



COTTINGHAM NEIGHBOURHOOD PLAN AND DESIGN GUIDE

REPORT OF THE INDEPENDENT EXAMINATION

BY

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1.0 INTRODUCTION

- 1.1 This report sets out the findings of my independent Examination into the Cottingham Neighbourhood Plan and Design Guide (the 'CNP').
- 1.2 The CNP has been produced by Cottingham Parish Council (the 'qualifying body') to guide development in the parish in the period to 2029.
- 1.3 In this introduction, I explain what neighbourhood planning is, provide an overview of Cottingham, the national and local Planning context and I give a brief overview of the CNP itself.
- 1.4 In chapter 2, I explain the requirement and purpose of the 'Examination'. Chapter 3 assesses procedural compliance matters. Chapter 4 assesses the CNP's policy content against the legal requirements (known as the 'Basic Conditions') and, where necessary, makes recommendations for modifications. Chapter 5 assesses the Concept Statements and Chapter 6 explores the Cottingham Design Guide. I then set out my conclusions and recommendations in Chapter 7. A schedule of recommended modifications (Appendix A) and associated further suggestions (Appendix B) are attached at the end of this report.

Neighbourhood Planning

- 1.5 Neighbourhood planning was introduced through the Localism Act 2011. It provides a set of tools "*...for local people to ensure that they get the right types of development for their community where the ambition of the neighbourhood is aligned with the strategic needs and priorities of the wider local area.*"¹
- 1.6 The production of a Neighbourhood Plan enables communities to influence and shape development in their areas. Once a Neighbourhood Plan has successfully passed a local referendum, it becomes part of the Development Plan and the policies contained within it must be taken into account as material considerations in the determination of planning applications.
- 1.7 Whilst giving communities a powerful tool to shape future development, the power is not absolute, as it is mediated by the wider Planning policy context.
- 1.8 A Neighbourhood Plan cannot block or fetter development that is already part of the Local Plan. It must also have regard to national policies and advice and, more generally, contribute to the achievement of 'sustainable development'.

¹ Planning Practice Guidance - Paragraph: 001 Reference ID: 41-001-20140306

Cottingham

- 1.9 Cottingham is a large village situated immediately to the north-west of the built-up area of the City of Hull and about 6 kilometres from the city centre. It falls within the administrative area of the East Riding of Yorkshire Council (ERYC), which is the Local Planning Authority (LPA).
- 1.10 Although Cottingham is, on part of its east side, physically linked to Hull, it is, for the most part, encircled by open land. The area to the south of the village is open farmland, which separates it from the built-up area of Willerby. To the west (beyond the A164) and to the north is open land which includes a mix of farmland, playing fields and institutional grounds.
- 1.11 Cottingham is popularly known as 'the largest village in England' and has a population of around 18,000. From my time spent there, I found it to be a very attractive place. Whilst its scale and growth over the years, along with its wide range of services and facilities, is more akin to a small town, it retains a strong and individual village character.
- 1.12 Cottingham has good road and rail links and has its own railway station. It has a seemingly thriving village centre, with a good range of shops and services and a weekly market. Much of the core of the village is covered by a Conservation Area designation which includes some attractive Listed Buildings, the most notable being the delightful Grade 1 Listed Church of St. Mary the Virgin on Hallgate.
- 1.13 There are some major institutional uses that form part of the village fabric. These include University of Hull halls of residence and related facilities and the Castle Hill hospital, which specialises in cancer care and cardiology.
- 1.14 The residential areas of the village include a wide variety of architectural styles from different eras. These range from historic period properties and cottages, through to post-war 'suburban' expansion, to modern day estate development. The village is the subject of continued growth and, when I visited, housebuilding and commercial development projects were underway. There are other sites earmarked for future growth.

National and Development Plan Policy / Guidance Context

- 1.15 National policy is set out in the National Planning Policy Framework ("NPPF"), published in 2012. The National Planning Practice Guidance ("NPPG") supplements the NPPF by providing the Government's detailed

advice on Planning matters, including the preparation of neighbourhood plans.

- 1.16 The statutory development plan in this area is the East Riding Local Plan (ERLP), which comprises a Strategy Document (adopted April 2016) and an Allocations Document (adopted July 2016). The ERLP includes a range of specific development site allocations in and around Cottingham, as part of its sustainable growth strategy for the period to 2029.

Cottingham Neighbourhood Plan and Design Guide (CNP)

- 1.17 Cottingham Parish Council (CPC) is the 'qualifying body', which means that it is responsible for the production of the Plan. It has produced the CNP with the support of the LPA and other bodies and individuals, not least of which are the many members of the Cottingham community that have contributed to its production.
- 1.18 The CNP builds on, and develops further, earlier consultation and engagement work that led to the publication of the Cottingham Community Plan in 2009.
- 1.19 The CNP is an attractive and professionally presented document. It is well structured and legible to a wide audience. There are two distinct parts to the main document.
- 1.20 'PART 1' sets out the proposed Planning policies and 'concept statements'. There are ten 'general policies' numbered GP1 – GP10 and three 'area policies' numbered AP1 – AP3. There are seven 'Concept Statements' that relate to specific development site allocations made through the East Riding Local Plan. There is a further Concept Statement dedicated to the Market Green area, which is the centre of the village.
- 1.21 'PART 2' sets out the proposed Cottingham Design Guide, which includes sections on movement, infrastructure and spatial harmony; townscape; the Cottingham vernacular; living landscapes and other issues.
- 1.22 There is also an accompanying CNP Proposals Map.

2.0 THE EXAMINATION

The requirement for Examination

- 2.1 It is a legal requirement² that the CNP is submitted for independent Examination before it can go forward to the local referendum stage and, subject to a successful vote, become part of the statutory development plan framework.
- 2.2 This statutory requirement ensures that the Plan has met all of the necessary procedural and legal requirements and that it has an appropriate 'fit' with its wider policy and legal context, most notably in terms of the Government's national planning policies and the adopted East Riding Local Plan.

The Examiner

- 2.3 I was appointed to the role of Examiner on 15 August 2017. That appointment was made by ERYC with the agreement of CPC.
- 2.4 The legislation³ sets three requirements for my role as the Examiner. First, I must be independent of the qualifying body (CPC) and the authority (ERYC); I can confirm that I am. Second, I must have no 'interest' in the area; I can confirm that I have no business, land or property interests within the CNP area. Third, I must have appropriate qualifications and experience; I can confirm that I am a Chartered Town Planner with over thirty years' experience in the public and private sectors, including roles as a Planning Inspector and Independent Examiner.

The remit of the Examination

- 2.5 The legislation⁴ requires that the conclusion of my Examination must recommend one of three possible outcomes. These are either:
- a. that the neighbourhood plan is submitted to a referendum without changes; or*
 - b. that modifications are made and that the modified neighbourhood plan is submitted to a referendum; or*
 - c. that the neighbourhood plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.*

² Paragraph 7 of Schedule 4B to the Town and Country Planning Act 1990 (as amended)

³ Paragraph 6 of Schedule 4B to the Town and Country Planning Act 1990 (as amended)

⁴ Paragraph 10(2) of Schedule 4B to the Town and Country Planning Act 1990 (as amended)

2.6 To make the informed assessment of which option to recommend, I must consider the following:

Whether the Plan complies with the requirements of S.38A and S.38B of the Planning and Compulsory Purchase Act 2004 (as amended)

The legislation requires me to assess whether the CNP:

- Has been prepared and submitted for examination by a qualifying body, for an area that has been properly designated by the Local Planning Authority;
- Is the only neighbourhood plan in the area;
- Does not include land outside the designated area;
- Sets out policies in relation to the development and use of land;
- Specifies the period during which it has effect; and
- Does not include provisions and policies for 'excluded development'.

I am also required to assess whether, in the event that the Plan proceeded to the referendum stage, the geographical extent of the referendum area should be extended beyond the designated area i.e. beyond the parish boundaries.

Whether the Plan meets the 'Basic Conditions'

The 'Basic Conditions' are set out in Paragraph 8(2) of Schedule 4B to the 1990 Act. The relevant requirements are that the 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 and does not breach European Union (EU) obligations; and
- Meets prescribed conditions and complies with prescribed matters in connection with the proposal for the Order.

Such matters as prescribed in the Neighbourhood Planning (General) Regulations 2012

2.7 The Examination's remit is not the same as that for a Local Plan, where the full rigour of 'soundness' is tested. In essence, it is a proportionately lighter touch process, focused on compliance with the Basic Conditions. The issue of 'fit' with the wider existing Planning policy context, and the achievement of sustainable development, is a central Examination theme.

The CNP Submission Documents

2.8 For the avoidance of doubt, I have listed below the documents that I have considered in this Examination:

- Cottingham Neighbourhood Plan and Design Guide 2015 - 2029 Submission Version May 2017
- Cottingham Neighbourhood Plan - Proposals Map
- Cottingham Neighbourhood Plan - Housing Figures
- Cottingham Neighbourhood Plan - Cottingham Strategic Environmental Assessment Heritage Revision
- Cottingham Neighbourhood Plan - Cottingham Neighbourhood Plan Area
- Cottingham Neighbourhood Plan - Consultation Statement and Timeline
- Cottingham Neighbourhood Plan - Basic Conditions Statement
- All 'Regulation 16' public consultation responses (23 in total)

2.9 With regard to the Regulation 16 responses, these included 'no comment' responses; support and congratulation for the production of the CNP; submissions from those seeking to promote land for development and a wide range of specific comments about the CNP policies, concept statements and design guide. The responses included one submission by the LPA. I have considered all of these responses and, where appropriate, made direct reference to some in this report.

Examination by Written Representation or Hearing

2.10 The legislation⁵ states that the 'general rule' is for Neighbourhood Plan Examinations to be carried out by written representations, although Examiner's do have the discretion to hold a Hearing if they consider it necessary. In this case, I considered that the Regulation 16 responses were limited in number and sufficiently clear for me to conduct this Examination by way of written representations, without the need for a

⁵ Paragraph 9 of Schedule 4B to the Town and Country Planning Act 1990 (as amended)

Hearing. Furthermore, there were no requests from representors seeking a Hearing.

Site inspections

- 2.11 To assist my Examination, I made unaccompanied site inspections in September 2017. I visited Cottingham and familiarised myself with the village, its context, the ERLP site allocations, the hospital locality, the Conservation Area and Listed Buildings and the road and footpath network. My visits included a market day (Thursday) and different times of the day to experience traffic conditions and general activities in the area.

Examinations in practice

- 2.12 For the 'qualifying body', the submission for Examination is the culmination of years of hard work, community engagement and determination to play a positive role in shaping the future of the parish. I know from my experience that Parish Councils can sometimes find the submission for Examination to be a somewhat anxious stage, unsure of how an Examiner may assess their hard work.
- 2.13 However, it is a fact that most Neighbourhood Plans do successfully pass through the Examination stage and proceed to referendum. That said, it is also a fact that almost all Plans are subject to a range of recommended modifications made by their respective Examiners, to ensure that the Basic Conditions are met. A good Examination is therefore not simply a 'tick box' compliance exercise, but an extremely important quality assurance stage.
- 2.14 I have approached this Examination in that positive manner. Where I have found tensions with the Basic Conditions, I have recommended modifications. I have sought to avoid undue rewriting or interference with the style, format and general content of the Plan, focusing only on changes necessary to meet the Basic Conditions.
- 2.15 In addition to my recommendations (in ***bold italicised*** text in the main body of this report), I also suggest some improvements to the wording and clarity of the CNP. At the end of this report, **Appendix A** sets out a schedule of recommended modifications that I consider are necessary to satisfy the Basic Conditions. **Appendix B** sets out some associated suggestions, which are not critical in terms of satisfying the Basic Conditions but will, in my view, improve the Plan's clarity and quality.

3.0 PROCEDURAL COMPLIANCE MATTERS – Plan area, preparation procedures and European Union laws and obligations

Compliance with the requirements of S.38A and S.38B of the Planning and Compulsory Purchase Act 2004 (as amended)

3.1 I have assessed that the CNP complies with the legislative requirements in that:

- It has been prepared and submitted for examination by Cottingham Parish Council, which is a 'qualifying body'.
- It relates to an area that has been properly designated by the Local Planning Authority (on 12 June 2013).
- It is the only neighbourhood plan in the area.
- It does not include land outside the designated area.
- It sets out policies in relation to the development and use of land.
- It specifies the period during which it has effect (until 2029).
- It does not include provisions and policies for 'excluded development'.

Public consultation compliance

3.2 The submitted Consultation Statement confirms that the production of the Plan has been informed by extensive public consultation and local publicity. This has included thirteen community workshops, four public exhibitions, meetings with stakeholders and interest groups.

3.3 The CNP has been the subject of two statutory ('Regulation 14') publicity exercises. The first was in 2015 and, due to delays in the progression of the Local Plan, a further exercise was undertaken in 2016.

3.4 The final ('Regulation 16') consultation, undertaken in the six-week period between 22 May and 3 July 2017, resulted in 23 submissions.

3.5 The Consultation Statement submitted alongside the CNP does capture the scope and methods of consultation used. It is a little light on detail in terms of summarising the main issues raised through the consultation but does state that these were wide ranging. It also confirms the mechanism by which views and opinions were considered; this centred on the Steering Group meetings which included Councillors and were open to anyone wishing to attend.

- 3.6 I can confirm that a comprehensive, 'inclusive and open'⁶ consultation process has been followed, which complies with the neighbourhood planning legislation and guidance. However, for other bodies who may be preparing their own Neighbourhood Plans, I would encourage them to include a fuller account of issues and concerns raised through their consultation processes in their formal Consultation Statement.

European Union and human rights obligations

- 3.7 I am satisfied that the CNP is compatible with EU laws and obligations.

⁶ 'Inclusive and open' are the terms used in NPPG at Paragraph: 047 Reference ID: 41-047-20140306

4.0 COMPLIANCE WITH THE 'BASIC CONDITIONS' – POLICIES GP1 – GP10 AND AP1 – AP4

4.1 In this part of my report, I consider the key aspects of the CNP with particular reference to its policies and their compliance with the Basic Conditions. My consideration focuses on whether:

- The CNP has 'regard to' national policy as set out in the National Planning Policy Framework ("NPPF") and the advice contained in the National Planning Practice Guidance ("NPPG");
- The CNP is in 'general conformity with the strategic policies' contained in the East Riding Local Plan (ERLP) which comprises a Strategy Document (adopted April 2016) and an Allocations Document (adopted July 2016); and
- The CNP 'contributes to the achievement of sustainable development'.

Pages 1 – 8 – Introduction, Process, Principles, Aims and Objectives

4.2 The introductory and first chapters are clear and concise. The purpose, aims and objectives set out on page 8 are particularly clear. I suggest one amendment to objective (i), by the insertion of 'sustainable' in front of the word 'development' such that it reads:

(i) to secure high quality sustainable development that enhances the character and appearance of the area.

This will strengthen the connection to the Basic Conditions, which require Neighbourhood Plans to contribute to the achievement of sustainable development.

4.3 Later in this report, I make a recommendation to delete some words from page 7 (see paragraph 5.5 of this report).

THE GENERAL POLICIES GP1 – GP10

Policy GP1 – Local Plan sites (compliance with Concept Statements)

4.4 This policy seeks to ensure that the site allocations (from the ERLP) are developed in accordance with the principles set out in the CNP's Concept Statements and its other policies.

- 4.5 I deal with the Concept Statements later in this report, but the key point here is that the principles contained within them are numerous (8 or 9 depending on the site) and quite detailed. As such, they define, with some precision, the components of a preferred development scheme.
- 4.6 Whilst those principles may be well grounded, Policy GP1 implies that there is no scope for any departure from any of the principles. As presently worded, I consider that Policy GP1 is too prescriptive and creates a tension with paragraph 59 of the NPPF, which cautions against 'unnecessary prescription'. I do not think this is the intent, as it does state elsewhere in the CNP⁷ that the purpose of the Concept Statements is to guide and not to prescribe.
- 4.7 To address this issue, ***I recommend the following modified wording: Development proposals for sites allocated in the East Riding of Yorkshire Council Local Plan should have regard to the principles set out in the Concept Statements and other policies contained within the Neighbourhood Plan. Proposals that accord with these principles and policies will be supported.***
- 4.8 This modification would ensure that the Concept Statement principles and other CNP policies will be material considerations in any Planning application assessment and determination, whilst avoiding being too prescriptive. Subject to this modification, Policy GP1 will meet the Basic Conditions.

Policy GP2 – Design quality

- 4.9 This policy seeks to ensure that all new developments are carried out "...in accordance with the principles set out in the Design Guide". The purpose of the GP2 accords with the NPPF (Chapter 7) and the Development Plan (Policy ENV1 of the ERLP) which require good design. The policy's recognition of the importance of Cottingham's heritage assets in contextualising design solutions also supports the Framework and ERLP policies in respect of the historic environment.
- 4.10 However, the policy wording is referenced against 'principles' set out in the Design Guide. I deal with the Design Guide in more detail later, but the difficulty here is that the Design Guide does not clearly list and articulate what a 'principle' is and what is not (and is perhaps a design 'detail'). To avoid any risk of over prescription, which would create a

⁷ Cottingham Neighbourhood Plan and Design Guide - Page 35 – third paragraph

tension with paragraph 62 of the NPPF, ***I recommend the following modified wording:***

All new development proposals should have regard to the Design Guide contained within the Neighbourhood Plan, taking full account of the historic character of the Cottingham Conservation Area and other heritage assets within the Neighbourhood Plan area.

4.11 This modification would ensure that the Design Guide as a whole (rather than its unspecified 'principles') would be a consideration in any Planning application assessment and determination.

4.12 Subject to this modification, Policy GP2 will meet the Basic Conditions.

Policy GP3 – Sustainable drainage

4.13 This policy requires new developments to include suitable surface water drainage measures. It accords with and supports the NPPF and the Development Plan, which promote sustainable drainage solutions and the management of flood risk.

4.14 Policy GP3 meets the Basic Conditions.

Policy GP4 – Small scale commercial activities within existing properties

4.15 This policy promotes the provision of small scale businesses within Class B1 (Business)⁸ subject to amenity, highway safety and other material considerations. The explanatory text refers to Cottingham's history of innovation and business development and that the policy is considered necessary to encourage new business start-ups and to maintain the culture of independent businesses operating in the area.

4.16 The policy supports sustainable forms of small business and this accords with the Framework and the Development Plan, which support and promote a strong, competitive economy.

4.17 The policy limits its support to uses falling within the B1 class and further limits its scope to 50 square metres floorspace for non-domestic properties and 25 square metres for domestic properties. These limitations, along with the safeguarding criteria, provide a robust basis for implementing the policy in practice and support the achievement of sustainable development.

⁸ The Town and Country Planning (Use Classes) Order 1987 (as amended)

- 4.18 I did consider whether the final part of the policy, which requires that "... *all other material considerations are satisfied*", was sufficiently 'clear and unambiguous'⁹. However, the policy's subject focus i.e. innovative independent 'micro' businesses, could involve a wide spectrum of proposals, which will, in turn, have a potentially wide variety of local environmental effects. As such, it would be difficult to define an exhaustive list of policy criteria and I do feel that including 'other material considerations' is justified in this instance.
- 4.19 I assess that Policy GP4 meets the Basic Conditions.

Policy GP5 – Biodiversity and the Green Network (Pedestrian and Cycle Ways)

- 4.20 Policy GP5 raises some complications and issues. It comprises two parts. Part A seeks to introduce tariff style monetary contribution requirements from developments to establish a Green Cycle and Footpath network. Part B requires developments to safeguard and, where possible, enhance wildlife habitats. Parts A and B do feel like they are two distinct policies and, whilst the accompanying narrative seeks to explain Part A, there is no explanation of Part B. For clarity, I explore them separately.

Part A

- 4.21 Part A seeks to require that all residential developments of 11 units or more, and all non-residential developments with floorspace of 50 square metres or more, make specified financial contributions. An accompanying table seeks to set the contributions at £150 per dwelling and £10 per square metre for non-residential development. The policy seeks these monies for the Green Cycle and Footpath network, the routes of which are shown on the CNP plan. Many of the routes are existing but some new links are proposed, notably through some of the development allocations.
- 4.22 The supporting narrative explains that monies raised will be used to '*improve awareness of the local footpath and cycleway network through improved signage.*'
- 4.23 The policy is qualified by its opening wording, which states '*subject to viability considerations, and in advance of Community Infrastructure Levy being formally introduced...*'. This indicates that i) the policy's requirements may be viability tested and ii) the policy would seemingly 'fall away', once the LPA introduces a Community Infrastructure Levy

⁹ NPPG - Paragraph: 041 Reference ID: 41-041-20140306

(CIL) regime¹⁰. Further complexity arises from the accompanying text that indicates that 'in kind' contributions may be accepted, although this is not stated in the policy or its accompanying table of proposed charges.

- 4.24 Part A seeks, in effect, to establish a 'neighbourhood CIL' for a specific purpose. However, only the LPA can introduce a CIL regime. Outside of a CIL regime, such infrastructure contributions can only be secured via Planning Obligations. The use of these Obligations is strictly limited by the Framework¹¹, the Guidance¹² and, by statute, through the CIL Regulations¹³.
- 4.25 The tests are that the obligation (in this case the monetary contribution) is necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind. Whilst there is no bar on a Neighbourhood Plan introducing tariff style policies, the Guidance makes plain that the tests must be met. There is no supporting evidence to suggest that these tests would be met in all (or any) cases.
- 4.26 The Policy's supporting narrative seeks to explain that the tariff is set at 'a very low level' and that, in exceptional circumstances, the charge could be exempted on viability grounds. However, a policy must be set on evidence of compliance with the statutory tests. With regard to viability, whilst the charge may be seen as 'low', it must also be assessed in the context of other costs and contributions that may fall upon a particular development scheme. Indeed, the LPA has advised that its CIL evidence base indicates that commercial developments in Cottingham could not sustain any CIL charge. Whilst that evidence is yet to be examined, it does suggest that there could be viability issues.
- 4.27 As currently drafted the tariff style contributions policy fails to meet the Basic Conditions, as it is not consistent with the NPPF and the NPPG.

I recommend that POLICY GP5 PART A be deleted and replaced by a simpler policy that states:

POLICY GP5A – Development proposals that include measures to enhance and extend walking and cycling infrastructure through

¹⁰ East Riding of Yorkshire Council has published CIL proposals

¹¹ NPPF –Paragraph 204

¹² Planning Practice Guidance - Paragraph: 001 Reference ID: 23b-001-20161116

¹³ The Community Infrastructure Levy Regulations 2010 (as amended)

the Green Cycle and Footpath Network identified on the Neighbourhood Plan Proposals Map will be supported.

I further recommend that Table 1 on page 15 be deleted and that the explanatory text on page 14 be recast and rewritten to reflect the recommended revised policy.

- 4.28 This recommended rewording of the policy would have proper regard to the NPPF and NPPG and would support the Green Network aspirations. It may also allow, in some cases, for scheme-specific S.106 contributions (provided the statutory tests are met), in line with ERLP Policy EC4A. Those contributions may be through direct provision of new links (shown on some of the site allocations) or through contributions as part of a scheme's sustainable transport package.
- 4.29 It is also worth noting here that should the LPA progress its proposed CIL regime, CPC would be free to choose to direct some of its 'neighbourhood portion' to the Green Network. That portion would be boosted to 25% (of CIL receipts generated in the parish) should the CNP proceed successfully through a referendum.

Part B

- 4.30 The objective of safeguarding and, where possible, enhancing wildlife habitats, chimes with the NPPF (paragraph 109) and the ERLP (Policy ENV4). However, I consider that the current wording does run the risk of some ambiguity concerning the definition of 'existing wildlife habitats' and the extent to which the Planning system can exert control over 'private garden areas'. Accordingly, for reasons of clarity and compliance with the Basic Conditions, ***I recommend that the Policy is separated from Part A and modified to read:***

POLICY GP5B – Development proposals which safeguard and, where possible, enhance biodiversity and wildlife opportunities will be supported.

- 4.31 Subject to this modification, Policy GP5B meets the Basic Conditions.

Policy GP6 – Local shops and services

- 4.32 This policy promotes the provision of small-scale local shops and services to serve localised needs outside the established village centre, subject to amenity, design, highway and other material considerations. The explanatory text refers to Cottingham's history of innovation and business

development and that the policy is considered necessary to encourage new retail and service business start-ups.

- 4.33 Both the Framework and the ERLP adopt a 'centre first' policy approach to retail and other 'town centre' uses. This seeks to concentrate shops and other service uses in defined 'town centres' for reasons of sustainability and to ensure the vitality of such centres. The 'sequential test' set out in paragraph 24 of the Framework gives clear preference for 'town centre uses' to be accommodated within defined town centres. The ERLP defines Cottingham as a 'District Centre' and the associated Town Centre Inset Map (11a) establishes a clear boundary for that centre.
- 4.34 However, whilst the defined (town and district) centres are the prime policy focus for 'town centre' uses, Policy EC3(J) of the ERLP does state that "*proposals for small-scale retail, office and leisure uses in out-of-town locations will be supported where they are below 100 sq m (gross) of floorspace.*" CNP Policy GP6 reflects this policy provision and, in setting lower floorspace thresholds¹⁴, seems to offer a degree of safeguard against undue levels of commercial activity in residential areas, or any threat to the district centre.
- 4.35 As with Policy GP4, I did consider whether the final part of the policy, which requires that "*... all other material considerations are satisfied*" was sufficiently 'clear and unambiguous'¹⁵. However, again the policy's focus on innovative independent 'micro' retail and service businesses could involve quite a wide spectrum of potentially quirky proposals with their own unique characteristics. As such, I do feel that including 'other material considerations' is justified.
- 4.36 I also consider that, based on my inspection of the Cottingham area, such proposals may sit more comfortably in some parts of the parish than in others. The application of the GP6 criteria will assist in reaching balanced Planning decisions on site-specific proposals.
- 4.37 Based on the above, I consider that Policy GP6 meets the Basic Conditions.

¹⁴ Up to 50 square metres for non-domestic and 25 square metres for domestic properties

¹⁵ NPPG - Paragraph: 041 Reference ID: 41-041-20140306

Policy GP7 – Mix of dwellings

- 4.38 This policy seeks '*a range of dwelling types*' on allocated development sites and further states that schemes should include '*single-storey dwellings, family homes and single person accommodation*'.
- 4.39 The objective of the policy chimes with the NPPF, which seeks to deliver a wide choice of quality homes and, in particular, with its paragraph 50, which urges LPAs to plan for housing based on current and future demographic needs and to identify the range of housing required '*reflecting local demand*'.
- 4.40 However, as currently drafted, I consider that the policy is too prescriptive and creates a tension with the Basic Conditions. My particular concern relates to the policy's implied requirement that bungalows should be built on all schemes. The policy's supporting narrative explains that, whilst Cottingham has an ageing population, completions of bungalows, which it states are the '*preferred form of housing for many retired people*' are '*not being provided in sufficient numbers*'. The narrative also states that CPC does not want to allow developers to have an 'escape clause' (to avoid building bungalows).
- 4.41 This is quite a complex area, but nothing within the Framework nor the ERLP would support a prescription that bungalows must be provided on all allocated sites. In Planning terms, the key high-level issue is meeting the accommodation needs of older people. Increasingly, the national market is responding to those needs and demands through specialist retirement schemes and, indeed, there is a brand new retirement complex in Cottingham¹⁶. It is also worth noting that the stock of bungalows in Cottingham, which is 12.7% of the total (based on the CNP figures on page 17), is well above the England average (9.4%¹⁷). I also consider that requiring bungalows on some of the allocated site could create some tensions with urban design considerations and the achievement of ERLP indicative site capacities.
- 4.42 All of the above said, I have no doubt that including a proportion of bungalows on some of the site allocations will be desirable and will help to meet an identified preference of some older people.

¹⁶ The Laureates – a 32 unit retirement apartment scheme at Newgate Street, Cottingham.

¹⁷ Based on the last English Housing Survey- Housing Stock report 2008 – Department of Communities and Local Government

4.43 ***I recommend a modified wording to the policy:***

Development on sites allocated for residential and mixed use schemes should provide for a range of dwelling types. Proposals which include accommodation for older people (including the provision of bungalows), single people and family homes will be supported.

This modification would avoid any undue prescription whilst providing policy support for an element of bungalow provision on appropriate sites. Subject to this modification, Policy GP7 will meet the Basic Conditions. I also suggest that the supporting text reference to an 'escape clause' is deleted.

Policy GP8 – Protecting open areas between Cottingham and Hull from inappropriate development

- 4.44 This policy seeks to add weight to the ERLP 'Key Open Area' designation of land to the south and east of the Cottingham built-up areas. It does so by specifying that only uses of an 'open nature', essential local infrastructure or development associated with existing uses would be allowed.
- 4.45 Such restrictions are, arguably, implied through the ERLP Key Open Areas designation i.e. the statutory development plan denotes them as open and that they should be maintained as such. However, Policy GP8 does articulate more precisely what would and would not be acceptable in Planning terms. In principle, I consider its wording is in general conformity with the ERLP and the NPPF, and that it meets the Basic Conditions.
- 4.46 However, there is a problem with the CNP Proposals Map which includes a Policy GP8 boundary that does not precisely match the ERLP's Key Open Areas designation. The CNP map includes omissions and additions, when compared to the Local Plan designated areas. The CNP Plan also includes the notation 'Open Areas Policy GP8' in the north-east of the parish where neither GP8 nor ENV2 designations apply.
- 4.47 The LPA has raised concerns about these discrepancies. It explains that the boundaries of the Key Open Areas were determined by a detailed expert assessment and formalised by the subsequent adoption of the ERLP. It says that no evidence has been submitted to justify any variation from the boundaries that have been set by the ERLP.
- 4.48 I share the LPA's concerns. As currently presented, the CNP map is not in general conformity with the ERLP and its strategic policies. It would create

ambiguity and confusion for decision makers on the land where the inconsistencies arise. However, this discrepancy is easily addressed by ***the following recommended modifications:***

Neighbourhood plan map – the Policy GP8 boundary shall be revised to precisely align with the Key Open Areas designation contained in the ERLP and the words ‘Open Areas Policy GP8’ that appear in the north-east of the parish shall be deleted.

I also suggest that the CNP Plan would be clearer and more legible if the GP8 / ENV2 areas were colour shaded.

Policy GP9 – Car parking in connection with domestic properties

- 4.49 This policy encourages the provision of off-street parking facilities on new housing developments, seeking 2 spaces for 2, 3 and 4 bedroom homes (and 3 spaces for 5+ bedroom homes). The purpose of the policy is to avoid high levels of on-street parking and the consequential environmental impacts (which are certainly apparent in parts of the village).
- 4.50 The policy’s use of the verb ‘encourage’ is appropriate and avoids over prescription of a rigid ‘standard’. The supporting narrative also explains that sites close to the village centre will be treated more flexibly and that the policy would not apply to institutional or specialist housing uses.
- 4.51 There is no tension between this policy and the Framework or Development Plan. It can operate as a sensible reference point in assessing site-specific proposals to ensure that a balanced approach to parking provision is undertaken.
- 4.52 Policy GP9 meets the Basic Conditions.

Policy GP10 – Design Review

- 4.53 This policy encourages prospective developers to refer major development proposals to the established regional Design Review Panel. The policy is well worded and its use of ‘encourage’ (rather than require) is appropriate.
- 4.54 The policy supports the NPPF’s recognised importance of requiring good design and, in particular, follows the approach set out in paragraph 62, which supports the use of Local Design Panels and establishes that their recommendations should be taken into account by LPA’s.

- 4.55 The policy also accords with the ERLP, notably Policy ENV1, which similarly promotes high quality design.
- 4.56 The use of the local Design Review Panel on major schemes in Cottingham will be a positive and useful method of assessing and interpreting scheme's against the CNP Concept Statements and design guidance and, more generally, ensuring that schemes achieve a high standard of design.
- 4.57 Policy GP10 meets the Basic Conditions.

THE AREA POLICIES AP1 – AP4

Policy AP1 – Market Green Enhancement Policy (Including the Civic Hall)

- 4.58 Policy AP1 seeks to introduce a tariff style policy, similar to Policy GP5 Part A, to gather monetary contributions from developments to enhance and redevelop the Market Green area. It would require financial contributions from new non-residential developments over 50 square metres floorspace, charged at a rate of £10 per square metre (up to a maximum of £1,000). New dwellings would incur a £150 charge.
- 4.59 The Market Green area is very much the village centre and comprises a surface car park, with the civic hall and council offices on its west side. The area is used as a weekly market on Thursdays. An accompanying Concept Statement sets out an aspiration to convert some of the car park to a 'flexible use space'.
- 4.60 Whilst the aspiration to improve this important and busy public space aligns with good Planning principles set out in the NPPF and ERLP, the policy suffers from the same problems that I identified under Policy GP5 Part A. Furthermore, its application to all new dwellings (rather than developments of 11 units or more) creates an additional conflict with the NPPG¹⁸.
- 4.61 I do not consider that this Policy can be successfully modified. It does not comply with the Basic Conditions.

I recommend that Policy AP1 be deleted.

- 4.62 I do appreciate that this finding may disappoint CPC. However, my finding does not preclude S.106 contributions from larger schemes being sought

¹⁸ National Planning Practice Guidance - Paragraph: 031 Reference ID: 23b-031-20161116

under ERLP Policy C1, but this needs to be explored on a scheme specific basis and in line with the established tests for Planning obligations.

- 4.63 I am conscious that the deletion of Policy AP1 could dilute the focus on an important aspiration to improve the village's key area of public realm. I therefore suggest that a more general policy is introduced in its place:

AP1 Comprehensive proposals to enhance and improve the Market Green Area which pay regard to the Market Green Concept Statement will be supported.

- 4.64 I stress here that this is a suggestion rather than a recommendation (arising from the Basic Conditions). If that suggestion is followed, I further suggest that the AP1 narrative on page 25 be revised accordingly. My final suggestion is that the Market Green Concept Statement might sit more comfortably if it were moved in the document to sit alongside the other Concept Statements (currently pages 33 - 63).

Policy AP2

- 4.65 Policy AP2 supports developments that provide additional footpath links to the Market Green area. It has regard to the Framework's promotion of sustainable transport and accessibility and complements Policy GP5A (in its recommended modified form) by identifying the village's focal point for pedestrian routes.

Policy AP2 meets the Basic Conditions.

Policy AP3 – Civic Hall Policy

- 4.66 Policy AP3 sets a presumption that the Market Green public buildings (Civic Hall, former Council Offices and Library) should be retained for community purposes. This supports the Framework promotion of healthy communities (Chapter 8 of the NPPF) and is in conformity with the ERLP Policy C2 which supports and safeguards such facilities.

Policy AP3 meets the Basic Conditions.

However, I make two suggestions concerning this policy:

- i) The policy's title may be better stated as 'Market Green Civic and Community Buildings Policy' (as it relates to more than just the Civic Hall).
- ii) It would be helpful to colour shade (or draw a line around) the buildings the policy seeks to safeguard on the CNP proposal map.

Policy AP4 – Castle Hill Hospital (Containment and Parking Policy)

- 4.67 Policy AP4 relates to Castle Hill Hospital. The supporting narrative explains that the community believes the hospital has expanded to its maximum limit and that public transport serving the site is under-used, resulting in congestion and on-street parking problems.
- 4.68 In response to these concerns, the proposed Policy AP4 seeks to contain future development by limiting it to that '*...necessary for the delivery of local health services*'. The policy includes other criteria relating to appropriate car parking provision, drainage and 'all other material considerations'.
- 4.69 Concerns have been expressed about this policy by the LPA and by East Yorkshire Hospitals NHS Trust ('the Trust'). The LPA point out that the hospital has a wide catchment and, in particular, that the Queen's Centre accepts referrals from across the country. The Trust similarly considers that the drafted policy is over restrictive and that there is no rationale for a 'containment' policy.
- 4.70 In my assessment, a containment policy limiting future development to 'local' health services would not meet the Basic Conditions. It would conflict with the Development Plan, which adopts a strategic policy position (Policy C2 of the ERLP) which supports retention, enhancement and the provision of new community services and facilities (including health). It would also not support the achievement of sustainable development.
- 4.71 However, it is clear to me that the community feels that expansion over recent decades has created some environmental tensions. A particular issue is that of traffic generation and parking, along with some wider environmental issues. A modified criteria based policy can address these matters.

I recommend that Policy AP4 be renamed and modified as follows:

AP4 CASTLE HILL HOSPITAL

Healthcare related development within the existing grounds of Castle Hill hospital will be supported subject to:

- i) appropriate sustainable transport and parking measures;***
- ii) adequate foul and surface water drainage facilities; and***
- iii) no undue adverse impacts on landscape character, visual amenity or biodiversity.***

- 4.72 This recommended modification would ensure that the Planning issues identified in the CNP are covered by a policy and given due consideration by a decision maker. The CNP proposals map defines the hospital's 'existing site area' and, although this was questioned by the Trust, it does follow the logical boundary and the 'development limits' contained in the Local Plan.
- 4.73 Subject to the recommended modification, Policy AP4 will comply with the Basic Conditions.

5.0 THE CONCEPT STATEMENTS

General

- 5.1 The CNP contains seven 'Concept Statements' for sites allocated in the ERLP. There is an eighth Concept Statement related to the Market Green Area.
- 5.2 The Concept Statements are an intelligent and sensible vehicle for adding detail to ERLP site allocations. They express the community's wishes and aspirations for the form and type of development that it wishes to see. The presentation of principles, urban design ideas and diagrams is clear and pitched at the right level of detail for a Neighbourhood Plan.
- 5.3 The introductory narrative on page 35 states that:

"The aim of each Concept Statement is to guide future developers towards a design solution for the allocated sites that accords with community aspirations – not to prescribe a specific form of development on each of the allocated sites. Thus it is possible that a satisfactory design solution could be achieved for any given site that differs from the diagrammatic layout set out in the Concept Statement."

This philosophy is very important, as it properly defines the status of the Concept Statements and avoids them being seen as prescriptive 'straitjackets', which would create tensions with the Basic Conditions.

Policy status of the Concept Statements

- 5.4 There is a degree of confusion arising from the use of the terms 'policy' and 'policies' within the Concept Statements. The Concept Statements are not policies – they are guides to preferred forms of development (as set out in the quoted extract above). The relevant policy is CNP Policy GP1 which will allow the Concept Statements and their principles to be 'material considerations' in the determination of Planning applications.
- 5.5 It is important that the status of the Concept Statements is made clear and all references to 'policy' status are removed to avoid any ambiguity and conflict with the Basic Conditions.

I recommend that:

Page 7 - after 'Secondly, a series of Concept Statements' delete the words 'and associated policies'

Page 33 - delete 'and Policies'

Page 36 - delete the words 'Policy CA' [the remaining orange text stays]

Page 40 - delete the words 'Policy CC'

Page 44 - delete the words 'Policy CD1' and 'Policy CD2'

Page 48 - delete the words 'Policy CE'

Page 52 - delete the words 'Policy CF'

Page 56 - delete the words 'Policy CJ'

Page 60 - delete the words 'Policy CM'

Proposals map - delete all notations relating to the above policies

Target densities

- 5.6 Each of the site allocation Concept Statements includes a 'target density'. Some of these are the same or similar to the ERLP 'capacity' figures. However, three of the sites have CNP target densities that are notably lower than the ERLP sourced figures.
- 5.7 Although the CNP does make plain (page 35) that its target densities are 'not prescriptive', the apparent divergence of certain Concept Statements (Cot-A, Cot-C and Cot-F) from the ERLP figures is not explained. As the ERLP site allocations and figures are part of the statutory development plan strategy, the Concept Statements should be consistent with it. I also think that the terminology should be consistent and that the ERLP's term 'indicative capacity' should prevail. Accordingly, ***I recommend that on page 35 in the fifth paragraph delete 'target densities' and substitute 'indicative capacities'.***

Cot-A: Land North of Harland Way

- 5.8 To be consistent with the development plan strategy, I recommend that:
Page 36 - delete "The target density for this site is 135 dwelling units" and replace with "The indicative capacity for this site is 153 dwellings."

Cot-C: Land South of Harland Way

- 5.9 To be consistent with the development plan strategy I recommend that :

Page 40 - delete "The target density for this site is 250 dwellings" and replace with "The indicative capacity for this site is 310 dwellings."

Cot-D: Ferens Hall, Northgate

- 5.10 This is a sensitive site with important trees, open spaces and nearby listed buildings and heritage assets. Ferens Hall itself is currently in use as student halls of residence. The University of Hull has made representations expressing concern at the Concept Statement's 'preference' that the Hall be retained in any future scheme which it says may not be viable.
- 5.11 However, I consider that this is largely a matter covered by the 'status' recommendations I make above and I see nothing wrong (in terms of the Basic Conditions) with the Concept Statement expressing a 'preference'. Indeed, it seems to be consistent with the Local Plan itself, which indicates that "*..possibilities may exist for the retention and conversion of some of the existing buildings within the site, which may help to reduce the impact of redevelopment.*"¹⁹ The Concept Statement's 'preference' does not rigidly prescribe a design solution nor does it preclude other options if, for example, there were demonstrable viability issues with such a conversion.
- 5.12 However, I do suggest that the wording of development principle 3) on page 46 is revised to accord with the 'preference' approach stated at the head of the Concept Statement. It should read: *Preference will be given to retaining and refurbishing Ferens Hall to form accessible residential accommodation.*
- 5.13 In line with other Concept Statements, I recommend that:
- Page 44 - delete "The target density for this site is 96 dwelling units" and replace with "The indicative capacity for this site is 96 dwellings."**
- 5.14 The University also raises concerns about the Concept Statement's reference to a Local Green Space (LGS) designation on the southern part of the site and its promotion as a 'village green' for public use under 'Policy' CD2. The University points out that the area is not currently public open space, it being part of the private estate. The LGS 'designation' is also shown on the CNP proposals map.

¹⁹ East Riding Local Plan – Allocation Document - Paragraph 12.18

- 5.15 The proposed LGS area already benefits from protection through the ERLP, which identifies it as an 'open space' and requires (through its Allocations Document Policy Cot-D) the retention of the parkland setting and, specifically, the enhancement of the 'open space to the south of the site'. The NPPG generally cautions against imposing additional LGS designations in areas with existing protections²⁰.
- 5.16 Notwithstanding the existing protections, LGS designation is an extremely restrictive one. The NPPF makes plain that LGS designation will not be appropriate for most green areas or open space²¹. It is therefore reasonable to expect that any proposed designation is supported by compelling evidence that national policy requirements are met in full.
- 5.17 Those requirements are set down in the NPPF (at paragraph 77) and include the need to evidence that the area is 'demonstrably special'. Other than a brief reference to nearby heritage assets and an erroneous reference to the area being within the Conservation Area²² (on page 44 of the CNP), there is no evidence to show that the proposed LGS designation meets the high threshold set in national policy. The proposed LGS designation therefore fails to meet the Basic Conditions.

5.18 Accordingly, I recommend:

Proposals map - remove the words 'Policy CD2 - Local green space designation'

Page 44 - delete "The southern half of the site Cot-D, as identified on the Proposals Map, is designated as a Local Green Space for the benefit of the local community."

I include some related 'tidying up' suggestions in the schedule at Appendix B.

5.19 Although these recommendations may disappoint some, the open space is already heavily protected by Planning policies and designations and its future use and the issue of public access can be more properly addressed in the context of the evolution of a redevelopment proposal.

Cot-E: Land West of Station Road

5.20 In line with other Concept Statements, I recommend that:

²⁰ NPPG Paragraph: 011 Reference ID: 37-011-20140306

²¹ NPPF – paragraph 77

²² The Cot-D site is to the north of, and not within, the Conservation Area as shown on the ERLP Inset 11 plan

Page 48 - delete "The target density for this site is 61 dwelling units" and replace with "The indicative capacity for this site is 61 dwellings."

Cot-F: Land South of Castle Road

- 5.21 A substantial part of this site allocation is at an advanced stage of implementation with many of the homes built and occupied. I understand that the balance of the site is the subject of an extant Outline planning permission and a 'reserved matters' application is currently pending determination (September 2017).
- 5.22 As a result of the planning history, the scope for the Concept Statement to influence the development may be more limited than would be the case on a site without implementable permissions. I suggest that, if it is felt that events have overtaken the purpose of this Concept Statement, its inclusion in the final version of CNP be reconsidered.
- 5.23 However, if it is retained, to be consistent with the development plan strategy I recommend that:

Page 52 – delete "The target density for this site is 264 dwelling units" and replace with "The indicative capacity for this site is 306 dwellings."

Cot-J: Land at Needler Hall

- 5.24 This Concept Statement has, without doubt, been overtaken by events. A comprehensive redevelopment scheme, which includes a foodstore and residential development, has planning permission and is under construction. I therefore suggest that this Concept Statement be removed from the CNP. In the circumstances, I do not consider it necessary to make a recommendation on density / dwelling numbers.

Cot-M: Land North of Park Lane

- 5.25 In line with other Concept Statements, I recommend that:

Page 61 - delete "The target density for this site is 86 dwelling units" and replace with "The indicative capacity for this site is 86 dwellings."

6.0 THE COTTINGHAM DESIGN GUIDE

- 6.1 The Cottingham Design Guide is an informative and well-presented document. It includes an intelligent analysis of the different character areas of the settlement and an identification of the Cottingham vernacular and its distinctiveness. It will provide a very useful 'handbook' to assist those contemplating new development in Cottingham, whether minor or major.
- 6.2 However, there are a three parts of the Guide that could create some tensions with the Basic Conditions.
- 6.3 Firstly, the Foreword on page 67 asserts that the guidance is 'statutory'. Some care is needed here to ensure that the status afforded to the Guide is not confused. The Guide is an advisory guide only. I therefore recommend that on Page 67 (fourth paragraph) the words **"therefore it is statutory and not merely advisory." are deleted.**
- 6.4 Secondly, also in the Foreword, the last sentence states that "*Proposals must be justified using the main section titles from this guide*". **I recommend this wording be deleted and replaced by: "Those preparing proposals for submission for Planning permission are encouraged to use the section titles in this Guide to structure their design statements in support of their schemes."**
- 6.5 Thirdly, on page 119, the Guide appears to require (it uses the word 'must') compliance with minimum internal space standards. Whilst a Guide can encourage, it cannot require. I therefore recommend that the paragraph under the title 'INTERNAL SPACES' be revised to state: **"New housing developments in Cottingham are encouraged to conform to the internal spaces in the table below."**

7.0 CONCLUSIONS, REFERENDUM AND FORMAL RECOMMENDATION

Summary Conclusions

- 7.1 Cottingham Parish Council has produced an impressive Neighbourhood Plan and Design Guide. It is clearly the product of a considerable amount of hard work and community engagement. It is fundamentally a very good plan, which captures the local distinctiveness and character of Cottingham. It responds to the next chapter of growth in the village by shaping, influencing and guiding new developments to achieve the best outcomes for the community.
- 7.2 The Cottingham Neighbourhood Plan and Design Guide has been prepared in accordance with the procedural and legal requirements for the production of neighbourhood plans.
- 7.3 I have made a range of recommendations to modify policies and change text, one or two of which may disappoint the Parish Council. However, I have only made recommendations where I consider that they are necessary to ensure that the Plan meets the statutory tests and enables it to progress to referendum. I have also made a number of suggestions, which I hope will assist in giving the Plan greater clarity and consistency.

Referendum

- 7.4 I am required to confirm whether the referendum should cover a larger area than the area covered by the CNP. I consider that the area of the Plan is the appropriate area for the referendum and there are no reasons to extend the area in this case.

Formal recommendation

- 7.5 **I am pleased to recommend to East Riding of Yorkshire Council that, subject to the recommendations set out in this report and summarised in APPENDIX A, the Cottingham Neighbourhood Plan and Design Guide should now proceed to referendum.**

P. Staddon

Philip Staddon BSc, Dip, MBA (Distinction), MRTPI. **4 October 2017**

Attachments:

Appendix A – schedule of recommended modifications

Appendix B – schedule of suggested changes

**APPENDIX A – SCHEDULE OF RECOMMENDED MODIFICATIONS TO THE
COTTINGHAM NEIGHBOURHOOD PLAN AND DESIGN GUIDE**

Ref	Page / Policy	Recommended Modification
EM1	Policy GP1 page 10	Modify policy wording to: "Development proposals for sites allocated in the East Riding of Yorkshire Council Local Plan should have regard to the principles set out in the Concept Statements and other policies contained within the Neighbourhood Plan. Proposals that accord with these principles and policies will be supported."
EM2	Policy GP2 Page 11	Modify policy wording to: "All new development proposals should have regard to the Design Guide contained within the Neighbourhood Plan, taking full account of the historic character of the Cottingham Conservation Area and other heritage assets within the Neighbourhood Plan area."
EM3	Policy GP5 Part A Pages 14/15	Policy GP5 PART A be deleted and replaced by a simpler policy that states: <i>Policy GP5A - "Development proposals that include measures to enhance and extend walking and cycling infrastructure through the Green Cycle and Footpath Network identified on the Neighbourhood Plan Proposals Map will be supported."</i> Delete Table 1 on page 15. Recast and rewrite the explanatory text on page 14 to reflect the recommended revised policy.
EM4	Policy GP5 Part B Pages 14/15	Introduce standalone Policy GP5B and revise wording to read: <i>POLICY GP5B - Development proposals which safeguard and, where possible, enhance biodiversity and wildlife opportunities will be supported.</i>

EM5	Policy GP7 Page 17	<p>Modify policy wording to: <i>Development on sites allocated for residential and mixed use schemes should provide for a range of dwelling types. Proposals which include accommodation for older people (including the provision of bungalows), single people and family homes will be supported.</i></p>
EM6	Policy GP8 Neighbourhood Plan Proposals Map Page 18	<p><i>Revise the Policy GP8 boundary to precisely align with the Key Open Areas designation contained in the ERLP.</i></p> <p><i>Delete the words 'Open Areas Policy GP8' that appear in the north-east of the parish.</i></p>
EM7	Policy AP1 Pages 24/25 Proposals map	<p>Delete Policy AP1 on page 24 and its explanatory text on page 25.</p> <p><u>Note</u> – a suggested replacement policy is included in the report at 4.63 but its inclusion is not essential to secure compliance with the Basic Conditions.</p> <p>Delete reference to Policy AP1 on the proposals map (unless the suggested substitute policy is pursued).</p>
EM8	Policy AP4 Page 30	<p>Rename and modify the policy as follows:</p> <p><i>AP4 CASTLE HILL HOSPITAL</i></p> <p><i>Healthcare related development within the existing grounds of Castle Hill hospital will be supported subject to:</i></p> <p><i>i) appropriate sustainable transport and parking measures;</i></p> <p><i>ii) adequate foul and surface water drainage facilities; and</i></p> <p><i>iii) no undue adverse impacts on landscape character, visual amenity or biodiversity.</i></p>

<p>EM 9</p>	<p>CONCEPT STATEMENTS</p> <p>Various</p>	<p>Make the following changes:</p> <p><u>'Status' modifications</u> Page 7- after 'Secondly, a series of Concept Statements' delete the words 'and associated policies' Page 33 - delete 'and Policies' Page 36 - delete the words 'Policy CA' [the remaining orange text stays] Page 40 - delete the words 'Policy CC' Page 44 - delete the words 'Policy CD1' and 'Policy CD2' Page 48 - delete the words 'Policy CE' Page 52 - delete the words 'Policy CF' Page 56 - delete the words 'Policy CJ' Page 60 - delete the words 'Policy CM'</p> <p>Proposals map- delete all notations relating to the above policies</p> <p><u>Density / capacity modifications</u></p> <p>Page 35 - fifth paragraph - delete "Target densities' and substitute 'Indicative capacities'</p> <p>Page 36 - delete "The target density for this site is 135 dwelling units" and replace with "The indicative capacity for this site is 153 dwellings."</p> <p>Page 40 - delete "The target density for this site is 250 dwellings" and replace with "The indicative capacity for this site is 310 dwellings."</p> <p>Page 44 - delete "The target density for this site is 96 dwelling units" and replace with "The indicative capacity for this site is 96 dwellings."</p> <p>Page 48 - delete "The target density for this site is 61 dwelling units" and replace with "The indicative capacity for this site is 61 dwellings."</p> <p>Page 52 - delete "The target density for this site is 264 dwelling units" and replace with "The indicative capacity for this site is 306 dwellings."</p>
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		<p>Page 61 - delete "The target density for this site is 86 dwelling units" and replace with "The indicative capacity for this site is 86 dwellings."</p>
EM10	Local Green Space Designation and Cot-D Concept Statement	<p>Proposals map – remove the words 'Policy CD2 - Local green space designation'</p> <p>Page 44 - delete "The southern half of the site Cot-D, as identified on the Proposals Map, is designated as a Local Green Space for the benefit of the local community."</p>
EM11	Design Guide	<p>P.67 - delete the words "therefore it is statutory and not merely advisory." (fourth paragraph).</p> <p>P.67 - delete the last sentence which states: "Proposals must be justified using the main section titles from this guide" and replace it with "Those preparing proposals for submission for Planning permission are encouraged to use the section titles in this Guide to structure their design statements in support of their schemes."</p> <p>P.119 - revise the paragraph under the title 'INTERNAL SPACES' to state: "New housing developments in Cottingham are encouraged to conform to the internal spaces in the table below."</p>

APPENDIX B – SCHEDULE OF SUGGESTED CHANGES

Page	Suggested Changes
Page 8	Consider inserting 'sustainable' in front of the word 'development' in objective (i).
Page 17	Consider deletion of the bottom paragraph in the middle column ("The Parish Council....in the Neighbourhood Plan").
Proposals map	Consider colour shading the GP8 / ENV2 land to make its designation clearer.
Proposals map	Although not a matter I needed to deal with in my report, I relay the suggestion made by representors that the CNP proposals map would be improved if the Local Plan 'development limits' were added. It was also suggested that inclusion of the Local Plan employment allocation AWK-H, in the south-west corner of the parish, would be helpful.
Policy AP1 Pages 24/25	<p>Consider the inclusion of the suggested replacement Policy AP1:</p> <p><i>Comprehensive proposals to enhance and improve the Market Green Area which pay regard to the Market Green Concept Statement will be supported.</i></p> <p>If the above suggestion is pursued, consider revising the page 25 narrative to reflect the substitute policy. If it is not pursued, consider removing Policy AP1 notation from the CNP proposals map.</p>
Market Green Concept Statement	Consider moving the Market Green Concept Statement to sit with the other concept statements.
Policy AP3 Page 24	<p>Consider retitling the policy 'Market Green Civic and Community Buildings Policy'.</p> <p>Consider colour shading or delineating the policy's subject buildings on the Proposals Map.</p>

Page	Suggested Changes
<p>Concept Statement – Cot-D Pages 44 - 46</p>	<p>P.44 – delete the paragraph which ‘seeks to designate’ the LGS and correct the next paragraph by replacing ‘within’ [the Cottingham Conservation Area] with ‘adjacent to’</p> <p>Consider revising Development Principle 3 to read: <i>Preference will be given to retaining and refurbishing Ferens Hall to form accessible residential accommodation.</i></p>
<p>Concept Statement Cot-F Pages 52 - 55</p>	<p>If it is felt that events (planning permissions and their implementation) have overtaken the purpose of this Concept Statement, consider removal from the final version of the CNP.</p>
<p>Concept Statement Cot-J Pages 56 – 59</p>	<p>Consider removal from the final version of CNP given the comprehensive redevelopment now being implemented.</p>