

Emsworth Neighbourhood Development Plan

Independent Examiner's Clarification Note

Context

This note sets out my initial comments on the submitted Plan. It also sets out areas where it would be helpful to have some further clarification. For the avoidance of any doubt matters of clarification are entirely normal at this early stage of the examination process.

Initial Comments

The Plan is very well-presented. The quality of the photographs and maps is very good. It results in a very readable and interesting document. The submitted Plan properly captures the character and appearance of Emswoth.

The Plan provides a clear and distinctive vision for the neighbourhood area. It is also clear that the production of the Plan has focused on appropriate matters for Emswoth

The distinction between the policies and the supporting text is very clear. Similarly, the distinction between the land use policies and the non-land use Projects is also clear.

I have read the submitted documents and the representations made to the Plan. I have also visited the neighbourhood area. I am now in a position to raise some initial issues for clarification. They are primarily for the Emswoth Forum. There are also some questions and requests for action for the Borough Council.

The comments that are made on these points will be used to assist in the preparation of my report. They will also inform any potential modifications that may be necessary to the Plan to ensure that it meets the basic conditions.

Points for Clarification

The Plan period

Is it intended that the Plan period is 2019-2036 to coincide with the emerging Local Plan?

Policy C1

I fully understand the purpose of the policy and its relationship to this important site.

The current structure of the policy suggests a degree of preference for uses or a sequence of events. Was this the intention?

Otherwise I am minded to recommend a modification that would result in a more general policy that would offer support for the wide range of uses included in parts a-c of the policy.

Does the Form have any comments on this proposition?

Policy C2

I saw the vibrancy of the town centre on my recent visit. However how would any of the uses be able directly to demonstrate that they would add to a safe, vibrant and attractive street scene?

Is this part of the policy necessary?

Policy C5

Is there any more detailed assessment of the 14 proposed local green spaces than that in the policy itself?

How were affected landowners advised about the emerging proposals for local green spaces?

What are the sizes of proposed local green spaces 1/2/4/9/10/11?

Can a millpond (proposed local green space 9) reasonably be a local green space?

A comparison of Figure 1 with Figure 6 suggests that local green space 8 is outside the designated neighbourhood area. Can the Forum comment on this matter?

How has the Forum chosen to define the boundaries of local green space 2?

Does it have any specific comments on the representations that refer to the overlapping policies in the emerging Local Plan?

Policy L1a)

Does this policy add any value to the development plan?

Policy L1b)

On what basis has the 40% figure been determined?

Has its potential impact on the viability and deliverability of housing in the Plan period been assessed?

On what basis has it been concluded that affordable housing should be for rent?

Policy L4b)

Is the purpose of this part of the policy to ensure that more general redevelopment schemes for housing purposes or for the conversion of larger houses into flats should be designed so that they would facilitate independent living for older residents?

Policy L5

I understand the purpose of the policy.

However, Figure 1 indicates that the neighbourhood area only includes a part of the wider extent of land that contributes towards the existing separation of the various settlements.

As such how would the policy work in practice?

Policy H2

This reads as supporting text to Policy H1 given its concentration on process matters

I am minded to recommend that it is included in the supporting text. Does the Form have any comments on this proposition?

Policy H3

This policy addresses two separate issues. Its first part comments about buildings of local historic interest. Its second part comments about their future uses.

How did the Forum design the policy?

In relation to the second part of the policy is The Slipper Sailing Club primarily used for public and community uses?

Policy W1a)

Why would new employment development have to enhance the neighbourhood area as a visitor attraction?

In any event would this be practicable for non-tourism related development?

Policy W1b)

Will any or all of the matters at the end of the policy relate directly to new employment and industrial proposals?

Policy W2a)

Does this policy add any value to Policy W1?

How would 'undermining the town centre economy' be defined and assessed?

Policy W3b)

Other than through shopfront design could this matter be controlled through planning legislation?

In any event what harm would be caused by the creation of larger shop units (or for example the incorporation of a successful shop into vacant retail premises next door)?

Policy W3c)

I can see the attraction of further A3 uses in the town centre.

However how would any of the uses be able directly to demonstrate that they would add to a safe, vibrant and attractive street scene?

Is this part of the policy necessary?

Policy W3d)

The part of the policy relating to A4 uses appears to conflict with Policy C2

Please can the Forum advise on this point

Supporting text on banks etc (page 51)

The text appears to be contradictory. Its first sentence highlights the flexibility of Class A2 uses. The remainder of the paragraph then makes a distinction between specific uses in Class A2.

How does the Forum expect its ambitions to be applied through the development management process?

Policy W5

Should the policy recognise that most working from home proposals are unlikely to create a material change of use and not therefore require planning permission?

Policy M1

This reads more as a community objective rather than a land use policy

Please can the Forum advise on this matter.

Policy WF1

Looking at the relationship between Figures 1 and 12 it appears that the Waterfront policy has taken account of land to the east of the neighbourhood area.

Please can the Forum comment on this matter.

Policy WF1a)

What might be the 'exceptional circumstances' highlighted in this policy?

Might it be appropriate for the policy to require right of access to the waterfront where it is practicable for the proposed development to provide such access?

Policy WF1e)

This reads as a procedural matter rather than a policy.

Please can the Forum advise on this matter

Policy WF1g)

Should this policy recognise that most repair works will be permitted development?

Policy D2c)

Does this policy refer to proposals for the use of existing accommodation above commercial buildings for residential use?

If so, what is the purpose of the reference to design standards and the scale of neighbouring buildings?

Design Check List

This is a very effective part of the Plan.

Questions and Requests for the Borough Council

Questions

Is the emerging Local Plan still being prepared to the timetable set out in the Local Development Scheme?

Several representations refer to the overlaps between the proposed local green space (Site 2) at Hollybanks Woods and a proposed housing allocation in the emerging Local Plan. Please can the Borough Council comment on this matter in general, and the extent to which there is a potential conflict between the two sets of policies.

Request for assistance

Please can the Borough Council liaise with Mr Lillywhite on his representation about the Brook Meadow Nature Reserve local green space. I cannot identify the specific parcel of land to which his representation refers. A map would be helpful

Representations

Does the Forum wish to comment on any of the representations received on the Plan?

Protocol for responses

I would be grateful for responses to the various questions by 14 August 2019. Please let me know if this timetable may be challenging to achieve.

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 can all responses be sent to me by Havant Borough Council and make direct reference to the policy/issue concerned.

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Independent Examiner

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