**Budbrooke Neighbourhood Development Plan**

**Independent Examiner’s Clarification Note**

***Context***

This note sets out my initial comments on the submitted Plan. It also sets out areas where it would be helpful to have some further clarification. For the avoidance of any doubt matters of clarification are entirely normal at this early stage of the examination process.

***Initial Comments***

The Plan is well-presented. It provides a clear and distinctive vision for the neighbourhood plan area. Its focus on the Local Plan housing allocations and the proposed designation of local green spaces is very appropriate. The Plan’s preparation has overlapped with that of the Warwick District Local Plan 2011-2029.

***Points for Clarification***

I have read the submitted documents and the representations made to the Plan. I have also visited the Plan area. I am now in a position to raise some initial issues for clarification. They are designed for the Parish Council. The comments that are made on these points will be used to assist in the preparation of my report and any modifications that may be necessary to the Plan to ensure that it meets the basic conditions.

*Policy BNDP1*

This policy reads well in general terms. However, in places it uses general language (‘such as/for example’) which detracts from its clarity.

Assuming that paragraph 1.43 of the Plan is the source of the approach in the policy should the policy make a more explicit connection to that list?

Does the Parish Council have any comments on the District Council’s representation about the relationship between this policy and Policy HS8 of the recently-adopted Local Plan?

*Policy BNDP2*

The information in Table 3 and Map 2a do not tally. The size of the sites suggests that table 3 is correct. Please can this be confirmed?

The final paragraph of the policy sits uncomfortably with the rest of the policy. Is it needed? It does not seem to be underpinned with any supporting text.

Policy BNDP3

There are no reasons why open spaces other than LGS cannot be separately identified in the Plan. However, there is little if any difference between the policy approach adopted in BNDP policies 2 and 3. Is this deliberate? If so does it detract from the particular importance of the local green spaces as set out in the NPPF?

Policy BNDP4

Is the primary role of the policy to give clarity on how BPC will apply the local part of the CIL? I can understand the final sentence of the policy. Nevertheless, it detracts from its clarity. I propose to recommend a modification that would move this sentence into the supporting text. Any comments are invited.

Policy BNDP5

Is there a risk that the policy is too detailed?

Has the policy been tested for its potential impact on the viability of the development on the two sites concerned?

Some of the criteria are vague and do not provide any clarity to the District Council and to developers. Criteria 2/3/4/6/7/8/ are clear examples. Criteria 23-26 largely repeat WDC Local Plan standards. Could the policy be sharpened so that it adds local distinctiveness to existing local plan policies?

Policy BNDP6

Does this policy apply more generally within the Plan area and not within the two allocated sites (as addressed by BNDP5)? If so should both the policy and its supporting text make this very clear?

Policy BNDP9

Is the final part of the policy a land use policy? If not, should it be relocated to a separate, non-land use part of the Plan?

Policy BNDP 10

Is part d) of the policy a land use policy? If not, should it be relocated to a separate, non-land use part of the Plan?

Policy BNDP11

Why was 18 months chosen for the marketing period? Has this time period be tested for its commercial and viability impact on business proposals?

Glossary

Unless there is any specific rationale for including references to ‘Warrington’ in the Green Belt and SHLAA sections I propose to recommend modifications to these references to reflect the circumstances of the submitted Plan

***Protocol for responses***

I would be grateful for comments by Wednesday 14 February 2018. Please let me know if this timetable may be challenging to achieve. It reflects the factual basis of the questions raised.

In the event that certain responses are available before others I am happy to receive the information on a piecemeal basis. Irrespective of how the information is assembled please can all responses be sent to me by Warwick District Council and make direct reference to the policy/issue concerned.

Andrew Ashcroft

Independent Examiner

Budbrooke Neighbourhood Plan

5 February 2018