

Hickling Parish Neighbourhood Plan

Regulation 4(3)(b)(iii). Summary of Representations Received Submitted to the Independent Examiner.

Respondent	Summary of Representation
Canal and River Trust	<ul style="list-style-type: none"> Support the key issues and vision of the plan which include the objective of ensuring the canal makes a positive contribution to village life. Support the value placed on the canal and recognition of it as an asset. <u>Policy H3: Tranquillity</u>: Suggest the plan refers directly to https://www.gov.uk/guidance/noise-2 to help understanding of the term “lowest observed adverse effect level”. This would provide the necessary clarity and precision for the policy to be effective and enforceable. <u>Policy H18: Grantham Canal and Hickling Basin</u>: Welcome the support the policy gives to restoring the navigable status of the Grantham Canal. Suggest for clarity and consistency with the local plan, criterion (a) be amended to read as follows: “Proposals have appropriate regard for the significance of the heritage assets of the canal, basin and their setting and do not prejudice future restoration of the canal to navigable status”. Suggest for consistency with the NPPF criterion (b) is amended to read as follows: “proposals protect and enhance the ecological value of the canal and its landscape features”. In relation to criterion (d) suggest similar cross reference to government guidance as suggested above for Policy H3.
Coal Authority	<ul style="list-style-type: none"> No specific comments.
AE Faulks Ltd	<ul style="list-style-type: none"> <u>Limits to Development (Map 8)</u>: Note that the extent of the boundary in relation to Faulks land has changed from the 2019 pre submission plan without explanation. Note that the ‘curtilage’ to the property immediately to the south is included within the settlement boundary. There is no justification for this inclusion therefore the settlement boundary should be amended to exclude this area or extended to include a similar eastward extension to the Faulks site. The approach taken needs to be consistent. <u>Policy H11</u>: Object to the omission of the following statement that had been included in the pre-submission plan: “We would like to see the business relocated to a nearby site so that jobs can be retained”.

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	<ul style="list-style-type: none"> • <u>Policy H11</u>: Object to criterion (b) and the change from the pre-submission to submission draft in terms of number of bedrooms. The requirement for restricting larger houses is not based on any evidence. No justification from the previous consultation, including the 2017 questionnaire. • <u>Policy H11</u>: Support in principle but object to some of the criteria included which will impact on the ability for the site to come forward for housing, specifically criterion (b) (as referred to above). Suggest that criterion (a) of the pre-submission plan is reinserted and criterion (b) of the submission plan is deleted, or self build properties are cited as an exclusion to the policy.
Health and Safety Executive	<ul style="list-style-type: none"> • HSE is not a statutory consultee for local and neighbourhood plans. HSE has provided LPAs with access tools that can ensure land allocations to not conflict with major hazard sites and pipelines, licensed explosives sites and nuclear installations.
Highways England	<ul style="list-style-type: none"> • Due to the minimal growth currently being proposed, we consider that there will be no material impacts on the operation of the SRN. No further comments.
Historic England	<ul style="list-style-type: none"> • We refer to our response to the pre submission plan and have no further comments to add.
National Grid	<ul style="list-style-type: none"> • An assessment has been carried out with respect to National Grid's electricity and gas transformation assets and high pressure gas pipelines. National Grid has identified that it has no record of such assets within the Neighbourhood Plan area.
Natural England	<ul style="list-style-type: none"> • No specific comments
Nottinghamshire County Council	<ul style="list-style-type: none"> • <u>Minerals and Waste</u> function: No comments • <u>Built Heritage</u>: Welcome the inclusion of NDHA in the plan. The map showing the assets covers the whole parish and is very difficult to identify the location of the assets along the main village streets. It might be useful to cross reference the RBC adopted criteria in Appendix 4. Cross

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	<p>referencing to the Notts HER would be easier if the County Council's monument reference was included. Some examples of NDHA would benefit from more extensive descriptions. Also suggest some other features are worthy of inclusion on the list – e.g. the smithy on Main Street. The HER also records earthworks and other above and below ground archaeological remains. These can also be considered as heritage assets and may be worthy of inclusion in the non-designated HA list subject to the consideration of suitable criteria.</p> <ul style="list-style-type: none"> • <u>Public health</u>: The JSNA provides a picture of the current and future health needs of the population of the county. This is a useful source of information when considering the health and wellbeing of residents of people in Nottinghamshire. It is recommended the plan is assessed against the checklist included in the Nottinghamshire Spatial Planning and Health Framework. References to Active Design and planning links to obesity are included.
Rushcliffe Borough Council	<ul style="list-style-type: none"> • <u>The “What Happens Next?” section</u> will be out of date once the Examiner's report has been received. If the Examiner recommends that the plan proceeds to Referendum then this section should be deleted for the Referendum version of the plan. • <u>Policy H3</u>: Use of term “supported” in policy H3 (and in other policies throughout the plan) is problematic as it does not give the decision maker sufficient clarity. As the policy will be used to make decisions and will form part of the development plan a more appropriate term would be “permitted”. “Supported” implies a secondary relationship to the decision rather than primary. • <u>Policy H3</u>: The requirement of Policy H3 to restrict development at LOAEL level and above runs contrary to the NPPG and the national policy on noise. It is text of the policy be changed to refer to the actions specified under the Noise Exposure Hierarchy table. This requires “mitigation and reduce to a minimum” for the LOAEL, and “avoid/prevent” for a SOAEL level. • <u>Map 3</u>: The “Important Views” plan referred to as Map 3 shows the views referred to in the policy. Viewpoint 2 annotation is obscured by the annotation for viewpoint 3. • <u>Policy H4</u> states that “Wind turbines will not be supported” This is in conflict with national policy and adopted Local Plan policy which allows for wind turbines in certain circumstances. The wording of this is also contrary to NPPF para 151 which sets out that plans should set out a positive strategy to renewable energy.

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	<ul style="list-style-type: none"> • <u>Policy H8</u> (Features of Local Heritage Interest) and Appendix 4 – further description for each identified asset is needed to justify how it meets the criteria. Also amend text to correct typo identified on page 64 (to refer to meeting two criteria, not just one). • <u>Policy H9</u> (Local Design) criterion c) is overly restrictive and if applied could prevent infill development. The approach conflicts with Policy H10 which allows infill development within the limits to development plan and is also contrary to Policy 22 of LP2 which also allows for infill development and is a strategic policy. • <u>Policy H10</u> (Housing Provision), criterion D – The government recently consulted on changes to the NPPF including to para 79 which would remove the reference to being “innovative”. In order to be in accordance with any changes to the NPPF suggest removing criteria i and ii set out under d (which replicate the text of para 79 (e)). • <u>Policy H10</u> (Housing Provision), Policy 3 and policy 8 of the LP1 Core Strategy and Policy 22 of LP2 (all strategic policies) allow for rural exception developments in smaller settlements where there is an identified need. An additional criterion should be added to the policy specifying rural exception sites to be an acceptable use outside the limits to developments plan, with the provision that need would have to have been established through an up to date needs survey. • <u>Policy H11</u>: The Wharf – Potential conflict with Policy H2: Locally Important Views due to the proximity of the canal basin and St Luke’s Church– both of which are protected views named under H3. It is also important to state that the other policies in the neighbourhood plan will also apply to proposals for development of the site. • <u>Policy H12</u>: Residential Conversion of Rural Buildings, Conversion of rural buildings to dwellings Part a) of H12 requires the building to be of architectural and historic interest for a conversion to residential use be considered acceptable. This is considered to be in conflict with LP2 Policy 11 and LP2 Policy 22. • <u>Policy H18</u> – Grantham Canal and Hickling Basin, Part D of the policy states “Residential amenities are protected. Overall noise exposure should be no greater than the lowest observed adverse effect level”. The objection previously raised in terms of consideration of the noise impact and the terms used is reiterated. The requirement for the impact to be no greater than lowest observed adverse effect level is not considered to be practicable.

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	<ul style="list-style-type: none"> • <u>Policies Map</u> - Reproduce maps so overlapping of labels does not occur, named features are clearly identifiable and reproduced at a high quality to enable correct identification.
Samworth, M	<ul style="list-style-type: none"> • <u>Policy H10</u>: The policy includes the statement “housing development within the Hickling Limits to Development, as defined on the Policies Map, will be supported”. No qualifications or caveats are given that would restrict what kind of housing development would be supported. In failing to qualify the conditions under which housing development will be supported, Policy H10 is in conflict with other policies in the plan. The following amendment is suggested “Housing development within the Hickling Limits to Development, as defined on the Policies Map, will be supported subject to meeting the other policies of the Neighbourhood Plan”.
Sport England	<ul style="list-style-type: none"> • General guidance and reference to relevant documents and an overview of the statutory responsibilities of Sport England are included their response. No specific comments on the Hickling Neighbourhood Plan.