

# Hartlepool Rural Neighbourhood Development Plan 2016-2031

---

## Initial Comments of the Independent Examiner

**Prepared by**

**JOHN SLATER BA(Hons), DMS, MRTPI**

**John Slater Planning Ltd**

**22<sup>nd</sup> May 2017**

## Introduction

1. As you will be aware I have been appointed to carry out the examination of the Hartlepool Rural Neighbourhood Plan. I have carried out my initial review of the Plan and the accompanying documents that I have been sent. I also carried out a visit to Hartlepool and the surrounding countryside
2. My view is that I should be able to deal with the examination of this Plan by the consideration of the written material alone but I do reserve the right to call for a public hearing, if I consider that it will assist my examination. Based on my site visits, there are a number of matters that I would wish to receive further representations from both the Qualifying Body and the Local Planning Authority.

## Local Green Space

3. The plan identifies “The Ghyll” at Elswick as Local Green Space. I walked the footpaths that crossed the area in question. I set down below an extract from the Planning Practice Guidance that deals with Local Green Space and I would be grateful if the Qualifying Body can confirm that the land owner has been consulted about the designation and what his response was. If I could be sent relevant copies of correspondence I would be very grateful.

### **Does land need to be in public ownership?**

A Local Green Space does not need to be in public ownership. However, the local planning authority (in the case of local plan making) or the qualifying body (in the case of neighbourhood plan making) should contact landowners at an early stage about proposals to designate any part of their land as Local Green Space. Landowners will have opportunities to make representations in respect of proposals in a draft plan.

Paragraph: 019 Reference ID: 37-019-20140306

Revision date: 06 03 2014

## Housing Allocation – Hart

4. I noted that the proposed Local Plan allocates land on both sides of the road which exits the village towards the west. However, the Neighbourhood Plan only allocates part of HSG8a and part of the site is allocated for new multipurpose open space. The NP does not allocate land on the south side

and the settlement boundary is proposed to run down the road. I would like to hear the views of the Qualifying Body as to why the site has not been allocated or if it is because planning consent has been given for part, why has the remainder not been allocated and the settlement boundary drawn in from that proposed in the Local Plan. I would also like to hear the views of the LPA in terms of the impact of that land not being allocated in terms of housing supply, whether the LPA considers this to be a strategic matter in terms of basic conditions. I would also appreciate comments on whether if the Local Plan is adopted after the Neighbourhood plan is made, whether that more recent plan would override the Neighbourhood Plan.

5. I have received a representation from the farmer based at North Hart Farm who has, I assume wrongly, concluded that the agricultural buildings are being shown in blue as community buildings. I too was confused as to whether the lighter tone used on the key, applied to the open space designation. I would like to have final confirmation, for the sake of clarity, that the farm buildings referred to, are proposed for replacement by either the housing proposal in the local plan and for open space in the neighbourhood plan. Would the QB advise me whether the provision of the open space would be associated with be expected to be delivered as part of the residential development or separately.

## **Settlement Boundary – Elswick**

6. When I viewed the housing allocation site at the north-east corner of Elswick, North Farm, I noticed that the adjoining field behind the residential properties was included in the settlement boundary. I also noted that the LPA also had the land within the settlement boundary. I would like to understand the rationale for including this field as part of the village envelope and as a consequence how would a proposal for residential development be viewed. Would it count as windfall?

## **Affordable housing Threshold**

7. I note that the threshold in the proposed neighbourhood plan is set at 5 as compared with the proposed local plan and the threshold of 15 currently used by Hartlepool. I would like to know whether there has been any viability testing to support a figure which is lower than the Borough's threshold. In view of the apparent conflict with the Secretary of State's Guidance on planning obligations is this rural area designated under Section 157 of the Housing Act where lower thresholds apply with financial contributions.

## **RHM Site**

8. I would ask both the QB and also the LPA whether they consider the site, which is still has evident on the ground of the buildings that had previously stood on the land, would be considered “previously developed land”. Secondly how would they view a residential element, perhaps to deliver other community benefits sought, bearing in mind the statement in paragraph 8.12 of the Plan “The reuse of brownfield sites is preferred before encroaching on any greenfield land, although this should not be at the expense of the loss of community facilities and services or employment opportunities.”

## **Solar Farms**

9. I note the plan allocates two sites as solar farms. However, it appears from my site visits that both fields are already used for that purpose so I would ask for the rationale of allocating the land in the plan

## **Sites with Planning permission**

10. I am grateful to the Council for sending through the plan showing the planning consents. My specific query concerned whether planning permission has been granted for any of the sites that form the western expansion of Hartlepool which are allocated in the draft Local Plan. I recall seeing some residential development underway when I drove around the area.

## **Final Matters**

11. It would be helpful if I could have responses to these questions within the next 21 days to allow me to conclude my examination. I would be grateful if this note and the responses could be placed on the Council’s and the Neighbourhood Plan’s respective websites.

John Slater Planning Ltd

22<sup>nd</sup> May 2017