

EXAMINATION OF THE WOOLER NEIGHBOURHOOD PLAN

Submission Draft – February 2020

Comments and responses from Northumberland County Council to the Independent Examiner's Questions and Clarification Note dated 22 April 2020

This note provides Northumberland County Council's comments and responses, as local planning authority, to questions and requests for clarification raised by the Independent Examiner on the Wooler Neighbourhood Plan. This note sets out the Examiner's questions and comments followed by a response, where necessary, from the County Council. For clarity:

Grey Text comprises the Examiner's questions (Q1, Q2, Q3 etc)

Black Text comprises the County Council's comments (A1, A2, A3 etc)

A separate response to the Questions and Clarification Note has been provided by Wooler Parish Council. There is general agreement on most responses between the County Council and the Parish Council. A separate response has also been provided by the Northumberland National Park Authority which is the local planning authority for that western part of Wooler Neighbourhood Area where that falls within the boundary of Northumberland National Park. All responses are available, along with the Examiner's correspondence, on the County Council's website.

Q1. It would be helpful to Plan users to include a paragraph on the strategic approach to development in the Plan area in the Introduction. Would the QB / LPA confirm that the following is acceptable:

“Wooler is a second tier Service Centre. It is a local hub for services for its satellite communities. It is the location for an important cluster of agricultural engineering and construction companies. The level of development directed towards Service Centres is at a lower level than to Main Towns. The emerging Local Plan defines settlement boundaries for Service Centres subject to decisions made by local communities through the neighbourhood planning process. Emerging Local Plan Policy STP1 The Service Centres states that Service Centres including Wooler will accommodate employment, housing and services that maintains and strengthens their roles.”

Would the LQ/LPA confirm whether a settlement boundary is to be defined for Wooler in the emerging LP? If so, should reference be made to it in the NP?

A1. As a general point we would suggest that it would be inappropriate to reference specific policies from the emerging Northumberland Local Plan either in policies or supporting text in the Neighbourhood Plan. This should apply throughout the Neighbourhood Plan, not just on this specific point.

The emerging Local Plan is at examination, but does not carry much weight in the decision making process and will be subject to modification in several respects. This may include modification to policy numbering and content. It would therefore have the effect of dating the Neighbourhood Plan if policies that are not part of the statutory development plan are specifically referenced in the Neighbourhood Plan. We support the intent to explain the general strategy which the County Council is seeking to introduce through the emerging Local Plan. This differs little from the previous strategy set out in the extant development plan in terms of a settlement hierarchy and development strategy for Northumberland. Subject to changes that delete references to Policy STP1, and phraseology being presented in general terms where reference is made to the emerging Local Plan, we would agree with the suggested paragraph.

A settlement boundary for Wooler town is not defined in the emerging Northumberland Local Plan. This is at the request of the Parish Council and is recorded in the evidence base supporting the emerging Local Plan. (Reference: Northumberland Local Plan Publication Draft Plan Regulation 19 Spatial Strategy Technical Paper, December 2018. Available at: <https://www.northumberland.gov.uk/NorthumberlandCountyCouncil/media/Planning-and-Building/planning%20policy/Local%20Plan/Spatial-Strategy-Technical-Paper-December-2018-Final.pdf>)

Q2. Policy 1 - The policy is considered to be unnecessary as it provides no policy details about how the development is to be delivered. These are set out in subsequent policies. I am proposing to retain the text in the background information to the section on Supporting Sustainable Development.

A2. Agree.

Q3. Policy 1A - I am proposing to add an additional paragraph to Policy 1A to address SuDS as suggested by Natural England: “***Where feasible, development proposals should incorporate a Sustainable Drainage System or demonstrate why such a system would not be practicable.***”

A3. Agree.

Q4. Policy 2 - I consider that as Policy 2 repeats the National Park policy on major development and adds no locally specific details to the NNP policy, it is unnecessary and should be deleted. I shall propose retaining paragraphs 3.12 and 3.13 and revising the last sentence of paragraph 3.12 to read “***...major development will be refused other than in exceptional circumstances in accordance with national planning policy and policies in the Northumberland National Park Core Strategy and/or Local Plan.***” Would the QB confirm that this is acceptable.

A4. Agree.

Q5. Glossary – The definition of Major Development does not accord with that used in the National Park. Does the QB wish to retain this for use outside the Park? I shall recommend including the definition from the National Park Plan: “***Major Development in the National Park - Development is classed as major when its characteristics and specific impacts are likely to have a significant impact on the special qualities of the National Park***”. Would the QB confirm that this is acceptable.

A5. Agree.

Q6. Policy 3 - I am proposing to combine the first paragraph and the penultimate paragraph to improve the clarity of the policy. Would the QB comment on the following new first paragraph: “***Development proposals should demonstrate how they have taken account of their setting and the local vernacular in order to create a high quality and locally distinctive design that will enhance the character and quality of the area. Proposals should demonstrate:***”

A6. Agree.

Q7. Policy 3 b) refers to important views in general terms without identifying the specific locations of any. It may be helpful to plan users to include some explanation in paragraph 3.17 of the justification to aid the interpretation of this criterion by including reference to undertaking Landscape and Visual Impact Assessment, where appropriate, along the lines of: “Where appropriate a Landscape and Visual Assessment shall be undertaken to demonstrate how the development proposal will impact on important views.” Would the QB confirm that this is acceptable?

A7. We agree this would be helpful, but would suggest the requirement would best be incorporated into the policy as well as in supporting text. Reference should be to a ‘Landscape and Visual Impact Assessment’.

Q8. Policy 3 g) - seeks to secure net-gain for biodiversity. Natural England has commented that the retention of trees etc. is only part of the application of the mitigation hierarchy. I propose recommending that criterion g) should be revised by **deleting: “through the retention of trees,habitats.”** To explain how this criterion is to be applied, it is suggested that an additional paragraph should be added to the justification to explain how biodiversity net gain is to be considered with links to good practice guidance suggested by Natural England.

A8. Agree.

Q9. Policy 3 g) - Natural England has suggested that a definition of the term “Biodiversity Net Gain” should be included in the Glossary. Would the QB/LPA agree the wording to be included.

A9. We note that *The Environment Bill* has a very technical definition in Schedule 14 as follows:
‘The biodiversity gain objective is met in relation to development for which planning permission is granted if the biodiversity value attributable to the development exceeds the pre-development biodiversity value of the onsite habitat by at least the relevant percentage.

The biodiversity value attributable to the development is the total of:

- (a) the post-development biodiversity value of the onsite habitat;*
- (b) the biodiversity value, in relation to the development, of any registered offsite biodiversity gain allocated to the development; and*
- (c) the biodiversity value of any biodiversity credits purchased for the development.*

The relevant percentage is 10%.’

This may be too complex for the Neighbourhood Plan, and will in any event be captured in legislation in due course. We would suggest that a simpler

definition from an earlier DEFRA consultation document (DEFRA Net gain Consultation proposals December 2018) may be sufficient for the Glossary in the Plan. This is as follows:

‘Development that adopts a biodiversity net gain approach seeks to make its impact on the environment positive, delivering improvements through habitat creation or enhancement after avoiding or mitigating harm as far as possible.’

https://consult.defra.gov.uk/land-use/net-gain/supporting_documents/netgainconsultationdocument.pdf

Q10. Housing numbers – Paragraph 3.25 states that Wooler PC want to plan for more homes than the Objectively Assessed Need of 170 dwellings but the WNP does not state the number that it is planning for. Would the QB set out the approximate / indicative housing number that is being planned for and provide an update of Table 1 of the Housing Site Selection Paper. I shall be recommending that the indicative minimum figure should be set out in the Housing section of the Plan. Would the QB and LPA comment on the figures (and update where necessary) in the tables below which I have collated from the plan and background evidence.

Site Allocations		
Site No	Site name	Housing nos / range
Site 1	The former First School	10 - 24
Site 2	Land south of The Martins	About 40
Site 3	Redpath's/ Ferguson's Yard	0 – 10 / 30+ ?
Site 4	Land at Burnhouse Road	10 -15
Total		60 – 89 / 109

The latest figures for housing delivery in the WNP area during the plan period are:	
Sites with planning permission (2019)	119
Windfall sites (at 4 pa)	64
Site Allocations	60-89 / 109
Total	243 – 272 / 292

A10. In addition to the indicative housing requirement for the period 2016 to 2036 for the Parish provided by the County Council, and now included in the draft Northumberland Local Plan, the Parish Council have made it clear that they are keen to support growth in housing as a means of contributing to the long term sustainability and viability of Wooler and the services the town offers. We would suggest that the Plan needs only make reference to the indicative number provided by the County Council in accordance with paragraph 66 of NPPF (that is: 170 additional dwellings in the Parish during the period 2016 to 2036); and that the text in the Plan could make reference to the allocations in the Plan being expected to deliver **around 70 dwellings** in addition to the figure provided by the County Council. The approximate housing numbers could be set out in a table as suggested and would comprise the following: Site 1 (around 10 dwellings); Site 2 (around 40 dwellings); Site 3 (around 10 dwellings); Site 4 (around 10 dwellings)

The current position calculated from the County Council's monitoring records shows housing requirements, current delivery and the available supply as follows (with the base date as 2016):

Housing Requirements and Delivery in Wooler Parish 2016 to 2036	
Indicative Requirement	170 dwellings
Completions (at 31 March 2020)	20 dwellings
Remainder (2020 to 2036)	150 dwellings

Housing Supply in Wooler Parish 2020 to 2036	
Commitments (extant planning permissions)	140 dwellings
Uncommitted Remainder (windfall supply)	10 dwellings
Deliverable SHLAA sites without constraints and excluding allocations proposed in the Neighbourhood Plan	68 dwellings

Deliverable SHLAA sites without constraints and excluding allocations proposed in the Neighbourhood Plan	
SHLAA Ref: 1203 (Land south of Weetwood Road)	20 dwellings
SHLAA Ref: 1231 (Land east of 23 & 25 Cottage Road)	9 dwellings
SHLAA Ref: 1243 (Land north of Coldmartin Croft)	30 dwellings
SHLAA Ref: 6939 (The Martins)	9 dwellings
TOTAL:	68 dwellings

These tables seek to demonstrate that the requirement of 170 dwellings calculated by the County Council comprises largely the known committed and completed development. It demonstrates a small shortfall of 10 dwellings

which we are satisfied would be met either through unknown windfalls over the next 14 years, including potential rural exception sites for affordable housing, or through known available and deliverable sites defined in the Strategic Housing Land Availability Assessment (SHLAA) none of which have any specific or general current planning policy constraints preventing permission being granted, or any constraints proposed either through the emerging Local Plan or the Neighbourhood Plan. We calculate that these sites provide the potential for 68 additional dwellings above the base figure of 170. We would suggest that these figures provide the basic housing requirement data for the Parish.

We would reiterate our support, in principle, for the housing allocations proposed in the Neighbourhood Plan which are additional to our calculated requirement, but are not of such a scale that issues would arise in relation to the basic conditions (specifically, we have no concerns about general conformity with the strategic policies in the development plan).

Q11. Policy 4 - It is considered that Policy 4 is unnecessary as it adds no details to the subsequent site allocation policies. I am proposing that it should be deleted and the sites listed in the justification.

A11. Agree.

Q12. Historic England has commented that the plan has not taken the opportunity to use the Historic Impact Assessment analysis to optimise the benefits to heritage on the sites assessed by incorporating amendments to the wording of site specific requirements. It is considered that it would not be appropriate to make significant changes to the site specific requirements at this stage. However, I am proposing to suggest that to assist plan users, it would be helpful to include a reference to the Historic Impact Assessment and the importance of considering the impact of development proposals on the conservation area and other heritage assets in the justification to the Development Allocations Section.

A12. Agree.

Q13. Policies 4.1 and 4.3 - I am proposing to recommend additional wording under Policies 4.1 and 4.3 (which are within or adjacent to the conservation area) similar the wording of Policy 4.4b). “***A Heritage Statement shall be prepared as part of the masterplan and subsequent planning applications to consider the impact of the development on the Wooler Conservation Area and its setting.***” Would the QB confirm that this is acceptable.

A13. Agree.

Q14. Policy 4.3 Redpath's / Ferguson's Yard. I note that planning permission has been granted for the distillery. Has the development been completed yet? If not, I am proposing to retain this policy in the plan.

A14. Support qualifying body response.

Q15. Policy 4.5 Is the statement in para 3.41 first sentence correct?

The Basic Conditions Statement notes that this site was allocated for employment uses in the Berwick Local Plan but the policy has not been saved. Paragraph 5.45 of the emerging NLP states that "*for the larger village service centres, based on available evidence, other practical considerations and constraints, it has been concluded that no additional (new) employment land needs to be found over and above what is already part of employment land portfolios, (or allocated in the Alnwick and Denwick Neighbourhood Plan)*". Would the LPA and QB agree the correct planning status of this site?

A15. This site (NW of Berwick Road) is proposed to be allocated for general employment land (Policy ECN6) and for flexible employment uses (Policy ECN8) in the emerging Northumberland Local Plan. In the Berwick-upon-Tweed Borough Local Plan (1999), the site was allocated for the development of lorry wash facilities, parking and lairage associated with Wooler Mart, under Policy W21. This policy was not saved and therefore does not comprise part of the development plan. The land therefore has no specific current planning policy allocation.

However, the County Council consider the site part of the portfolio of employment sites in rural north Northumberland and it continues to be monitored as part of that supply by the local planning authority. The Employment Land Review (2011) did not recommend the need for additional employment land in the Wooler area, but did propose that all of the currently monitored sites be kept in employment use. (Reference: Northumberland Local Plan Publication Draft Plan Regulation 19 - Employment Land Strategy Considerations and Assessment of Sites Technical Paper. Available at: https://www.northumberland.gov.uk/NorthumberlandCountyCouncil/media/Planning-and-Building/planning%20policy/Local%20Plan/Employment-Land-Strategy-and-Assessment-of-Sites-Technical-Paper-December-2018-Final_1.pdf)

The first statement in para 3.41 is therefore incorrect and should be amended to recognise that the site is not currently allocated for employment uses, but such uses would be supported as a result of the site being part of the employment land portfolio regularly monitored by the local planning authority.

Q16. Policy 4.5 Site allocation deliverability– Would you direct me to the evidence that demonstrates the need for this allocation as advised in the NPPG (paragraph: 044 Reference ID: 41-044-20190509) which states that “A neighbourhood plan can allocate additional sites to those in a local plan where this is supported by evidence to demonstrate need above that identified in the local plan.” I have read the Local Economy Background Paper which puts forward a suggestion that this site should be made available should a large firm be seeking to locate in Wooler. Further it states that “Any large greenfield site would need public investment to bring forward for business uses, as such a project would not attract market”. Have you undertaken any research to demonstrate that there is likely to be a need for a site on this scale and whether public funding would be likely to be available to open up the site to attract development? If the evidence is not available, would the LPA and QB comment on whether the site should be identified as a “reserve site for a single employment user”?

A16. The need for this allocation is demonstrated in its inclusion as a site for general employment land or flexible employment uses in the emerging Northumberland Local Plan. For this reason, we would not support its identification in the Neighbourhood Plan as a ‘reserve site for a single employment user’. It is likely that the emerging Local Plan would supersede such a designation in due course.

Q17. Policy 4.6 is a very general policy and I can find no evidence or community actions to justify it apart from the need to relocate the football field. Presumably further work is needed to identify the types of uses. If this is the case, it may be useful to include a sentence in paragraph 3.43 as follows: “Further consultation will be carried out with the community and local businesses to identify the type of recreational and community uses and the amount and type of small scale business development that should be provided on the site and the sources of funding.” Would the QB and LPA comment on this.

A17. Agree.

Q18. Policy 5 - NCC has highlighted the inconsistency between para 3.64 which states 1 and 2 bedroomed dwellings and the last line of Policy 5 which refers to 1, 2 and 3 bedroomed homes. Would the QB confirm which is correct?

A18. Comment to be provided by the qualifying body.

Q19. Policy 5 - NCC has proposed revisions to Policy 5 which I propose to accept. Would the QB confirm their acceptance?

A19. No further comment required. The County Council's comments on the matter are set out in our representations on the submission Plan. Evidence from the SHLAA demonstrates that sites that can accommodate more than 10 dwellings in Wooler are available, deliverable and policy compliant (see response to Question 10 above).

Q20. Policy 6f) would the QB/LPA comment on whether reference should be made to the approved Parking Standards instead of the "needs of the occupiers"?

A20. Agree.

Q21. Policy 7 – in the light of NCC comments, would the LPA and QB agree how this policy should be taken forward to reflect NPPF paragraphs 71 and 77. a. Would the emerging NLP Policy HOU7 provide adequate guidance?

b. If so, I will recommend that the policy should be deleted and an additional paragraph should be included in the background text on this topic to explain how entry level / affordable housing is to be delivered in the parish in accordance with the emerging NLP policy.

c. Would you also confirm whether Policy 5 b) is intended to refer to rural exceptions sites only? As currently worded, market housing could be built on small scale sites on the edge of the settlement of Wooler and it may therefore be difficult to secure sites for entry level/affordable housing.

A21. a) For the reasons given in our response to Question 1 above we would not encourage reliance on draft policies in the emerging Local Plan to address the issues dealt with in Policy 7 of the Neighbourhood Plan. We would therefore not support the suggestion that emerging Local Plan Policy HOU7 should be relied upon to provide adequate guidance.

We are conscious that the Parish Council particularly wants to support community-led housing schemes, and we are aware that there is a good track record of delivery of such schemes in the Parish, particularly through the Glendale Gateway Trust. We therefore support the intentions of Policy 7. Our representations on the submission Plan suggest rewording of Policy 7 to directly reflect national policy, with our principal concern being the failure of the policy to effectively limit the scale of affordable housing schemes that would be supported.

b) We would not encourage deletion of Policy 7. To assist in considering how the policy could be modified we would suggest the following, or similar, may be appropriate as a modified policy:

'POLICY 7: Rural Exception and Entry-Level Affordable Housing

Proposals for affordable housing, including community-led housing schemes, delivered as 'rural exception sites' in accordance with the limitations and definitions for such sites as set out in national planning policy, on small sites on the edge of the settlement of Wooler will be supported where it has been demonstrated that the development:

- a) will have no significant negative impact on the character and setting of the settlement; and*
- b) will not harm the character, appearance or setting of the Wooler Conservation Area; and*
- c) will ensure that the landscape and scenic beauty of the Northumberland National Park is conserved or enhanced.*

Proposals for 'entry-level exception sites' housing schemes that accord with the limitations and requirements for such schemes as set out in national policy and guidance will be supported.

The design and impact of rural exception sites and entry-level exception sites housing proposals will be assessed against the requirements of relevant policies in the Neighbourhood Plan and elsewhere in the development plan.'

It would be appropriate to include relevant definitions from NPPF in the Glossary of terms in the Neighbourhood Plan.

c) The Parish Council's intention through Policy 5b) of the Plan is to support small-scale market housing schemes on certain edges of the built up area of Wooler, in addition to affordable housing in such locations. The rationale behind this approach, as we understand it, is to present a further expression of the support for housing growth in the Parish, in addition to the land allocated for housing development, to help in sustaining services and facilities that serve the local community and visitors.

This approach is also associated with the express desire of the Parish Council not to have a settlement boundary which they were concerned would stifle opportunities for appropriate and sustainable housing development.

We recognise the tensions that may exist in regard to this approach when considering what may then realistically be considered a 'rural exception site' for affordable housing, and the associated impact the two policies may have on land value expectations and therefore development viability.

Q22. Policy 9 – para 3.59 states that single dwellings will be supported in outlying settlements. The revisions suggested by NCC will place this limitation on new build dwellings under points a) and b) of Policy 9 and I will make a recommendation to this effect. However conversions and rural exceptions sites may result in more than one dwelling on a site. Would the QB comment on my proposal to revise paragraph 3.59 to read “...**the provision of a limited number of dwellings....**”

A22. No further comment.

Q23. Policy 10 first sentence and points a) to e) repeat NPPF para 79 verbatim. This is unnecessary and I shall recommend that it be deleted and paragraph 3.75 be modified to state that “**Proposals for the development of isolated housing in the countryside in the plan area will be considered against national planning policy.**” Would the QB confirm this is acceptable?

A23. We recognise the reasons associated with the proposed modification. However, we have generally been keen to support detailed neighbourhood plan policies that create specific policies regarding residential (and other) development in the countryside and on isolated sites in accordance with the exceptions set out in national policy. This approach is on the basis that development plan policies have greater weight in decision making than national policy as a result of the primacy given to the development plan through s.38(6) of the Planning and Compulsory Purchase Act 2004.

24. **Policy 10** final paragraph on conversions is imprecise. Would the QB/LPA comment on the suggestion that additional text be added to the justification that conversions should be considered against emerging LP Policy HOU8. “**Proposals for the conversion and change of use of non-residential buildings and the re-use of redundant or disused buildings to residential use will be considered against policies in the Local Plan.**”

A24. We would not recommend reliance on, or reference to draft policy in the emerging Northumberland Local Plan. As an alternative approach it may be appropriate to reference consideration against relevant policies in the development plan. This would allow consideration of proposals against relevant (NPPF compliant) elements of saved Policy S5 of the Berwick Local Plan, and in due course, against relevant new policies in the Northumberland Local Plan once that is adopted.

Q25. Policy 11 – The second paragraph supports proposals to extend the employment sites. Would the QB explain how it is intended to interpret this policy. Does it refer to extensions to buildings / premises within the employment area or the extension of the employment area onto adjacent land? If the latter, I consider that the wording is not sufficiently clear to enable decision makers to apply it consistently and I will recommend the deletion of this point.

A25. No further comment.

Q26. Policy 11 – The penultimate paragraph states that other compatible employment generating uses will be supported provided they do not involve significant levels of additional traffic generation. I note NCC’s concerns about this aspect of the policy. I am proposing to revise this paragraph to read: ***“Development of non-B-Class employment generating activity on these employment sites will be supported as exceptions only in accordance with the policies of the NLP. Proposals should demonstrate that they will not give rise to an unacceptable increase in traffic generation.”***

Q26. We would not recommend that reference is made to the emerging Northumberland Local Plan in Policy 11. Some alternative wording may be appropriate.

Q27. Policy 12 – Is it intended that the first paragraph should apply to sites in and on the edge of Wooler? If so, I shall propose this paragraph be revised to read ***“Proposals forwill be supported within and on the edge of Wooler subject to satisfying other policies of the development plan.”*** Would the QB and LPA confirm this is acceptable.

A27. Agree.

28. Policy 12 – The NPPF paragraph 83 refers to the sustainable growth and expansion of businesses in rural areas. I shall recommend that the word “sustainable” should be added to the second and third paragraphs of the policy. And that the words “open” and “existing” should be deleted from the third paragraph.

A28. Agree.

29. Policy 12 – to improve the clarity of the fourth paragraph I am proposing that it should be revised to read: ***“.....which would not unacceptably adversely affect the amenity of neighbours.....”***. Would the QB confirm this is acceptable?

A29. Support qualifying body response.

Q30. Policy 13 refers to Wooler Town Centre being defined on the Policies Map. However, only the extent of the frontages of the main shopping streets is shown on the Policies Map. Would the QB consider the comments made by NCC on this matter and provide a map to show the boundary of the town centre to be applied to Policy 13 with the evidence to explain how the town centre has been defined.

A30. Support qualifying body response. It is not intended that an ‘area’ be designated to define the town centre.

Q31. Policy 13 - Would the QB confirm the “area” to which that part of the policy on uses in upper floors is to apply?

A31. Support qualifying body response. It is not intended that an ‘area’ be designated to define the town centre.

Q32. Policy 15 – would the QB consider the comments made by NCC and agree revisions to the wording of the policy and justification on static caravans.

A32. Support qualifying body response.

Q33. Policy 15 – The National Park Authority has suggested a more restrictive approach to the wording of the third paragraph of the policy in the NP. Would the QB/LPA comment on this? Would the QB/LPA consider the following revisions to criterion d) to flag up the need for particular care to be given to locations in / around the NP. **Revise criterion d) by deleting “is of a scale that” and revising it to read: “.... In the landscape *with particular care being given to the consideration of the impact of developments on sites in, or that can be viewed from, the National Park;*”.**

A33. Agree with proposed modification.

Q34. Policy 17 – supports proposals for small scale renewable energy developments whereas paragraph 3.101 refers to larger scale proposals. In the interests of consistency I shall recommend that paragraph 3.101 should be revised to small scale. It would be helpful to plan users to include a definition of small scale renewable energy developments in the glossary. Would the QB/LPA agree a definition?

A34. The following suggestion is based on the definition set out in Section 82 of the Energy Act 2004 (cited below):

‘Small-scale renewable energy developments comprise sources of energy and technologies for the generation of electricity or the production of heat, which would cut emissions of greenhouse gases and whose capacity to

generate electricity is no more than 50 kilowatts; and to produce heat is no more than 45 kilowatts thermal.'

s.82 of the Energy Act 2004 states:

- (6) For the purposes of this section “microgeneration” means the use for the generation of electricity or the production of heat of any plant—
 - (a) which in generating electricity or (as the case may be) producing heat, relies wholly or mainly on a source of energy or a technology mentioned in subsection (7); and
 - (b) the capacity of which to generate electricity or (as the case may be) to produce heat does not exceed the capacity mentioned in subsection (8).
- (7) Those sources of energy and technologies are—
 - a) biomass;
 - (b) biofuels;
 - (c) fuel cells;
 - (d) photovoltaics;
 - (e) water (including waves and tides);
 - (f) wind;
 - (g) solar power;
 - (h) geothermal sources;
 - (i) combined heat and power systems;
 - (j) other sources of energy and technologies for the generation of electricity or the production of heat, the use of which would, in the opinion of the Secretary of State, cut emissions of greenhouse gases in Great Britain.
- (8) That capacity is—
 - (a) in relation to the generation of electricity, 50 kilowatts;
 - (b) in relation to the production of heat, 45 kilowatts thermal.

<http://www.legislation.gov.uk/ukpga/2004/20/section/82>

Q35. Policy 18 – supports the provision of small scale retail businesses. Would the QB confirm whether it is their intention that this should facilitate new build retail development or only changes of use as set out in Policy 13?

A35. Support qualifying body response.

Q36. Policy 18 – Would the QB confirm whether there is an existing pedestrian footway along one or both sides of the South Road frontages. Would the QB explain how the policy is intending to deliver pedestrian access to the town centre. Are there footpath routes through T4ower Bank woodland?

A36. Support qualifying body response.

Q37. Policy 19 – I am proposing to delete the final two paragraphs as unnecessary. Securing biodiversity net gain is set out in Policy 3g). The final paragraph of the policy repeats NPPF paragraph 175c.

A37. Support qualifying body response.

Q38. Policy 23 – I am proposing to recommend that Wooler Football Ground should be deleted from this policy as it is allocated for housing development and there are adequate safeguards under Policy 4.2.

A38. Agree.

Q39. Policy 24 – I am proposing that the boundaries of the six community facilities should be identified on the Policies Map. The last paragraph of the policy to be revised to avoid the term “strongly resisted”: “...will not be supported unless robust justification is provided that demonstrates that there is no longer...”

A39. Agree.

Q40. Policy 25 – I am proposing to incorporate the revisions proposed by NCC. Would the QB confirm this is acceptable.

A40. Agree.

Q41. Glossary – I am proposing to revise the definition of Wooler Town to read “**The built up area of the *settlement of Wooler.***” Would the QB confirm this is acceptable?

A41. Support qualifying body response.

Date: 6 May 2020