

Bishop Norton and Atterby Neighbourhood Development Plan

Examiner's Clarification Note

This Note sets out my initial comments on the submitted Plan. It also sets out areas where it would be helpful to have some further clarification. For the avoidance of any doubt matters of clarification are entirely normal at this early stage of the examination process.

Initial Comments

The Plan provides a clear vision for the neighbourhood area. It is thorough and comprehensive. It is underpinned by an appropriate evidence base.

The presentation of the Plan is very good. The difference between the policies and the supporting text is very clear. The maps are effective.

The package of submission documents is proportionate to the neighbourhood area in general, and the Plan in particular.

Points for Clarification

I have read the submitted documents and the representations made to the Plan. I have also visited the neighbourhood area. I am now in a position to raise issues for clarification with the Parish Council. There is also a specific question for the District Council.

The comments made on the points in this Note will be used to assist in the preparation of my report and in recommending any modifications that may be necessary to the Plan to ensure that it meets the basic conditions. I set out specific clarification points below in the order in which the policies concerned appear in the submitted Plan.

Questions for the Parish Council

Section 7

I can see the mathematical approach that has been taken. However, it would be helpful to have the Parish Council's observations on the comments made by the District Council on paragraph 7.28 of the Plan. This overlaps with my comments on the Proposals Map later in this note.

Policy N1

I can see the relationship of the policy to the wider supporting text in Section 7 of the Plan. Nevertheless, as submitted the policy is a statement of fact rather than a policy.

In these circumstances I am minded to recommend the deletion of the policy and to incorporate its wording into an extended paragraph 7.29.

Does the Parish Council have any comments on this proposition?

Policy N2

I can see the overall approach taken. I can also see the indicative minimum yields for the four proposed allocated housing sites.

However, on what basis does the policy include the very prescriptive figure of 18 new homes overall? How does it relate to the figure of 17 homes in paragraph 7.18 of the Plan?

In addition, there appears to be internal tension between the different elements of policies on new homes. On the one hand Policy N2 outlines 'up to 18 homes' whereas on the other hand the four policies allocating sites for residential use comment about the sites yielding a minimum number of homes.

Please can the Parish Council clarify this matter.

Policy N4

Criterion a) appears to comment about 'building refurbishment' whereas the policy comments that the site is a greenfield site.

Please can the Parish Council clarify this matter

Policy N5

The District Council draws my attention to the recent refusal of permission for two dwellings on the site (L138146).

To what extent is the proposed development of the site consistent with its planning history?

Policy N7

I can see the commentary in the Plan that Atterby should be identified as a hamlet.

In the event that I am satisfied that this approach is evidence-based why does the second part of the policy seek to determine application in Atterby in the same way as in Bishop Norton when the policy approach for smaller settlements and hamlets in Policy LP2 of the Central Lincolnshire Local Plan (CLLP) is different?

I can see the Parish Council's justification for Atterby to be considered as a hamlet in paragraph 12.9. The CLLP is very specific that a hamlet is a settlement with at least 15 homes. No other criteria are considered or included. On this basis I am minded to recommend the deletion of the other matters included in this paragraph.

Does the Parish Council have any comments on this proposition?

Policy N8

I looked at the proposed Settlement Gap carefully as part of my visit.

To what extent is the definition of a Settlement Gap necessary beyond the application of countryside policies throughout the Plan period?

Is there any evidence of the need for a Settlement Gap policy?

If so, is the proposed Gap the smallest area that is necessary to achieve the intended policy approach?

Does the Parish Council anticipate that the provisions of Policy LP55 of the CLLP would apply in the Settlement Gap throughout the Plan period? If this is so should the policy and/or the supporting text comment as such?

The north-eastern part of the proposed Gap does not follow natural or man-made features. Was this a deliberate approach? If so, were other alternative north-eastern boundaries considered for the Gap?

Could a policy approach for the separation of the two settlements be incorporated in the Plan without the need to define a physical gap?

Policy NP9

This is an excellent policy. It will ensure high quality design outcomes

Nevertheless, I am minded to recommend that the various criteria apply as and when they are relevant to the proposed development – as submitted the policy assumes that all criteria will be relevant to all proposals.

Does the Parish Council have any comments on this proposition?

Policy NP10

Has the Parish Council carried out any detailed analysis of the various local green spaces (LGSs) against the three criteria in the NPPF (paragraph 100)?

There appears to be a discrepancy between the LGSs as described in the policy and as shown on the Proposals Map. As I read the policy and observed the proposed LGSs, LGS6 should be to the immediate south of LGS2 (the churchyard). Please can the Parish Council advise.

I saw that LGSs 1-3 were more prominent and obvious than LGSs 4-6.

To what extent does the Parish Council consider that LGSs 4-6 are demonstrably special to the local community?

The Proposals Map

Several of the policy numbers appear not to relate to the policies/policy numbers in the wider Plan. Is this because the Map uses the site numbers rather than the policy numbers in the Plan? Please can the Parish Council clarify this issue.

What is the purpose of the arrow to the east of LGS1?

Question to the District Council

Does the District Council agree that Atterby should be identified as a hamlet within the context of the CLLP Settlement Hierarchy?

Representations

Does the Parish Council wish to comment on any of the representations made to the Plan?

Protocol for responses

I would be grateful for responses and the information requested by 1 June 2020. Please let me know if this timetable may be challenging to achieve.

For clarity there is no need for the Parish Council to meet physically to discuss and agree its response. I recommend those who have been involved in the preparation of the Plan consider this Note electronically.

In the event that certain responses are available before others I am happy to receive the information on a piecemeal basis.

Irrespective of how the information is assembled please could it all come to me directly from the District Council. In addition, please can all responses make direct reference to the policy or the matter concerned.

Andrew Ashcroft

Independent Examiner

Bishop Norton and Atterby Neighbourhood Development Plan.

18 May 2020