

## Holme Valley Draft Neighbourhood Development Plan – Regulation 14 Consultation Responses 2019

15<sup>th</sup> July to 15<sup>th</sup> September 2019

**Table 5 Developers' and Landowners' Comments**

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Gladman Developments Limited 1.1			General	Comment	<b>Holme Valley Neighbourhood Development Plan</b> This section highlights the key issue that Gladman would like to raise with regards to the content of the HVNP as currently proposed. It is considered the requirements of national policy and guidance are not always reflected in the plan. Gladman have sought to recommend a modification to ensure compliance with basic conditions.	Noted.	No change.
1.2	60		Policy 2	Object	Policy 2 sets out a list 13 design principles that all	Noted.	No change.

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					<p>proposals for residential and commercial development will be expected to adhere to. Whilst Gladman recognise the importance of high-quality design, planning policies and the documents sitting behind them should not be overly prescriptive and need flexibility in order for schemes to respond to sites specifics and the character of the local area. There will not be a 'one size fits all' solution in relation to design and sites should be considered on a site by site basis with consideration given to various design principles. Gladman therefore suggest that more flexibility is provided in the policy wording to ensure that a high quality and inclusive design is not</p>	<p>This Policy has been revised following consideration of comments submitted by Kirklees Council and the PDNPA.</p> <p>The Policy allows for a degree of flexibility but aims to promote high quality design which respects the local context and unique and distinctive character of the NDP area.</p>	

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					<p>compromised by aesthetic requirements alone. We consider that to do so could act to impact on the viability of proposed residential developments. We suggest that regard should be had to paragraph 126 of the Framework which states that:</p> <p><b>"To provide maximum clarity about design expectations at an early stage, plans or supplementary planning documents should use visual tools such as design guides and codes. These provide a framework for creating distinctive places, with a consistent and high quality standard of design. However their level of detail and degree of prescription should be tailored to the</b></p>		

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					circumstances in each place, and should allow a suitable degree of variety where this would be justified.”		
1.3	101		10 – Protecting local green space	Object to Local Green space number 2 (Scholes Sandygate Fields)	Policy 10 identifies 4 tracts of land as potential Local Green Space designations. The designation of land as Local Green Space (LGS) is a significant policy designation and effectively means that once designated, they provide protection that is comparable to that for Green Belt land. As such, the Parish Council should ensure that the proposed designations are capable of meeting the requirements of national policy if they consider it necessary to seek LGS designation. The Framework 2018 is	Noted. The NDP refers to the criteria and wording set out in the NPPF in relation to Local Green Spaces.  Not accepted.  The Parish Council wish to retain this area in the NDP for the Examiner to determine.	No change.

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					<p>explicit in stating at paragraph 100 that <i>'Local Green Space designation will not be appropriate for most green areas or open space'</i>. With this in mind, it is imperative that the plan makers can clearly demonstrate that the requirements for LGS designation are met. The designation of LGS should only be used:</p> <ul style="list-style-type: none"> <li>☐ Where the green space is in reasonably close proximity to the community it serves;</li> <li>☐ Where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and</li> </ul>		

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					<p>☐ Where the green area concerned is local in character and is not an extensive tract of land.</p> <p>Gladman further note §015 of the PPG (ID37-015) which states, '§100 of the National Planning Policy Framework is clear that Local Green Space designation should only be used where the green area concerned is not an extensive tract of land.</p> <p>Consequently, blanket designation of open countryside adjacent to settlements will not be appropriate.</p> <p>Gladman do not believe that HVNP supporting evidence is sufficiently robust to justify the proposed allocation of 2) Scholes Sandygate Fields (Map 18) as LGS, given its</p>		

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					<p>lack of particularly special features.</p> <p>The issue of whether LGS meets the criteria for designation has been explored in a number of Examiner's Reports across the country and we highlight the following decisions:</p> <ul style="list-style-type: none"> <li>- The Sedlescombe Neighbourhood Plan Examiner's Report<sup>3</sup> recommended the deletion of an LGS measuring approximately 4.5ha as it was found to be an extensive tract of land.</li> <li>- The Oakley and Deane Neighbourhood Plan Examiners Report<sup>4</sup> recommended the deletion of an LGS measuring approximately 5ha and also found this area to be not local in character. Thereby failing</li> </ul>		

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					<p>to meet 2 of the 3 tests for LGS designation.</p> <p>- The Alrewas Neighbourhood Plan Examiner's Report<sup>5</sup> identifies both proposed LGS sites 'in relation to the overall size of the Alrewas Village' to be extensive tracts of land.</p> <p>The Examiner in this instance recommended the deletion of the proposed LGSs which measured approximately 2.4ha and 3.7ha.</p> <p>Highlighted through a number of Examiner's Reports set out above and other 'made' neighbourhood plans, it is considered several sites have not been designated in accordance with national policy and guidance and subsequently are</p>		

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					<p>not in accordance with the basic conditions.</p> <p>Gladman suggest that the Parish Council review the evidence supporting the proposed designations and ensure compliance with all the above requirements. Whilst the Parish Council have sought to undertake some form of evidence base it does not overcome the failure to meet the specific policy requirements set out above with regards to the scale of land to be designated, particularly in relation to '2) Scholes Sandygate Fields (Map 18)' which appears to form an extensive tract of land and the only location, not included within the existing green belt boundary in the vicinity. In terms of</p>		

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					meeting the second test there is no evidence base to support this designated LGS being 'demonstrably special to a local community.' In relation to its beauty, it is of no particular scenic quality. The Policy has not therefore been made in accordance with basic conditions (a) and (d). Gladman recommend that the LGS Policy be revisited to ensure the designations are compliant in their entirety.		
1.4			General	Object	Gladman recognises the role of neighbourhood plans as a tool for local people to shape the development of their local community. However, it is clear from national guidance that these must be consistent with national planning policy and the strategic	Not accepted.  The NDP policies and supporting text have been revised and updated to take account of comments submitted by Kirklees Council and the PDNPA.	No change.

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					<p>requirements for the wider authority area. Through this consultation response, Gladman has sought to clarify the relation of the HVNP as currently proposed with the requirements of national planning policy and the strategic policies for the wider area.</p> <p>Gladman is concerned that the plan in its current form does not comply with basic condition (a) in its conformity with national policy and guidance and is contrary to (d) the making of the order contributes to the achievement of sustainable development for the reasons set out above.</p>	<p>The Basic Conditions Statement sets out in more detail how the Submission NDP meets the required basic conditions and ultimately testing the NDP against these will be a matter for the examiner.</p>	