

## **Lowick Neighbourhood Plan**

### **Proposed Post-Examination Modifications to Policies**

#### **Notification to prescribed persons under paragraph 13(1) of Schedule 4B to the Town & Country Planning Act 1990.**

##### **Introduction**

1. The report of the independent examination into the Lowick Neighbourhood Plan (the Plan) was received by Northumberland County Council and Lowick Parish Council on 26 January 2023 and was subsequently published on the County Council's website.
2. The County Council is required, under paragraph 12 of Schedule 4B to the Town & Country Planning Act 1990 (the 1990 Act), to consider each of the recommendations made by the examiner and decide what action to take in response to each recommendation. These provisions allow for the County Council as local planning authority to accept or reject the recommendations made by the examiner and to make further modification to the Plan where it considers those changes need to be made to secure that the Plan:
  - meets the basic conditions;
  - is compatible with the Convention rights;
  - complies with other specified requirements set out in the 1990 Act; and
  - contains no errors.
3. Where the County Council proposes not to accept the recommendations made by the examiner it is obliged to set out its reasons for that decision and to notify persons prescribed in Regulations inviting their representations. The persons prescribed in Regulation 17A(2) of The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016 are:
  - the qualifying body;
  - any person whose representation was submitted to the examiner of the plan; and
  - any consultation body which is referred to in the consultation statement.

##### **Proposed Post-Examination Modifications to Policies**

4. This document sets out where the County Council's conclusions on the extent to which the policies meet the basic conditions differ from recommendations made by the independent examiner.

5. The independent examiner concluded that modification would be necessary to 12 of the 15 policies contained in the submission draft Plan. The County Council accepts the modifications to 9 policies as recommended by the examiner for the reasons set out in the examiner's report. There is no requirement to consult on those modifications recommended by the examiner where the County Council is in agreement with his recommendations.
6. The County Council considers that the modifications recommended by the Examiner in relation to three policies (Policy L13: Non-designated heritage assets, Policy L14: Lowick's historic core, Policy L15: Conversion of buildings) are not required in order to meet the basic conditions. This concerns recommendations by the Examiner regarding the approach to non-designated heritage assets taken by the Neighbourhood Plan.
7. The County Council considers that these recommended modifications regarding use of the term "locally-valued heritage assets" instead of "non-designated heritage assets" were recommended as a result of the Examiner's use of now-superseded published advice from Historic England. More recent guidance from Historic England, supported by National Planning Practice Guidance, clarifies that the approach taken in the Neighbourhood Plan is appropriate and correct. The County Council therefore considers that these modifications are not required in order for these policies to meet the basic conditions.
8. In taking this decision to come to a different view, the County Council has considered the requirements set out in paragraph 13 of Schedule 4B to the 1990 Act and advice provided in the National Planning Practice Guidance. Accordingly, the persons prescribed in Regulations have been notified and invited to provide their representations on or before **4pm on Tuesday 18 April 2023**.