

Queniborough Neighbourhood Plan 2019 -2028

Initial Comments of the Independent Examiner

Prepared by

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29th October 2020

Introductory Remarks

1. As you will be aware, I have been appointed to carry out the examination of the Queniborough Neighbourhood Plan. I have carried out my initial review of the Plan and the accompanying documents which I have been sent. I visited the village and the surrounding countryside on Tuesday 27th October, spending the afternoon visiting all the sites and those referred to in the Regulation 16 representations.
2. My preliminary view is that I should be able to deal with the examination of this Plan by the consideration of the written material only. I do have to reserve the right to call for a public hearing, if I consider that it will assist my examination, but that may only be necessary, if there are issues that emerge from the responses to this note, which I feel warrant further exploration. If I do have to call a hearing, it would have to be via a video conference call, in the current COVID 10 climate.
3. Set out in the following paragraphs are a number of matters that I wish to receive either clarification or further comments from the Parish Council or in some cases from Charnwood Borough Council. Such requests are quite normal during the examination process and the replies will help me prepare my report and come to my conclusions.

Regulation 16

4. I would firstly like to offer the Parish Council the opportunity to comment on the representations that were submitted as part of the Regulation 16 consultation. I am not expecting a response in respect of every point, just those that the Parish Council feels it needs to respond to.

Policy Q1 - Parking

5. I have compared the neighbourhood plan's parking standards set out in Appendix 2 with the Charnwood Vehicle Parking Standards for New Development which I found on the web and I was surprised to see that the Parish Council in a number of instances is proposing a standard that is either the same or lower than required by the Borough Council. This is somewhat unusual in my experience, as neighbourhood plans are usually promoting higher parking requirements. Is this a deliberate choice of the Parish Council and is there any underlying empirical evidence to justify a different parking standard to the rest of the borough where the two standards depart?

Policy Q2 – Local Green Spaces

6. My view is that the matrix set out in Appendix 3 does not provide sufficient evidence to justify why each of the areas are demonstrably special to the local community. I would invite the Parish Council to provide a commentary as to why each site meets the highest threshold for protection in terms of their

significance to local residents. I would specifically ask for the Parish Council to respond to the Reg 16 objection which suggests that the grounds of Old Hall are actually the private garden of a residential property (albeit extensive grounds), which would not ordinarily be classed as a green space. I noted that there appears to be no public access and there are only glimpses into the site from the adjoining public right of way through the hedge. In what way does this green space serve the local community?

Policy Q3- Community Services and Facilities

7. I note that the supporting text refers to S& J Newsagents and the Scout Headquarters as community facilities but the policy does not seek to protect them. Is there a reason for their omission?
8. How would the policy operate in the case of the two public houses? If planning permission were to be granted, say for the conversion of one of them to residential, and then subsequently the remaining public house closed, would there be any control to prevent both being lost? Are either of the public houses designated as Assets of Community Value?

Policy Q4- Sports and Recreation

9. This policy identifies 3 areas of open space which are also designated as local green space by Policy Q2. Policy Q4 allows, under certain circumstances, that development of that land could take place e.g. if the facilities were replaced elsewhere in accordance with Criteria B. This appears to offer a lower threshold of protection. I am concerned that a decisionmaker considering a planning application could be facing contradictory policies and I would be interested in the Parish Council's views as to whether Policy Q2 offers greater protection to these sports and recreation facilities than Policy Q4 and does Policy Q4 has a meaningful role beyond that set out in the final paragraph?

Policy Q5- Infrastructure

10. Can Charnwood Borough Council advise whether it operates a Community Infrastructure Levy Scheme?
11. Can the Parish Council offer some guidance as to what type or form of new development would be expected to make a financial contribution to the items in the list A-E?

Policy Q6 – Countryside and Landscape

12. Can I be provided with a copy of the Local Landscape and Settlement Character Assessment and I would invite comments as to whether it should be appended to the neighbourhood plan itself?
13. I note that the Area of Local Separation (AOLS) is more extensive than the AOLS currently shown on the emerging local plan proposals map and it affects sites proposed to be allocated in the emerging local plan. The Parish Council has objected to these proposed allocations and it would help me to understand

the Parish Council's position if I could be provided with the grounds of the basis of the objection. I would specifically ask the Parish Council to comment on whether the reduced AOLS proposed in the emerging local plan would still achieve the objective of maintaining the separation of Queniborough and Syston and East Goscote respectively.

14. In terms of meeting housing need, has the Borough Council given a figure to the Parish Council of the number of homes the plan area needs to be making provision for over the period up to 2028, as required by paragraphs 65 and 66 of the NPPF? In the absence of a figure, has the Parish Council come to a view as to what the parish's housing needs are?
15. I would specifically ask both the Parish Council and the Borough Council to comment on whether the proposed Area of Local Separation, which includes the proposed allocation sites, will meet the basic conditions test that the plan should contribute to the delivery of sustainable development and specifically in terms of allowing the housing needs of present and future generations to be met. That is different to the basic condition issue of conformity with the strategic policies in the current, not emerging, local plan.
16. Is the Parish Council proposing to review the neighbourhood plan during the lifetime of the plan? Does the Borough Council consider that an Area of Local Separation in a made neighbourhood plan would prevent it maintaining the allocations and does it think that an adopted local plan which included the allocations, would override the made neighbourhood plan? Can the Borough Council advise me as to the current timetable for the new local plan through to adoption?

Policy Q7 – Green Infrastructure

17. Can the Parish Council elaborate upon how it considers a decision maker would use the policy as drafted to determine a planning application? What does the policy add to local green spaces which is not already covered by Policy Q2?

Policy Q8- Ecology and Biodiversity

18. Is it possible to be more precise as to the extent of the green infrastructure and wildlife area as it goes through the grounds of Old Hall and any other residential curtilage? The use of the light green and green diagonals is difficult to differentiate on the map in page 32 and appears to pass through houses in Rupert Crescent and The Ringway and Queniborough Hall. Can the clarity of the plan be improved as it is difficult to clearly identify, for example, the wildlife corridors?
19. Can the 8 features referred to in the policy be named on the plan?

Policy Q 13- Housing Mix

20. Is the reference to smaller low cost homes referring to the element of schemes that are defined as affordable housing – the definition of which includes discounted market sales housing and other avenues to home ownership as

defined in the glossary to the NPPF . Is there a threshold for sizes of schemes where an applicant needs to demonstrate how their scheme meets this policy.

Policy Q14- Non designated Heritage Assets

21. Can the Borough Council explain how it sees the difference between locally listed building and locally valued heritage assets, as my understanding is they would both be non-designated heritage assets – if a building is included in this policy, would it go onto the local list?
22. Can the Parish Council identify by addresses the “Older houses on The Banks”?
23. Does the Borough Council’s Conservation Officer have a view as to whether a hedgerow (or indeed an ancient tree), can be a judged to be a non - designated heritage asset?

Policy Q15 - Design

24. I would be interested if the Parish Council had a view as to whether the new Davidson housing development off Barkby Road would meet the expectations of Policy Q15?

Policy Q16 – Water Management

25. Can the Parish Council persuade me whether Policy Q16 adds anything to the policy set out in Policy CS 16 of the adopted local plan and the NPPF?

Policy Q19 – Queniborough Industrial Estate

26. Does the Borough Council have a view on the implications of the recent changes to the Use Classes Order where what were Class B1 uses now fall into Class E

Concluding Remarks

27. I am sending this note direct to Queniborough Parish Council, as well as Charnwood Borough Council. I would request that both parties’ responses to my questions should be sent to me by 5 pm on **19th November 2020**. If either party needs extra time to respond please let me know, but I wish to maintain the momentum on this examination.

28. I would also request that copies of this note and the respective responses are placed on the Neighbourhood Plan’s and also the LPA’s websites

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Independent Examiner to the Queniborough Neighbourhood Plan.

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