

# March Neighbourhood Plan 2015-2030

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## Initial Comments of the Independent Examiner

**Prepared by**

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**John Slater Planning Ltd**

**13<sup>h</sup> April 2017**

## Introduction

1. As you will be aware I have been appointed to carry out the examination of the March Neighbourhood Plan. I have carried out my initial review of the Plan and most of the accompanying documents that I have been sent. I have just returned from my visit to the Town, where I viewed the strategic housing allocations and walked around the town centre for an hour or so .
2. My initial view is that I should be able to deal with the examination of this Plan by the consideration of the written material but I reserve the right to call for a public hearing, if I consider that it will assist my examination. Based on my preliminary consideration of the plan, there are a small number of matters that I would wish to receive further representations principally from the Qualifying Body, March Town Council but in a number of cases the LPA should respond to the specific matters I have raise.

## Town Centre Uses

3. I have some comments to make about Policy TC1- entitled Primary Shopping Frontages. I note that the first criterion refers to non-retail uses exceeding 40% of the primary shopping frontages. I have a number of questions that I would appreciate a response
  1. Is it 40 % of the overall total number of shops which are designated as primary frontage or?
  2. Is it 40% of the length of the overall primary frontage in the town centre? I.e. is a kiosk counted the same as a large unit?
  3. Or is it 40% of the row of properties that the particular unit is in?
4. I would wish to know what the current percentage is and how often is the town centre surveyed and would every application require a survey to ascertain the current figure.
5. I would also invite a submission of the question of whether this measure of the health of a town centre is still a relevant consideration bearing in mind the flexibility that now exists to change the uses of Classes A1-5 which have now been introduced by the recent changes to the Town and Country (General Permitted Development) Order 2015 which allows changes of use across the classes. I am also conscious of the advice set out in paragraph 23 of the NPPF regarding town centre uses.
6. In criterion c) what level of concentration of non-retail uses would be likely to have a harmful effect on the primary shopping function of the town centre. Does the similarity of particular uses apply e.g. is it say a restaurant or café use or is it aimed at the similarity of different types of restaurants (or cafes)?

7. In exception 1. – what would “long term” mean in terms of months and is it not better to encourage any town centre use rather than having to have shops vacant for months on end?
8. Finally, I was a little surprised when reviewing the extent of what is defined as primary shopping areas that the Barclays Bank unit at the corner of Broad Street and Grays Lane, and the Post Office and also the Weatherspoon’s PH opposite. I would have thought they would all be town centre uses. Was there a reason for their omission. Was there a specific set of criteria used to define what is primary frontage.

### **Regeneration Sites**

9. Are the non-designated heritage assets designated in any other place e.g. a local list or is it the intention that the neighbourhood plan designates them. If it is the latter I will need more evidence to identify why they are buildings of local interest? Is the area of archaeological interest, a Scheduled Ancient Monument – if it is not why is it of interest and what is the extent of the area that is of interest and can it be shown as an area on the plan?

### **Open Space**

10. I am not clear how open space requirements will be sought for residential schemes on windfall sites. Can I be sent a copy of the Appendix B - Open Space Standards and I would ask how the LPA is to approach financial payments under the CIL Regulations regarding the pooling of contribution and also does it ask for them on schemes of less than 10 units following the changes in national advice on planning obligations.

### **Housing Sites**

11. In Policy H2 how would a decision maker view a scheme of 10 or over units differently that a scheme of 9 or under. If an acceptable development was being promoted for over 9 units but the applicant had not carried out the pre-application consultation which the policy requires – would the QB expect that otherwise acceptable application, to be refused?
12. Elsewhere in the district, how is Fenland dealing with the threshold of over 10 units before affordable housing can be sought, as set out in national advice post the Reading and West Berkshire judgement being applied

### **Strategic Policies**

13. I would be grateful if Fenland could indicate which Local Plan policies it considers to be strategic, in terms of the Basic Conditions test for “general conformity”.

### **Final Matters**

14. In order, not to unnecessarily delay progress on this examination, I would welcome your responses, covering these matters **by 7 May 2017**, if possible. If they arrive earlier that will allow me to issue my report and complete the examination in a shorter time period.
  
15. Please can both parties place a copy of this document and your respective responses submissions on both Fenland DC 's and the Town Council's respective websites.

13<sup>th</sup> May 2017

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