

## North Luffenham 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.

The presentation of the Plan is good. The difference between the policies and the supporting text is clear.

### 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 able to raise issues for clarification with the Parish 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:

#### *General*

Several policies take a negative approach in identifying what development proposals should avoid rather than a more positive approach (which would specify how proposals should be prepared and designed).

I am minded to recommend modifications to the relevant policies to achieve this effect. In each case, the policy would end with an indication that proposals which did not achieve the approach in the policy would not be supported.

Does the Parish Council have any comments on this proposition?

#### *Policy NL2*

The need for the policy has now been overtaken by the introduction of Part R of the Building Regulation in December 2022.

In these circumstances I will be recommending the deletion of the policy. I am satisfied that the supporting text can remain in the Plan with an update about the Building Regulations.

#### *Policy NL3*

This is generally a good policy.

However, is there an overlap between the initial wording in the first part of the policy and criterion a?

#### *Policy NL6*

The policy is carefully underpinned by the evidence in the relevant Background Paper. I looked at the two Local Green Spaces (LGSs) during the visit.

The Parish Council will see that Defence Infrastructure Organisation has objected to the designation of LGS2 (Butt Lane). This note provides the opportunity for the Parish Council to respond to that objection.

Does the Parish Council have any further information on the status of that part of Butt Lane included within the proposed LGS as a highway/footpath beyond the details in the LGS Background Paper?

The second part of the policy goes beyond the matter-of-fact policy approach to LGSs in paragraph 103 of the NPPF. I am minded to recommend that the policy takes the approach in the NPPF and that the supporting text outlines the opportunities for the enhancement of the LGSs

Does the Parish Council have any comments on this proposition?

#### *Policy NL8*

In the round this is a good policy. It is a positive response to Section 12 of the NPPF.

The supporting text provides links to two documents – the North Luffenham Design Codes and the Saint George’s Barracks Masterplan and Design Codes. I have read the information in Section 4 of the Plan.

For my clarity:

- Has the North Luffenham Design Code been prepared to accompany the submitted Plan and to be examined in the round? If so, should the policy refer to the Design Codes?
- The Saint George’s Barracks Masterplan and Design Codes is an interesting document. However, what is its intended purpose? The second paragraph of Section 4 suggests that it is intended to influence any revised proposals for the redevelopment of the Barracks which may arise in the emerging Local Plan. As the supporting text of the Plan comments, the Rutland Local Plan was withdrawn and a revised Plan is being prepared. In addition, the submitted Plan is silent on the future development of the site.

#### *Policy NL9*

This policy provides a useful parish-based dimension to national and local planning policies on heritage assets.

I can see that the approach taken in the second part of the policy is underpinned in the third paragraph of the Interpretation. However, that explanation does not provide clarity about the significance and location of non-designated heritage assets. Can the Parish Council provide clarity on its approach (or provide a schedule of assets to which the second part of the policy would apply)?

#### *Policy NL10*

I looked carefully at the proposed ‘Green Gap Area’ between North Luffenham and Edith Weston during the visit.

In what way would its proposed designation bring added value beyond the context provided by national and local planning policies?

Given the location of its proposed northern boundaries, would it be more appropriately identified as the separation between North Luffenham and Saint George’s Barracks?

### *Monitoring and Review*

Section 6 of the Plan positively addresses this important matter in a very comprehensive way.

I can see that this section acknowledges that national and local planning policies may change within the Plan period.

I am minded to recommend the inclusion of an additional sentence on this point to indicate that the Parish Council would consider the need or otherwise for a partial or full review of the Plan within six months after the adoption of the emerging Local Plan. Does the Parish Council have any comments on this proposition?

### ***Representations***

It would be helpful to receive the Parish Council's comments on the representation received from the Defence Industry Organisation (through Montagu Evans).

The County Council makes a series of detailed suggestions about the way some of the Plan's policies should be modified to ensure that the Plan meets the basic conditions. I would also find it helpful to have the Parish Council's comments on these matters.

### ***Protocol for responses***

I would be grateful for responses and the information requested by 16 June 2023. Please let me know if this timetable may be challenging to achieve. It is intended to maintain the momentum of the examination.

If 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.

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Independent Examiner

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17 May 2023