

Wooler Neighbourhood Plan

Summary of representations received and submitted to the Independent Examiner

Northumberland County Council is required, under Regulation 4(3)(b) of The Neighbourhood Planning (Referendums) Regulations 2012, to provide a summary of any representations submitted to the independent examiner pursuant to paragraph 9 of Schedule 4B to the 1990 Act.

This document provides a summary of those representations which were made in relation to the Submission Draft Wooler Neighbourhood Plan.

Copies of the representations made on the Plan, and which were submitted to the independent examiner, can be made available on request from the County Council by contacting the Neighbourhood Planning and Infrastructure Team on 01670 623619 or by email at: NeighbourhoodPlanning@northumberland.gov.uk

List of Representations

1. The Coal Authority
2. Environment Agency
3. Highways England
4. Historic England
5. National Grid
6. Natural England
7. Northumberland National Park Authority
8. Northumberland County Council
9. Wooler Parish Council

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Christopher Telford, Principal Development Manager	The Coal Authority	<i>Having reviewed the Plan, the Coal Authority have no specific comments to make on it.</i>
Louise Tait, Planning Advisor	Environment Agency	<i>The Environment Agency offer advice relating to Policy 4.3 (Land on South Road known as Redpath's/Ferguson's Yard. Part of site 3 is located in flood zone 2. They advise that reference is made within Policy 4.3 to recommend the preparation of a Flood Risk Assessment for development at this site. This is to ensure that development is directed to the areas of lowest flood risk and to steer development to Flood Zone 1.</i>
Paul Dixon, Planning and Development	Highways England	<i>Having reviewed the document, Highways England does not wish to offer any comments regarding its contents.</i>
Jules Brown, Historic Places Adviser	Historic England	<i>Historic England made a number of comments on the pre-submission draft plan in March 2019 and has subsequently been involved in recommending amendments to the plan and associated SEA. They are pleased that their comments have largely been taken into account and have no further comments to make.</i>
Matt Verlander, Director	Avison Young, on behalf of National Grid	<i>National Grid have identified that they have no record of electricity and gas transmission assets, including high voltage electricity assets and high-pressure gas pipelines, within the Neighbourhood Area.</i>
Carolyn Simpson, Northumbria Area Team	Natural England	<i>Natural England consider that Policy 1: Supporting Sustainable Development encompasses all types of development which may have the potential to result in an increase in foul drainage connected to mains sewer for treatment at Wooler Sewage Water Treatment Works (STW). They point out that the Plan recognises that any connections made to sewer prior to completion of a scheduled upgrade of the STW will increase the phosphorus (P) loading in the effluent discharged from the STW to the Wooler Water, impacting the water quality and habitat of the River Tweed Special</i>

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		<p><i>Protection Area (SAC) and Tweed Catchment Rivers - England: Till Catchment Site of Special Scientific Interest (SSSI). They acknowledge that mitigation for the impacts of increased P is explicitly included in Policy 1A, which they understand is to be considered as an overarching policy for the entire plan. Accordingly, with mitigation in place for the relevant policies, they conclude that the Wooler Neighbourhood Plan will not have an adverse effect on the integrity of any European Sites or interest features of the SSSI. Regarding Policy 6, Natural England consider that opportunities for SuDS in new, non-residential development covered by the Plan / the option of retrofit SuDS for development on existing sites, would also be appropriate. They suggest that to embed commitment to SuDS more widely in the Plan, SuDS/retrofit SuDS could perhaps be referenced in an overarching policy, similar to Policy 1A.</i></p> <p><i>Regarding Policy 19 and Policy 3, they advise that as biodiversity net gain still relies on the application of the mitigation hierarchy to avoid, mitigate or compensate for biodiversity losses, the 'retention of trees and hedgerows' is positive. However, they point out that net gain for biodiversity is in addition to the mitigation hierarchy, which the said retention measures fall under.</i></p> <p><i>Natural England advise that a definition of 'biodiversity net gain' should be included in the Plan glossary. To help inform policy wording, they refer to the 'good practice principles' established by the Chartered Institute of Ecology and Environmental Management (CIEEM).</i></p>
Susannah Buylla, Interim Head of Planning	Northumberland National Park Authority (NNPA)	<p><i>NNPA comment on a number of policies.</i></p> <p><i>Policy 2: Major Development in the Northumberland National Park</i> <i>The National Park's Local Plan which went through examination in January 2020 has a different Major Development policy (Policy ST3). They therefore question whether it is justified to have two policies for the same purpose. However, comparing this policy alongside Policy ST3 of NNPA's Local Plan, they are compatible with similar approaches</i></p>

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		<p><i>and NNPA would not recommend any changes are necessary to Policy 2 for soundness. The only implication would be that major development in the National Park area of Wooler would face more justification than schemes elsewhere in the National Park. NNPA would not oppose this approach if deemed justified.</i></p> <p><i>Policy 3: Locally Distinctive and High-Quality Design</i> <i>NNPA are supportive of this policy but in order to make the policy effective advise removing the word ‘nearby’ to avoid dispute as to what constitutes nearby.</i></p> <p><i>Policy 4: Sites Allocated for Development</i> <i>They suggest showing site boundary lines on the aerial photos.</i></p> <p><i>Policy 5: Housing Development in the Plan Area</i> <i>NPPA support this policy as it accords with the Strategic Policies of NNPA’s emerging Local Plan.</i></p> <p><i>Policy 7: Community-led and Affordable Housing</i> <i>The NPPA support this policy as it accords with their approach to Rural Exception Sites (in NNPA Policy DM3).</i></p> <p><i>Policy 9: Housing Development in Outlying Settlements</i> <i>The NNPA have no comments on this policy, but suggest labelling these settlements on the Policies Map.</i></p> <p><i>Policy 10: Housing Development in the Open Countryside</i> <i>The NPPA support this policy as it is very similar to their Policy ST5 (3b).</i></p> <p><i>Policy 12: Business Development</i> <i>The NNPA support the first paragraph which refers to other Plan policies, and is justified</i></p>

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		<p><i>by ensuring considerations including design etc. are taken into account. They support the approach taken in the third paragraph, however, to ensure the business development is sustainable, suggest inserting criteria along the lines of their Policy DM7 part (2b): 'In the National Park, the proposed use is compatible with and subsidiary to an existing farming or forestry activity in terms of physical scale, activity and function'</i></p> <p><i>Policy 14: Tourism Facilities</i> <i>The NNPA have concerns about this policy which they say lacks clarification over which other policies a scheme must accord with and how.</i></p> <p><i>Policy 15: Overnight Tourist Accommodation</i> <i>The NNPA have concerns about this policy given the supporting text which describes community unease over the volume of tourist accommodation. They also say it conflicts with their Policy DM7 part (5) on the permissible locations of tourist accommodation. To rectify this they advise making a distinction between two categories:</i> <i>1) tourist sites located in or adjoining Wooler or the named settlements;</i> <i>2) tourist sites in the open countryside (including the National Park), including additional criteria taken from their Policy DM5).</i> <i>In addition, the NNPA recommend amending part (d) to remove 'is of a scale that' because they say even one unit should have consideration of sensitivity to the landscape in a rural setting.</i></p> <p><i>Policy 16: Broadband Provision in New Development</i> <i>The NNPA support the justification of Policy but wonder if a similar policy has been approved in other Neighbourhood Plans and whether it has been effective in practice?</i></p> <p><i>Policy 17: Renewable Energy Development</i> <i>The NNPA would like to see a definition of 'small-scale' in relation to renewable energy</i></p>

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		<p><i>Development included in the Plan.</i></p> <p><i>Policy 19: Landscaping, Hedgerows and Trees</i> <i>The NNPA support the approach of this policy.</i></p> <p><i>Policy 21: Development on the Western and South-Western Edges of Wooler Town</i> <i>The NNPA appreciate the consideration of the impacts development could have on the National Park and recommend that a Visual Impact Assessment also be required for development closer to (and inside) the National Park.</i></p> <p><i>Policy 22: Local Green Spaces</i> <i>The NNPA are supportive of the approach of this policy.</i></p> <p><i>Comments on Glossary</i> <i>Major Development: The NNPA advise that the definition should be based on the NPPF rather than the Development Management Procedure Order.</i></p> <p><i>Other comments</i></p> <p><i>The NPPF also recommend an addition to the supporting text of Policy 2: 'Within Northumberland 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.'</i></p>
David English, Planning Manager, Neighbourhood Planning and Infrastructure	Northumberland County Council (NCC)	<p><i>NCC make a number of comments on the Plan.</i></p> <p><i>Objectives</i> <i>For clarity, and to demonstrate a clear purpose NCC recommend that it is stated in the Plan which objective(s) is/are being met by each policy.</i></p>

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		<p><i>Policy 1: Supporting Sustainable Development</i> NCC state that this policy is not consistent with other policies in the Plan because it provides support for development without further definition of any constraint or limitation. They say this may lead to confusion when Policy 1 is being used by decision makers. NCC recommend either modifying the policy or retaining only its first sentence.</p> <p><i>Policy 1A: Discharge into Rivers</i> NCC suggest re-numbering this policy so that all policies are numbered consecutively.</p> <p><i>Policy 2: Major Development in the Northumberland National Park</i> NCC advise considering whether this policy remains consistent with, or has regard to the Northumberland National Park Authority's emerging Local Plan.</p> <p><i>Policy 3: Locally Distinctive and High Quality Design</i> Regarding the first sentence of Policy 3, NCC say this has the potential to mislead a decision-maker in that this could imply that any development that meets the defined design parameters will be acceptable at any scale in any location. They recommend deleting this sentence. NCC advise that the expression used in the penultimate paragraph is potentially misleading in that it implies unqualified support. For clarity, NCC recommend modifying this paragraph.</p> <p><i>Policy 4: Allocations</i> NCC suggest it would be helpful to recognise in Policy 4 that each site has locally specific requirements and recommend modifying the Policy accordingly.</p> <p><i>Policy 4.2</i> NCC point out that it should not be construed that a Transport Statement or Transport</p>

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		<p><i>Assessment will necessarily be able to demonstrate practical and / or viable measures to address the movement of people between development on the eastern side of the A697 and the town centre and therefore the Highway Authority may not be supportive of the principle of residential development on the site.</i></p> <p><i>Policy 4.3</i> <i>They advise deleting the first sentence because it reads as an aim or objective rather than a land use planning policy.</i></p> <p><i>Policy 4.6</i> <i>NCC point out that it should not be construed that a Transport Statement or Transport Assessment will necessarily be able to demonstrate practical and / or viable measures to address the movement of people between the town centre and this site and therefore the Highway Authority may not be supportive of the principle of development on the site.</i></p> <p><i>Para 33, Para 3.53</i> <i>NCC advise that this paragraph and footnote 12 are now out of date having been superseded by the Northumberland Local Plan Submission Draft (January 2019). NCC has no objection to the proposal to allocate additional land for housing at the scale proposed in the Neighbourhood Plan.</i> <i>For accuracy, in the third sentence, NCC recommend replacing ‘small’ with ‘medium-sized’.</i></p> <p><i>Para 3.64</i> <i>There is a contradiction with Policy 5: this paragraph refers to a need for ‘1 and 2-bed homes’ but Policy 5 seeks 1, 2 and 3-bed homes.</i></p> <p><i>Policy 5: Housing Development in the Plan Area</i> <i>NCC say that as drafted, the policy is at odds with the intention stated in the supporting</i></p>

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		<p><i>text and will lead to confusion at the decision-making stage for planning applications. For clarity, NCC recommend modifying the policy accordingly. NCC say the requirement for a higher proportion of affordable housing is not backed by appropriate evidence and therefore fails to meet the basic conditions. They recommend deleting this requirement from the Policy.</i></p> <p><i>Policy 6: New Housing Development – Design Principles</i> <i>NCC suggest that criterion c) referring to safe vehicle access need not be replicated in the allocations policies. They therefore recommend deleting references to safe cycle and pedestrian access in the allocations policies and retain in Policy 6c) only. They also recommend deleting ‘etc’ since this is unclear in its extent. NCC say the wording of criterion e) may not be sufficient and recommend rephrasing this in accordance with the wording from emerging Local Plan Policy WAT 4. They advise that the requirement set out in the final sentence of the Policy may not be reasonable. NCC advise that criterion f) is ambiguous and suggest redrafting accordingly.</i></p> <p><i>Policy 7: Community-led Housing</i> <i>NCC support the intention of this policy but say it is poorly drafted and does not reflect paragraphs 71 or 77 of the NPPF. They advise re-drafting the Policy.</i></p> <p><i>Policy 8: Housing for Older People</i> <i>NCC say this policy provides unconstrained support for housing for older people and is therefore not consistent with policies elsewhere in the Plan and national policy. They therefore recommend modifying the policy accordingly.</i></p> <p><i>Policy 9: Outlying Settlements</i> <i>NCC say that as drafted this is inconsistent with the aim of the Plan as set out at para 3.59. They recommend modifying the Policy accordingly.</i></p>

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		<p><i>Para 3.75</i> <i>NCC point out that the term ‘open countryside’ no longer appears in national planning policy or guidance. They say that it is not necessary to create a definition for ‘open countryside’, and the definition proposed in this paragraph is too imprecise to be applied consistently.</i> <i>They suggest it would be appropriate for the Plan and Policy 10 to expressly recognise, in accordance with paragraph 170 of NPPF, that planning policies should contribute to and enhance the natural local environment by recognising the intrinsic character and beauty of the countryside.</i></p> <p><i>Policy 10: Housing Development in the Open Countryside</i> <i>To be consistent with terminology used in national planning policy and guidance NCC recommend deleting the word ‘open’ wherever it appears before the word ‘countryside’ in Policy 10 and relevant supporting text.</i></p> <p><i>Policy 11: Existing Employment Sites</i> <i>NCC note that the Neighbourhood Plan’s intention for site IP1 (Wooler Industrial Estate on Berwick Road), differs from the emerging Local Plan. They acknowledge that if the Neighbourhood Plan approach is taken forward, the County Council would need to consider whether to modify the Local Plan designation for the Wooler Industrial Estate. With regard to the second sentence of paragraph two, NCC say it is unclear how the extent of any such extension could be judged and it would therefore be unclear how a decision maker should respond to a proposal for example for a major large scale expansion of these sites. They recommend deleting this sentence.</i></p> <p><i>Policy 12: Business Development</i> <i>NCC suggest modifying the policy to better reflect paragraphs 83 and 84 of NPPF.</i></p>

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		<p><i>Policy 13: Retail Development and Upper Floor Uses in Wooler Town Centre</i> NCC recommend that in order for this policy to be applied properly it would be more appropriate on the policies map to define a clear town centre area rather than frontages. They acknowledge that this may create further difficulties unless evidence is provided to explain how a ‘town centre’ was defined. NCC recommend using alternative wording to describe these frontages.</p> <p><i>NCC recommend deleting the word ‘only’ from the third sentence of paragraph one as they say it is overly restrictive.</i></p> <p><i>They advise that in the last sentence of the policy, it should be made clear that the word ‘demonstrate’ only applies to the fact that a local service is being provided. They recommend re-wording this paragraph accordingly.</i></p> <p><i>Policy 14: Tourism Facilities</i> NCC say it is unclear how the policy, as worded, adds anything to existing development plan policy. They recommended modifying the Policy to better reflect NPPF.</p> <p><i>Policy 15: Overnight Tourist Accommodation</i> NCC suggest the Policy is at odds with the explanatory text at paragraphs 3.97 and 3.98 and question whether the controls proposed through paragraph d) of the policy would be sufficient to address community concerns. They say that, as drafted, Policy 15 may create uncertainty in the minds of decision-makers in relation to the extent of support the Plan offers to static caravans; they suggest deleting all reference to static caravans being supported in Policy 15.</p> <p><i>Policy 19: Landscaping, Hedgerows and Trees</i> NCC advise the use of the term ‘resist’ is insufficiently clear and recommend modifying the policy accordingly. They say the penultimate paragraph is not necessary since the matter is already addressed in Policy 3 g) of the Plan and recommend its deletion.</p>

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		<p><i>Policy 20: Wooler Conservation Area</i> For clarity, NCC recommend re-wording part d) to show that it is the distinctive characteristics or features of the character areas that the policy is seeking to conserve.</p> <p><i>Policy 21: Development on W/SW Edge</i> For clarity, NCC recommend deleting the first sentence of Policy 21 and inserting the relevant information in the supporting text and modifying the second sentence to direct readers to the sensitive settlement edge defined on the Policies Map.</p> <p><i>Policy 23: Recreational Land and Facilities</i> NCC contend it is inconsistent and confusing to allocate Wooler Football Ground as an area protected for its recreational value through Policy 23, and to allocate it for housing development through Policy 4.2. They recommend deleting the final bullet point and modifying the Policies Map accordingly.</p> <p><i>Policy 24: Community Facilities</i> For clarity, NCC recommend identifying the six community facilities on the Policies Map. They say the use of the term 'strongly resisted' is unclear and recommend re-wording the policy accordingly.</p> <p><i>Policy 25: New Community Facilities</i> NCC argue that this Policy seems very permissive and suggest amending part f) to ensure that development is sensitive to its surroundings having regard to the provisions of paragraph 84 of NPPF. In relation to part c), NCC argue that signage may not always be appropriate, and therefore recommend modifying the criterion accordingly. Regarding part d), they recommend modifying the wording to reflect the instances where parking is already available or could not be accommodated in the site.</p> <p><i>Policy 26: Footpaths and Cycleways</i></p>

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		<p><i>NCC advise deleting the second paragraph because it fails to have regard to the NPPF.</i></p> <p><i>Glossary</i></p> <p><i>NCC advise deleting the term 'Inset' as there is no Green Belt in the Parish.</i></p> <p><i>NCC advise updating the definition of 'NPPG'.</i></p> <p><i>NCC advise deleting the term 'OAN' as this cannot be determined at parish level and is therefore unnecessary.</i></p> <p><i>NCC advise deleting the term 'open countryside' as this is no longer a recognised definition in NPPF.</i></p> <p><i>NCC advise modifying the term 'pre-planning application' as it is not a recognised term.</i></p> <p><i>To support Policy 13, NCC advise adding a definition of 'Main Town Centre Uses' (as defined in the NPPF).</i></p>
Patsy Healey	<p>Member, Wooler Neighbourhood Steering Group on behalf of Wooler Parish Council (WPC)</p>	<p><i>Policy 4.1</i></p> <p><i>WPC recommend adding 'and historic' to the first paragraph.</i></p> <p><i>Policy 4.3: Land on South Road known as Redpath's / Ferguson's Yard (Site 3)</i></p> <p><i>They note that this site now has planning permission and is in development for a Distillery and associated activities.</i></p>