

INDEPENDENT EXAMINATION OF THE CHAPEL AND HILL CHORLTON, MAER AND ASTON, AND WHITMORE NEIGHBOURHOOD DEVELOPMENT PLAN

**Examiner letter seeking clarification of matters dated 15 July 2019**

Joint Newcastle-under-Lyme Borough Council and the Lead Parish Council (Whitmore Parish Council)

Examiner's Clarification	Lead Parish Council response	Newcastle-under-Lyme BC response
<p>1. Designating a green area as Local Green Space would give it protection consistent with that in respect of Green Belt. The Planning Practice Guidance states <i>"If land is already protected by Green Belt policy, or in London, policy on Metropolitan Open Land, then consideration should be given to whether any additional local benefit would be gained by designation as Local Green Space. One potential benefit in areas where protection from development is the norm (eg villages included in the green belt) but where there could be exceptions is that the Local Green Space designation could help to identify areas that are of particular importance to the local community"</i>. I have noted Map 4 shows parts of the Neighbourhood Area lie within designated Green Belt. Could you please confirm: which of the areas proposed for designation as Local Green Space are situated within designated Green Belt; and in respect of all such areas whether there is any existing evidence to confirm consideration has been given to whether there is any additional local benefit which would be gained by designation as Local Green Space.</p>	<p>Please see the descriptions in Appendix 1. All proposed LGS were considered against NPPF criteria. Proposed LGS within the Green Belt are all in Whitmore parish: LGSW 1, 2, 3, 4, 5, 6, 7, 8, 9, 10. We understand that the LPA is considering the release of land from the Green Belt in order to meet housing numbers.</p> <p>The descriptions to support each of the proposed LGS include the rationale for each space. The Qualifying Body did consider at the start that some spaces were within the Green Belt which affords a different level of protection. The Qualifying Body applied the Locality Local Green Space guidance<sup>1</sup> as the tool for recording and examining each of the original spaces proposed. The guidance makes clear what the purpose of the Green Belt is (page 14-15 of the guidance).</p> <p>The Qualifying Body understand that in the preparation of the emerging Local</p>	<p>The Green Belt within the Neighbourhood Area is located to the east of the railway line which runs through it. The following proposed LGS sites are located within the Green Belt: LGSW1-A53 Verge, M6 motorway to Butterton crossroads LGSW2-A53 Verge, M6 motorway to Butterton crossroads LGSW3 – Triangle at Shut Lane Head, Butterton LGSW4-A53 Wildflower Verge between Trentham Road roundabout and Whitmore Village LGSW5-Triangle at Snape Hall Road LGSW6-Verge on Snape Hall Road 'Heath House' to 'Snape Hall Farm' LGSW7- Verges on Snape Hall Road Snape Hall Farm' to Heath Road LGSW8-Verges on Heath Road LGSW9-Woodland on Whitmore Heath LGSW10-Raddle Hill</p> <p>It is understood the forms at Appendix 1 of the NDP Volume 1 document provide all the evidence to demonstrate the</p>

<sup>1</sup> <https://neighbourhoodplanning.org/wp-content/uploads/Green-space-FINAL-FOR-MHCLG-FS-update-061218-1008-COMPLETED-JS-complete.pdf>

	<p>Plan that some Green Belt may need to be released to provide sufficient available land for housing across the Borough. The Qualifying Body have been careful when identifying the proposed LGS not to apply the designation as an arbitrary level of protection to protect against growth as this would fail to meet the Basic Conditions. Any proposed Local Green Space is demonstrably special as evidenced in the descriptions and as the Locality guide clearly indicates there are circumstances where LGS can be proposed within the Green Belt.</p>	<p>suitability of the sites as LGS. There is also a response to a LGS Audit consultation at Appendix 8 of the Consultation Statement.</p>
<p>2. Policy DC1 includes the term “<i>historic buildings</i>”. The interpretation section below the policy states “<i>Historic buildings refers (to) non-designated heritage assets in Conservation Areas and elsewhere in the NA</i>”. I note the Planning Practice Guidance states “<i>Where it is relevant, neighbourhood plans need to include enough information about local heritage to guide decisions and put broader strategic heritage policies from the Local Plan into action at a neighbourhood scale.</i>” The Guidance also states “<i>Local Planning Authorities may identify non-designated heritage assets. These are buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions but which are not formally designated heritage assets. In some areas, local authorities identify some non-designated heritage assets as ‘locally listed’ and ‘Local lists incorporated into Local Plans can be a positive way for the local planning authority to identify non-designated heritage</i></p>	<p>Please see the Heritage and Character Assessment report by AECOM, which is accessible in the Evidence Base on the Neighbourhood Plan website. The wording of this policy has previously been revised following discussion with planning policy officers at NuL Borough. Examiner to advise on appropriate terminology. We would welcome his changes to section 3.2.2.</p> <p>In a previous policy review meeting with the Planning Policy Officer at NULBC we were advised to include the additional point in policy HG1 for clarity on the re-use and conversion of agricultural buildings. This was also based on the advice from the LPA where appeal decisions had raised this issue.</p>	<p>In order to clarify policy DC1 the wording of the first sentence could be amended to ‘The appropriate and sensitive reuse and/or conversion of non-designated heritage assets (a building or structure on the local list following adoption by Newcastle-under-Lyme Borough Council) is strongly encouraged’.</p> <p>In order to clarify the reference to non-designated heritage assets in relation to policy HG1 the wording of the second bullet point could be amended to ‘the conversion of non-designated heritage assets to residential uses provided it meets the requirements of policy DC1’;</p>

<p><i>assets against consistent criteria so as to improve the predictability of the potential for sustainable development.</i>" The Borough Council website includes under the link "Register of Locally Important Buildings in Newcastle-under-Lyme" a list that includes the buildings and structures set out in Table 6.9 in paragraph 6.11.1 of Volume II of the Neighbourhood Plan.</p> <p>In that it is not appropriate for Policy DC1 and its supporting text to imply locally identified assets will be recognised by the Borough Council as non-designated heritage assets I am seeking clarification whether it is intended Policy DC1 should refer to non-designated heritage assets (locally listed structures in Table 6.9). Section 3.2.2 'Local listing of structures' could then be expanded to include a community action which states "The following buildings and features are nominated for assessment by the Borough Council as potential non-designated heritage assets to be added to a local list of heritage assets compiled and curated by the Borough Council". If this is the case could you please provide me with a list of buildings and features to be presented after this latter statement.</p> <p>In any response please also clarify the reference to non-designated heritage assets in Policy HG1.</p>	<p>We feel that to include a list could have a limiting effect by virtue of its being included in the NDP. Instead, we suggest that the following or similar wording be put forward for the Examiner's consideration to be added to section 3.2.2:</p> <p>"It is recommended that the Parish Councils form a group of volunteers across the Neighbourhood Area to identify further structures for nomination by the Parish Councils, ahead of each biennial review of the Register of Locally Important Buildings and Structures."</p>	
<p>3. Policy DC2 includes the term "<i>Integrates existing verges into new developments</i>". Is it intended that to be supported development proposals should retain existing verges as verges in any scheme?</p>	<p>Yes, it is intended that to be supported development proposals should retain existing verges as verges in any scheme.</p>	<p>The Borough Council has no comment to make on this.</p>
<p>4. Is it intended that Policy HG3 should apply to all residential development including proposals for single dwellings? What is the intended relationship between Policies HG3 and COM3?</p>	<p>No, this policy would not apply to proposals for single dwellings. It would be triggered at the same point as anything that triggers a section 106 or CIL contribution. We are keen not to</p>	<p>To help clarify the application of the policy, Policy HG3: 'Local Play, Sports and Recreational Facilities' could be reworded to: 'Residential development must, subject to the applicable</p>

	<p>make schemes unviable, but to provide new/improved facilities for our rural community.</p> <p>When undertaking the Policy Mapping the community were quite clear that while a policy on Developer Contributions with broader priorities was created a specific policy (HG3) identified and addressed a specific infrastructure benefit/need in the rural community.</p>	<p>thresholds and viability considerations, provide for accessible, high quality, local play, sports and recreational facilities in the rural location’.</p> <p>The ‘interpretation’ to the policy would include reference to the issue of thresholds in terms of the November 2014 Ministerial Statement and the strategic policies CSP5 ‘Open Space/Sport/Recreation’ and C4 ‘Open Space in New Housing Areas’ within the Core Spatial Strategy and the Local Plan respectively.</p>
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