

Consultation Statement

Appendix G - Report from IPE Ltd. Neighbourhood Plan Health Check (October 2017) Intelligent Plans and Examinations (IPE) Ltd

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Introduction

The draft Caterham Chaldon Whyteleafe Neighbourhood Plan (CCWNP) demonstrates considerable efforts on behalf of the Neighbourhood Plan Steering Group, Parish and Village Councils. It is mainly well expressed and evidenced, clear in its intent and quite comprehensive in its coverage of the relevant current issues affecting the area. However, there are a few important omissions that need to be rectified to properly support the proposals and also a small number of material amendments required if it is to stand up to critical examination and subsequently become part of the development plan for the area. Whilst extensive comments are listed below, they are mainly intended as a suggested means to improve the CCWNP and build on the essentially solid structure of the document as drafted. This would enhance the prospects of the Plan fully meeting the Basic Conditions (and other legal requirements) when examined.

Key Findings

- Policies – The clear definition of the policies is critical in how the document will be applied to the Neighbourhood Area and used by decision makers¹. The Plan must present the policies as the Plan’s main focus and provide a clear link from the objectives derived from consultation work and the Plan’s evidence base. The removal of matters outside the remit of land use planning policy into a separate ‘projects’² section or annex of the Plan, and in some cases removal from the CCWNP entirely, would aid this clarity of approach. Policies that repeat the existing local and national policy or current requirements of the planning process that are within the remit of the LPA have been suggested for removal to ensure the document is clear, streamlined and fits in with the adopted development plan for the area.
- Consultation – The consultation work and Consultation Statement (CS) should be commended, it is clear that extensive consultation work has been carried out by the group over a sustained period of time and efforts made to engage with those who live and work in the area.
- Basic Conditions Statement (BCS) – The Basic Conditions Statement as drafted is too brief and should include an assessment of the CCWNP against all of the Basic Conditions. The BCS should also outline the key dates of designation and compliance with the requirements of the Neighbourhood Planning (General) Regulations 2012 (as amended) (‘the 2012 Regulations’), as it will aid an examiner in assessing the Plan.
- Strategic Environmental Assessment (SEA) and Sustainability Appraisal (SA) – More detail on the process of SEA and whether a scoping opinion was sought from the LPA should be included to give context to the SEA/SA Appraisal work. This report is valuable in providing a clear assessment of the policies and it should also be made clear how the findings have been incorporated into the draft CCWNP.
- Habitats Regulations Assessment (HRA) – More detail on the process of HRA and whether the LPA have provided a screening for the CCWNP should be included in the BCS. It appears from the information that there are no significant impacts from an HRA perspective but this should be confirmed and detailed in the BCS.
- Local Green Spaces (LGSs)- The methodology of selection is expressed in the supporting documents on the website. It is critical that this work is emphasised and referenced upfront within the CCWNP to robustly back up the designations with critical discussion against the requirements outlined in paragraphs 76-78 of the NPPF.
- General Conformity with the Local Development Plan – In the Basic Conditions Review the Plan has been assessed against the National Planning Policy Framework (NPPF) and Local Plan. It is suggested that this table is included as an appendix to the BCS and that further consideration should be given to policies identified in terms of conformity with the key documents considered, any areas of concern identified with the SEA/SA work and the areas where the Plan details any significant additional requirements to those outlined in local or national policy and guidance.

¹ See Planning Practice Guidance (PPG) Paragraph Reference ID: 41-041-20140306.

² See PPG Paragraph Reference ID: 41-004-20170728, which explains that wider community aspirations than those relating to development and use of land can be included in a neighbourhood plan, but actions dealing with non land use matters should be clearly identifiable. For example, set out in a companion document or annex.

- Ensuring viability and deliverability - Many of the CCWNP policies contain detailed and potentially onerous requirements. The Qualifying Body (QB) should carefully consider if they are not overly onerous bearing in mind the advice given in paragraph 173 of the NPPF.

Basic Conditions

Basic Condition	Compliance
Does the Neighbourhood Plan have regard to national policies and guidance?	The BCS outlines the compliance of the Plan policies with the NPPF. Detailed comments on the assessment provided in the BCS are provided below.
Does the Neighbourhood Plan contribute to achieving sustainable development?	<p>The Plan states a commitment to sustainable development and the consideration of the environmental, social and economic factors is evident throughout the CCWNP. It should be clearer throughout the Plan how each policy contributes towards the delivery of sustainable development.</p> <p>The QB should carefully consider whether the policies are overly onerous bearing in mind the advice given in paragraph 173 of the NPPF.</p>
Is the Neighbourhood Plan in general conformity with the strategic policies of the local development plan?	<p>The BCS confirms that the Plan has been assessed against the local and national policy documents and is in general conformity and has due regard. It would be helpful to briefly discuss in the BCS, the key documents considered, any areas of concern identified with the SEA/SA work and the areas where the Plan details any significant additional requirements to those outlined in local or national policy and guidance. From the assessment provided, it is confirmed that the policies are mainly in compliance with the strategic policies of the appropriate plans. Further detailed comments on the CCWNP policies providing further critical assessment of the CCWNP policies against the regional and local level documents would be helpful to improve clarity and understanding of the decisions taken in the CCWNP policy development process.</p> <p>Overall, the CCWNP looks to take a locally distinctive approach and adds detail to the strategic policies outlined in the Development Plan for the area. Evidence for the LGSs proposed and discussions of housing density figures contained within the draft are required to support their inclusion.</p>
Would the Neighbourhood Plan have a significant effect on a European site or European offshore marine site?	It is unclear if the Plan has been screened for SEA by the Local Planning Authority (LPA), this should be confirmed in the BCS. From the information presented in the SEA/SA Report there is no evidence of significant effects on European sites.

Is the Neighbourhood Plan in line with European obligations?	The CCWNP draft and supporting documents do not appear to raise any issues with regard to other European obligations.
Is the Neighbourhood Plan compatible with human rights legislation?	The objectives and key policies of the CCWNP draft and supporting documents do not appear to raise any issues with regard to human rights.

Legislative and Regulatory Requirements

Legislative and Regulatory Requirements	Compliance
Has the Neighbourhood Plan been prepared by a qualifying body?	The BCS must confirm the Plan has been prepared and submitted by a QB. As the QB consists of Parish Councils and Village Councils then this is not an area of concern but the BCS should outline clearly how this coalition has operated. The information included in the Appendix A of the Consultation Statement should be directly referenced in the BCS and/or moved to an appendix of the BCS.
Has the Neighbourhood Plan been prepared for a designated plan area?	The area covered by the Plan has been designated by the LPA. The Plan boundary was designated by Tandridge District Council on the 18 th July 2012. The map of the Neighbourhood Area, as designated, should be included in the CCWNP on a clearly labelled map (on an OS map base). The dates and compliance with the 2012 Regulations should also be clearly set out in the BCS.
Does the Neighbourhood Plan relate to more than one neighbourhood area?	The CCWNP relates to one neighbourhood area, as designated (see above). This should also be clearly set out in the BCS.
Does the Neighbourhood Plan specify the plan period?	<p>The CCWNP specifies 2015-2035 as the time period it will cover.</p> <p>The QB may wish to set a timescale for review of the Plan to the monitoring section. Advice on the review of neighbourhood plans is provided in the Planning Practice Guidance (PPG) Paragraph Reference ID: 41-084-20160519 to ID: 41-086-20160519. It is also notable that It is notable in this context that Section 4 of the Neighbourhood Planning Act 2017 provides new provisions (once commenced) to make the review of a made neighbourhood plan a much less onerous process.</p>
Does the Neighbourhood Plan include excluded development?	<p>The BCS omits to confirm that the CCWNP does not deal with excluded development. Excluded development includes minerals, waste and major infrastructure. It should be clearly stated in the BCS that the CCWNP remains within this remit.</p> <p>However, for the CCWNP to be compliant in this regard it is necessary to remove Policy U04 – Implications of Fracking, as Fracking is excluded development.</p>

<p>Do the Neighbourhood Plan policies relate to the development and use of land only?</p>	<p>The BCS should confirm that the CCWNP relates to the development and use of land. Some elements of the detailed policies do not relate to the development and use of land, as detailed in the comments below. It is suggested that the labelling of ‘projects’ is appropriate, however it would be more effective if these were separated from the parts of the Plan that deal with planning issues and policies for clarity, for example in an appendix.</p>
<p>Does the Neighbourhood Plan pre-submission comply with the Regulations?</p>	<p>The CS details the engagement carried out and separate comments are made on the CS later on in this health check. There is no indication that pre-submission consultation has not been carried out in line with the 2012 Regulations and has been appropriate in line with the scale, coverage and complexity of the Plan area.</p>
<p>Has the Local Planning Authority completed a Strategic Environmental Assessment (SEA) screening opinion?</p>	<p>It is unclear if a formal SEA screening by the LPA has been undertaken, the approach to this should be confirmed in the BCS. The SEA/SA work presented provides an overview of environmental impacts of the policies. It would be helpful if further discussion over how the policies were amended following this review and where key decisions have been made are outlined within the BCS or justification of individual policies, where negative impacts have been identified.</p>
<p>Has the Local Planning Authority completed a Habitats Regulations Assessment (HRA) screening opinion?</p>	<p>It is not clear that a HRA screening has been undertaken by the LPA. HRA is referenced in the documents but further detail is required on this for inclusion in the BCS and to ensure that the policy relating to the Mole Gap to Reigate Hill Escarpment site is taken into account.</p>

DETAILED COMMENTS

Neighbourhood Plan Draft

Introduction

The map included is useful to provide context to the CCWNP. Advise that a map, on an Ordnance Survey map base, with a red line boundary to show the designated area should be added.

Aspirational Projects – It is useful to separate projects from policies in this way. Advise that making a clear distinction in the formatting of the Plan.

Neighbourhood Plan Area

The description of the CCWNP area in this early part of the Plan should provide an overview of the positive elements of the area. If it is to be used as a guide to new development it would be advisable to provide a balanced account of the elements of the area that are valued at this point, in addition to elements that require improvement. There is no reference here to the vision for the area over the Plan period: it would be helpful in understanding how this links through the objectives, policies and projects of the Plan.

Page numbering on the draft is unclear and inconsistent.

Green Spaces, Heritage and Design

- GSHD 01: Safeguarding Process for the Natural and Historic Environment

First sentence - suggest deleting 'must follow a three stage process' and changing sentence to 'To understand the effect of development on the natural and historic environment, applicants and decision makers should undertake the following:'

- GSHD 02: Safeguarding Green Spaces

The wording 'there is a presumption in favour of' is confusing, unless this is clearly defined this should be reframed as 'Support will be given to proposals that can demonstrate...'

The first part of the policy and all points under the section 'In applying this policy the following criteria are especially important:' are unrealistic and not practical to implement and administer/enforce in connection to planning applications. It is almost impossible to demonstrate or check and ultimately judge whether they have been met or not. Suggest reviewing this policy to delete this whole first section and the requirements to provide more realistic and implementable guidelines for development proposals.

The second part of the policy from ‘In applying this policy to green spaces the following areas are especially important:’ can be retained. However, the policy must clearly state that local policy for managing development within a LGS should be consistent with policy for Green Belts.

LGSs - It should be made clear the link with the NPPF paragraphs 76-78 and how the sites were identified and fit the selection criteria³ (see notes on LGS Supporting Document below). Any sites that are being proposed for LGS designation need to be listed within the policy.

- GSHD 03: Safeguarding Wildlife, Habitats, Biodiversity and Geodiversity

It is not always possible to create a ‘net environmental improvement’ and how would this be measured? It would also be difficult to base a reason for refusal of planning permission on an inability to do so. Suggest rewording the policy to reduce this requirement – replace ‘must’ and reword to ‘The objective should be to contribute environmental improvements with a view to mitigating negative impacts of the development on site and its surroundings’.

Second bullet point is not clear as written. Question the need to include the second sentence and the third sentence is a statement of fact that is not relevant to be included in a policy.

Fourth bullet point, second part should also be removed, as it is a statement of fact that is not relevant to be included in a policy.

Rewrite the seventh bullet point to ‘multi-function green chains, ponds and wetlands should be included wherever possible’.

Eighth bullet point, second sentence should also be removed, as it is a statement of fact that is not relevant to be included in a policy.

- GSHD 04: Safeguarding Views

Policy GSHD 04 provides that ‘Development must be designed carefully from inception to retain, respect, conserve and enhance views and skylines and to create attractive new views’. It is difficult to envisage how development can create attractive new views and in any event development is going to have some effect. Suggest rephrasing to, ‘Development must be designed carefully from inception to avoid significant adverse effect on views and skylines’.

All such views must be clearly mapped in the CCWNP.

- GSHD 05: Safeguarding Local Historic Character and Heritage Assets

NPPF (Section 12) uses ‘conserve and enhance’. Suggest removing reference to ‘retain and respect’.

³ See also the supplementary guidance in the PPG, Paragraph Reference ID: 37-005-20140306 – ID:37-022-20140306.

Delete 'It must allow character to evolve by creating distinctive new heritage landmarks for the future'.

Bullet point 3 – change sentence 3 to 'Opportunities for innovative re-use should be explored, where possible, and will be supported'.

Bullet point 4 – last sentence – change to 'Pitched roofs should be used wherever possible and appropriate'.

- GSHD 06: Designing a High Quality Built Environment

Omit second bullet as this does not add anything to the policy and is not clearly expressed. It is unlikely that the provisions of this can be met.

- GSHD 07: Environmentally Sustainable Design

Final bullet point should be omitted. It is not within the remit of the Plan to insist on this in relation to applications for new development.

- GSHD 08: Design of Communal Outdoor Space

Fifth bullet point omit as this cannot be a requirement for a policy that applies to private sector development and is irrelevant to the rest of the policy.

- GSHD 09: Designing for Inclusion and Changing Needs

This policy is well drafted and considered, no suggested changes.

- GSHD 10: Design of Lighting

Delete 'but not excessively so' as this cannot be defined, replace with 'whilst having regard to the existing lighting levels in the local area'.

- GSHD 11: Designing for Construction and Operation

The policy is written so as the long list of policy requirements applies to all development (single houses, extensions etc). In those instances the policy is overly onerous and should be revised to add 'All significant....' at the beginning of the policy.

Fourth bullet point regarding noise increases is not reasonable or realistic as applied to 'within', as distinct from the boundaries of sites. For employment sites in particular, but also for leisure and recreation uses it is impractical and not realistically enforceable in practice.

In terms of the fifth bullet point, this should be deleted as it is not for a neighbourhood plan to set working hours.

Housing (NB. Revised housing policies have been reviewed)

- Policy HO01 - New Housing

Most new housing development will lead to some loss of amenity value in the relevant locality, therefore this policy needs to be reworded. Suggest rewording to remove reference to 'losing', and replace with 'without materially harming amenity value'.

- 1) Policy wording cannot imply phasing or that suitable, sustainable sites that come forward should somehow be held back until 2025 – 2035.
- 2) Fourth point is unrealistic and cannot prejudice future situations in this way, even in relation to the Green Belt. This should be deleted.
- 3) It is suggested that the Parish Councils are unlikely to have the time and resources or be geared up to monitor the delivery and supply of housing. This is a function normally undertaken by the LPA, in this case Tandridge, as the LPA has the remit and tools to address problems (which the Parish Council's do not).

Note

On 14 September 2017, the Government published the consultation document, 'Planning for the right homes in the right places: consultation proposals'⁴. The proposals, amongst other things, seek to simplify the process for assessing local housing need, using a new methodology which would use household growth projections as the baseline for local housing need, before adding a multiplier for less affordable areas (defined as those in which house prices are more than four times average earnings). The proposed model also includes a cap designed to limit the level of any increase.

A 'Housing need consultation data table'⁵ was published alongside the consultation document which sets out the housing need for each LPA using the proposed method. For Tandridge this results in an increased per annum housing requirement from 470 units to 645 units per annum. The QB would be well advised to liaise with the LPA and discuss the implications of this increase for the CR3 area should the new methodology be adopted and therefore potentially revisit the statement in the first paragraph of the policy.

- Policy HO02 – Infrastructure for Housing

DELETED IN THIS DRAFT

- Policy HO03 – Housing General

⁴ View at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/644955/Planning_for_Homes_consultation_document.pdf

⁵ View at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/644783/Housing_Need_Consultation_Data_Table.xlsx

Sentence 2 – if there is a requirement in the policy based around the existing densities in the area, then it would be useful to link the policy to data on density, otherwise how is this to be measured or assessed?

- Policy HO04 – Housing Mix

There is some conflict here with elements of Policy HO01 – New Housing. It should be clarified whether new housing development of smaller units on particular schemes will be supported. If this is the case then HO01 should be amended to reflect this.

- Policy HO05 - Retention of Existing Housing Stock

Change ‘not normally be permitted’ to ‘not normally be supported’.

- Policy HO06 - Affordable Housing

DELETED IN THIS DRAFT

- Policy HO07 - Sub-division of Buildings to Provide Small Dwellings

No definition of ‘next generation families’ is offered and/or their local housing needs. The former is not a term commonly used in planning documents so would require definition if included. Suggest removing this and retain the reference to starter homes on its own, as this would cover the requirement.

The implications of creating Houses in Multiple Occupation (HMOs) should be considered.

Policy HO08 – Affordable housing

See comments for HO07 in respect of next generation families.

It should be noted that the policy cannot be so prescriptive as to demand that developers must submit evidence base justification and risk analysis for applying a gross profit margin in excess of 15% of net sales value when assessing viability.

In addition, the following clause is not clear: ‘Provision of affordable housing on an alternative site within the local area can be considered. In such a case, the amount of affordable provision will be linked to the cumulative requirement of all sites under consideration’.

- Policy HO09 – Elderly Accommodation

Omit the first part of the policy. The legality of the first part of the policy is uncertain and it would be unenforceable in practice, impractical and unrealistic.

Part 2 – Omit ‘in locations’ for clarity. Define what is meant by ‘built in the area’. Without putting a timeframe on this, it is meaningless. Could it perhaps be refined to say ‘built in the area in the last 5 years’ or similar, depending on the aim of the policy?

- Policy HO10 – Travellers and Gypsies

DELETED IN THIS DRAFT

Business and Employment

- Policy BE01 - To provide employment opportunities to meet local needs

Suggest deleting ‘There will be a presumption in favour of’ and adding ‘will be supported in appropriate locations’ to the end of sentence one.

Delete ‘shall be resisted’ and replace with ‘will not be supported’. Delete ‘rather than simple population growth without local employment’ as this can be discussed in the justification for the policy.

- Policy BE02 - Support for small and start-up businesses

Sentence one – change ‘are supported’ to ‘will be supported in appropriate locations’.

Final bullet point – delete and replace with ‘Be connected to local broadband provision’.

- Policy BE03 - Development of a new Enterprise Park

The discussion of the locations in this policy is unclear. Are these site allocations of the CCWNP or are they allocated in the local plan or supporting documents? If the Plan is allocating or supporting certain sites it must be clear that a process has been followed to identify and evidence the inclusion of these sites over other alternative sites in the Plan area.

- Policy BE04 - Caterham Valley Town Centre and other CR3 NP centres

Need to qualify second sentence, ‘all new development applications within town centres in the Plan area contribute to vitality and viability, in accordance with the following principles:’

Bullet point 1 – insert ‘*balance of* uses to ensure the town centre as a whole provides a balanced mix of’.

Bullet point 9 – make this a separate sentence and clarify what documents are referred to here, and if they already form part of the development plan.

Suggest that the policy is refined to combine the 3 elements more effectively and/or the ‘Neighbourhood Shopping Parades’ made into Policy BE05 with the referenced ‘list of small shopping parades’ included within the policy (for clarity as to which areas the policy would refer to).

Health Care and Education

Suggest that this section is moved to the end of the Plan or included as an appendix as it contains no planning policies, only projects.

The graphics in this section need adjusting as the pie charts and maps are not in an easily readable format.

Leisure and Community

- Policy LC01 - Allotments

Clear policy. No changes.

- Policy LC02 - Burial Grounds

Clear policy. No changes.

- Policy LC03 -- Community Hubs

Clear policy. No changes.

- Policy LC04 - Tourism

Edit sentence 1 by changing to ‘provided that they are in-keeping with their surroundings and sensitively designed’.

- Policy LC05 – Public Houses

Delete ‘resist’, change to ‘not support’. Add at the end of sentence 1 ‘, where planning permission is required’.

Transport

- Policy T01 - Impact of Development on Transport Network

This policy states that ‘major development’ is 10 units or more. This definition should be cross referenced with the relevant local plan definition. Advise that policy should be revised, ‘Development proposals of 10 dwellings and over or 1,000 sqm or more, must demonstrate that impacts of the development on the strategic road network and local road network have been assessed and adverse impacts minimised or mitigated, where possible. Assessments must be based on the recognised methodology outlined by SCC. A Residential Travel Plan will be required for all developments of X dwellings or x sqm and above’.

- Policy T02 - Car Parking

Setting maximum car parking standards is a position that may be challenged on sustainability grounds and has been flagged up in the SA work. A full discussion of this policy direction and the consideration of the SA findings should be provided in the justification for this policy if it is to be retained.

- Policy T03- Footpaths and Bridleways

Change ‘will be resisted’ to ‘will not be supported’.

The final 2 sentences would benefit from refinement. Is the first referring to Community Infrastructure Levy and the second to S.106 monies? The distinction should be clarified in the justification and policy and/or this section should be removed from the policy.

Infrastructure

- Policy U01 - Adequate & Self Sufficient Utility Services

It is unclear how this requirement will be amalgamated into the existing consideration of planning applications. If a local requirement for the submission of some form of utilities assessment is what the policy is aimed at then this needs to be expressed more clearly. Requiring that development ‘must demonstrate that the existing and proposed utility infrastructure, when taken together are adequate to ensure that any development will not create future problems’ for even a single dwelling is particularly onerous.

Remove ‘in any way’ – this is unrealistic and not measurable or enforceable.

Suggest reviewing this policy and looking at the local requirements of the LPA and if these include an energy statement requirement can this be extended to cover medium size schemes or commercial development etc. in the CCWNP area.

This policy as it stands is unrealistic and does not state a clear requirement for planning applications.

- Policy U02 - Telecommunications

This policy looks to set fairly onerous requirements on an area that has an established control regime within planning. Where the policy states ‘applicants must’ I would advise changes this to ‘applicants should’, otherwise the CCWNP goes beyond its remit somewhat in looking to alter the regime of prior approval etc.

Specific references to a provider as in part 1 of the dual supplier section of the policy (which says, ‘Policy for broadband services is to support both BT and Virgin Media broadband networks or alternative services wherever possible’) should be deleted.

- Policy U03 - Power Generation

Rather than being specific and prescriptive about technologies, it would be better if the policy was amended to read, ‘The CR3 Forum requires all development involving 1 dwelling unit or more or 100m² of non-residential space or more to demonstrate an attempt to achieve zero carbon and it supports the Government’s ambition to move to zero carbon homes, through the **use of appropriate technologies**’. Furthermore, the policy would benefit from quantifying what ‘an attempt to achieve zero carbon’ would look like. It might also be considered overly onerous to require this of a single dwelling.

- Policy U04 - Fracking

Fracking is excluded development⁶ and this policy should be deleted.

- Policy U05 - Water Supply

Most of the matters discussed in this policy are covered in the building regulations and are not within the remit of planning. Suggest removing this policy.

- Policy U06 - Sewerage, Storm Water and Ground Water

Delete sentence 2 as this is not required.

Add ‘where possible’ to sentence 4.

⁶ ‘Excluded development’ is defined in s.61K of the Town and Country Planning Act 1990 (as amended).

Move the final 2 sentences to justification.

- Policy U07 - Location of Waste Facilities

DELETED IN THIS DRAFT

- Policy U08 - Development in Flood Plains and areas liable to flood

This policy is unrealistic as it references 'no flood risk'. If a policy like this is to be considered by decision makers, then it must be proportionate. Further input is needed on this and suggest seeking guidance from the LPA on the assessment of flood risk on sites⁷.

- Policy U09 - Contaminated Land

This policy repeats the requirements that currently govern the consideration of applications. I would advise that this policy may be unnecessary as it does not appear to add a local perspective or additional requirement.

- Policy U10 - Water Quality

Change 'must be resisted' to 'will not be supported'.

- Policy U11 - Hazardous Sites

Delete sentence 2, as a minimum. This policy repeats the requirements that currently govern the consideration of applications. I would advise that this policy may be unnecessary as it does not appear to add a local perspective or additional requirement.

- Policy U12 - Light Pollution

This policy needs to be formatted as the others in this section.

⁷ Further information can be found at:

<https://www.gov.uk/guidance/flood-risk-assessment-local-planning-authorities>

<https://www.gov.uk/guidance/flood-risk-assessment-for-planning-applications>

- Policy U13 - Noise

Delete sentence 1.

Paragraph 5 remove from policy and add to justification. Further discussion should be provided to back up the inclusion of the levels, which are no longer in current national guidance. Specific reference is made to the noise exposure hierarchy in PPG Paragraph Reference ID: 30-005-20140306.

Add 'normally' be refused into final sentence.

- Policy U14 - Pollution & New Development

This policy repeats the requirements that currently govern the consideration of applications. I would advise that this policy may be unnecessary as it does not appear to add a local perspective or additional requirement.

- Policy U15 - Infrastructure Installation

Most of the matters discussed in this policy are covered in the building regulations and are not within the remit of planning. Suggest removing this policy.

Consultation Statement

Paragraphs 3.4 and 3.5 would benefit from being more positively framed in terms of how engagement with the Council and neighbouring parishes was sought and promoted. It would also be useful to reference general conformity with the local development plan here. Were there specific cross border issues identified that the neighbourhood plan sought views on from either group?

Page 11 – Clearly a significant amount of consultation with the public has taken place. The timeline of the process is a little unclear with one meeting in 2015 and then commencing in 2017. If this time was used for plan preparation (or other purposes) then it would be useful to give some background on that at this point.

Page 16 – Ends where the regulations are referenced. It would be useful to have a conclusion/summary of the document and an acknowledgement of the efforts of the Neighbourhood Plan Steering Group in undertaking the consultation work.

The consultation responses outlined in the Appendix B provide an insight into the process of consultation and how local views were considered in the iterations of the Plan. The tables are useful in showing where comments were incorporated. A summary of the key issues taken forward to the neighbourhood plan would be useful within the main body of the document.

The numbering of paragraphs and formatting needs refining.

Delivery and Monitoring Report

A timeframe for Plan review and updating should be included here. I would suggest a 5 or 10 year review period, depending on resources. It is not clear who will be tasked with monitoring and review if/when the CR3 Forum is 'wound down'. The key monitoring and delivery information should be included as a chapter/section in the main Plan.

Green Spaces Report/Sites Table

All areas proposed for LGS designation must clearly demonstrate that they are acceptable against the criteria set out in paragraph 77 of the NPPF including details of the size (in hectares) for each area. This should be done through a systematic update of the LGS Report by including a short description of each site and a justification for each inclusion using the paragraph 77 criteria, accompanied by photographic evidence and with the proposed LGS clearly delineated on a map.

99 sites are listed. The list includes one site which is Ancient Woodland and some would appear to be in private ownership. The QB should have regard not only for the criteria in paragraphs 76-78 of the NPPF but also advice contained in the PPG⁸. This, for example suggests that If land is already protected by designation, then consideration should be given to whether any additional local benefit would be gained by designation as LGS (PPG Paragraph Reference ID: 37-011-20140306). PPG also advises that whilst lack of public access is in itself no bar to a LGS designation, it does advise that the QB should contact landowners at an early stage about proposals to designate any part of their land as LGS. The QB should satisfy itself that owners of land proposed for LGS designation have been formally contacted about the proposal.

Lastly the QB should re-consider the advisability of putting forward so many sites bearing in mind that the NPPF (paragraph 77) is clear that the LGS designation will not be appropriate for most green areas or open space.

⁸ See footnote 3.

Habitats Directive Statement

The findings of any screening opinion from the LPA and consultancy work should be clearly stated and this statement should also be included as an appendix to the BCS.

There is little detail provided on the assessment of and policy relating to the Mole Gap to Reigate Hill Escarpment site. It would be useful to quote the policy that will affect this site and explain what the impacts of the policy would be and why they are not considered significant. This can be taken from the SEA/SA but should be included within this statement for clarity.

Sustainability Appraisal Report

There are a number of negative effects identified and it should be made clear how these factors were weighed in CCWNP's preparation and where alterations have been made as a result of the findings.

Policy BE04 has been identified as having a 'very negative' impact. This policy should be reviewed in light of this information. There are a number of policies that show less severe negative impacts and the discussion of these issues should be drawn through into the draft Plan. If changes were not made as a result of the SA findings, it should be made clear in terms of which factors were prioritised over others and why the determined approach was taken.

Basic Conditions Statement

The Basic Conditions Statement is brief and there are a number of additional requirements in terms of what to include (see Key Findings above). I would advise that the document should be amalgamated with the BC Policy Review. The review is useful; best practice Neighbourhood Plans examples often include the wording of the policies that are being compared and further comments on general conformity are often provided. I would advise that the review needs more discussion of where policies sit within the bounds of general conformity and how they offer a local/neighbourhood approach to addressing local issues. This comparison and explanation of how the policies conform and evidence that this has been considered in detail would be best explored here to aid the examiner in assessing how the policies fit with the existing development plan and have regard to the NPPF.

The BCS should clearly state that the Plan and process meets each of the Basic Conditions in turn and provide key dates and details. The BCS can be short and to the point, but must state very clearly that the Plan complies to aid the examiner.