

# **Bulcote Neighbourhood Plan 2019 - 2033**

**Report by Independent Examiner to Newark and  
Sherwood District Council**

**Janet L Cheesley BA (Hons) DipTP MRTPI**

**CHEC Planning Ltd**

**16 December 2019**

<b>Contents</b>	<b>Page</b>
Summary and Conclusion	3
Introduction	3
Legislative Background	4
EU Obligations, Strategic Environmental Assessment (SEA) and Habitat Regulation Assessment (HRA)	5
Policy Background	6
The Bulcote Neighbourhood Plan Preparation	7
The Bulcote Neighbourhood Plan	8
NPP 1 Sustainable Development and the Built Form of Bulcote Village	9
NPP 2 Protecting the Landscape Character of Bulcote Parish and Enhancing Biodiversity	12
NPP 3 Importance of Energy Efficiency and High-Quality Design	15
NPP 4 Designation of Local Green Spaces	18
NPP 5 Protecting or Enhancing Heritage Assets	20
NPP 6 Enhancing the Provision of Community Facilities	23
NPP 7 Improving Access to the Countryside	24
NPP 8 Supporting Local Employment	26
Referendum & the Bulcote Neighbourhood Plan Area	28
Appendix 1 Background Documents	29

## **Summary and Conclusion**

1. The Bulcote Neighbourhood Plan has a strong Community Vision supported by seven community objectives which reflect the greatest concerns of the residents and the primary area of focus for the Plan.
2. The Parish lies predominately within the Green Belt. The Plan does not allocate sites for housing. It allows limited infilling within the Built Form that satisfies the principles of sustainable development.
3. I have recommended modification to some of the policies in the Plan for the reasons set out below. A large number of the recommended modifications ensure that the policies are precise.
4. Even though I have recommended a number of modifications to the Plan, these do not significantly or substantially alter the intention or nature of the Plan.
5. **Whilst I have set out my reasoning under individual policies, my overall conclusion is that, subject to my recommendations, the Plan meets the Basic Conditions. It is appropriate to make the Plan. Subject to my recommendations being accepted, I consider that the Bulcote Neighbourhood Plan will provide a strong practical framework against which decisions on development can be made. I am pleased to recommend that the Bulcote Neighbourhood Plan, as modified by my recommendations, should proceed to Referendum.**

## **Introduction**

6. On 26 April 2018 Newark and Sherwood District Council (NSDC) approved that the Bulcote Neighbourhood Area be designated in accordance with the Neighbourhood Planning (General) Regulations 2012. The Area covers the whole of the Parish of Bulcote.
7. The qualifying body is Bulcote Parish Council. The Plan has been prepared by a Steering Group on behalf of the Parish Council. The Plan covers the period 2019 to 2033.
8. I was appointed as an independent Examiner for the Bulcote Neighbourhood Plan in November 2019. I confirm that I am independent from the Parish Council and NSDC. I have no interest in any of the land affected by the Plan and I have appropriate experience to undertake this examination. As part of my examination, I have visited the Plan area.

## **Legislative Background**

9. As an independent Examiner, I am required to determine, under Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990, whether:
- the policies in the Plan 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 (PCPA) 2004;
  - the Plan meets the requirements of Section 38B of the 2004 PCPA where 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; and
  - that the Plan has been prepared for an area that has been designated under the Localism Act 2011 and has been developed and submitted for examination by a qualifying body.
10. I am obliged to determine whether the Plan complies with the Basic Conditions. The Basic Conditions are:
- having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan;
  - the making of the neighbourhood plan contributes to the achievement of sustainable development;
  - the making of the neighbourhood plan is in general conformity with the strategic policies contained in the Development Plan for the area of the authority; and
  - the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations and human rights requirements.
11. *The Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018* came into force on 28 December 2018. They state:
- Amendment to the Neighbourhood Planning (General) Regulations 2012.*
- 3.—(1) The Neighbourhood Planning (General) Regulations 2012(5) are amended as follows.*
- (2) In Schedule 2 (Habitats), for paragraph 1 substitute:*
- “Neighbourhood development plans*

*1. In relation to the examination of neighbourhood development plans the following basic condition is prescribed for the purpose of paragraph 8(2)(g) of Schedule 4B to the 1990 Act(6)—*

*The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017(7)."*

12. Since 28 December 2018, a neighbourhood plan is required to be examined against this extra Basic Condition. I will make further reference to this matter below.
13. Subject to the modifications I have recommended in this report, I am content that these requirements have been satisfied.

## **EU Obligations, Strategic Environmental Assessment (SEA) and Habitat Regulation Assessment (HRA)**

14. Directive 2001/42/EC and the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended) (EA Regulations) set out various legal requirements and stages in the production of a Strategic Environmental Assessment (SEA).
15. NSDC prepared the *Bulcote Neighbourhood Plan The Environmental Assessment of Plans and Programmes Regulations 2004 SEA Screening Statement* in April 2019. It concludes that there are no clear significant negative impacts on the environment resulting from the policies and proposals contained in the Plan. Therefore, there is no requirement to conduct a SEA. The statutory consultees have not objected to this conclusion.
16. Based on the screening determination and with no consultee objection, I consider that it was not necessary for the Plan to require a full SEA Assessment. The SEA screening accords with the provisions of the European Directive 2001/42/EC.
17. As regards Habitat Regulation Assessment (HRA), Bulcote Parish is more than 15 kilometres away from the Birklands and Bilhaugh SAC and any other Natura 2000 site. NSDC concludes in the same report that there is therefore no legal requirement to carry out a Habitats Regulations Screening. It is also more than five kilometres from the Sherwood Forest ppSPA, so no Habitats Regulations Screening has been carried out. The statutory consultees have not objected to this conclusion.
18. On this basis and with no consultee objection, I consider that the Plan does not require a full HRA under Articles 6 or 7 of the Habitats Directive. I am satisfied that the Plan does not breach the requirements of Chapter 8 of Part 6 of the *Conservation of Habitats and Species Regulations 2017(7)*.

19. A Neighbourhood Plan must be compatible with European Union obligations, as incorporated into UK law, in order to be legally compliant. I am satisfied that the Plan is compatible with EU obligations and does not breach the European Convention on Human Rights obligations.

## Policy Background

20. The *National Planning Policy Framework* (NPPF) (2019) sets out the Government's planning policies for England and how these are expected to be applied. The *Planning Practice Guidance* (2014) (PPG) provides Government guidance on planning policy.
21. At the heart of the NPPF is the presumption in favour of sustainable development. Paragraph 8 sets out the three overarching objectives which are interdependent and need to be pursued in mutually supportive ways. The three overarching objectives are:
  - a) *an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
  - b) *a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*
  - c) *an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*
22. The development plan for the Bulcote Neighbourhood Plan Area includes the Newark and Sherwood Amended Core Strategy (adopted March 2019) and the Allocations and Development Management Development Plan Document (A&DM DPD) (2013). The end date of the Neighbourhood Plan corresponds with that of the adopted Amended Core Strategy. The strategic policies in the development plan include policies regarding the delivery of homes and jobs in the area and conservation and enhancement of the natural and historic environment.

## The Bulcote Neighbourhood Plan Preparation

23. I am required under The Localism Act 2011 to check the consultation process that has led to the production of the Plan. The requirements are set out in Regulation 14 in The Neighbourhood Planning (General) Regulations 2012.
24. The initial consultation process started in early 2018 with a questionnaire to the local community regarding their homes, their opinions regarding change and development in the village and suggestions for improving the village.
25. The village website was updated to include a dedicated section for the Plan. Bulcote Parish Council minutes containing reports on the Plan and separate pieces on the Plan were included in the Bulcote Parish Magazine. Invitations to attend meetings were also published as were directions to the website and details of the consultation events. Details were also publicised on the two noticeboards in the village.
26. The consultation period on the pre-submission draft of the Plan ran from 1 April 2019 to 31 May 2019. The Consultation period was advertised on the Plan website, in the Parish Magazine and by contacting consultees and residents. Two public drop in sessions were held during the consultation period. An online survey was created seeking opinion on the Plan.
27. I am satisfied that the pre-submission consultation and publicity has met the requirements of Regulation 14 in The Neighbourhood Planning (General) Regulations 2012. The consultation and publicity went beyond the requirements and it is clear that the qualifying body ensured that local residents were able to engage in the production of the Plan. I congratulate them on their efforts.
28. NSDC publicised the submission Plan for comment during the publicity period between 12 September 2019 and 24 October 2019 in line with Regulation 16 in The Neighbourhood Planning (General) Regulations 2012. A total of 6 responses were received. I am satisfied that all these responses can be assessed without the need for a public hearing.
29. In the responses there are suggested additions and amendments to policies. Apart from the legislative matters already dealt with above, my remit is to determine whether the Plan meets the Basic Conditions. Where I find that policies do meet the Basic Conditions, it is not necessary for me to consider if further suggested additions or amendments are required. Whilst I have not made reference to all the responses in my report, I have taken them into consideration. I gave the Parish Council the opportunity to comment on the Regulation 16 representations. I have taken their comments into consideration. Their comments have been placed on the NSDC web site.

# The Bulcote Neighbourhood Plan 2019 - 2033

## Background To The Neighbourhood Plan

30. I have been provided with a detailed evidence base in background supporting documents and in the first six sections of the Plan. This has provided a useful and easily accessible source of background information.
31. Paragraph 16 in the NPPF requires plans to be prepared positively, in a way that is aspirational but deliverable; and serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area. In addition, paragraph 16 in the NPPF requires plans to contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals.
32. PPG states: *A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.* (Paragraph: 041 Reference ID: 41-041-20140306).
33. I do refer to clarity and precision with regard to some recommendations to modifications to the Plan. Where I do so, I have in mind the need for clear and unambiguous policies, thus ensuring that the Plan has regard to national policy in this respect.
34. It is not for me to re-write the Plan. Where I have found editing errors, I have identified them as minor editing matters and highlighted these as such. These have no bearing on whether the Plan meets the Basic Conditions.
35. Paragraph 8 on Page 5 of the Plan refers to the Plan needing to be in general conformity with District Policy. This should refer to 'District strategic policy in the development plan', as specified in the Basic Conditions. **I see this as a minor editing matter.**
36. For ease of reference, I have used the same policy titles as those in the Plan. I have briefly explained national policy and summarised main strategic policies where relevant to each neighbourhood plan policy. I have tried not to repeat myself. Where I have not specifically referred to other relevant strategic policy, I have considered all strategic policy in my examination of the Plan.
37. Policies in a neighbourhood plan can only be for the development and use of land. Where there are community aspirations (identified as Community Projects in Appendix B), these have to be clearly differentiated from policies for the development and use of land. I am satisfied that these have been clearly differentiated in the Plan.

## **Community Vision**

38. A clear Community Vision for the Parish has been established as follows:  
*In 15 years, Bulcote Parish will remain an historic, rural and peaceful area. It will value its residents, the open spaces within the village that are integral to its character and the green fields that surround it. Bulcote will still be a safe, family friendly place to live. It will be a quiet, healthy and beautiful place with easy and immediate access to the countryside and river.*
39. The Community Vision is supported by seven community objectives which reflect the greatest concerns of the residents and the primary area of focus for the Plan.

## **Key Principle: Pre - Application Community Engagement**

40. The NPPF at paragraph 40 encourages developers to engage with the local community before submitting their planning applications, whilst not specifically requiring such consultation.
41. The Key Principle in the Plan seeks to encourage engagement with the Parish Council and local community as part of the design process at the pre - application stage. This has regard to national policy in this respect.

## **NPP 1 Sustainable Development and the Built Form of Bulcote Village**

42. As mentioned above, at the heart of the NPPF is the presumption in favour of sustainable development.
43. Much of Bulcote Parish is designated as Green Belt. Paragraph 133 in the NPPF explains that the *fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristic of Green Belts are their openness and their permanence.*
44. The construction of new buildings in the Green Belt is inappropriate unless in accordance with exceptions in the Framework. One exception is limited infilling in villages.
45. Core Strategy Spatial Policy 1 sets the settlement hierarchy for the District. Core Strategy Spatial Policy 4B focuses new housing and employment in the Green Belt into the principal villages which are specifically excluded from the Green Belt. The part of Bulcote which is attached to Burton Joyce is considered to be a Principal Village in the context of this policy. Development proposals in this part of the Parish will be judged according to the provisions of Core Strategy Spatial Policy 3. This is a strategic policy for the rural areas. This policy states: *local housing need will be addressed by focusing housing in sustainable accessible villages.*

46. Core Strategy Spatial Policy 4B specifies that no villages 'washed over' by the Green Belt have been identified for limited infilling. In or adjacent to the main built-up area of Bulcote, consideration will be given to the development of 'Rural Affordable Housing Exceptions Sites' to meet local housing need. Other development in the Green Belt not identified in this policy will be judged according to national Green Belt policy.
47. Policy NPP 1 seeks to ensure that development is located so that it makes a positive contribution towards the achievement of sustainable development.
48. Reference is made to Appendix F in Criterion 1 a). This is the Bulcote Village Design Guide. As such, in the interest of precision, it should be given its correct title and date within the Policy. It is referred to by various titles throughout the Plan. It is not for me to re-write the Plan. Where there are other titles, these should be re -named accordingly.
49. The supporting text to Core Strategy Spatial Policy 4B refers to the NPPF of 2012 with regard to limited infilling of villages. NSDC has stated in its representations that the content around limited infilling in national Green Belt policy (in NPPF 2019), postdates the approach provided in the Amended Core Strategy. Thus, NSDC has suggested revised wording to Criterion 2 in Policy NPP 1 to refer to the approach to infilling in the NPPF. I concur with this view.
50. NSDC has suggested the inclusion of reference to Local Green Spaces within Criterion 2. Whilst such an inclusion would be satisfactory, as my remit is to determine whether this policy meets the Basic Conditions, such an inclusion is not necessary for these Basic Conditions to be met.
51. Criterion 3 mentions the Built Form of Bulcote Parish. This area includes both Green Belt and non - Green Belt areas. In order to designate this area of Built Form, the policy does actually have to specify a designation of the area. Thus, in the interest of precision, I have suggested revised wording.
52. Criterion 2 does not allow limited infilling in the part of the village situated within the Green Belt, but Criterion 3 does in that part of the Green Belt within the area of Built Form. This creates internal conflict within the policy. I have suggested revised wording that continues to allow for limited infilling within the Built Form whilst continuing to protect the Green Belt. This ensures that the Policy has regard to national Green Belt Policy and contributes towards sustainable development.
53. Reference is made to Core Strategy Spatial Policy 4A in Criterion 2. As that policy simply defines the extent of the Green Belt, there is no need to cross refer to it in Policy NPP 1.
54. Significant Open Spaces are identified on Map 3. These are defined in the *Bulcote: An Appraisal of the Character and Appearance of the Conservation Area (2001)*. Criterion 4 repeats Criterion 1 b) regarding Significant Open Spaces and thus should be deleted. Criterion 1 b) seeks to ensure that the

Significant Local Spaces on Map 3 are not lost. There is a conflict here as sites 4 and 7 on Map 3 have planning permission for housing. In the interest of precision, these sites should be deleted from Map 3.

55. Subject to the modifications I have suggested above, Policy NPP 1 has regard to national policy, contributes toward sustainable development and is in general conformity with strategic policy. Modified Policy NPP 1 meets the Basic Conditions.
56. **Recommendation: to meet the Basic Conditions, I recommend:**
  1. **The deletion of sites 4 and 7 from Map 3.**
  2. **modification to Policy NPP 1 to read as follows:**

**NPP 1 Sustainable Development and the Built Form of Bulcote Village**

- 1. Development in Bulcote Parish should be located so that it can make a positive contribution towards the achievement of sustainable development by meeting development needs of the local community so long as;**
  - a) **the proposed development is of a scale, density, layout and design that is compatible with the character, appearance and amenity of the character area in which it is located as defined in the Bulcote Village Design Guide (2019) (Appendix F); and**
  - b) **it would not result in the loss of a Significant Open Space (identified on Map 3), Local Nature Reserve or any other area designated for its nature conservation or priority habitat (identified on Map 9 and Map 10); and**
  - c) **any natural or built features on the site that have heritage or nature conservation value are incorporated into the scheme where possible.**
- 2. The area defined in Map 13 is designated as the Built Form of Bulcote Parish. Proposals for limited infilling (as defined in the National Planning Policy Framework) within the Built Form of Bulcote Parish are required to satisfy the principles of sustainable development.**
- 3. Development in the Green Belt should be consistent with Spatial Policy 4B of the Amended Core Strategy and relevant content within the National Planning Policy Framework. Limited infilling (as defined in the National Planning Policy Framework) within the Green Belt, other than that area of the Green Belt within the Built Form of Bulcote Parish, would not be supported.**

## **NPP 2 Protecting the Landscape Character of Bulcote Parish and Enhancing Biodiversity**

57. The NPPF, in Paragraph 170 requires the planning system to contribute to and enhance the natural and local environment, including protecting and enhancing valued landscapes and minimising impacts on biodiversity and providing net gains in biodiversity where possible. One of the principles to protect and enhance biodiversity in Paragraph 175 states: *if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.*
58. Core Strategy Spatial Policy 3 is a strategic policy for the rural areas. In particular, it states that new development should not have a detrimental impact on the character of the location or its landscape setting. This is further emphasised in A&DM DPD Policies DM5 and DM8. Core Strategy Core Policy 13 seeks to ensure that landscapes, including valued landscapes, have been protected and enhanced. Core Strategy Core Policy 12 seeks to conserve and enhance the biodiversity and geological diversity of the District. This is further emphasised in A&DM DPD Policy DM7.
59. Policy NPP 2 seeks to protect landscape character and enhance biodiversity.
60. Nine Key Village Views are identified in Map 15. I have visited the Parish and seen for myself the importance of these views. These are not 'view corridors' as stated in Criterion 1 in Policy NPP2. Key Village Views 1, 2, 4,5,6,7 and 8 overlap with 'significant views' identified in the Bulcote Conservation Area Appraisal (2001). Key Village View 9 is a panoramic view south down the bridle path. It is not in the correct position on Map 15. In the interest of precision, this Key Village View should be correctly positioned in accordance with the description and photograph in the background evidence.
61. NSDC has raised concern with regard to Key Village View 3. In particular, NSDC has stated that as the view is over an open space and *given that the Conservation Area Appraisal has defined it as a 'significant open space' and the Plan proposes its designation as a Local Green Space it is considered that this provides ample protection from a character perspective, and that its additional identification as a key village view has not been robustly justified.*
62. I have visited Key Village View 3 and concur with NSDC. Any view is foreshortened by the road and topography beyond the green space. The view is not of the same level of significance as others identified on Map 15. PPG requires proportionate, robust evidence to support the choices made and the approach taken to policy making in a neighbourhood plan. The inclusion of view 3 as a Key Village View undermines the significance of the

others and there is not the robust evidence required to justify its inclusion. Thus, I recommend the deletion of this view from Map 15.

63. There are further broader viewpoints identified in the Bulcote Village Design Guide which would be covered by Policy NPP 2. The Bulcote Village Design Guide is an appendix to the Plan and a number of policies refer to the Guide. As such, the Bulcote Village Design Guide cannot contradict the policies in the main body of the Plan.
64. No precise guidance is provided over the likely extent and depth of the other views in the Bulcote Village Design Guide, making it extremely difficult to implement and defend this policy for development control purposes. Therefore, I recommend modification to Criterion 1 to ensure that it specifically only refers to the Key Village Views on Map 15, excluding Key Village View 3, with regard to protecting important views. If the other viewpoints are to remain in the Bulcote Village Design Guide, it should be made clear in the Bulcote Village Design Guide that they are not specifically protected by Policy NPP 2.
65. In the interest of precision, Criterion 2 should be prefaced with ‘where appropriate’ and the reference to the Landscape Assessment should include the date of the document. I have suggested revised wording.
66. Criteria 3 and 4 do not have regard to national policy and are not in conformity with strategic policy, particularly Core Policy 12 with regard to biodiversity. To have regard to national policy outlined in Paragraph 175 in the NPPF, Criterion 6 concerning ancient woodland should include ‘*and a suitable compensation strategy exists*’. Usually the neighbourhood plan policy should provide an additional level or layer of detail to national policy and the local planning authority’s policies. If I were to recommend modification to these three criteria, it would add no local policy detail above that stated in national and strategic policy. Therefore, I recommend the deletion of Criteria 3, 4 and 6. Biodiversity conservation and enhancement will still be sought through existing strategic policies.
67. In the interest of precision, Criterion 5 should be prefaced with ‘where appropriate’. Criterion 5 requires development to demonstrate it is in accordance with the Bulcote Village Design Guide. As a design guide can only be guidance, it is necessary to modify Criterion 5 to ensure that development ‘has regard to the future management principles within the Village Design Guide. I have suggested revised wording. Householder extensions are excluded from the requirements in Criterion 5. As this criterion clearly relates to larger scale development, in the interest of precision, this should refer to ‘householder development’. As Policy NPP 1 clearly opposes the loss of a significant open space, there is internal conflict in the Plan where it refers to reducing a significant open space in Criterion 5. Therefore, in the interest of clarity, I recommend deletion of this reference.

68. Criterion 8 seeks to retain mature trees and if needing to be replaced they should be replaced at a ratio of at least 2:1. PPG requires a neighbourhood plan policy to be concise, precise and supported by appropriate evidence. I have no clear evidence before me to justify the replanting requirements of Criterion 8. Therefore I recommend the deletion of these requirements.
69. Criterion 8 refers to mature trees identified as significant to the character of the village. Other than trees already protected by Tree Preservation Orders, there are no specific trees identified in the Plan or in the Bulcote Village Design Guide, although it is clear that mature trees make an important contribution to the character and appearance of the Parish. In the interest of precision, I have suggested revised wording to this criterion.
70. Paragraphs 117 – 121, 124 and 129-133 contain policy proposals which are not all within modified Policy NPP 2 and which could be in conflict with national Green Belt policy. It is not for me to re-write the Plan. In the interest of precision, these paragraphs should be modified accordingly.
71. Subject to the modifications I have suggested above, Policy NPP 2 has regard to national policy, contributes toward sustainable development and is in general conformity with strategic policy. Modified Policy NPP 2 meets the Basic Conditions.
72. I note that the trees referred to in paragraph 116 have subsequently been protected. Thus, this paragraph needs updating. **I see this as a minor editing matter.**
73. **Recommendation: to meet the Basic Conditions, I recommend:**
- 1) modification to Policy NPP 2 to read as follows:**
- NPP 2 Protecting the Landscape Character of Bulcote Parish**
- 1. To protect the landscape character, development in Bulcote Parish should not negatively impact on landscape character. The level of potential impact will be dependent on factors such as height, scale, location and the scope for mitigation. The Key Village Views identified on Map 15 are particularly sensitive in this respect.**
- 2. Where appropriate, development proposals should conform with the actions of the landscape and built features recommended for the policy zones MN41, TW06 and TW51 as designated in NSDC's Landscape Character Assessment (2013). Where appropriate, mitigation planting should include native species recommended for the Mid Nottinghamshire Farmlands or Trent Washlands Character Area.**
- 3. Where appropriate, development proposals (excluding householder development) demonstrating they have regard to guidance in the future management principles established in the Bulcote Village Design Guide (2019) (set out in Table 3) will be supported where they demonstrate they have:**

- a) retained existing trees and hedges; and
- b) used strong planting belts that run horizontal with the contours on sites close to the existing built form at lower elevations.

**4. Proposals which improve existing environmental assets and enhance biodiversity are encouraged. This includes:**

- a) strengthening hedgerows (gapping up) and field boundaries to provide more robust habitat ‘corridors’; and
- b) planting wild flower meadows and strips; and
- c) encouraging native tree and shrub planting on suitable sites, especially species that provide good berry or nectar sources; and
- d) encouraging the creation of sustainable urban drainage schemes (SUDS), (e.g. rain gardens, pond and wetland creation) in new schemes and ‘retrofitting’ where appropriate; and
- e) the installation of habitat features (i.e. nest boxes) to benefit all bats and bird species of conservation concern, such as swifts, swallow, house martin and house sparrow; and
- f) to protect dry ditches - as these features are essential to the sustainable management of surface water.

**5. Wherever possible, mature trees that make an important contribution to the character and appearance of the Parish should be retained.**

- 2) modification to the supporting text to ensure it corresponds with modified Policy NPP 2.
- 3) modification to Map 15 and Appendix C by deleting Key Village View 3 and placing Key Village View 9 in the correct position in accordance with the background evidence in the supporting document ‘Key Village Views’.
- 4) modification to the Bulcote Village Design Guide to explain that only the Key Village Views identified on Map 15 in the Plan are covered by this policy.

### **NPP 3 Importance of Energy Efficiency and High-Quality Design**

74. An extract from paragraph 124 in the NPPF states: *Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this.*

75. Paragraph 125 in the NPPF states: *Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics. Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development.*
76. The NPPF in paragraph 155 seeks to direct development away from areas at highest risk of flooding.
77. Core Strategy Core Policy 9 expects new development proposals to demonstrate a high standard of sustainable design. A&DM DPD Policy DM5 details design criteria for consideration in all new development and Policy DM6 specifies criteria for household development. Core Strategy Core Policy 10 and A&DM DPD Policy DM5 aim to steer development away from areas at highest risk of flooding.
78. Policy NPP 3 seeks high quality design that will contribute to the character of the village.
79. For the same reasons as mentioned under Policy NPP 2, Criterion 2 should refer to having regard to the future management principles within the Bulcote Village Design Guide. Criterion 4 should refer to the full title of the Bulcote Village Design Guide.
80. PPG, (at Paragraph: 001 Reference ID: 56-001-20150327), makes it clear through a link to a Written Ministerial Statement of 25 March 2015 that it is not appropriate to refer to any additional local technical standards or requirements relating to the construction or performance of new dwellings in neighbourhood plans. Thus, Criterion 9 should be deleted and Criterion 10 should only apply to non-residential properties. In addition, the last sentence of paragraph 138 should be deleted.
81. Criterion 12 refers to Building for Life Standards. In the interest of precision, this should refer to thresholds of 'at least 9 greens' and no reds. Paragraph 154 states that new development will be expected to use Building for Life Standards, but Criterion 12 does not go so far as making this a requirement. Thus, in the interest of precision to avoid internal conflict within the Plan, paragraph 154 should be modified to accord with Policy NPP 3.
82. Paragraph 155 refers to Criteria 3-6 relating to all development. I see no reason why Criteria 7, 8, 10 and 11 should only relate to residential development and it does not make sense to make this distinction. In the interest of clarity, I recommend modification to paragraph 155 accordingly.
83. Subject to the modifications I have suggested above, Policy NPP 3 has regard to national policy, contributes toward sustainable development and is

in general conformity with strategic policy. Modified Policy NPP 3 meets the Basic Conditions.

84. The Parish Council may wish to include an explanation of why Criterion 9 regarding heritage properties is not applicable to residential development. I see this as a minor editing matter.
85. The Plan makes reference to *Successful Places: Supplementary Planning Document (2013)*. It turns out that this document has been produced by four other local authorities. Therefore, I question the relevance of this document to the background evidence supporting this neighbourhood plan. As such, I suggest the reference is deleted. I see this as a minor editing matter.
86. **Recommendation: to meet the Basic Conditions, I recommend:**
  - 1) modification to paragraphs 138, 154 and 155 as suggested above;
  - 2) modification to Policy NPP 3 to read as follows:

**NPP 3 Importance of Energy Efficiency and High-Quality Design**

    1. Proposals should demonstrate a high design quality that will contribute to the character of the Village. New development which is sensitive towards and reinforces the character of areas as defined in Table 1 will be supported.
    2. Proposals should demonstrate how they have regard to the guidance in the future management principles for each character area as set out in the Bulcote Village Design Guide (2019) and in Table 3.
    3. Particular attention should be given to landscaping schemes and boundary treatment (using native trees and hedgerows) that reflect the surrounding character in accordance with Policy NPP 2.
    4. Materials, scale and massing should also reinforce the existing character area as defined in the Bulcote Village Design Guide (2019). Materials should reflect the local materials, style and colour palette of the character area in which it is located.
    5. Street furniture should be minimal and where it is required should be made of materials that reflect the rural and historic character of the village.
    6. Proposals should complement the existing well defined streets and attractive green space with a layout, landscaping and planting that responds positively to the character of the Parish.
    7. The layout of new development should maximise opportunities to integrate with the existing settlement pattern.
    8. Well-designed buildings should be appropriate to their location and context this may include innovative and contemporary design

**solutions provided they positively enhance the character and local distinctiveness.**

**9. The retrofit of non-residential heritage properties/assets is encouraged to reduce energy demand and to generate renewable energy where appropriate, providing it safeguards heritage assets and development is done with engagement and permissions of relevant organisations.**

**10. Where necessary a flood risk assessment should be undertaken which establishes that the proposed development would not give rise to an increased risk of surface water flooding either on the site or in the vicinity which cannot be effectively mitigated. Proposals will be required to manage surface water through keeping to a minimum the creation of non-permeable areas and the incorporation of SuDS, which mimic natural drainage patterns, are appropriate to the existing landscape character, are designed to improve water quality, contribute towards water recharge and improve biodiversity.**

**11. High quality residential design could be demonstrated by a report showing how the scheme accords with national design standards Building for Life or equivalent and would be expected to score in line with acceptable thresholds (usually at least 9 greens and no reds). This would be particularly encouraged for major development proposals.**

#### **NPP 4 Designation of Local Green Spaces**

87. The NPPF in paragraphs 99 - 101 states: *the designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them. Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or updated, and be capable of enduring beyond the end of the plan period.*

*The Local Green Space designation should only be used where the green space is:*

- a) in reasonably close proximity to the community it serves;*
- b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*
- c) local in character and is not an extensive tract of land.*

*Policies for managing development within a Local Green Space should be consistent with those for Green Belts.*

88. Core Strategy Core Policy 12 seeks to conserve and enhance the biodiversity and geological diversity of the District.
89. I have visited the Parish and seen the proposed Local Green Spaces (LGS). My comments on each site are set out below.
90. Site 1. The Triangle. This is a small area of open space with mature trees. It is in reasonably close proximity to the community and local in character. It is demonstrably special due to its biodiversity and local landscape value. This site satisfies the criteria for designation as a LGS.
91. Site 2 Ropers Field. This is a small area of green space sloping up to the front of the church and includes mature trees. It is in reasonably close proximity to the community and local in character. It is demonstrably special due to its biodiversity and local landscape value. This site satisfies the criteria for designation as a LGS.
92. Site 3 The Ridings. This is a small area of mature trees. I note that these trees have recently been protected by a Tree Preservation Order. It is in reasonably close proximity to the community and local in character. It is demonstrably special due to its biodiversity and local mature tree landscape value. This site satisfies the criteria for designation as a LGS.
93. Site 4 Field boundary in front of Corporation Cottages. Concern has been raised with regard to the boundaries of this site in relation to recent planning applications Refs: 15/00784/FUL and 17/02325/FUL for the redevelopment of Bulcote Farm. The Parish Council has stated in its response to the regulation 16 representations that the LGS does not intrude into the red line plan of these planning applications: *the western edge of the LGS boundary lies entirely adjacent to the existing roadway (and the red line plan). There is nothing in the planning applications which crosses into LGS 4 and so we would assert the planning applications – as they stand – are not adversely affected in any way.*
94. As a general point, the LGS maps need to be of a suitable scale for ease and accuracy of identification. The scale of Map 17 is not sufficient. In the interest of precision, I recommend the inclusion of inset OS based maps at an appropriate scale that ensures the precise boundaries of the LGS are clearly identifiable. For LGS 4 this means showing the boundaries outside the planning applications as specified by the Parish Council above.
95. Site 4 is a small green area with a small water course and mature trees adjacent to the road. It is in reasonably close proximity to the community and local in character. It is demonstrably special primarily due to its open local landscape value. This site satisfies the criteria for designation as a LGS.

96. Site 5 Gunthorpe Lakes. This site comprises fishing lakes in a rural landscape setting. It is demonstrably special due to its recreational value, tranquillity, biodiversity and landscape value. Whilst on the edge of the Parish, it still remains local in character and may well be in reasonably close proximity to the wider fishing community it serves. However, the lakes are set in approximately 38 hectares, which is an extensive tract of land. Unfortunately, due to its size, I do not consider that the site satisfies the criteria for designation as a LGS. Therefore, I recommend the deletion of this site from the list of LGS and from the reference at the bottom of page 45.
97. It is clear in the NPPF that development on LGS is only allowed in very special circumstances. These very special circumstances are not defined in the NPPF and it is not for me to decide if development that clearly enhances the LGS for the purpose for which it was designated is a very special circumstance. Therefore, to have regard to national policy, I recommend modification to the last sentence in Policy NPP 4. I have suggested revised wording.
98. Subject to the modifications I have suggested above, Policy NPP 4 has regard to national policy, contributes toward sustainable development and is in general conformity with strategic policy. Modified Policy NPP 4 meets the Basic Conditions.
99. **Recommendation: to meet the Basic Conditions, I recommend**
- 1. the inclusion of inset OS based map(s) at an appropriate scale that ensure the precise boundaries of the Local Green Spaces are clearly identifiable.**
  - 2. the deletion of Site 5 Gunthorpe Lakes from the list of Local Green Spaces.**
  - 3. modification to Policy NPP 4 to read as follows:**
- NPP 4 Designation of Local Green Spaces**
- The sites identified on Maps [xx] are designated as Local Green Spaces and are protected for their beauty, recreational value, tranquillity and richness of wildlife. Proposals for development on the Local Green Spaces will only be permitted in very special circumstances.**

## **NPP 5 Protecting or Enhancing Heritage Assets**

100. The *Planning (Listed Buildings and Conservation Areas) Act 1990* imposes duties requiring special regard to be had to the desirability: firstly at Section 16(2), of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses; and secondly, at Section 72(1), of preserving or enhancing the character or appearance of a Conservation Area.

101. The NPPF advises at paragraph 193 that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
102. Paragraph 197 in the NPPF states: *in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.*
103. Core Strategy Core Policy 14 seeks: *the continued conservation and enhancement of the character, appearance and setting of the District's heritage assets and historic environment, in line with their identified significance as required in national policy.*
104. A&DM DPD Policy DM 9 supports Core Strategy Core Policy 14.
105. Recently updated PPG states:

*There are a number of processes through which non-designated heritage assets may be identified, including the local and neighbourhood plan-making processes and conservation area appraisals and reviews. Irrespective of how they are identified, it is important that the decisions to identify them as non-designated heritage assets are based on sound evidence.*

*Plan-making bodies should make clear and up to date information on non-designated heritage assets accessible to the public to provide greater clarity and certainty for developers and decision-makers. This includes information on the criteria used to select non-designated heritage assets and information about the location of existing assets.*

(Extract part of Paragraph: 040 Reference ID: 18a-040-20190723 dated 23 July 2019).

106. Policy NPP 5 seeks to protect and enhance heritage assets. *Bulcote: An Appraisal of the Character and Appearance of the Conservation Area (2001)* provides a comprehensive appraisal of the special and distinct character of the area.
107. Criteria 2, 3 a) and 6 refer to harm and the planning balance. They do not accurately have regard to national policy in respect of how harm is addressed. As there is no need to repeat national policy, rather than suggesting modification, I have suggested deletion of these sentences. In addition, to have regard to national policy, I have suggested revised wording for Criterion 2 with regard to the Conservation Area and listed buildings.
108. Criterion 3 supports the provision of a community building. For the same reasons as mentioned previously, reference should be made to 'having regard to the guidance' in the Bulcote Village Design Guide and Conservation Area Appraisal rather than being 'in keeping' with the guidelines. I have suggested revised wording. To avoid unnecessary repetition and in the interest of clarity, I suggest that this criterion is removed

from Policy NPP 5 and instead replaces Criterion 1 c) in Policy NPP 6. As the character and appearance of the Conservation Area and listed building protection is already mentioned in Criterion 2, Criterion 3 a) is unnecessary repetition. Thus, in the interest of clarity, I recommend deletion of this reference.

109. Policy NPP 5 refers to non- designated heritage assets. I note that the supporting evidence document in Appendix E was compiled using criteria for selection produced by Bassetlaw District Council for this purpose and recognised by NSDC; searching the Historic Environment Record; and by nomination by members of the Neighbourhood Plan Steering Group.
110. It is clear from the evidence before me that the buildings and structures identified in Policy NPP 5 are historic buildings and structures of significance to the local community. They have been chosen using clear criteria for selection and have been identified on sound evidence. In the interest of precision, the non-designated heritage assets should be identified as such in the policy. I have suggested revised wording.
111. Subject to the modifications I have suggested above, Policy NPP 5 has regard to national policy, contributes toward sustainable development and is in general conformity with strategic policy. Modified Policy NPP 5 meets the Basic Conditions.
112. The Parish Council has suggested a replacement last sentence in Criterion 6 regarding the Bulcote Farm redevelopment and enabling development. My remit is to determine whether the policy meets the Basic Conditions. Subject to the modifications I have suggested, it does meet the Basic Conditions without the inclusion of this sentence. Therefore, it is not appropriate for me to recommend the addition of this sentence.
113. **Recommendation: to meet the Basic Conditions, I recommend modification to Policy NPP 5 to read as follows:**  
**NPP 5 Protecting or Enhancing Heritage Assets**
  - 1. Gardens and open spaces form part of the special interest of Bulcote Conservation Area. Development will only be permitted on gardens and open spaces between buildings within Bulcote Conservation Area where development shall not harm the character and appearance of the Conservation Area.**
  - 2. Development adjacent to and within the setting of Bulcote Conservation Area should preserve or enhance the character or appearance of the Area and preserve the listed buildings or their settings or any features of special architectural or historic interest which they possess.**
  - 3. The retention of locally important heritage assets is encouraged and development proposals affecting these will need to accord with District**

**policies. The following buildings and structures, identified in Appendix E and Map 18, are identified as non designated heritage assets:**

- A The Cottage**
- B Buttressed Wall**
- C Holly Nook**
- D George V Post Box**
- E Red Telephone Box**
- F Daisy Cottage**
- G Willow Cottage and outbuilding**

**4. The effect of a proposal on the significance of the non-designated heritage assets will be considered in determining an application in order to minimise the conflict between the heritage assets' conservation and any aspect of the proposal.**

**5. The reuse of the Grade 2 Listed Bulcote Farm Buildings for their optimum viable use consistent with their conservation is supported where the proposal preserves the significance of the setting of Listed Buildings and the landscape character of the area.**

## **NPP 6 Enhancing the provision of community facilities**

- 114. Paragraph 92 in the NPPF states that to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should, amongst other matters, plan positively for the provision of community facilities and guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.
- 115. Core Strategy Spatial Policy 4B requires development, other than housing and employment specified in that policy, to be judged according to national Green Belt Policy.
- 116. Core Strategy Spatial Policy 8 encourages the provision of new and enhanced community and leisure facilities.
- 117. Policy NPP 6 supports the provision of a community building and recognises that any such building in the Green Belt would need to be consistent with Green Belt policy. I note that an improved village community space was the number one requested improvement on the village survey.
- 118. The Key Principle in the Plan seeks to encourage engagement with the Parish Council and local community as part of the design process at the pre

- application stage. The NPPF at paragraph 40 specifies that developers cannot be required to engage with the local community for most planning applications. Therefore, Criterion 1 a) does not have regard to national policy where it requires pre - application consultation. Thus, I recommend deletion of this requirement.
119. As stated previously, there has to be 'regard for' design guidance, as it is only guidance and not policy. I have therefore suggested revised wording for Criterion 1 c).
120. Subject to the modifications I have suggested above, Policy NPP 6 has regard to national policy, contributes toward sustainable development and is in general conformity with strategic policy. Modified Policy NPP 6 meets the Basic Conditions.
121. **Recommendation: to meet the Basic Conditions, I recommend modification to Policy NPP 6 to read as follows:**
- NPP 6 Enhancing the provision of community facilities**
- 1. Proposals to provide a community building within the Parish will be considered sustainable development where;**
    - a) the proposal demonstrates it is meeting an identified local need; and**
    - b) the materials, boundary treatment and surfacing have regard to the guidelines in the Bulcote Village Design Guide (2019) and Bulcote: An Appraisal of the Character and Appearance of the Conservation Area (2001); and**
    - c) it is well connected, in close proximity and safely accessible to the community.**
  - 2. Proposals located in the Green Belt will need to be consistent with District and national policy.**

## **NPP 7 Improving Access to the Countryside**

122. Paragraph 91 in the NPPF refers to the need for planning policies to aim to achieve healthy, inclusive and safe places which enable and support healthy lifestyles.
123. Section 9 in the NPPF promotes sustainable transport. This includes the need to actively manage patterns of growth and the provision of high quality walking and cycling networks.
124. Core Strategy Spatial Policy 7 encourages an improved and integrated transport network with an emphasis on non- car modes as a means of access to services and facilities. In particular, it seeks to increase rural accessibility. High quality, safe, cycle, footpath and bridleway networks will be safeguarded and extended to provide opportunities to reduce the number

- of short car journeys and for cycling, walking and horse riding for recreation in the countryside.
- 125. Core Strategy Core Policy 12 supports the development of a Green Infrastructure Network.
  - 126. Policy NPP 7 seeks to improve access to the countryside. Criterion 1 b) is a repetition of the content of the first sentence in Criterion 1 and thus should be deleted.
  - 127. Criterion 3 requires development proposals to demonstrate how they protect and where possible enhance existing routes. Developer contributions can only be sought where they meet the tests that they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind. These tests are set out as statutory tests in the Community Infrastructure Levy Regulations 2010 and paragraph 56 in the NPPF.
  - 128. The definition of development in planning policy encompasses a wide range, including change of use and there may be many instances where small scale development has absolutely no connection to or impact on non - vehicular routes, particularly from the edge of the existing settlement to the countryside and open spaces. In the interest of precision and to have regard to national policy, I have suggested revised wording for Criterion 3.
  - 129. Subject to the modifications I have suggested above, Policy NPP 7 has regard to national policy, contributes toward sustainable development, particularly the environmental and social objectives, and is in general conformity with strategic policy. Modified Policy NPP 7 meets the Basic Conditions.
  - 130. A stray '30' has crept into the end of paragraph 179. This may be a reference link that needs including at the bottom of the page. **I see this as a minor editing matter**
  - 131. **Recommendation: to meet the Basic Conditions, I recommend modification to Policy NPP 7 to read as follows:**

**NPP 7 Improving Access to the Countryside**

    - 1. Development which is directly related to improving or extending the non-vehicular routes across the Parish will be supported where the proposals;**
      - a) do not detract from the landscape character as defined in the most recent Landscape Character Assessment Study and the Bulcote Village Design Guide (2019); and**
      - b) will not harm protected local habitats.**

- 2. Proposals that extend the multi-user routes as part of NSDC's Green Infrastructure Strategy will be encouraged.**
- 3. Where applicable, development proposals will be expected to demonstrate how they protect and where possible enhance existing public rights of way and permissive routes affected by those developments. Opportunities taken to improve linkages between existing routes from the edge of the existing settlement to the countryside and open spaces will be encouraged.**
- 4. Where applicable, developer contributions will be sought to improve the network of public accessible walking/cycling routes across the parish.**

#### **NPP 8 Supporting Local Employment.**

132. The NPPF supports a prosperous rural economy.
133. Paragraph 145 in the NPPF states that the construction of new buildings in the Green Belt is inappropriate unless in accordance with exceptions in the Framework. One exception is: *limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings)*, which would:
  - *not have a greater impact on the openness of the Green Belt than the existing development; or*
  - *not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.*
134. Core Strategy Spatial Policy 4B requires employment development in the Green Belt away from the Principal Villages to be judged according to national Green Belt policy.
135. Policy NPP 8 supports the redevelopment of the former Tall Trees Garden Centre site for employment use, recognising the need to accord with Green Belt policies. It is not the intention of the Plan to actually allocate this site for employment. Therefore, in the interest of precision, it should be stated in Policy NPP 8 that this is not a formal allocation.
136. NSDC has raised concern that Policy NPP 8 needs to address consistency with the Spatial Strategy outlined in Core Strategy Spatial Policies 1 and 2. As the site is not actually allocated for employment use, to ensure general conformity with strategic policy, I reference to the Spatial Strategy should be included in Policy NPP 8. NSDC has suggested revised wording for Policy NPP 8 which I consider addresses my concerns. Therefore, I recommend modification to Policy NPP 8 accordingly.

137. Subject to the above modifications, Policy NPP 8 has regard to national policy, contributes toward sustainable development, particularly the environmental and social objectives, and is in general conformity with strategic policy. Modified Policy NPP 8 meets the Basic Conditions.

138. **Recommendation: to meet the Basic Conditions, I recommend modification to Policy NPP 8 to read as follows:**

#### **NPP 8 Supporting Local Employment**

**Whilst not representing a formal site allocation, proposals for the redevelopment of the previously developed land at the former Tall Trees Garden Centre (see Map 19) for employment uses will be supported. The scale and form of redevelopment will however need to be consistent with local and national Green Belt policy, and the Spatial Strategy set through the Amended Core Strategy. In addition redevelopment schemes should also reflect high quality design and satisfy other relevant local and national planning policy as appropriate.**

#### **The Bulcote Village Design Guide (2019)**

139. The Bulcote Village Design Guide is an Appendix to the Plan and the findings in this guidance will help ensure that high quality design is achieved in the Parish.
140. Nottinghamshire County Council (Highways) has raised concern with regard to the diagram on Page 52. The drawing and associated note encourages streams, ditches and swales to convey surface water. For highway drainage this method of drainage is not encouraged within the Highway Authority's Design Guide unless under strict circumstances.
141. Nottinghamshire County Council (Highways) has raised concern with regard to the suggestion that parking might be accommodated by variations in the width of streets on page 64. For safety and maintenance reasons the Highway Authority is opposed to designing new streets with the intention of on-street parking being permitted. New developments should provide sufficient off-street parking to reasonably accommodate occupants and their visitors.
142. To ensure that a high quality of design is achieved and ensure clarity in decision making, I recommend that the two references above are deleted from the Bulcote Village Design Guide.
143. **Recommendation: to meet the Basic Conditions, I recommend the deletion of the diagram and accompanying text from the bottom of page 52 in The Bulcote Village Design Guide (2019) and the deletion of reference to parking in the first paragraph on page 64 of The Bulcote Village Design Guide (2019).**

## **Referendum and the Bulcote Neighbourhood Plan Area**

144. I am required to make one of the following recommendations:

- the Plan should proceed to Referendum, on the basis that it meets all legal requirements; or
- the Plan as modified by my recommendations should proceed to Referendum; or
- the Plan does not proceed to Referendum, on the basis that it does not meet the relevant legal requirements.

145. **I am pleased to recommend that the Bulcote Neighbourhood Plan as modified by my recommendations should proceed to Referendum.**

146. I am required to consider whether or not the Referendum Area should extend beyond the Bulcote Neighbourhood Plan Area. I see no reason to alter or extend the Neighbourhood Plan Area for the purpose of holding a referendum.

## **Minor Modifications**

147. The Plan is a well-written document, which is easy to read. Where I have found errors, I have identified them above. It is not for me to re-write the Plan. If other minor amendments are required as a result of my proposed modifications, I see these as minor editing matters which can be dealt with as minor modifications to the Plan. In particular the introduction will need to be updated, as will paragraph 25. Where I have recommended modification to policies, there may need to be some corresponding minor modification to the supporting text.

**Janet Cheesley**

**Date 16 December 2019**

## **Appendix 1 Background Documents**

The background documents include:

- The National Planning Policy Framework (The Framework) (2019)
- The Planning and Compulsory Purchase Act 2004
- The Localism Act (2011)
- The Neighbourhood Planning (General) Regulations (2012)
- The Neighbourhood Planning (General) (Amendment) Regulations (2015)
- The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations (2016)
- The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations (2017)
- The Neighbourhood Planning Act (2017)
- The Planning Practice Guidance (2014)
- Regulation 16 Representations
- Newark and Sherwood Amended Core Strategy (March 2019)
- NSDC Allocations and Development Management Development Plan Document (2013)
- NSDC Landscape Character Assessment Supplementary Planning Document (2013)
- Bulcote: An Appraisal of the Character and Appearance of the Conservation Area (2001)
- Bassetlaw District Council Non - Designated Heritage Assets Criteria (2011 updated 2016)
- A Green Infrastructure Strategy for Newark and Sherwood (February 2010)
- Rural Community Profile for Bulcote (Parish) (2013)
- Supporting Document: Key Village Views
- Supporting Document: Non - Designated Heritage Assets
- Bulcote Village Design Guide (2019)