

Biddulph Town Council



Biddulph Examination Response

17 November 2021

Neighbourhood Plan

General Comment

We suggest clauses are numbered in all policies. This makes them easier to refer to in officer reports.

We are concerned that including technical data as appendices will date and weaken the plan. Could the examiner or LPA remove them?

Regulation 16

To clarify, following Regulation 14, two separate further responses were received by Biddulph Town Council (BTC). We understand that neither individual commented at Regulation 16, and so we understand that as these proposed amendments were not submitted in either formal consultation process, we do not need to respond.

The suggested amendment to the Local Green Space (LGS) reference 32 is considered acceptable should you choose to make the suggested amendment in your report. In reference to the text message received for LGS 25, we can confirm that this individual was formally contacted by SMDC at Regulation 16 and did not make any representations.

The Town Council is concerned that the LPA has logged all representations as objections, including those supporting the Neighbourhood Plan. This needs to be corrected.

Please see our separate responses to Regulation 16 consultation responses.

Start Date

The Town Council would like the date the Plan is 'made' to be the start date, we anticipated Spring 2022.



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Policy HCT1

We agree with the Examiner's concerns.

We suggest the following re-wording based on an earlier version of the policy:

In addition to development in the defined Town Centre, business, enterprise and tourism uses to diversify the rural economy will be supported in existing building complexes. This is subject to:

- there being no significant adverse impact on the amenities of nearby residential properties;
- there being no further encroachment into the rural landscape; and
- there being no significant adverse impact on other surrounding uses, including agriculture.

Suggest adding to the interpretation:

Within the Green Belt, only development appropriate within the Green Belt will be supported. Enterprise uses could include craft-based manufacture, knowledge-based activities, digital or creative industries.

Policy LE1

We agree this does require modification, to respond to the new Use Class E and PD rights on ground floor residential uses. Suggested policy re-wording:

1. Within the defined Town Centre, uses will be supported where they support and cause no harm its viability and vitality.
2. If ground floor units change to uses not open to the public, including residential uses, a shopfront should be retained or provided.



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Policy LE2

Biddulph Town Council want to support business in and close to the town centre. This was the theme of the policy. Similarly, it was to prevent inactive frontages at ground floor.

We suggest deletion of the wording relating to residential uses being supported on upper floors only. We suggest adding Clause 2 to the policy requiring uses with active frontages at ground floor.

The plan relating to the policy is in an appendix. This makes the plan difficult to use, so suggest moving the plan into the policy (and for any other policies where the plan is separate).

Policy CF2

We propose deletion of Appendix B; move the plan from Appendix K into the policy.

Policy NE1

We understand the issue raised about viewing the maps. These begin currently on pg36; we suggest moving the maps into policy section. They must work as a printed version.

Suggest amending policy wording to:

New development must preserve or enhance and, overall, not cause harm or degrade the special rural character and ecological and environmental features of the area, listed in this policy, creating biodiversity net gain:

The last bullet point in the list (complement landscape character) is not a feature, so does not currently make sense in this part. This could become a separate clause, appropriately worded, your advice/suggestions are welcome.

We propose to clarify in the interpretation that the policy shapes development, but will not compromise the Local Plan site allocations mentioned.



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Policy NE3

Local Green Space (LGS) maps need to be of a sufficient scale to make the precise boundaries clear.

Please visit our website for the Neighbourhood Plan, which as you scroll will reveal our extensive evidence base for the NP. This includes links to our LGS Audit in May 2019: <https://biddulph.co.uk/neighbourhood-plan/>.

Please also see below our timeline of engagement with the community and stakeholders, including landowners.

Stakeholder questionnaire sent to all households (Winter 2017):

Are Local Green Space designations important to you? If so, are there any that you would like to suggest?

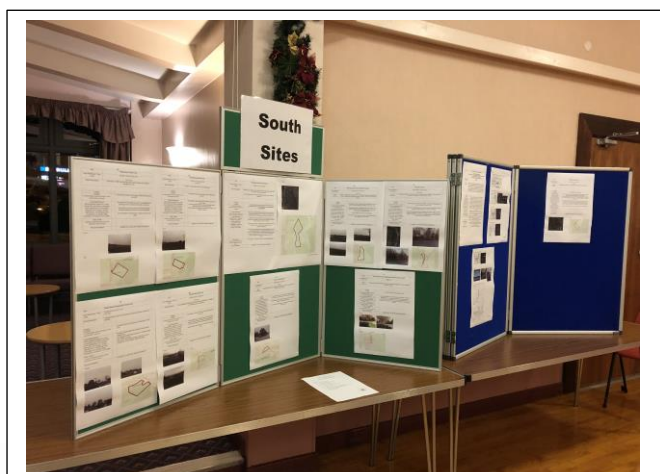
Yes No

Suggestions:

Thank you for taking the time to complete this questionnaire.

The Working Group then spent a number of months processing the data received.

December 2018- January 2019- First public consultation:



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We also wrote to all landowners and users:



Further sites were identified at this stage, and a further public consultation was completed in April 2019:

LOCAL GREEN SPACE DESIGNATION- CONSULTATION

Biddulph Neighbourhood Plan Working Group has identified a number of areas that they believe should be protected with a Local Green Space designation.

The Local Green Space designation is a way to protect **green areas** or open **spaces** against development where they are of particular importance to **local** communities.

Please take some time to consider each of the proposed designations and to provide your comments. We need to know positive and negative thoughts.

If you think a site should be added to the final list of designations, please send some supporting evidence. Alternatively, tell us why this site should be removed and provide the reasons.

Some sites have been considered already, but we need more evidence!

These should be sent to biddulph@staffordshire.gov.uk or Biddulph Town Council, Biddulph Town Hall, High Street Biddulph ST8 6AR.

The closing date for comments is **Friday 26 April 2019**. If you have any questions, please call 01782 297845.




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The Neighbourhood Plan Working Group we clear about the difference between Local Green Space and the Green Belt. We used this information at our consultation events:



Green belt

Green belts have the following stated purposes:

- to check the unrestricted sprawl of large built-up areas
- to prevent neighbouring towns merging into one another
- to assist in safeguarding the countryside from encroachment
- to preserve the setting and special character of historic towns
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Green belts are designated and modified through the local plan process. They may not be modified by neighbourhood plans. However, the draft revised NPPF as written proposes to allow neighbourhood plans to modify green belts. This will not come into force until the revised NPPF is formally adopted and published and until then the current NPPF remains in force.


Local Green Space implications:

Green belts are applied to the fringe of urban areas. They do not preclude all development (appropriate kinds of development are set out in the National Planning Policy Framework).

Therefore, Local Green Space designation could be useful in the green belt, where the land meets the NPPF criteria.

Green belts do not recognise the landscape quality or community value of land. So there are instances where Local Green Space designation could be useful. For example, it could recognise and protect the community value of a sports pitch on the edge of the green belt, adjacent to a housing estate.

Where there is no green belt, it would not be appropriate to try to use Local Green Space designation to attempt to impose green belt type protection of land around an urban area. This would be a misuse of the designation and would be likely to



The Neighbourhood Plan Working Group is aware that there are a large number of LGS sites proposed. Biddulph is the 'Garden Town of Staffordshire' and, as such, there are a wide range of areas that the community feel have benefit and meet the NPPF requirements.

At the beginning of the Policy, the following should be added.

The Spaces listed in Part 4 of this Neighbourhood Plan are designated as Local Green Space.

Separate the list in Part 4 to identify spaces being designated by the Neighbourhood Plan, and those already designated by SMDC. Clearly the Neighbourhood Plan can't redesignate these.



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This should also cross reference to Policy NE3 in Part 4 of the Plan.

We would like to respond to the comment in Paragraph 32 by highlighting that LGS have a quite different purpose (protecting community value) to the five purposes for Green Belts (as stated previously in our consultation advice). The entire process has been informed by our consultant and the Locality guide to LGS.

We suggest agreeing to remove Sites 16 and 63, given the scope of Policy NE4. We understand the comment about the Leisure Centre car park and suggest amending the boundary to exclude the non-green features such as the building and car park.

We agree that highway land should not be included as LGS. As no planning application is required for works in the highway, the designation does not work.

Policy NE5

We agree that Neighbourhood Plans can't set submission requirements (D&A statement).

A possible alternative is to replace the policy with:

[Development should take account of views towards local landmarks and landscape features in its form and layout.](#)

Your suggestions are welcome as this was a significant element raised throughout all of the community engagement.

Policy HOU1

The HNA was undertaken by AECOM in April 2018 as part of the Locality Technical Support. We have included an extract in the NP and the complete document is available online using the main link previously included.

Suggest adding 'First Homes' to the final bullet point list in the policy or the interpretation.



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Policy HOU2

The interpretation makes clear how the policy would apply in the Green Belt.

Policy INF1

Please refer to our website for the evidence base report.

The policy highlights junctions where there are evidenced problems. It would apply to all development. It would be for the planners and highway engineers to consider impacts on the junctions. Clearly small-scale development would have lesser impacts.

Suggest the additional junctions not listed as the 4 in the policy are moved with text to interpretation.

Policy INF3

Suggest rewording the policy to delete reference to Section 106 and CIL and replace with 'infrastructure spending'. This responds fully to the Examiner's comments.



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Neighbourhood Development Order (NDO)

We propose the following:

- Add note to the NDO text and the plan to clarify that shopfront design would need to take account of topography, for example by shaping the base of the stallriser.
- Add to text that level access should be provided, where topography allows. Slopes of 1 in 20 or less should allow for ramps. Doors should have a minimum clear opening width of at least 800 mm. Recessed doors should have a minimum space depth of 300mm.
- The depth of the stallriser applies to the mid-point, where the shopfront is on a slope.
- A note could be added to make clear that, where building regulations would not allow the parameters of the NDO to be met, a conventional planning application would be required.
- The term 'slightly forward' could be defined as not exceeding 100mm for the main part of the pilaster.
- A diagram of a constructional timber panel could be provided, together with a 'sheet and beading' panel.
- Condition 2 needs to refer to Use Class E.
- Further to Paragraph 55, the Examiner could add words of clarification.
- Paragraph 56 – no, the lights would not be covered.



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