

Morton Neighbourhood Development Plan

Response to Mr. Ashcroft's - Examiner's Clarification Note

Introduction

The positive comments from the Examiner on many aspects of the Neighbourhood Plan, including Policies MNP 4, 5, 7, 8, 9, 10 & 11 are very much appreciated, and consequently, the responses below focus only on the specific requests for clarification.

Questions for the Parish Council

MNP 2 – Examiners Comments

Plainly flood risk issues are very important within the parish. As such a policy on this matter is entirely appropriate.

However as submitted the policy overlaps with elements of both MNP1 and MNP3.

Was this intentional? Would the policy better meet the basic conditions and bring the clarity required by the NPPF if it related exclusively to flood risk matters?

Parish Council Response

It is pertinent that the EA has supported the inclusion of MNP 2 and there are no adverse comments from other interested parties (Anglian, STW, LCC, the Drainage Board and WLDC).

It is considered that the last bullet of MNP1,

'Ensure that surface water discharge is managed using the principles of the drainage hierarchy'.

and the final sentence of the justification,

'Flood risk is a critical issue for most new development, especially housing. Even proposals meeting the sustainability criteria of this policy, including surface water management (see PPG Para.80), may not be acceptable given the priority to avoid flood risk in the NPPF and the Central Lincs. Local Plan. This is addressed specifically in Policy MNP2'

lead onto and complement MNP2 rather than duplicating it.

The same may be said of the cross reference with (and relationship between) MNP2 and MNP3.

The comments below on MNP2 are also relevant.

The final clause in MNP2, related to design was felt necessary by the Steering Group to encourage innovation and enable development where other NP polices can be satisfied.

MNP 3 – Examiners Comments

Should the policy's reference to 'small-scale infill' development be more closely aligned to the contents of Policy LP2 (Section- 5 Medium Villages) of the Central Lincolnshire Local Plan?

Parish Council Response

This question also relates to the comment from WLDC that "It would appear that policy MNP 3 differs to CLLP policy LP 2 in terms of size of development permissible?"

It is felt that a reference to Infill development comprising up to 9 dwellings, may be misleading, both to landowners, developers, and local residents.

The confirmation in the CLLP Policy LP4 that dwelling requirements are "subject to significant strategic constraints being overcome" and the statement in para 3.4.6 of the CLLP: "for the purpose of meeting the growth targets in LP3, this Local Plan assumes a zero per cent increase to take account of the uncertainty that much, if any, growth can take place in these locations." confirm that new development in Morton will be very limited. It may be misleading, therefore, to promote the idea that infill sites may comprise up to 9 dwellings.

For clarity, however, a sentence could be added to para. 2 of the Justification, for example:

"It is recognised that Policy LP 2 allows for up to 9 dwellings on infill sites. It is considered, however, that flooding constraints in Morton are such that dwelling numbers on (otherwise acceptable) infill sites are likely to be much lower than that figure".

MNP 6 – Examiners Comments

I acknowledge that views are unaffected by administrative boundaries and I saw the extensive views across the River Trent and to the north of the neighbourhood area during my visit. Nevertheless, should the policy or the justification comment that a neighbourhood plan cannot comment about development outside its designated area?

Parish Council Response

It would be reasonable for the Justification to include a comment that the Morton NP policies cannot, legally, apply outside the Parish/Plan area.

However, consultation with the Town Council revealed a consensus that development proposals in Gainsborough and Morton, should be considered in terms of impact in both areas.

In addition, as far as Key Views 3 and 4 across the Trent Valley are concerned, they originate in Morton and could, at the very least, be material considerations in any works affecting either bank of the Trent.

Examiners Comments concerning representations made by the District Council regarding MNP 6 Key Views

Does the Parish Council wish to comment on any of the representations made to the Plan? In particular does it wish to comment on the comments from the District Council on the source of several of the views in MNP 6?

WLDC commented on the MNP 6 key views on page 26 of the plan:

Reference should also be made here to the proposals map which shows the key views in greater detail. Views should ideally be from public places. They should be open views and not obscured by buildings and trees.

View 1: View outside plan area. NP cannot influence developments in Gainsborough.

View 2: The direction of this view is shown differently on the two maps.

View 3: View looks outside plan area. NP final cannot influence development outside area.

View 6: This view shown on the proposals map would appear to be obscured by trees.

View 8: Although the policy says the view taken from Bycroft Road the proposals map appears to show a different location from the garage court of Hickman Crescent.

Parish Council Response

Further to the comments already made on MNP 6 in response to the examiners clarification yes there is a small variance in the detail shown on the map, but this can be corrected or addressed through a single map.

The scale is small, so the location is general, rather than specific to the metre. The extent that it is obscured by trees will depend on the season.

Noted, this can be corrected, or addressed through the use of a single map.

MNP 14 – Examiners Comments

The approach in the submitted policy is entirely appropriate.

However, is it more of a community action than a land use policy particular as its focus is on collaborative work which the Parish Council is intending to undertake with the District Council and the County Council?

Parish Council Response

It is considered that the first clause of the policy, which seeks to protect and enhance the limited but especially important rights of way network, is a legitimate land use policy. However, the second clause, which is more about implementation through partnership working, could be put into the Justification. It could also be added to an expanded CA (3) or become a freestanding CA4.

The following table addresses the other comments made by the District Council.

WLDC Comments	Parish Council Response
<p>MNP 1 sustainable development principles Criterion 4: To avoid confusion it would be better for views to be on a single map only as the positions and directions of some views slightly differ between maps. Although map P27 is helpful it is suggested that the more detailed proposals map be used to show the views only.</p> <p>Criterion 7: More guidance or cross referencing is needed as to what constitutes historic and natural heritage assets.</p> <p>Criterion 8: Is there any guidance available as to what these standards might be? How would a case officer judge that these standards have been achieved or exceeded?</p>	<p>Agreed, the reference in MNP 1 (to the map within Policy MNP 6), can be removed along with the map and reliance placed on a single Proposals Map.</p> <p>A sentence can be added to the Justification to cross refer that clause to the Character Study and the Heritage Environment Record</p> <p>A sentence can be added to the Justification cross referring to Building Regulations and agreed aspirational standards referred to in the NPPF (e.g., the emerging National Design Code).</p>
<p>MNP 2 flood risk ... However, it (is) recognised that...</p>	<p>Noted, the missing word will be added.</p>
<p>MNP 3 criteria to consider new housing proposals. The policy refers to supporting a small scale infill development if flood risk constraints can be overcome. Morton is a medium sized settlement under CLLP policy LP 2 which allows limited development up to nine dwellings where appropriate subject to flood risk. ... cont.</p>	<p>Please refer to earlier comments on Examiner Clarification concerning MNP3.</p>

<p>.... It would appear that policy MNP 3 differs to CLLP policy LP 2 in terms of size of development permissible? Part A criterion 2: Reference should also be made to the Morton character assessment as well as policy MNP 5.</p> <p>Justification Final paragraph: Should this be LP 55?</p>	<p>Noted, this will be corrected.</p>
<p>MNP 5 local character and design policies Reference should be made to the proposals map which shows the character areas.</p> <p>Part B: Reference should be made to the proposals map which shows the rural lanes. These lanes should be individually numbered to help identification on the proposals map.</p>	<p>Noted, a cross reference will be made.</p> <p>Noted, a cross reference will be made.</p>
<p>MNP 7 designated heritage assets. It would be really helpful if the listed buildings were numbered in policy and also to help identification on the proposals map.</p>	<p>Addresses are given, but number may be added if this can be achieved without comprising the clarity of the Proposals Map.</p>
<p>MNP 8 protecting and enhancing local built heritage assets. The numbering of the local built heritage assets is welcomed. It would be further helpful if the buildings were numbered on the proposals map to help identification.</p>	<p>Addresses are given, but numbers may be added if this can be achieved without comprising the clarity of the Proposals Map.</p>
<p>MNP 9 existing open spaces and recreation facilities. It would be good if facilities could be individually numbered in policy and to also help identification on the proposals map.</p>	<p>Numbers may be added if this can be achieved without comprising the clarity of the Proposals Map.</p>
<p>MNP 10 proposed local green spaces. The numbering of the proposed local green spaces is welcomed. It would be further helpful if the numbers appeared on the proposals map to help identification of particular local green spaces.</p>	<p>Locations are given, but numbers may be added if this can be achieved without comprising the clarity of the Proposals Map.</p> <p>NB There is a potential issue of proportionality related to these comments. With the additional cross references in the Policy wording, it is considered that the maps are reasonable clear. WLDC needs to recognise that sophisticated mapping can be expensive and time consuming for an NP SG to design, commission and check.</p>
<p>MNP 11 community buildings, shops and public houses. Regards disposal, in attempts to sell the site or premises for another purpose, that use must have the benefit of planning permission. Some of the facilities are also non-designated heritage assets. This policy needs to align with heritage policy to ensure no conflict. Cont. ...</p>	<p>This comment is noted.</p> <p>"Including heritage considerations" can be added to the final para (above the premises listing).</p>

<p>... The facilities should be individually referenced, and those references should appear on the proposals map to help identification.</p>	<p>The above comments on mapping apply and clear locations/addresses are provided.</p>
<p>MNP 12 local employment & business Part A (iv): Is there any guidance available to show how this would this be assessed? Rural lanes are also identified on the proposals map. Part B: ...will be supported where there is no....</p>	<p>This needs to be considered on a case-by-case basis, some farm diversification measures (e.g., Anaerobic Digesters and waste processing) require servicing by large vehicles and the access should be considered in terms of the impact on the wider area, not just in terms of site requirements.</p>
<p>MNP 14 active travel pedestrian/cycle access and connections A link to the county rights of way map would help here. Also, would be good if footpaths etc. could be shown on the proposals map. Is the policy more of an aspiration than a planning policy? Should policy look to protect routes from development and deliver new ones.</p>	<p>Agreed, a link to the RoW map can be added. However, it is not necessary or practicable to show the PRowS on the Proposals Map.</p> <p>See earlier comment on examiner question MNP14</p>
<p>Proposals maps Both are excellent. But could be improved even further to help users of plan. For example, open spaces, local green spaces, community facilities, listed buildings and non-designated heritage assets, and rural lanes should be individually numbered to help identification and cross referencing with respective policy.</p>	<p>See earlier comments on mapping and the need for a proportionate approach.</p>

Prepared by the Morton Parish Council Neighbourhood Plan Steering Group.

The response of the Parish Council was agreed at the meeting of the Council held on Monday 8th February 2021.