

SUBMISSION DRAFT GILSTON AREA NEIGHBOURHOOD PLAN 2020-2033

EXAMINATION

EXAMINER'S NOTE 3

1. On 19 November 2020 the Hearing was held as part of the Examination. The Hearing followed my Note 2 dated 26 October 2020, in which I expressed three “main concerns” as to the compliance of the draft NP with basic condition (a): *“having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan”*.
2. At the Hearing I stated that, in the light of representations made following Note 2, I was not maintaining my third concern.
3. At the conclusion of the Hearing, it was agreed that the NP Group would submit, by 26 November, suggested amendments to the NP with a view to overcoming my first concern. This material was duly submitted. I have already indicated that my report is likely to conclude that this concern has been met.
4. It was further agreed that the Group would submit, by 18 December, a proposed revised NP which would (1) seek to overcome my second concern as to the length and repetitive nature of the submission NP and (2) incorporate further changes that were discussed at the Hearing.
5. This material was duly submitted. My report is likely to conclude that the material, if incorporated by way of Modifications, overcomes my second concern. I congratulate all those involved on the work undertaken, leading to what I consider to be major improvements to the NP.
6. I shall shortly be discussing with the Council an appropriate means of consultation with all those interested in the process. However, I assume that all such people could, by inspecting the websites, be aware of these developments anyway.
7. I now raise some more detailed points for consideration. I raise them now with the objective that my report does not contain surprises, proceeds on a correct and mutually understood basis, and therefore minimises post-Examination difficulties. The points are as follows.
8. **Section D, Vision and Objectives, pages 19-26.** First we have Local Perspective; then Vision; and then Objectives (pages 22-26). Is it really essential, having regard to length and repetition, to have the Objectives in the text here? They are all reflected (and, indeed repeated) in the policies themselves and their supporting justification. Alternatively, immediately after the first 4 lines of paragraph 66, would it be appropriate/acceptable to

refer to and include them in an Appendix? (Please note, I am not asking for a further re-issue of the NP at this stage, merely exploring a potential Modification that I might recommend).

9. **Policies AG1, AG2, Major Development and New development.** In AG1, the term Major Development is not defined (and is not in the Glossary). Is it necessary? Apart from AG2, all other policies refer to “development/development proposals/proposals”. If the term is intended to define the ambit of AG1, why not refer to the NPPF definition? Likewise, could “New development” in AG2 just be “Development” etc?
10. **Policy AG8 (and also TRA1).** This topic was touched on at the Hearing but not resolved. I understand that the target sustainable mode share is 60%, that this derives from the HGGT Transport Strategy, and that its achievement is, in practical terms, beyond the remit of the NP. But what is paragraph 144 doing? It appears to be a policy statement of the NP, but the policy here being justified—AG8—has nothing to do with mode share as such. So my questions are: if paragraph 144 is simply recording a statement in the HGGTTS, it should say so? But in any event, having regard to the scope of AG8, what are comments about mode share doing here at all? By contrast, paragraph 149 seems appropriate in the context of the policy.
11. In addition, in paragraph 2 of Policy TRA1, “clear targets are in place”, would that be made clearer by, eg, “...demonstrate that clear sustainable mobility targets are secured as part of planning permission...”.[continue]?
12. **Policy C1.** I find the last phrase of criterion (i) ambiguous. Rather than “a neighbouring village” is it intended to say “in one village” or “in any village”?
13. I would be grateful for a response to the above points within **2 weeks, ie by 12 January 2021**, earlier if possible.

Christopher Lockhart-Mummery QC

Examiner

29 December 2020