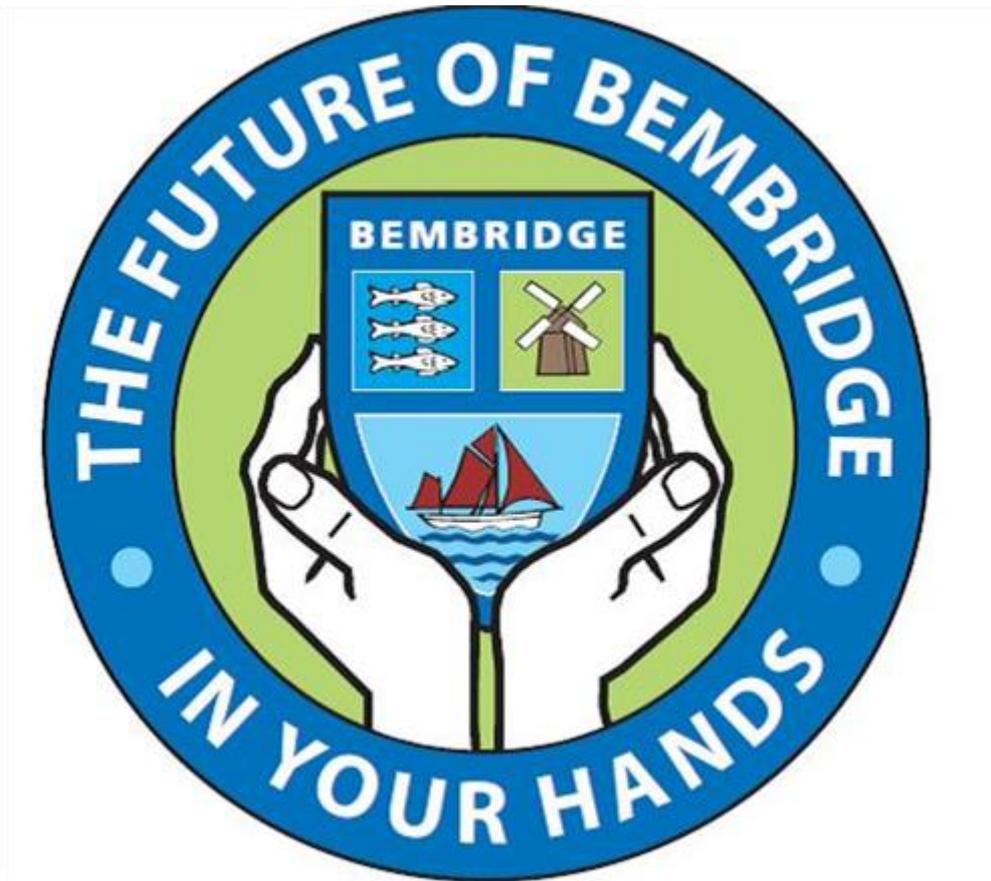


Bembridge Neighbourhood Development Plan BNDP

“If the Neighbourhood Development Plan is to be meaningful it has to be used as a working document” [BNDP: Delivery Strategy and Action Plan, 2013]



Examination Report

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Introduction

I was put forward to undertake this independent examination of the *Bembridge Neighbourhood Development Plan* BNDP, by the Royal Institution of Chartered Surveyors Neighbourhood Planning Independent Examiner Referral Service ([NPIERS](#)) during March 2014. And was selected to fulfil this role by the Isle of Wight Council (IOWC) in conjunction with Bembridge Parish Council.

My job is to review the BNDP and supporting documents against the *Basic Conditions*; these are helpfully summarised in the *Locality* 'Neighbourhood Plans Roadmap Guide' (undated, page 38):

Basic Conditions for Neighbourhood Plans require that:

- “they must have appropriate regard for national policy
- they must contribute to the achievement of sustainable development
- they must be in general conformity with the strategic policies in the development plan for the local area
- they must be compatible with human rights requirements
- they must be compatible with EU obligations”

What follows in this report is based on a review of about 40 written documents, including 23 representations from 9 different organisations and individuals.

A list of resources referred to, and hyperlinks to these, are given in the section 'Documents referred to'. I have tried, as far as possible, to avoid jargon and to present this report using plain English. I'm afraid, however, that the text is dense in places, reflecting the task of knitting together comments and policies from diverse sources. Nevertheless, I have completed what I hope and intend is a constructively critical scrutiny, during April 2014.

I am conscious of the fact that the Bembridge community, its Parish Council, the volunteers and councillors on the NDP Working Group, staff at the Isle of Wight Council (IOWC) and other players, have been engaged in assembling the NDP since early 2012. **I commend them very warmly for their tenacity and commitment in progressing a community-based plan to this point.** Additionally I would like to thank Ollie Boulter, Policy and Conservation Team Leader with the IOWC, who acted as my point of contact during this NDP examination.

I have been impressed by the wealth of materials held on the IOWC Community Planning [website](#), and especially the detailed and customised guidance contained in [Local Voices, Island Issues – Neighbourhood Planning](#) (2011). Furthermore I congratulate the working group on making so much information freely available on a [dedicated website](#).

Please note that in the following pages I indicate word additions or substitutions *in italics*. I have also used a few sub-headings to 'signpost' the reader.

Glossary

BPC	Bembridge Parish Council
BNDP	Bembridge Neighbourhood Development Plan
CIL	Community Infrastructure Levy
BNDPWG	Bembridge Neighbourhood Development Plan Working Group
IOWC	Isle of Wight Council
NPPF	National Planning Policy Framework
ONS	Office for National Statistics

Appropriate regard for national policy

In **s.7.1.2 p.17** “key areas”, it would be helpful to briefly state how/where these key areas emerged e.g. through public consultations.

Community Infrastructure Levy CIL

Given the support demonstrated by the IOWC for the Bembridge NDP I would like to see more definite wording re the Community Infrastructure Levy (**s.10.1.5 p.22 of draft NDP, which links also to 10.2 bullet 3, on p.22**): reword to “*In implementing the CIL the Isle of Wight Council will ensure that 25% of these funds are passed to the neighbourhood where the development occurs.....as a whole.*” This will also ensure consistency and alignment of policy, as expressed in **10.3.2** and with the objective to make sure that “payments derived from development schemes benefit the parish” (Basic Condition Statement, 2014); this CIL proposal was also supported by all 7 public respondents to the consultation (Appendix 2 top p.41); plus claimed benefits in Assessment Tables, 2013 p.39). The **BNDP: Delivery Strategy and Action Plan, 2013 p.2** is, additionally, relevant to this discussion. Finally it would enact NPPF paragraph 175 (p.42):

“Where practical, Community Infrastructure Levy charges should be worked up and tested alongside the Local Plan. The Community Infrastructure Levy should support and incentivise new development, particularly by placing control over a meaningful proportion of the funds raised with the neighbourhoods where development takes place.”

Planning Minister, Nick Boles, [announced](#) (10.1.2013) that “those communities that draw up a neighbourhood plan and have it approved by local people in a referendum will receive 25% of these revenues with no upper limit.”

BNDP.OL.3 (p.24) CIL payments “will be pooled”; for such an important point there needs to be clarity as to who *exactly* will hold and make decisions on distributing the CIL; e.g. the Parish Council? Please state the exact mechanism.

The scale of suggested development

BNDP.OL.1 (p.23 also needs to accord with 10.5.3 and BNDP.H1 on p.28, and p.40 last sentence of the BNDP Consultation Draft). I find it confusing and seek clarification: the policy is for “Housing development schemes of 1 to 12 units...” But the justification goes on “However, a threshold of 12 housing units” - which under the Town and Country Planning Act - “falls within the definition of major development has been determined....”

[The Town and Country Planning Act](#) (2013 p.3) defines major development where “the number of dwellinghouses to be provided is 10 or more”. **To fit with national legislation should this not therefore be adjusted to read “a threshold of 9 housing units”.....?**

Allied to the above, **BNDP.H1 (p.28 Reasoned justification)** does not seem to make sense: “The 12 unit threshold also ensures that 35% of on-site affordable housing will be provided for schemes of 10+ units in accordance with policy DM4 of Island Plan Core Strategy”? [Also links to **NHP.H4** (Public Consultation Appendix 2 p.43) – there needs to be consistency and alignment]. The Basic Condition Statement (2014 p.3) compounds the confusion: “smaller-scale is classed as 1-9 units, and larger scale is 10 plus units”; the same is true of the **Public Consultation Appendix 2 p.43** where support is expressed by all (7) respondents (also **p.71/2 of App.2**) and **Sustainability Appraisal Full Report p.5** at the top.

It is helpful to have clear demarcation between land/buildings issues dealt with via the NDP and e.g. encouragement of cultural distinctiveness (**Appraisal Full Report, 2013 p.68 s6.2**) to be “delivered through the Village Partnership and not the Neighbourhood Plan”.

Possible asset transfers

I **Suggest** that the IOWC and BPC and the Neighbourhood Development Plan Working Group discuss possible asset transfers to the Bembridge community/Parish Council from the principal authority (and others) **p.31 point 13 of Localised Assessment Tables** (2013). **BNDP.WS.6 (p.39 Reasoned justification)** “*village initiative* to raise funds” – is it not worth the Parish Council seeking to use one of the *Community Rights* in the 2011 Localism Act to register the current telephone exchange site as an asset (and perhaps others listed in the **Audit of Community Assets in Bembridge Parish 2013**), of community value?

Other points

The **Equality Impact Assessment**, July 2013, contains some opaque and curious comments that I think need to be re-visited, elaborated and explained:

p.4 ‘Age’no specific/explicit mention of younger people and their needs? I suggest this is an omission given repeated mentions across Bembridge NDP reports that a key problem relates to the impact of an ageing population: the Housing Needs Survey (2013), for example, reported that the “Bembridge housing market is characterised by very few younger, first time buyers and a predominance of retired (aged 60+ or 75+) cash purchasers. In addition, second homes and holiday lets form a considerable proportion of the local housing stock.”

p.6 of the Equality Impact Assessment, “retaining access to open space”....what has this to do with sexual orientation?

Overall the IOWC “considers that the proposed BNDP, along with the proposed amendments, has regard to national policies and advice contained in guidance issued by the Secretary of State” (*Submission of the Bembridge Neighbourhood Development Plan proposal to examination*, 4.4.2014 page 2). **I agree with this statement, bearing in mind the points made above.**

Contribution to achieving sustainable development

There is clear recognition of the primacy of the NPPF and pursuit of sustainable development **s.10.1.1 p.21** of the Bembridge Neighbourhood Development Plan: The Future of Bembridge – in your hands (Consultation Draft, January 2014). And this is elaborated in **s.10.1.4**, with an acknowledgement that the character of Rural Service Centres (like Bembridge) “is what makes these areas such attractive places in which to live and accordingly seeks to maintain this character whilst allowing for small-scale sustainable growth to meet the needs of a thriving rural settlement and the wider rural area that it serves.” This additionally links to the NPPF (p.4 paragraph 14) “presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.”

The BNDP also seems to exemplify the [Planning Minister’s statement on Local Planning](#) (6.3.2014); namely that it should (in relation to AONB’s):

“take a positive and proactive approach to sustainable development, balancing the protection of the landscape with the social and economic wellbeing of the area. National parks and other protected areas are living communities whose young people and families need access to housing if their communities are to grow and prosper.”

I am impressed with the clear and explicit linkage to “the wishes of the community and the objectives of the Bembridge Neighbourhood Development Plan.” This is reinforced by the overall vision articulated at the base of **p.4 of the Basic Condition Statement, 2014**. Specifically, the IOWC (4.4.2014) “considers that the proposed amendments to H.3 would contribute to Bembridge sustainably growing in the way the community wants it to.”

Tourism

I agree with the working group that the “BNDP acknowledges the contribution tourism makes to the local economy (**10.14.3 p.41**).” And that the amendment suggested by *Bourne Leisure* (April 2014) “does not ‘add value’” to policy” **BNDP.WS.5** – Employment Opportunities (which should therefore remain unaltered).

s.10.3.1 p.22 of the **Consultation Draft** reword for clarity and precision: “...or is a tourism related proposal, *appropriate in terms of scale and type*.”

10.14.2 p.41 – I suggest that it is worth mentioning farmhouse accommodation. And to reinforce this by inserting a policy /addition e.g. to policy **BNDP.WS.7 (p.39)/ BNDP.T.2 (p.42)**.

BNDP.OL.2 (p.23) I find confusing and seek consistency and precision in line with other NDP policies: To achieve this consistency and ‘fit’ I recommend rewording –

“...listed below:

- (a) Schemes which will benefit the local rural economy *and/or society*
- (b) Housing meeting an identified rural need
- (c) Tourism related development, *appropriate in terms of scale and type*.” [links and aligns with my recommended tweak in s.10.3.1 above]
- (d) Re-use.....immediate setting
- (e) The optimal....of a heritage asset”

“five guiding principles” p.24 reword “Securing the Future: living *within*...”

BNDP.H4 policy bottom of p.29 “...Bembridge Action Plan to be produced by the Bembridge Parish Council.” I recommend that a (short) timescale is inserted to ensure that the action plan is produced (in timely fashion) e.g. as part of the electoral mandate for the term of the next Parish Council. In response to concern by *English Heritage* for “the historic environment and heritage assets in the village”, I support the Parish Council’s commitment “to continue its rolling maintenance programme for community assets via the Neighbourhood Action Plan. Any priorities will be listed here for action over the plan period.”

Maritime development

“Marine uses will be particularly supported” **BNDP.WS.2 p.36**; suggest that it is worth providing a few examples (as is done on **p.40 at the top** re small businesses). I am impressed

(top of **p.37**) with the argument that containment of built development to the 2 Embankment Zones “provides a balance to supporting the local economy and preserving the rural/coastal environment.” This also fits with the [NPPF \(paragraph 8 top of p.3\)](#): “to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.” Bembridge Harbour Authority supports policy **BNDP.W2**, noting (April 2014) that it “would like to promote employment opportunities on land within the Zones as identified.”

10.22.6 p.48 BNDP Draft: Is there anything more purposeful and proactive (as opposed to reactive) that can be set down, rather than the passive “Sadly, the maritime Museum relocated out of the parish and its return would be welcomed”? I ask the NDP working group to look again at this (possibility).

p.52 s10.28.5 what exactly is a “...practicable approach to coastal protection...”? Is this a clearly understood term? If not, please reword and clarify exact meaning and intention.

10.23 p48 “To support the relocation of the medical centre to Bembridge and/ or improve existing *medical* facilities at Bembridge.” How exactly? (Aligns with **Sustainability Appraisal, 2013 bottom of p.42**)

10.23 p48 “To support the creation of Village Greens”; this seems a rare mention of the term “Village Greens”; please reword – unless there is a persuasive reason otherwise - to fit with preceding text: “To support the creation of *open spaces*”. The BNDP objective should also be changed to the latter wording (**Basic Condition Statement p.4 section 6**). Though I do note that this idea came from a public meeting held in June 2013 to “make the open space at the Point a Village Green” (**Public Consultation Statement Appendix 2 bottom of p.3 / and again in Localised Assessment Tables p.39**)

p.52 s10.28.5 “...*significant* effects on European...” In addition, does the rest of this sentence make sense? Please check.

BNDP.EH.4 (p.54) “New development that will *cause* the loss.....”

Design and new housing

10.30.3 p.55 presents a very good, detailed and balanced discussion of the pros and cons of maintaining traditional design whilst encouraging “new and innovative design”. This adheres to the NPPF section 7 *Requiring good design* ([paragraph 58](#)): In seeking to “respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation”.

I am very pleased to see how previous community-led plans such as policies from the Village Design Statement have been incorporated in to the BNDP (**Non-Technical Summary p.3**). A point reinforced by *English Heritage* (April 2014) who welcome and support reference in Policy BNDP.D.1 to the Bembridge Design Character Appraisal, “which gives force to that document in the planning process, and are particularly pleased that it has been prepared to accompany the Neighbourhood Development Plan”.

10.30.4 “large character houses standing in large gardens *within* the village” could actually generate opportunities and benefits e.g. by contributing towards delivering affordable homes (**could link to BNDP.H1**) and deliver in relation to Bembridge Housing Needs Survey findings, that discovered 88% of houses under-occupied? The NDP document specifically registers the needs of young people in **section 10.8**, in terms of housing suitable “for families, *particularly* at the younger end of the spectrum”; Note also the typo, which is *italicised*, for correction in this sentence.

Recognition of an ageing population and need for affordable homes for younger families is registered in the **Sustainability Appraisal, 2013 p.40/45**. This need is also recognised in **Appendix 2 Localised Assessment Tables p.3**. And I am pleased to see recognition in the **Non-technical summary (2013)** of building “12 units per year on average over the next 5 years of which two-thirds are to be affordable”. (This figure is repeated in the **Equality Assessment p.9**)

Public involvement in the NDP

Two public meetings were held (June 2013), but with very low numbers recorded as commenting on proposals e.g. in relation to policy BNDP.OL.1 (7 agree, 2 disagree) and overall only 24 attendees (**Equality Impact Assessment p.7**)? Autumn 2012 public meetings attracted 100 participants; and 446 people responded to a 2013 housing needs survey; out of a total recorded population of 3,682 (ONS, June 2013). Furthermore, “2 residents’ surveys” (**Non-technical summary p.5**) – the 1st of which attracted 124 replies, and the 2nd, 48, according to the ‘**Equality Impact Assessment**’ p.7. **This means – on the basis of the figures gleaned from various BNDP materials – that [only] about 750 people (20% of the total population) engaged with the BNDP process.** I would encourage the Parish Council and steering group to consider how – in implementing the NDP delivery plan – they may attempt to draw in the majority of people in Bembridge who do not currently appear to be engaged (e.g. mechanisms might include future use of Facebook, ‘piggy-backing’ on local events such as fetes, twitter etc.). I do accept, however, that reasons for this limited engagement may range across contentedness with the NP, disinterest, too many other things to do, through to apathy plus only occasional occupancy of around 20% of Bembridge properties.

There is clear evidence of officer-working group partnership meetings/minutes and an audit trail explaining how policies for the NDP were/not refined (with reasons given). The same is true (**Public Consultation Appendix 3 p.3**) in terms of seeking inputs from community organisations to the NDP (e.g. Bembridge Business Association, Harbour Company and others); I am interested to see that certain groups were targeted to comment on (particular/relevant) policies. This seems a useful and pragmatic approach. Also statutory consultee inputs and consequent BNDP policy changes are set down (in the **Sustainability Appraisal** e.g. English Heritage p.50).

A **Sustainability Appraisal** (October 2013 p.3) was published “to ensure that the principles of sustainable development are incorporated into all levels of planning policy.” The Appraisal records a significant number of consultative events with community interests e.g. p.11 (with “92 members of the public”).

Parking and alternatives to car use

10.18.1 p.44 “the majority of Bembridge residents are likely to be car owners”; given the necessity to travel (to main towns) by car. I suggest that this is a timid acceptance of private car ownership, at the expense of more imaginative and sustainable forms of transport e.g. car sharing; community bus provision; fuller use of minibuses that e.g. the school etc. may operate. **I strongly encourage the Parish Council and community representatives to look again at more positive and sustainable transport solutions; both within and out-with the NDP and to review NDP transport policies accordingly.** This could enable alignment with the NPPF ([Section 4 Promoting sustainable transport paragraph 30](#)) to “support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport.”

The **Bembridge village centre parking assessment 2013** concludes “the lack of any Village Centre car park forces workers, visitors, shoppers and users of community facilities such as the church, library, village hall and Parish Office, to park on the local road network including the residential streets radiating out from the village centre... is exacerbated in the summer months with additional visitors and residents.” (**page 4**). And I note the fit with NPPF policy (p.11 paragraph 40) whereby local authorities “should seek to improve the quality of parking in town centres so that it is convenient, safe and secure...”

But, I do wonder – given this stated need for “provision of a car park in the village centre” (**Sustainability Appraisal Full Report p.45 and 63/67 s.6.2**) but equally concern over environmental damage, private car use, and traffic congestion (**p.63 and 68 s.6.2**) – whether **some form of park and ride in to the village centre might be preferable, realistic,**

and considered by the NP Group? I encourage the NDP working group to discuss and reach a decision on this possibility; a feasibility study/cost benefit analysis, comparing provision of a new central car park with park-and-ride, may be useful. And if adopted, that NDP policies would need to be adjusted accordingly. Possibly – in keeping with the heritage of Bembridge – a vintage charabanc.....(links also to **Appendix 1 Assessment Tables, p11 point 7** reduction of carbon dioxide emissions; and **pp.22 and 39**; ‘park and ride’ positive impacts are mentioned on **p.59**, and support in **Appendix 2 Localised Assessment Tables p.6 point 6**) plus support for “new sustainable tourism development” **p.18/20 also reinforced by reworded policy BNDP.T.1 - Reasoned justification in REVISED POLICIES – RESULTING FROM FORMAL CONSULTATION DRAFT RESPONSES March 2014**). The NPPF p.6 paragraph 17 seeks to “actively manage patterns of growth to make the fullest possible use of public transport...”

Overall, I agree that the NDP contributes to achieving sustainable development, bearing in mind the points made above.

General conformity with strategic policies for the local area

To accompany **s.4.1 p.12** of the BNDP draft, please insert a map showing the extent of AONB designation (referred to in the text as “approximately 35%” of the parish **s.10.26.5 on p.50**).....or cross reference to the ‘Policies Map’ **p.18** (which does show the extent of the AONB.)

s.6.1 p.16 for clarity of meaning reword: “The purpose of a Neighbourhood Plan *is*:

To be compliant with the statutory regulations and the Local Development Framework, with particular regard to the Island Plan Core strategy, to reflect the wishes of the majority of the community and to inform decisions on all future planning applications within Bembridge Parish.”

I note the clear alignment whereby the BNDP “will run to 2027 to mirror the Island Plan Core Strategy time period for which it will be in force” (**BNP Basic Condition Statement, 2014**). I can also see clear evidence of the Neighbourhood Plan reflecting IOWC policies and seeking “positively to support them” (NPPF paragraph 184 *Neighbourhood Plans*).

There is very helpful cross referencing from **7.3 p.18 of the consultation draft** to inset maps. Furthermore the in-text footnotes e.g. **p.21** of Consultation Draft (2014) are useful.

s.8.1 p.19 I suggest a hyperlink to the stated NDP “Delivery Strategy and Action Plan.”

In fact, where other documents are referred to throughout the text of the NP, links to these would aid the reader in understanding the policies more fully – their background, justification and supporting evidence; and make these much easier to access

Similarly, in **s.10.22.2 p47** I recommend that a hyperlink to the “proposals map” is inserted here; or a copy of the map itself.

s.10.1.2 p.21 of the consultation draft makes explicit the intention that the “Bembridge Neighbourhood Development Plan provides....detailed local planning policies formulated specifically to guide development proposals within the Bembridge Parish whilst remaining compliant with the policies of the Island Plan Core Strategy” (2012). In this regard, I support the IOWC very minor word change to **BNDP.H.1 – New Housing Development** in order to ensure NDP compliance and alignment with the Core Strategy: “New housing development within the Bembridge settlement boundary or immediately adjacent will be supported in principle provided it meets the criteria as set out in policy BNDP.OL.1 and is able to demonstrate it meets a local need, particularly as identified in the current Bembridge Housing Needs Survey.” I fully support the *reasoned justification* for policy **BNDP.H.1** (p.28) which goes on to emphasise avoidance of “any new housing...in the form of large scale residential estates....A further wish of the community is to steer new housing development away from large luxury dwellings to those which are suitable for families, *particularly* [note this spelling correction] at the younger end of the spectrum.”

Very helpful connections from policy proposals to ‘reasoned justifications’ e.g. page 23.

s.10.22.3 p47 “An audit...” please insert by whom and date. Again I recommend that a map is inserted – showing the open spaces listed.

Island Plan Core Strategy Policies (**NDP Draft 10.28.6 p.52**) encourage “a range of renewable energies”; but there is no accompanying NDP policy? The NDP working group to consider inserting one.

The river Yar bursts its banks “at times of heavy or prolonged rainfall. Embankment needs increased sea defences in the form of a sea wall to protect 263 properties.” And is this happening/ being built; and if not, why not? **p.39 and 59 point 2, of Sustainability Appraisal Appendix 1**. Presumably such work could be funded using the CIL. This links to the NPPF p.23 paragraph 100 emphasis on reduction of “the causes and impacts of flooding.”

Overall, I agree that the NDP is in general conformity with strategic policies for the local area, bearing in mind the points made above.

Compatibility with EU obligations (and human rights requirements)

Overall the IOWC “considers that the proposed BNDP, along with the proposed amendments, does not breach, and is otherwise compatible with, EU obligations.” **I agree with this conclusion.**

Protected sites

s4.1 p.12 of the BNDP consultation draft acknowledges that “Bembridge has 7km of coastline which is covered by international designations of RAMSAR...”; plus **10.26.2 (p50)** “SAC (Special Areas of Conservation), SPA (Special Protection Areas)...”. The **Basic Condition Statement, p9** clearly notes that a screening assessment of BNDP policies indicated “that there is not likely to be any significant effects upon the European and Ramsar sites of Bembridge”. (This is repeated in the **Sustainability Appraisal p.19**). And reiterated once again in the **Habitat Regulations Screening (2014 bottom of p.6)** that there are “no likely significant effects as a result of the strategic level core strategy policies” of the IOWC (with which BNDP policies must be compliant).

I note that a “Sustainability Appraisal incorporating the requirements for a Strategic Environmental Assessment (SEA) of the Bembridge Neighbourhood Development Plan has been prepared” (**Basic Condition Statement, pp.8/9**). And that this concluded “implementation of the draft NP policies will result in no negative impact on the localised sustainability objectives of Bembridge Parish. The overall effect of the implementation of the plan will contribute to the objectives of low level sustainable development in Bembridge.” (this conclusion is reinforced and repeated in the **Sustainability Report, 2013 p.68**). The requirement for a scoping assessment arises from EC Directive 2001/42/EC.

I am satisfied with the conclusion (**Habitat Assessment p.9**) that “there is not likely to be any significant effects upon the European and Ramsar sites of Bembridge and neither therefore detailed policy screening nor would a full Habitat Regulations Assessment be required.” This is supported by statutory consultee *Natural England*, who does “not consider that this plan poses any likely significant risk to internationally or nationally designated nature conservation or landscape sites”; and “that no further assessment is required” (consultation input dated 19.3.14).

Stylistic recommendations

In order to inform the reader about the content of the NDP I **recommend** that the **Glossary** (page 59) is moved towards the front of the document – to follow **section 1 (p.6)** and precede section 2.

I suggest that the NDP working group should make a decision on whether to **use one consistent term for the Plan**. At present 2 forms of words are used: e.g. ‘Bembridge Neighbourhood Development Plan’ BNDP, and sometimes ‘*Bembridge Neighbourhood Plan*’. This *might* confuse readers (in to believing that there are 2 different plans!)

Given the following typos I suggest that the NDP is given a thorough spell-check.

All sections and pages that follow under this sub-heading refer to the ***Bembridge Neighbourhood Development Plan: The Future of Bembridge – in your hands (Consultation Draft), January 2014:***

Section 2.1.3 of the consultation draft (page 7) for clarity reword: “...for determining planning applications *related to Bembridge parish*”

Section 2.1.5 (page 7) for accuracy reword: “*If and when* a Neighbourhood Development Plan...” and “in a referendum of *electors in Bembridge parish*”.

Section 2.4.2 (page 8) for clarity briefly elaborate: “...certain local issues...other procedures or initiatives.” Please give 1 or 2 examples, which presumably do not relate to land/buildings.

Section 2.5 p.9 top box, assume this should read “...*Island Plan Settlement*...”

BNDP.OL.2 (p.23) for clarity/grammatical accuracy reword: “...AONB, *reflect* the aims....Appraisal Document.”

10.5.5 p.25 “...commissioned a Housing Needs Survey....” State who from i.e. M.E.L Research. I am impressed that the survey attracted a good response rate of over 25%” (Basic Condition Statement p.7).

10.5.8 p.26 I think that the meaning set down is incorrect and is supposed to read: “It is estimated that....would *only* be able to afford a purchase of around £100,000.” Please adjust to reflect exact intent.

10.5.11 p.27 This sentence is too long (7 lines)! And requires punctuating to reflect the intended meaning. Please adjust accordingly.

10.7.5 “..locations *where* a need is demonstrated”.

BNDP.H1 (p.28 Reasoned justification) current sentence above box **BNDP.H2** doesn't make sense; for clarity and accuracy reword: "*The Housing Needs Survey will be updated as necessary to ensure that the changing housing needs of Bembridge are addressed. This ensures....*"

10.9.2 p.30 "...parking facilities *with access to* the village centre..."

10.9.4 p.30 "As the Shops Audit reveals..." Please add date of this, and who undertaken by.

Also: "...the loss of local employment."

BNDP.WS.1 (p.36 Reasoned justification) for accuracy reword: "...uses which *fall* outside..."

BNDP.WS.3 (p.37): "shown on the inset map"please say what and where this map is in the text (so the reader can easily access/find it) or insert a hyperlink to the map.

BNDP.WS.4 (base of p.37) for accuracy reword: "...Victorian *in* origin....of the locality *that should be retained in order to maintain the* traditional appearance of the buildings." I note that statutory consultee, *English Heritage* (April 2014) "welcome and support the requirement in Policy BNDP.WS.4 for new shop fronts within the historic core of the village centre as defined in the Conservation Area Plan to preserve a traditional appearance."

p.38 "will ensure *that* existing heritage..."

BNDP.WS.5 (p.38) for accuracy reword: "...demonstrated *that* the existing use is no longer..." The sentence immediately above (**still in the box p.38**) starting "New development uses...setting" is very long; suggest divide into several shorter sentences to aid readability.

"premises/site/business *have* been actively marketed..." towards bottom of **p.38**

Delete repeated words, to read: "outside *the remit of* the Town and Country..." base of **p.38**

BNDP.WS.6 (p.39 in box) for accuracy suggest delete redundant word (*in italics*):
"...Provision....Existing Parking" [delete '*Conditions*']

BNDP.T.2 (p.43 Reasoned justification) "...unoccupied for periods during the year so that they make little contribution..." This is a **strong claim** – where is proof to support it?

10.22.5 recommend brief elaboration/explanation of "Culver Down is Access Land"; the meaning of this is cryptic and needs spelling out.

10.22.6 p.47 adjust wording to fit with the rest of the facilities enumerated: "scout and *guide hall/s*, bowling club/green."

BNDP.LW.3 (p.49) "serviceability"is there such a word, what does it actually mean!?
Recommend that this is expressed more straightforwardly.

10.26.4 p.50 “There are areas of land within the parish *that are* identified...”

10.26.7 “Heritage assets are currently defined as ‘building.....designated or not.’ State the date and source of this quote.

10.27 p.51 Reword: “...encroachment *on* undeveloped areas.”

10.32.2 p.56 Reword: “...criteria *that* development proposals...”

(b) p.56 “demonstrates *that* the development...”

BNDP.D.1 (base of p.56) “...balance *between* allowing...”

BNDP.D.4 (p.58) “...larger development *schemes*, will be assessed...”

Conclusions and recommendations

In presenting my conclusions and recommendation I would like to once again, express warm congratulations to the Bembridge community, its Parish Council, volunteers and councillors on the NDP Working Group, supporting staff at the Isle of Wight Council (IOWC) and other players, who have clearly dedicated a huge amount of time and effort to assembling the NDP (since 2012).

I am pleased to note that the IOWC “is supportive of Bembridge Parish Council...bringing forward a Neighbourhood Development Plan”; and that the IOWC “has provided advice and assistance to the parish council on the considerable work that they have undertaken to date on the proposed BNDP and accompanying information.”

My recommendation is that the *Bembridge Neighbourhood Development Plan: The Future of Bembridge – in your hands (Consultation Draft), January 2014 (as amended in the light of consultation draft responses)*, proceeds to referendum, subject to

- ✓ **The modifications set down in preceding pages of this document being made and**
- ✓ **Consideration being given to my suggestions (with clear justification as to why these will be adopted or not.)**

Examination of BNDP written materials

In arriving at these recommendations, I considered carefully Savills' request (April 2014) "that an oral hearing should be held." I decided – given broad backing for the NDP from the Bembridge community, its parish council, plus IOWC and stakeholders – that this was an unnecessary step, delay and cost. Furthermore this was the only such suggestion.

I have also considered a further letter from Savills (dated 14.4.2014). This was forwarded to me – at Savills' request – by staff at the IOWC. It seeks suspension of this independent examination of the NDP on 2 grounds:

- 1. Consultation responses were sent to Bembridge Parish Council ahead of being received by me (the examiner.)** I believe that this has enabled the Parish Council and Steering Group to accept, reject and amend consultation responses, and to give clear reasons for doing so. I also see this as facilitating UK Government's intention, through the Localism Act 2011, to help communities "and their locally elected representatives to achieve their own ambitions" (p.1 of [A Plain English Guide to the Localism Act, 2011](#)).

Furthermore *The Neighbourhood Planning (General) Regulations 2012 (17b)* allow the Isle of Wight Council to send the examiner "any other document submitted by the qualifying body in relation to the plan proposal." I believe that parish council NDP policy revisions responding to consultation submissions fall under this provision.

2. The IOWC “making comments to the Examiner...after the consultation period has ended.”

I have assumed that Savills are referring to the ‘Submission covering letter to Mr Derounian from the Isle of Wight Council’ (dated 4 April 2014) and posted on to the IOWC [‘Neighbourhood Planning’ website](#). Again, I have found it useful to see the local planning authority’s view of “the changes proposed by the parish council to the plan” and how these meet “the Basic Conditions as required”. As independent examiner, it is my responsibility to assess how and whether a NDP accords with the Basic Conditions, so this input has been helpful.

I believe that the above actions have aided the examination and usefully clarified a number of points set down in my review. Furthermore, my report now goes back to Bembridge Parish Council, the BNDP Steering Group and IOWC to consider and respond to the findings. After which a local referendum affords a further opportunity for residents to support or vote down the BNDP as a whole.

I concur with the IOWC’s emphasis on facilitating “delivery of neighbourhood plans and, perhaps most importantly, to ensure that they reflect the community’s views as much as possible.” (IOWC, *Submission of the Bembridge Neighbourhood Development Plan proposal to examination*, 4.4.2014).

In closing I wish the people of Bembridge and all those working for them, every good wish for the future of the community.

Documents referred to and taken in to consideration

Audit of Community Assets in Bembridge Parish 2013, accessed online [11.3.2014]

<http://www.iwight.com/azservices/documents/2777-BNDP-Community-Assets-Audit.pdf>

Bembridge Design Character Appraisal, January 2014 accessed online [11.3.2014]

<http://www.iwight.com/azservices/documents/2777-BNDP-Design-Character-Appraisal.pdf>

Bembridge Housing Needs Survey: FINDINGS REPORT, May 2013 accessed online [7.4.2014]

<http://www.iwight.com/azservices/documents/2777-Bembridge-Housing-Needs-Survey.pdf>

Bembridge Neighbourhood Development Plan (BNDP): Bembridge Parish Council letter to James Derounian by e-mail 4 April 2014

Bembridge Neighbourhood Development Plan: The Future of Bembridge – in your hands (Consultation Draft), January 2014

Bembridge Neighbourhood Development Plan: Delivery Strategy and Action Plan, October 2013, accessed online [11.3.2014] <http://www.iwight.com/azservices/documents/2777-BNDP-Delivery-Strategy.pdf>

Bembridge Neighbourhood Development Plan: Evidence Base Document, undated

Bembridge Neighbourhood Development Plan - Schedule of Changes (undated; 2013?) accessed online [18.3.2014] <http://www.bembridgepc.org.uk/controls/DownloadDocument.ashx?>

Bembridge Neighbourhood Plan: Appendix 1 Assessment Tables, August 2013 accessed online [11.3.2014] <http://www.iwight.com/azservices/documents/2777-BNDP-Sustainability-Appraisal-Appendix-2.pdf>

Bembridge Neighbourhood Plan: Appendix 2 Localised Assessment Tables, August 2013 accessed online [11.3.2014] <http://www.iwight.com/azservices/documents/2777-BNDP-Sustainability-Appraisal-Appendix-2.pdf>

Bembridge Neighbourhood Plan: Basic Condition Statement, January 2014 accessed online [8.3.2014] <http://www.iwight.com/azservices/documents/2777-BNDP-Basic-Condition-Statement.pdf>

Bembridge Neighbourhood Plan: Consultation Statement, January 2014 accessed online [9.3.2014] <http://www.iwight.com/azservices/documents/2777-BNDP-Consultation-Statement.pdf> and Consultation Statement Appendix 1

Bembridge Neighbourhood Plan: Consultation Statement Appendix 2, January 2014 accessed online [11.3.2014] <http://www.iwight.com/azservices/documents/2777-BNDP-Consultation-Statement-Appendix-2.pdf>

Bembridge Neighbourhood Plan: Consultation Statement Appendix 3, January 2014 accessed online [11.3.2014] <http://www.iwight.com/azservices/documents/2777-BNDP-Consultation-Statement-Appendix-3.pdf>

Bembridge Neighbourhood Plan: Equality Impact Assessment, July 2013

<http://www.iwight.com/azservices/documents/2777-BNDP-Equality-Impact-Assessment.pdf>

Bembridge Neighbourhood Plan: Habitat Regulation Assessment Screening Report, January 2014 <http://www.iwight.com/azservices/documents/2777-BNDP-Habitat-Regulations-Assessment-Screening-Report.pdf>

Bembridge Neighbourhood Plan Habitat Regulation Assessment Screening Report, March 2014

Bembridge Neighbourhood Plan: Sustainability Appraisal re-run for schedule of changes,
Bembridge Neighbourhood Plan Working Group, 31.3.2014

Bembridge Neighbourhood Plan: Sustainability Appraisal Full Report, October 2013 accessed
online [11.3.2014] <http://www.iwight.com/azservices/documents/2777-BNDP-Sustainability-Appraisal-Full-Report.pdf>

Bembridge Neighbourhood Plan Sustainability Appraisal Full Report, April 2014

Bembridge Neighbourhood Plan: Sustainability Appraisal Non-technical summary, September
2013 accessed online [11.3.2014] <http://www.iwight.com/azservices/documents/2777-BNDP-Sustainability-Appraisal-Non-Technical-Summary.pdf>

Bembridge village centre parking assessment 2013, and Annex 1, 2 and 3, accessed online
[11.3.2014] <http://www.iwight.com/azservices/documents/2777-BNDP-Parking-Assessment.pdf>

BNDP Reg 16 Representations and Comments (2014), Bembridge Neighbourhood Plan Working
Group (April)

Island Plan – Isle of Wight Core Strategy, March 2012, accessed online [8.4.2014]
<http://www.iwight.com/azservices/documents/1321-Core%20Strategy%20-%20Adopted%20Mar%202012.pdf>

Neighbourhood Plans Roadmap Guide (undated, but probably 2012), accessed online [12.3.2014]
<http://locality.org.uk/wp-content/uploads/Roadmap-worksheets-map-May-13.pdf>

Shop/business premises audit 2013, accessed online [11.3.2014]
<http://www.iwight.com/azservices/documents/2777-BNDP-Shops-Business-Premises-Audit.pdf>

National Planning Policy Framework, March 2012, accessed online [7.3.2014]
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

Planning Practice Guidance (2014) *Planning Practice Guidance* accessed online [13.3.2014]
<http://www.iwight.com/azservices/documents/2777-BNDP-Shops-Business-Premises-Audit.pdf>

**PLANNING PRACTICE GUIDANCE: Analysis of conditions proposed under policies BNDP.H3 and T2
against criteria for Use of Planning Conditions and the six tests of the National Planning Policy
Framework (2014)**

Response to the Official public consultation BNDP 1-23 (2014) Neighbourhood Plan Working Group
(1 April)

REVISED POLICIES – RESULTING FROM FORMAL CONSULTATION DRAFT RESPONSES (March 2014)

Savills Comments to Neighbourhood Plan Policies (undated) accessed online [18.3.2014]
<http://www.bembridgepc.org.uk/controls/DownloadDocument.ashx?>

Savills: Submission of the Bembridge Neighbourhood Development Plan Proposal to Examination
(14 April 2014); letter from G. Hall (Director) to B. Murray (IOWC Head of Planning and Regulatory
Services)

Written representations from

1. Bembridge Harbour Authority
2. Bourne Leisure Ltd
3. B. Clough
4. D. Groom
5. English Heritage
6. Environment Agency
7. Natural England
8. Savills (UK) Ltd on behalf of the Thornycroft family
9. Woodland Trust

“Neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community”

[[NPPF, 2012](#), page 44 paragraph 184]