

Mitcheldean 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 distinctive vision for the neighbourhood area.

The presentation of the Plan is good. The difference between the policies and the supporting text is very clear. The maps are very effective. The use of colour is helpful to the layout of the Plan. The photographs are particularly helpful and well-chosen

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 separate 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 policy clarification points below in the order in which they appear in the submitted Plan.

Questions for the Parish Council

Policy H1

With a tightly-defined settlement boundary and a strong focus on the re-use of brown field sites is the Plan likely to bring forward sustainable development in a positive fashion?

To what extent are the final parts of the policy on parking requirements in general conformity with District Council policies?

Is this part of the policy necessary?

Policy H2

Does the reference to Protection Zones in this policy directly relate to the Zones as shown on Map 8 and referenced in Policy E4 (6)?

Is there any evidence to support the Parish Council's assertions about the two landscapes in the fourth paragraph of the policy? Is the approach one of a strategic nature and not directly for a neighbourhood plan to address?

To what extent does the Parish Council consider that the section on brownfield land (paragraph 2) has regard to national policy?

To what extent does the Parish Council consider that the section on agricultural land (paragraph 3) has regard to national policy?

Policy B1

It appears that criteria 1-9 refer to the statement about new or expanded employment development. It then appears that points 10-13 inclusive are separate policies. Was this the Parish Council's intention?

Policy B2

In Section 3a) is there a conflict between local policies and this part of the submitted policy? Could the development identified take place if the habitats issue could be safeguarded by conditions?

Policy B3

The second part of this policy repeats the third part of Policy B2. Was this intentional?

Policy AC1

The fifth criterion appears to be a separate policy rather the fifth of five criteria. Is this assumption correct?

Whatever is the case, does the fifth point meet the basic conditions? How will the government funding be achieved? What would be the threshold to which this policy would apply?

Policy AC2

The assessment of the proposed Local Green Spaces is very well-organised. However please can you advise on the size of the parcels of land concerned.

Areas 1/3/4/5/6 are adjacent parcels of land. To what extent do they have common or separate management regimes?

At the end of the policy there is reference to land north of Carisbrook Road and the Castiard Valley as 'valued open green space'. What is the purpose of this part of the policy? Am I correct in concluding that they are not intended to be designated as Local Green Spaces?

Policy E1

The fourth criterion appears to be a separate policy (on the conservation area) rather the fourth of four criteria. Is this assumption correct?

Policy E2

I am minded to recommend a modification to this policy so that it has regard to national policy on the balance between importance of the asset and the significance of the potential harm caused by the development.

Does the Parish Council have any comments on this proposition?

Policy E3

The latter parts of this policy appear to overlap and/or repeat other policies. Please can the Parish Council comment on this matter?

Policy E4

On what basis have the Protection Zones been identified in the sixth part of the policy?

Is a blanket restriction on development necessary to achieve the wildlife objectives of the policy? In any event is a more stringent policy than the approach taken in Green Belts necessary?

Policy E5

The policy reads as a series of objectives rather than as a policy. Please can the Parish Council elaborate on its intention for this policy?

Question for the District Council

The Plan places significant emphasis on the allocation/delivery of the three housing sites in the neighbourhood area in the Allocations Plan. Please can I be given an update on the delivery of the three sites?

Representations

Does the Parish Council have comments on any of the representations made to the Plan?

Protocol for responses

I would be grateful for responses and the information requested by 4 July 2019. Please let me know if this timetable may be challenging to achieve. It is intended to maintain the momentum of the examination.

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

Mitcheldean Neighbourhood Development Plan.

18 June 2019