

## **Langham Neighbourhood Development Plan Review**

### **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. It is a good example of how a community has chosen to update and review an existing Plan.

The presentation of the Plan is very good. The difference between the policies and the supporting text is very clear. The Plan makes good use of photographs and maps to highlight particular matters.

The supporting text in the sections on Building Design and Cultural Heritage are very effective. This is reinforced with the photographs used in those parts of the Plan.

### **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 note also included separate questions for the County 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***

Policies in general

Several of the policies in the Plan are either statements of fact or a combination of policy and supporting text. They include the following policies:

SG1/BD1/BD2/BD3b/RS1/RS4a/RS5/VC1-3

I am minded to propose modifications to the policies concerned so that they are worded in a policy fashion whilst retaining their intended purpose.

Does the Parish Council have any comments on this proposition?

Policy SG2a

The intention of the policy is clear. However, what is the evidence used to support the thresholds of three dwellings and 30% affordable housing provision?

Policy SG2b

The policy reads as a statement rather than a policy and cannot realistically be reconfigured to read as a land use policy. As such I am minded to recommend that it is deleted.

The general commentary in the supporting text can remain with a degree of modification

Does the Parish Council have any comments on this proposition?

### *Policy SG3*

The policy title is 'Site Allocations'. However, it reads simply as a schedule of priorities.

Does the Plan intend to allocate any of the site in a traditional sense?

In its representation the County Council comments about 2021/1423/MAO. It advises that planning application for 50 homes on Cold Overton Road has been approved at planning committee subject to a Section 106 agreement which is still being negotiated. It is anticipated that the S106 will be completed, and the decision noticed issued within the next 4 weeks

It also proposes revised supporting text to take account of this decision

Does the Parish Council have any views on the suggested changes to the Plan?

In this context does it wish to revisit its approach to the sites identified in the policy or does it wish to continue its support for sites LNP01 and 03 and consolidate the housing land supply in the parish?

In a more general sense are sites LNP 01 and 03 identified in the policy capable of being delivered within the Plan period?

### *Policy SG4*

This is a well-considered policy.

However, does it add any specific value to existing national and local policies?

### *Policy BD3c*

I am minded to recommend a modification to the policy so that it would apply in a way which was proportionate to application concerned.

Does the Town Council/Parish Council have any comments on this proposition?

If the initial part of the application refers to all new development what is the specific purpose of the latter part of the policy which concentrates on alterations and extensions?

### *Policy CH2*

The supporting text is very informative.

However, I am unclear about the purpose of the first part of the policy and the nature of the 'additional protection' proposed for the identified structures listed in the second part of the policy.

Please can the Parish Council clarify its intentions?

### *Policy CH3*

The policy reads entirely as a process matter

Please can the Parish Council clarify its intentions?

### *Policy RS2*

The ambitions of the policy are clear. In addition, I saw first-hand the clear distinction between the village and the countryside

However, does the policy add any specific value to existing national and local policies on this matter?

*Policy RS3*

How was the information in Table 7.1 determined?

On what basis has the Parish Council concluded that wind energy via single or multiple wind turbines is neither suitable nor acceptable?

In any event would that approach have regard to national planning policy?

*Policy RS4a*

I looked at the proposed Green Separation Zone in detail. Its intended purpose was self-evident.

However, the policy is excessively onerous and does not meet the basic conditions.

I am minded to recommend that it is modified so that it would provide an opportunity for proposals to come forward (as they would otherwise in the countryside) but where they did not have an unacceptable impact on the separation between Oakham and Langham.

Does the Parish Council have any comments on this proposition?

*Policy RS4b*

The wildlife buffer zone supporting text explains the reasoning behind the policy.

However, the policy itself is very unclear. In particular, what type of development does the Parish Council anticipate would be affected by the policy ('any developer' in the policy) and would the provision of a private wildlife buffer zone at least 20 m wide necessarily be proportionate to the development concerned in general or directly related to the proposal in particular?

*Policy VC2*

Are parts 3 and 4 of the policy necessary given that they simply restate existing controls.

Parts 2 and 5 of the policy read as an encouragement to owners to maintain the identified elements of the environment rather than as a land use policy

Please can the Parish Council clarify its intentions?

*Monitoring and Review*

The Plan positively addresses this important matter. It proposes that the Plan is reviewed against any revised national or local planning policies and that such a process would start in January 2027 and then be reviewed every five years thereafter.

The current Local Development Scheme indicates that the County Council will adopt a new Local Plan in September 2025. In these circumstances I am minded to recommend that the review process is revised to begin either six months after the adoption of the Local Plan or January 2027 (whichever occurs first).

Does the Parish Council have any comments on this proposition?

**Questions for Rutland County Council**

Please will the Council advise me once the S106 Agreement has been signed for 2021/1423/MAO and the planning permission has been issued?

Is the Council continuing to work to the timetable for the Local Plan as set out in Appendix 1 of the Local Development Scheme?

**Representations**

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

In particular does it wish to comment on the detailed comments from Rutland County Council?

**Protocol for responses**

I would be grateful for responses and the information requested by 7 September 2022. 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 come to me directly from the County Council.

In addition, please can all responses make direct reference to the policy or the matter concerned.

Andrew Ashcroft

Independent Examiner

Langham Neighbourhood Development Plan Review

15 August 2022