

**Llangarron Neighbourhood Plan Examination**

20<sup>th</sup> September 2021

Dear Qualifying Body

**Clarification Note from the Examiner to Llangarron Parish Council**

Further to reviewing the Llangarron Neighbourhood Plan and supporting information, I am contacting Llangarron Parish Council (as Qualifying Body) in respect of the matters set out below.

At this stage, having considered the submitted information, I am not calling for a public hearing as part of the examination process. However, Neighbourhood Planning Independent Referral Service (NPIERS) Guidance<sup>1</sup> Paragraph 1.11.4 states that:

*“The Qualifying Body will normally be given the opportunity to comment on the representations made by other parties...The opportunity for the Qualifying Body to comment on representations could be incorporated within an independent examiner’s clarification note...”*

Therefore, I confirm that there is an opportunity for Llangarron Parish Council to respond to me in respect of the representations made during Regulation 16 consultation, should it wish to do so.

In addition to the above, I would also be grateful for any assistance Llangarron Parish Council can provide in respect of providing brief responses to the questions set out overleaf. If in doing so there is a need to refer to evidence relating to the Llangarron Neighbourhood Plan, please note that this should only comprise evidence that is already publicly available.

Thank you very much for your consideration of this Clarification Note.

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<sup>1</sup> NPIERS “Guidance to Service Users and Examiners.”

For clarity, in the light of all of the representations received, I have separated out my queries below, as follows:

- 1) Public Consultation;
- 2) Policies.

### 1) Public Consultation

A number of representations have been submitted in respect of the Neighbourhood Plan consultation process, including comments to the effect that people did not have a fair chance to have their say.

***Please can you give consideration to and comment on the representations made in respect of the public consultation process ?***

### 2) Policies

**Policy SUS1** – The Policy is very wide-ranging and appears to seek to cover many issues. National policy and advice requires planning policies to be concise and deliverable, amongst other things. Herefordshire Council has submitted a representation to the effect that parts of the Policy appear to be covered elsewhere in the Neighbourhood Plan.

- ***Please could you comment on Herefordshire Council's representation in this regard ?***

**Policies SUS1, ENV1, ENV2** – These Policies include requirements for all development to “*enhance.*” Such an approach appears to go beyond any national or local policy requirements.

- ***Please can you point me to any evidence in justification of the above approach ?***

**Policy ENV4** – The first part of the Policy appears ambiguous.

- ***Please can you point me to information in respect of which development “may” result in overload ?***

**Policy EMP1** – The Policy supports the development of “other rural business buildings” in the countryside.

- ***Please can you point me to information in respect of what “other rural business buildings” comprise – is this any form of business in the rural area?***

**Policy HOU1** – The Policy requires housing development to support a mix of housing types and tenure. National and local policy does not require developments of ten or fewer dwellings to provide affordable housing. The Neighbourhood Plan does not allocate land for housing.

- ***Please can you point me to evidence that the requirements of Policy HOU1 part 1) are deliverable ?***

**Policy HNDP6** – Representations have been received, objecting to the designation of sites 5.1 and 5.3 as Local Green Space.

- ***Please could you comment in respect of the objections to the designation of these two sites as Local Green Space ?***

**Policy HOU4** – Household applications tend to comprise the majority of planning applications as homeowners express their right to extend. Normally, household extensions are subject to requirements related to taking residential amenity and local character into account. Policy HOU4 appears to seek to introduce onerous, if ambiguous, requirements.

- ***Please can you point me to evidence of where national or local planning policy (as opposed to say, the removal of Permitted Development Rights by legal agreement) seeks to restrict household extension applications in order to retain small homes ?***

- ***Please can you point me to information in respect of how “adverse impact...sensitive to...respond positively...be integral” will be judged, who by and on what basis ?***
- ***Please can you point me to a definition of “small in scale” ?***
- ***Please can you point me to information in respect of when a decision must apply part 8) of the Policy and why ?***
- ***Please can you point me to information in respect of how applications for live/work accommodation will be encouraged and why encouragement is a land use planning policy matter in this respect ?***

#### **Policy TRA1**

May of the criteria seem to relate to large scale, rather than all development.

- ***Please can you clarify what type of development this Policy is meant to apply to; or point me to evidence/information re: why it is applicable to all development, as set out ?***
- ***Please can you point me to information in respect of how this Policy can be delivered by all development ?***

#### **Policy COM1**

- ***Please can you clarify what type of development the first part of this Policy is meant to apply to; or point me to evidence/information re: why it is applicable to all development, as set out ?***

Thank you.

Please note that the above queries do not imply criticism of the Neighbourhood Plan but are simply to help my understanding of it and to help to support its examination against the basic conditions.

Given the ongoing impacts of coronavirus, I am not setting a strict deadline for feedback, but would welcome as early a response as is practical. Thanks.