

Barrowden and Wakerley Neighbourhood Development Plan

Independent Examiner's Clarification Note

Context

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 is very well-presented. The quality of the photographs and maps is first-class. It results in a very readable and interesting document. The Plan provides a clear and distinctive vision for the neighbourhood area.

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 some initial issues for clarification. They are designed for the Parish Council/Parish Meeting. The comments that are made on these points will be used to assist in the preparation of my report. They will also inform any modifications that may be necessary to the Plan to ensure that it meets the basic conditions.

Policy BW1

I note the information in paragraphs 5.4-5.8. However, on what basis does the first part of the policy comment about 'conserve and enhance'?

In most cases proposed development will be able to 'conserve' but not necessarily 'enhance'. I am minded to recommend a modification which qualifies the 'enhance' part with 'where practicable'.

Does the Parish Council/Parish Meeting have any comments on this proposition?

Policy BW3

I can see the approach taken in paragraphs 5.12-15. I looked at the site as part of my visit. It is clearly a site which meets the three criteria for LGS designation in the NPPF.

However the final part of the policy offers considerably more scope for future development on the proposed LGSs than that envisaged in paragraph 78 of the NPPF (2012). I am proposing to recommend that the flexibility envisaged by the policy is better represented in the supporting text. The policy element would then be the matter-of-fact approach in the NPPF.

Does the Parish Council/Parish Meeting have any comments on this proposition?

Policy BW4

This is a very effective and well-written policy.

Policy BW5

This is also a very effective and well-written policy. However, I am minded to recommend a modification which qualifies the green corridor to that part within the neighbourhood area. Plainly a neighbourhood plan can only apply policies within the designated area. With this modification Figure 7 can remain unaltered.

Does the Parish Council/Parish Meeting have any comments on this proposition?

Policy BW6

This is an exceptional policy which is beautifully underpinned by the supporting text and photographs.

I have two very minor queries. The first is that Part 4 of the policy reads as a statement of fact rather than as a policy and without any reference to the development management process. Is the intention that development proposals will be supported where they retain and/or alter (subject to the criteria in part 2 of the policy)? The second also relates to part 4 of the policy. Is it intended to apply to both conservation areas rather than to 'the Conservation Area'?

Policy BW7

Neither of the two parts of the policy are policies. The first is a code of practice issue. The second is a process issue that would relate to the imposition of conditions/information notes on planning permissions.

I am minded to recommend the deletion of the policy and then one of two options. The first would be that the language used in the submitted policy simply continued as supporting text at the end of paragraph 5.28. The second would be that the policy was effectively repositioned to become a further community aspiration.

Does the Parish Council/Parish Meeting have any comments on this proposition in general, and which of the two options it would prefer as a recommended modification in particular?

Policy BW9

This policy generally reads well.

I can see the connection between section 2 and the supporting text. Nevertheless, is part 2 too specific to garden land?

Might there be other parcels of land which are important to the character of the villages which are not garden land?

In addition, as worded this part of the policy suggests that 'garden land important to the character of the village' has been specifically defined and identified. Is this the case?

Policy BW10

I can see the purpose of the first part of the policy. Is the second part of the policy necessary?

Policy BW11

I can understand the preference for an extension to Drift Close. However, should this be in the supporting text given that a preference is not a policy? I suggest that this approach should also apply to criterion 3 of the policy.

In addition, should the second criterion of the policy be supporting text?

Policy BW12

The initial element of the first part of the policy reads in a complicated way. In addition, Policy BW12 1i appears to be unnecessary within the context of a policy based on working from home. I am minded to recommend a modification so that the policy would read:

'Insofar as planning permission is required proposals for working from home will be supported provided that [criteria ii and iii]'

The second part of the policy is supporting text. In effect it describes the way in which any conditions would be applied to planning permissions. I am minded to recommend a modification so that this part of the policy would become additional supporting text at the end of paragraph 5.50

Does the Parish Council/Parish Meeting have any comments on these propositions for this policy?

Section 6

Para 6.1 implies that the County Council will be monitoring the Plan.

The monitoring role of neighbourhood plans rests with the relevant qualifying bodies. I am minded to recommend a modification accordingly. Does the Parish Council/Parish Meeting have any comments on this proposition?

Representations made to the Plan

I have already been sent a copy of the joint note from the County Council and the neighbourhood planning group on the County Council's representations. I will take that note into account in examining the Plan. Nevertheless, does the Parish Council/Parish Meeting wish to make any other observations on the representations made to the Plan by the County Council?

Does the Parish Council/Parish Meeting wish to make comments on any other representation?

Protocol for responses

I would be grateful for comments by 10 May 2019. Please let me know if this timetable may be challenging to achieve. It reflects the factual basis of the questions raised.

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 can all responses be sent to me by the County Council and make direct reference to the policy/issue concerned.

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Independent Examiner

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