

Carlton Colville Neighbourhood Plan Examination

21st September 2023

Dear Qualifying Body

Clarification Note from the Examiner to Carlton Colville Town Council

Further to reviewing the Carlton Colville Neighbourhood Plan (referred to below as the Neighbourhood Plan) and supporting information, I am contacting Carlton Colville Town Council (as Qualifying Body) in respect of the matters set out below.

Having considered the submitted information, I am not calling for a public hearing as part of the examination process. However, Neighbourhood Planning Independent Referral Service (NPIERS) Guidance¹ Paragraph 1.11.4 states that:

“The Qualifying Body will normally be given the opportunity to comment on the representations made by other parties...The opportunity for the Qualifying Body to comment on representations could be incorporated within an independent examiner’s clarification note...”

I therefore confirm that there is an opportunity for Carlton Colville Town Council to respond to any of the representations made during Regulation 16 (the Submission stage) consultation, should the Forum wish to do so.

In addition and in the interests of clarity, I would also be grateful for any assistance Carlton Colville Town Council can provide in respect of providing a brief written response to a number of questions I set out in this letter. This will enable the Forum’s responses to be published on the relevant website.

In responding, when referring to evidence relating to the Neighbourhood Plan, please note that this should only comprise evidence that is already publicly available.

I am not imposing a deadline for a written response but note that a response inside the next month or so can ensure the timely completion of the examination process.

¹ NPIERS “Guidance to Service Users and Examiners.”

Thank you very much for your consideration of this Clarification Note.

Kind regards.

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Chapter 4

Policy CC1 prevents the material reduction of garden space where there is any detrimental impact on the amenity of neighbours. Is it possible to point me to definitions of *material reduction* and *detrimental impact on residential amenity*?

Policy CC2 requires the preservation of views. Please can you point me to detailed information in respect of precisely what the Policy seeks to preserve; and please can you point me to evidence that Policy views iii) and iv) can be preserved whilst ensuring that the relevant Local Plan allocation can be delivered ?

Chapter 5

Policies to protect and support the creation of new PROWs reflect NPPF Para 100 and are a strength of many made Neighbourhood Plans.

The supporting text to Policy CC3 makes suggestions in respect of the creation and improvement of various movement routes. However, Figure 5.3 sets out specific routes on a plan and Policy CC3 requires all development to “*ensure safe and continuous...routes that connect*” to the movement routes on Figure 5.3.

The Policy also appears to encourage the enhancement of routes that don't currently exist and appears to seek to prevent development that would harm routes that don't currently exist.

I have been unable to locate evidence that all of the routes referred to in Figure 5.3 are deliverable or that the Policy requirements meet the NPPF Para 57 tests in respect of planning obligations.

Is there specific, substantive evidence you can point me to in justification of the approach set out in Policy CC3 ?

Chapter 7

Policy CC7 appears to impose requirements that are different to the indicative plan relating to the adopted allocation in the Local Plan at Bell Farm. The indicative plan in the Local Plan provides for flexibility through the application process.

As presented, the Neighbourhood Plan appears to go further than this and consequently, Policy CC7 appears to seek to introduce requirements different to and potentially in conflict with, the Local Plan allocation. Please can you point me to substantive evidence in justification of the approach set out in Policy CC7 ?

Thank you for your consideration of the above.

Please note that the purpose of the above is not to criticise the Neighbourhood Plan but to help my understanding of the Policies and to help to support the Neighbourhood Plan's positive examination against the basic conditions.

Thank you.
