

## **Bottesford 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 addresses a comprehensive range of issues.

The presentation of the Plan is excellent. The maps are very effective.

The package of submission documents and the information contained in the evidence base/appendices is both comprehensive and proportionate to the neighbourhood area. The Design Code is particularly effective and feeds directly into several policies in the Plan itself.

### **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.

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 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.

#### *Policy 1*

In general terms this is a well-developed policy.

However as currently proposed it is not in general conformity with the strategic policies in the adopted Local Plan in relation to proposed development adjoining settlements. I am minded to recommend a modification to remedy this issue.

Does the Parish Council have any comments on this proposition? In particular does it have any comments on the proposed changes to the policy suggested by the Borough Council?

#### *Policy 2*

As part of my visit to the neighbourhood area, I looked at the various identified significant green gaps. In addition, I have looked at the details of Appendices F and L carefully.

To what extent do the second and third parts of Policy 2 add value beyond the approach in the fifth part of Policy 1?

As I read the second part of Policy 2 it would allow some development within the significant green gaps. Is this correct?

If so, could the policy be reconfigured so that it identifies (in general terms) the types of development which would be acceptable in such locations (and as such be positively worded)?

In several cases the proposed significant green gaps are located immediately adjacent to the identified village envelopes. How would their proposed designation overlap with the Melton

Local Plan which supports development adjoining settlements (and with my proposition with regard to Policy 1 of the Plan)?

*Policy 4*

The work on the proposed local green spaces (LGSs) in Appendix I is very thorough and detailed.

What are the respective sizes of LGSs 1,10 and 13?

During the visit I saw that the housing development at BOT 4 was on-going. From what I could see of the site the associated open space (and intended to be designated as LGS) is not yet provided along the southern and eastern boundaries. Please can the Parish Council advise on this matter?

If this is the case did the Parish Council submit the Plan on the basis that the open space/LGS would be available once the development is completed?

*Policy 7*

This policy helpfully addresses an extensive range of connectivity matters.

However, points 4-7 appear to be wider improvement projects (for the Parish Council and/or others to pursue) rather than development management policies.

Please can the Parish Council advise about its thinking on this matter?

*Policy 8*

This is a good policy underpinned by the submitted Design Guide.

*Policy 9*

This policy helpfully addresses an extensive range of renewable energy/sustainability matters.

However, its third section proposes detailed sustainability standards which do not take account of the guidance in the ministerial statement of March 2015 on this matter. Please can the Parish Council advise on how it has considered this matter in general terms, and the extent to which it has regard to national policy in particular?

*Policy 10*

Is there any detailed evidence to support the fourth section of the policy (on Part M 4.2)?

How would the 'preference' in the fifth section of the policy (on Part M4.3) be applied by the Borough Council through the development management process?

Have the in-combination effects of the policy on development viability been assessed?

*Policy 11*

What is the detailed justification for a lower self-build threshold as set out in paragraph 269 of the Plan? In particular on what basis was the 40-dwellings threshold chosen?

Have the in-combination effects of the policy on development viability been assessed?

*Policy 12*

Is the first part of the policy necessary?

Should the fourth part of the policy acknowledge that some 'restoration' projects may need listed building consent but not planning permission?

*Policy 13*

In the third part of the policy does 'encouraged' mean 'supported'? In policy terms 'encouraged' has little, if any, effect.

Is the eighth part of the policy needed given the contents of paragraph 301 of the Plan?

*Policy 14*

The second part of the policy is more a statement of process rather than a policy. Is its intention to support new community facilities which accord with other policies and are acceptable on a site-specific basis?

The fourth part of the policy is a statement of fact. Is its intention to support the development of new allotments? If so, I am minded to recommend a modification to the policy to this effect and to highlight the preferred site in the supporting text. Does the Parish Council have any comments on this proposition?

*Policy 20*

I am minded to recommend a modification to the policy so that it is clearer on the relationship between the Community Infrastructure Levy regulations and the need or otherwise for developer contributions. As submitted the policy is unclear on its intentions. Does the Parish Council have any comments on this proposition?

In a more general sense has the Parish Council given any consideration to the development of a functional link between this policy and the list of community projects in Appendix A? As I read the policy it provides no guidance on how any developer contributions would be used or applied. Similarly, Appendix A it is not otherwise rooted into the wider Plan.

## **Representations**

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

In particular does the Parish Council wish to make any comments on the following representations (the numbers in brackets are the reference numbers used on the Borough Council's website)?

- AJM Norris and Sons (6);
- Earl of Rutland and Dr Fleming Hospital Trust (7);
- Rectory Land (8);
- The Belvoir Estate (9);
- The Taylor Family (10);
- Davidson Developments Limited (17); and
- Melton Borough Council (22)

### **Protocol for responses**

I would be grateful for responses and the information requested by **12 April 2021**. Please let me know if this timetable may be challenging to achieve. 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 Borough Council. In addition, please can all responses make direct reference to the policy or the matter concerned.

Andrew Ashcroft

Independent Examiner

Bottesford Neighbourhood Development Plan.

24 March 2021