

Newbiggin-by-the-Sea Neighbourhood Plan Examination

4th May 2023

Dear Qualifying Body

Clarification Note from the Examiner to Newbiggin-by-the-Sea Town Council

Further to reviewing the Newbiggin-by-the-Sea Neighbourhood Plan (referred to below as the Neighbourhood Plan) and supporting information, I am contacting Newbiggin-by-the-Sea Town Council (as Qualifying Body) in respect of the matters set out below.

Having considered the submitted information, I am not calling for a public hearing as part of the examination process. However, Neighbourhood Planning Independent Referral Service (NPIERS) Guidance¹ Paragraph 1.11.4 states that:

“The Qualifying Body will normally be given the opportunity to comment on the representations made by other parties...The opportunity for the Qualifying Body to comment on representations could be incorporated within an independent examiner’s clarification note...”

Therefore, I confirm that there is an opportunity for Newbiggin-by-the-Sea Town Council to respond to me in respect of the representations made during Regulation 16 (the Submission stage) consultation, should it wish to do so.

The examination of the Neighbourhood Plan has now commenced and in addition to the above and in the interests of clarity, I would also be grateful for any assistance Newbiggin-by-the-Sea Town Council can provide me with in respect of brief responses to a number of questions set out below.

In responding, when referring to evidence relating to the Neighbourhood Plan, please note that this should only comprise evidence that is already publicly available.

¹ NPIERS “Guidance to Service Users and Examiners.”

Thank you very much for your consideration of this Clarification Note. I am not imposing a deadline for responses, but your earliest consideration will enable the examination to be concluded in as timely a manner as possible. Thank you.

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Policy N1

Whilst enhancing local character is an important design aspiration, is it possible to point me to information supporting a policy *requirement* for enhancement ?

Is there any information you can point me to in clarification of what “adequate” refuse and recycling storage is; and information that clarifies how lighting’s impact on amenity and wildlife would be measured and controlled (noting that most forms of lighting do not require planning permission) ?

Criteria j, k, and l appear a little vague. Is there any information you can point me to in respect of the measures that would be required by development to support species and habitats; what would comprise unacceptable levels of noise, air or water pollution; and why/when it would be appropriate to adopt the principles of sustainable drainage ?

Policy N4

A requirement for all development within Newbiggin-on-the-Sea Conservation Area and its setting to better reveal the heritage asset’s significance appears to go beyond the requirements of national and local planning policy. Please could you point me to information in justification of this approach ?

Is it possible to point me to a definition of “special attention?” Is it the Policy intention to create a new, differentiated policy approach within the Conservation Area *or* to more simply, raise attention in respect of the importance of designated and non-designated heritage assets within the existing local and national policy approach ?

Policy N5

The Local Planning Authority has raised specific comments relating to Table 1 and Paragraph 5.7. Do you agree with the comments made ?

Policy N6

Is the word “or” missing after criterion a) ? If not the case, please can you point me to information supporting a requirement to demonstrate both a) and b), or a) and c), as opposed to just a), b) or c) ?

Policy N7

Is it the aim of this Policy that it should apply to all forms of development (as it appears), or is it more aimed at *major* housing development and/or other forms of major development ?

Thank you for your consideration of all of the above.

Please note that the purpose of the above is not to imply criticism of the Neighbourhood Plan but to help my understanding of the Policies and to help to support the Neighbourhood Plan’s positive examination against the basic conditions.

Thank you.
