

Mrs L Storey
Hazelwood Parish Clerk
By email

Our Ref : Hazelwood Neighbourhood Plan
Your Ref :
Date : 08 December 2022
Ask For : Amie Taylor
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Dear Mrs Storey

Hazelwood Neighbourhood Plan as Proposed to be Modified – Consultation under Regulation 14 of The Neighbourhood Planning (General) Regulations 2012

Thank you for consulting the Borough Council on the above proposals.

The Borough Council has welcomed the opportunity to support the Parish Council in this process and in particular the opportunity for informal discussions as to the format and content of the draft Modified Plan, prior to its publication for consultation under Regulation 14 of The Neighbourhood Planning (General) Regulations 2012. The Borough Council has noted and welcomes the amendments that have been made in response to informal comments made during discussions.

Policies

Page 45 NP1: Support appropriate new build homes, extensions and ancillary buildings

Criterion 2 – There is a need to clarify the term ‘exceptional’, to make it clear whether this means that the housing need should be exceptional or that to allow more than one dwelling is an exception? Re-wording this criterion would provide greater clarity for the decision-maker.

Page 47 NP3: Housing Character, scale and compatibility

As currently written, the policy is ambiguous, therefore does not comply with para 16d of the National Planning Policy Framework (NPPF) and would benefit from being reworded. The comments below are as made previously in informal discussions, namely:

First bullet point – the term ‘discordant’ may be subjective and is partially covered by the third bullet point ‘being compatible and harmonious with the character of the existing built development in the immediate surroundings’.

Second bullet point – it is not clear how a new house can have an adverse effect on the tranquillity of neighbouring properties due to increased noise, particularly post construction. Noise resulting

from post construction is not a land use planning matter and therefore it is not appropriate for the Neighbourhood Plan to cover it as it is covered by separate legislation.

It is suggested that a similar criterion to 1c of policy NP4 should be used and to reword the criterion to read 'not having an adverse effect on privacy, tranquillity or amenities of neighbouring properties'.

Third bullet point – 'compatible and harmonious' may be subjective

Last bullet point – 'outside the confines of domestic boundaries' conflicts with NP1.

Page 48 NP4: The conversion of redundant farm buildings

As currently written, the policy is not necessary as changes of use from agricultural to residential use can be carried out under Class Q of the General Permitted Development Order (GDPO). It is understood that the intention of the policy is to apply it to those developments that do not fall under permitted development and require formal planning consent, therefore the policy should be reworded to read as follows:

1. The conversion of redundant farm buildings to residential use ~~—as per Town and Country Planning Class Q permitted development—~~ excluding where permitted development applies, will be supported where the proposal:
 - a. Is of a scale that is sympathetic to the surrounding rural landscape and
 - b. Will not adversely affect the tranquillity and rural character of the road network and
 - c. Will not have a detrimental impact on the amenities of neighbouring residents and
 - d. Is in keeping with the distinctive character of adjoining buildings and the wider landscape setting and
 - e. Would not require substantial extension of the building involved and
2. Proposals must demonstrate how they are in accordance with the key principles in the Village Design Statement, where applicable.

The exclusion of this reference will keep the policy ~~somewhat~~ up to date and allow for any changes to permitted development rights over time.

A paragraph could be added to the supporting text to acknowledge that whilst changes of use from agricultural buildings to residential use can be carried out under permitted development, the policy is intended for those that require formal planning permission.

An amendment to the wording of the policy from 'farm buildings' to 'redundant or disused buildings' should be considered to enable the appropriate conversion of any other suitable buildings within the Parish, for example a redundant or disused stable block.

Page 51 NP6: Protection of landscape character across the Plan area

As currently written, criterion b of the policy is ambiguous as 'setting of the built environment' is not a planning term that we would know how to interpret and therefore is open to interpretation and judgement, therefore it does not comply with para 16d of the NPPF.

The only definition of 'setting' in the NPPF is for heritage assets, should you wish to keep this terminology then it is suggested that a definition is included within the supporting text to provide clarity on what is meant by 'setting of the built environment'.

Page 52 NP7: Use of buildings for employment purposes

This policy would benefit from being reworded as employment uses are not designations under the Town and Country Planning (Use Classes) Order 1987 (as amended). It is therefore suggested that the reference to specific use class is removed to read as follows:

~~'The re-use or redevelopment of farm buildings outside the settlements for employment purposes, as designated under Town and Country Planning, Use Class E Commercial business and services,~~ will be supported where it can be demonstrated that;....

Paragraph 136 of the supporting text could be expanded to include some of the employment uses that are deemed to be compatible.

Consideration could also be given to amending the policy from 'farm buildings' to 'redundant or disused buildings' to enable the appropriate conversion of any other suitable buildings within the Parish, for example a redundant or disused stable block.

Page 54 NP9: Improving the provision of broadband

This is now covered by Building Regulations and therefore the policy is not necessary.

Minor Errors

Some minor errors have been identified which should be corrected, namely:

- Page 3, 10. Housing Character, scale and compatibility POLICIES – NP3: 'Housing' rather than 'House'
- Page 6, paragraph 9 – capital B for Borough
- Page 33, paragraph 19 – remove 'Part 1'
- Page 15, paragraph 49 – reference to '5' rather than '4' completions in period for new builds and barn conversions
- Page 15, paragraph 51 – reference to '91' in total for garden and driveways should be '9'.
- Page 33, paragraph 92 – remove 'and' to read 'sites of importance for nature conservation'
- Page 41, Community Objective 1 - add new criterion (e) 'for encouraging appropriate local business growth'
- Page 41, Community Objective 2 - criterion c) should be 'Derwent Valley Mills World Heritage Site Buffer Zone'.
- Page 43, paragraph 109 – Green Belt is not a designated landscape
- Page 44, 6a – states 'conserve the character of the surrounding countryside', but the Village Design Statement (VDS) says 'Preserve the character of the surrounding countryside'. Amend accordingly so that they reflect one another for consistency.
- Page 45, NP1 d) – should be 'Borough rather than 'district'.

Other Matters

Maps 5 and 5a-g – a number of these plans (as listed below) denote red lines beyond the Parish boundary should therefore be removed.

- **Map 5d Firestone, Goodwin's Lane**
- **Map 5f Shottlegate (part)**
- **Map 5e Over Lane and part of Lumb Lane**
- **Map 5g Blackbrook (part)**

There is also concern that these maps are unclear, due to the range and nature of the information they are or are not showing, the absence of a key and the use of similar colours i.e. pink and red which are difficult to differentiate (particularly on maps 5f and 5g). The Borough Council could offer some assistance in reproducing these maps to simplify them and provide greater clarity to enable the decision-maker to interpret them in the intended way.

Map 5a Hazelwood Hill, Hazelwood Road, Spring Hollow – the inclusion of the red line in front of the triangular parcel of land conflicts with NP1 as it lies within an existing group of properties within the settlement. The parcel of land in question has a County Tree Preservation Order on it so does have a degree of protection, but its inclusion is unnecessary, and it is therefore suggested that it should be removed.

First Homes - previous comments following informal discussions, advised of the Government's new policy initiative for 'First Homes' and that National Planning Policy Guidance (NPPG) now sets out the requirements for First Homes, including what Neighbourhood Plans can do and referred to the Examiners' report for the Melbourne Neighbourhood Plan, which highlighted the need for Neighbourhood Plans to refer to First Homes. It is noted that this doesn't seem to have been taken into consideration as the Plan does not refer to them in any way.

Yours faithfully

A Taylor

Amie Taylor
Planning Policy Officer