

Appendix B: Wallington Neighbourhood Plan – Schedule of proposed modifications to the neighbourhood plan policies and supporting text

Unless there is a specific comment made against the examiners' recommendations, the District Council is in agreement with the examiners' proposed modifications to the Wallington Neighbourhood Plan.

Rushden and Wallington Parish Council agree with the proposed modifications and are content to amend the neighbourhood plan accordingly in readiness for the referendum.

Policy or paragraph reference	Examiners Proposed Modifications	The Council's comments
Policy W1	In part Bii) replace 'negatively impact' with 'unacceptably detract from'	The examiner has proposed modifications to bring clarity required by the NPPF.
Policy W1	In part B add 'and' after part i) and 'or' after parts ii) and iii)	The examiner has proposed modifications to bring clarity required by the NPPF.
Policy W1	Delete part C of the policy	The examiner has proposed to delete Part C of Policy W1 as the approach of sequential testing is not practicable to implement in the development management system. It is his view that it is unlikely that developers and landowners would own sufficient land to allow the sequential analysis anticipated in the policy to be undertaken.
Policy W2	Delete Part A (and re-letter accordingly)	The Council made a representation to delete Part A of Policy W2 as this policy in the neighbourhood plan replicates Policy HS2 in the Local Plan.

		The examiner has agreed with the Council's representation and proposed a modification to delete Part A of Policy W2.
Policy W2	In Part B (as submitted) delete 'and in accordance...Neighbourhood Plan'	
Policy W2	Add the following wording: 'C. Affordable homes delivered within residential developments should be well integrated within the overall layout.'	
Paragraph 5.7	At the end of paragraph 5.7 add: 'Policy W2 has been designed to complement the approach taken in Policies SP2 and SP8 of the Local Plan. On this basis it does not comment directly on the delivery of affordable housing as this is addressed in the Local Plan. Nevertheless, the third part of the policy comments about the incorporation of affordable housing within residential developments.'	The examiner has proposed the inclusion of additional supporting text to reflect the changes made to Policy W2.
Policy W3	<p>In part A of the policy replace 'the following will be supported' with 'the following types of development will be supported'</p> <p>Replace the list of criteria with:</p> <ul style="list-style-type: none"> • they address identified local housing needs, in accordance with Policy W2; • they preserve and, where practicable, enhance the local character of Wallington, in accordance with Policy W5 of this Neighbourhood Plan and the guidance contained in the Wallington Design Guidelines and Codes (Appendix C); • they respond positively to the prevailing density of the village; • they respect the private amenity space of existing residential properties; • they have a direct highway access to the front/side of the property; • they respond positively to heritage assets, including where relevant the special interest, character, and appearance of the Conservation Area, as set out in the Conservation Area Statement; 	The examiner has proposed modifications which ensure that the policy is positively worded.

	<ul style="list-style-type: none"> • they can be accommodated in a satisfactory way in the local road network, in accordance with Policy W4 (Character and Design of development); • they provide adequate waste storage space to enable recycling; and • where appropriate, they incorporate sustainable drainage facilities which enhance wildlife and biodiversity in their immediate locality. 	
Policy W3	<p>Replace Part B of the policy with:</p> <p>‘Development proposals for back-land sites, including residential garden land within the built core, should respond positively to the character and appearance of the local area. Proposals which would create unacceptable harm to the character and appearance of the immediate locality will not be supported.’</p>	
Para 5.12	<p>Replace the final sentence of paragraph 5.12 with: ‘As part of this approach, it sets out specific policy guidance back-land development, which refers to sites including residential garden land and any land which sits behind the existing development with little or no frontage onto a public highway. It identifies that through careful design and layout such schemes can be incorporated in the built core in a way which responds positively to the character and appearance of the local area.’</p>	<p>The examiner has proposed changes to the supportive text to reflect the proposed changes to Policy W3.</p>
Policy W4	<p>Replace the first sentence of Part A with: ‘Development proposals should preserve and where practicable enhance the local character of Wallington.’</p> <p>In v. replace ‘its’ with ‘their’ In vii. replace ‘significant detrimental’ with ‘unacceptable’ In x. replace ‘adversely’ with ‘unacceptably’</p>	<p>The examiner has proposed an amendment to Policy W4 for clarity as required by the NPPF.</p>
Policy W5	<p>Replace Part B with: ‘Proposals affecting non-designated heritage assets will be assessed having regard to the scale of any harm or loss against the significance of the heritage asset.’</p>	<p>The examiner has proposed modifications to amend Policy W5 to reflect contents of paragraph 203 of the NPPF.</p>
Policy W5	<p>Delete Part C</p>	<p>The examiner has proposed modifications to delete Part C of Policy W5 because the examiner is satisfied</p>

		that adequate protection is already captured in national and local policies and that there is no need for a neighbourhood plan to restate such policy.
Paragraph 6.14	At the end of paragraph 6.14 add: 'These heritage assets are already protected by national and local planning policies. As such, the Plan has a focus on the identification of non-designated heritage assets.'	The examiner has proposed modifications to include additional supporting text to explain changes to Policy W5.
Paragraph 6.21	Delete paragraph 6.21	
Policy W6	In A, B and D replace 'Proposals' with 'Development proposals'	The examiner has proposed an amendment to Policy W6 to relate the policy to the development management process.
Policy W6	In Part B delete criterion vii.	<p>The Council made representations to this policy at the Regulation 16 consultation stage. The representation suggested that Part B criterion vii should be deleted as the provision of EV charging points is addressed through Building Regulations.</p> <p>The examiner has taken the Council's representation into consideration and has put forward modifications to the plan.</p>
Policy W7	Replace the policy with:	The examiner has proposed a modification to Policy W7 by removing the second part of the policy which relates to the requirement of visual

	<p>'The landscape surrounding the village of Wallington contributes greatly to its character. Development proposals should respond positively to the open landscape and its long-distance views.</p> <p>The Plan identifies 22 locally significant views on Figures 6.2 and 6.3. As appropriate to their scale and nature, development proposals within the shaded arcs of the various views should be designed in a way that safeguards the locally significant view or views concerned.'</p>	<p>impact assessments as this is a process issue rather than a land use policy and this is addressed in paragraph 6.34 of the plan.</p>
Policy W8	<p>Replace the policy with:</p> <p>'Development proposals should retain well-established features of the landscape, including ancient woodland, significant trees, species-rich hedgerows, and ponds.</p> <p>Development proposals should be designed to create, conserve, enhance and manage green spaces and connect chains of green infrastructure, as identified in Figure 7.1, with the aim of delivering a measurable net environmental benefit for local people and wildlife. As appropriate to their scale, nature and location, development proposals be supported by a biodiversity appraisal, which must demonstrate how negative impacts would be minimised and biodiversity net gain achieved.</p> <p>Development proposals that would improve the connectivity between wildlife areas and green spaces will be supported. Development proposals which would cause unacceptable harm to this connectivity will not be supported.'</p>	<p>The examiner has proposed modifications to Policy W8 to bring clarity required by the NPPF.</p>
Para 7.8	<p>At the end of paragraph 7.8 add:</p> <p>'Policy W8 sets out mechanisms to ensure that planning applications result in biodiversity net gain. The second part of the policy sets out the need for a biodiversity appraisal. Appraisals should demonstrate that where significant harm cannot be avoided, proposed development and other changes should adequately mitigate or, as a last resort, compensate for the harm. The appraisal should seek to demonstrate a measurable biodiversity net gain of a minimum of 10% by utilising the Defra biodiversity metric (or as amended). Where this is not demonstrated, permission for planning or for change should be refused. Measures to achieve biodiversity net gain, mitigation or compensation involving the creation of habitat</p>	<p>The examiner has proposed modifications to move Parts C and D of Policy W8 into the supporting text. This acknowledges that they describe a process to be followed rather than being a land use planning policy.</p>

	and/or relocation of species, must be agreed by North Hertfordshire Council and include sufficient funding to support at least 30 years of post-development habitat management or land use change.'	
Policy W9	Replace the policy wording (after the LGS schedule) with: 'Development proposals affecting the designated local green spaces will only be supported in very special circumstances.'	<p>The Council made representations to Policy W9 at the Regulation 16 consultation stage. The representations suggested that we were not convinced that all sites met the criteria for Local Green Spaces.</p> <p>The examiner has not proposed a modification to change any of the sites included in Policy W9. The examiner has proposed a modification to the wording of the Policy so that it has clarity required by the NPPF.</p> <p>The Council accepts the examiner's decision.</p>
Para 7.11	At the end of paragraph 7.11 add: 'Policy W9 follows the matter-of-fact approach in the NPPF on this matter. If development proposals come forward on the local green spaces within the Plan period, they can be assessed on a case-by-case basis by the District Council. It will be able to make an informed judgement on the extent to which the proposal concerned demonstrates the 'very special circumstances' required by the policy.'	The examiner has proposed modifications to the supporting text to clarify the way in which any planning applications can be assessed on a case-by-case basis and how the Council will be able to make an informed judgement on the extent to which the proposal concerned demonstrates the 'very special circumstances' required by the policy.
Other	Modification of general text (where necessary) to achieve consistency with the modified policies and to accommodate any administrative and technical changes.	

Other proposed non-policy modifications to the neighbourhood plan

Policy or paragraph reference	Examiners Proposed Modifications	The Council's comments
Header	Replace the header on the top right-hand side of the document with 'Wallington NDP - Referendum Version'	The Council made representation to replace the header of the report. The examiner has proposed this modification.
Section three	Correct the mathematical errors in Section 3 of the Plan.	The Council made representation to correct the statistics in Section 3 of the report. The examiner has proposed this modification.
Paragraph 3.2	The statistics give % of households in the plan area as a whole, not just the central plan area. Removing the word "central" would make it correct.	The Parish Council requested this modification for accuracy.
Paragraph 3.16	Telephone fibre is available to all properties in the village built core. The Parish Council is not confident that outlying properties have fibre available yet.	The Parish Council requested this modification for accuracy.