



Summary of representations submitted to the examiner of the Biddulph Neighbourhood Plan

It is noted throughout the Staffordshire Moorlands District Council (SMDC) summary of responses that there are ‘objections’. This is incorrect and misleading and must be removed. Biddulph Town Council has removed this column from the response below. None of the comments relate to concerns about the Basic Conditions.

Consultee	Summary of Comment	Biddulph Neighbourhood Plan Working Group response (November 2021)
British Horse Society	<p><i>NP p.19 (points 6 & 7):</i> Nationally equestrians have just 22% of the rights of way network and are increasingly forced to use busy roads to access them.</p> <p>Horse riding is included in the Active Travel definition. The cycle ways referred to can, in most cases, be inclusive of equestrians to provide additional shared non-MPV off road routes and to avoid horses being sandwiched between fast moving road traffic and cyclists on roads.</p> <p>The footpath network referred to includes a high proportion of former RUPPs. The British Horse Society is working with local volunteers to submit claims for higher rights where historic evidence supports his as part of the Project 2026 objectives.</p> <p><i>NP p.35:</i> The green infrastructure described should be inclusive of equestrians via bridleways, byways and multi-user non-MPV routes. Natural surfaces encouraging biodiversity are preferable for equestrians. Routes need to be protected from unauthorised or anti-social MPV misuse for environmental and safety reasons. Extending public rights of way and other provision for walking, cycling and horse-riding will require additional resource for countryside teams to maintain and protect the valuable network.</p>	No additional comment.

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	<p><i>NP p.39:</i> Heritage assets infers inclusion of rights of way. Staffordshire Moorlands has a high proportion of routes recorded as footpaths which are former RUPP's:</p> <table border="1" data-bbox="465 411 1500 603"> <thead> <tr> <th data-bbox="465 411 801 507">Area</th> <th data-bbox="801 411 1084 507">Total No's of RUPPs</th> <th data-bbox="1084 411 1294 507">Total Footpath</th> <th data-bbox="1294 411 1500 507">% of Total</th> </tr> </thead> <tbody> <tr> <td data-bbox="465 507 801 603">Staffordshire Moorlands</td> <td data-bbox="801 507 1084 603">180</td> <td data-bbox="1084 507 1294 603">154</td> <td data-bbox="1294 507 1500 603">86%</td> </tr> </tbody> </table> <p>The BHS is working with local volunteers to submit claims for higher rights where historic evidence supports his as part of the Project 2026 objectives. The significant delays in assessing and determining claims then modification of the definitive map and statement suggest resource implications in the legal team.</p> <p><i>NP p.57:</i> Equestrian tourism is increasingly popular for both novice riders and for those wishing to take their horse on holiday. This positively impacts rural industry such as vets, farriers, coaches, equine land managers, feed merchants, etc. Making Biddulph and Staffordshire Moorlands a welcoming place for equestrians through improving the connectivity of the off-road network is key in securing this aspect of tourism. Creating Wildlife corridors for multi-use to enhance the environment and engaging with landowners for access would improve the network.</p>	Area	Total No's of RUPPs	Total Footpath	% of Total	Staffordshire Moorlands	180	154	86%	
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Staffordshire Moorlands	180	154	86%							
Canal & River Trust	The trust has no comments to make.	No additional comment.								
Coal Authority	The Coal Authority records indicate that within the Neighbourhood Plan area there are recorded risks from past coal mining activity at shallow depth and at surface, including; mine entries, recorded and probable unrecorded coal workings, mine gas sites and reported hazards. However the Neighbourhood	No additional comment.								

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	Plan does not appear to allocate any sites for future development and on this basis we have no specific comments to make.	
Environment Agency	<p>The Neighbourhood Development Plan (NDP) should propose local policies to safeguard land at risk from fluvial flooding and the provision of sustainable management of surface water from both allocated and future windfall sites. The local policies should seek to enhance the policies in Staffordshire Moorlands District Local Plan adopted in 2020, in particular Policy SD 5 Flood Risk.</p> <p>The plan area includes a number of watercourses including the Biddulph Brook, a designated main river, which runs through the town. This watercourse has areas of floodplain associated with it, most of which is Flood Zone 3 (high probability). There are also smaller ordinary watercourses and any proposals that are considered during the Neighbourhood Plan process should take account of this.</p> <p>Whilst we welcome Policy INF2 (Sustainable Drainage), it should be further expanded to cover a wider range of relevant flood risk management issues including the following:</p> <ul style="list-style-type: none"> • New development proposals must also demonstrate that they will not increase flood risk <i>elsewhere</i> both in and out of the Plan area. • The sequential approach should also be used within development sites to inform site layout with the most vulnerable part of the development located in in the lowest risk areas and the higher risk areas being used for flood risk management, environmental, recreation or amenity purposes. • On Greenfield sites surface water runoff rates should not be increased and we strongly advice development should achieve better 	<p>Much of this formed part of the Regulation 14 response. See comments in the Consultation Statement to evidence our response and policy updates.</p> <p>We welcome further suggestions from the Examiner.</p>

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	<p>than Greenfield runoff rates for Greenfield sites. On brownfield sites surface water runoff should be reduced to the Greenfield rate or ideally better than Greenfield rates, wherever practical. Applicants should target a reduction in surface water discharge in accordance with Defra and LLFA guidance. Approved development proposals will be expected to be supplemented by appropriate maintenance and management regimes for surface water drainage.</p> <ul style="list-style-type: none"> • All new development, including infill development and small scale development, should incorporate sustainable drainage systems (SuDS) to reduce flood risk and manage surface water and to ensure that runoff does not increase the risk of flooding elsewhere taking account of the impact of climate change. Long-term maintenance arrangements for all SuDS should also be in place for the lifetime of the development and agreed with the relevant risk management authority. Development should ensure that SuDS link to green infrastructure to provide environmental benefits as well as balancing flood flows and improving water quality. • Proposals for new development should consider future flood risk and, where appropriate, include resistance and resilience measures that mitigate and adapt to the anticipated impacts of climate change. • All development should be set back from main rivers with a minimum of an 8 metres wide undeveloped buffer strip in order to provide maintenance access, make space for water and provide additional capacity to accommodate climate change. • Existing open watercourses should not be culverted. Building over existing culverts should be avoided. Where feasible, opportunities to 	

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	<p>open up culverted watercourses should be sought to reduce the associated flood risk and danger of collapse whilst taking advantage of opportunities to enhance biodiversity and green infrastructure. Where this is not possible, an assessment of its structural integrity should be made, with any remedial actions taken prior to the development of the site. In addition, a maintenance regime should be agreed to reduce the likelihood of blockage.</p> <ul style="list-style-type: none"> • Where possible, opportunities should be sought to work with other bodies and landowners to encourage and promote implementation of natural flood management measures which will contribute towards delivering a reduction in local and catchment-wide flood risk and the impacts of climate change as well as achieve other wider environmental benefits. • Where possible, opportunities should be sought to undertake river restoration and enhance natural river corridors as part of a development in line with the Water Framework Directive and to make space for water. • River habitats should be retained and enhanced and taking opportunities to improve connectivity. <p>A large part of the Environment Agency’s work now is to implement the Water Framework Directive (WFD) which aims to protect and improve the water environment. The WFD and its objectives from the Humber and North West River Basin Management Plans (RBMPs) have not been included as part of the evidence base of this NDP. When considering the proposed development of a site, an assessment should be made to:</p>	

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	<ul style="list-style-type: none"> <input type="checkbox"/> identify when there might be impacts on water bodies; <input type="checkbox"/> seek options that reduce impacts on water bodies; <input type="checkbox"/> assess the risk of deterioration or failing to improve water bodies; <input type="checkbox"/> require all practicable mitigation; <input type="checkbox"/> prevent deterioration of current water body status; <input type="checkbox"/> take listed measures in RBMPs into account; <input type="checkbox"/> consider alternative development options that would avoid or reduce impacts on water bodies; <input type="checkbox"/> seek opportunities to improve water bodies; and <input type="checkbox"/> consider objectives in RBMPs for protected areas. <p>We strongly advise a planning policy and supporting evidence base is included within this NDP to encompass the above and strengthen Local Plan Policy SD 5 (Flood Risk). This could be encompassed within Policy NE1 (Natural Environment Features) where it is proposed to preserve or enhance watercourses, ponds and lakes.</p> <p>We recommend the inclusion of a requirement for biodiversity net gain by restoring or creating environmental features that are of greater value to both people and wildlife.</p> <p>If greenspaces can be designed to be less formal areas with more semi-natural habitats this will reduce maintenance costs and provide better biodiversity and water management potential. These can also be incorporated into the surface water management of the site.</p>	
Highways England	In relation to this consultation, our principal interest is safeguarding the operation of the M6, which routes through the plan area, although the Strategic Road Network (SRN) is located approximately 10 miles away from Biddulph, with the closest junctions being the M6 J16 and J17. Based upon the scale of	No additional comment.

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	development and proposals within the Neighbourhood Plan these are unlikely to have a significant impact on the SRN.	
Historic England	<p>Historic England has no adverse comments to make upon the plan which we feel takes a suitably proportionate approach to the main historic environment issues pertaining to Biddulph.</p> <p>Our previous comments also remain relevant, that is:</p> <p><i>“We commend the commitment in the Plans Vision, objectives and policies to support well designed locally distinctive development that is sympathetic to the character of the area including its rural landscape character, views and green spaces.”</i></p>	No additional comment.
National Grid	An assessment has been carried out with respect to National Grid’s electricity and gas transmission assets which include high voltage electricity assets and high-pressure gas pipelines. National Grid has identified that it has no record of such assets within the Neighbourhood Plan area.	No additional comment.
National Trust	<p>Welcome the production of the plan and the recognition that it gives both to Biddulph Grange Garden and to Mow Cop.</p> <p>The plan identifies a concern with parking overflowing from Biddulph Grange Garden on busy days. We improved our overflow car park in 2019 (planning permission SMD/2019/0020) and believe that this will have resolved this issue. During lockdown, we understand that visitors were overflowing from the car park for Biddulph Grange Country Park.</p> <p>The plan identifies important views from Biddulph Town Centre. In a similar vein, we have started work on identifying the most important areas for the setting of Biddulph Grange Gardens. These notably include the fields between the Gardens and Woodhouse Lane and the land on the far side of the valley</p>	No additional comment.

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	seen in the view west along the Wellingtonia Avenue. We would welcome an opportunity to work with the Town Council on identification and protection of the key parts of the setting of Biddulph Grange Garden.	
Natural England	Natural England does not have any specific comments on the Biddulph Neighbourhood Plan.	No additional comment.
Seabridge Developments Ltd (Agent: Emery Planning)	<p>Seabridge Developments Ltd objects to and has serious concerns in respect of the proposed designation of Local Green Space in the Neighbourhood Plan, and specifically the proposed designation of the land at Gillow Fold Farm, Biddulph (within the Green Belt and controlled by them – map supplied). We request that the Examiner recommends modifications to the plan to ensure that it meets the basic conditions.</p> <p>Client’s land was proposed for release from the Green Belt and to be designated as ‘safeguarded land’ in the Staffordshire Moorlands Local Plan but this was rejected by the Inspector at Examination. The Inspector concluded that the correct approach was a comprehensive early review of the Local Plan. Paragraph 9.8 of the adopted Local Plan states: “subject to future development requirements, a full or partial update of the plan should also include a comprehensive review of the Green Belt around Biddulph, considering the need for both additional allocations and safeguarded land.” As client’s land was previously proposed, it would be considered again as part of any LP review.</p> <p>Policy NE1: Policy approach is inconsistent with the Framework’s approach of protecting sites in a manner commensurate with their statutory status or identified quality (paras 174 & 175). The policy simply lists various categories of sites, habitats and features, and applies the same generic (and potentially highly restrictive approach) to all of them by stating that: “<i>New development must preserve or enhance and not harm or degrade...</i>”.</p>	<p>The comments are noted.</p> <p>For clarity, LGS 57 is within Green Belt and is <u>not</u> safeguarded land.</p> <p>Policy NE1- for the avoidance of doubt, key environmental features and mapped habitats/ areas are identified in the policy. The mapping data ensures this policy is not generic, but responds to the neighbourhood area with detail.</p> <p>The approach to building the evidence has been undertaken by a suitably qualified organisation to ensure it is robust; our consultant was Staffordshire Wildlife Trust.</p> <p>Policy NE3- comments noted about LGS 57. To be clear, the NPPF sets criteria that all LGS must meet, making clear how any proposed LGS is demonstrably special to the community. There is no limit on the</p>

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	<p>It can also be noted that the evidence that informs the plans on pages 36 – 38 of the plan (as referred to within the policy) are high-level assessments and are not informed by detailed site specific assessments of all sites. That is not a criticism per say, as such an approach is proportionate to a plan making process. However, that high-level assessment should not form a basis for applying a restrictive policy approach to specific sites identified on the maps. What is required is further consideration of sites on a case-by-case basis, having regard to their specific value as derived through up-to-date, site-specific surveys, and of course any specific national or local designations. This is exemplified by our client’s site, which appears to be identified as part of a ‘semi-natural habitat’ and ‘medium value habitat distinctiveness’ on the maps, but site specific ecological surveys have shown that the site can be developed. A Phase 1 Extended Habitat Report was prepared by Leigh Ecology Ltd and concludes that there are no barriers to the development of the site in terms of ecology (copy provided). Policy should be deleted or replaced with a form of wording which requires the biodiversity and ecological value of sites to be considered and, where required, mitigation measures to be considered to achieve net gains for biodiversity.</p> <p>Policy NE3: Our client objects to the proposed designation of site no. 57 (Gillow Fold Field) as Local Green Space (LGS). Staffordshire Moorlands Local Plan designates 9 sites as LGS in Biddulph and the Neighbourhood Plan designates a further 88 sites. This is considered to be excessive use of the designation and reflects an indiscriminate approach to designating such sites. Question whether the approach of applying a restricted designation so widely would</p>	<p>number or concentration of LGS by any Planning Authority.</p> <p>Biddulph Town Council has undertaken extensive rounds of consultation with landowners and the community, in addition to statutory consultees as part of this process. Please refer to the Consultation Statement and the website for the evidence base.</p>

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	<p>contribute to the achievement of sustainable development across Biddulph. Notwithstanding, we recognise that the examiner will need to consider each proposed designation on its own merits.</p> <p>To summarise in relation to site 57 (Gillow Fold Field):</p> <ul style="list-style-type: none"> • The designation does not meet the test of paragraph 102(b) of the Framework, as it is not demonstrably special to the local community. The site is not of any particular ecological value sufficient to warrant protection, and there is no public access save for along the public rights of way. • The designation does not meet the requirement of paragraph 101 of the Framework, as it is not demonstrably capable of enduring beyond the end of the plan period. To the contrary, the evidence base indicates that there is a reasonable prospect of the site being allocated through the review of the Staffordshire Moorlands Local Plan. Related, the designation of the site could frustrate, rather than contribute to, the achievement of sustainable development. • The site is already designated as Green Belt, and there is no demonstrable additional local benefit to be gained by designating the land as Local Green Space. <p>The Examiner is therefore invited to recommend a modification to the plan to ensure that it meets the basic conditions, deleting site no. 57 as a Local Green Space.</p> <p>Also, object to the proposed wording and requirements of Policy NE3 as it is not consistent with paragraph 103 of the framework.</p>	

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	<p>Policy NE3 is significantly more restrictive than policies for managing development in the Green Belt as set out in the Framework, namely:</p> <ul style="list-style-type: none"> • there are no categories of development that are “not inappropriate”; and, • there are no exceptions for development for which there are very special circumstances. <p>The Court of Appeal has held that it is unlawful for a Local Green Space policy to be inconsistent with the Framework, unless there is justification for departing from it (R (Lochailort Investments Ltd) v Mendip District Council, [2020] EWCA Civ 1259). In this case, no justification is given for the reason for a significant departure from national planning policy, which would apply to all 88 Local Green Spaces proposed in the NP. Indeed, the departure does not even appear to have been recognised, let alone adequately justified. But in any event, there are no local circumstances that would justify such a significant departure from national policy.</p> <p>Therefore, the policy wording should be amended to be consistent with the Framework.</p> <p>Suggest to the examiner that a hearing is required to cover the matters raised above and would wish to attend it.</p>	
Severn Trent	No comments	No additional comment.
Sport England	<p>Policy CF2 identifies several existing community facilities in the neighbourhood area where development proposal affecting the facilities will be supported, providing they do not have any significant adverse impact on the community value of the facility. An exception to this is if a similar quality or better facility is provided nearby.</p>	No additional comment.

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	<p>Some of the facilities identified are ancillary facilities related to playing field sites. If the facilities are lost then this could prejudice the use of the playing field site, the supporting text fails to recognise this and even if replacement provision is provided it should accord with NPPF paragraph 99.</p>	
<p>Staffordshire County Council</p>	<p>We note Policy INF1 includes a list of critical road junctions, during earlier rounds of consultation we have raised issue that there appears to be no empirical evidence to support the list. The Staffordshire Moorlands District Integrated Transport Strategy (2018-2031), and Biddulph Local transport Strategy that informed the Local Plan doesn't identify any issues at the critical road junctions listed under NP Policy INF1.</p> <p>It does say:</p> <p><i>5.26 Following consideration of traffic issues in Biddulph, as summarised in Section 2, it is considered that development traffic can be adequately mitigated and the required transport measures can be delivered when necessary. The measures indicated on Figure 5.4 and listed as follow, are required to enable the proposed level of growth:</i></p> <ul style="list-style-type: none"> • <i>Sustainable Transport Measures</i> • <i>Bus stop infrastructure and real time bus passenger information</i> • <i>Enhanced bus connections to Stoke-on-Trent</i> • <i>Maintenance and enhancement of key footpath and cycle routes and right of way network, focusing on links to the town centre and schools</i> • <i>Ensure the Biddulph Valley Way (NCN55) provides a complete and connected route with new surfacing between Stoke-on-Trent and northwards towards Congleton.</i> • <i>The design of the access road within Wharf Road development site to ensure the safety of users of the Biddulph Valley Way (NCN55) Highway Measures</i> 	<p>Comments noted in relation to INF1; please see the website for the evidence.</p>

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	<ul style="list-style-type: none"> • <i>Providing adequate site accesses that minimise traffic impact, making use of existing junctions where feasible</i> • <i>Provision of a signal controlled junction at Victoria Business Park, providing access to the mixed use development site</i> • <i>Ongoing monitoring of road safety data</i> <p>The locations identified within INF1 can be considered within the scope of Transport Assessments submitted in support of development proposals (which is what the NP asks for) under typical planning processes. However, on its own the Policy is potentially confusing and interpretation of what is a severe adverse impact is also unclear. It is suggested the list of junctions identified as of concern for local residents would sit better in the supporting text under a more generic policy around traffic impact.</p>	
Staffordshire Moorlands District Council	<p>Policy LE2: The changes made to reflect the previous comments made by the Council at Reg 14 Stage are welcomed. However, the interpretation to the revised policy states “This policy should be applied with policy DSB2 Biddulph Mills in the emerging local plan.” Policy DSB2 relates to Yarn Mill and Minster Mill, not Albion Mill so this is a confusing and unnecessary sentence. Suggest that this is removed for clarity.</p> <p>Policy CF2: The changes made to reflect the previous comments made by the Council at Reg 14 Stage are welcomed. However, these only partially reflect the Council’s comments. The element which has not been addressed is changes over time to the viability of specific uses like church halls. Local Plan policy covering existing community facilities allows for the loss of community facilities under certain circumstances (where an alternative facility is available or can be provided, (the can be provided scenario has been covered but not the available scenario) or where a professional viability appraisal concludes that there are no options for continued use as a community facility where it can be demonstrated that the loss of a facility would not disadvantage local residents (this has not</p>	<p>Comments are noted; we are happy to make amendments to avoid confusion. Please see Regulation 14 amendments.</p> <p>NE1- we would welcome any suggested wording to the policy ensuring that there is no conflict with any strategic allocations in the Local Plan.</p> <p>NE3- This wording has been used in a number of other made Plans and seeks to make clear when small scale development would be appropriate on designated LGS. To be clear, this</p>

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	<p>been covered)). The wording of Policy CF2 as it stands conflicts with the Council's (non-strategic) Local Plan Policy C1 – Creating Sustainable Communities.</p> <p>Policy NE1: This policy was a key area of concern for the Council at Regulation 14 stage and whilst some minor changes have been made to the policy to reflect some of the Council's concerns, the main concerns are still outstanding.</p> <p>The policy, as it stands does not comply with the NPPG on how policies in a Neighbourhood Plan should be drafted. Consideration needs to be given to how the policy wording could be applied to a development site proposal. Rather than listing the evidence base (i.e. the maps) within the policy (these could be put into the interpretation section), some guidance is needed as to how to apply this evidence. Taking it literally, as the wording stands everything on every map must be preserved or enhanced by new development. Wharf Road for example (a mixed use housing / employment allocation in the Staffordshire Moorlands Local Plan) is characterised as 'poor semi-improved grassland' on the habitat map. With the present wording, the housing and employment development must preserve or enhance this which clearly would not be possible as the designation covers the whole site. There needs to be explanation in the policy to distinguish which areas are important and how a developer can address this in creating a site layout. Although the wording in the interpretation has been amended since the Reg 14 stage, taken literally, it is still saying that everything on every map is particularly sensitive. The use of the word 'must' in the policy means that it doesn't "include a general requirement to consider" – the policy wording goes beyond that. The maps referred to are still difficult to find within the document. A page number reference for each map would be very useful.</p> <p>The policy as it stands conflicts with Local Plan Strategic Policy SS1 – the development principles listed could not all be achieved if this policy was in place</p>	<p>wording is about maintaining and enhancing community value.</p> <p>NE5- See the response to the Examiner.</p> <p>HOU1- To be clear, it is the intention that where an off-site affordable housing contribution is made within a neighbourhood area, SMDC must notify Biddulph Town Council at the earliest available opportunity to ensure both parties can work proactively to enable the delivery within timescales, with the neighbourhood area. We have had extensive discussions with SMDC on this matter, providing opportunity for them to inform and shape policy, including this element prior to Regulation 14. This is an important factor for the community.</p> <p>HOU2- The policy related to small scale infill housing and is therefore not applicable to large windfall sites. It is about design characteristics for small scale development.</p>

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	<p>as it stands as the wording protects large areas around (and sometimes within) Biddulph from development. The NP policy offers no flexibility and does not distinguish between the quality of the designations as required in the NPPF. The current policy wording also affects LP strategic policy SS4 in relation to housing land supply e.g. The Wharf Road site is intended to provide the majority of new housing in Biddulph over the plan period so policy wording in the plan needs to be mindful of this. This issue can be resolved through amended policy wording.</p> <p>Policy NE3: This policy was a key area of concern for the Council at Regulation 14 stage and whilst it is recognised that changes have been made to the policy to reflect some of the Council’s concerns, there are still outstanding issues. The policy wording is not compliant with the NPPF. There is no requirement in national policy for LGS or Green Belt to be maintained or enhanced. Also, the interpretation to the policy states: “The policy also requires impacts on Local Green Space to be considered for adjacent or nearby development proposals. Such impacts could include noise, visual impact, access or blocking of sunlight”. Presumably, this relates to the policy wording “Built development must not encroach onto Local Green Spaces.” This is not a requirement in national policy either. It implies that development surrounding LGS could be restricted. There is no provision in the NPPF for the protection of land adjacent to or nearby LGS and this approach could prevent sites which are otherwise suitable for development (and outside the Green Belt) from being developed putting more pressure on the Green Belt to meet future development needs. In 2020, the Council’s Local Plan Inspector advised the Council to amend its LGS policy to simply say “Development proposals within a Local Green Space will be assessed against national Green Belt policy” to avoid any conflicts with national policy.</p>	<p>DES1- The comments made are reflected in DES2, not DES 1. This is to address poorly designed developments that result in considerable on-street parking on pavements and roads, as a result of meeting numerical requirements on parking standards. On-street parking may cause future issues. Any suggested wording is welcome.</p> <p>Local Green Space- See previous comments on Local Green Spaces.</p>

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	<p>Due to going above and beyond NPPF policy, future development sites could be limited by the implied restrictions listed in the policy interpretation applying to land adjacent to and nearby LGS. This would then put even more pressure on the Green Belt to meet future development requirements. The Local Plan (Strategic Policy SS4) includes a windfall allowance which the policy wording as it stands would stifle delivery of. The requirement for LGS to be maintained or enhanced is overly onerous and has no national policy basis. These issues can be resolved through amended policy wording.</p> <p>Policy NE5: This policy was a key area of concern for the Council at Regulation 14 stage due to the lack of clarity in the wording and lack of guidance to assist the decision maker. It appears that no amendments have been made to the wording so the issue remains. Query the evidence base to support this policy? There are a number of ways which the policy wording could be improved to assist users of the plan. It is considered that the wording is a little vague – does it mean that any changes to that view cannot occur (‘preserve or enhance the view’)? It is noted that five of the views will affect the Wharf Road Local Plan allocation and the Council would not wish to see capacity of the site compromised. Further explanation of the importance of the views and a detailed description of them is needed in order to help users of the plan to design their particular scheme accordingly. Developers could not demonstrate how their proposal would impact on a view without more details about the view. For example if the hills surrounding Biddulph and the views to Mow Cop are important then this needs to be described in the interpretation to the policy. Whilst the photographs and arrows are useful, with no description behind them they could be misunderstood by users of the plan who do not know Biddulph e.g. view 6 – even though the photo is titled as being towards Mow Cop someone who did not know the town would not know where Mow Cop is on that picture and the importance of it. Views 7 and 8 ‘towards the north’ are too vague without a description of what the view is and what it means. (Example given as</p>	

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	<p>to how the London Plan identifies and manages protected views in an SPD). The current policy wording has the ability to affect strategic Local Plan Policy SS4 in relation to housing land supply. The Wharf Road site is intended to provide the majority of new housing in Biddulph over the plan period so policy wording in the plan needs to be mindful of this. This issue could be resolved by including further explanation of the views in the plan to assist developers with understanding how their development could comply with this policy.</p> <p>Policy HOU1: The changes made to reflect the previous comments made by the Council at Reg 14 Stage are welcomed. However, these only partially reflect the Council’s comments. The requirement for off-site contributions for affordable housing to be spent within the neighbourhood area could have unintended consequences. If the money is not spent within a certain time period it must be returned to the developer. It is suggested that the policy is more criteria based to spend the money within the neighbourhood area as a first preference and only if this is not possible to spend elsewhere in the District to avoid this situation. The Local Plan takes a similar approach. The policy as it stands could lead to the loss of opportunities to supply funding towards affordable housing elsewhere in the District, thereby conflicting with strategic Local Plan policies SS5 and SS7 in particular.</p> <p>Policy HOU2: The changes made to reflect the previous comments made by the Council at Reg 14 Stage are welcomed. However, these only partially reflect the Council’s comments. In the interpretation, the second sentence has not been amended to replace the words “the town centre” with “the settlement boundaries” as large windfalls occur all over the town and could occur in Biddulph Moor. The current policy wording has the ability to affect strategic policy SS4 in relation to the windfall parts of the housing land supply. It is important that larger windfall sites in the</p>	

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	<p>Parish are not inadvertently stifled. This issue can be resolved through amended policy wording.</p> <p>Policy DES1: The changes made to reflect the previous comments made by the Council at Reg 14 Stage are welcomed. There is just one outstanding point: In the fourth bullet it is recommended that additional wording is added to the end of the bullet to reflect the location of the property e.g. if it is in the town centre it could still be a large property but parking within the curtilage may not be possible and in any case there would be more opportunities for people to walk / cycle to access facilities. Suggested wording is: 'proportionate to the size of the property having regard to location in relation to alternative travel modes'.</p> <p>Local Green Space: The number of LGS designations proposed in the Biddulph Parish is excessive and has the potential to undermine future plan making. With all the proposed designations it would be very difficult for the Council to meet its current and future windfall targets (LP strategic Policy SS4). This is particularly important in the Biddulph Parish due to the extensive Green Belt coverage around Biddulph and Biddulph Moor. Furthermore, the number of LGS designations proposed does not appear to be compliant with NPPF paragraph 101 which requires the designation of land as Local Green Space to be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services.</p> <p>Many of the sites proposed as LGS in the NP, within the existing settlement boundary are grass verges / small areas of undeveloped land and it is considered that they do not sufficiently meet all NPPF criteria for designation (paragraph 102b). In some cases these are listed as being demonstrably special for the same reasons such as dog walking, children playing, visual breaks within built up development which could be applied to any undeveloped space. The LGS designation effectively extinguishes any future development</p>	

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	<p>opportunities on these sites. Many sites on the LGS list already have Green Belt, open space and / or other types of designation. In these cases it would be appropriate to justify why an LGS designation is also necessary in line with Planning Practice Guidance on open space, sports and recreation facilities, public rights of way and local green space Paragraph: 010 Reference ID: 37-010-20140306.</p>	
Staffordshire Police	<p>While there is nothing within the plan draft including the suggested policies that gives arise to any notable concern, the following comments are made:</p> <p>Policy LE1 – The potential use of upper floors for residential uses would generally be welcomed, which can in some circumstances increase opportunities for natural surveillance where currently they may be limited.</p> <p>Policy CF1 – The proviso of ‘no adverse impact’ in relation to new community facilities is welcomed, which would of course include such adverse impact in the form of the potential for criminal or anti-social behaviour.</p> <p>Policy CF2 – The proviso of ‘no adverse impact’ in relation to existing community facilities is welcomed, which would of course include such adverse impact in the form of the potential for criminal or anti-social behaviour.</p> <p>Policy NE2 – The reluctance to utilise concrete and timber close board fencing for new sensitive transitional urban edges is understood. Clearly in some contexts this could have implications for the security of individual dwellings for instance. In such locations, opportunities to enhance security in other ways should be sought, with developers etc demonstrating how they have endeavoured to design out criminal opportunity. The use of defensive planting varieties is one obvious option as is enhanced physical security on dwellings.</p>	Comments are noted. No changes.

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	<p>Policy NE4 – While the provision of natural surveillance as it relates to boundary treatments could be positive, the provision of inadequate boundary treatments adjacent to publicly accessible land can undermine dwellings/property security in some circumstances, which should be borne in mind.</p> <p>POLICY:DESIGN (Page 84) – Towards the bottom of this page, NPPF para 127 is discussed with five requirements (paragraphs a – e) directly quoted that planning polices and decisions for new developments should satisfy. For some reason paragraph f (incidentally quoted towards the top of this response) has been omitted. Its inclusion would be welcomed.</p> <p>Policy DES2: - ‘Providing ease of movement for pedestrian routes and footpaths’ – the likelihood of providing opportunities for anti-social behaviour, the impact upon user safety and potential to undermine the defensible space of a neighbourhood will all need to be considered by developers rather than adopting a carte blanche approach</p> <ul style="list-style-type: none"> - The reference to flanking buildings with active frontages to provide natural surveillance is welcomed. 	
Theatres Trust	<p>The Trust is supportive of the plan’s encouragement of new cultural and entertainment uses including performance venues, articulated through town centre policies LE1 and LE2 and community facility policy CF1.</p> <p>Regarding Policy CF2 for existing facilities including the Town Hall which currently provides a live performance function, we consider the wording of the policy should be changed and strengthened to ensure it protects valued facilities as intended. Currently the policy supports proposals which “affect” the named facilities; however this could potentially inadvertently support</p>	Comments are noted; suggested wording from the Examiner is welcome.

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	<p>proposals which undermine or negatively impact those facilities. Although it states they should not create adverse impacts on community value, the ambiguity could give rise to the policy being contradictory. We recommend amendment and simplification so the policy makes clear it supports proposals which will improve facilities and their function, and opposes development which harms or leads to loss of those facilities.</p>	
<p>United Utilities</p>	<p>We welcome the wording added to INF2 in the plan, as per our recommendation in the previous response in November 2019.</p> <p>Policy NE3 - We have comments in relation to Local Green Space 57. The Local Green Space contains an area to the east that is in United Utilities ownership, part of Biddulph Wastewater Treatment Works (WwTW).</p> <p>It is important that we maintain the flexibility to respond to future growth at the WwTW. We therefore request that LGS57 <u>does not contain land that is in our ownership</u> (map supplied) as it may become a future constraint to future schemes at the facility should we require the land in question.</p>	<p>It is not the intention of LGS 57 to restrict necessary works to the Biddulph Waste Water Treatment Works.</p> <p>Our policy enables small scale development. However, this issue has not been previously raised by United Utilities in any rounds of earlier consultation. If the Examiner wishes to exclude the United Utilities land in light of this representation, we understand as we would not want to compromise capacity of strategic services.</p> <p>However, to make clear, the remaining area would be a revised LGS 57 for reasons we have set out.</p> <p>We would welcome an urgent discussion to talk about this.</p>