

MARTON WEST MODIFIED NEIGHBOURHOOD DEVELOPMENT PLAN Submission Draft Version

**Neighbourhood Plan Examiner's Questions
by Independent Examiner, Rosemary Kidd**

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14 December 2020

Marton West Neighbourhood Development Plan

Procedural Note and Examiner's Questions

I am writing to confirm that I have commenced the examination of the Marton West Neighbourhood Plan. All contact will be through a named representative of the Local Planning Authority. They will be responsible for forwarding all correspondence (except for contractual matters) to the representative of the Qualifying Body. All correspondence between myself, the Local Planning Authority and the Qualifying Body (except for contractual matters) should be placed on the Local Authority's website to ensure that the examination is conducted in an open and transparent manner.

I consider that it is unlikely that a hearing will be necessary, provided that I receive satisfactory answers to any questions and matters for clarification.

I confirm that I have undertaken an unaccompanied site visit.

- I will present my Examination Questions and matters for clarification to the Local Planning Authority by 14 December. This will also seek agreement to any significant wording changes to policies.
- I will allow 28 days for a response by the Local Planning Authority and Qualifying Body, making an allowance for the Christmas holidays. (11 January)
- Following receipt of responses to my questions and matters of clarification, I will prepare my draft Examination Report for fact checking.
- I will allow 7 days for a response by the Local Planning Authority and Qualifying Body.
- I anticipate that I will issue my final report to the Local Planning Authority and Qualifying Body by the end of January.

Following my initial assessment of the Neighbourhood Plan and representations, I would appreciate clarification and comment on the following matters from the Qualifying Body and/or the Local Planning Authority. In order to ensure openness and transparency of the examination process, these questions and the responses should be published on the Council's website.

In addition to matters on which I would welcome clarification or further information, I am highlighting my concerns about the plan and proposing suggestions for addressing them so that the QB and/ or LPA has the opportunity to respond to them, if they wish, in advance of receiving my examination report.

1. The map on page 21 of the Plan is titled **Sites Location Map**. To improve the clarity of the Plan I am proposing that this should be titled "Policies Map" and the key should be cross referenced to the relevant policies. The boundaries of all sites should be clearly distinguishable. Designations outside the plan area should be omitted from this map but may be shown on a diagram within the plan. Would the QB confirm that this is acceptable.

2. I am proposing that minor modifications should be made to **Policies MW1 and MW7** to avoid the use of the phrase development “will be permitted”. It is not appropriate for neighbourhood plan policies to prescribe permission for a particular type of development. NPPF paragraph 2 states that planning permission will be determined in accordance with the development plan unless material considerations indicate otherwise.
3. **Policy MW1:** I have given careful consideration to whether the proposed LGS designation is appropriate and I consider that it is. However I am proposing a modification to the wording of the policy to reflect NPPF paragraph 101 and guidance on conserving the historic environment. Would the QB confirm that the following revisions are acceptable.

Revise the first paragraph to read: “Development *proposals should not have an adverse effect on*”

**Add a new paragraph before the third paragraph of the policy to read:
“*Inappropriate development that would be harmful to the Local Green Space should not be approved except in very special circumstances. The valued parkland setting of the Grade II listed Newham Hall, Newham Hall Lodge and Newham Hall Gate should be preserved and enhanced, where appropriate, in a manner that reflects and is compatible with its historic landscape design.*”**

Revise the third paragraph of the policy to read “*Development should not result in the loss of green space, veteran, notable and mature trees, and local valued landscapes which make a positive contribution to the character of the area and local amenity.*”

4. **Policy MW2:** The justification updates the position on the housing requirement and delivery. Paragraph 68 states that there is no requirement for additional housing allocations in the Marton West Ward. Policy MW2 does not allocate any sites for housing and refers to housing delivery being implemented on the sites allocated in the Housing Local Plan and through windfall sites. Would the LPA confirm whether they have set an indicative housing requirement for the Marton West Ward and if so, provide me with a breakdown of how this is to be delivered in the ward through commitments, allocations and windfall sites. Would they also confirm whether they consider that the statement in paragraph 68 referred to above to be correct.
5. **Policy MW7** to be revised to read:

“Backland or tandem development *should:*

- **Incorporate separate....**
- **Provide an acceptable standard of residential amenity for the new dwelling.....**
- **Provide an adequate open area within the curtilage of...**
- **Reflect the scale and character....**

I have no comments to make on the other policies.

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