

## Uffington and Baulking 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. In particular it addresses a series of key issues in a positive fashion.

The layout and 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 and photographs is very helpful. The production of the Plan has been underpinned by detailed evidence and specific studies.

#### *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 both Uffington Parish Council/Baulking Parish Meeting and 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/Parish Meeting*

##### *Policy L1/L2*

As I read the policy its focus is more about how a planning application would be assessed rather than its operation as a policy itself. Is its intention that development proposals should take account of the landscape in general, and of the AONB in particular and its ability (or otherwise) to accept change? If this is the case does then the submitted policy describe how this might be achieved through the planning process?

In this context I am minded to recommend a modification which would provide a broader context for both policies (based on local and national policy) within which the submitted policies would provide further detail. Do you have any comments on this proposition?

##### *Policy L3*

The policy designates Local Green Spaces (LGS) but does not identify the implications of doing so. Is it the intention to apply the approach set out in paragraph 78 of the NPPF to the designated areas?

In general terms the assessment of the proposed LGSs is very thorough.

On Site 4 (annex d) and in the second of the three NPPF criteria I can understand the various points made and relate them to the characteristics of the site which I saw on my visit. However apart from the initial point on its history in what way is this parcel of land specifically different and/or demonstrably special in comparison with other parcels of land on the edge of the village in agricultural and/or equestrian use?

### *Policy H1*

I can see the evidence from the HNA. However, to what extent does the policy add any value to the delivery of new housing in the neighbourhood area over and above the general policy approach taken in Policies H2 and H3?

How would the Parish Council/Parish Meeting expect the District Council to interpret and implement the second part of the policy (for a strong preference for smaller dwellings)?

How are 'smaller dwellings' defined?

Would the approach mean that proposals which delivered only 'larger dwellings' (however defined) would not be supported?

### *Policies H2/3*

I have read the Baulking Evidence Paper and understand the ambitions set out in the Plan.

However:

- Why is a policy approach for Baulking included in both policies?
- Which one would take precedence in the decision-making process?
- In H2A how would the built-up area of Baulking be defined?
- Is the Uffington/Baulking common approach in policy H2 in general conformity with strategic policies in the development plan in general, and with Core Policies 3/4 in the Local Plan 2031 Part 1 particular?

### *Policy H2C*

As submitted this part of the wider needs to relate to Policy H2B. Otherwise read in isolation it would suggest that development would be acceptable in principle in the AONB where it meets design criteria. This has the potential to generate unanticipated consequences.

I am proposing to recommend a modification to remedy this matter. Do you have any comments on this proposition?

### *Policy H4B*

As submitted the policy is supporting text rather than policy.

I am proposing to recommend that it becomes supporting text to Policy H4A. Do you have any comments on this proposition?

### *Policy D1*

I am proposing to recommend that the policy should refer to good design rather than simply to reference a Design Guide

Does the Parish Council/Parish Meeting have any comments?

The reference to permitted development needs to be in supporting text. A planning policy cannot attempt to exercise control over permitted development. By definition such development is removed from planning control.

### *Policy D2B*

As submitted the policy is supporting text rather than policy.

Is it your intention that support will be given to new dwellings which are proportionate to their plot sizes?

*Policy D2C*

As acknowledged in the Plan this is a summary not a policy in its own right.

In effect is D2C a detailed part of either D1 or D2A?

*Policies D3/4/5*

As submitted the policies are worded as ambitions rather than as policies. The use of the word 'will' does not identify what is required of a development and how the local planning authority will respond to such proposals.

Subject to your comments I am proposing to recommend modifications so that the policies take on a traditional policy format.

*Policy EE1A*

The use of 'dependent on location' does not have the clarity required by the NPPF.

On what basis would either a potential developer or the District Council be able to interpret this policy consistently throughout the Plan period?

Does the policy have specific location in mind where employment uses would or would not be supported?

*Policy EE1B*

As submitted the policy is more about justification rather than being a policy in its own right. Is the intention that it is a safeguarding policy for existing retail and employment uses?

If so what types of 'strong justification' does the Parish Council/Parish Meeting have in mind in order to support proposals for changes of use?

*Question for the District Council*

I have seen the details set out in Comment 5. Is there any timescale for the determination of the current planning application for residential development on the land off Fernham Road, Uffington (P/18/V2199/O)?

Your comments on the representation made by Natural England in respect of the HRA screening report would be appreciated.

***Representations***

Does the Parish Council/Parish Meeting 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 12 March 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

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25 February 2019