

Uppingham 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. The Plan addresses a range of issues in a comprehensive fashion and is underpinned by a series of appendices

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 Town 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

I have considered the comments about the significance of the review of the Plan. I agree with the Town Council and the County Council that the Plan will need both an examination and a referendum.

SEA/Environmental Report

Paragraphs 4.4/4.5 and 4.11/4.13 of the AECOM report set out the context to the selection of the proposed housing allocations. As I read the report, it justifies the case for the package of sites based on earlier work rather than grappling with potential alternatives to deliver the strategic requirement for the town in the emerging Local Plan (such as applying different packages or higher densities to individual sites).

It would be helpful if the Town Council commented on this reading of the Environmental Report and the extent to which it meets the basic conditions.

Similarly, it would be helpful to understand the way in which the Town Council incorporated specific findings of the Environmental Report into the submitted Plan.

Policy H1

The Town Council has approached the delivery of new homes in a positive way. I note the general support from the landowners and potential developers on a site-by-site basis

Nevertheless, the policy's indication of 25 homes per hectare for new development is very low and has the potential not to make the best use of land. It would be helpful if the Town Council expanded on the commentary in the Rationale on this matter and provided further guidance about the reasoning for the density specified.

In this context how has the Town Council balanced the need to deliver new homes with density and the overall amount of land allocated for housing development?

Is the Town Council satisfied that the various housing allocations are viable and deliverable in general, and at the densities proposed in particular?

Policy H3

The intentions of the policy are very clear

However as submitted is it a land use policy? Parts B and C read as commentary on a potential further review of the Plan.

Policy U-HA1

What is the status of potential new road access between Stockerston Road and Leicester Road?

Is it appropriate for such a road to be shown on the potential layout of the site?

Could criteria d/e/f be delivered in a co-ordinated and overlapping way?

Policy U-HA2

The supporting text and the policy suggest that further work is required to establish a safe access/egress into the site. Has any further work been undertaken on this matter since the Plan was submitted?

How would an access address the difference in levels between Ayston Road and the proposed site?

In criterion (g) is the need retail store intended to be a local convenience store for the homes on the proposed allocation? Does this approach overlap with that proposed in Policy BE2 or is it in addition to the provisions of that policy?

Policy U-HA3

What is the status of the proposed food store (identified in the Rationale)? Is it that proposed in Policy BE1?

The purpose of criterion (c) is self-evident. However, is an 'unfettered vehicular access' a commercial issue rather than a land use planning matter?

Is the highways access intended to be taken from the highway between the GP surgery and the other medical and commercial uses?

Policies U-HA4 and 5

Has the Town Council specifically chosen not to include any specific criteria for the detailed development of these sites?

Policy OH2

Is the approach in the policy intended to be applied to the allocated sites?

Policy OH4

Should the policy directly refer to infill development within the Planned Limits of Development?

If so, is the second criterion needed?

Policy OH5

The policy is commendable comprehensive. However, should the commentary on biodiversity be elsewhere so that the policy can focus on design issues?

I understand the final part of the policy. However, as a process matter is it reasonable? Could it be better located in the supporting text?

Policies C&H1/C&H2

The significance of the conservation area and the town's heritage assets was self-evident during the visit.

Nevertheless, do the policies bring any specific added value beyond the contents of national and local planning policies?

Policies TC1/TC2

These are good policies which will help to reinforce the viability and vitality of the town centre

Policy OR1

As submitted this policy could have unintended consequences and detract from the overall role of the town centre.

Does the Town Council have any comments on the size of stores which would be appropriate/acceptable?

Does the Town Council have any comments on the number of new stores which would be appropriate/acceptable?

Has the Town Council assessed the opportunities for the development of additional food stores within or adjacent to the Town Centre?

Policy BE1

I fully understand the purpose of criterion (a) about new uses addressing the local market. Nevertheless, how does the Town Council anticipate that this aspiration would be controlled through the development management process by the County Council?

Is there capacity in the highways system to allow an additional spur off the A47 roundabout?

Policy BE2

Criterion (b) seeks to address the sensitivity of the site. Nevertheless, is a landmark building appropriate in this sensitive location on rising ground?

Policy BE3

Given that the continuation of land uses does not need planning permission is the purpose of the first part of the policy to support the development of new employment related uses or the consolidation/extension of existing employment uses in this part of the town?

What is the context to the second paragraph of the policy? Is a new access to the eastern part of the Industrial Estate likely to come forward within the Plan period?

Policy BE5

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 am minded to recommend that the deletion of the policy. I am satisfied that the supporting text can provide an update about the Building Regulations. Does the Town Council have any comments on this proposition?

Policy BE6

This is a good policy which responds positively to the importance of tourism to the local economy.

Policy TR1

The policy reads as a summary of national and local policies (and site allocation policies) rather than as a land use policy.

It will be helpful if the Town Council expands on its thinking for the approach taken.

Policy TR3

I understand the approach taken in the policy. However, several of its elements would be unlikely to need planning permission.

Please can the Town Council elaborate on the approach taken?

Policy TR4

The policy reads as a highways policy rather than a land use policy.

Please can the Town Council elaborate on the approach taken?

Policy CF1

This is a good policy which recognises the importance of community facilities to the well-being of the town.

Monitoring and Review

The Plan positively addresses this important matter in a comprehensive way. It acknowledges that national and local planning policies may change within the Plan period.

In this context I am minded to recommend the inclusion of an additional sentence on this point to indicate that the Town 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 Town Council have any comments on this proposition?

Representations

Does the Town Council have any comments on the representations made to the Plan?

I would find it helpful if the Town Council commented on the following representations:

- Matrix Planning (Representation 4);
- Uppingham Gate Limited (Representation 5);
- Allison Homes (Representation 6);
- Langton Homes (Representation 9);
- Vistry Homes (Representation 16); and
- Welland Vale Garden Centre (Representation 20)

The County Council makes a series of detailed comments and suggestions about the Plan's policies (Representation 23). I would also find it helpful to have the Parish Council's comments on those matters.

Protocol for responses

I would be grateful for responses to the various matters by 20 December 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.

Andrew Ashcroft

Independent Examiner

Uppingham Neighbourhood Development Plan Review

21 November 2023