

## **Tewkesbury Borough Council officer comments on the Draft Twynning Neighbourhood Development Plan - Regulation 14 (December 2016)**

Thank you for consulting Tewkesbury Borough Council on your consultation draft Twynning Neighbourhood Development Plan (TNDP). The response is provided at officer level and offers constructive advice to assist the neighbourhood plan group in refining their plan. Further advice was provided during ongoing meetings with parish representatives. This schedule should also be read in conjunction with advice received on the SEA screening opinion and earlier advice provided during 2015 and 2016. It is noted that SEA is not considered to be required and that the plan has not substantially changed since that time such that it would necessitate re-visiting the SEA screening opinion.

References to the strategic policies of the adopted development relate to the 'saved' policies of the Tewkesbury Borough Local Plan to 2011. Not all policies were saved. The list of those that were saved is set out in this letter from the Secretary of State which is available on the TBC website at:

<http://tewkesbury.gov.uk/index.aspx?articleid=1902>

The government's planning practice guidance states that: A policy in a neighbourhood plan should be **clear and unambiguous**. It should be drafted with **sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications**. It should be **concise, precise and supported by appropriate evidence**. It should be **distinct** to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.

Our comments below are mindful of this advice. Additional guidance on writing policies can be found on the Locality website

<http://mycommunityrights.org.uk>

In terms of the adequacy and robustness of the evidence used to substantiate the policies and sites contained in the NDP you might find the two documents below useful:

- Planning Aid - How to gather and use evidence

[http://www.ourneighbourhoodplanning.org.uk/storage/resources/documents/How\\_to\\_gather\\_and\\_use\\_evidence.pdf](http://www.ourneighbourhoodplanning.org.uk/storage/resources/documents/How_to_gather_and_use_evidence.pdf)

- Locality – Site Assessment for Neighbourhood Plans

<http://mycommunity.org.uk/wp-content/uploads/2016/01/NP-Site-Assessment-Toolkit-Final-version.pdf>

Reference	Consultation Draft NDP wording	TBC officer comments
General	<i>Presentation</i>	The presentation of the plan is exemplary, in particular the use of some really impressive photographs really brings it to life and reinforces the community input.
Page 3	<i>1. Foreward</i>	Wrong use of Foreward/Foreword.  <u>Recommend</u> – <b>Amend</b> replace with ‘Foreword’.
Page 3	<i>Appendices B. Areas that are defined as important for their views and vistas</i>	The difference between a view and a vista is a very subtle one, they are often used interchangeably and in this instance are they being used to identify the same thing – a ‘key’ vista which suggests it is perceived to be a valued view – generally policies should be kept as concise and accurate as possible.  <u>Recommend</u> – <b>Amend</b> Consider whether both are necessary?
Page 4	<i>1. Foreward</i>	Wrong use of Foreward/Foreword.  <u>Recommend</u> – <b>Amend</b> replace with ‘Foreword’.
Page 4	<i>The Localism Act</i>	Improve references.  <u>Recommend</u> - <b>Add</b> date (2011).
Page 4	<i>GRCC</i>	Improve clarity.  <u>Recommend</u> – <b>Add</b> Introduce the abbreviation as first time used.
Page 4	<i>The NDP is now in its final draft stage prior to a six-week public consultation</i>	This will date the plan.  <u>Recommend</u> – <b>Amend</b> to reflect the stage of preparation before submission to the LPA as required by Regulation 15 <sup>1</sup> . Also need to consider wording as there are two stages of consultation (Regulation 14 and Regulation 16) and only one Independent Examination (not ‘further’).
Page 4	<i>Once adopted, the Twynning NDP will form part of the Borough-wide development plan</i>	Strictly speaking the plan will ‘form part of the development plan for the designated Neighbourhood Area’.  <u>Recommend</u> – <b>Amend</b> wording to ‘form part of the development plan for the designated Neighbourhood Area’

<sup>1</sup> The Neighbourhood Planning (General) Regulations 2012 (as amended)

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Page 4	<i>The development plan is the starting point for deciding where and how development should be located and to what standards</i>	<p>Whilst it is clear what ‘where’ development is located means, it is not clear what ‘and how’ development should be located means.</p> <p><u>Recommend</u> – <b>Delete</b> ‘and how’</p>
Page 5	<i>In addition, Paragraph: 074 Reference ID: 41-074-20140306 of the Planning Practice Guidance outlines that neighbourhood plans must meet a set of basic conditions if it is to proceed to referendum</i>	<p>Incorrect reference.</p> <p><u>Recommend</u> – <b>Amend</b> as Paragraph 074 deals with the definition of ‘general conformity’ and not the basic conditions which are laid out in Paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990.</p>
Page 5	<i>The Neighbourhood Plan is policy compliant and is in general conformity with</i>	<p>If in ‘general conformity’ it will be ‘policy compliant’.</p> <p><u>Recommend</u> – <b>Delete</b> ‘is policy compliant and’ as general conformity is the standard to be achieved.</p>
Page 5	<i>... once those emerging plans are adopted, then the Twyning Neighbourhood Plan will need to be reviewed ...</i>	<p>Note - as explained by Michael Jones, Planning Solicitor, at the meeting on 12th April 2016 and recorded in comments forwarded on 18th April 2016 the plan cannot currently include an undertaking to “be reviewed to ensure it continues to be in general conformity with strategic policies” adopted in new development plan documents, as there is no legislative mechanism for undertaking such a review.</p> <p><u>Recommend</u> – <b>Retain</b> description pending proposed provisions in the Neighbourhood Planning Bill that may provide further support on reviewing Neighbourhood Plans (before this plan is made) but in the knowledge that if these are not included in the subsequent Act that a review will require the preparation of a new plan.</p>
Page 6	<i>The community of Twyning Parish has a long history of enjoying the support of a vibrant Parish Council that has undertaken, in the past, a survey of expectations in the Parish</i>	<p>What is the purpose of referring to the survey?</p> <p><u>Recommend</u> – <b>Add</b> If the survey is to be used then a proper reference should be included.</p>
Page 8	<i>Location: ... The Parish is large and includes the settlements of Twyning Green, Church End, Shuthonger, Stratford Bridge, Hill End, Whirly Grove, Showborough and Puckrup</i>	<p>The use of different descriptions for the same settlement can be confusing.</p> <p><u>Recommend</u> – <b>Amend</b> It is important to make it clear what the relationship is between Twyning Green and Twyning Village, which is used later in the plan (Page 12) to describe the settlement. If Twyning Green is not to be regarded as a settlement distinct from the Village then that should be made clear here and then</p>

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		<p>'Twyning Village' should be used throughout the rest of the plan (which makes sense as this is the settlement around which the settlement boundary is drawn).</p>
Page 8	<i>Designated Neighbourhood Area map</i>	<p>A clearer map would be helpful. The reproduction/definition has resulted in a blurred image.</p> <p><u>Recommend</u> – <b>Amend</b> higher definition version of the map. This is something that TBC can help with if necessary.</p>
Page 11	<i>It is recognised that the figure of 75 dwellings is not a ceiling and, notwithstanding the fact that housing requirement is not yet a development plan requirement, this plan seeks to makes a housing provision that would exceed that number of dwellings</i>	<p>Wording – subordinate clause uses requirement twice and it is unclear whether it is referring to the indicative nature of the figures for the distribution of development in JCS Policy SP2 or that NDPs are not required to make allocations?</p> <p>Typo – 'this plan seeks to makes' should be 'make'.</p> <p><u>Recommend</u> – <b>Amend</b> reword to make this more clear that it is the indicative nature of the JCS Policy SP2 figures that have been taken into account in determining the indicative level of provision required.</p> <p><u>Recommend</u> – <b>Amend</b> typo remove 's'</p>
Page 11	<i>'This NDP will need to be reviewed* once the TBP has been adopted'. * See Glossary</i>	<p>Note - as explained by Michael Jones, Planning Solicitor, at the meeting on 12th April 2016 and recorded in comments forwarded on 18th April 2016 the plan cannot currently include an undertaking to "be reviewed to ensure it continues to be in general conformity with strategic policies" adopted in new development plan documents, as there is no legislative mechanism for undertaking such a review.</p> <p><u>Recommend</u> – <b>Retain</b> description pending proposed provisions in the Neighbourhood Planning Bill that may provide further support on reviewing Neighbourhood Plans (before this plan is made) but in the knowledge that if these are not included in the subsequent Act that a review will require the preparation of a new plan.</p>
Page 12	<i>(see designated neighbourhood area map)</i>	<p>Not clear where this is.</p> <p><u>Recommend</u> – <b>Add</b> reference to where this is in the document.</p>
Page 12	<i>The evidence and policies in the Plan predominantly concern Twyning Village</i>	<p>'Twyning Village' This is the first time this term has been used is it referring to Twyning Green?</p>

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		<p><u>Recommend</u> – <b>Amend</b> It is important to make it clear what the relationship is between Twyning Green and Twyning Village, which is also used in the plan to describe the settlement. If Twyning Green is not to be regarded as a settlement distinct from the Village then that should be made clear and then ‘Twyning Village’ should be used throughout the rest of the plan (which makes sense as this is the settlement around which the settlement boundary is drawn).</p>
Page 12	<i>The results of the exercise were published in January 2015 in the Parish Bulletin and on the Parish NDP website which now included a NDP forum section</i>	<p>‘which now included’.</p> <p><u>Recommend</u> – <b>Amend</b> grammar check – mixed tenses</p>
Page 13	<i>Consultants Hunter Page were appointed</i>	<p>Previously introduced an abbreviation of HPP on Page 4.</p> <p><u>Recommendation</u> – <b>Amend</b> for consistency use HPP</p>
Page 13	<i>Statement of Conformity</i>	<p>Wording – strictly speaking it is the Basic Conditions Statement.</p> <p><u>Recommend</u> – <b>Amend</b> to ‘Basic Conditions Statement’</p>
Page 13	<i>From there it is the subject of an independent examination by an inspector</i>	<p>Strictly speaking it is an Examiner and not an Inspector.</p> <p><u>Recommend</u> – <b>Amend</b> Examiner instead of Inspector.</p> <p>There are two stages of consultation (Regulation 14 and Regulation 16, after Regulation 15 submission) and then Independent Examination.</p> <p><u>Recommend</u> – <b>Amend</b> rewording to accurately describe the stages according to their governing regulations.</p>
Page 13	<i>Following receipt of this report, TBC has to check the plan for legal compliance before it is put to a public referendum</i>	<p>Not quite accurate.</p> <p><u>Recommend</u> – <b>Amend</b> say that TBC consider whether to accept the plan proposal based on the recommendations of the Examiner, which includes a consideration of legal compliance, and any modifications required.</p>
Page 13	<i>Then it would be adopted as part of the development plan for Twyning Parish</i>	Twyning.

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		<u>Recommend</u> – <b>Amend</b> Spelling – Twyning
Page 14	<i>The Community Vision for Twyning Parish was developed from a Community Consultation event and questionnaire surveys of young people and the formally constituted groups, societies and organisations in the Parish</i>	Were only ‘young people’ surveyed? What about other residents and businesses?  <u>Recommend</u> – <b>Amend</b> to more accurately explain who was consulted and surveyed.
Page 14	<i>Sensitive development that protects and enriches the landscape and built setting</i>	This doesn’t say how the plan will do this.  <u>Recommend</u> – <b>Add</b> the word ‘Supporting’ to the beginning of the sentence.
Page 14	<i>Sustaining and improving excellent local facilities</i>	Are the facilities already excellent or is the vision to have excellent facilities in the future? Sustaining something excellent seems realistic, improving on excellence does not.  <u>Recommend</u> – <b>Delete</b> ‘and improving’ or re-word to include both.
Page 14	<i>Involving local people on an ongoing basis in ... monitoring and delivery of development</i>	Monitoring development and delivering development are not actions that the Parish Council can or will take.  <u>Recommend</u> – <b>Delete</b> ‘monitoring and delivery of development’
Page 16	<i>Twyning Parish has a wide range of listed buildings (heritage assets)</i>	New Policy? As with comments on Policy GD3 ‘ ... there is justification for including these as the subject of their own policy – ‘Heritage Assets’ for example’.  <u>Recommend</u> – <b>Add</b> a policy that offers protection to non-designated heritage assets and their setting as well as any others that may be identified through the work of the Borough Council’s Heritage and Conservation Officer: Chris Partrick ( <a href="mailto:Chris.Partrick@tewkesbury.gov.uk">Chris.Partrick@tewkesbury.gov.uk</a> ) as there may have been other potential local list candidates identified in the Parish and this would be supported by Paragraph 126 of the NPPF.
Page 16	<i>A rural Parish where through-traffic and parking problems have been contained to manageable proportions. The Community has expressed a clear wish to remain free of urban and suburban traffic management infrastructure. Nevertheless, increasing traffic</i>	Whilst understanding the objectives of this paragraph it contains contradictions within it:  “through-traffic and parking problems have been contained to manageable proportions”

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	<i>volumes through and within the village of Twyning pose significant problems, including the parking of cars. The Community supports management methods suited to a rural village that may combat these problems, as well as developments that promote public transport, walking and cycling, rather than use of the car</i>	<p>“increasing traffic volumes through and within the village of Twyning pose significant problems, including the parking of cars”</p> <p><u>Recommend</u> – <b>Delete</b> ‘through-traffic and parking problems have been contained to manageable proportions’ as it is the impact of increased traffic which is the focus of this issue or reword to make it clear that there is currently no problem but the concern is that there will be in the future.</p>
Page 17	<i>A rural Parish, where the community recognises that some growth in its stock of housing is needed to underpin population growth for sustainable development</i>	<p>It is not clear what the last part of this sentence means.</p> <p><u>Recommend</u> – <b>Amend</b> reword ‘to underpin population growth for sustainable development’ or expand to make this clearer.</p>
Page 17	<i>A restriction of new housing to a few sites</i>	<p>Though not a policy any suggestion of arbitrary restriction will not be acceptable to an Examiner as all ‘housing applications should be considered in the context of the presumption in favour of sustainable development’ (NPPF Para 49) and NPPF Paras 157 and 182 require us to ‘plan positively for the development and infrastructure required in the area’; and ‘boost significantly the supply of housing’ (NPPF Para 47).</p> <p><u>Recommend</u> – <b>Delete</b> last sentence ‘A restriction of new housing to a few sites integral to the service village settlement (as required by the JCS and TBP) would enable its character to be retained’.</p>
Page 17	<i>There is a need to ensure the sustainability of a range of different services, including for employment, shopping, recreation, leisure, health and education</i>	<p>Employment is not a service in itself. This appears to mix general accessibility and perhaps supporting local businesses with sustaining services.</p> <p><u>Recommend</u> – <b>Delete</b> ‘employment’</p>
Page 18	<i>modest scale developments / smaller scale development</i>	<p>Though not a policy these terms are likely to be considered ambiguous, negative and unnecessary by an examiner.</p> <p><u>Recommend</u> – <b>Delete</b> the last sentence as this section states that the housing strategy for growth is explained later the ‘This is primarily based on modest scale developments within and on the edge of the main settlement area of Twyning Green but also enabling smaller scale development across the Parish where appropriate’</p>
Page 18	<i>A small number of in-fill housing could be accommodated within the service village</i>	‘a small number of in-fill housing’?

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	<i>settlement which would provide new affordable housing opportunities</i>	<p><u>Recommend</u> – <b>Amend</b> Suggest in-fill ‘houses’.</p> <p>‘service village settlement’? Does this refer to the boundary drawn only for Service Village purposes or to the settlement boundary of the service village (Twynning Green).</p> <p><u>Recommend</u> – <b>Amend</b> needs to be clarified which boundary this refers to.</p>
Page 18	<i>This can also help meet the housing number targets set out in the Emerging JCS for Gloucester, Cheltenham and Tewkesbury along with the Emerging TBP</i>	<p>Whilst the Approach to Rural Sites Background Paper sets out figures these are only indicative and may be subject to change as they are currently being considered by the JCS Inspector. The criteria for deciding where smaller levels of development would go is set out in the emerging JCS policy SP2. The rural housing numbers are based on a borough-wide need and the allocation disaggregation depends on the ability of other settlements to meet requirements. The housing numbers referred to are therefore only part of the picture and are not a ‘target’.</p> <p><u>Recommend</u> – <b>Delete</b> reference to the indicative housing figures as ‘targets’.</p>
Page 18	<i>there is great concern that new development in Twynning Parish could erode the very qualities that make the Parish special if it is not carefully managed in terms of its scale and design</i>	<p>Whilst the rest of this paragraph states that the community understands the need to accommodate housing growth this section refers to managing the scale and design. It is important to remain aware of limitations to the powers given to neighbourhood plans in the Localism Act 2011 and detailed in NPPF paragraphs 183 to 185 which does not include scale in terms of quantum:</p> <p>183 – includes: “Develop and Shared Vision”, “Deliver the Sustainable Development they need” by “Setting Planning Policies”</p> <p>184 – includes: “The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan”, “Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them” and “Neighbourhood plans and orders should not promote less development than set out in the Local Plan or undermine its strategic policies”</p> <p>185 – includes: “Neighbourhood plans will be able to shape and direct sustainable development”</p> <p><u>Recommend</u> – <b>Delete</b> reference to ‘scale’ and replace with ‘location’.</p>

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Page 20	<i>Future growth based on large scale, inappropriate development along existing village boundaries will not be supported by the community unless allocated within this Plan</i>	As the Neighbourhood Plan doesn't allocate 'large scale inappropriate development' this sentence is meaningless.  <u>Recommend</u> – <b>Delete</b> sentence.
Page 22	<i>Saved policies of the TBLP relevant to the NDP</i>	It is not necessary to list the relevant saved policies of the TBLP as all elements of the development plan for an area should be read as a whole and this will date the plan as the new higher level policies are adopted.  <u>Recommend</u> – <b>Delete</b> section on the saved policies of the Tewkesbury Borough Local Plan to 2011. However if left in the following comments are relevant.
Page 22	<i>It is noted that some of these saved policies have been considered out of date by Inspectors at appeals due to a lack of a Borough-wide 5 year housing land supply</i>	Following the case of <u>Hopkins v SSCLG and Cheshire East DC v SSCLG [2016]</u> in the Court of Appeal "Relevant policies for the supply of housing" was interpreted to mean "relevant policies affecting the supply of housing" not just 'housing policies'. This extends Paragraph 49 to other policies that restrict the supply of housing.  Also need to consider the impact of the Ministerial Statement <sup>2</sup> on 3 Year Housing Land Supply requirement for areas with a Neighbourhood Plan that allocates housing.  <u>Recommend</u> – <b>Amend</b> the explanation to accurately describe the requirement to have a 5 (Para 49) and subsequent 3 Year Housing Land Supply, remove description of the current situation in the submission plan as this will date the plan once made.
Page 22	<i>HOU2-9, HOU11, HOU13-14. Housing development</i>	Saved Policies HOU10 and HOU12 are generally applicable and have been omitted.  <u>Recommend</u> – <b>Add</b> Policies HOU10 and HOU12 to the list.
Page 22	<i>HEN2 Setting of conservation areas</i>	Saved Policies HEN6 and HEN7 are generally applicable and have been omitted (relevant if an application for shopfront/canopy in Churchend Conservation Area).  <u>Recommend</u> – <b>Add</b> Policies HEN6 and HEN7 to the list.
Page 22	<i>LND3 Landscape protection zones LND4 Countryside LND7 Landscaping</i>	Saved Policy LND5 'Important Open Spaces' includes Twyning Green.  <u>Recommend</u> – <b>Add</b> Policy LND5 to the list.

<sup>2</sup> Gavin Barwell, 12<sup>th</sup> December 2016.

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Page 22	<i>EVT9 Drainage. EVT5 and EVT9 Flood and SUDs.</i>	EVT9 Sustainable Urban Drainage Systems appears twice.  <u>Recommend</u> – <b>Delete</b> duplication.
Page 22	<i>EVT9 Drainage. EVT5 and EVT9 Flood and SUDs. EVT2 Light pollution</i>	Saved Policies EVT1 and EVT3 are generally applicable and have been omitted.  <u>Recommend</u> – <b>Add</b> Policies EVT1 and EVT3 to the list.
Page 22	<i>NCN3, NCN5 and NCN6 Nature conservation, where these are in conformity with the NPPF.</i>	These saved policies appear twice in the list.  <u>Recommend</u> – <b>Delete</b> duplication.
Page 22	<i>RCN 1 – 4 Recreational Areas / Outdoor Leisure Facilities</i>	Repetition of RCN1 Outdoor Playing Space.  <u>Recommend</u> – <b>Delete</b> repetition.  Saved Policies RCN6 to RCN10 are generally applicable and have been omitted.  <u>Recommend</u> – <b>Add</b> Policies RCN6 to RCN10 to the list.
Page 22	<i>GNL2 Design requirements for major development proposals GNL13 Advertisements GNL15 New community facilities</i>	Saved Policies GNL6 and GNL8 are generally applicable and have been omitted.  <u>Recommend</u> – <b>Add</b> Policies GNL6 and GNL8 to the list.
Page 22	<i>GNL15 New community facilities TPT1, TPT3, TPT5, TPT6, TPT9; Accessibility GNL11, GNL15, Design implementation and new facilities</i>	Repetition of GNL15 New Community Facilities.  <u>Recommend</u> – <b>Delete</b> repetition.
Page 22	<i>TPT1, TPT3, TPT5, TPT6, TPT9; Accessibility</i>	Saved Policy TPT16 is generally applicable and has been omitted.  <u>Recommend</u> – <b>Add</b> Policy TPT16 to the list.
Page 23	<i>Neighbourhood Plan Policies ... LF2 Twyning Village Centre</i>	See comments relating to Page 8 and Page 12 on the relationship between, and description of, Twyning Green and Twyning Village.  <u>Recommend</u> – <b>Amend</b> It is important to make it clear what the relationship is between Twyning Village Centre and Twyning Green, which is also used in the plan to describe the settlement. If Twyning Green is not to be regarded as a settlement

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		distinct from the Village then that should be made clear and then 'Twyning Village' should be used throughout the rest of the plan (which makes sense as this is the settlement around which the settlement boundary is drawn).
Page 24	<b>Policy S1:</b> <i>Proposals for new housing outside of the development boundary, and not on allocated sites, in the open countryside will only be permitted in the following limited circumstances</i>	<p>'limited' is an unnecessary word used for emphasis. The policy as expressed does not meet the requirement to plan positively for the development and infrastructure required in the area, in Paragraph 157 and 182 of the NPPF.</p> <p><u>Recommend</u> – <b>Amend</b> re-wording: '... countryside will be supported if they meet the following criteria: ...'</p>
Page 24	<p><b>Policy S1:</b></p> <ul style="list-style-type: none"> <li>a) <i>Retention, repair and refurbishment of existing dwellings;</i></li> <li>b) <i>Replacement dwellings;</i></li> <li>c) <i>Domestic extensions;</i></li> <li>d) <i>Rural exception housing to meet an identified Parish need in accordance with Tewkesbury Borough Council policy, taking account of other policies in this Plan;</i></li> <li>e) <i>Agricultural and forestry dwelling.</i></li> </ul>	<p>This policy does not allow for the re-use or conversion of existing buildings (i.e. barn conversions) and would therefore be inconsistent with paragraph 55 of the NPPF and the government's permitted development rights.</p> <p>It is therefore suggested that an additional criterion is added to the policy as set out below. Furthermore, to ensure the appropriate implementation of this new suggested policy provision it is also recommended that an additional set of development principles are included at Policy GD1, so to avoid the conversion of unsubstantial buildings requiring major rebuilding or reconstruction.</p> <p><u>Recommend</u> – <b>Add</b> bullet point:</p> <ul style="list-style-type: none"> <li>• The proposal would involve the re-use or conversion of an existing building and accords with the relevant development principles set out at Policy GD1.</li> </ul>
Page 24	<b>Policy S1:</b> <i>'... Retention, repair and refurbishment of existing dwellings' and '... domestic extensions'</i>	<p>The reference to the 'retention, repair and refurbishment of existing dwellings' and to 'domestic extensions' within this policy causes confusion. The focus of Policy S1 is on '<u>new</u> housing development in the open countryside' whereas these proposals do not involve new housing (but rather the improvement/alteration of existing housing).</p> <p>As the retention, repair and refurbishment of existing dwellings does not normally constitute 'development', as defined in Section 55 of the Town and Country Planning Act 1990 and would not in most cases require planning permission, the reference to these proposals within the policy is unnecessary and should be removed. If Policy S1 is intended to apply where refurbishment/extension proposals would produce new, additional dwelling units (i.e. the refurbishment/extension of</p>

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		<p>an existing single dwelling and its subdivision into two dwellings) then that would be covered by the additional criterion set out above.</p> <p><u>Recommend</u> – <b>Delete</b> bullet points a) and c)</p>
Page 24	<i>This degree of control will help support the function of Twyning as a service village and help protect the local countryside</i>	<p>Adding this sentence to the justification for the policy, without further explanation of how preventing development will support the function of Twyning, does not add anything to it's impact, and other policies in the plan (which must be read as a whole) seek to protect the local countryside and it therefore only serves to suggest a negative approach.</p> <p><u>Recommend</u> – <b>Delete</b> sentence.</p>
Page 24	<i>This policy seeks to counter unrestricted development ...</i>	<p>No development is 'unrestricted' so re-wording is necessary.</p> <p><u>Recommend</u> – <b>Amend</b> by re-wording '... policy seeks to focus development within the development boundary, on allocated sites and in the open countryside in exceptional circumstances'.</p>
Page 24	<i>The Parish Council supports the UK Sustainable Development Strategy and expects decision makers to take into account the provisions and guidance of the UK Sustainable Development Strategy when assessing applications for new development</i>	<p>Repetition of 'UK Sustainable Development Strategy' could be avoided with re-wording.</p> <p><u>Recommend</u> – <b>Amend</b> by rewording to remove duplication.</p>
Page 25	<b>Policy S2</b> ... <i>and does not cause significant harm to existing patterns of development, such as open spaces that contribute to the key characteristics of the village</i>	<p>Repetition of the requirement which applies to the whole Parish in Policy H2 'Housing standards, design and mix' to "not cause the loss of, or damage to, any open space which is important to the character of the Parish". It is not necessary to repeat requirements from other parts of the NDP or wider documents making up the Development Plan for the area as they should be read together.</p> <p><u>Recommend</u> – <b>Delete</b> '... such as open spaces that contribute to the key characteristics of the village' either in Policy S2 or from bullet point 4 of Policy H2 on page 40 to remove duplicate requirements.</p> <p><u>Recommend</u> – <b>Amend</b> If retained the requirement to "not cause significant harm to existing patterns of development" would be more in conformity with NPPF Paras 58</p>

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		and 65 if expressed as 'respecting' existing patterns of development.
Page 25	<i>Infill plots typically relate to a street or village frontage</i>	What is a 'village frontage'? is this necessary? Should it have been village green frontage?  <u>Recommend</u> – <b>Delete</b> 'village' or if village green frontage then add 'green'.
Page 25	<i>New buildings should respect important vistas within and views out of streets and settlements. The aim should also be to create new views and juxtapositions of elements that add to the variety and texture of the setting</i>	On Views and Vistas see also comments on Page 3: "The difference between a view and a vista is a very subtle one, they are often used interchangeably and in this instance are they being used to identify the same thing – a 'key' vista which suggests it is perceived to be a valued view – generally policies should be kept as concise and accurate as possible – are both necessary?"  <u>Recommend</u> - <b>Amend</b> Consider whether both are necessary?
Page 26	<i>This section seeks to address development principles</i>	It does not seek to address but rather 'establishes' development principles.  <u>Recommend</u> – <b>Amend</b> by rewording.
Page 26	<i>This section seeks to address development principles in relation to ... vehicle provision and infrastructure</i>	What is meant by 'vehicle provision'? this does not seem to be a land-use matter.  <u>Recommend</u> – <b>Delete</b> '... vehicle provision' or reword if this is a reference to accommodating vehicles.
Page 26	<i>Twynning Parish is off the main energy supply network and most homes are heated by fuel oil or LPG gas.</i>	This needs re-wording as electricity qualifies as energy supply so it isn't accurate, this is referring specifically to mains gas.  <u>Recommend</u> – <b>Amend</b> replace '... main energy supply network' with 'mains gas network'.
Page 26	<i>Community feedback</i>	It is worth considering whether community feedback should be included in such detail in the final submitted plan or whether this should be included in evidence and/or the accompanying Consultation Statement.  <u>Recommend</u> – <b>Amend</b> the explanation to present conclusions.  On detail, the use of percentages without details of the numbers within the population are questionable.

Reference	Consultation Draft NDP wording	TBC officer comments
		<u>Recommend</u> – <b>Add</b> figures to support the use of percentages.
Page 27	<b>10.1 Development principles</b>	This is the first time that a section number has been added to a subtitle.  <u>Recommend</u> – <b>Delete</b> section number for consistency.
Page 27	<i>Parish and settlements, particularly Twyning Green, have distinctive surroundings and character.</i>	Needs a grammar check as there seems to be a 'The' missing from the beginning of this sentence.  <u>Recommend</u> – <b>Add</b> 'The' to beginning of sentence.
Page 27	<i>This should set a precedent for all new development to follow to be successfully accommodated into the Parish. Standard urban design will not be acceptable.</i>	Repetition of same sentence under 'Background' on Page 26.  <u>Recommend</u> – <b>Delete</b> repetition.
Page 27	<i>The nature of existing development in Twyning Green will influence the form of any new development</i>	Why is this only relevant to 'Twyning Green'? the policy refers to "All new development within Twyning Parish" and it is also important to Church End etc?  <u>Recommend</u> – <b>Amend</b> 'Twyning Green' to 'the Parish'.
Page 27	<i>... good quality design is an important principle at higher level planning policy</i>	'in' higher level planning policy.  <u>Recommend</u> – <b>Amend</b> check grammar.
Page 27	<i>Policy GD1 will address these issues</i>	'Address' see comments made on Page 26: 'it does not seek to address but rather 'establishes' development principles'  Note – there is also a question of the tense used for the final version 'Policy GD1 [addresses] establishes ... '  <u>Recommend</u> – <b>Amend</b> by rewording.
Page 27	<b>Policy GD1: All new development ...</b>	The use of the term 'all new development' is too wide a requirement. Will these policy requirements also relate to domestic extensions for example? The NPPF, at Paragraph 154, states that "Only policies that provide a clear indication of how a decision maker should react to a development proposal should be included in the plan".  <u>Recommend</u> – <b>Amend</b> More precise wording should be considered – new dwellings?

Reference	Consultation Draft NDP wording	TBC officer comments
Page 27	<b>Policy GD1:</b> ... <i>Development should take every opportunity, through good design and suitable materials, to reinforce local distinctiveness and a strong sense of place.</i>	<p>New business premises?</p> <p>There is a contradiction between ‘take every opportunity ... to reinforce local distinctiveness ...’ with the statement on Page 25 that says “High quality design, relevant to context, is the most important factor, and a contemporary solution that provides modern spaces, while at the same time considers the scale, materials, grain and elevational rhythm of its context may provide a better solution. Today’s high-quality buildings are tomorrow’s heritage”</p> <p><u>Recommend</u> – <b>Amend</b> to remove this conflict by rewording more positively ‘Development that, through good design and use of suitable materials reinforces local distinctiveness and a strong sense of place will be supported’.</p>
Page 27	<b>Policy GD1:</b> ... <i>1. New development should reflect the historical growth that has shaped the distinctive character of Twynning Parish reflecting the pattern of development, its grain, density and materials within the immediate area</i>	<p>There is a contradiction between ‘... reflecting the pattern of development, its grain, density and materials ...’ with the statement on Page 25 (see comment above).</p> <p><u>Recommend</u> – <b>Amend</b> with use of the word ‘respecting’ which is used elsewhere rather than reflecting as this is otherwise a good point that covers the general design principles.</p>
Page 27	<b>Policy GD1:</b> ... <i>2. Specifically, new buildings ridge and eaves heights should be compatible with those of adjacent buildings so that they do not dominate or overwhelm the street scene</i>	<p>It is not necessary to specify that ridge or eaves heights should be compatible, over bearing impact is a very basic principles that would be picked up in any application and this policy is therefore considered to be too restrictive as it does not provide sufficient flexibility where a proposal may be taller than adjacent buildings but does not necessarily dominate the street scene.</p> <p><u>Recommend</u> – <b>Amend</b> bullet point 2 to still achieve the same outcome:</p> <p>“New buildings should not dominate or overwhelm the street scene, in terms of their height, scale and massing”.</p>
Page 27	<b>Policy GD1:</b> ... <i>3. New buildings, or extensions to existing buildings, shall not extend beyond the principal building line of existing adjacent groups of buildings</i>	<p>To specify that new buildings or extensions should not extend beyond the principle building line of existing buildings is difficult to justify as every site and development will have its own context and constraints and opportunities and there may already be a very varied building line, in which case the character would already be that some buildings come forward of this building line. It is therefore also considered to be ambiguous and too restrictive.</p>

Reference	Consultation Draft NDP wording	TBC officer comments
		<p><u>Recommend</u> – <b>Amend</b> bullet point 3 to avoid issues with interpretation and provide flexibility:</p> <p>“New buildings, or extensions to existing buildings, shall be sited where they will respect the established development pattern of the area including any defined building line within the street.</p>
Page 27	<p><b>Policy GD1:</b> ... 4. <i>Development shall incorporate locally distinctive features such as:</i></p> <p><i>Black and white frame houses</i>  <i>Lime mortar render</i>  <i>Multi coloured red bricks in Twynning</i>  <i>Red brick Wood End</i></p> <p><i>Barn Conversions retaining agricultural feel</i>  <i>Georgian buildings in Shuthonger</i>  <i>Houses set back from road</i>  <i>Wide verges</i>  <i>Maintain lack of street lighting</i></p>	<p>There is a risk that these bullet points, are considered to be an examination of the local vernacular, and requiring specific features could be considered unnecessarily prescriptive (NPPF Paragraph 59) when the NPPF already contains a core principle, in Paragraph 17, bullet point 5, that planning should always secure high quality design; Paragraph 58 of the NPPF requires that development adds to the overall character of the area, establish a strong sense of place, respond to local character and history, reflect the identity of local surroundings and are visually attractive; and Paragraph 64 advocates the refusal of development of poor design that fails to improve the character and quality of an area.</p> <p>The aspiration that ‘Development shall incorporate locally distinctive features’ is good but it is not necessary to list all the features, as some things may be missed and likewise by listing them it may inadvertently imply that a house that includes some black and white timber, for example, would be acceptable. Unauthentic attempts to replicate historic architectural features is not good design.</p> <p><u>Recommend</u> – <b>Delete</b> examples of locally distinctive features in bullet point 4. retaining the general ambition that ‘Development that incorporates locally distinctive features will be supported’.</p>
Page 27	<p><b>Policy GD1:</b> ... 4. ... <i>As appropriate to reflect the build in the locality</i></p>	<p>Why does this caveat only apply to the first four features and not the other five (in particular Georgian buildings in Shuthonger)?</p> <p><u>Recommend</u> – <b>Delete</b> along with the list of locally distinctive features in bullet point 4. As reference to specific architectural styles does not comply with the requirements of NPPF Paragraph 60 that “Planning policies and decisions should not attempt to impose architectural styles or particular tastes”.</p>
Page 27	<p><b>Policy GD1:</b> ... 5. <i>The height, size and design of new buildings, or extensions to existing</i></p>	<p>This does not appear to add anything to the NPPF Paragraph 17 core principles (as identified above bullet point 5) and Paragraph 58 and 64 (see above) as it applies to</p>

Reference	Consultation Draft NDP wording	TBC officer comments
	<i>buildings, and the materials used shall be in keeping with the scale, character and appearance of the locality and its wider setting.</i>	new buildings.  <u>Recommend</u> – <b>Delete</b> ‘... new buildings, or’ and retain the principles as they apply to extensions to existing buildings.
Page 28	<b>Policy GD1:</b> ... 6. Traditional boundary treatments of an area shall be retained and, where feasible, enhanced.	‘traditional’ either needs to be defined so that it meets the requirements of the NPPF Paragraph 154 that states that “Only policies that provide a clear indication of how a decision maker should react to a development proposal should be included in the plan” or replaced with ‘existing’.  <u>Recommend</u> – <b>Amend</b> replace ‘traditional’ with ‘existing’.
Page 28	<b>Policy GD1:</b> ... 7. Development will be supported where it does not unacceptably erode the important undeveloped gap between Twyning Green and the settlement of Church End. (See Policy ENV2)	Whilst this is a good point about morphology and coalescence, it is not the correct place for it as it is not really about urban design and is covered in Policy ENV2. As the plan and other documents that make up the development plan for the area should be read as a whole there is no need to repeat a policy requirement.  <u>Recommend</u> – <b>Delete</b> bullet point 7.
Page 28	<b>Policy GD1:</b> ... 8. Development shall take every opportunity, where practicable and viable, to incorporate features that improve its environmental performance thereby reducing carbon emissions in accordance with renewable energy targets.	Clarity – reference what ‘renewable energy targets’?  <u>Recommend</u> – <b>Amend</b> be more specific about ‘renewable energy targets’. Perhaps this could be linked to code for sustainable homes making it more specific, otherwise the statement of ‘where practicable and viable’ could be used to avoid the requirement.
Page 28	<b>Policy GD1</b>	Need to ensure the acceptable conversion/re-use of buildings proposed under Policy S1 (recommended modifications above).  <u>Recommend</u> – <b>Add</b> an additional criteria to Policy S1:  “Where proposals would involve the re-use or conversion of an existing building, the existing building should be of a substantial construction and should be capable of re-use/conversion without any major new building works or complete reconstruction. Proposals should preserve or enhance the existing character and appearance of the building and respect its surroundings”
Page 28	<i>The landscape within the Parish has the unique character designation of Twyning Hills and</i>	Riverside Meadows is included in the list of Nature Conservation Areas on Page 55 (see comments below regarding policy protection) but ‘Twyning Hills and Riverside

Reference	Consultation Draft NDP wording	TBC officer comments
	<i>riverside meadows.</i>	Meadows' is not.  <u>Recommend</u> – <b>Amend</b> to remove or replace Twyning Hills wither here or on Page 55 to ensure consistency.
Page 28	<i>... impressive number of listed buildings shown opposite</i>	Map of listed buildings is not shown opposite.  <u>Recommend</u> – <b>Amend</b> replace 'opposite' with 'below' (Page 29).
Page 29	<i>Listed Buildings Map</i>	Reproduction is unclear.  <u>Recommend</u> - <b>Amend</b> higher definition map reproduction required as this is blurry.
Page 30	<b>Note:</b>	It is not clear what the status of this 'Note' is. It is phrased as a Policy with a requirement for impact assessments and scaled drawings that are not included in Policy GD2.  <u>Recommend</u> – <b>Delete</b> note and add requirement to Policy. Note could be retained as a highlighted quotation of a policy.
Page 30	<b>Policy GD2:</b> ... 1. (see Appendix B)	The hyperlink '(see Appendix B)' opens a new window in internet explorer and takes you to Appendix D – Views and Vistas on the Parish website which needs updating.  <u>Recommend</u> – <b>Amend</b> Appendix letter needs to be changed on website to match plan if hyperlink is to be retained. Alternatives would be either to delete the hyperlink or link to the Appendix at the end of the document.
Page 30	<b>Policy GD2:</b> ... <i>Development shall respect the local landscape quality ensuring that views and vistas are maintained wherever possible</i>	Respecting 'local landscape quality' is a separate requirement from maintaining 'views and vistas'.  <u>Recommend</u> – <b>Amend</b> so that they are expressed as separate criteria.  On Views and Vistas see also comments on Pages 3 and 25: "The difference between a view and a vista is a very subtle one, they are often used interchangeably and in this instance are they being used to identify the same thing – a 'key' vista which suggests it is perceived to be a valued view – generally policies should be kept as concise and accurate as possible – are both necessary?"  <u>Recommend</u> – <b>Amend</b> Consider whether both are necessary?

Reference	Consultation Draft NDP wording	TBC officer comments
Page 30	<b>Policy GD2:</b> ...	<p>'listed buildings, conservation areas and other key features'</p> <p><u>Recommend</u> – <b>Amend</b> Views and Vistas are shown on the map at Appendix B as the policy refers to listed buildings, conservation areas and other key features, these need to be included on the map. Also see comments on Appendix B regarding number of views and their public nature.</p> <p>Listed Buildings and Conservation Areas Key distinctive views should be 'public' and expressed as such. The view to and from a listed building would be part of the protection afforded to the setting.</p> <p><u>Recommend</u> – <b>Amend</b> carry out a review to check that all views identified are 'public' and delete those that can only be enjoyed from private property.</p> <p><u>Recommend</u> – <b>Delete</b> 'listed buildings'</p> <p>Key Features that Contribute to the Parish's Character What are these key features? This is rather vague.</p> <p><u>Recommend</u> – <b>Amend</b> As commented above, unless they are identified elsewhere like listed buildings, they need to be defined if views to and from them are to be protected.</p>
Page 30	<b>Policy GD2:</b> ... 4. ... <i>New planting associated with development proposals should not adversely affect important views into and within the Parish</i>	<p>The effect of development on important views also appears in bullet point 1 and 2. It is unnecessary to repeat requirements within the plan as it should be read as a whole along with the other documents that make up the development plan for the area.</p> <p><u>Recommend</u> – <b>Delete</b> bullet point 4.</p>
Page 30	<b>Policy GD2:</b> ... 5. ... <i>New development will not be permitted where it is likely to harm the network of local ecological features such as water courses, ponds, hedgerows and tree-lines. Development will be expected to protect and enhance existing ecological corridors and</i>	<p>This criteria is considered to be too inflexible and would be inconsistent with the mitigation hierarchy set out at paragraph 118 of the NPPF.</p> <p><u>Recommend</u> – <b>Amend</b> wording as follows: "Development will normally be expected to protect and enhance existing ecological</p>

Reference	Consultation Draft NDP wording	TBC officer comments
	<i>landscape features for their biodiversity value</i>	corridors and landscape features for their biodiversity value. New development should avoid causing harm to the network of local ecological features such as water courses, ponds, hedgerows and tree-lines. If resulting harm cannot be avoided, adequately mitigated or, as a last resort, compensated for, then permission will not be granted”.
Page 30	<b>Policy GD2:</b> ...	<p>The retention of ‘historically or culturally’ significant features and ‘ecologically or biologically’ important features are distinct requirements.</p> <p><u>Recommend</u> – <b>Amend</b> to included in separate criteria (the inclusion of ‘visually’ is commented upon above). Including ‘historically or culturally’ significant features in a policy on landscape and bio-diversity is not recommended, there is justification for including these as the subject of their own policy – ‘Heritage Assets’ for example.</p>
Page 31	<i>‘... the environmental pressures caused by indiscriminate car parking’</i>	<p>What is meant by environmental pressures? Is this, and the term ‘indiscriminate’, the right terms for inconsiderate parking causing a nuisance?</p> <p><u>Recommend</u> – <b>Amend</b> wording to more accurately reflect the problems caused.</p>
Page 31	<i>‘... particularly in Twyning Green’</i>	<p>It is unclear whether this is referring to just the Green or the Village?</p> <p><u>Recommend</u> – <b>Amend</b> It is important to make it clear what the relationship is between Twyning Green and Twyning Village, which is also used in the plan to describe the settlement. If Twyning Green is not to be regarded as a settlement distinct from the Village then that should be made clear and then ‘Twyning Village’ should be used throughout the rest of the plan (which makes sense as this is the settlement around which the settlement boundary is drawn).</p>
Page 31	<b>Policy GD3:</b> <i>‘... will generally be resisted’ ‘... will be resisted’ ‘... will not be permitted’</i>	<p>The policy requires rewording as currently written it does not meet the requirement to ‘plan positively’ in NPPF Paras 157 and 182.</p> <p>Refer to comments made on 26th July 2016 “The statement “in line with Policy GD3, proposed residential developments that result in on-street car parking will be resisted” is overly restrictive. Any development could result in on-street parking in theory, even if lots of off-street spaces are provided. We recommending deleting this requirement.”</p> <p><u>Recommend</u> – <b>Delete</b> ‘Developments that result in additional on street parking will</p>

Reference	Consultation Draft NDP wording	TBC officer comments
		generally be resisted’, ‘Parking areas and new roads that visually dominate the locality will be resisted’ and ‘Large uninterrupted areas of hard standing are not compatible with the rural character of the area and will not be permitted’.
Page 31	<b>Policy GD3:</b> ‘Developments that result in additional on street parking will generally be resisted’	<p>As well as parking within new residential curtilage policy must ensure that new roads are designed to accommodate parking and appropriate landscaping, rather than simply prohibiting it.</p> <p>Refer to comments made on 26<sup>th</sup> July 2016 “The statement “in line with Policy GD3, proposed residential developments that result in on-street car parking will be resisted” is overly restrictive. Any development could result in on-street parking in theory, even if lots of off-street spaces are provided. We recommending deleting this requirement.”</p> <p><u>Recommended</u> – <b>Delete</b> as above.</p>
Page 31	<b>Policy GD3:</b> ‘Off-street car parking should be provided within all new developments’	<p>The use of the term ‘all new development’ is too wide a requirement. There is nothing to demonstrate that the approach, of requiring ‘all new developments’ to provide off-street car parking, would be viable or deliverable in all cases, having regard to Paragraph 173 of the NPPF, this should not be expressed as an absolute requirement.</p> <p><u>Recommend</u> – <b>Amend</b> so that this is not an absolute requirement, ‘where possible new residential and business developments should include off-street car parking’.</p>
Page 31	<b>Policy GD3:</b> ‘Car parking and new roads shall be made available ...’	<p>Language used ‘made available’ seems inappropriate.</p> <p><u>Recommend</u> – <b>Amend</b> consider re-wording.</p>
Page 31	<b>Policy GD3:</b> ‘Parking areas and new roads that visually dominate the locality will be resisted’	<p>Where on-plot parking is provided, so that it doesn’t dominate the street scene, it is worth requiring it to be to the side of dwellings and behind the building line, where possible.</p> <p><u>Recommend</u> – <b>Add</b> requirement for ‘parking provided within the residential curtilage of a residential dwelling should be to the side of dwellings and behind the building line, where possible’.</p>
Page 31	<b>10.3 Effect on nearby occupants:</b> ‘The effect of a development on the amenities of any	Incorrect use of the term ‘amenities’.

Reference	Consultation Draft NDP wording	TBC officer comments
	<i>residents or occupiers ... Residents amenities can be harmed ...'</i>	<u>Recommend</u> – <b>Amend</b> 'amenity' instead of amenities.
Page 31	<b>10.3 Effect on nearby occupants:</b> '... The Community seeks to protect the area from unnecessary development that would lead to adverse impacts on specific infrastructure sources ...'	<p>Requires rewording as currently written it does not meet the requirement to 'plan positively' in NPPF Paras 157 and 182. Using the term 'unnecessary' development may have the effect of allowing development which would lead to the adverse impacts suggested if an applicant can demonstrate that it is necessary (which is possible if the requisite housing land supply cannot be demonstrated). The term 'specific' infrastructure means nothing unless such infrastructure is specified. 'Sources' of infrastructure seems an inappropriate term to be used.</p> <p><u>Recommend</u> – <b>Amend</b> reword so that the plan expresses support for those developments that conform rather than opposition to those that do not, <b>Delete</b> reference to 'unnecessary' development, <b>Delete</b> reference to 'specific' infrastructure and <b>Amend</b> by using an alternative to 'sources'.</p>
Page 32	<b>Policy GD4:</b> 'Planning permission will not be granted to any development that is likely to lead to demonstrable harm to those interests of acknowledged importance'	<p>Requires rewording as currently written:</p> <ol style="list-style-type: none"> <li>1. It does not meet the requirement to 'plan positively' in NPPF Paras 157 and 182, the plan should express support for those developments that conform rather than opposition to those that do not;</li> <li>2. It does not meet the requirement of the NPPF, at Paragraph 154, which states that "Only policies that provide a clear indication of how a decision maker should react to a development proposal should be included in the plan" as interests of acknowledged importance are not specified and no supporting evidence is provided; and</li> <li>3. The statement fails to allow for the required balanced approach. Any harm arising from development must always be considered alongside potential benefits.</li> </ol> <p><u>Recommend</u> – <b>Delete</b> 'Planning permission will not be granted to any development that is likely to lead to demonstrable harm to those interests of acknowledged importance'.</p>
Page 32	<b>10.4 Infrastructure capacity:</b>	Compliance – Developer contributions must be 'necessary, directly related to development and fairly and reasonably related in scale and kind' and this section does not appear to have regard to Paragraph 204 of the NPPF. In addition the last sentence in this section demonstrates a failure to 'plan positively for the

Reference	Consultation Draft NDP wording	TBC officer comments
		development and infrastructure required in the area' in Paragraph 157 and 182 of the NPPF instead trying to impose restrictions.
Page 32	<b>Policy GD5:</b> <i>'New development will be required to incorporate appropriate Sustainable Drainage Measures (SuDs) in accordance with the CIRIA SuDs Manual (C753).</i>	<p>Whilst the references to the SuDs Manual provided by the Borough's Flood Risk Management Engineer are currently correct it may be worth making a more generic reference to industry best practice guidance so that the references do not go out of date.</p> <p><u>Recommend</u> – <b>Amend</b> replacing 'CIRIA SuDs Manual (C753)' with 'Industry best practice guidance' or re-word:</p> <p>"New development will be required to incorporate Sustainable Drainage Measures (SuDs) in accordance with the most up to date version of the CIRIA SuDs Manual or any other industry best practice guidance superseding or replacing that document".</p>
Page 34	<b>Policy GD5:</b> <i>Bullet points</i>	<p>The continuation of Policy GD5 from Page 32 should be in bold.</p> <p><u>Recommend</u> – <b>Amend</b> format bullet points 1. To 4. On the top of page 24 to Bold to show that they are part of Policy GD5.</p>
Page 35	<b>Policy GD8:</b> <i>Street Paraphernalia</i>	<p>The second part of this policy does not relate to 'street paraphernalia' but to requirements of individual dwellings that would be better located under design policies applicable to all development.</p> <p>However the use of the term 'all new development' is too wide a requirement.</p> <p><u>Recommend</u> – <b>Delete</b> this section from Policy GD8 and <b>move</b> to Policy H2 'Housing Standards, Design and Mix'</p>
Page 36	<b>11. Housing growth ...</b> <i>There are currently 658* dwellings and 110 licenced residential caravans in the Parish of Twyning</i>	<p>Tewkesbury Borough Council no longer 'licence' residential mobile homes or caravans on Gypsy, Traveller and Travelling Showpeople sites and yards. It is unclear what this figure refers to. This is important as residential mobile homes that are not holiday homes with conditions limited the amount of time per annum that they can be occupied are counted as residential dwellings, whereas Gypsy, Traveller and Travelling Showpeople sites and yards are accounted for separately. It also leads to uncertainty in the next sentence – is it 470 dwellings or residential units including caravans that are located in Twyning Green (see above for comments regarding the definition and use of terms to describe this settlement)?</p>

Reference	Consultation Draft NDP wording	TBC officer comments
		<p><u>Recommend</u> – <b>Delete</b> term ‘licenced’ and <b>amend</b> to distinguish between the different categories of ‘caravans’ using the appropriate terms described above and <b>amend</b> second sentence to clarify what the 470 relates to.</p>
Page 36	<p><b>11. Housing growth</b> ... <i>This NDP has been prepared taking into account the latest figures for the Objectively Assessed Housing Need (OAHN) ...</i></p>	<p>The explanation regarding the JCS Planning Inspectors calculation of the OAN from her interim report will date the plan and may be better contained in supporting evidence.</p> <p><u>Recommend</u> – <b>Delete</b> detailed explanation of the calculation of the OAN and the disaggregation process from the plan including instead a summary of the requirements that have been influential and presenting this information in a supporting document on housing need which may be updated during the lifetime of the plan without the need for a plan review.</p>
Page 36 and 37	<p><b>11. Housing growth</b> ... <i>The best communities have developed through incremental growth that harmonises with the existing character of their setting and buildings. It is essential that this continues to be the case in Twyning Parish ...</i></p>	<p>This is presented as fact but is not supported by evidence and should therefore be presented as opinion.</p> <p><u>Recommend</u> – <b>Amend</b> to make it clear that it is the opinion of the Neighbourhood Planning Group, Parish Council or Qualifying Body unless there is evidence of public opinion to this effect in which case this should be stated and supported.</p>
Page 38	<p><b>12. Housing policies</b> ... <i>To fulfil the current requirement to meet our Service Village housing allocation ...</i></p>	<p>The figures identified for each of the Service Villages through the disaggregation process are purely indicative and not an ‘allocation’.</p> <p><u>Recommend</u> – <b>Amend</b> wording to more accurately present the policy situation and avoid dating the Policy:</p> <p>“To support the sustainable development of Twyning as a Service Village up to 2031, two sites are allocated for residential development ...”</p>
Page 38	<p><i>The village of Twyning is identified within the emerging JCS as a ‘service village’. Subsequently, and as set out in Section 11 above, the housing allocations listed in Policy H1 above will exceed that strategic plan housing provision.</i></p>	<p>Repetition of explanation on Page 36. The figures identified for each of the Service Villages through the disaggregation process are purely indicative.</p> <p><u>Recommend</u> – <b>Delete</b> paragraph to avoid repetition, unnecessary reference to other areas of the plan and remove inaccuracies.</p>
Page 38	<p><i>In addition, Policy S2 of this plan is permissive of</i></p>	<p>The size of infill development will be determined by the size and location of the</p>

Reference	Consultation Draft NDP wording	TBC officer comments
	<i>organic growth by way of smallscale and infill development within the defined development boundary shown on the proposals map at Appendix A of this Plan.</i>	plots of land available and the policies within the plan relating to such development, use of the term 'smallscale' is therefore unnecessary.  <u>Recommend</u> – <b>Delete</b> 'smallscale and'
Page 40	<b>Note:</b> <i>All proposals for new residential development will be expected to be supported by a statement setting out how the development meets the objectively identified housing needs of the Parish in terms of the housing mix proposed. In addition, all new residential development will be supported by a Landscape and Design Statement that sets out how the proposed development responds to its landscape and/or townscape setting. The level of detail contained within supporting statements shall be commensurate with the scale of development proposed.</i>	It is not clear what the status of this 'Note' is. It is phrased as a Policy with a requirement for a supporting statement that is not included in Policy H2.  The use of the term 'all new development' is too wide a requirement. Will these policy requirements also relate to domestic extensions for example? The NPPF, at Paragraph 154, states that "Only policies that provide a clear indication of how a decision maker should react to a development proposal should be included in the plan".  <u>Recommend</u> – <b>Delete</b> note.
Page 40	<b>Policy H2:</b> <i>Subject to compliance with Policy H1, H6, H7, S1 and S2 and policies GD1 to GD8 of this Plan ...</i>	It is not necessary to list other policies in the plan as all elements of the development plan for an area should be read as a whole.  <u>Recommend</u> – <b>Delete</b> first clause of Policy H2.
Page 40	<b>Policy H2:</b> ... <i>Bullet Point 1. The development includes dwellings of a mix of sizes, both in respect of physical size and type taking into account the objectively identified housing needs of Twyning Parish;</i>	This needs rewording: 'mix of sizes, in respect of physical size' makes sense but 'mix of sizes, in respect of type' does not. The reference to the objectively identified housing needs of Twyning Parish is also not supported by evidence which is established at a Borough level.  <u>Recommend</u> – <b>Amend</b> wording to make the 'mix' required clearer, such as:  'The development includes a mix of housing in terms of dwelling size, type and tenure.'
Page 40	<b>Policy H2:</b> ... <i>Bullet Point 2.</i>	This bullet point is unnecessary as this is already covered in Policy T2 'Access'.  <u>Recommend</u> – <b>Delete</b> bullet point 2.
Page 40	<b>Policy H2:</b> ... <i>Bullet Point 3.</i>	The first sentence of this bullet point 'The proposed housing is of a scale and density

Reference	Consultation Draft NDP wording	TBC officer comments
		<p>that is compatible with the part of the Parish in which it is to be located.’ Duplicates requirements in Policy GD1 ‘Development Principles’.</p> <p>The second sentence of this bullet point ‘Development will be expected to respect and enhance the natural, built and historic environment in line with the provisions of Policy GD1 and in doing so maintain the Parish’s established rural character;’ not only duplicates the requirement in Policy GD1 but also makes reference to the need to comply with it which is unnecessary when the plan is read, as required, as a whole.</p> <p><u>Recommend</u> – <b>Delete</b> bullet point 3.</p>
Page 40	<b>Policy H2:</b> ... <i>Bullet Point 4.</i>	<p>Duplication of Policy S2 on page 25. See comments above on Policy S2.</p> <p><u>Recommend</u> – <b>Delete</b> bullet point 4 or requirement in Policy S2 to remove duplicate requirements.</p>
Page 40	<b>Policy H2:</b> ... <i>Bullet Point 5.</i>	<p>This seems to be a duplication of the requirement in GD2 bullet point 2 on page 30.</p> <p><u>Recommend</u> – <b>Delete</b> bullet point 5 or requirement in Policy GD2 to remove duplicate requirements.</p>
Page 40	<b>Policy H2:</b> ... <i>Bullet Point 7.</i>	<p>This requirement would be better incorporated into GD3 on page 31.</p> <p><u>Recommend</u> – <b>Delete</b> bullet point 7 and incorporate this requirement into Policy GD3.</p>
Page 41	<b>Note:</b>	<p>It is not clear what the status of this ‘Note’ is. It is phrased as a Policy with a requirement for an affordable housing statement that is not included in Policy H3. As the Objectively Assessed Need for housing is calculated at a Borough level this would place an unacceptable burden on the developer. Affordable housing thresholds and levels of contribution are set in the saved policies of the Tewkesbury Borough Local Plan to 2011 in Policy HOU13 and in the emerging Joint Core Strategy Policy SD13.</p> <p><u>Recommend</u> – <b>Delete</b> note.</p>
Page 41	<i>The affordable units will be provided for those individuals in housing need with a local</i>	<p>Slight rewording required to accurately reflect the wording of Policy H3 bullet point 2.</p>

Reference	Consultation Draft NDP wording	TBC officer comments
	<i>connection in accordance with the TBC housing allocation policy</i>	<p><u>Recommend</u> – <b>Amend</b> wording, such as:</p> <p>‘The affordable units will be provided for those individuals in housing need in accordance with the TBC housing allocation policy with priority being given to those with a local connection to the Parish of Twyning.’</p>
Page 41	<b>Policy H3:</b> ... and shall be fully integrated and evenly distributed throughout the development of which it forms a part	<p>This does not take account of the requirement for TBC to meet borough-wide housing need. Whilst the objective of integrating and evenly distributing affordable housing within a development, of which it forms a part, is good this may not always be possible and any subsidy/financial contribution received cannot be retained for use solely within the Parish, though priority may be given to meeting those needs.</p> <p><u>Recommend</u> – <b>Add</b> ‘ ... and where possible ...’ after ‘...local housing need, and ...’</p>
Page 41	<b>Policy H3:</b> ... All affordable housing will be subject to a planning obligation to ensure that: 1. It is secured to provide affordable housing not released, over time, to private ownership	<p>The NPPF defines affordable housing as: “Affordable housing: Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision<sup>3</sup>.”</p> <p>The perpetuity element of affordable housing delivered in this way (through planning gain) is regarding not simply the bricks and mortar but also the finance (the subsidy) that has brought the homes about.</p> <p>The NPPF definition of affordable housing allows for the sale of a home, whether this is through the Right To Buy, Right to Acquire or ‘Stair-casing’ to 100% of shared ownership/equity products. Policy H3’s requirement for the bricks and mortar to remain affordable in perpetuity is not therefore acceptable.</p> <p>Giving priority to using revenue, from sales of affordable homes within the Parish, to build replacements within the Parish itself would be acceptable providing there was provision for it to be used elsewhere in the Borough if land was not available within the Parish.</p>

<sup>3</sup> NPPF, Annex 2: Glossary

Reference	Consultation Draft NDP wording	TBC officer comments
		<u>Recommend</u> – <b>Delete</b> bullet Point 1.
Page 42	<i>... This policy should be read in conjunction with Policy HOU6 of the Saved Policies of the TBLP.</i>	It is unnecessary to refer to other policies that form part of the development plan for the Borough as these should be read together and references to the saved policies of the Tewkesbury Borough Local Plan to 2011 will date the plan.  <u>Recommend</u> – <b>Delete</b> sentence.
Page 42	<b>Policy H4:</b> <i>... Bullet Point 2 ... or provide views out of the village to the surrounding countryside, are maintained</i>	Public views are already identified in Policy GD2 and Appendix B for protection. The requirement as worded would not allow much of this type of development (extensions/outbuildings), if it requires planning permission and is not covered by permitted development rights.  <u>Recommend</u> – <b>Delete</b> second clause of bullet point 2.
Page 42	<b>Policy H4:</b> <i>... Bullet Point 3 ... Traditional boundary treatments of an area are retained and where feasible reinforced</i>	Duplication of Policy GD1 bullet point 6 on page 28.  <u>Recommend</u> – <b>Delete</b> bullet point 3.
Page 42	<b>Policy H4:</b> <i>... Bullet Point 4.</i>	Recognised on page 31 'The effect of a development on the amenities of any residents or occupiers of adjacent land who may be affected is a material planning consideration' and included on page 32 in Policy GD4 with some duplication also occurring in Policy H2 on page 40 in bullet point 6.  <u>Recommend</u> – <b>Delete</b> bullet point 4 as Policy GD4 applies to all types of development.
Page 42	<b>Policy H4:</b> <i>Bullet Point 5.</i>	This appears overly restrictive and it is not clear how a decision maker would apply it, contrary to NPPF Paragraph 154 that states that "Only policies that provide a clear indication of how a decision maker should react to a development proposal should be included in the plan" as it may lead to unreasonable outcomes, for example, if a property with many parking spaces loses one/more but would not increase on-street parking.  <u>Recommend</u> – <b>Delete</b> bullet point 5.
Page 43	<i>Tourism contributes to the Twyning Parish economy created predominantly by a large caravan community. The plan expects existing</i>	The description mixes issues and uses. Caravans that contribute to tourism in the Parish are not part of the housing stock in planning terms. This is a complex and sensitive area of planning policy that requires more work to distinguish between the

Reference	Consultation Draft NDP wording	TBC officer comments
	<p><i>mobile homes to represent an important element of the overall housing stock within the district. However, in planning terms, when assessing whether replacement of mobile homes by dwellings is appropriate, it is important to disregard the existing use/permission, and to assess the site as if it were appropriate for new residential development.</i></p>	<p>different uses and permissions for mobile homes in the parish. Some may already be 'mobile homes' with residential planning permission, others may be mobile homes with conditions requiring them to be either 'second homes' or 'limiting the period of occupancy in any one year, others may be mobile homes and caravans with planning permission specifically for Travellers, these may be permanent, temporary or personal and may be specifically for 'Gypsies and Travellers' (referred to as Pitches on Sites) or 'Travelling Showpeople' (referred to as Plots on Yards).</p> <p><u>Recommend</u> – <b>Amend</b> explanation to separate out the different issues.</p>
Page 43	<p><b>Policy H5:</b></p>	<p>Policy H5 uses terms as alternative descriptions that, without further definition, mean the same thing 'mobile homes or residential caravans'.</p> <p>The policy adds nothing to the guidance to be found in the NPPF (2012), Planning Policy for Travellers Sites (2015), the Housing Act 2004, the Housing and Planning Act 2016 and 'Draft guidance to local housing authorities on the periodical review of housing needs for caravans and houseboats' (2016).</p> <p><u>Recommend</u> – <b>Delete</b> Policy H5.</p>
Page 44	<p><i>Other community commodities include a 17 seater mini-bus, a Parish website, a Neighbourhood Watch scheme and The Bulletin which is published three times a year.</i></p>	<p>Commodities is not an appropriate description.</p> <p><u>Recommend</u> – <b>Amend</b> 'commodities' to 'assets and facilities'.</p>
Page 45	<p><i>Within the Twyning Parish area, the village of Twyning Green is classified as a service village.</i></p>	<p>Duplication from Pages 11, 20, 36 and 38.</p> <p><u>Recommend</u> – <b>Delete</b> sentence.</p>
Page 45	<p><i>The sewer system has hydraulic and processing capacity issues, the solution of which is part of an ongoing technical investigation by Severn Trent.</i></p>	<p>This will (hopefully if the problem is addressed) date the plan.</p> <p><u>Recommend</u> – <b>Retain</b> but review as progress is made and <b>amend</b> if the situation changes before the plan is submitted to the LPA.</p>
Page 45	<p><b>Policy LF1:</b> ... <i>Where development is acceptable in principle under the policies of this Plan, all development proposals will be expected to have regard to existing levels of infrastructure, services and facilities. Account shall be taken of</i></p>	<p>Paragraph 156 of the NPPF requires Local Planning Authorities to 'set out the strategic priorities for the area in the Local Plan. This should include strategic policies to deliver: ... the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including</p>

Reference	Consultation Draft NDP wording	TBC officer comments
	<i>the cumulative impacts arising from the new development combined with other schemes that have planning permission. Development that is likely to adversely affect infrastructure, services and facilities will be resisted unless an appropriate level of mitigation can be achieved and evidenced.</i>	heat)' this is currently done in the saved policies of the Tewkesbury Borough Local Plan to 2011 Policy GNL11 and in the emerging JCS through Policies INF5, INF7 and INF8.  <u>Recommend</u> – <b>Delete</b> first paragraph of policy LF1
Page 45	<b>Policy LF1:</b> ... Subject to the provisions of other policies of this Plan, new development will be supported where it provides new or improved infrastructure to which there is an identified need that will benefit the community as a whole.	It is not necessary to refer to the requirements of other policies within the plan as the plan is to be read as a whole along with the other documents that make up the development plan for the area.  <u>Recommend</u> – <b>Delete</b> first clause of this paragraph 'subject to the provisions of other policies of this plan'
Page 45	<b>Policy LF2:</b> ... Subject to the provisions of other policy S1(d) and S2, of this Plan	It is not necessary to refer to the requirements of other policies within the plan as the plan is to be read as a whole along with the other documents that make up the development plan for the area.  <u>Recommend</u> – <b>Delete</b> first clause of this sentence.
Page 46	<i>High employment rates and the social demographics provided by the Office for National Statistics (March 2011) help support the local economy:</i>	Needs rewording as it is not the 'social demographics provided by the Office for National Statistics (March 2011)' that ' help support the local economy' they explain along with the evidence of 'high employment rates' the success of the 'local economy'.  <u>Recommend</u> – <b>Amend</b> by rewording to make the explanation clearer.
Page 46	<i>The growth in technology based manufacturing and design businesses are consistent with the GFirst LEP vision for business support and growth along the M5 corridor.</i>	GFirst LEP.  <u>Recommend</u> – <b>Add</b> to the Glossary.
Page 46	<i>In the centre of Twynning Green is the village store with hairdresser above. Part-time postal services also operate from the store three days per week. Three pubs are located within the Parish attracting customers from the surrounding area and seasonal tourist trade.</i>	Duplication of explanation from Page 45, Infrastructure section.  <u>Recommend</u> – <b>Delete</b> duplication.

Reference	Consultation Draft NDP wording	TBC officer comments
Page 46	<i>The parish has a notably higher number of self-employed than the national average.</i>	<p>Figures are quoted to support other statements.</p> <p><u>Recommend</u> – <b>Add</b> for consistency the local and national figures for self-employment.</p>
Page 48	<i>The Parish has reason to tackle these issues through the following policy to help identify suitable development opportunities for employment.</i>	<p>The meaning of this sentence is unclear.</p> <p><u>Recommend</u> – <b>Amend</b> by re-wording.</p>
Page 48	<p><b>Policy E1:</b> <i>New employment development for the conversion of existing buildings or the small scale expansion of existing premises will be permitted providing it results in no adverse impact upon the landscape and providing the following criteria are met:</i></p> <ol style="list-style-type: none"> <li><i>1. the development would improve local employment opportunities; and</i></li> <li><i>2. the development is appropriate in scale to the locality;</i></li> <li><i>3. the development relates to the conversion or re-use of a vacant building that is of a construction that is suitable for the development proposed without the need for major, additional construction works.</i></li> </ol> <p><i>Small-scale employment development that is demonstrated to improve local employment opportunities will be permitted within, or adjacent to, Twyning Green and within or adjacent to the outlying settlements. Such development shall be consistent and commensurate with the scale, form and function of the Parish, and shall accord with the provisions of Policies GD1 to GD8 of this Plan.</i></p>	<p>It is considered that the first part of this policy needs some minor re-wording to ensure clarity. At present the policy seems to suggest that new employment proposals will only be permitted where they involve the conversion or re-use of a vacant building due to the wording of criterion 3.</p> <p><u>Recommend</u> – <b>Amend</b> to address this by re-wording as follows:</p> <p>“New employment development involving the conversion of existing buildings or the small-scale expansion of existing premises will be permitted providing it results in no adverse impact upon the landscape and providing the following criteria are met:</p> <ol style="list-style-type: none"> <li>1. the development would improve local employment opportunities;</li> <li>2. the development is appropriate in scale to the locality; and</li> <li>3. where the development relates to the conversion or re-use of a vacant building, the building should be of a construction that is suitable for the development proposed without the need for major, additional construction works”. <p>The second part of this policy contains the confusion over exactly what ‘Twyning Green’ is referring to and also opens up the possibility through misinterpretation that development could be permitted ‘within ... Twyning Green’. It also fails to provide the required certainty for a decision maker as it refers to development being ‘consistent and commensurate with the scale, form and function of the Parish’ which itself is varied. It is also unnecessary to state that development ‘shall accord with the provisions of ...’ as all policies making up the development plan for an area must be read together. The policy wording is also repetitive using ‘scale, form and function’ twice first as a requirement (‘shall be ...’) and the second time negatively</p> </li></ol>

Reference	Consultation Draft NDP wording	TBC officer comments
	<p><i>Development that is not consistent and commensurate with the scale, form and function of the Parish will be resisted.</i></p> <p><i>To enable safe and convenient access for all members of the community, new employment development proposals will need to demonstrate they are safely and sustainably located and equally accessible for pedestrians and cyclists as well as those using motor vehicles. Development shall accord with the provisions of Policies TP1 and TP2 of this Plan.</i></p> <p><i>Large scale employment development will be resisted within the Parish.</i></p>	<p>(‘Development that is not ... will be resisted’).</p> <p><u>Recommend</u> – <b>Amend</b> wording of second part as follows:</p> <p>“Development that improves local employment opportunities will be supported in sustainable locations within or adjacent to settlements within the Parish providing they are of a scale, form and function which respects the existing character of that particular settlement”.</p> <p>The third part of this policy repeats the requirements contained in Policy TP2 and unnecessarily references both Policy TP2 and TP1.</p> <p><u>Recommend</u> - <b>Delete</b> third part of this policy.</p> <p>The fourth part of this policy is unnecessary when other parts of the policy specifically refer to small –scale development and require development of a scale, form and function which respects the existing character of a particular settlement.</p> <p><u>Recommend</u> - <b>Delete</b> fourth part of this policy.</p>
Page 49	<p><i>... using home as a working base for at least part of the week offers a number of benefits for businesses. For example, home working can help working parents with childcare responsibilities</i></p>	<p>The example of employee benefits does not flow on from the sentence before which introduces it.</p> <p><u>Recommend</u> – <b>Amend</b> wording by adding ‘and employees’ to the preceeding sentence after ‘ ... benefits for businesses’</p>
Page 49	<p><i>Policy E2: ... Planning permission for development that enables home working will be granted provided it is consistent with the provisions of Policies GD1 to GD8 of this Plan. Extensions to Home Working Units will be assessed against Policy H4 of this Plan.</i></p>	<p>Both sentences in this policy unnecessarily refer to the requirements of other policies within the plan and are therefore not necessary. It is not possible to say that ‘planning permission ... will be granted’ as the neighbourhood plan, once adopted becomes a material consideration in the planning balance undertaken by the Local Planning Authority.</p> <p><u>Recommend</u> – <b>Amend</b> Policy E2 replacing existing wording with:</p> <p>‘Development which enables home-working will be supported’</p>
Page 49	<p><i>Policy E3: ... All new residential and employment</i></p>	<p>Missing word.</p>

Reference	Consultation Draft NDP wording	TBC officer comments
	<i>will provide ...</i>	<u>Recommend</u> – <b>Add</b> ‘development’ after ‘employment’
	<i>Policy E3: ... Where possible, the fibre broadband cabinet points should be located where coverage can extend to existing properties not currently connected, via Fibre to the Cabinet or Fibre to the Premises solutions.</i>	<p>Developer contributions must be ‘necessary, directly related to development and fairly and reasonably related in scale and kind’ and this section does not appear to have regard to Paragraph 204 of the NPPF. Whilst it is not the responsibility of new development to correct existing problems this requirement may be reworded to express support for those that do this.</p> <p><u>Recommend</u> – <b>Amend</b> wording to:</p> <p>‘Support will be given to developments that incorporate fibre broadband cabinet points at locations which facilitate the further expansion of the network’</p>
Page 50	<b>15. Transport</b>	<p>The explanation at the beginning of this chapter contains many elements which may date the plan, which will subject to review, run through to 2031.</p> <p><u>Recommend</u> – <b>Retain</b> but consider some re-wording to remove references to factors that are likely to change over the next 14 years. If providing a snapshot in time make it clear the date to which the observations relate.</p>
Page 51	<i>... However, the Plan ensures that new development does not make the current situation significantly worse</i>	<p>It isn’t possible for the plan to ensure this so would suggest ‘aims to ensure’.</p> <p><u>Recommend</u> – <b>Amend</b> wording to ‘aims to’ ensure.</p>
Page 51	<b>Policy TP1:</b> <i>Development will only be permitted where it can be demonstrated that no significant increase in the volume of traffic will arise within Twyning Parish, particularly where the road network is narrow and pedestrian traffic is high.</i>	<p>There is inconsistency between this policy and the NPPF. Policy TP1 aims to prevent development which will cause a ‘significant’ increase in the volume of traffic whereas the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are ‘severe’ (paragraph 32). It is considered that the ‘significant increase’ test within TP1 would be a stricter requirement than that in the NPPF and therefore unacceptable.</p> <p><u>Recommend</u> - <b>Amend</b> wording as follows:</p> <p>“Development will only be permitted where it can be demonstrated that any resulting increase in the volume of traffic within Twyning Parish will not result in a severe impact, particularly where the road network is narrow and pedestrian traffic</p>

Reference	Consultation Draft NDP wording	TBC officer comments
		is high”.
Page 51	<i>... As a small rural community, access should be made available to all, including people with mobility difficulties.</i>	It is not just ‘small rural’ communities that are required to do this due to the Disability Discrimination Act 1995, the Equalities Act 2010 and the guidance of the NPPF (2012).  <u>Recommend</u> – <b>Delete</b> first clause ‘As a small rural community,’
Page 52	<b>Policy TP2:</b> <i>... Such measures shall be assessed against Policies GD2, GD6, GD7 and GD8 of this Plan.</i>	It is not necessary to list other policies in the plan as all elements of the development plan for an area should be read as a whole.  <u>Recommend</u> – <b>Delete</b> last sentence of first paragraph.
Page 52	<b>Policy TP2:</b> <i>... Development will not be permitted unless there is, or where possible provision is made for safe convenient and attractive access for pedestrians, taking into account the needs of people with mobility difficulties, within sites and to the surrounding area. Development proposals should seek to maximise opportunities to walk and cycle wherever possible.</i>	This requirement does not appear to add anything to the NPPF: Core Principles in Paragraph 17 to ‘actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable’; or the Paragraph 35 requirement that ‘developments should be located and designed where practical to ... create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones ... consider the needs of people with disabilities by all modes of transport’.  <u>Recommend</u> – <b>Delete</b> first paragraph of policy.
Page 54	<b>Map: Common Land</b>	The map is not very clear, does not have a key or any annotation.  <u>Recommend</u> – <b>Amend</b> with a higher definition reproduction of the map, adding a key and annotation to show the commons. This is something that TBC can help with if necessary.
Page 55	<i>Nature conservation areas</i>	In the list of sites that are managed to safeguard their biodiversity, only the Key Wildlife Sites ‘b) Brockeridge Common ... c) Shuthonger Common’ and Mythe Railway have a saved policy from the Tewkesbury Borough Local Plan to 2011 protecting them (Policy NCN3).  <u>Recommend</u> – <b>Add</b> Whilst the emerging Tewkesbury Borough Plan will look to

Reference	Consultation Draft NDP wording	TBC officer comments
		<p>include other sites, in particular SSSIs 'a) Upham Meadow and Summer Leasow' Policy NCN2 was not saved and you may want to consider specifically including these in Policy ENV1 as well as identifying them on the map at Annex D.</p> <p>Other sites in the list were not previously protected and if they are to be included (added to the policy and map) a comprehensive approach would be to demonstrate with a consistent and transparent methodology, which establishes tests which potential sites, that have no other statutory protection, must pass in order to qualify as Nature conservation areas and demonstrates how each area satisfies the tests. If adopting this approach it would be an opportunity to also assess and include Twynning Hills which is mentioned on Page 28.</p> <p>When re-drafting it will be important to consider the NPPF Paragraph 113 requirement that "Distinctions should be made between the hierarchy of international, national and locally designated sites" potentially using these as headings within the policy under which to put the relevant site.</p>
Page 56	<b>Policy ENV1:</b> ... '(Appendix D)'	<p>The hyperlink '(Appendix D)' opens a new window in internet explorer and takes you to Appendix F – Conservation map on the Parish website which needs updating.</p> <p><u>Recommend</u> – <b>Amend</b> Appendix letter needs to be changed on website to match plan if hyperlink is to be retained. Alternatives would be either to delete the hyperlink or link to the Appendix at the end of the document.</p>
Page 56	<b>Policy ENV1:</b> ... ' <i>Development in these areas would be unacceptable unless significant enhancements and improvements to the nature conservation value can be demonstrated</i> '	<p>The statement fails to allow for the required balanced approach which requires "that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise". Any harm arising from development must always be considered alongside potential benefits.</p> <p><u>Recommend</u> – <b>Amend</b> Suggested wording – 'Development in these areas is likely to be unacceptable unless ... (old wording of TBLP to 2011 Policy NCN2 on SSSIs used the following ...) A) The development can be subject to conditions that will prevent damaging impacts on wildlife habitats or important physical features, or B) if other material considerations are sufficient to override nature conservation considerations'</p>
Page 56	<b>Policy ENV2:</b> ... <i>The objective of this policy is to</i>	The first sentence states the objective of the policy and is not part of the policy.

Reference	Consultation Draft NDP wording	TBC officer comments
	<i>ensure that the community of Twyning maintains its identity and character.</i>	<u>Recommend</u> – <b>Amend</b> moving the sentence to the explanation or reasoned justification instead.
Page 56	<b>Policy ENV2:</b> ... i. <i>The area of separation is desirable in order to ensure that the identity and distinctiveness of settlements is retained. (Appendix C)</i>	<p>From the location of '(Appendix C)' after this bullet point it suggests that the appendix will provide evidence of why it is 'desirable ... to ensure ... the identity and distinctiveness of settlements is retained'. However it does not do this. Appendix C just provides the map of the 'Area of Separation' which applies to the whole policy and should therefore be identified in the preceding text which introduces the area.</p> <p><u>Recommend</u> – <b>Add</b> evidence of a consistent and transparent methodology for evaluating potential Local Gaps, which establishes tests which potential sites must pass in order to qualify as Local Gaps and demonstrates how this area satisfies the tests.</p> <p>This bullet point is not a policy requirement but a statement/part of a reasoned justification.</p> <p><u>Recommend</u> – <b>Amend</b> moving the bullet point to the explanation or reasoned justification instead.</p>
Page 56	<b>Policy ENV2:</b> ... ii. <i>Development for recreational use such as a country park or showground will be supported</i>	<p>Including examples of recreational use such as these (in particular 'showground') may have unanticipated consequences. Even with the caveat that they "do not detract from the open and undeveloped character of the area" this may still allow for uses that may be undesirable.</p> <p><u>Recommend</u> – Amend wording along the lines of the South Worcestershire Development Plan, which has been through Examination and has been adopted. This has a 'strategic gap' policy SWDP2 D which states simply that: "development proposals should ensure the retention of the open character of the Significant Gaps" it is then in the reasoned justification where the purpose, or objectives, are explained.</p>
Page 57	<b>Sports and Recreation:</b> <i>These are sites valued for their open access for sport, recreation and amenity. They are areas where residents can come together informally and where community</i>	Twyning Green is identified in the TBLP to 2011 saved Policy LND5 as Important Open Space. However it is worth considering incorporating this into an updated Policy ENV3 offering extended protection (including Land adjacent to the TRAC site and the Sports Field at Puckerup) as 'Local Green Space' (NPPF Paragraphs 76 to 78).

Reference	Consultation Draft NDP wording	TBC officer comments
	<p><i>events are held.</i></p> <p><i>a) Village green</i></p> <p><i>b) Land adjacent to the TRAC site</i></p> <p><i>c) Sports field at Puckrup</i></p>	<p><u>Recommend</u> – <b>Add</b> to the protection afforded to these spaces by gathering and presenting evidence to demonstrate that they meet the requirements in Paragraph 77 of the NPPF, this would add a level of protection akin to Green Belts (Paragraph 78) ruling out new development other than in ‘very special circumstances’ (Paragraph 76). The requirement for ‘where appropriate’ making provision for the enhancement of those facilities or support the creation of additional space ...’ could be retained.</p> <p>Refer also to comments from 26<sup>th</sup> July 2016 “We recommend amending the supporting text to Policy ENV2 on Local Green Spaces to provide evidence that the requirements for the designation of Local Green Space have been met in each case, in particular the requirement to demonstrate how and why it is special to the local community and holds a particular local significance.”</p> <p>“Whilst the location of the Village Green and possibly the land adjacent to the TRAC site may require their retention. The location of the sports pitch at Puckrup Hotel would we believe need to be protected by a policy that would allow for alternative provision.</p> <p>We would recommend amending this section of the policy to apply a different criteria to the potential redevelopment of this sports pitch, only allowing development to take place if an alternative of the same or better provision is provided.”</p>
Page 57	<b>Policy ENV3:</b> ... ‘Appendix E’	<p>The hyperlink ‘Appendix E’ opens a new window in internet explorer and takes you to Appendix G – Recreation map.</p> <p><u>Recommend</u> – <b>Amend</b> the map on the Parish website to ‘Appendix E’ as well. If further changes are made to naming and numbering make sure these separate maps are also updated.</p>
Page 58	... and consider the need to review the Plan in response to changing National, District and local requirements ...	As explained by Michael Jones, Planning Solicitor, at the meeting on 12th April 2016 and recorded in comments forwarded on 18th April 2016 the plan cannot currently include an undertaking to “be reviewed to ensure it continues to be in general conformity with strategic policies” adopted in new development plan documents, as

Reference	Consultation Draft NDP wording	TBC officer comments
		<p>there is no legislative mechanism for undertaking such a review.</p> <p><u>Recommend</u> – <b>Retain</b> however provisions in the Neighbourhood Planning Bill may provide further support on reviewing Neighbourhood Plans before the plan is made, which will then require this explanation/undertaking to be updated.</p>
Page 59	'JCS'	<p>The hyperlink takes you to the November 2014 submission version of the JCS document.</p> <p><u>Recommend</u> – <b>Retain</b> however this will need to be updated as the plan progresses.</p>
Page 60	<i>Glossary and further evidential papers ... Definitions of 'vitality' and 'viability'</i>	<p>There seems to be a confusion between the use of three terms: Vitality, Vibrancy and Viability. Whilst the definition of Vitality and Vibrancy may be retained in the Glossary (as they are used within the plan, in Policy LF2) Viability only appears in the Glossary and not within the plan itself.</p> <p><u>Recommend</u> – <b>Delete</b> viability from the Glossary as this is explaining a term that is not used in the plan.</p>
Page 60	Glossary and further evidential papers ... Definitions of 'vitality' and 'viability'	<p>The text on page 60 extends to more than an appropriate explanation within a Glossary and discussing the importance and means of achieving these concepts adds nothing to the plan itself.</p> <p><u>Recommend</u> – <b>Delete</b> extended explanation of terms within Glossary. Requirements are included in the text which read as Policies but are not included as such and should therefore be either properly incorporated as policies in the relevant section of the plan, with supporting introduction and reasoned justification, or should be <b>deleted</b> – these are:</p> <p>“When assessing proposals for development that fall outside of the defined development boundary, consideration will be given to matters that ensure the development does not undermine the vitality of the village centre. In some circumstances there might be a need to undertake a sequential test and the impact test.”</p> <p>“When assessing proposals for development that fall outside of the defined development boundary, consideration will be given to matters that ensure the</p>

Reference	Consultation Draft NDP wording	TBC officer comments
		development does not undermine the viability of the village centre” and the paragraph below which is a reasoned justification.
Page 60	Glossary and further evidential papers ... Definition of ‘reviewed’	<p>Whilst the definition of ‘reviewed’ may be retained in the Glossary, as it is used within the plan, the explanation of the actions that will be taken should be integrated into Section 18. Monitoring and delivery.</p> <p><u>Recommend</u> – <b>Amend</b> this section of the Glossary to remove the explanation of the actions that will be taken and move them into Section 18 instead:</p> <p>“If circumstances within the designated area change, the Parish will re-convene the NDP committee for the purpose of ensuring that the Plan is still appropriate for the changed circumstances and meets the needs of the Parish. If there is evidence that the needs have changed and the NDP no longer meets those needs, the committee may make a recommendation to the Parish Council to amend the Plan and resubmit for consultation or such process as may have been developed in the meantime. This process will be repeated should similar circumstance arise from the production of the TBP.”</p>
Page 60	It is the Plan’s objective to encourage a mix of appropriate village uses to support and enhance the vibrancy of Twyning village centre.	<p>This appears to be in the wrong section.</p> <p><u>Recommend</u> – <b>Amend</b> as this would be more appropriately accommodated in Section 5. Community objectives.</p> <p>There is also a problem with a lack of consistency as this sentence refers to Twyning Village Centre but in other places within the plan the Village is referred to as Twyning Green to distinguish it from other settlements within the Parish.</p> <p><u>Recommend</u> – <b>Amend</b> after a review of the descriptions used to ensure consistency.</p>
Page 61	Links: NPPF ... JCS	<p>Both of these links are provided in the relevant entry in the Glossary.</p> <p><u>Recommend</u> – <b>Delete</b> links to remove duplication.</p>
Page 61	Links	<p>TBC have recently launched a new website which means some of the links no longer work other links to the Parish Council’s own website also do not work.</p> <p><u>Recommend</u> - <b>Amend</b> the following links that no longer work and need to be</p>

Reference	Consultation Draft NDP wording	TBC officer comments
		<p>updated:</p> <ul style="list-style-type: none"> <li>• <u>TBC Plan to 2011</u> - <a href="https://www.tewkesbury.gov.uk/tewkesbury-borough-plan">https://www.tewkesbury.gov.uk/tewkesbury-borough-plan</a></li> <li>• <u>Draft TBC Plan 2015</u> – same page on new website</li> <li>• <u>Conservation Area</u> – add Character Assessment and date (2003)</li> <li>• <u>Settlement</u> – resulted in a 404 error code (was it to a settlement boundary map?)</li> <li>• <u>Appendix A</u> - the hyperlink opens a new window in internet explorer and takes you to Appendix B – Service Village map (highlighting settlement boundary)</li> <li>• <u>Appendix B</u> - resulted in a 404 error code</li> <li>• <u>Appendix C</u> - resulted in a 404 error code</li> <li>• <u>Appendix D</u> - the hyperlink opens a new window in internet explorer and takes you to Appendix F – Conservation map</li> <li>• <u>Appendix E</u> - resulted in a 404 error code</li> </ul>