

BRADING NEIGHBOURHOOD DEVELOPMENT PLAN 2014 - 2027

A Report to Isle of Wight Council
of the Examination into the Brading Neighbourhood Development Plan

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1. Introduction

The Neighbourhood Plan

This Report provides the findings of the Examination into the Brading Neighbourhood Development Plan (referred to as the Neighbourhood Plan).

Neighbourhood planning provides communities with the power to establish their own policies to shape future development in and around where they live and work.

“Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need.”
(Paragraph 183, National Planning Policy Framework)

Brading Town Council (the Town Council) is the *qualifying body*¹ responsible for the production of this Neighbourhood Plan. This is in line with the aims and purposes of neighbourhood planning, as set out in the Localism Act (2011), the National Planning Policy Framework (2012) and Planning Practice Guidance (2014).

The Town Council established a Steering Group to lead on the production of the Neighbourhood Plan. This included Town Councillors, local residents and people with a local connection.

This Examiner’s Report provides a recommendation as to whether or not the Neighbourhood Plan should go forward to a Referendum. Were it to go to Referendum and achieve more than 50% of votes in favour, then the Neighbourhood Plan would be *made* by Isle of Wight Council. It would then be used to determine planning applications and guide planning decisions in the Brading Neighbourhood Area.

Role of the Independent Examiner

I was appointed by Isle of Wight Council, with the consent of Brading Town Council, to conduct an examination and provide this Report as an Independent Examiner. I am independent of the qualifying body and the local authority. I do not have any interest in any land that may be affected by the Neighbourhood Plan and I possess appropriate qualifications and experience. I am a chartered town planner and an experienced Independent Examiner of Neighbourhood Plans. I have extensive land, planning and development experience, gained across the public, private, partnership and community sectors.

¹The qualifying body is responsible for the production of the Plan.

As the Independent Examiner, I must make one of the following recommendations:

- a) that the Neighbourhood Plan should proceed to Referendum, on the basis that it meets all legal requirements;
- b) that the Neighbourhood Plan, as modified, should proceed to Referendum;
- c) that the Neighbourhood Plan does not proceed to Referendum, on the basis that it does not meet the relevant legal requirements.

If recommending that the Neighbourhood Plan should go forward to Referendum, I must then consider whether or not the Referendum Area should extend beyond the Brading Neighbourhood Area to which the Plan relates.

In examining the Plan, I am also required, under Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990, to check whether:

- the policies relate to the development and use of land for a designated Neighbourhood Area in line with the requirements of Section 38A of the Planning and Compulsory Purchase Act (PCPA) 2004;
- the Neighbourhood Plan meets the requirements of Section 38B of the 2004 PCPA (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one Neighbourhood Area);
- the Neighbourhood Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.

Subject to the contents of this Report, I am satisfied that all of the above points have been met.

Neighbourhood Plan Period

A neighbourhood plan must specify the period during which it is to have effect. The front cover of the Neighbourhood Plan clearly states that it covers the period from 2014 to 2027.

This is also confirmed in paragraph 2.10 of the Neighbourhood Plan, which states *“The Plan will be effective for the period 2014-2027.”*

Taking the above into account, I confirm that the Neighbourhood Plan satisfies the relevant requirement in this regard.

Public Hearing

It is a general rule that neighbourhood plan examinations should be held without a public hearing – by written representations only. I confirm that I have considered written representations as part of the examination process.

However, the legislation establishes that it is a general rule that neighbourhood plan examinations should be held without a public hearing – by written representations only.

Further to consideration of all of the information before me, I confirmed to Isle of Wight Council that I was satisfied that the Brading Neighbourhood Development Plan could be examined without the need for a Public Hearing.

2. Basic Conditions and Development Plan Status

Basic Conditions

It is the role of the Independent Examiner to consider whether a neighbourhood plan meets the “basic conditions.” These were *set out in law*² following the Localism Act 2011. In order to meet the basic conditions, the Plan must:

- have regard to national policies and advice contained in guidance issued by the Secretary of State;
- contribute to the achievement of sustainable development;
- be in general conformity with the strategic policies of the development plan for the area;
- be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations.

I have examined the Neighbourhood Plan against all of the basic conditions above.

EU and ECHR Obligations

I am satisfied that the Neighbourhood Plan has regard to fundamental rights and freedoms guaranteed under the ECHR and complies with the Human Rights Act 1998 and there is no substantive evidence to the contrary. Consequently, I consider that the Neighbourhood Plan does not breach, nor is in any way incompatible with the ECHR.

Where a plan is likely to have significant effects on a European site a Habitat Regulation Assessment needs to be undertaken. There are seven European and Ramsar sites on the Isle of Wight and a further seven within 10km of the Isle of Wight.

A Habitat Regulation Assessment screening report has been undertaken. It notes that the Neighbourhood Plan does not identify any sites for development and states that there are:

“...not likely to be any significant effects upon the European and Ramsar sites in or within 10km of Brading Parish as a result of the Brading Neighbourhood Development Plan...”

and that:

² Paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990.

“the policies of the Neighbourhood Development Plan will have no significant adverse impact on the conservation objectives of the International and European nature conservation sites.”

In addition to the above, a substantial (relative to neighbourhood planning) Sustainability Appraisal (SA) of the Neighbourhood Plan has been undertaken. This SA concluded that the implementation of the Neighbourhood Plan will result in no negative impact on local sustainability objectives. In relation to this, a Scoping Report underwent statutory consultation and the comments provided by Natural England, the Environment Agency, English Heritage and Isle of Wight Council were taken into account.

None of the statutory consultees, above, have raised any concerns with regards the Neighbourhood Plan and European obligations.

Planning Practice Guidance establishes that *the local planning authority must decide whether the draft neighbourhood plan is compatible with EU regulations*. Isle of Wight Council has confirmed that there has been a collaborative approach between officers and the Steering Group, and is satisfied that the Neighbourhood Plan meets the basic conditions with regards to compatibility with European obligations.

Taking all of the above into account, and in the absence of any substantive evidence to the contrary, I am satisfied that the Neighbourhood Plan is compatible with European obligations.

3. Background Documents and Brading Neighbourhood Area

Background Documents

In undertaking this examination, I have considered a variety of information, in addition to the Brading Neighbourhood Development Plan, including:

- The National Planning Policy Framework (The Framework) (2012)
- Planning Practice Guidance (2014)
- The Town and Country Planning Act 1990 (as amended)
- The Localism Act (2011)
- The Neighbourhood Planning Regulations (2012)
- Island Plan Core Strategy (2012)
- Basic Conditions Statement
- Consultation Statement
- Sustainability Appraisal
- Policies Maps

Also:

- Representations received during the publicity period

In addition, I spent an unaccompanied day visiting the Brading Neighbourhood Area.

I have also considered the comprehensive set of reports that, together, provide a substantial evidence base for the Neighbourhood Plan. These include, but are not limited to, the Implementation Plan, the Heritage Design Statement for Developers and the Brading Heritage Audit. I note here that, together, the supporting documents to the Neighbourhood Plan comprise a significant body of evidence. They reflect the enormous amount of time and effort dedicated to the production of the Neighbourhood Plan.

Brading Neighbourhood Area

The Brading Neighbourhood Area coincides with that of the Parish of Brading. Page 8 of the Neighbourhood Plan shows a plan of the Neighbourhood Area and is entitled “Designated Neighbourhood Plan Boundary.”

Further to an application made by the Town Council on 25 January 2012, Isle of Wight Council approved the designation of Brading as a Neighbourhood Area on 29 May 2012.

This satisfied a requirement in line with the purposes of preparing a Neighbourhood Development Plan under section 61G (1) of the Town and Country Planning Act 1990 (as amended).

4. Public Consultation

Introduction

As land use plans, the policies of neighbourhood plans will become the basis for planning and development control decisions. Legislation requires the production of neighbourhood plans to be supported by public consultation.

Successful public consultation enables a neighbourhood plan to reflect the needs, views and priorities of the local community. It can create a sense of public ownership, help achieve consensus and provide the foundations for a successful 'Yes' vote at Referendum.

Brading Neighbourhood Development Plan Consultation

Brading Parish Council has submitted a Consultation Report to Isle of Wight Council. The information provided in the Report provides evidence of who was consulted and how, together with the outcome of consultation. The Consultation Statement meets the requirements of the neighbourhood planning *regulations*³.

It is clear from the evidence provided that the public consultation undertaken was significant, detailed, well-organised and robust.

A Residents' Survey was delivered to every household in the Parish and enjoyed a significant 25% return rate. This provided local views on a wide range of topics relevant to the Neighbourhood Plan. Four public consultations were held in June 2013 and included Planning for Real events, to encourage participation. Two further consultations took place in the local Youth Club, to gain the views and involvement of younger people.

Regular meetings took place between the Steering Group and Isle of Wight Council's Planning Policy Team. I note above that Isle of Wight Council has confirmed that the development of the Neighbourhood Plan involved a collaborative approach. This comprises good practice in neighbourhood planning.

Pre-submission consultation took place in July and August 2014. This was supported by four separate consultation events, on weekdays and at weekends, during the daytime and in the evening. The comments received were considered by the Steering Group during two dedicated meetings. The Consultation Statement notes that all suggestions made by Isle of Wight Planning Policy team, English Heritage, Natural England and the Environment Agency were included in the Neighbourhood Plan.

³Neighbourhood Planning (General) Regulations 2012.

All of the above was accompanied by wide-ranging and ongoing publicity. This included advertisements in the local press, banners and posters at key locations in Brading, notice boards and information on the Town Council's website. In addition to being provided electronically, on the website, hard copies of the pre-submission plan and related documents were made widely available. The Parish newsletter provided regular updates, briefings were provided at monthly Town Council meetings open to the public and all meetings of the Steering Group and related groups were open to the public, with agendas and minutes published on the website.

It has been demonstrated that consultation was ongoing, extensive and comprehensive, and that it was transparent and widely promoted. There were plentiful opportunities for comments, which were actively sought and duly considered. People and organisations were not only provided with a fair chance to have their say, but were encouraged to do so.

The consultation reflects the major efforts made by those involved in the Neighbourhood Plan to go well beyond any statutory requirements. Public consultation was central to the production of the Neighbourhood Plan and resultantly, is reflected in its content.

I am satisfied that the consultation process was significant and robust.

5. The Neighbourhood Plan – Introductory Sections

Where modifications are recommended, they are presented as bullet points and highlighted in bold print, with any proposed new wording in italics.

The policies of the Neighbourhood Plan are considered against the Basic Conditions in Chapter 6 of this Examiner’s Report. However, I have also considered the introductory sections of the Neighbourhood Plan and make recommendations below. These are aimed at making it a clearer and more user-friendly document.

Introduction, Planning, Vision and Objectives, Local Character and History

The introduction to the Neighbourhood Plan includes the brief backgrounds of several members of the Steering Group. The inclusion of these makes for an interesting and distinctive introduction.

The Neighbourhood Plan sets out matters of detail, with regards consultation. This information is already contained in the Consultation Statement. Its inclusion in the Neighbourhood Plan, at length, is unnecessary and it detracts from the overall content of the Neighbourhood Plan.

- **Delete paragraphs 2.2 to 2.8. Replace with the following paragraph “*Public consultation was central to the production of the Neighbourhood Plan. A Consultation Statement, providing full details of the consultation undertaken, was submitted in support of the Neighbourhood Plan. This is available on the Town Council’s website, together with other background information relating to the Neighbourhood Plan.*”**

I note that a representation makes reference to a number of typographical errors in the text. I do not intend to go through each of these individually but I recommend:

- **The Neighbourhood Plan is checked against the representations with regards all typographical and grammatical errors (and such errors corrected)**

The Vision and Objectives for Brading are clearly set out. They provide a good introduction for the Policies that follow. The photograph on the Vision page, as with other photographs contained in the Neighbourhood Plan, enhances the document.

The Local Character section is informative and distinctive to Brading. I consider that its inclusion enhances the Neighbourhood Plan.

6. Neighbourhood Plan Policies

The Neighbourhood Plan clearly distinguishes between Policies and supporting text. The Policy section is neatly divided into distinct Chapters and generally, the supporting text relates well to the Policies that follow.

The Neighbourhood Plan refers to the Policies Maps. These comprise a Supporting Document and include numerous designations from various other plans and documents. For clarity, the Supporting Documents are simply that. They do not form part of the Neighbourhood Plan.

As presented, there is no Map or Plan within the Neighbourhood Plan showing the relevant allocations referred to in Policies HD2, JE1 and E1. Policies Maps were produced as supporting documents, although these were not specific to the Neighbourhood Plan but included various designations from other documents. I recommend the following modification:

- **Produce a Proposals Map and include it in the Neighbourhood Plan. This should show each of the allocations referred to in Policies HD2, JE1 and E1. In the interest of clarity, it should not seek to repeat designations or allocations from documents other than the Neighbourhood Plan.**

Housing

This Chapter describes the character of housing in the Neighbourhood Area. It goes on to set out the results of the Housing Needs Survey, one of the relevant findings of which, in terms of the Policies that follow is that the community's preference is for new developments of up to 10 houses.

Paragraphs 8.9 and 8.10 are written as though they comprise Policies, which they do not. In addition, they refer to other parts of other existing documents. This is unnecessary, confusing and detracts from the content of the Neighbourhood Plan.

- **Delete paragraphs 8.9 and 8.10**

Similarly, part of paragraph 8.11 is written as though it is a Policy. I also find the reference to "all forms of transport" to be unclear. By definition, this could include horses and carts, cross-sea ferries and space rockets. There does not appear to be any link between this and the fact that some roads in the Parish are narrow. The paragraph detracts from the content of the Neighbourhood Plan.

- **Delete paragraph 8.11**

The first part of Paragraph 8.12 is superfluous. It is unnecessary, for example, for "the Plan" to "consider" that infrastructure requirements include water or electricity.

- **Delete first sentence of paragraph 8.12**

Policy HD1

Policy HD1 supports new housing development. This is a positive Policy that facilitates housing growth. It has regard to the Framework, which promotes the delivery of new homes (Chapter 6) and which requires housing applications to be considered in the context of the presumption in favour of sustainable development (para 49).

The Policy is in general conformity with the Island Plan Core Strategy, which identifies Brading as a Rural Service Centre where it is expected that development will be accommodated.

Taking the above into account, Policy HD1 contributes to the achievement of sustainable development. It meets the basic conditions.

Policy HD2

The first part of this Policy requires development to be located in or adjacent to the settlement of Brading and limits developments to no more than nine homes on any individual site.

The Policy refers to the Policies Maps. As per the comments above:

- **Change Policies Maps references to “Proposals Map”**

The restriction to nine homes conflicts with the results of the consultation undertaken – this clearly pointed to a local preference for sites of up to ten homes. The Neighbourhood Plan, in the supporting text, states that 1-9 homes comprises “minor”, not “major” development, hence the choice of nine homes in the Policy. I find that this is an entirely arbitrary approach and there is no substantive evidence to the contrary. More importantly, it fails to reflect the evidence provided. I recommend:

- **Policy HD2 a) and Policy HD2 d), change to “...no more than ten homes...”**
- **Paragraph 8.7, delete from line 6 “...However...” to the end of the paragraph**

Taking the above into account, the Policy has regard to the Framework, which provides the tools for local people to get the right types of development for their community (paragraph 184).

Policy HD2 b) requires proposals to demonstrate how they provide housing types and tenures that contribute to relevant housing needs. Whilst Isle of Wight Council has raised a concern in this regard, I note that the Policy’s reference to “the most up-to-date housing needs survey report” provides a relevant referent to the requirement to contribute to a range of housing tenures.

Policy HD2 c) does not provide any clear Policy requirement – merely requests developers to “give consideration to scale.” No clarity is provided. It fails to have regard to paragraph 154 of the Framework, which requires policies to afford decision-makers with a clear indication of how they should react to a development proposal:

- **Delete HD2 c)**

The second part of Policy HD2 relates to the countryside within the Neighbourhood Area. Housing development is not prevented, but must demonstrate that it meets a local need. I consider that this part of the Policy could be made clearer by the following modification:

- **Policy HD2 e) add “local need, appropriate to the rural area; and...”**

Subject to the above, Policy HD2 has regard to national policy, which states that, in rural areas, housing development should reflect local needs (paragraph 54).

Policy HD2 f) makes no sense. It seeks to introduce some kind of hierarchy but ends up presenting an entirely confused and poorly thought out approach to housing development within the Neighbourhood Area, irrelevant to this part of the Policy. It fails to have regard to paragraph 154 of the Framework. I also note that this sub-section includes a fundamental grammatical error, but erroneously including the word “not.” The final sentence of Policy HD2 simply states “particular” support for an element of existing policy and is unnecessary.

- **Delete HD2 f) and delete final sentence of Policy HD2**

Subject to the above changes, Policy HD2 meets the basic conditions.

Policy HD3

The first part of Policy HD3 would be made clearer, having regard to the Framework, subject to the following change:

- **Policy HD3, delete “...for all forms of transport.”**

The final part of the Policy is unclear. No indication is provided of when it will be “necessary” to improve local infrastructure, or why local infrastructure should be improved. There is no clarity as to when a development should simply provide the “necessary level of infrastructure” (referred to in the supporting text) and when it will be required to improve local infrastructure. Consequently, this part of the Policy is unclear and fails to have regard to the national policy requirement for clarity, as referred to above.

- **Delete Policy HD3**

Heritage

The Heritage Chapter provides interesting and informative background information relating to the rich heritage of the Neighbourhood Area. I acknowledge that English Heritage welcome the Chapter's "*extremely comprehensive consideration of the historic environment in Brading.*"

The majority of paragraph 9.5 reads as a Policy but is not a Policy:

- **Delete paragraph 9.5 from the beginning up to "...Changes which have..."**

The final sentence of paragraph 9.9 reads as a Policy, but is not a Policy:

- **Delete final sentence of paragraph 9.9**

Policy HE1

This Policy protects heritage assets. It has regard to the Framework, which recognises the nation's heritage assets as an irreplaceable resource (paragraph 126). The Policy is in general conformity with Island Plan Core Strategy policy DM11, which supports proposals that positively conserve and enhance the special character of the Island's historic environment.

English Heritage have made two minor suggestions with regards Policy HE1. I consider that the first of these, and a modified version of the second of these (not requiring, but supporting "enhancement") would strengthen the wording of the Policy in the light of national and local policy. I recommend:

- **Policy HE1 a) re-word "...the retention and/or sensitive re-use..."**
- **Policy HE1 f) re-word "the conservation and/or enhancement of..."**

Subject to the above, Policy HE1 performs the economic, environmental and social roles recognised by the Framework (paragraph 7) and in so doing, contributes to the achievement of sustainable development. It meets the basic conditions.

Policy HE2

Policy HE2 requires development proposals to consider their impact on important views and skylines. This Policy is in general conformity with the Island Plan Core Strategy and has regard to the Framework. The policies of both of these documents combine to protect local character.

The final part of the Policy is simply a reference to supporting information. It is unnecessary. I note that the reference itself (to justification in the Policies Maps, Supporting Document 15) is not factually accurate.

- **Policy HE2, delete final sentence**

Subject to the above, the Policy meets the basic conditions.

Jobs and the Local Economy

This Chapter establishes Brading's tourism credentials and states that tourism "*plays a significant role in the economy of Brading.*"

From the second part of paragraph 10.9, through to the end of paragraph 10.13, the supporting text is worded as though it comprises a Policy, which it does not.

- **Delete from paragraph 10.9 "Because of..." to the end of paragraph 10.13.**

Policy JE1

The aim of this Policy is clear – to support the vitality and viability of the town centre and to promote appropriate economic growth in both the urban and rural parts of the Neighbourhood Area. This has regard to national policy, which promotes the vitality of centres (paragraph 23) and supports economic growth in rural areas (paragraph 28).

However, the wording of the Policy is ambiguous. There is no clarity regarding how, or even if, a proposal can "primarily focus" on the various points made in Policy JE1 sections a) to d). No clarity is provided regarding what would happen if a proposal does not "primarily focus" on these points. Consequently, the Policy fails to have regard to paragraph 154 of the Framework, which requires policies to provide decision makers with an indication of how they should react to a development proposal. I recommend:

- **Policy JE1, re-word "...Policies Map. *Proposals which achieve the following will be supported: a) maintaining...*"**

Policy JE1 refers to the Policies Map. Taking into account the recommendations made earlier in this Report, I recommend this be changed:

- **Change Policies Map reference to "*Proposals Map*"**

The second part of Policy JE1 refers to training and work experience. This is a general aspiration rather than an implementable land use planning policy:

- **Policy JE1, delete "*Where possible...work experience.*"**

Category JE1 e) simply repeats the preceding sentence and is unnecessary:

- **Delete JE1 e)**

Category JE1 f) is severely grammatically flawed, to the extent that it makes no sense. Furthermore, its apparent hierarchical aims conflict with the earlier part of the Policy:

- **Delete JE1 f)**

Category JE1 g) simply repeats the introductory sentence. If a proposal sustains and creates economic growth and jobs in the Parish it would obviously support the economy of the Parish:

- **Delete JE1 g)**

Given that none of the sub-categories are appropriate, the wording of the introductory sentence to this part of the Policy needs to change. In the light of national policy, I recommend:

- **Policy JE1, re-word “...the Primary Frontage Area. *Sustainable rural tourism and leisure developments that benefit rural businesses, communities and visitors will be supported provided they are in keeping with, and do not harm, the character of the countryside.*”**

The above modification also takes into account concerns expressed by Isle of Wight Council with regards support for tourism uses outside settlement boundaries. Consequently, the Policy is in general conformity with Island Plan Core Strategy Policies SP1 and SP4, which support the provision of appropriate tourism uses across the Island.

Taking the above modifications into account, Policy JE1 meets the basic conditions.

Protecting Our Environment

This Chapter presents a detailed and interesting background to the Neighbourhood Area's natural and historic environment.

Paragraphs 11.6 and 11.8 read as Policies, but are not Policies and paragraph 11.7 contains a grammatical error:

- **Delete paragraphs 11.6 and 11.8**
- **Paragraph 11.7, line 1, change "is" to "are"**

Policy E1

The first part of the Policy has regard to the Framework, which protects local character and requires the planning system to contribute to and enhance the natural and local environment (paragraph 109).

The second part of the Policy is repetitive and confusing. It appears to suggest that development proposals should consider policy designations. This is an unnecessary reference – if policy designations exist, they need to be taken into account. Not only is the reference to "should consider" vague, but the Policy goes on to set out policy designations covered by, and relevant to, other planning documents.

The Policy also appears to create an entirely new designation called "local strategic gap." It is not defined in the Neighbourhood Plan (although I note that a proposed area of local strategic gap is shown in the supporting Policies Maps) nor is any detail provided within the Policy. A strategic gap, by its very nature, would comprise a strategic designation and is more appropriate to a strategic planning document than to a neighbourhood plan. There is no such local strategic gap in the Island Core Strategy and in this regard, I find that the proposal is not in general conformity with the strategic policies of the development plan.

In addition, the Policy simply states that development proposals should consider their impact on "local green space." As presented, there are no Local Green Space designations in the Neighbourhood Area. This is a flawed approach. Whilst it is clearly the aim of the Neighbourhood Plan to create Local Green Space – as set out in the supporting text and Supporting Documents, it fails to designate any. I make a recommendation below aimed at appropriately reflecting the aim of the Neighbourhood Plan in this respect.

Local Green Space is a restrictive and significant policy designation. The Framework requires the managing of development within Local Green Space to be consistent

with policy for Green Belts (paragraph 76). Effectively, Local Green Space, once designated, provides protection that is comparable to that for Green Belt land.

With regards the recommended modifications below, I note here that the reasons for designation have regard to the requirements set out in paragraph 77 of the Framework. For reference, they are presented, in detail, in “Supporting Document 14.”

I recommend the following:

- **Policy E1, delete everything after the first sentence**
- **Policy E1, add *“Local Green Spaces are designated at Beechgrove Green, Broadstone Crescent and Lower Furlong. These are identified on the Proposals Map. Development will only be permitted within Local Green Spaces in very special circumstances.”***
- **Paragraph 11.9, delete rest of paragraph after first sentence and delete paragraphs 11.7, 11.8, 11.10 and 11.11.**

Creating a Sustainable Community

This Chapter covers wide-ranging issues. Parts of paragraphs 12.14 and 12.15 and all of paragraph 12.17 are presented as though they are Policies, which they are not. Paragraph 12.19 is unnecessary.

- **Delete the final sentence of paragraph 12.14, and the rest of paragraph 12.15 after the second sentence.**
- **Delete paragraphs 12.17 and 12.19**

Policy SC1

This Policy is so general and wide ranging as to be meaningless. For example, it could be argued that it supports the development of an accessible nuclear power station or the construction of a new motorway and a hundred wind turbines in the Neighbourhood Area. There is no evidence to suggest that this might be the intention of the Policy. The Policy fails to have regard to paragraph 154 of the Framework, with regards to providing decision makers with clarity.

- **Delete Policy SC1**

Policy SC2

The wording of Policy SC2 is very, very general. It requires all development proposals to consider a wide range of factors. It will not be relevant for some development proposals and is more of a broad statement than a clear and effective land use planning policy. I recommend:

- **Delete Policy SC2 and replace it as a “Community Action” re-worded as follows “*The Town Council will encourage developers to take account of: a) the use and sensitive...Zones 2 and 3. Developers will also be encouraged to take account of the character areas and the...6).*”**

Policy SC3

Policy SC2 is vague. It calls for general consideration but provides no further indication or clarity. It is not an effective land use planning policy. I recommend:

- **Delete Policy SC3 and replace it as a “Community Action” re-worded as follows “*The Town Council will encourage developers to take account of: a) the appropriate...Lower Adgestone.*”**

The final three Chapters of the Neighbourhood Plan provide brief summaries regarding Crime and Disorder; Improving Community Services; and Traffic and Transportation. They do not contain any Policies.

8. Summary

The Brading Neighbourhood Development Plan has emerged further to sustained and significant community efforts. It is the result of much hard work and has relied on dedicated commitment from many people.

I have recommended a number of modifications to the Neighbourhood Plan. These have been made with specific regard to the basic conditions.

Subject to these modifications, I consider that the Brading Neighbourhood Development Plan:

- has regard to national policies and advice contained in guidance issued by the Secretary of State;
- contributes to the achievement of sustainable development;
- is in general conformity with the strategic policies of the development plan for the area;
- does not breach, and is compatible with European Union obligations and the European Convention of Human Rights.

In this way, the Brading Neighbourhood Development Plan meets the basic conditions.

I have already noted above that the Plan meets paragraph 8(1) requirements.

9. Referendum

I recommend to Isle of Wight Council that, subject to the modifications proposed, the **Brading Neighbourhood Development Plan should proceed to a Referendum.**

Referendum Area

Neighbourhood Plan Area - I am required to consider whether the Referendum Area should be extended beyond the Brading Neighbourhood Area. I consider the Neighbourhood Area to be appropriate and no evidence has been submitted to suggest that this is not the case.

I recommend that the Plan should proceed to a Referendum based on the Brading Neighbourhood Area as approved by Isle of Wight Council on 29 May 2012.

Nigel McGurk, December 2014
Erimax – Land, Planning and Communities

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