**INDEPENDENT EXAMINATION OF THE KINVER NEIGHBOURHOOD PLAN**

EXAMINER: Wendy Burden BA (Hons) DipTP MRTPI

Councillor Christine Allen

Kinver Parish Council

Paul Rigby

South Staffordshire Council

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|  | Examination Ref:02/WB/KNP  13 April 2023 |

Dear Councillor Allen and Mr Rigby

KINVER NEIGHBOURHOOD PLAN EXAMINATION

Further to my letter of the 16 March 2023 and my visit to the Kinver Neighbourhood Plan Area on the 3 April, I have some questions which seek clarification on some matters within the Kinver Neighbourhood Plan (KNP).

I understand that in view of the forthcoming local elections, I may not receive any response to these questions until after 4 May 2023.

**Questions of clarification**

From my initial reading of the KNP, the responses to the Regulation 16 consultation and the supporting evidence, I have the following questions for Kinver Parish Council (KPC). Whilst the questions are directed specifically to KPC, I would welcome any comments from South Staffordshire Council (SSC) where they would be helpful to my understanding.

I would be grateful for the submission of responses **by Tuesday 9 May 2023.** My questions are listed in the order of the Policies proposed in the KNP. All of the points set out below flow from the requirement to satisfy the Basic Conditions.

**1.Policy KN01**

*Clause 1*.

SSC has raised the issue of clarity in the wording of clause 1 of this Policy. Does KPC wish to respond to the comment made?

*Interpretation*

Is it necessary to include the final sentence on page 19 in view of national and development plan policies which protect the Green Belt?

**2.Policy KN02**

*Clause 1*

SSC has put forward an amendment to the wording of clause 1. Does KPC wish to respond?

*Clause 4*

SSC has put forward an amendment to this clause in order to bring the policy in conformity with the adopted Local Plan. Is there sufficient evidence to support a departure from the Local Plan policy in the KNP?

**3.Policy KN03**

*Clause 2*

The wording of this clause is quite general and does not provide clear criteria against which a potential loss of community facilities would be considered. In the South Staffordshire Core Strategy 2012 there are a number of references to community facilities which seek to protect and promote their provision and retention. In particular, Policy EV9 sets out the tests which are to be applied in respect of a proposal for redevelopment or change of use of such facilities. I note that Policy EC9 in the emerging Local Plan Review would provide similar protection and tests. In these circumstances, is it necessary to include clause 2 in Policy KN03?

**4.Policy KN05**

*Interpretation*

Paragraph 1 sets an aim to achieve at least 10% energy use reduction relative to current regulations. Can the KPC please identify which regulations are referred to and would a reduction relative to current regulations be in accord with published Government policy?

**5.Policy KN07**

*Clause 7*

Having regard to the comments of SSC in the Regulation 16 responses, should this clause be deleted?

*Interpretation*

Can the basis and justification of the recommendation for a 20m natural habitat buffer be identified?

**6.Policy KN08**

*Clause 1*

The clause does not differentiate between listed building and non-designated heritage assets. In the National Planning Policy Framework (NPPF), paragraph 194, the criteria are set out for the assessment of proposals affecting heritage assets according to the significance of the asset. Can the KPC suggest any alternative form of wording for Clause 1 which would accord with NPPF paragraph 194?

**7.Map KN09-1**

The map includes a Conservation Area Buffer Zone 2013. This is not referred to in Policy KN09. Can the purpose and status of this zone please be explained?

**8.Policy KN11**

*Clause 1*

I note that a substantial number of the sites proposed to be Local Green Space (LGS) are located within the Green Belt. Section 13 of the NPPF deals with Green Belt and its protection. SSC has raised the issue of what extra protection would be afforded to land which is already in the Green Belt if it is designated as LGS. National Planning Policy Guidance (PPG) states that if land is already protected by Green Belt policy, then consideration should be given as to whether any additional local benefit would be gained by designation as LGS (PPG Reference ID: 37-010-20140306).

Can KPC please identify what additional local benefit would be gained by designation of the following sites: K01 – K09; K12; K14 – K30.In addition, how would the extent of the proposed designation of Green Belt land as LGS be compatible with the achievement of sustainable development?

**9.Policy KN12**

*Clause 5*

Please respond to the query raised by SSC in their response to the Regulation 16 consultation.

*Clauses 6 & 7*

It is not clear how much parking should be provided to prevent addition to off-street parking. Any development would be required to comply with SSC Parking Standards. How could the requirements of these clauses be enforced and would such enforcement be justified?

*Clause 8*

Please respond to the query raised by SSC. In addition, what evidence is available to support the requirement for mobility scooter charging points, and what level of provision would be required?

In the interests of transparency, may I prevail upon you to ensure that a copy of this letter is placed on the Parish Council and Local Authority websites.

I look forward to receiving your responses to these questions after the local elections.

Yours sincerely

Wendy J Burden

Examiner