plan should be made having regard to national policies and advice contained in guidance issued by the Secretary of State. I have also found the Neighbourhood Plan contributes to the achievement of sustainable development.

Consideration whether the making of the Neighbourhood Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)

57. The Framework states neighbourhood plans should “support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies”. Plans should make explicit which policies are strategic policies. “Neighbourhood plans must be in general conformity with the strategic policies contained in any development plan that covers their area. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine its strategic policies”.
58. In this independent examination, I am required to consider whether the making of the Neighbourhood Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area). The County Council has confirmed the Development Plan applying in the Lowick Neighbourhood Area and relevant to the Neighbourhood Plan comprises the Northumberland Local Plan 2016 - 2036 adopted on 31 March 2022. The Guidance states, “A local planning authority should set out clearly its strategic policies in accordance with paragraph 21 of the National Planning Policy Framework and provide details of these to a qualifying body and to the independent examiner.” The County Council has advised me what are regarded by the Local Planning Authority as the strategic policies of the Local Plan. I have proceeded with my independent examination of the Neighbourhood Plan on the basis that the Development Plan strategic policies are Northumberland Local Plan (2022) Policies STP1 – STP9; Policies ECN1 – ECN6; Policies ECN12 and ECN13; Policies TCS1 – TCS3; and Policies HOU1 – HOU4; Policy HOU6; Policy HOU11; Policy QOP1; Policy TRA1; Policy TRA8; Policy ENV1; Policies MIN1 – 4; Policies MIN6 – MIN14; Policy WAS1 - WAS4; and Policy INF1.
59. In considering a now-repealed provision that “a local plan shall be in general conformity with the structure plan” the Court of Appeal stated “the adjective ‘general’ is there to introduce a degree of flexibility” (Persimmon Homes v. Stevenage BC the Court of Appeal [2006] 1 P &CR 31). The use of ‘general’ allows for the possibility of conflict. Obviously, there must at least be broad consistency, but this gives considerable room for manoeuvre. Flexibility is however not unlimited. The test for neighbourhood plans refers to the strategic policies of the development plan rather than the development plan as a whole.
60. The Guidance states, “When considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority, should consider the following:
- whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with;

- the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy;
- whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy;
- the rationale for the approach taken in the draft neighbourhood plan or Order and the evidence to justify that approach.”

My approach to the examination of the Neighbourhood Plan Policies has been in accordance with this guidance.

61. Consideration as to whether the making of the Neighbourhood Plan is in general conformity with the strategic policies contained in the Development Plan for the area of the authority (or any part of that area) has been addressed through examination of the plan as a whole and each of the plan policies below. I have taken into consideration the Table 1 of the Basic Conditions Statement that demonstrates how each of the policies of the Neighbourhood Plan is in general conformity with relevant strategic policies. Subject to the modifications I have recommended, I have concluded the Neighbourhood Plan is in general conformity with the strategic policies contained in the Development Plan.

The Neighbourhood Plan Policies

62. The Neighbourhood Plan includes 15 policies as follows:

Policy L1: Community and Recreational Facilities

Policy L2: Local Green Spaces

Policy L3: Lowick Village Settlement Boundary

Policy L4: Design in New Housing Development

Policy L5: Biodiversity and Development

Policy L6: Coastal Mitigation

Policy L7: Water Quality and Nutrient Neutrality

Policy L8: Accessibility

Policy L9: Creation and Improvement of Footpaths and Cycleways

Policy L10: Broadband and Telecommunications

Policy L11: Local Employment and Rural Enterprise

Policy L12: Tourism

Policy L13: Non-designated Heritage Assets

Policy L14: Lowick's Historic Core

Policy L15: Conversion of Buildings

63. Paragraph 29 of the Framework states “Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies”. Footnote 16 of the Framework states “Neighbourhood plans must be in general conformity with the strategic policies contained in any development plan that covers their area.”
64. Paragraph 15 of the Framework states “The planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for addressing housing needs and other economic, social and environmental priorities; and a platform for local people to shape their surroundings.”
65. Paragraph 16 of the Framework states “Plans should: a) be prepared with the objective of contributing to the achievement of sustainable development; b) be prepared positively, in a way that is aspirational but deliverable; c) be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees; d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals; e) be accessible through the use of digital tools to assist public involvement and policy presentation; and f) serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).”
66. The Guidance states “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.”
67. “While there are prescribed documents that must be submitted with a neighbourhood plan ... there is no ‘tick box’ list of evidence required for neighbourhood planning. Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft neighbourhood plan”.

68. A neighbourhood plan should contain policies for the development and use of land. “This is because, if successful at examination and referendum (or where the neighbourhood plan is updated by way of making a material modification to the plan and completes the relevant process), the neighbourhood plan becomes part of the statutory development plan. Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise (See section 38(6) of the Planning and Compulsory Purchase Act 2004).”
69. “Neighbourhood plans are not obliged to contain policies addressing all types of development. However, where they do contain policies relevant to housing supply, these policies should take account of latest and up-to-date evidence of housing need”. “A neighbourhood plan can allocate sites for development, including housing. A qualifying body should carry out an appraisal of options and an assessment of individual sites against clearly identified criteria. Guidance on assessing sites and on viability is available.”
70. If to any extent, a policy set out in the Neighbourhood Plan conflicts with any other statement or information in the plan, the conflict must be resolved in favour of the policy. Given that policies have this status, and if the Neighbourhood Plan is ‘made’ they will be utilised in the determination of planning applications and appeals, I have examined each policy in turn. I have considered any inter-relationships between policies where these are relevant to my remit.

Policy L1: Community and Recreational Facilities

71. This policy identifies community facilities and seeks to establish that their loss or change of use will only be supported in stated circumstances. The policy also seeks to establish conditional support for new community facilities and includes specific reference to a new clubhouse at the football field.
72. The County Council state the need to provide alternative equivalent facilities within or adjacent to Lowick village is too onerous and goes beyond the requirements of the NPPF. It is suggested that alternative equivalent facilities should be required in a suitable accessible location. Paragraph 93 of the Framework states planning policies should plan positively for the provision of community facilities including meeting places. Paragraph 93 of the Framework also states planning policies should guard against the unnecessary loss of valued facilities and services. I agree with the representation that accessibility is the determining factor. The term “unacceptable” is imprecise and does not provide guidance to parties preparing development proposals. It is confusing for a policy to state “provided it accords with other policies in the Development Plan”.

Paragraph 3.10 of the Neighbourhood Plan makes it clear development proposals should be considered with respect to the Development Plan as a whole. I have recommended a modification in these respects so that the policy has sufficient regard for national policy and is “clearly written and unambiguous, so it is evident how a decision maker should react to development proposals” as required by paragraph 16d) of the Framework.

73. As recommended to be modified the policy is in general conformity with the strategic policies included in the Development Plan and relevant to the Neighbourhood Plan. The policy serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.

74. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the Framework and Guidance the policy is appropriate to be included in a ‘made’ neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 2:

In Policy L1

- **replace “within or adjacent to Lowick village” with “in a suitable accessible location”**
- **replace “unacceptable” with “significant”**
- **delete “provided it accords with other policies in the Development Plan.”**

Policy L2: Local Green Spaces

75. This policy seeks to designate five specified sites as Local Green Space and establish a basis for determination of development proposals affecting them.

76. Designation of Local Green Space can only follow identification of the land concerned. For a designation with important implications relating to development potential it is essential that precise definition is achieved. The proposed Local Green Spaces are presented in the case of the Holburn Village Green as an inset on the Policies Map, and in respect of the other four areas on the Policies Map Inset of the Neighbourhood Plan. When viewed electronically the maps can be expanded to better reveal the line of boundaries of the green spaces in question. Even in the absence of such expansion, the scale and discrete nature of the areas of land in question assist in understanding the alignment of boundaries. I am satisfied the areas of land proposed for designation as Local Green Spaces have been adequately identified.

77. The policy states the designated areas will be protected in a manner consistent with the protection of land within the Green Belt. Decision makers must rely on paragraph 103 of the Framework that states “Policies for managing development within a Local Green Space should be consistent with those for Green Belts” and the part of the Framework that relates to ‘Protecting Green Belt land’, in particular paragraphs 147 to 151. That latter part of the Framework sets out statements regarding the types of development that are not inappropriate in Green Belt areas. The policy does not seek to introduce a more restrictive approach to development proposals than apply in Green Belt without sufficient justification, which it may not (R on the Application of Lochailort Investments Limited v Mendip District Council. Case Number: C1/2020/0812). I am satisfied the policy has sufficient regard for national policy in this respect.
78. Paragraph 101 of the Framework states “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. 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.”
79. In respect of each of the areas proposed for designation as Local Green Space I find the Local Green Space designations are being made when a neighbourhood plan is being prepared, and I have seen nothing to suggest the designations are not capable of enduring beyond the end of the plan period. The intended Local Green Space designations have regard to the local planning of sustainable development contributing to the promotion of healthy communities, and conserving and enhancing the natural environment, as set out in the Framework.
80. Paragraph 102 of the Framework states “The Local Green Space designation should only be used where the green space is: a) in reasonably close proximity to the community it serves; b) 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), tranquillity or richness of its wildlife; and c) local in character and is not an extensive tract of land.” I find that in respect of each of the intended Local Green Spaces the designation relates to green space that is in reasonably close proximity to the community it serves, is local in character, and is not an extensive tract of land.

81. Paragraphs 4.11 to 4.14 include photographs and text relating to four of the proposed areas for designation but not in respect of Lowick Churchyard (deconsecrated). The evidence base includes Topic Paper 3 Local Green Spaces which provides additional text to support each of the proposed designations. Whilst information which seeks to justify the proposed designation of the Church Yard as a Local Green Space could have been developed further, I am satisfied relevant reasons for designation are indicated as applying in respect of all five sites including matters referred to in the Framework. As a matter of planning judgement, I consider the attributes identified to be relevant and reasonable. The Neighbourhood Plan and Topic Paper 3 together provide sufficient evidence for me to conclude that each of the areas proposed for designation as Local Green Space is demonstrably special to a local community and holds a particular local significance.
82. I find that the areas proposed as Local Green Space are suitable for designation and have regard for paragraphs 101 to 103 of the Framework concerned with the identification and designation of Local Green Space.
83. The policy is in general conformity with the strategic policies included in the Development Plan and relevant to the Neighbourhood Plan, in particular Policy STP6. The policy serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.
84. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the Framework and Guidance the policy is appropriate to be included in a 'made' neighbourhood plan. This policy meets the Basic Conditions.

Policy L3: Lowick Village Settlement Boundary

85. This policy identifies a settlement boundary for Lowick and seeks to establish support for development proposals within that boundary. The policy also seeks to establish that land outside the settlement boundary will be treated as open countryside whose intrinsic character and beauty must be recognised in all decision-making on development proposals.
86. Whilst it is not within my role to test the soundness of the Neighbourhood Plan it is necessary to consider whether the Plan meets the Basic Conditions in so far as it will not promote less development than set out in the strategic policies for the area, or undermine those strategic policies, as required by paragraph 29 of the Framework; and has regard for the Guidance.

87. The Guidance states “The scope of neighbourhood plans is up to the neighbourhood planning body. Where strategic policies set out a housing requirement figure for a designated neighbourhood area, the neighbourhood planning body does not have to make specific provision for housing, or seek to allocate sites to accommodate the requirement (which may have already been done through the strategic policies or through non-strategic policies produced by the local planning authority). The strategic policies will, however, have established the scale of housing expected to take place in the neighbourhood area. Housing requirement figures for neighbourhood plan areas are not binding as neighbourhood planning groups are not required to plan for housing.”
88. Whilst the Neighbourhood Plan does not allocate land for housing development Policy L3 by limiting development to specified types in most of the Neighbourhood Area is relevant to housing supply. The Guidance states “Neighbourhood plans are not obliged to contain policies addressing all types of development. However, where they do contain policies relevant to housing supply, these policies should take account of latest and up-to-date evidence of housing need.”
89. I have considered the issue of a housing requirement figure for the Neighbourhood Area. Paragraph 4.16 of the Neighbourhood Plan states “Lowick has already met and exceeded its housing requirement of 25 dwellings (identified in the Northumberland Local Plan) for housing over the Local Plan period to 2036. This does not mean that the Neighbourhood Plan does not support the provision of new housing; however, it does mean that no new housing sites are allocated, and that the settlement boundary is drawn relatively tightly around existing development and land with approval.” Table 1 of the Neighbourhood Plan presents details of 39 dwellings delivered or committed in Lowick since 2016. Policy L3 does not limit the number of dwellings that can be developed within the settlement boundary. I am satisfied Policy L3 has sufficient regard for paragraph 29 of the Framework which states “Neighbourhood Plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies.”
90. Neighbourhood Plan Topic Paper 1, which I have read alongside the Settlement Boundary Methodology report 2019 (as updated in January 2022), sets out justification of the settlement boundary for Lowick identified on the Policies Map. The Topic Paper is sufficiently detailed and appropriately illustrated to provide the evidence necessary to support the alignment of the settlement boundary proposed in Policy L3.

91. I have considered whether paragraphs 4.18 and 4.24 of supporting text are seeking to establish planning policy, which they may not, but have decided the wording is acceptable as guidance rather than policy. I have however recommended that Paragraph 4.25 of supporting text should be deleted as it is inaccurate. The County Council recommend the third paragraph of Policy L3 should be amended to refer to decisions on planning applications on land in the countryside in order to provide greater clarity. It is confusing for a policy to state “where it accords with other policies in the Development Plan”. Paragraph 3.10 of the Neighbourhood Plan makes it clear development proposals should be considered with respect to the Development Plan as a whole. I have recommended a modification in these respects so that the policy is “clearly written and unambiguous, so it is evident how a decision maker should react to development proposals” as required by paragraph 16d) of the Framework.

92. As recommended to be modified the policy is in general conformity with the strategic policies included in the Development Plan and relevant to the Neighbourhood Plan, in particular Policy HOU3. The policy serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.

93. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the Framework and Guidance the policy is appropriate to be included in a ‘made’ neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 3:

In Policy L3

- **delete “where it accords with policies elsewhere in the Development Plan”**
- **replace “decision-making on development proposals” with “decisions on planning applications on land in the countryside”**

Delete paragraph 4.25 of the supporting text.

Policy L4: Design in New Housing Development

94. This policy seeks to establish design principles for new housing development.

95. Paragraph 127 of the Framework states “Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development.” That paragraph states

design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics. Policies should be clear about design expectations and how these will be tested.

96. Paragraph 130 of the Framework states "Planning policies and decisions should ensure that developments: a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience."
97. The County Council state "Policy L4 relates to design in new housing development and sets out criteria which will be applied to housing development proposals in the Neighbourhood Area. The County Council considers that most aspects of this policy are already covered in greater detail by the recently adopted Northumberland Local Plan and so Policy L4 is largely superfluous as a result. It is suggested that the Parish Council consider more locally specific criteria if they still wish to include a design policy in the Plan. I agree with the County Council that the Neighbourhood Plan could have beneficially explored locally specific criteria but that opportunity has been missed. It would be inappropriate to introduce additional policy content to the Neighbourhood Plan at Independent Examination stage after the Regulation publicity period has closed. Any future review of the Neighbourhood Plan would offer an opportunity to further develop local design policy. I am, however, satisfied the approach adopted in Policy L3 serves a purpose of highlighting elements of design that are locally considered to be of importance. The policy has, in this respect, sufficient regard for national policy.
98. The first paragraph does not relate to design and unnecessarily refers to policies elsewhere in the Development Plan. The County Council advise that Building for Life 12 was replaced in 2020 by a new document, 'Building for a Healthy Life',

which is available on the Design for Homes website. The Written Ministerial Statement to Parliament of the Secretary of State (CLG) on 25 March 2015 included the following: “From the date the Deregulation Bill 2015 is given Royal Assent, local planning authorities and qualifying bodies preparing neighbourhood plans should not set in their emerging Local Plans, neighbourhood plans, or supplementary planning documents, any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings”. Part e) of the policy is seeking to establish requirements which it may not. I have recommended a modification in these respects so that the policy has sufficient regard for national policy and is “clearly written and unambiguous, so it is evident how a decision maker should react to development proposals” as required by paragraph 16d) of the Framework.

99. As recommended to be modified the policy is in general conformity with the strategic policies included in the Development Plan and relevant to the Neighbourhood Plan. The policy serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.

100. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the Framework and Guidance the policy is appropriate to be included in a ‘made’ neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

**Recommended modification 4:
In Policy L4**

- **delete the first paragraph**
- **delete part e)**
- **replace “Building for Life 12” with “Building for a Healthy Life”**

Policy L5: Biodiversity and Development

101. This policy seeks to establish that all development proposals must protect and enhance biodiversity by stated means. The policy also seeks to prevent avoidable loss of hedgerows and mature trees.

102. Paragraph 179 of the Framework states plans should promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity. Paragraph 174 of the Framework states planning policies should contribute to

and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland. Paragraph 131 of the Framework states development schemes should retain existing trees wherever possible. Paragraph 180 of the Framework states development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons (for example infrastructure projects including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills, where the public benefit would clearly outweigh the loss or deterioration of habitat) and a suitable compensation strategy exists. I am satisfied the approach of Policy L5 is appropriate in this policy context

103. The County Council considers that there is a conflict between Policy L5(d) and Northumberland Local Plan Policy ENV 2. Policy L5(d) promotes mitigation and re-creation of wildlife habitats. However, Local Plan Policy ENV 2(1)(a) requires development proposals affecting biodiversity and geodiversity to “minimise their impact, avoiding significant harm through location and/or design. Where significant harm cannot be avoided, applicants will be required to demonstrate that adverse impacts will be adequately mitigated or, as a last resort compensated for.” Further to this, Local Plan Policy ENV 1(2) recognises that “assets or sites with a lower designation or non-designated, can still be irreplaceable, may be nationally important and/or have qualitative attributes that warrant giving these the appropriate protection in-situ”. Neighbourhood Plan Policy L5 would conflict with this as it does not set out an order of preference for how habitats and species should be treated and would allow mitigation/re-creation of habitats which would be inappropriate and would conflict with national policy and the strategic policies in the development plan (namely Local Plan Policy ENV 1 which is a strategic policy). As a result of the above, the County Council considers that, as currently drafted, Neighbourhood Plan Policy L5 would fail to meet the basic conditions as it fails to have regard to national policy and is not in general conformity with the strategic policies contained within the development plan.”

104. I agree with the County Council representation. Local Plan strategic Policy ENV1 and non-strategic Policy ENV2 provide a clear structure for the assessment of development proposals. Paragraph 16 of the Framework states plans should serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area including policies in the Framework where relevant. I have recommended a modification in these respects so that the policy has sufficient regard for national policy and “is clearly written and unambiguous, so it

is evident how a decision maker should react to development proposals” as required by paragraph 16d) of the Framework. The modification I have recommended is designed to capture the valuable local work undertaken and to ensure the policy provides an additional level of detail to Local Plan policies.

105. As recommended to be modified the policy is in general conformity with the strategic policies included in the Development Plan and relevant to the Neighbourhood Plan, in particular Policy ENV1. The policy serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.

106. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the Framework and Guidance the policy is appropriate to be included in a ‘made’ neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 5:

Replace Policy L5 with “Development proposals that will be assessed against Policies ENV1 and ENV2 of the Northumberland Local Plan 2016-2036 must demonstrate particular attention to any effect on the following sites that have been identified as being of particular local biodiversity importance:

- **Roadside verges on Dryburn Road;**
- **Lowick Mill Wood;**
- **Kyloe Wood;**
- **Catton Ridge;**
- **Holburn Moss (areas additional to SSSI and SAC designations);**
- **Church Lane (known locally as the Backsides);**
- **Quarry Ponds and Slagheaps; and**
- **Individual ancient trees.”**

Policy L6: Coastal Mitigation

107. This policy seeks to establish that all development within 7 km of the coast that will increase the number of residential units or tourist accommodation will be required to contribute to the Coastal Mitigation Service or provide alternative mitigation of demonstrable effectiveness. Major development between 7 km and 10 km of the coast will also be required to make a contribution. The policy requires all financial contributions required by the policy to be secured by s106 agreements or subsequent amending legislation.

108. The County Council state “The County Council provided a formal response to the Regulation 14 consultation within which we advised the removal of the policy relating to coastal mitigation as this policy also appears in the recently adopted Northumberland Local Plan. However, following advice from the Council’s Ecologists, we now consider it necessary to include such a policy within the Neighbourhood Plan. The County Council is therefore supportive of the inclusion of this policy in the Plan.”
109. Natural England advise use of the term Habitats Sites in place of European Sites. I have recommended a modification in this respect so that the policy is “clearly written and unambiguous, so it is evident how a decision maker should react to development proposals” as required by paragraph 16d) of the Framework.
110. As recommended to be modified the policy is in general conformity with the strategic policies included in the Development Plan and relevant to the Neighbourhood Plan. The policy serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.
111. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the Framework and Guidance the policy is appropriate to be included in a ‘made’ neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

**Recommended modification 6:
In Policy L6 replace “European” with “Habitats”**

Policy L7: Water Quality and Nutrient Neutrality

112. This policy requires all development that will increase foul water discharges to be accompanied by a nutrient budget and a plan to offset any increase in nitrogen levels entering the Lindisfarne SPA and Ramsar Site.
113. Natural England welcomes Policy L7 but recommend the policy is modified to include clearer reference to mitigation as part of the planning process. I have adopted the recommendation of Natural England in my recommended modification of Policy L7 so that the policy has sufficient regard for national policy. I have recommended a modification in these respects so that the policy has sufficient regard for national policy and is “clearly written and unambiguous,

so it is evident how a decision maker should react to development proposals” as required by paragraph 16d) of the Framework.

114. As recommended to be modified the policy is in general conformity with the strategic policies included in the Development Plan and relevant to the Neighbourhood Plan. The policy serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.

115. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the Framework and Guidance the policy is appropriate to be included in a ‘made’ neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 7:

In Policy L7 replace the second paragraph with “Planning permission will only be granted where either:

- 1. this nutrient budget shows that there will be no net increase in nitrogen entering the Lindisfarne SPA; or**
- 2. that suitable offsetting measures for any net surplus of nutrients are secured as part of the planning permission.”**

Policy L8: Accessibility

116. This policy requires all new development in Lowick village to be well connected to local services and facilities by incorporating safe pedestrian access, highway access and cycle access. The policy also requires development that will attract visitors to provide cycle parking.

117. Paragraph 106 of the Framework states planning policies should provide for attractive and well-designed walking and cycling networks with supporting facilities such as cycle parking.

118. The policy is in general conformity with the strategic policies included in the Development Plan and relevant to the Neighbourhood Plan, in particular Policy TRA1. The policy serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.

119. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard

to the Framework and Guidance the policy is appropriate to be included in a 'made' neighbourhood plan. This policy meets the Basic Conditions.

Policy L9: Creation and Improvement of Footpaths and Cycleways

120. This policy supports the creation and improvement of footpaths and cycleways and supports three specific proposals.
121. Paragraph 100 of the Framework states planning policies should protect and enhance public rights of way.
122. The County Council state "The routes identified in the policy are considered to be a good example of a locally specific policy and the Council supports its inclusion within the Plan." The owners of Lowick Community Orchard at Hunting Hall have made a supportive comment regarding the creation of a safe walking route from Lowick village to the community orchard but state the orchard was never closed. It is confusing and unnecessary for the policy to state "in the Neighbourhood Area" as all of the policies of the Neighbourhood Plan apply throughout the Neighbourhood Area unless a smaller area is specified. I have recommended a modification in these respects so that the policy is "clearly written and unambiguous, so it is evident how a decision maker should react to development proposals" as required by paragraph 16d) of the Framework.
123. As recommended to be modified the policy is in general conformity with the strategic policies included in the Development Plan and relevant to the Neighbourhood Plan, in particular Policy TRA1. The policy serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.
124. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the Framework and Guidance the policy is appropriate to be included in a 'made' neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 8:

In Policy L9

- **delete "in the Neighbourhood Area"**
- **delete "should the orchard re-open"**

Policy L10: Broadband and Telecommunications

125. This policy seeks to establish support for proposals which secure the expansion of electronic communication networks and high-speed broadband. The policy requires demonstration that siting of apparatus on existing buildings, masts and structures has been explored and that the number of masts and impacts on local landscape are minimised. The use of St John the Baptist Church to provide a mobile telecommunications mast is supported. The policy also requires new development to provide for suitable ducting to enable connections by more than one service provider.
126. The County Council state "The County Council has no objection to the text contained within this policy. When read against Policies ICT 1 and ICT 2 contained within the Northumberland Local Plan, Neighbourhood Plan Policy L10 adds some locally specific detail regarding the use of the St. John the Baptist Church in Lowick for the provision of a mobile telecommunications mast. If such a proposal were to come forward, Local Plan Policy ICT 1 would also support such a proposal."
127. Paragraph 114 of the Framework supports the expansion of electronic communication networks. Paragraph 115 of the Framework encourages mast sharing.
128. The policy is in general conformity with the strategic policies included in the Development Plan and relevant to the Neighbourhood Plan. The policy serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.
129. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the Framework and Guidance the policy is appropriate to be included in a 'made' neighbourhood plan. This policy meets the Basic Conditions.

Policy L11: Local Employment and Rural Enterprise

130. This policy seeks to establish support for expansion of businesses and services within the defined settlement boundary of Lowick, and establish conditional support for home working. The policy also seeks to establish conditional support for proposals which provide local employment opportunities, including the expansion of rural enterprises and farm diversification.

131. Paragraph 81 of the Framework states planning policies should help to create the conditions in which businesses can invest, expand and adapt. Paragraph 84 of the Framework states plans should enable the sustainable growth and expansion of all types of business in rural areas both through the conversion of existing buildings and well-designed new buildings. Paragraph 120 of the Framework states planning policies should give substantial weight to the value of using suitable brownfield land within settlements, and support the development of underutilised land and buildings. Paragraph 84 of the Framework states planning policies should enable the diversification of agricultural businesses. Paragraph 85 of the Framework makes reference to impact on local roads and states the use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist. Paragraph 82 of the Framework states planning policies should allow for new and flexible working practices (such as live-work accommodation).

132. The term “unacceptable”, which is used twice in the policy, is imprecise and includes a degree of judgement without providing guidance to parties preparing development proposals. I have recommended a modification in these respects so that the policy is “clearly written and unambiguous, so it is evident how a decision maker should react to development proposals” as required by paragraph 16d) of the Framework.

133. As recommended to be modified the policy is in general conformity with the strategic policies included in the Development Plan and relevant to the Neighbourhood Plan, in particular Policies ECN12 and ECN13. The policy serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.

134. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the Framework and Guidance the policy is appropriate to be included in a ‘made’ neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 9:

In Policy L11 replace “unacceptable” with “significant adverse” in both the first and last paragraphs

Policy L12: Tourism

135. This policy seeks to establish conditional support for proposals to improve public access to Barmoor Castle, and for the expansion of the Barmoor Castle

Caravan Park including the provision of camping facilities. The policy also seeks to establish support for proposals which result in the restoration of the Grade II* listed Barmoor Castle.

136. Paragraph 84 of the Framework states planning policies should enable sustainable rural tourism and leisure developments which respect the character of the countryside.

137. It is confusing and unnecessary for the policy to state “subject to policies elsewhere in this plan” and “where they comply with policies elsewhere in the Development Plan” as both the Neighbourhood Plan itself, and as part of the Development Plan, should be read as a whole. Indeed, paragraph 3.10 of the Neighbourhood Plan makes this clear. I have recommended a modification in these respects so that the policy is “clearly written and unambiguous, so it is evident how a decision maker should react to development proposals” as required by paragraph 16d) of the Framework.

138. As recommended to be modified the policy is in general conformity with the strategic policies included in the Development Plan and relevant to the Neighbourhood Plan. The policy serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.

139. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the Framework and Guidance the policy is appropriate to be included in a ‘made’ neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 10:

In Policy L12 delete “subject to policies elsewhere in this plan” and “where they comply with policies elsewhere in the Development Plan”

Policy L13: Non-Designated Heritage Assets

140. This policy seeks to identify non-designated assets and establish a basis for the determination of development proposals affecting those assets.

141. The Guidance refers to advice on local lists published on Historic England’s website (Planning Practice Guidance Paragraph: 040 Reference ID: 18a-040-20190723 Revision date: 23 07 2019). Historic England Advice Note 11 Neighbourhood Planning and the Historic Environment (Published 16 October

2018) states “Preparing a list of locally-valued heritage assets. Independent (at least initially) of any local list endorsed or developed by a local planning authority, neighbourhood planning groups may wish to consider if any buildings and spaces of heritage interest are worthy of protection through preparing a list of locally-valued heritage assets that is referenced in neighbourhood plan policy. The use of selection criteria helps to provide the processes and procedures against which assets can be nominated and their suitability for addition to the local planning authority’s heritage list assessed. A list of locally-valued heritage assets can inform or be integrated within a local list maintained by the local authority, subject to discussion with them.” It is appropriate for a local community to use the Neighbourhood Plan preparation process to identify heritage assets that are locally valued. I have recommended a modification in this respect so that the policy is “clearly written and unambiguous, so it is evident how a decision maker should react to development proposals” as required by paragraph 16d) of the Framework.

142. It is possible that as an administrative process separate from the Neighbourhood Plan preparation process the Parish Council may wish to nominate buildings and features of the built environment for assessment by the County Council as potential Non-Designated Heritage Assets. Any assets judged by the County Council to meet its published criteria may be added to a local list of Non-Designated Heritage Assets compiled and curated by the County Council. A clear statement of reasons for nomination of each heritage asset will be a critical success factor.
143. Paragraph 203 of the Framework states “The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.” It is appropriate that assessment of impact on locally valued heritage assets should be as though they were non-designated heritage assets. The basis for the determination of development proposals affecting the identified assets has sufficient regard for paragraph 203 of the Framework.
144. As recommended to be modified the policy is in general conformity with the strategic policies included in the Development Plan and relevant to the Neighbourhood Plan, in particular Policy ENV1. The policy serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.
145. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the Framework and Guidance the policy is appropriate to be included in a

'made' neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 11:

In Policy L13 replace the first sentence with “The following assets shown on the Policies Map are identified as locally valued heritage assets:

3 Main Street, Western House, Lowick

3 Main Street, The Coach House

The Black Bull Inn

Lowick Farm Buildings, Lowick

The White Swan

Garden House, Main Street, Lowick

Garden Cottage, Main Street, Lowick

Nos.35, 37, 39 Main Street, Lowick: Georgian, group value, landmark status

Nos.10, 12, 14, 16 Main Street, Lowick

The White Swan, Lowick

Well Close and The Commercial Inn, Lowick

Jubilee Chapel

Village Hall.”

Delete Appendix A

Policy L14: Lowick’s Historic Core

146. This policy seeks to define a historic core of Lowick and establish principles for the determination of development proposals in that area.

147. The Guidance refers to advice on local lists published on Historic England’s website (Planning Practice Guidance Paragraph: 040 Reference ID: 18a-040-20190723 Revision date: 23 07 2019). Historic England Advice Note 11 Neighbourhood Planning and the Historic Environment (Published 16 October 2018) states “Preparing a list of locally-valued heritage assets. Independent (at least initially) of any local list endorsed or developed by a local planning authority, neighbourhood planning groups may wish to consider if any buildings and spaces of heritage interest are worthy of protection through preparing a list of locally-valued heritage assets that is referenced in neighbourhood plan policy. The use of selection criteria helps to provide the processes and procedures against which assets can be nominated and their suitability for addition to the local planning authority’s heritage list assessed. A list of locally-valued heritage assets can inform or be integrated within a local list maintained by the local authority, subject to discussion with them.” It is appropriate for a local community to use the

Neighbourhood Plan preparation process to identify heritage assets that are locally valued. I have recommended a modification in this respect so that the policy is “clearly written and unambiguous, so it is evident how a decision maker should react to development proposals” as required by paragraph 16d) of the Framework.

148. It is possible that as an administrative process separate from the Neighbourhood Plan preparation process the Parish Council may wish to nominate buildings and features of the built environment for assessment by the County Council as potential Non-Designated Heritage Assets. Any assets judged by the County Council to meet its published criteria may be added to a local list of Non-Designated Heritage Assets compiled and curated by the County Council. A clear statement of reasons for nomination of each heritage asset will be a critical success factor.
149. Paragraph 203 of the Framework states “The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.” It is appropriate that assessment of impact on Lowick’s historic core should be as though it was a non-designated heritage asset. The basis for the determination of development proposals affecting the identified asset has sufficient regard for paragraph 203 of the Framework.
150. As recommended to be modified the policy is in general conformity with the strategic policies included in the Development Plan and relevant to the Neighbourhood Plan, in particular Policy ENV1. The policy serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.
151. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the Framework and Guidance the policy is appropriate to be included in a ‘made’ neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

**Recommended modification 12:
In Policy L14 replace “non-designated” with “locally valued”**

Policy L15: Conversion of Buildings

152. This policy seeks to establish support for conversion of redundant buildings of substantial construction. It is stated the policy does not apply to steel framed modern farm buildings.

153. It is confusing and unnecessary for the policy to state “in the Neighbourhood Area” as all policies of the Neighbourhood Plan apply throughout the Neighbourhood Area unless a smaller area is specified. The second sentence should be extended to also relate to locally valued heritage assets as previously indicated in my report. I have recommended a modification in these respects so that the policy has sufficient regard for national policy and is “clearly written and unambiguous, so it is evident how a decision maker should react to development proposals” as required by paragraph 16d) of the Framework.

154. As recommended to be modified the policy is in general conformity with the strategic policies included in the Development Plan and relevant to the Neighbourhood Plan, in particular Policy STP1. The policy serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.

155. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the Framework and Guidance the policy is appropriate to be included in a ‘made’ neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 13:

In Policy L15

- **delete “in the Neighbourhood Area”**
- **before “non-designated” insert “locally valued or”**

Conclusion and Referendum

I have recommended 13 modifications to the Submission Version Plan. I recommend an additional modification in the Annex to my report. The definition of plans and programmes in Article 2(a) of EU Directive 2001/42 includes any modifications to them. I am satisfied that the Neighbourhood Plan is compatible with the Convention Rights, and would remain compatible if modified in accordance with my

recommendations; and subject to the modifications I have recommended, meets all the Statutory Requirements set out in paragraph 8(1) of schedule 4B of the Parish and Country Planning Act 1990, and meets the Basic Conditions:

- having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan;
- the making of the neighbourhood plan contributes to the achievement of sustainable development;
- the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
- does not breach, and is otherwise compatible with, EU obligations; and
- the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

I recommend to The County Council that the Lowick Neighbourhood Development Plan for the plan period up to 2036 should, subject to the modifications I have put forward, be submitted to referendum.

I am required to consider whether the referendum area should extend beyond the Neighbourhood Plan area and if to be extended, the nature of that extension. I have seen nothing to suggest that the policies of the Plan will have “a substantial, direct and demonstrable impact beyond the neighbourhood area”. I have seen nothing to suggest the referendum area should be extended for any other reason. I conclude the referendum area should not be extended beyond the designated Neighbourhood Area.

I recommend that the Neighbourhood Plan should proceed to a referendum based on the area that was designated by the County Council as a Neighbourhood Area on 19 June 2015.

Annex: Minor Corrections to the Neighbourhood Plan

I have only recommended modifications and corrections to the Neighbourhood Plan (presented in bold type) where I consider they need to be made so that the plan meets the Basic Conditions and the other requirements I have identified. If to any extent, a policy set out in the Neighbourhood Plan conflicts with any other statement or information in the plan, the conflict must be resolved in favour of the policy. Supporting text must be adjusted to achieve consistency with the modified policies.

The owners of Lowick Community Orchard at Hunting Hall state:

- paragraph 2.14 of the Neighbourhood Plan is not true in that the orchard has been open to the public at all times and both the east and west wicket gates are open for public access; and
- paragraph 4.5 of the Neighbourhood Plan is incorrect when it states it is not known what plans exist for its future use. The owners state “Yes we do, it is to continue as a community orchard as it is now.

I recommend adjustments of text are made in these respects.

Natural England advise “Glossary SPA – ‘Special Protection Areas’ and ‘Special Areas of Conservation’ (SAC) now form part of the ‘national habitats network’ and are now known as Habitats Sites (rather than European Sites). Annex 2 of the NPPF refers.” I recommend this update is made in the Neighbourhood Plan.

National Highways state “Whilst it is the case that we do, we find no issue with the overarching vision and objective, policies and site allocations contained within the draft Lowick NP, we would note extant concerns raised by National Highways regarding the existing form and ability of the A1 / B6353 / U33 junction, east of Lowick Village, to safely accommodate Registered office: Bridge House, 1 Walnut Tree Close, Guildford GU1 4LZ Highways England Company Limited, registered in England and Wales number 09346363 additional demands arising from proposed new development. Our concerns principally relate to the U33 (Fenwick Granary) arm of the junction, and although located beyond the Lowick NP Area, we would seek consultation on any proposal that increased turning movements at the junction, particularly larger servicing vehicles and during the construction phase. Accordingly, we request that Section 3 – Planning Policy Context of the draft Lowick NP recognises the role of National Highways within the planning system and need for consultation in relation to any proposal that has an influence at the Strategic Road Network (SRN), as represented by the A1 within the vicinity of Lowick. The additional wording, we suggest should be included within Section 3 of the draft NP is as follows: “National Highways National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). Within the immediate vicinity of the Lowick Neighbourhood Plan Area the SRN is represented by the A1. The strategic road network - Planning for the future: A guide to working with Highways England on planning matters, details the approach National Highways take to engaging in the planning system. It builds on DfT Circular 02/2013 The Strategic Road Network and the delivery of sustainable development, which sets out the way in which National Highways will engage with communities and the development industry to deliver sustainable development and economic growth, whilst maintaining the safe and efficient operation of the SRN. National Highways are to be consulted from pre-

application stage on any planning application that has a trip making, or other, influence at the A1 during either the operational or construction phase of development. Circular 02/2013 and National Highways' planning guide are under constant review and those promoting new development should confirm that the latest versions are considered." I recommend this additional text is included in the Neighbourhood Plan after paragraph 3.9 as a new section titled Strategic Highways Policy Context.

The County Council recommend:

Ref in Plan	Comment
Foreword	<p>Suggested revised text. The final sentence of the first paragraph currently reads:</p> <p><i>"What is built in the village and the parish will be based on it."</i></p> <p>Suggest removal of this sentence.</p>
Foreword	<p>Suggested revision:</p> <p>The first sentence of the second paragraph should be amended to read <i>"<u>The Neighbourhood Plan</u> It is intended..."</i></p>
Foreword	<p>Suggested revision:</p> <p><i>"The basis for the plan was inspired by the <u>Localism Bill Act...</u>"</i></p>
Foreword	<p>Suggest that the fourth paragraph is reworded as follows:</p> <p><i>"Following this consultation, the Plan will be revised taking account of comments received. It will then be submitted to the County Council who will further publicise the Plan prior to an Independent Examination. If the Plan passes Examination, it will be put to a local Referendum; if this returns a majority vote in favour of the Plan, it will be brought into legal force by the County Council and planning decisions will be made in accordance with its policies."</i></p>
Page 4	<p>Below the list of policies maps, there is a list of policies which appear on the maps themselves. It is suggested that these are removed from this page.</p>

General formatting	Headings within the Plan could be made clearer. Some headings appear at the very bottom of a page, which can be confusing.
General formatting	In the interest of clarity, it would be helpful if the policy titles were included in each of the policy text boxes along with the policy text, rather than above them. As currently drafted, they can sometimes appear to be text headings rather than policy titles.
General	References to “ <i>Plan area</i> ” should read “ <i>Neighbourhood Area</i> ”. See paragraphs 4.34 and 4.44.
General	It is considered that the Plan may be easier to use if paragraphs within some of the longer policies were numbered. This would aid in referencing the Plan in decision-making.
Paragraph 1.8	<p>This paragraph refers to evidence base documents associated with the Northumberland Local Plan which have also been used to help inform the preparation of the Neighbourhood Plan. It states that these are referred to in Appendix B to the Neighbourhood Plan.</p> <p>Unfortunately, Appendix B does not refer to any of these documents. This reference should either be removed, or Appendix B should be amended to include those relevant documents.</p>
Paragraph 2.3	<p>Suggested revision to remove colon from end of sentence:</p> <p><i>“All these things contribute to a the vision for Lowick:.”</i></p>
Paragraph 2.5	<p>This paragraph refers to “<i>a detailed audit which is included in the evidence base documents supporting this Neighbourhood Plan.</i>”</p> <p>It is not made clear whether this refers to the document titled ‘<i>Topic Paper 5: Local economy and community facilities</i>’ which is listed on the Neighbourhood Plan’s website. If this is the document referred to, it should be made explicit. If not, the document should be clearly</p>

	identified and added to the list of evidence base documents on the Neighbourhood Plan website.
Paragraph 2.8	Suggested revision: <i><u>“The Lowick Neighbourhood Area sits within Landscape Character Type 16: ‘Open Rolling Farmland’ (16b) as identified in the Northumberland County Council Landscape Character Assessment (2010). The landscape is described as having many positive characteristics but requires a degree of management.”</u></i>
Paragraph 2.19	Suggested revision to final sentence: <i>“This figure is contained in <u>Local Plan</u> Policy HOU3.”</i>
Paragraph 3.9	Suggested removal of final sentence to reflect updated advice, particular as Coastal Mitigation policy is included in the Plan (Policy L6): <i>“During the Regulation 14 consultation, NCC requested that the Coastal Mitigation Policy be removed, as it repeated policy in the existing NLP.”</i>
Paragraphs 4.21 to 4.26 inclusive	It is considered that these paragraphs are confusing, inaccurate, and do not aid in interpreting the policies. There has been some recent development (application ref 17/04394/OUT) to the east of South Road, with a live reserved matters application and a revised hybrid application both pending. These relate to a site within the proposed settlement boundary for Lowick. Additionally, land immediately adjacent to this site is currently subject to a live application (application ref 21/04136/FUL) for 12 dwellings, which lies outside the proposed settlement boundary. It is suggested that these paragraphs are removed; all decisions on development proposals will be made in accordance with the development plan unless material considerations indicate otherwise.
Paragraph 4.7	This paragraph states that public consultation revealed significant support for new facilities, particularly for a tennis court and a bowling green. However, Policy L1

	which follows does not seem to reflect this significant support. Further comment on this policy is provided separately under Policy L1.
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I recommend these modifications are made so that the Neighbourhood Plan has sufficient regard for national policy and guidance and in particular is “clearly written and unambiguous, so it is evident how a decision maker should react to development proposals” as required by paragraph 16d) of the Framework.

Recommended modification 14:

Modify policy explanation sections, general text, figures and images, and supporting documents to achieve consistency with the modified policies, and to achieve updates and correct identified errors.

Chris Collison
Planning and Management Ltd



26 January 2023
REPORT END