

# **DOVERIDGE NEIGHBOURHOOD DEVELOPMENT PLAN 2017 - 2033**

**The Report of the Independent Examiner to Derbyshire Dales District Council  
on the Doveridge Neighbourhood Development Plan**

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27<sup>th</sup> February 2018**

## Summary

I was appointed by Derbyshire Dales District Council, in agreement with the Doveridge Parish Council, in December 2017 to undertake the Independent Examination of the Doveridge Neighbourhood Development Plan.

The Examination has been undertaken by written representations. I visited the Neighbourhood Area on 4<sup>th</sup> February 2018.

The Neighbourhood Plan proposes a local range of policies and seeks to bring forward positive and sustainable development in the Doveridge Neighbourhood Area. There is an evident focus on safeguarding the very distinctive character of the area whilst accommodating future change and growth.

The Plan has been underpinned by extensive community support and engagement. The social, environmental and economic aspects of the issues identified have been brought together into a coherent plan which adds appropriate local detail to sit alongside the Derbyshire Dales Local Plan 2013 - 2033.

Subject to a series of recommended modifications set out in this Report I have concluded that the Doveridge Neighbourhood Development Plan meets all the necessary legal requirements and should proceed to referendum.

I recommend that the referendum should be held within the Neighbourhood Area.

## Report Index

|  | <i>Page</i> |
|--|-------------|
| Introduction   | 4           |
| The Role of the Independent Examiner   | 4           |
| Doveridge Neighbourhood Area   | 5           |
| Consultation   | 5           |
| Representations Received   | 6           |
| The Neighbourhood Plan   | 7           |
| Basic Conditions   | 8           |
| The Plan in Detail:  | 8           |
| The front cover  | 8           |
| Executive Summary  | 8           |
| Background to the Neighbourhood Development Plan                             | 8           |
| The Neighbourhood Development Plan Area                                      | 9           |
| Purpose of the Neighbourhood Development Plan                                | 9           |
| Scope of the Neighbourhood Development Plan                                  | 9           |
| The Neighbourhood Development Plan Process                                   | 9           |
| The Local Plan   | 9           |
| Community and Stakeholder Engagement   | 9           |
| Key Outcomes and Issues  | 9           |
| Key Issues Raised in Questionnaires  | 9           |
| SWOT Analysis Results  | 9           |
| Strategic Context  | 10          |
| Doveridge – The Place  | 10          |
| Character of Doveridge   | 10          |
| Relationship with Neighbouring Towns   | 10          |
| Medical Services   | 10          |
| Village Development & the Vernacular   | 10          |
| Trees and Hedgerows  | 10          |
| History and Heritage   | 10          |
| Education  | 10          |
| Business and Employment  | 10          |
| Local Services   | 11          |
| Community Assets and Facilities  | 11          |
| Traffic and Transport  | 11          |
| Infrastructure   | 11          |
| Sport and Recreation   | 11          |
| Vision and Aims  | 11          |
| Land Use Policies  | 11          |
| Policy Context   | 11          |
| National Policy  | 11          |
| Sustainable Development  | 11          |
| Local Strategic Policy   | 11          |
| Policies for Doveridge   | 11          |
| Rural Settlement   | 11          |
| Purpose  | 11          |
| Rationale and Evidence   | 11          |
| Policy R1: Infill Development within the<br>Settlement Boundary of Doveridge | 12          |
| Application of Policy R1   | 12          |
| Design   | 13          |
| Rationale and Evidence   | 13          |
| Policy D1: Design of New Development   | 13          |
| Application of Policy D1   | 13          |

|   |    |
|---|----|
| Housing   | 14 |
| Rationale and Evidence  | 14 |
| Policy H1: Housing Mix to meet the specific demographic needs of Doveridge                    | 14 |
| Application of Policy H1  | 14 |
| Business and Employment   | 14 |
| Rationale and Evidence  | 14 |
| Policy B1: Commercial and Industrial Development  | 14 |
| Application of Policy BE1   | 15 |
| Policy BE2: Internet Connectivity   | 15 |
| Application of Policy BE2   | 15 |
| Policy BE3: Home working  | 15 |
| Application of Policy BE3   | 15 |
| Community Assets and Facilities   | 16 |
| Rationale and Evidence  | 16 |
| Policy CF1: Community Facilities intended to expand and improve the existing community assets | 16 |
| Application of Policy CF1   | 17 |
| Transport and Movement  | 17 |
| Rationale and Evidence  | 17 |
| Policy T1: Sustainable Transport, Safety and Accessibility within Doveridge                   | 18 |
| Application of Policy T1  | 18 |
| Natural Environment   | 18 |
| Rationale and Evidence  | 18 |
| Policy NE1: Natural Environment   | 18 |
| Application of Policy NE1   | 19 |
| Non-Planning Issues   | 19 |
| Plan Review   | 19 |
| Appendix A  | 20 |
| Appendices B, C and D   | 20 |
| Other matters raised in representations   | 20 |
| EU and ECHR Obligations   | 20 |
| Conclusions   | 22 |
| Listing of Recommendations  | 23 |

## **Introduction**

This report sets out the findings of the Independent Examination of the Doveridge Neighbourhood Development Plan 2017 - 2033. The Plan was submitted to Derbyshire Dales District Council by Doveridge Parish Council in their capacity as the 'qualifying body' responsible for preparing the Neighbourhood Plan.

Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently incorporated within the National Planning Policy Framework (NPPF) in 2012 and this continues to be the principal element of national planning policy.

This report assesses whether the Doveridge Neighbourhood Development Plan is legally compliant and meets the 'basic conditions' that such plans are required to meet. It also considers the content of the Plan and, where necessary, recommends modifications to its policies and supporting text. This report also provides a recommendation as to whether the Doveridge Neighbourhood Development Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome, the Doveridge Neighbourhood Development Plan would then be used in the process of encouraging and determining planning applications within the Plan boundary as an integral part of the wider development plan.

## **The Role of the Independent Examiner**

The Examiner's role is to ensure that any submitted neighbourhood plan meets the legislative and procedural requirements. I was appointed by Derbyshire Dales District Council, in agreement with the Doveridge Parish Council, to conduct the examination of the Doveridge Neighbourhood Development Plan and to report my findings. I am independent of both the Derbyshire Dales District Council and the Doveridge Parish Council. I do not have any interest in any land that may be affected by the Plan.

I possess the appropriate qualifications and experience to undertake this role. I have over 40 years' experience in various local authorities and third sector bodies as well as with the professional body for planners in the United Kingdom. I am a Chartered Town Planner and a panel member for the Neighbourhood Planning Independent Examiner Referral Service (NPIERS). I am a Member of the Royal Town Planning Institute.

In my role as Independent Examiner I am required to recommend one of the following outcomes of the Examination:

- the Doveridge Neighbourhood Development Plan is submitted to a referendum; or
- the Doveridge Neighbourhood Development Plan should proceed to referendum as modified (based on my recommendations); or
- the Doveridge Neighbourhood Development Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.

As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. If recommending that the Neighbourhood Plan should go forward to referendum, I must then consider whether or not the referendum area should extend beyond the Neighbourhood Area to which the Plan relates.

In examining the Plan, I am also required, under paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990, to check whether:

- the policies relate to the development and use of land for a designated Neighbourhood Area in line with the requirements of Section 38A of the Planning and Compulsory Purchase Act 2004;
- the Neighbourhood Plan meets the requirements of Section 38B of the 2004 Act (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one Neighbourhood Area);
- the Neighbourhood Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.

These are helpfully covered in the submitted Basic Conditions Statement and, subject to the contents of this Report, I can confirm that I am satisfied that each of the above points has been properly addressed and met.

In undertaking this examination I have considered the following documents:

- Doveridge Neighbourhood Development Plan (October 2017) as submitted
- Doveridge Neighbourhood Development Plan Basic Conditions Statement (October 2017)
- Doveridge Neighbourhood Development Plan Consultation Statement (October 2017)
- Doveridge Neighbourhood Development Plan Strategic Environmental Assessment Screening Report (January 2017)
- Content at <http://www.doveridge-village.org/doveridge-neighbourhood-plan>
- Representations made to the Regulation 16 public consultation on the Doveridge Neighbourhood Development Plan
- Derbyshire Dales Local Plan 2013-2033
- National Planning Policy Framework (March 2012)
- Neighbourhood Planning Regulations (2012)
- Planning Practice Guidance (March 2014 and subsequent updates)

I carried out an unaccompanied visit to the Plan area on 4<sup>th</sup> February 2018. I looked at the character of Doveridge and its rural hinterland and all the various sites and locations identified in the Plan document.

The legislation establishes that, as a general rule, neighbourhood plan examinations should be held without a public hearing, by written representations only. Having considered all the information before me, including the representations made to the submitted plan which I felt made their points with clarity, I was satisfied that the Doveridge Neighbourhood Development Plan could be examined without the need for a public hearing and I advised Derbyshire Dales District Council accordingly. The Qualifying Body has helpfully responded to my enquiries so that I may have a thorough understanding of the thinking behind the Plan, as shown on the Derbyshire Dales District Council neighbourhood planning website for the Doveridge Neighbourhood Development Plan.

### **Doveridge Neighbourhood Development Area**

A map showing the boundary of the Doveridge Neighbourhood Area is provided, as required, on page 5 of the Neighbourhood Development Plan. Further to an application made by Doveridge Parish Council, Derbyshire Dales District Council approved the designation of the Neighbourhood Area on 8<sup>th</sup> October 2015. This satisfied the requirement in line with the purposes of preparing a Neighbourhood Development Plan under section 61G(1) of the Town and Country Planning Act 1990 (as amended).

## **Consultation**

In accordance with the Neighbourhood Planning (General) Regulations 2012, the qualifying body has prepared a Consultation Statement to accompany the Plan and this helpfully includes a tabulated record of the community engagement steps taken to progress the Plan. I note that a Neighbourhood Plan Steering Group was delegated by the Parish Council to progress the plan-making. It is evident that a wide variety of engagement methods, both formal and informal, has been used including special open meetings, workshops, the village notice board, social media, leaflet drops, the Doveridge Parish News and the Parish website.

Community involvement has been at the heart of the Plan's production. A Community Meeting in June 2015 was used to launch the Neighbourhood Plan interaction with over 200 residents present. A Consultation Workshop and Housing Needs Survey followed in January 2016. The issues identified were then taken back to the community in April 2016 via a household questionnaire which achieved an almost 50% return from the 600 Doveridge households. A comprehensive list of stakeholder contacts, including prospective developers, was then compiled for consultation and engagement throughout the following planning processes. The draft Plan Regulation 14 consultation commenced in October 2016 with extensive publicity and supported by a Consultation Workshop at which members of the Steering Group were able to answer questions. The record shows that 24 individuals or organisations made submissions to the consultation and each comment was noted and addressed, as recorded in the Consultation Statement and its Appendices.

Overall, the degree of commitment by all participants illustrates the potential of neighbourhood planning to give "communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need" (para 183, National Planning Policy Framework). From all the evidence provided to me for the Examination, I can see that an inclusive and comprehensive approach has been taken to obtaining the input and opinions of all concerned throughout the process. Comments were pro-actively sought and those received were duly considered. I can see that there has been a documented record of the ways that consultation has benefitted the Doveridge Neighbourhood Development Plan. I am therefore satisfied that the consultation process accords with the requirements of the Planning Practice Guidance and the Regulations.

## **Representations Received**

Consultation on the submitted Plan, in accordance with Neighbourhood Planning Regulation 16, was undertaken by Derbyshire Dales District Council from Monday 30<sup>th</sup> October to Monday 11<sup>th</sup> December 2017. I have been passed representations – 7 in total - received from the following:

- Derbyshire County Council
- The Coal Authority
- Natural England
- Severn Trent
- Highways England
- A resident
- Gladman Developments Limited

## The Neighbourhood Plan

The Doveridge Parish Council is to be congratulated on its extensive efforts to produce a Neighbourhood Plan for their area that will guide development activity over the period to 2033. I can see that a sustained effort has been put into the dialogue with the local community to arrive at actions and policies that can “enable sustainable growth and development, preserve and enhance the quality of life for the community, protect and enhance environmental quality, including special historical and natural characteristics of the Parish”. The Plan document is well presented with a combination of images and text that is engaging for the reader and, subject to the specific points that I make below, set out in appropriate and clearly themed sections. The Plan has generally been kept to a manageable length by not overextending the potential subject matter and the coverage of that.

The wording of content & Policies is not always as well-expressed as one might wish, but that is not uncommon in a community-prepared planning document and something that can readily be addressed. It is an expectation of Neighbourhood Plans that they should address the issues that are identified through community consultation, set within the context of higher level planning policies. There is no prescribed content and no requirement that the robustness of proposals should be tested to the extent prescribed for Local Plans. Where there has been a failure by the Qualifying Body to address an issue in the round, leading to an inadequate statement of Policy, it is part of my role wherever possible to see that the community’s intent is sustained in an appropriately modified wording for the policy. It is evident that the community has made positive use of “direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area” (PPG paragraph: 001 Reference ID: 41-001-20140306). It is evident that the Qualifying Body understands and has addressed the requirement for sustainable development.

Immediately prior to the completion of the Regulation 16 Consultation on the submitted Plan, Derbyshire Dales District Council adopted its Local Plan 2013-2033, which had been an “emerging” Plan during the period of the Neighbourhood Plan preparation. This therefore altered the basis for the “strategic policies” to which the Plan must “have regard” (see ‘Basic Conditions’ below). However, as is acknowledged within the Plan document, the preparation of the Plan had paid full attention to the developing content of the new Local Plan and, consequently, any amendments arising are merely drafting issues which I will include as they arise within my consideration of the Plan content.

Having considered all the evidence and representations submitted as part of the Examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms. It works from a positive vision for the future of the Neighbourhood Area and promotes policies that are proportionate and, subject to some amendment, sustainable. The Plan sets out the community needs it will meet whilst safeguarding Doveridge’s distinctive features and character. The plan-making had to find ways to reconcile the external challenges that are perceived as likely to affect the area with the positive Vision agreed with the community. All such difficult tasks were approached with transparency and care, with input as required and support from partners and Derbyshire Dales District Council.

However, in the writing up of the work into the Plan document, it is often the case that the phraseology is imprecise, not helpful, or it falls short in justifying aspects of the selected policy, and I have been obliged to recommend modifications so as to ensure both clarity and meeting of the ‘Basic Conditions’. In particular, Plan policies as submitted may not meet the obligation to “provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency” (NPPF para 17). I bring this particular reference to the fore because it will be evident as I examine the policies individually and consider whether they meet or can meet the ‘Basic Conditions’.

## **Basic Conditions**

The Independent Examiner is required to consider whether a neighbourhood plan meets the “Basic Conditions”, as set out in law following the Localism Act 2011. In order to meet the Basic Conditions, the Plan must:

- have regard to national policies and advice contained in guidance issued by the Secretary of State;
- contribute to the achievement of sustainable development;
- be in general conformity with the strategic policies of the development plan for the area;
- be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations.

The submitted Basic Conditions Statement has very helpfully set out to address the issues in the same order as above and, where appropriate, has tabulated the relationship between the policy content of the Plan and its higher tier equivalents, including the new Local Plan.

I have examined and will below consider the Neighbourhood Plan against all of the Basic Conditions above, utilising the supporting material provided in the Basic Conditions Statement and other available evidence as appropriate.

## **The Plan in Detail**

I will address the aspects of the Neighbourhood Plan content that are relevant to the Examination in the same sequence as the Plan. Recommendations are identified with a bold heading and italics and I have brought them together as a list at the end of the Report.

### **Front cover**

A neighbourhood plan must specify the period during which it is to have effect. I note that there is a clear reference to the period 2017 – 2033 on the front cover. I note however that the Basic Conditions Statement (Introduction paragraph 3) suggests that the Plan covers the period “until the end of 2030” and this should be corrected. A representation suggests that the submission date ought not to be abbreviated but shown in full; as the Plan will be further amended and not “made” until after the referendum, the Plan can adopt the referencing style of the other development plan documents at that time.

### ***Recommendation 1:***

*Bring the Basic Conditions Statement in line with the Plan Document by amending to ‘2017 – 2033’ the Plan period shown in the Statement “Introduction” paragraph 3.*

### **Contents**

The absence of any numerical referencing within the Plan document (apart from individual policies), even where the Contents page suggests numbering, has often made it difficult for me to identify in my Report the content to be addressed and it may make it difficult for relevant content to be referenced as required in Planning Committee Reports and permission documents. This is a point also made within a representation. Accordingly I recommend that the hierarchical section and paragraph numbering style as adopted in the Derbyshire Dales Local Plan is now applied to the Neighbourhood Plan.

### ***Recommendation 2:***

*2.1 Apply a consistent paragraph numbering system throughout the Plan content; one which follows the Derbyshire Dales Local Plan 2013 – 2033 would help read-across between development plan documents.*

2.2 Bring the Contents page and its numbering into line with the final content of the Plan after the modifications recommended in this Report have been applied.

## **1. Executive Summary**

### **Background to the Neighbourhood Development Plan**

I do not read this section as an Executive Summary but rather, as indicated by the sub-heading, a 'background to the Neighbourhood Development Plan' and that is therefore the more appropriate title. Some of the content has now been overtaken by progress with the Plan and recommendations below address this need for updating (also identified within a representation) along with the need for correction:

#### **Recommendation 3:**

3.1 Under the heading "Executive Summary" (page 3):

- remove the heading "Executive Summary" and use in its place the sub-heading "Background to the Neighbourhood Development Plan";
- in line 1 replace "will set out" with "sets out";
- in paragraph 2 delete the words "local plan and the emerging" to reflect the changed adopted Local Plan.

3.2 Under sub-head "The Neighbourhood Development Plan Area" (page 4):

- delete the first paragraph to avoid repetition;
- add at the end of paragraph 2 the following important detail: 'The Parish Council is the 'Qualifying Body' for the purposes of preparing a Neighbourhood Plan';
- retitle the related map as 'The Neighbourhood Area' as that is what has been designated.

3.3 Under the sub-head "Purpose of the Neighbourhood Development Plan" (page 6):

- in paragraph 2 instead of saying that district planning policy is "approved" by the local authority, correct this to 'adopted';
- for clarity in paragraph 3 insert between the words "document" and "supported" the additional words 'if it is'.

3.4 Under the sub-head "The Scope of the Neighbourhood Development Plan" (page 6):

- delete the 3<sup>rd</sup> sentence in paragraph 1, commencing "It is a legal requirement..." to avoid unnecessary repetition;
- in the 4<sup>th</sup> sentence replace "these requirements" with 'this requirement';
- in the 2<sup>nd</sup> sentence of paragraph two, instead of saying the "total numbers" of new dwellings, correct this to 'minimum number'.

3.5 Under the sub-head "The Neighbourhood Development Plan Process" (page 7):

- correct the 3<sup>rd</sup> sentence of paragraph 1 by deleting the word "closely";
- correct the 1<sup>st</sup> sentence of paragraph 3 (below the diagram) by using a capital letter for 'Area';
- delete paragraphs 5 to 13 since this content either duplicates that of a subsequent section or has been overtaken by progress.

3.6 Delete the sub-heading "The Local Plan" and its content (page 9) since the current information has already been given at the beginning of Section 1.

## **2. Community and Stakeholder Engagement**

This content provides a helpful summary of the engagement activity undertaken, but the following updating/correction is therefore needed:

**Recommendation 4:**

4.1 Under the heading “Community an Stakeholder Engagement” (page 10) at the end of paragraph 1 replace the page reference, which may alter across versions, to read: ‘....summarised in the community engagement table below’.

4.2 Delete paragraphs 3 & 4 since the matters referred to have been overtaken by progress.

4.3 Delete paragraph 6 since this seems confused about which activities preceded which whereas the tabulation is clear. Replace the paragraph with a useful cross-reference: ‘A more detailed Consultation Statement has been produced that sets out the extent of the consultation undertaken in the preparation of this Plan’.

**Strategic Context**

On the Contents page this heading is shown as being under the earlier section “Executive Summary”. As it has no content, only a collection of bullet points that appear to relate loosely to content in the following section, it would seem it is an orphaned heading that should have been deleted.

**Recommendation 5:**

Delete the sub-section titled “Strategic Content” (page 15).

**3. Doveridge – The Place**

It is helpful that the Plan should set the scene for the future plans that follow. Most of the content is descriptive and factual and built from local knowledge. There are however a few matters to be addressed some of which arise from representations:

**Recommendation 6:**

6.1 Under the sub-heading “Character of Doveridge” (page 15), paragraph 4 2<sup>nd</sup> sentence, update the reference to the Derbyshire Dales Local Plan by deleting the words “Pre-Submission Draft Plan”.

6.2 Although the use of the map showing the “Settlement Boundary 2016” (page 16) does not fit well with the text I can see that it is an important part of a profile. Since the Local Plan has now been adopted, the title of the map should be ‘Doveridge Settlement Development Boundary as defined in the Derbyshire Dales Local Plan 2013 – 2033’.

6.3 Under the sub-heading “Medical Services” (page 17) bullet points are used instead of (what will become numbered) paragraphs. The justification for this appears to be that the content is sourced from others but the content needs to be properly integrated:

- the opening should become a sentence to say: ‘Medical information has been provided by the East Staffordshire Clinical Commissioning Group (CCG).’;
- the first bullet point is a non-land use matter and can be deleted;
- the remaining bullet points should become standard paragraphs and therefore the words “As stated” at the opening of the third bullet point should be deleted and the last sentence made grammatically complete by commencing: ‘The CCG will be looking at.....’.
- Where “we” is used, as in bullet points 1 and 3 use ‘the CCG’ instead.

6.4 Under the sub-heading “Trees and Hedgerows” (page 20) the reference to “blanket” TPOs should be replaced with the correct term, namely ‘group’ TPO; I suggest that it would be helpful to bring forward the map produced by the Derbyshire Wildlife Trust into the “Character” section but, if possible, work with the Trust to limit the related key to content present within the Parish; cross-reference to the map within paragraph 3 in place of “(see page 56)”.

6.5 Under the sub-heading “Education” (page 23) add to paragraph 2 an additional sentence taken from a representation: ‘The Education Authority will be concerned to see that the pre-school provision does not compromise the expansion of the school for statutory-aged children.’; particularly since the Plan does not seek to address the issue of school sites, the speculation in paragraphs 4 & 5 is misplaced and the section can rely on the authority of the statement from the Education Authority; accordingly paragraphs 4 & 5 should be deleted.

6.6 Under the sub-heading “Business and Employment” (page 24) I cannot see that it has been established, in the relative terms used and also factoring in the “Local Services” section, that there is “a very low level of employment in the village”; delete paragraph three to reflect the factual nature of this introductory section.

6.7 On page 27 it is unclear what the authoritative source is for the footpath detail added onto base Parish map; a source reference must be provided. Since the text refers to both footpaths and cyclepaths it would be helpful to include the line of the National Cycle Network Route 549 (and provide a key to distinguish between the two types of path); the text (page 26) needs correction to title the route as ‘National Cycle Network Route 549’ which runs from Hurdlow to Etwall via Doveridge.

6.8 Under the heading “Traffic and Transport” sub-heading “Roads” (page 28), maintaining the principle of a factual base to the introductory section, delete paragraph 5 (commencing “These difficulties lead to concerns...”) since there is no evidenced reason why new development should other than provide appropriately for off-street parking.

6.9 Under the sub-heading “Broadband” (page 30) the paragraph content and the referenced “Digital Derbyshire” submission do not appear to align; the implication of the latter is that there was, even in 2016, significant capacity although some connections were still to be put in place. The appropriate sentence here is: ‘Optical fibre broadband cannot as yet be accessed from every part of the village. Feedback from residents has indicated that this may inhibit working from home.’ As the input from Digital Derbyshire is part of a wider evidence base, it is not appropriate to duplicate it in the Plan document and accordingly the reference to an Appendix B should be deleted.

6.10 Under the sub-heading “Surface Water/Flooding” (page 30), as the input from Severn Trent is within the evidence base it is not appropriate to duplicate it in the Plan document and accordingly the sentence referring to an Appendix C should be deleted.

6.11 Under the heading “Sport and Recreation”, in the 8<sup>th</sup> paragraph the reference to the national cycle route should be corrected, as noted earlier, from “A National Cycling route” to ‘National Cycle Network Route 549’.

#### **4. Vision and Aims**

This section has clarity albeit neither its derivation from the consultative process nor its interconnection with the policies that follow are made explicit. However, the stated purposes and the “rationale and evidence” that precede each policy do make their derivation sufficiently clear.

#### **5. Land Use Policies**

I don’t see that there is any value in repeating the national and local background to neighbourhood planning, and in particular the history of the development of the Local Plan is now outdated.

**Recommendation 7:**

Delete the sections “Policy Context” (page 34), “National Policy” (page 34), “Sustainable Development” (page 34), and “Local Strategic Policy” (page 35 with the related map “Strategic Housing Land Availability Assessment August 2016” (page 36)); replace the section heading “Land Use Policies” with ‘Land Use Policies for Doveridge’ (both here and on the Contents page).

**Policies for Doveridge**

The setting out of the structure of each policy section is logical and helpful.

**Rural Settlement****Purpose**

The third bullet point here does not relate to the Policy content of the section but strays into the subject of the section that follows and should be deleted.

**Recommendation 8:**

Under the heading “Rural Settlement” sub-heading “Purpose” (page 37) delete the third bullet point which commences: “To ensure that new development.....”

**Rationale and Evidence**

The relationship between this Policy and its higher level equivalents is adequately justified. However the first paragraph is now no longer relevant and the opening of the second paragraph should not refer to the “emerging” Local Plan. Subsequent paragraphs can also now be simplified and should be corrected since the Local Plan has been adopted.

A representation has suggested that it would help to provide clarity for the users of the Plan if the Policy, or an additional policy, addressed how development proposal beyond the settlement boundary will be dealt with. However, I note that the Derbyshire Dales Local Plan Policies S4 & S9 address this matter and if there is nothing locally distinctive to say then it is appropriate that the Neighbourhood Plan avoids potential confusion on the matter.

**Recommendation 9:**

9.1 Under the sub-heading “Rationale and Evidence” (page 37) delete paragraph 1 and delete the word “emerging” from the opening of paragraph 2.

9.2 In paragraph 2 correct the reference preceding “Rural Parishes Development Strategy” as ‘Strategic Policy S9’.

9.3 Correct the quotation from the Landscape Sensitivity Study to remove the capital letter from “Character”.

9.4 Delete paragraph 6 (beginning “The Settlement Boundary”) and the first sentence of paragraph 7, replacing them with: ‘The Local Plan Settlement Development Boundary (shown within the ‘Character of Doveridge’ section) encompasses the strategic housing sites that will accommodate the minimum housing requirement to 2033.’

9.5 Delete the second sentence of paragraph 8 since the criteria in Policy R1 are not relevant for dwellings in the open countryside.

**Policy R1: Infill Development within the Settlement Development Boundary of Doveridge**

The Policy as written appears to stray into duplicating the content of Policy D1 which follows. The rationale for Policy R1 is to encourage and allow any additional housing requirement to be accommodated as infill between existing dwellings within the Doveridge Settlement Development Boundary; accordingly that is what the policy should address. A representation

notes that the limiting of each new development to “2 residential units or less” is not supported by evidence. A justification is given as “avoiding the appearance of overcrowding” but, as the later explanation suggests, even one “over-large” dwelling might be inappropriate to its setting. In reality the issue is ensuring careful integration within the existing built form and that is addressed within Policy D1. According some rewording is required.

**Recommendation 10:**

Reword Policy R1 (page 38) as:

*‘In addition to the development of the strategic housing sites allocated in the Derbyshire Dales Local Plan, infill housing will be supported on incidental spaces within the Doveridge Settlement Development Boundary to meet identified housing requirements provided that the proposal is sensitive to the characteristics of its setting and addresses Policy D1 and other relevant Plan policies.’*

As reworded Policy R1 meets the Basic Conditions.

**Application of Policy R1**

The Application paragraphs need to be brought in line with the new status of the Settlement Boundary and the revised Policy wording.

**Recommendation 11:**

Reword the text under sub-heading “Application of Policy R1” (page 38) as:

*‘The Doveridge Development Settlement Boundary is defined within the Derbyshire Dales Local Plan 2013 – 2033 and illustrated within the “Character of Doveridge” section of this Plan. Infill development means that vacant or under-used parcels of land within the existing settlement boundary can be used for a modest amount of additional housing providing that proposals ensure careful integration with neighbouring properties and the street scene.’*

**Design**

**Rationale and Evidence**

The relationship between this Policy and its higher level equivalents is adequately justified. However, paragraphs 5, 6 & 9 need to be updated now that the Local Plan has been adopted.

**Recommendation 12:**

12.1 In the section Headed “Design” under the sub-heading “Rationale and Evidence” (page 39) add after “National Planning Policy Framework” (Section 7)’.

12.2 Delete paragraph 5.

12.3 From the start of paragraph 6 delete the word “emerging” and add at the end of the first sentence: ‘(Policy PD2)’.

12.4 In paragraph 9 (page 40) remove from the opening the word “emerging” and at the beginning of the second sentence replace “The Local Plan policy” with ‘The Local Plan Policy PD1’.

**Policy D1: Design of New Development**

There are some aspects of this Policy that fail to “provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency” (NPPF para 17) and the Qualifying Body has acknowledged that some rewording for clarity is appropriate.

**Recommendation 13:**

13.1 In Policy D1 (page 40), to allow for ease of referencing in planning decisions etc., replace bullet points with numbering; I note that the Local Plan adopts the format: a).

13.2 The 2<sup>nd</sup> and 3<sup>rd</sup> bullet points can be merged to avoid duplication: 'Provide convenient access/egress for pedestrians by connecting to surrounding pathways, community services and facilities and creating desire-line pathways within the development.'

13.3 Replace the 5<sup>th</sup> bullet point with: 'Ensure good access to public transport and support measures to reduce car dependency as set out in Policy T1 e.g. walking, cycling.'

13.4 Replace the 7<sup>th</sup> bullet point with: 'Ensure that the design and appearance of new housing takes inspiration from the local character and integrates well within Doveridge'.

13.5 Replace the 11<sup>th</sup> bullet point with: 'Ensure clear distinctions between public and private spaces utilising a variety of boundary treatments as already evidenced across Doveridge.'

13.6 Delete bullet point 12 (since this is too nebulous).

13.7 In bullet point 15 replace "or" with 'and'.

As partly reworded Policy D1 meets the Basic Conditions.

**Application of Policy D1**

Whilst the guidance is generally well expressed, but there is a stray "we" (who?) in the first paragraph and the section on noise mitigation would benefit from a clarification that not all developments will involve measures "adjacent to the A50".

**Recommendation 14:**

14.1 Under the sub-heading "Application of Policy D1" (page 41) in paragraph 1 4<sup>th</sup> sentence reword as: 'The incorporation of sustainable construction and eco-sensitive "green" features are encouraged.'

14.2 In paragraph 3, 2<sup>nd</sup> sentence, replace the words "Where possible" with 'Where applicable and possible'.

**Housing****Rationale and Evidence**

The relationship between this Policy and its higher level equivalents is adequately justified. However, much of the content here has been overtaken by events and needs updating.

**Recommendation 15:**

15.1 Under the sub-heading "Rationale and Evidence" (page 42) in paragraph 1 delete the words "- Pre-Submission Draft Plan (PSDP)", after "three proposed allocations" add '(Policy HC2)' and replace "the windfall of 70 in" with 'a windfall permission for 70 dwellings on land at' Bakers Lane.

15.2 Delete paragraph 2.

15.3 In paragraph 4 at the beginning delete the word "emerging"; in the 2<sup>nd</sup> sentence delete the words "emerging Derbyshire Dales" and after "Housing Mix and Type" replace "policy" with 'Policy HC11'; delete sentences 4 & 5.

15.4 In paragraph 5 add after "NPPF" '(Section 6)'.

## **Policy H1: Housing Mix to meet the specific demographic needs of Doveridge**

Whilst the second part of this Policy has now been made redundant by the adoption of the Local Plan, the first part remains as the particular Doveridge element.

### **Recommendation 16:**

16.1 *Reword the first paragraph of Policy H1 (page 42) as:*

*'Housing Development proposals must consider, assess and address local housing needs and provide a mix of house types and tenures including starter homes (affordable homes for new households and first-time buyers) and smaller homes which allow for downsizing which releases larger properties.'*

16.2 *Delete the second paragraph of Policy H1.*

As reworded Policy H1 meets the Basic Conditions.

### **Application of Policy H1**

The "Application" section should not stray beyond what the Policy actually requires; the Policy expects that particular local needs will be 'included' alongside other elements in the mix.

### **Recommendation 17:**

*Under the sub-heading "Application of Policy H1" (page 43) replace the words "provide a range of" with 'include'.*

## **Business and Employment Rationale and Evidence**

The relationship between this Policy and its higher level equivalents is mostly adequately justified (see below) but again some updating is required.

### **Recommendation 18:**

18.1 *Under the heading "Business and Employment" sub-heading "Rationale and Evidence" in paragraph 3 (page 43) after "NPPF" add '(Section 3)'.*

18.2 *In paragraph 4 (page 44) delete the word "emerging" in the opening sentence.*

## **Policy BE1: Commercial and Industrial Development**

The "Rationale and Evidence" section has explained why the Policy has been devised so there is no need for the Policy to open by restating this. The Policy should not imply that there is but a single factor to be satisfied for an approval. Therefore some rewording is required.

### **Recommendation 19:**

*Reword Policy BE1 (page 45) as follows:*

*'Development proposals involving either new construction or change of use to create a new enterprise or additional employment opportunities will be supported provided they consider, assess and address, with mitigation where appropriate, their impact on residential amenity and the environment as applicable to their location. The re-use of agricultural buildings may in particular be appropriate, assisting with farm diversification. The impact assessment should include but not be limited to: noise, disturbance, air pollution, traffic movements, visual impacts, and vibrations.'*

As reworded Policy BE1 meets the Basic Conditions.

### **Application of Policy BE1**

The text here and the Policy align.

### **Policy BE2: Internet Connectivity**

It is a requirement that Neighbourhood Plan policies relate to the “development and use of land”. As written Policy BE2 seems to concentrate on operational issues (with related lack of clarity as to the target of the obligations) rather than land use ones. The Local Plan addresses the same subject within Policy EC1 where the obligation is better expressed and more proportionate. Although it amounts to duplication I recognise that the matter has been identified as one of concern within Doveridge so I suggest that the Local Plan obligation is re-used here.

#### **Recommendation 20:**

*Reword Policy BE2 as follows:*

*‘Housing and commercial development proposals should make provision for the expansion of electronic communication networks including telecommunications and superfast broadband infrastructure wherever feasible.’*

As reworded Policy BE2 meets the Basic Conditions.

### **Application of Policy BE2**

Most of the content under this heading actually amounts to ‘Rationale and Evidence’ for the Policy and much of it supports my conclusion that Policy BE2 as written was more related to operational than land use issues. As noted earlier I do not believe that the inclusion of particular elements from the evidence base is appropriate within the Plan document and therefore the reference to Appendix B needs to be removed. Since there are already two paragraphs relating to Policy BE2 within the Business and Employment Rationale and Evidence the duplication (at disproportionate length) should be removed.

#### **Recommendation 21:**

*Under the subheading “Application of Policy BE2” (page 46) delete paragraphs 2 – 8.*

### **Policy BE3: Home working**

As noted above, the “Rationale and Evidence” section has explained why the Policy has been devised so there is no need for the Policy to open by restating this. As also noted above, the Policy should not imply that there is but a single factor to be satisfied for an approval. The Policy also needs to acknowledge, as stated in the “Application” section below, that many home working proposal will not require a planning consent. On reflection the Qualifying Body has suggested that this Policy ought to be retitled as “home-based businesses”. Therefore some rewording is required.

#### **Recommendation 22:**

*Re-title and reword Policy BE3 (page 47) as follows:*

*‘Policy BE3: Home-based Businesses*

*Development proposals for businesses based at a dwelling or in the grounds of that dwelling, if a planning consent is required, will be supported provided they consider, assess and address, with mitigation where appropriate, their impact on residential amenity and the environment as applicable to their location. The impact assessment should include but not be limited to: noise, disturbance, traffic movements, visual impacts, and open storage.’*

As reworded Policy BE3 meets the Basic Conditions.

### **Application of Policy BE3**

It is not solely the “intensification” of a non-domestic use that is a factor here; that non-domestic use may be new and/or may be physically separated from the related dwelling.

**Recommendation 23:**

*Under the sub-heading “Application of Policy BE3” (page 47) reword the 2<sup>nd</sup> sentence to read: ‘This policy addresses instances where the dwelling element is becoming subservient to the business element on the site of the dwelling’.*

**Community Assets and Facilities  
Rationale and Evidence and Policy CF1**

The “Rationale and Evidence” section explains why the Policy has been devised. However, this section suffers from a confused use of terminology. Paragraph 3 says that “the community assets and facilities” are described and mapped on page 25, but on page 25 the map shows “Local Services” and on page 26 there is a separate heading of “Community Assets and Facilities” but a description of only some of the items listed on the map with the addition of footpaths and cyclepaths (although only the footpaths are illustrated on the map on page 27 – see earlier Recommendation). Paragraph 11 introduces the term “Asset of Community Value” which has a particular meaning from the Localism Act 2011 but only has limited recognition within the planning system; a later, non-land use section addresses this designation. The Policy itself uses the terms “Community Facilities” and “Community asset” as if they are interchangeable and yet in the title they are both mentioned. The Policy needs to be clear if it is to provide that “practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency” (NPPF para 17) and so some rationalisation is needed. As the quote used from the NPPF makes clear, the Policy should “plan positively”.

The Local Plan at Strategic Policy S9 generally uses the terms “key services” and “facilities” and so consistency with that approach would be helpful.

**Recommendation 24:**

*Retitle and reword Policy CF1 as:*

*‘Key Community Services and Facilities*

*Development proposals that will support and enhance existing key services – specifically the village shop/post office, the primary school & playgroups, Abbotsholme School, the public house and the care home – or the key facilities – specifically the Church, the Village Hall, the Village Club, the allotments, the playground, the sports & recreation grounds and the bowls & shooting clubs – will be supported subject to all appropriate policy considerations being addressed.*

*Proposals that will remove or diminish a key service or facility will only be supported if it can be robustly demonstrated that the relevant service or facility is:*

- no longer required, or*
- no longer viable even after the examination of all options, or*
- being replaced within the development proposal by a new or improved service or facility that is equivalent or better in terms of quality, quantity and location.’*

As reworded Policy CF1 meets the Basic Conditions.

As a consequence of the standardisation of terms and the adoption of the Local Plan a number of other amendments are required.

**Recommendation 25:**

*Address these amendments which arise in particular from the redrafting of Policy CF1:  
25.1 On page 25 amend the section and map titles to ‘Key Services and Facilities’; in the opening sentence replace “core” with ‘key’ and add ‘and facilities’ after “services”; bring the content of the map into line with the Policy listings (which follow the items clarified to me by the Qualifying Body as the definitive list) separately identifying “key services” and “key facilities” with a map key.*

25.2 On page 26 amend the section title to 'Key Facilities' and in the opening sentence replace "assets" with 'facilities'.

25.3 On page 47 amend the subheading from "Community Assets and Facilities" to 'Key Community Services and Facilities'; under "Purpose" between "community" and "facilities" add 'services and'; under "Rationale and Evidence":

- in paragraph 1 replace "assets" with 'services';
- in paragraph 2 after "National Planning Framework" add '(paragraph 7)';
- in paragraph 3 replace "Community Valued Assets" with 'key services and facilities' and delete "the community assets and facilities are described on page 25 and";
- in paragraph 5 after "National Planning Framework" add '(Paragraph 28)' and in the following sentence replace "It states that" with 'Section 8 also adds:'.

25.4 On page 48:

- delete paragraph 3 commencing "The adopted Local Plan....";
- in paragraph 4 replace "an emerging" with 'a stated' and delete "until 2033" and add at the end of the paragraph '(Strategic Policy S10)';
- in paragraphs 5 & 6 delete the word "emerging";
- delete paragraph 7 since no "Assets of Community Value" have been identified as such.

### **Application of Policy CF1**

This sub-section also needs bringing into line.

#### **Recommendation 26:**

26.1 Reword paragraph 1 as follows:

*'Key community services and facilities are listed within the Policy and mapped within the "Character of Doveridge" section of this Plan. The intention of Policy CF1 is that these valued services and facilities should be retained and, wherever possible, enhanced to be attractive to new residents.'*

26.2 Delete paragraphs 2, 3 and 4 since these are repetitions of the same points made in the remaining paragraphs.

### **Transport and Movement**

#### **Rationale and Evidence**

The relationship between this Policy and its higher level equivalents is adequately justified but the text needs some adjustments for accuracy. The Local Planning Authority has commented that the provision of travel plans in the Neighbourhood Plan needs to be further justified in the supporting text to ensure that it is reinforcing the strategic approach taken in the adopted Local Plan.

#### **Recommendation 27:**

27.1 Under "Transport and Movement" sub-heading "Rationale and Evidence" paragraph 1, replace "lack of" with 'limited'.

27.2 Delete all but the first sentence in paragraph 3 and merge the remaining sentence with paragraph 4.

27.3 In paragraph 4 delete the word "emerging" which appears twice and add after the quotation marks '(para 2.33)'.

27.4 Add an additional sentence to paragraph 4: ‘Consequently the Doveridge Neighbourhood Plan aims to reinforce the strategic approach in Local Plan Policy HC19 with local priorities for sustainability’.

### **Policy T1: Sustainable Transport, Safety and Accessibility within Doveridge**

The “Rationale and Evidence” section has explained why the Policy has been devised but this Policy will operate alongside Local Plan Policies HC18 – 21 and, where repetition is considered necessary for emphasis, particular care is needed so that differences of approach are not implied by unhelpful differences of wording eg “green travel plans”.

#### **Recommendation 28:**

Reword Policy T1 as follows:

*‘Development proposals must consider, assess and address, with suitable mitigation measures as appropriate, their impact on and potential to benefit the following:*

- a) the balance between journeys made to/from dwellings by car, on foot, by bicycle and by public transport, in part this will be achieved by ensuring safe, convenient and attractive routes for pedestrians and cyclists;*
- b) road safety and congestion across the village;*
- c) keeping off-street parking accessible but unobtrusive;*
- d) not increasing and where possible reducing the need for on-street parking whether arising from residents, visitors, employees or servicing of commercial premises.’*

As reworded Policy T1 meets the Basic Conditions.

### **Application of Policy T1**

As noted above, I do not believe that the inclusion of particular elements from the evidence base is appropriate within the Plan document and therefore the reference to Appendix D needs to be removed. Also the guidance in the “Application” section is intended to be of benefit to applicants and potential applicants, not an instruction to the Local Planning Authority with whom the responsibility to implement the Development Plan and make planning decisions rests; some rewording of this section is therefore required.

#### **Recommendation 29:**

29.1 Delete the second sentence of paragraph 1.

29.2 Reword paragraph 2 and merge with the remaining sentence of paragraph 1 as follows: *‘Where development is dependent on new infrastructure being provided, the development project plan should include for the new infrastructure to be in place in parallel with the first dwellings being occupied, in accordance with Local Plan Policy S10.’*

29.3 In paragraph 3 delete the word “green”.

29.4 Delete paragraph 4.

### **Natural Environment**

#### **Rationale and Evidence**

The relationship between this Policy and its higher level equivalents is not addressed here. However, the Basic Conditions Statement notes general support within the NPPF Core Principles and the Local Authority notes that the policy draws from elements of Policies PD3, PD4, PD5 and PD6 in the adopted Derbyshire Dales Local Plan.

#### **Policy NE1: Natural Environment**

The “Rationale and Evidence” section has explained why the Policy has been devised so there is no need for the Policy to open by restating this. The Policy should not stray into other policy areas which have already been addressed eg housing development. The Policy

wording should acknowledge that planning approval will be dependent upon a number of factors of which the natural environment is one. A representation has suggested that 'native species' is to be preferred to "of the same species and type". Accordingly some adjustments to the wording are required:

**Recommendation 30:**

*30.1 Delete the first paragraph of Policy NE1.*

*30.2 Reword the opening to paragraph 2 as follows and adopt a character (eg a)) rather than a bullet point to identify the criteria:*

*'Development proposals must consider, assess and address their impact on and potential to benefit the following natural environment concerns:'*

*30.3 In bullet point 1 delete the word "equivalent" and replace "same species and type" with 'native species'.*

*30.4 Incorporate into bullet point 3 some of the content from the "Application" section as follows:*

*'Ensuring new development adjacent to existing footpaths, green links or other open spaces takes account of the importance of their natural setting, avoiding high fencing, walling or other blank features.'*

As partly reworded Policy BE1 meets the Basic Conditions.

**Application of Policy NE1**

As it has now been incorporated into the Policy, paragraph 1 can be deleted.

**Recommendation 31:**

*Under "Application of Policy NE1" delete the first paragraph.*

**Non-Planning Issues**

The terminology in this section needs to be brought in line with that adopted earlier under the "Community Assets and Facilities" section. As is required, the content that does not relate to the development and use of land has been separated out. Given that the matters here are only to "be reviewed" and the Plan document is designed to be effective for up to 15 years, it would be more appropriate for this section to be moved to a new Appendix B.

**Recommendation 32:**

*32.1 Under "Non-Planning Issues" replace the words "Community-Valued Assets" with 'Key services and facilities' and ensure that the page references are updated when the final Plan document is completed.*

*32.2 Move the section "Non-Planning Issues" to a new Appendix B.*

**Plan Review**

There ought to be a commitment within the Plan for its content to be kept under review and for appropriate action to be taken in the event that Plan content becomes outdated, affected by change or achievements.

**Recommendation 33:**

*Add a new heading and text after the section "Application of Policy NE1" along the lines that follow and amend the Contents page accordingly:*

*'Monitoring and Review*

*The Doveridge Neighbourhood Plan covers a 15 year period and during this time it is likely that the circumstances that the Plan seeks to address will change. The Parish Council as the*

*Qualifying Body will regularly monitor the impact of the Plan. The Parish Council will formally review the Neighbourhood Plan whenever monitoring suggests that this is required but at least on a five year cycle commencing before 2023.'*

## **Appendix A**

### **List of Evidence and Sources**

The listing here needs to be carefully rechecked as accurate and complete against the final version of the Plan eg item 2 is no longer a draft and items 16 & 17 are no longer relevant. In addition, for the list to be useable by those readers accessing it via the internet, webpage addresses are needed for each item.

#### **Recommendation 34:**

*34.1 Recheck the Appendix A "List" as accurate and complete against the final contents of the Plan.*

*34.2 Add for each item listed a web address to enable access to the precise document used as a source or evidence.*

### **Appendices B, C, & D**

As noted earlier in this report these appendices should now be removed and a new 'Appendix B: Non-Planning Issues' put in their place.

## **Other matters raised in representations**

Some representations have commended the Doveridge Neighbourhood Development Plan, as a whole or part, which helps to support the view that the consultation processes have been attentive to community input.

Several representations make suggestions for additional content but it should be appreciated that, given that the Neighbourhood Plan sits within the development plan documents as a whole, keeping content pertinent is entirely appropriate. There is no obligation on Neighbourhood Plans to be comprehensive in their coverage – unlike Local Plans - and content is properly guided by the priority issues for the community, not least because supporting evidence is required.

I have not mentioned every representation individually but this is not because they have not been thoroughly read and considered in relation to my Examiner role, rather their detail may not add to the pressing of my related recommendations which must ensure that the Basic Conditions are met.

## **European Union (EU) and European Convention on Human Rights (ECHR) Obligations**

A further Basic Condition, which the Doveridge Neighbourhood Development Plan must meet, is compatibility with European Union (EU) and European Convention on Human Rights (ECHR) obligations.

There is no legal requirement for a neighbourhood plan to have a sustainability appraisal. A Strategic Environmental Assessment Screening Report for the Doveridge Neighbourhood Plan produced by Derbyshire Dales District Council (January 2017) has been used to determine whether or not the content of the Plan requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plan and Programmes Regulations 2004. The criteria in

Annex II of the European Directive were used in the screening for determining the likely significance of the environmental effects. The outcome of this assessment concluded that the impacts of the Doveridge Neighbourhood Plan will not result in significant environmental effects. Therefore, it was concluded that the Doveridge Neighbourhood Plan does not require a full SEA to be undertaken. The screening noted that in the preparation of the Derbyshire Dales Local Plan 2013 – 2033 (adopted in December 2017) a comprehensive Sustainability Regulations Assessment and Habitats Regulations Assessment had been undertaken. Derbyshire Dales District Council consulted the Environment Agency, Natural England and Historic England on the Screening Report and their comments agreeing with the screening conclusion are included within the Consultation Statement.

A document titled Equality Impact Assessment was also submitted by the Qualifying Body as Appendix 2 to the Basic Conditions Statement (October 2017). This concludes that the Neighbourhood Plan has no negative impacts on any protected characteristic. As a result, no recommendations are made and the assessment finds the Neighbourhood Plan to be appropriate to the requirements of the Equality Act 2010. The District Council's Equalities Officer has concurred with this view.

A copy of each of the above Reports was included as supporting documents for the Neighbourhood Plan. Particularly in the absence of any adverse comments from the statutory consultation bodies or the Local Planning Authority, I can confirm that the Screening and Assessment undertaken were appropriate and proportionate and confirm that the Plan has sustainability at its heart.

Doveridge Neighbourhood Development Plan has regard to fundamental rights and freedoms guaranteed under the ECHR and complies with the Human Rights Act 1998. No evidence has been put forward to demonstrate that this is not the case.

Taking all of the above into account, I am satisfied that the Doveridge Neighbourhood Development Plan is compatible with EU obligations and that it does not breach, nor is in any way incompatible with the ECHR.

## Conclusions

This Independent Examiner's Report recommends a range of modifications to the Policies, as well as some of the supporting text and maps, in the Plan. Modifications have been recommended to effect corrections, to ensure clarity and in order to ensure that the Basic Conditions are met. Whilst I have proposed a significant number of modifications, the Plan itself remains fundamentally unchanged in the role and direction set for it by the Qualifying Body. Where deletions have been recommended because of inappropriate repetition or summarising of Local Plan content, the policy requirements within the Derbyshire Dales Local Plan will still be effective.

I therefore conclude that, subject to the modifications recommended, the Doveridge Neighbourhood Development Plan:

- has regard to national policies and advice contained in guidance issued by the Secretary of State;
- contributes to the achievement of sustainable development;
- is in general conformity with the strategic policies of the development plan for the area;
- is compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations.

**On that basis I *recommend* to the Derbyshire Dales District Council that, subject to the incorporation of modifications set out as recommendations in this report, it is appropriate for the Doveridge Neighbourhood Development Plan to proceed to referendum.**

### Referendum Area

As noted earlier, part of my Examiner role is to consider whether the referendum area should be extended beyond the Neighbourhood Area. I consider the Neighbourhood Area to be appropriate and no evidence has been submitted to suggest that this is not the case. I therefore ***recommend*** that the Plan should proceed to referendum based on the Neighbourhood Area as approved by the Derbyshire Dales District Council on 8<sup>th</sup> October 2015.

**Recommendations:** (this is a listing of the recommendations exactly as they are included in the Report)

| Rec. | Text   | Reason                     |
|------|--|----------------------------|
| 1    | <i>Bring the Basic Conditions Statement in line with the Plan Document by amending to '2017 – 2033' the Plan period shown in the Statement "Introduction" paragraph 3.</i>   | For clarity and correction |
| 2    | <p><i>2.1 Apply a consistent paragraph numbering system throughout the Plan content; one which follows the Derbyshire Dales Local Plan 2013 – 2033 would help read-across between development plan documents.</i></p> <p><i>2.2 Bring the Contents page and its numbering into line with the final content of the Plan after the modifications recommended in this Report have been applied.</i></p>   | For clarity and correction |
| 3    | <p><i>3.1 Under the heading "Executive Summary" (page 3):</i></p> <ul style="list-style-type: none"> <li><i>• remove the heading "Executive Summary" and use in its place the sub-heading "Background to the Neighbourhood Development Plan";</i></li> <li><i>• in line 1 replace "will set out" with "sets out";</i></li> <li><i>• in paragraph 2 delete the words "local plan and the emerging" to reflect the changed adopted Local Plan.</i></li> </ul> <p><i>3.2 Under sub-head "The Neighbourhood Development Plan Area" (page 4):</i></p> <ul style="list-style-type: none"> <li><i>• delete the first paragraph to avoid repetition;</i></li> <li><i>• add at the end of paragraph 2 the following important detail: 'The Parish Council is the 'Qualifying Body' for the purposes of preparing a Neighbourhood Plan';</i></li> <li><i>• retitle the related map as 'The Neighbourhood Area' as that is what has been designated.</i></li> </ul> <p><i>3.3 Under the sub-head "Purpose of the Neighbourhood Development Plan" (page 6):</i></p> <ul style="list-style-type: none"> <li><i>• in paragraph 2 instead of saying that district planning policy is "approved" by the local authority, correct this to 'adopted';</i></li> </ul> | For clarity and correction |

|   |   |                            |
|---|---|----------------------------|
|   | <ul style="list-style-type: none"> <li>• for clarity in paragraph 3 insert between the words “document” and “supported” the additional words ‘if it is’.</li> </ul> <p>3.4 Under the sub-head “The Scope of the Neighbourhood Development Plan” (page 6):</p> <ul style="list-style-type: none"> <li>• delete the 3<sup>rd</sup> sentence in paragraph 1, commencing “It is a legal requirement...” to avoid unnecessary repetition;</li> <li>• in the 4<sup>th</sup> sentence replace “these requirements” with ‘this requirement’;</li> <li>• in the 2<sup>nd</sup> sentence of paragraph two, instead of saying the “total numbers” of new dwellings, correct this to ‘minimum number’.</li> </ul> <p>3.5 Under the sub-head “The Neighbourhood Development Plan Process” (page 7):</p> <ul style="list-style-type: none"> <li>• correct the 3<sup>rd</sup> sentence of paragraph 1 by deleting the word “closely”;</li> <li>• correct the 1<sup>st</sup> sentence of paragraph 3 (below the diagram) by using a capital letter for ‘Area’;</li> <li>• delete paragraphs 5 to 13 since this content either duplicates that of a subsequent section or has been overtaken by progress.</li> </ul> <p>3.6 Delete the sub-heading “The Local Plan” and its content (page 9) since the current information has already been given at the beginning of Section 1.</p> |                            |
| 4 | <p>4.1 Under the heading “Community an Stakeholder Engagement” (page 10) at the end of paragraph 1 replace the page reference, which may alter across versions, to read: ‘...summarised in the community engagement table below’.</p> <p>4.2 Delete paragraphs 3 &amp; 4 since the matters referred to have been overtaken by progress.</p> <p>4.3 Delete paragraph 6 since this seems confused about which activities preceded which whereas the tabulation is clear. Replace the paragraph with a useful cross-</p>   | For clarity and correction |

|   |  |                            |
|---|--|----------------------------|
|   | <i>reference: 'A more detailed Consultation Statement has been produced that sets out the extent of the consultation undertaken in the preparation of this Plan'.</i>  |                            |
| 5 | <i>Delete the sub-section titled "Strategic Content" (page 15).</i>  | For clarity and correction |
| 6 | <p><i>6.1 Under the sub-heading "Character of Doveridge" (page 15), paragraph 4 2<sup>nd</sup> sentence, update the reference to the Derbyshire Dales Local Plan by deleting the words "Pre-Submission Draft Plan".</i></p> <p><i>6.2 Although the use of the map showing the "Settlement Boundary 2016" (page 16) does not fit well with the text I can see that it is an important part of a profile. Since the Local Plan has now been adopted, the title of the map should be 'Doveridge Settlement Development Boundary as defined in the Derbyshire Dales Local Plan 2013 – 2033'.</i></p> <p><i>6.3 Under the sub-heading "Medical Services" (page 17) bullet points are used instead of (what will become numbered) paragraphs. The justification for this appears to be that the content is sourced from others but the content needs to be properly integrated:</i></p> <ul style="list-style-type: none"> <li><i>• the opening should become a sentence to say: 'Medical information has been provided by the East Staffordshire Clinical Commissioning Group (CCG).';</i></li> <li><i>• the first bullet point is a non-land use matter and can be deleted;</i></li> <li><i>• the remaining bullet points should become standard paragraphs and therefore the words "As stated" at the opening of the third bullet point should be deleted and the last sentence made grammatically complete by commencing: 'The CCG will be looking at.....'.</i></li> <li><i>• Where "we" is used, as in bullet points 1 and 3 use 'the CCG' instead.</i></li> </ul> <p><i>6.4 Under the sub-heading "Trees and Hedgerows" (page 20) the reference to "blanket" TPOs should be replaced with the correct term, namely 'group' TPO; I suggest that it would be helpful to bring forward the</i></p> | For clarity and correction |

*map produced by the Derbyshire Wildlife Trust into the “Character” section but, if possible, work with the Trust to limit the related key to content present within the Parish; cross-reference to the map within paragraph 3 in place of “(see page 56)”.*

*6.5 Under the sub-heading “Education” (page 23) add to paragraph 2 an additional sentence taken from a representation: ‘The Education Authority will be concerned to see that the pre-school provision does not compromise the expansion of the school for statutory-aged children.’; particularly since the Plan does not seek to address the issue of school sites, the speculation in paragraphs 4 & 5 is misplaced and the section can rely on the authority of the statement from the Education Authority; accordingly paragraphs 4 & 5 should be deleted.*

*6.6 Under the sub-heading “Business and Employment” (page 24) I cannot see that it has been established, in the relative terms used and also factoring in the “Local Services” section, that there is “a very low level of employment in the village”; delete paragraph three to reflect the factual nature of this introductory section.*

*6.7 On page 27 it is unclear what the authoritative source is for the footpath detail added onto base Parish map; a source reference must be provided. Since the text refers to both footpaths and cyclepaths it would be helpful to include the line of the National Cycle Network Route 549 (and provide a key to distinguish between the two types of path); the text (page 26) needs correction to title the route as ‘National Cycle Network Route 549’ which runs from Hurdlow to Etwall via Doveridge.*

*6.8 Under the heading “Traffic and Transport” sub-heading “Roads” (page 28), maintaining the principle of a factual base to the introductory section, delete paragraph 5 (commencing “These difficulties lead to concerns....”) since there is no evidenced reason why new development should other than provide appropriately for off-street parking.*

*6.9 Under the sub-heading “Broadband”*

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|   | <p><i>(page 30) the paragraph content and the referenced “Digital Derbyshire” submission do not appear to align; the implication of the latter is that there was, even in 2016, significant capacity although some connections were still to be put in place. The appropriate sentence here is: ‘Optical fibre broadband cannot as yet be accessed from every part of the village. Feedback from residents has indicated that this may inhibit working from home.’ As the input from Digital Derbyshire is part of a wider evidence base, it is not appropriate to duplicate it in the Plan document and accordingly the reference to an Appendix B should be deleted.</i></p> <p><i>6.10 Under the sub-heading “Surface Water/Flooding” (page 30), as the input from Severn Trent is within the evidence base it is not appropriate to duplicate it in the Plan document and accordingly the sentence referring to an Appendix C should be deleted.</i></p> <p><i>6.11 Under the heading “Sport and Recreation”, in the 8<sup>th</sup> paragraph the reference to the national cycle route should be corrected, as noted earlier, from “A National Cycling route” to ‘National Cycle Network Route 549’.</i></p> |                            |
| 7 | <p><i>Delete the sections “Policy Context” (page 34), “National Policy” (page 34), “Sustainable Development” (page 34), and “Local Strategic Policy” (page 35 with the related map “Strategic Housing Land Availability Assessment August 2016” (page 36)); replace the section heading “Land Use Policies” with ‘Land Use Policies for Doveridge’ (both here and on the Contents page).</i></p>  | For clarity and correction |
| 8 | <p><i>Under the heading “Rural Settlement” sub-heading “Purpose” (page 37) delete the third bullet point which commences: “To ensure that new development.....”</i></p>   | For clarity and correction |
| 9 | <p><i>9.1 Under the sub-heading “Rationale and Evidence” (page 37) delete paragraph 1 and delete the word “emerging” from the opening of paragraph 2.</i></p> <p><i>9.2 In paragraph 2 correct the reference</i></p>  | For clarity and correction |

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|    | <p><i>preceding “Rural Parishes Development Strategy” as ‘Strategic Policy S9’.</i></p> <p><i>9.3 Correct the quotation from the Landscape Sensitivity Study to remove the capital letter from “Character”.</i></p> <p><i>9.4 Delete paragraph 6 (beginning “The Settlement Boundary”) and the first sentence of paragraph 7, replacing them with: ‘The Local Plan Settlement Development Boundary (shown within the ‘Character of Doveridge’ section) encompasses the strategic housing sites that will accommodate the minimum housing requirement to 2033.’</i></p> <p><i>9.5 Delete the second sentence of paragraph 8 since the criteria in Policy R1 are not relevant for dwellings in the open countryside.</i></p> |   |
| 10 | <p><i>Reword Policy R1 (page 38) as: ‘In addition to the development of the strategic housing sites allocated in the Derbyshire Dales Local Plan, infill housing will be supported on incidental spaces within the Doveridge Settlement Development Boundary to meet identified housing requirements provided that the proposal is sensitive to the characteristics of its setting and addresses Policy D1 and other relevant Plan policies.’</i></p>  | <p>To provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency and to ensure the Policy meets the Basic Conditions</p> |
| 11 | <p><i>Reword the text under sub-heading “Application of Policy R1” (page 38) as: ‘The Doveridge Development Settlement Boundary is defined within the Derbyshire Dales Local Plan 2013 – 2033 and illustrated within the “Character of Doveridge” section of this Plan. Infill development means that vacant or under-used parcels of land within the existing settlement boundary can be used for a modest amount of additional housing providing that proposals ensure careful integration with neighbouring properties and the street scene.’</i></p>   | <p>For clarity and correction</p>   |
| 12 | <p><i>12.1 In the section Headed “Design” under the sub-heading “Rationale and Evidence” (page 39) add after “National Planning Policy Framework” ‘(Section 7)’.</i></p>   | <p>For clarity and correction</p>   |

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|    | <p>12.2 Delete paragraph 5.</p> <p>12.3 From the start of paragraph 6 delete the word “emerging” and add at the end of the first sentence: ‘(Policy PD2)’.</p> <p>12.4 In paragraph 9 (page 40) remove from the opening the word “emerging” and at the beginning of the second sentence replace “The Local Plan policy” with ‘The Local Plan Policy PD1’.</p>   |  |
| 13 | <p>13.1 In Policy D1 (page 40), to allow for ease of referencing in planning decisions etc., replace bullet points with numbering; I note that the Local Plan adopts the format: a).</p> <p>13.2 The 2nd and 3rd bullet points can be merged to avoid duplication: ‘Provide convenient access/egress for pedestrians by connecting to surrounding pathways, community services and facilities and creating desire-line pathways within the development.’</p> <p>13.3 Replace the 5th bullet point with: ‘Ensure good access to public transport and support measures to reduce car dependency as set out in Policy T1 e.g. walking, cycling.’</p> <p>13.4 Replace the 7th bullet point with: ‘Ensure that the design and appearance of new housing takes inspiration from the local character and integrates well within Doveridge’.</p> <p>13.5 Replace the 11th bullet point with: ‘Ensure clear distinctions between public and private spaces utilising a variety of boundary treatments as already evidenced across Doveridge.’</p> <p>13.6 Delete bullet point 12 (since this is too nebulous).</p> <p>13.7 In bullet point 15 replace “or” with ‘and’.</p> | To provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency and to ensure the Policy meets the Basic Conditions |
| 14 | <p>14.1 Under the sub-heading “Application of Policy D1” (page 41) in paragraph 1 4<sup>th</sup> sentence reword as: ‘The incorporation of sustainable construction and eco-sensitive “green” features are encouraged.’</p>   | For clarity and correction   |

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|    | <p>14.2 In paragraph 3, 2<sup>nd</sup> sentence, replace the words “Where possible” with ‘Where applicable and possible’.</p>   |  |
| 15 | <p>15.1 Under the sub-heading “Rationale and Evidence” (page 42) in paragraph 1 delete the words “- Pre-Submission Draft Plan (PSDP)”, after “three proposed allocations” add ‘(Policy HC2)’ and replace “the windfall of 70 in” with ‘a windfall permission for 70 dwellings on land at’ Bakers Lane.</p> <p>15.2 Delete paragraph 2.</p> <p>15.3 In paragraph 4 at the beginning delete the word “emerging”; in the 2<sup>nd</sup> sentence delete the words “emerging Derbyshire Dales” and after “Housing Mix and Type” replace “policy” with ‘Policy HC11’; delete sentences 4 &amp; 5.</p> <p>15.4 In paragraph 5 add after “NPPF” ‘(Section 6)’.</p> | For clarity and correction   |
| 16 | <p>16.1 Reword the first paragraph of Policy H1 (page 42) as:<br/>‘Housing Development proposals must consider, assess and address local housing needs and provide a mix of house types and tenures including starter homes (affordable homes for new households and first-time buyers) and smaller homes which allow for downsizing which releases larger properties.’</p> <p>16.2 Delete the second paragraph of Policy H1.</p>   | To provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency and to ensure the Policy meets the Basic Conditions |
| 17 | <p>Under the sub-heading “Application of Policy H1” (page 43) replace the words “provide a range of” with ‘include’.</p>  | For clarity and correction   |
| 18 | <p>18.1 Under the heading “Business and Employment” sub-heading “Rationale and Evidence” in paragraph 3 (page 43) after “NPPF” add ‘(Section 3)’.</p> <p>18.2 In paragraph 4 (page 44) delete the word “emerging” in the opening sentence.</p>  | For clarity and correction   |
| 19 | <p>Reword Policy BE1 (page 45) as follows:<br/>‘Development proposals involving either new construction or change of use to create</p>  | To provide a practical framework within which decisions on planning applications can be made with a high   |

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|    | <i>a new enterprise or additional employment opportunities will be supported provided they consider, assess and address, with mitigation where appropriate, their impact on residential amenity and the environment as applicable to their location. The re-use of agricultural buildings may in particular be appropriate, assisting with farm diversification. The impact assessment should include but not be limited to: noise, disturbance, air pollution, traffic movements, visual impacts, and vibrations.'</i>  | degree of predictability and efficiency and to ensure the Policy meets the Basic Conditions  |
| 20 | <i>Reword Policy BE2 as follows: 'Housing and commercial development proposals should make provision for the expansion of electronic communication networks including telecommunications and superfast broadband infrastructure wherever feasible.'</i>  | To provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency and to ensure the Policy meets the Basic Conditions |
| 21 | <i>Under the subheading "Application of Policy BE2" (page 46) delete paragraphs 2 – 8.</i>   | For clarity and correction   |
| 22 | <i>Re-title and reword Policy BE3 (page 47) as follows: 'Policy BE3: Home-based Businesses Development proposals for businesses based at a dwelling or in the grounds of that dwelling, if a planning consent is required, will be supported provided they consider, assess and address, with mitigation where appropriate, their impact on residential amenity and the environment as applicable to their location. The impact assessment should include but not be limited to: noise, disturbance, traffic movements, visual impacts, and open storage.'</i> | To provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency and to ensure the Policy meets the Basic Conditions |
| 23 | <i>Under the sub-heading "Application of Policy BE3" (page 47) reword the 2<sup>nd</sup> sentence to read: 'This policy addresses instances where the dwelling element is becoming subservient to the business element on the site of the dwelling'.</i>   | For clarity and correction   |
| 24 | <i>Retitle and reword Policy CF1 as: 'Key Community Services and Facilities Development proposals that will support and enhance existing key services – specifically the village shop/post office, the primary school &amp; playgroups, Abbotsholme School, the public house and the care home – or the key facilities – specifically the</i>  | To provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency and to ensure the Policy meets the Basic Conditions |

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|    | <p><i>Church, the Village Hall, the Village Club, the allotments, the playground, the sports &amp; recreation grounds and the bowls &amp; shooting clubs – will be supported subject to all appropriate policy considerations being addressed.</i></p> <p><i>Proposals that will remove or diminish a key service or facility will only be supported if it can be robustly demonstrated that the relevant service or facility is:</i></p> <ul style="list-style-type: none"> <li><i>• no longer required, or</i></li> <li><i>• no longer viable even after the examination of all options, or</i></li> <li><i>• being replaced within the development proposal by a new or improved service or facility that is equivalent or better in terms of quality, quantity and location.'</i></li> </ul>   |                            |
| 25 | <p><i>Address these amendments which arise in particular from the redrafting of Policy CF1:</i></p> <p><i>25.1 On page 25 amend the section and map titles to 'Key Services and Facilities'; in the opening sentence replace "core" with 'key' and add 'and facilities' after "services"; bring the content of the map into line with the Policy listings (which follow the items clarified to me by the Qualifying Body as the definitive list) separately identifying "key services" and "key facilities" with a map key.</i></p> <p><i>25.2 On page 26 amend the section title to 'Key Facilities' and in the opening sentence replace "assets" with 'facilities'.</i></p> <p><i>25.3 On page 47 amend the subheading from "Community Assets and Facilities" to 'Key Community Services and Facilities'; under "Purpose" between "community" and "facilities" add 'services and'; under "Rationale and Evidence":</i></p> <ul style="list-style-type: none"> <li><i>• in paragraph 1 replace "assets" with 'services';</i></li> <li><i>• in paragraph 2 after "National Planning Framework" add '(paragraph 7)';</i></li> <li><i>• in paragraph 3 replace "Community Valued Assets" with 'key services and facilities' and delete "the community assets and facilities are described on page 25 and";</i></li> <li><i>• in paragraph 5 after "National Planning Framework" add '(Paragraph 28)' and in the following</i></li> </ul> | For clarity and correction |

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|    | <p>sentence replace “It states that” with ‘Section 8 also adds:’.</p> <p>25.4 On page 48:</p> <ul style="list-style-type: none"> <li>• delete paragraph 3 commencing “The adopted Local Plan....”;</li> <li>• in paragraph 4 replace “an emerging” with ‘a stated’ and delete “until 2033” and add at the end of the paragraph ‘(Strategic Policy S10)’;</li> <li>• in paragraphs 5 &amp; 6 delete the word “emerging”;</li> <li>• delete paragraph 7 since no “Assets of Community Value” have been identified as such.</li> </ul>   |  |
| 26 | <p>26.1 Reword paragraph 1 as follows: ‘Key community services and facilities are listed within the Policy and mapped within the “Character of Doveridge” section of this Plan. The intention of Policy CF1 is that these valued services and facilities should be retained and, wherever possible, enhanced to be attractive to new residents.’</p> <p>26.2 Delete paragraphs 2, 3 and 4 since these are repetitions of the same points made in the remaining paragraphs.</p>  | For clarity and correction   |
| 27 | <p>27.1 Under “Transport and Movement” sub-heading “Rationale and Evidence” paragraph 1, replace “lack of” with ‘limited’.</p> <p>27.2 Delete all but the first sentence in paragraph 3 and merge the remaining sentence with paragraph 4.</p> <p>27.3 In paragraph 4 delete the word “emerging” which appears twice and add after the quotation marks ‘(para 2.33)’.</p> <p>27.4 Add an additional sentence to paragraph 4: ‘Consequently the Doveridge Neighbourhood Plan aims to reinforce the strategic approach in Local Plan Policy HC19 with local priorities for sustainability’.</p> | For clarity and correction   |
| 28 | <p>Reword Policy T1 as follows: ‘Development proposals must consider, assess and address, with suitable mitigation measures as appropriate, their impact on and potential to benefit the following:</p> <p>a) the balance between journeys made</p>   | To provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency and to ensure the Policy meets the Basic Conditions |

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|    | <p><i>to/from dwellings by car, on foot, by bicycle and by public transport, in part this will be achieved by ensuring safe, convenient and attractive routes for pedestrians and cyclists;</i></p> <p><i>b) road safety and congestion across the village;</i></p> <p><i>c) keeping off-street parking accessible but unobtrusive;</i></p> <p><i>d) not increasing and where possible reducing the need for on-street parking whether arising from residents, visitors, employees or servicing of commercial premises.'</i></p>  |  |
| 29 | <p><i>29.1 Delete the second sentence of paragraph 1.</i></p> <p><i>29.2 Reword paragraph 2 and merge with the remaining sentence of paragraph 1 as follows: 'Where development is dependent on new infrastructure being provided, the development project plan should include for the new infrastructure to be in place in parallel with the first dwellings being occupied, in accordance with Local Plan Policy S10.'</i></p> <p><i>29.3 In paragraph 3 delete the word "green".</i></p> <p><i>29.4 Delete paragraph 4.</i></p>  | For clarity and correction   |
| 30 | <p><i>30.1 Delete the first paragraph of Policy NE1.</i></p> <p><i>30.2 Reword the opening to paragraph 2 as follows and adopt a character (eg a)) rather than a bullet point to identify the criteria: 'Development proposals must consider, assess and address their impact on and potential to benefit the following natural environment concerns:'</i></p> <p><i>30.3 In bullet point 1 delete the word "equivalent" and replace "same species and type" with 'native species'.</i></p> <p><i>30.4 Incorporate into bullet point 3 some of the content from the "Application" section as follows: 'Ensuring new development adjacent to existing footpaths, green links or other open spaces takes account of the importance of their natural setting, avoiding high fencing, walling or other blank features.'</i></p> | To provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency and to ensure the Policy meets the Basic Conditions |

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| 31 | <i>Under “Application of Policy NE1” delete the first paragraph.</i>  | For clarity and correction |
| 32 | <i>32.1 Under “Non-Planning Issues” replace the words “Community-Valued Assets” with ‘Key services and facilities’ and ensure that the page references are updated when the final Plan document is completed.</i><br><br><i>32.2 Move the section “Non-Planning Issues” to a new Appendix B.</i>  | For clarity and correction |
| 33 | <i>Add a new heading and text after the section “Application of Policy NE1” along the lines that follow and amend the Contents page accordingly:<br/>‘Monitoring and Review<br/>The Doveridge Neighbourhood Plan covers a 15 year period and during this time it is likely that the circumstances that the Plan seeks to address will change. The Parish Council as the Qualifying Body will regularly monitor the impact of the Plan. The Parish Council will formally review the Neighbourhood Plan whenever monitoring suggests that this is required but at least on a five year cycle commencing before 2023.’</i> | For clarity and correction |
| 34 | <i>34.1 Recheck the Appendix A “List” as accurate and complete against the final contents of the Plan.</i><br><br><i>34.2 Add for each item listed a web address to enable access to the precise document used as a source or evidence.</i>   | For clarity and correction |