King's Cliffe Neighbourhood Development Plan 2018 - 2031

Initial Comments of the Independent Examiner

Prepared by

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Introduction

1. As you will be aware I have been appointed to carry out the examination of the Hanslope Neighbourhood Plan. I have carried out my initial review of the Plan and most of the accompanying documents that I have been sent. I carried out my site visit to the parish on Monday 10th June 2019 when I spent a very wet afternoon in the village.

2. My initial view is that I should be able to deal with the examination of this Plan by the consideration of the written material only, although I do reserve the right to call for a public hearing, if I consider that it will assist my examination. Based on my preliminary consideration of the plan, there are a number of matters upon which I would wish to receive further representations or comments, from the Parish Council and/ or East Northamptonshire Council.

Reg 16 Comments

3. The Parish Council will not have had an opportunity to comment on any of the representations received as part of the Regulation 16 Consultation. If the Parish Council would wish to put forward any comments, or suggestions for amendments to the plan document, having considered the comments, then this is an opportunity to ask me to recommend them. I would be happy to consider any revisions etc., albeit that my remit is restricted to matters of the basic conditions.
4. I would be particularly interested in the Parish Council's views on the suggested rewording of Policy SA 1 contained within the comments submitted on behalf of Northamptonshire Country Council.

Policy H1

5. Can the Parish Council set out its criteria for drawing the settlement boundary? In particular, I would be interested in the criterion for where the boundary crosses a residential curtilage. Did the Steering Group use of standard dimension or were other means of differentiation used, as it appears that there is a fair degree of variation, as to how much amenity space around houses, is included within the settlement boundary.

Policy SH1

6. I would be grateful to receive the Parish Council's comments, as to how the first and second bullet points of the policy, accord with the Secretary of State's Written Statement to the House of Commons dated 25th March 2015, where he states that neighbourhood plans should not set "any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings."

7. Can the Parish Council be explicit as to what particular “environmental permits” are required, and from whom, in respect of works on or within 9 m of a water body. Is this permit required, independent of the grant of planning permission and would it normally be issued, post the issue of the planning approval ?

Policy BE 1

8. What is the rationale for only seeking tree planting for schemes of over five units?

Policy BE 2

9. I note that the policy refers to key views shown in the appendix. However, the text in the appendix states “These do not represent the totality of the views referred to in Policy BE 2”. If other views are not identified on the plan, how would a decision maker know whether the policy applies to a particular development?
10. Does the requirement to prevent a significant adverse impact on protected open space only cover the recreational sites shown in blue on the maps in Appendix B or is the intention to include the local green space sites as well?

Policy TP 1

11. Does the policy applied to all *development* e.g. minor works, domestic extensions, changes of use or is it only aimed at new residential development?
12. Are there in existence any specific Highway Authority agreed traffic management schemes in place, which the developer contributions can contribute to? Can East Northamptonshire Council comment on whether such contributions are likely to meet the requirements of Regulation 122 of the Community Infrastructure Levy Regulations 2010?

Policy TP 2

13. Can the parish council explain how the parking requirements in the neighbourhood plan are different from Northamptonshire’s standards and what evidence is offered to suggest that Kings Cliffe requires a different level of on-site car parking to the rest of the county? Are there different car ownership rates in the village compared to other rural areas?

Policy RBS 1

14. Would the former Endowed School building be suitable for conversion to a village doctors, dentists or medical practitioner usage, as well as is/or instead of office/employment uses?

Policy RBS2

15. Can the Parish Council point me to the "defined national standard" for high speed broadband?

Policy RBS 3

16. Are any facilities already designated as assets of community value?

Policy RC 1

17. Can the Parish Council explain the basis of how the boundaries of the 3-woodland, local green space have been drawn up, at Hither Myers, Hollow Wood and Buxton Wood and how are these areas different to the residual woodland areas?

Habitat Regulation Assessment Screening

18. This is a matter for the Local Planning Authority to address. There is now a specific basic condition, confirming whether the plan meets the requirements of the Habitat Regulations.
19. In paragraph 6.3.1 of the Basic Conditions Statement it states

> "The Kings Cliffe Neighbourhood Plan Steering Group has completed a Habitat Assessment (HRA) screening for the neighbourhood plan. This is based on the template prepared by East Northamptonshire Council."

20. A Habitat Regulation Assessment can only be carried out by what the regulations refer to as "the Competent Authority", which is the local planning authority.
21. In separate email correspondence, I have been advised that the planning department carried out an assessment in respect of earlier version of the neighbourhood plan. It would be helpful for me to understand exactly what the position is with regard to the HRA assessment. Can I be sent a copy of the Council's Screening Opinion on this neighbourhood plan with confirmation that that this is the definitive version and the position does not need to be revisited post the Sweetman judgement.

Final Matters

22. In order, not to unnecessarily delay progress on this examination, I would welcome responses to these questions, **by 5pm on 25th June 2019,** if possible.

23. Please can both parties place a copy of this document and their responses on the East Northamptonshire Council's and the Parish Council's websites.