

PART A – Personal Contact Details

Title:	█
First Name:	██████
Surname:	█████
Job Title (where relevant)	Click here to enter text.
Address:	Garner Planning ██████████ ██████████ ██████████
Organisation or Group:	Click here to enter text.
Postcode:	██████
Telephone no:	██████████
Email Address:	██████████████████

PART B – Your representation(s)

Please use a separate sheet for each representation

3. To which part of the Local Plan does this representation relate?

Paragraph?	<input type="text" value="Click here to enter text."/>	Policy?	<input type="text" value="B"/>	Policies Map?	<input type="text" value="Click here to enter text."/>
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4. Do you consider the Local Plan is:

a) Legally compliant?	Yes	<input type="text" value="YES"/>	No	<input type="text" value="Click here to enter text."/>
b) Sound?	Yes	<input type="text" value="Click here to enter text."/>	No	<input type="text" value="NO"/>
c) Complies with the Duty to Co-operate?	Yes	<input type="text" value="YES"/>	No	<input type="text" value="Click here to enter text."/>

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance, soundness of the Local Plan or its compliance with the duty to co-operate, please use this box to set out your comments.

The NPPF (Feb 2019) in Section 11. Making effective use of land indicates that planning policies and decisions should:-

“118 (d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available site could be used more effectively...”

The above relates to all sites including those within and outside settlements.

In the National Park land supply is constrained. Strategic Policy B should confirm that the development of under-utilised land and buildings both within settlements and the open countryside is acceptable.

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at question 5 above where this relates to soundness. You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. (Please note that any non-compliance with the duty to co-operate is incapable of modification at examination).

A fifth bullet point should be included confirming under-utilised land and buildings will be acceptable for development.

A sixth bullet point should be included confirming that replacement dwellings in the open countryside is acceptable.

(Continue on a separate sheet / expand box if necessary)

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supporting information necessary to support / justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he / she identifies for the Examination.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the Examination?

 NO

No, I do not wish to participate at the oral Examination

 Click here to enter text.

Yes, I wish to participate at the oral Examination

8. If you wish to participate at the oral part of the Examination, please outline why you consider this to be necessary.

Please Note: The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the Examination.

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3. To which part of the Local Plan does this representation relate?

Paragraph?	<input type="text" value="Click here to enter text."/>	Policy?	<input type="text" value="C"/>	Policies Map?	<input type="text" value="Click here to enter text."/>
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4. Do you consider the Local Plan is:

a) Legally compliant?	Yes	<input type="text" value="YES"/>	No	<input type="text" value="Click here to enter text."/>
b) Sound?	Yes	<input type="text" value="Click here to enter text."/>	No	<input type="text" value="NO"/>
c) Complies with the Duty to Co-operate?	Yes	<input type="text" value="YES"/>	No	<input type="text" value="Click here to enter text."/>

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3. This policy relates to all developments but not all developments are within a settlement.

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3. Delete the words "and the form of the settlement".

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<input type="text" value="NO"/>	No, I do not wish to participate at the oral Examination	<input type="text" value="Click here to enter text."/>	Yes, I wish to participate at the oral Examination
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Signature



Date

22/05/2019

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3. To which part of the Local Plan does this representation relate?

Paragraph?	<input type="text" value="Click here to enter text."/>	Policy?	<input type="text" value="CO7"/>	Policies Map?	<input type="text" value="Click here to enter text."/>
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4. Do you consider the Local Plan is:

a) Legally compliant?	Yes	<input type="text" value="YES"/>	No	<input type="text" value="Click here to enter text."/>
b) Sound?	Yes	<input type="text" value="Click here to enter text."/>	No	<input type="text" value="NO"/>
c) Complies with the Duty to Co-operate?	Yes	<input type="text" value="YES"/>	No	<input type="text" value="Click here to enter text."/>

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The policy needs to confirm that replacement dwellings within settlements are not subject to a principal residence restrictions and the maximum floor area does not apply.

There is no other policy that deals with replacement dwellings within Larger Villages.

(Continue on a separate sheet / expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at question 5 above where this relates to soundness. You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. (Please note that any non-compliance with the duty to co-operate is incapable of modification at examination).

Add "Replacement dwellings will not be the subject of a principal residence restriction and the maximum floor area restriction will not apply."

(Continue on a separate sheet / expand box if necessary)

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No, I do not wish

Yes, I wish to

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the oral
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Paragraph?	<input type="text" value="Click here to enter text."/>	Policy?	<input type="text" value="CO12"/>	Policies Map?	<input type="text" value="Click here to enter text."/>
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b) Sound?	Yes	<input type="text" value="Click here to enter text."/>	No	<input type="text" value="NO"/>
c) Complies with the Duty to Co-operate?	Yes	<input type="text" value="YES"/>	No	<input type="text" value="Click here to enter text."/>

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The Summary of the Main Changes to the Draft Local Plan says C012 (Conversion and Change of Use Within Settlements) and C013 (Conversion and Change of Use in Open Countryside) have been combined, but there is now only a C012 (Conversion of Existing Buildings in Open Countryside). Is the policy intended to relate to the conversion of existing buildings in any location?

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CLARIFICATION REQUIRED

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Signature  _____

Date 22/05/2019

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Paragraph?	<input type="text" value="Click here to enter text."/>	Policy?	<input type="text" value="CO14"/>	Policies Map?	<input type="text" value="Click here to enter text."/>
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It is not clear what locations the policy applies to. Is it outside of the main built up area of Helmsley and outside the Larger or Smaller Villages or is it outside of the main built up area of Helmsley and within the built up areas of the Larger and Smaller Villages?

The intent is probably the former but could be better worded. So there is no policy for the replacement of dwellings within settlements which means the provisions of CO7 and CO8 applies to such proposals in these settlements. If that is the case then clarification that the principal residence and size thresholds do not apply to replacement dwellings to such proposals in CO7 and CO8 is required.

Bullet point 2 only allows for the replacement of a dwelling where the dwelling is in an unsatisfactory state of repair or lacks basic amenities and bullet point 3 refers to and where repair is not feasible. Such judgements are unnecessary. Replacement dwellings should be allowed where they make improvements on the existing dwelling whether that be in landscape terms, aesthetically, living accommodation, or in terms of energy saving.

Bullet point 4 allows a replacement dwelling in an alternative position for landscape reasons but requires the original dwelling to be removed beforehand. This would mean the need for temporary accommodation during the construction process. The original dwelling, if in a different location to the new dwelling, should be removed within 3 months of the new dwelling being occupied, thereby avoiding the need for temporary accommodation either on or off site.

The dwelling being replaced should not determine the floor area, volume, scale or curtilage of the new dwelling. A single storey dwelling may be an appropriate design solution, a larger dwelling may be entirely acceptable in the local context. The new dwellings simply needs to be of an appropriate design and scale taking into account the landscape context.

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Amend the wording to say:- "...Helmsley or outside any of the Larger or Smaller Villages...."

"The policy should be amended to include the word "OR" after bullet points 1 to 4.

2. Should read "The existing dwelling is not of architectural or historic importance."

3. Should read "The replacement dwelling would maintain or improve the local landscape character."

4. Delete the words "and the original dwelling will be removed beforehand."

5. Delete the words "and has a similar floor area, volume, scale and curtilage to the existing dwelling."

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Signature

[REDACTED]

Date

24/05/2019