

## **Fairford Neighbourhood Plan**

### **Examiner's Clarification Note**

This note sets out areas where it would be helpful to have some further clarification. For the avoidance of doubt matters of clarification are entirely normal at this stage of the examination process.

#### ***Points for Clarification***

I have read the submitted documents and the representations made to the Plan. I have also visited the Plan area.

I am now in a position to raise issues for clarification. The comments that you make on these points will be used to assist in the preparation of my report and any modifications that may be necessary to the Plan to ensure that it meets the basic conditions.

I set out my clarification points in the order in which the policies appear in the submitted Plan.

#### ***FNP 3***

Has the policy been tested for its viability?

In particular, have the implications of the first criterion been specifically tested in general terms and with the site owners in particular?

#### ***FNP 7***

I can see the background to this policy in 5.29.

However how will the policy work in practice?

Is the second component of the policy controlled by other legislation?

Does the Town Council have any comments on the technical information supplied by Thames Water in its representation to the Plan?

#### ***FNP 8***

How would a developer understand the scale and nature of the additional parking requirements that would be required due to existing standards of public transport in the town?

Does this policy have the clarity required by the NPPF (paragraphs 17 and 154)?

#### ***FNP 10***

I looked at the proposed LGSs on my visit to the town. I have also read the Landscape and Local Green Space Study.

I recognise that the submitted Plan also proposes a Fairford-Horcott Local Gap. What is intended to be achieved by the overlap between the proposed Local Gap and the designation of LGSs (FNP 10 iii and iv)?

For FNP 10 iii please may I see a copy both of the Worcestershire Archaeology report (2016) and the County Archaeologist response to that report (both referred to in 2.3.6/2.3.7 of the Study).

I have looked at some of the details in relation to planning application 16/01766 (the Short Piece). The constraints information on the CDC website does not include any matters in relation to the archaeological importance of the site. Please could CDC confirm whether or not the site has any recognised archaeological importance.

*FNP 11*

To what extent does this policy have regard to paragraph 50-001-20160519 of Planning Practice Guidance (third bullet point)?

*FNP 12*

To what extent does this policy have regard to paragraph 50-001-20160519 of Planning Practice Guidance (third bullet point)?

Does the Town Council have any observations on the representations made by Cygnet on the evidence base for an Area of Special Landscape Value (its 3.30/3.31) or its spatial extent (its 3.32.3.33)?

*FNP 13*

What is the rationale behind the requirement for two replacement trees?

*FNP15*

Does the first part of the policy have the clarity required by the NPPF?

The policy implies that the schedule of NDHAs could be extended within the Plan period. If so what will be the mechanism to achieve this outcome?

*FNP 16*

Would the development of the site represent sustainable development as defined in the NPPF?

Criterion 1 overlaps with my question on FNP 7

How and when will the land request in criterion 2 take place? How will CDC know how to apply this requirement in its capacity as the local planning authority?

In criterion 4 what is the basis of requiring three distinct development parcels?

In criterion 6 is it intended to safeguard the potential for the longer term (beyond the Plan period)? Or is it intended to be achieved as part of the site masterplan?

Criterion 8 is setting out to address an important material consideration. As drafted it lacks the clarity required by the NPPF given that further work is necessary on the details of the site. On this basis would it be more appropriate to have a more general criterion addressing the substantive issue?

The northern and north-eastern boundaries of the site do not follow any obvious boundary. Is it intended that the existing overhead low voltage electricity line forms the boundary of the site to its north? If so how does this sit with FNP 14(c17)?

What will happen to the corner of the existing field excluded from the site? Would it represent the best use of land?

*FNP 17*

Is there any significance to the comment about '(older persons) seeking to downsize from larger properties'? Is the important component of any land use policy the size of houses rather than the circumstances of those who may occupy those houses?

*FNP 18*

Paragraph 5.70 reads clearly that Coln House should be re-used/converted to business purposes. However, the final component of the policy talks about reuse and/or the redevelopment of the site. Please can this be clarified? Does the Town Council consider that the redevelopment of the site would be acceptable in principle?

*FNP 20*

Has this policy been assessed against the changes to permitted development rights as set out in the General Permitted Development Order 2015?

*FNP 22*

Does the Town Council have any observations on the proposed modifications to this policy made by the Pegasus Group in its representations?

***Protocol for responses***

I would be grateful for comments from the Town Council by Tuesday 20 June 2017. It would also be helpful to have the comments from the District Council on FNP 10 by the same time. Please let me know if this timetable may be challenging to achieve. It is intended to maintain momentum on the examination.

In the event that certain responses are available before others I am happy to receive the information on a piecemeal basis. Irrespective of how the information is assembled please could it all come to me directly from the District Council. In addition, please can all responses make direct reference to the policy or policies concerned.

Andrew Ashcroft

Independent Examiner

Fairford Neighbourhood Plan

25 May 2017

