

Belford 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 Belford Neighbourhood Plan (the Plan) was received by Northumberland County Council and Belford Parish Council on 25 July 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 19 recommended modifications to the submission draft plan would be necessary. The County Council accepts 13 of these recommended modifications in full 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 following modifications recommended by the examiner are not required in order to meet the basic conditions. The recommendations and our response are set out in the table, below.

Recommendation	Response from the Local Planning Authority
Recommendation 4	
<p>In criterion 2 at the end of the text add <i>“and Northumberland Local Plan policy, HOU 8 Isolated residential development in the open countryside.”</i></p> <p>In criterion 3 at the end of the penultimate sentence add <i>“particularly Northumberland Local Plan policies, HOU 6 Affordable housing provision (Strategic Policy) and HOU 7 Exception sites.”</i></p>	<p>We do not accept the recommendation to make reference to specific policies in the Northumberland Local Plan. Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. (NPPF, 2021, para 47).</p> <p>The development plan for Belford will comprise the Belford Neighbourhood Plan and the Northumberland Local Plan. Therefore, all relevant policies in the Neighbourhood Plan and Northumberland Local Plan would be taken into account – it seems less clear – and potentially misleading - to refer to <i>some</i> policies in the Local Plan, and not others. We propose amending the policy wording to refer to <i>‘relevant policies in the Development Plan’</i></p>
<p>In criterion 4 end the first sentence after “supported”, delete the remainder of that sentence. Create a new second sentence as follows: <i>“This is subject to compliance with the relevant policies in the development plan, particularly Northumberland Local Plan policy HOU 7 Exception sites and policies relating to design, highway safety, biodiversity impact, amenity impact and the need to give great weight to the conservation and enhancement of landscape and scenic beauty in the</i></p>	<p>We do not accept the recommendation to make reference to specific policies in the Northumberland Local Plan for the reasons already stated. We propose amending the policy wording as follows: <i>‘4. Proposals for the construction of single self-build or custom-build dwellings located within or immediately adjacent to the hamlets of Ross, Elwick, Middleton, Detchant, Easington, Waren Mill, Spindleston, Warenton and Mousen will be supported. This is subject to compliance with relevant policies in the Development Plan, particularly policies relating</i></p>

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<p><i>Northumberland Coast Area of Outstanding Natural Beauty”.</i></p>	<p><i>to design, highway safety, biodiversity impact, amenity impact and the need to give great weight to the conservation and enhancement of landscape and scenic beauty in the Northumberland Coast Area of Outstanding Natural Beauty. Any such dwellings will only be supported where they are within an existing building curtilage or are well related and adjacent to or adjoining existing built development. Proposals must be designed at an appropriate scale and be sited in a location that minimises adverse impacts on landscape character; and respects and maintains the character of the named settlement within which they are to be built.</i></p>
<p>Recommendation 7</p>	
<p>Delete criteria 2 in the policy text and replace with the following: <i>“2. Proposals for the redevelopment of these buildings or a change of use which would result in the loss of these facilities will be considered in relation to polices in the Northumberland Local Plan INF2 Community Services and Facilities and INF3 Local village convenience shops and public houses.</i></p> <p>Delete criteria 4 and replace with the following: <i>“Proposals for new community facilities and the expansion of existing facilities in the countryside beyond the settlement boundary will be considered in relation to the Northumberland Local Plan policies in particular STP 1 Spatial Strategy, INF2 Community Services and Facilities and other policies in this Neighbourhood Plan.”</i></p>	<p>We view the main purpose of this policy as being the identification of local community facilities. We agree with the examiner that there are some differences in the degree and type of protection offered by Local Plan policies (INF2 and INF3) and this policy, which could lead to confusion. However, for the reasons already stated, we do not wish to replace the deleted text with references to specific policies in the Northumberland Local Plan.</p> <p>We propose amending the policy wording as follows: <i>‘2. Proposals requiring planning permission that involve the loss or change of use of any of these facilities will not be supported unless it can be demonstrated that the use is no longer required, viable, or if there is the provision of alternative equivalent facilities in a suitable accessible location.</i> <i>3. Proposals for new community facilities and the expansion of existing facilities within the Belford settlement boundary defined on the Policies Map will be supported provided no significant adverse impact arises to residential amenity and highway safety, and subject to compliance with relevant policies in the Development Plan.’</i></p>

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<p>Delete paragraph 5.21 and replace with the following: <i>“Policy 4 also supports the limited development of new community facilities in the countryside beyond the settlement boundary. This development must meet the requirements of national guidance, the Northumberland Local Plan policies STP 1 Spatial Strategy and other policies in the Local Plan and this Plan, particularly in terms of highway safety and the amenities of residents.</i></p>	<p>We do not accept this recommendation because of proposed changes to policy wording (as described above).</p>
<p>Recommendation 9</p>	
<p>In the policy text, criteria 1 first sentence change “Village centre” to “Service Centre”.</p>	<p>We do not accept the recommendation for reasons of clarity: the reference here is to the <i>central area</i> of the village not its status in the Northumberland Local Plan. We propose amending the policy wording: ‘<i>Within the centre of Belford Village.</i>’</p>
<p>Recommendation 10</p>	
<p>Replace criterion 1 of the Policy text as follows: <i>1. Proposals which secure the expansion of electronic communication networks and high-speed broadband along with improvements to connectivity will be supported in accordance with the Northumberland Local Plan Policy ICT2 New Developments.</i> <i>Applicants should demonstrate that;</i> <i>a) opportunities have been explored to erect apparatus on existing buildings, masts or other structures,</i> <i>b) the number of radio and telecommunication masts is the minimum necessary for optimum operation of the network</i> <i>c) impacts are minimised on the character and appearance of the AONB and other valued and designated key qualities of the landscape and Belford Conservation Area.</i></p>	<p>For clarity, we agree the policy could be re-worded but we do not accept the recommendation to make reference to specific policies in the Northumberland Local Plan for the reasons already stated. We propose amending the policy wording as follows: ‘<i>Proposals which secure the expansion of electronic communication networks and high-speed broadband along with improvements to connectivity will be supported in accordance with relevant policies in the Development Plan. Applicants should demonstrate that:</i> <i>a) opportunities have been explored to erect apparatus on existing buildings, masts or other structures,</i> <i>b) the number of radio and telecommunication masts is the minimum necessary for optimum operation of the network</i> <i>c) impacts are minimised on the character and appearance of the AONB and other valued and designated key qualities of the landscape and Belford Conservation Area.</i>’</p>

Recommendation	Response from the Local Planning Authority
Recommendation 11	
<p>In criterion 1 delete all text after “supported” and replace with “<i>subject to compliance with Local Plan Policy ECN 11 Employment uses in built-up areas and home working.</i>”</p> <p>Delete the remaining criteria 2 and 3 in the policy text. And replace with the following: “<i>Development outside the settlement boundary will be considered in relation to the following policies in the Northumberland Local Plan; Policy ECN 12 A strategy for rural economic growth (Strategic Policy), Policy ECN 13 Meeting rural employment needs (Strategic Policy), Policy ECN 14 Farm / rural diversification and Policy ECN 15 Tourism and visitor development.</i>”</p>	<p>The first paragraph adds locally-specific detail to existing Development Plan policy and therefore should be retained.</p> <p>We do not accept the recommendation to insert reference to a specific policy in the Local Plan for the reasons already stated.</p> <p>We propose amending the policy wording as follows: ‘<i>Proposals for new business premises and the expansion of existing businesses within the settlement boundary of Belford village as defined on the Policies Map will be supported subject to compliance with relevant policies in the Development Plan.</i>’</p> <p>We agree with deletion of the second and third paragraphs as this is covered in the Northumberland Local Plan. We do not accept the recommendation to replace these with text, which makes reference to specific policies in the Local Plan for the reasons already stated.</p>
Recommendation 12	
<p>Delete criteria 1 and 2 and replace with the following: “<i>1. Development proposals to expand businesses and proposals to create new units within and adjoining the Belford Industrial Estate will be supported provided they are in accordance with policy 9 in this Plan and policies in the Local Plan, particularly Policy ECN 12 A strategy for rural economic growth , Policy ECN 13 Meeting rural employment needs and Policy ECN 13 Meeting rural employment needs and do not lead to an unacceptable impact on the amenity of nearby residents or on highway safety.</i></p> <p><i>2. When it is necessary to achieve effective screening, proposals must include sufficient, appropriate and effective structural landscaping using native species.</i>”</p>	<p>We accept the recommendation except the incorporation of references to specific policies in the Northumberland Local Plan. We propose amending the policy wording for criterion 1: <i>1. Development proposals to expand businesses and proposals to create new units within and adjoining the Belford Industrial Estate will be supported provided they are in accordance with Policy 9 in this Plan and policies in the Development Plan and do not lead to an unacceptable impact on the amenity of nearby residents or on highway safety.</i></p>

7. 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 **5pm on Wednesday 20 December 2023.**