

Leeds City Council

Decision Statement – Bardsey-cum-Rigton Neighbourhood Plan

(The Town & Country planning Act 1990 – Schedule 4B and The Neighbourhood Planning (General) Regulations 2012 – Part 5, regulation 18)

1. Summary

- 1.1 Following an independent examination, Leeds City Council now confirms that it is making modifications to the Bardsey-cum-Rigton (hereafter Bardsey) Neighbourhood Plan as set out in Table 1 below. The Plan will then proceed to a Neighbourhood Planning Referendum.
- 1.2 The Examiner must consider whether the referendum area should extend beyond the Bardsey Neighbourhood Area. The Examiner considers it appropriate for the Bardsey referendum area to be based on the Neighbourhood Area originally designated by the Council on 17th September 2012, to include those properties that now form part of Scarcroft Parish. The Council agrees with this recommendation.
- 1.3 This Decision Statement, the examiner's report and the Bardsey Neighbourhood Plan Proposal and supporting documentation are available on the Council's website: <http://www.leeds.gov.uk/council/Pages/Neighbourhood-planning.aspx>. They are also on the Bardsey Parish Council website <http://www.bardseyvillage.org.uk/neighbourhood-plan.html>
- 1.4 Hard copies of the Decision Statement are available for inspection at:
 - Leeds City Council, City Development Department, The Leonardo Building, 2 Rossington Street, Leeds, LS2 8HD (Mon, Tues, Thurs, Fri 8.30am –5.00pm, Weds 9.30am – 5.00pm)
 - Wetherby Library, 17 Westgate, Wetherby, LS22 6LL (Mon 10am – 5pm, Tues 9am – 7pm, Weds – Fri 9am – 5pm , Sat 10am – 4pm)
 - Bardsey Village Hall, Woodacre Lane, Leeds, LS17 9DG (during opening hours)

2. Background

- 2.1 Bardsey Parish Council, as the qualifying body, submitted an application to Leeds City Council on 14th April 2012 for the parish as the Bardsey Neighbourhood Area. The neighbourhood area was designated by Leeds City Council on 17th September 2012.
- 2.2 The Bardsey Neighbourhood Plan was publicised by Bardsey Parish Council for pre-submission consultation (Regulation 14) between 17th June and 29th July 2016.
- 2.3 Following the submission of the draft Bardsey Neighbourhood Plan to the Council on 8th December 2016, the Plan was publicised and representations were invited. The publicity period ran for 6 weeks and ended on Monday 13th February 2017.

- 2.4 The Council, with the agreement of Bardsey Parish Council, appointed an independent examiner, Mr Nigel McGurk BSc(Hons) MCD MBA MRTPI, to consider whether the Plan met the 'Basic Conditions' required by legislation and should proceed to referendum.
- 2.5 The Examiner's Report was published on the Leeds City Council website on 18th April 2017 and has been made available for public viewing. The report concludes that, subject to making the modifications recommended by the Examiner, the Bardsey Neighbourhood Plan meets the Basic Conditions set out in legislation and should proceed to Referendum.
- 2.6 Following receipt of the Examiner's Report, the Council is required to consider each of the modifications recommended with the reasons for them and decide what action to take.

3. Decisions and Reasons

- 3.1 The Examiner has concluded that with the specified modifications, the Bardsey Neighbourhood Plan meets the Basic Conditions stated and other relevant legal requirements. These are outlined in Table 1 below.
- 3.2 The Council accepts all of the modifications and the reasons put forward by the Examiner for them. The Examiner's reasons and recommended modifications are set out in Table 1, followed by the Council's reason and decisions.
- 3.3 The Council is satisfied that subject to those modifications being made to the Plan as set out in Table 1, that the Plan meets the basic conditions mentioned in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990, is compatible with the Convention rights and complies with the provision made by or under 61E(2), 61J and 61L of the said Act.
- 3.4 To meet the requirements of the Localism Act 2011, a referendum which poses the question "Do you want Leeds City Council to use the Neighbourhood Plan for Bardsey-cum-Rigton to help it decide planning applications in the neighbourhood area?" will be held in the Bardsey Neighbourhood Area as designated by Leeds City Council on 17th September 2012.

This Statement is dated 22nd August 2017.

TABLE 1 Schedule of Modifications Recommended in the Examiner’s Report

Modification Number	Page/Part of the Plan	Examiner’s recommended changes	Reason	Leeds City Council’s decision and reason
Introduction				
M1	Vision and Objectives, para 3.2, page 20	Change to “...life of this Plan in 2032”.	To correct a mistake regarding the extent of the Plan period.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
M2	Introduction, para 1.1, page 7	Change to “Before it can be <i>made, the Neighbourhood Plan and its supporting material must meet the legislative requirements and pass examination by an Independent Examiner.</i> Most importantly of all... Once <i>made, the Neighbourhood...statutory responsibility to afford full material weight to the Policies of the made Neighbourhood Plan when considering planning applications.</i> ”	The legislation behind Neighbourhood Planning underpins the power of communities to plan for themselves and it is important that it is referenced precisely. A neighbourhood plan is <i>made</i> , not adopted.	Agree to modify the text as indicated to comply with the examiner’s recommendations..
M3	Introduction, para. 1.4, page 9	End sentence after “...achieving our objectives.”	To remove unnecessary references to the Basic Conditions.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
M4	Map 2, page 42	Change legend to “... and page 42, <i>in the appendices to the Neighbourhood Plan (cherished views).</i> ”	To correct reference to an incorrect page number in Map 2 legend.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
M5	Introduction, para 3.1, Page 19	Change to “... <i>it must have regard to national policy and advice and be in general conformity with strategic local policy.</i> ”	To accurately refer to the legislation.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
M6	Introduction, para 3.1.2, page 20	Change to “ <i>The development plan for Leeds comprises a range of documents, including the Leeds Core Strategy (adopted in 2014) and the Leeds Unitary Development Plan (UDP), (reviewed in 2006).</i> Delete the rest of the paragraph, including the various bullet points.	To accurately refer to the development plan for Leeds.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
M7	Page 21, under	Delete “, supported by detailed policies”	To provide clarity, since the fundamental role of the	Agree to modify the text as

	objectives		Policies is to steer and control development and not to support stated objectives.	indicated to comply with the examiner's recommendations.
Policy LRE1: Conserving historic rural character				
M8	Policy LRE1 title	Delete "historic"	Policy LRE1 is concerned with rural landscape and character. There is no reference in the policy to historic character.	Agree to modify the text as indicated to comply with the examiner's recommendations.
M9	Policy LRE1, paras 4.2.1 and 4.2.1.1	Delete "Historic" and "historic"	There is no indication of what "historic landscape features" comprise and how, if at all, they differ from "landscape features".	Agree to modify the text as indicated to comply with the examiner's recommendations.
M10	Policy LRE1 iii.	Change to "Be sensitive to..."	Criterion iii. refers to the need for development to "remain sensitive" to cherished views. In this regard, it is not clear how development that has not yet taken place can "remain," or how such a thing would be controlled beyond development.	Agree to modify the text as indicated to comply with the examiner's recommendations.
M11	Policy LRE1 iv	Delete Policy LRE1 iv	The Policy goes on to require all development to "seek to conserve and enhance" the rural landscape. This requirement goes well beyond any national or local policy requirements without substantive justification and there is no information to demonstrate that it would be viable, or even possible, in all circumstances for development to enhance the rural landscape. Consequently, this part of the Policy fails to have regard to Paragraph 173 of the Framework, which establishes that: "Plans should be deliverable. Therefore, the...scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened."	Agree to modify the text as indicated to comply with the examiner's recommendations.
M12	Policy LRE v	Policy LRE1 v., delete and replace with "Avoid development that unduly dominates the skyline."	The final part of Policy LRE1 seeks to avoid development on "prominent skyline locations." However, no indication is provided in respect of where these might be or why all forms of development would be "particularly injurious" were they to be located there. This part of the Policy fails to provide a decision maker with a clear indication of	Agree to modify the text as indicated to comply with the examiner's recommendations.

			how to react to a development proposal, having regard to Paragraph 154 of the Framework.	
Policy LRE2: Enhancing the Public Rights of Way network				
M13	Policy LRE2 i	Policy LRE2, change the start of Criterion i. to <i>"Improvements to our Public..."</i>	The first part of the Policy could result in unintended consequences. Rather than simply support improvements to public rights of way, Policy LRE2 supports any form of development, so long as it improves rights of way. This could result in support for unsustainable forms of development and there is no evidence before me to the contrary.	Agree to modify the text as indicated to comply with the examiner's recommendations.
M14	Policy LRE2 ii	Delete Criterion ii. and corresponding Note	Part ii. of Policy LRE2 states that all development <i>"will protect"</i> proposed footpath routes. Notwithstanding that not all proposals for development in the Neighbourhood Area will have a bearing on proposed footpath routes, the approach set out in LRE2 ii. seeks to impose requirements in respect of <i>"intended routes"</i> that do not exist and that may or may not exist in the future. In effect, this part of the Policy concerns a local aspiration rather than a land use planning matter that the Neighbourhood Plan can control. There is no evidence to demonstrate that the Neighbourhood Plan, or Bardsey-cum-Rigton Parish Council, can guarantee their delivery in the future. I note that the Neighbourhood Plan does not allocate any land for development and there is no evidence to demonstrate that Community Infrastructure Levy contributions will ensure the delivery of the proposed routes.	Agree to modify the text as indicated to comply with the examiner's recommendations.
M15	Community Action	After Policy LRE2 add <i>"Community Action: The Parish Council will seek to deliver the new routes identified in map 4."</i> This Community Action is not a Policy and should be presented in similar text to the Supporting Text (and not in a green	This part of the Policy concerns a local aspiration rather than a land use planning matter that the Neighbourhood Plan can control. In the above regard, I am mindful that the Note forming part of the Policy confirms that the proposed routes are <i>"aspirations."</i> There is no evidence to demonstrate that the	Agree to modify the text as indicated to comply with the examiner's recommendations.

		Policy box)	Neighbourhood Plan, or Bardsey-cum-Rigton Parish Council, can guarantee their delivery in the future. I note that the Neighbourhood Plan does not allocate any land for development and there is no evidence to demonstrate that Community Infrastructure Levy contributions will ensure the delivery of the proposed routes.	
Policy LRE3: Biodiversity, conservation and enhancement				
M16	Policy LRE3	Change first sentence of Policy LRE3 to <i>"The protection, conservation, enhancement and/or interpretation of the Parish's rich heritage of habitats, landscapes and historic features will be supported."</i>	Policy LRE3 establishes general support for any kind of development, so long as it protects biodiversity. As set out, this approach could result in unforeseen circumstances arising from unwitting support for unsustainable forms of development. It is also unclear why the Policy singles out a Site of Special Scientific Interest (SSSI) when it is seeking to support biodiversity in general. As SSSI's, such sites are already afforded protection from inappropriate forms of development.	Agree to modify the text as indicated to comply with the examiner's recommendations.
M17	Policy LRE3	Delete second sentence "(Where necessary...bodies.)"	The second part of Policy LRE3 effectively imposes requirements relating to third parties, over which the Neighbourhood Plan has no authority or control.	Agree to modify the text as indicated to comply with the examiner's recommendations.
Policy BE1: High quality building design				
M18	Policy BE1 i	Policy BE1 i., delete "...in all residential areas..."	It is unclear why the first Criterion of the Policy only seeks to provide for high quality design in residential areas. Neither national nor local policy seeks to limit good design to residential areas Other Policies in the Neighbourhood Plan, along with supporting evidence, indicate that the whole of the Neighbourhood Area and its inherent qualities, are important to the local community and I address this in the recommendations below.	Agree to modify the text as indicated to comply with the examiner's recommendations.
M19	Policy BE1 ii	Delete Policy BE1 ii.	The second Criterion of the Policy refers to <i>"any renovations...alterations or extensions."</i> The majority of such things do not require planning permission and cannot be controlled by the Neighbourhood Plan. It is not clear why the Policy then goes on to provide a	Agree to modify the text as indicated to comply with the examiner's recommendations.

			detailed, but incomplete list of various parts of buildings. Notwithstanding this, the first Criterion already requires development to take local character into account.	
M20	Policy BE1 iii	Policy BE1 iii., delete and replace with <i>"The use of sustainable materials and/or techniques will be supported."</i> The terms <i>"sustainable materials"</i> and <i>"techniques"</i> are defined in the notes to the Policy and I recommend that these notes are retained.	The final Criterion of the Policy is confusingly worded. Essentially, it states that development will <i>"seek to use sustainable materials and/or techniques"</i> subject to <i>"robustly demonstrating"</i> that it can do so sensitively. Consequently, if a development cannot demonstrate that it can use sustainable materials or techniques sensitively, then it simply won't don't do so and there will be no policy consequences. However, I am mindful of national policy's presumption in favour of sustainable development and this is reflected in the modifications below.	Agree to modify the text as indicated to comply with the examiner's recommendations.
Policy BE2: Improving streets and street scene				
M21	Policy BE2	Delete Policy BE2 and supporting text	<p>The opening sentence to Policy BE2 states that <i>"development will seek to achieve the following set of key principles."</i> The wording is imprecise.</p> <p>The Neighbourhood Plan provides no evidence of any <i>"new street design"</i> or <i>"improvements to the current street arrangements"</i> and it is therefore unclear what this part of the Policy relates to. Similarly, there is no indication of what an <i>"emphasis on people movement"</i> actually means. This part of the Policy does not provide a decision maker with a clear indication of how to react to a development proposal.</p> <p>It is unclear what an <i>"improvement"</i> to an <i>"opportunity"</i> might mean in land use planning terms. The gist of Policy BE2 ii. appears to support improvements to public rights of way and this has regard to Paragraph 75 of the Framework, however, these are matters already covered by the Neighbourhood Plan in Policy LRE2 and the reference</p>	Agree to modify the text as indicated to comply with the examiner's recommendations.

			<p>in Policy BE2 appears as unnecessary repetition.</p> <p>No indication of what the minimum requirements of “<i>safety and functionality</i>” are for street signage and the Policy is therefore imprecise in this regard. I note that the provision of signage along the public highway is the responsibility of the highways authority.</p> <p>No evidence is provided to demonstrate that the requirements set out in Criterion iv. of the Policy would be viable, let alone relevant, necessary or material, in respect of all proposals for new development. Consequently, this part of the Policy fails to have regard to Paragraph 173 of the Framework.</p>	
Policy BE3: Managing car parking				
M22	Policy BE3	Delete Policy BE3 and supporting text.	<p>No definition is provided of what adequate parking comprises and consequently, this part of the Policy is imprecise and fails to provide a decision maker with a clear indication of how to react to a development proposal.</p> <p>The Policy requires the provision of at least two car parking spaces per dwelling. It is not clear why a one bedroom flat and say, a five bedroom house should provide the same number of parking spaces and there is nothing to demonstrate that this would be “<i>adequate</i>” in all circumstances.</p> <p>It is not clear how a parking bay developed on an existing highway can be well screened and no information is provided in this respect.</p> <p>There is no evidence to demonstrate that new well screened on-road parking bays can be provided without harm to highway safety, or without adding</p>	Agree to modify the text as indicated to comply with the examiner’s recommendations.

			<p>street clutter. The Policy fails to have regard to Paragraph 58 of the Framework, which requires developments to ensure safe environments; and Paragraph 35 of the Framework, which requires developments to “<i>avoid street clutter.</i>”</p> <p>The statement that “<i>Consideration will be given</i>” to visitor parking is vague. No indication is provided of who will consider this or on what basis, or what the outcome of any such consideration might be. This part of the Policy is imprecise.</p>	
Policy BE4: Maintaining dark villages				
M23	Policy BE4	Policy BE4, change first sentence to “ <i>New development in areas of the Parish that are unlit by street lighting should respect the ‘dark’ nature of those parts of the Neighbourhood Area.</i> ”	<p>Those parts of the Neighbourhood Area that are unlit and that contribute towards its “<i>dark nature</i>” are important to local people. In presenting a requirement for development to respect these, Policy BE4 has regard to the Framework’s requirement for development to respond to local character.</p> <p>The policy requires development to “<i>maintain</i>” the village’s dark nature, although there is no evidence setting out precisely what this dark nature is and how it may alter across the Neighbourhood Area. Consequently, this part of the Policy is imprecise and fails to provide a decision maker with a clear indication of how to react to a development proposal.</p>	Agree to modify the text as indicated to comply with the examiner’s recommendations.
M24	Policy BE4 I and ii	Delete Criteria i. and ii.	<p>Policy BE4 states that “<i>new street lighting will be discouraged.</i>” However, no indication is provided of what will actually be done to “<i>discourage</i>” street lighting and how this relates to a land use planning policy. This part of the Policy lacks clarity.</p> <p>The Policy goes on to require security, decorative or feature lighting to be “<i>carefully designed.</i>” No evidence is provided to demonstrate that such lighting requires planning permission or that this is a matter</p>	Agree to modify the text as indicated to comply with the examiner’s recommendations.

			that the Neighbourhood Plan has control over.	
M25	Paragraph 4.3.4.1	Paragraph 4.3.4.1, delete the second sentence	Planning applications are not determined on the basis of whether “ <i>residents are in favour</i> ”.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
Policy BE5: Integrating green infrastructure				
M26	Policy BE5	Policy BE5, delete first paragraph and replace with, “ <i>New development should protect and where possible, enhance green infrastructure and provide net gains in biodiversity.</i> ”	As worded, Policy BE5 states that all development “ <i>will</i> ” enhance green infrastructure. However, no evidence is provided to demonstrate that it is viable, or relevant, for all forms of development to do so and consequently, as presented, the Policy fails to have regard to Paragraph 173 of the Framework.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
M27	Policy BE5 i, ii, iii	Move the three criteria to the end of Paragraph 4.3.5.1 and precede them with, “ <i>A positive approach to green infrastructure and biodiversity provides for the following:</i> ”	The criteria provided in Policy BE5 are simply a list of things related to green infrastructure.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
Policy H1: New Housing				
M28	Policy H1 i	Policy H1 i. delete “, and outside the green belt.”	Neither national nor local planning policy precludes all residential development in the Green Belt. In conflict with this, Policy H1 states that housing should be located outside the Green Belt. Such an approach may prevent sustainable development that meets national and local policy requirements from coming forward and there is no substantive evidence to the contrary.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
M29	Policy H1 ii	Policy H1 ii. change to “ <i>Where viable, new development should seek to improve...of way and/or connecting green infrastructure.</i> ”	The Policy goes on to set out a requirement for all residential development to do various things. However, there is no evidence to demonstrate that these requirements are viable or deliverable, having regard to Paragraph 173 of the Framework. For example, there is nothing to indicate that it would be viable for a development comprising one dwelling to “ <i>improve the sustainable connectivity of the parish by way of roads, rights of way and connecting green infrastructure.</i> ” This part of the Policy does not have regard to the Framework and does not meet the basic conditions.	Agree to modify the text as indicated to comply with the examiner’s recommendations.

M30	Policy H1 iii	Policy H1 iii. change to <i>“Development of back land and gardens which would harm the open aspect of the parish will not be supported.”</i>	Subject to the clarity of the wording (and I make a recommendation in this regard below), Criterion iii. of Policy H1 seeks to ensure that development responds to local character and has regard to Paragraph 58 of the Framework, referenced earlier in this Report.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
M31	Delete Policy H1 iv.	Delete Policy H1 iv.	No evidence has been provided in respect of the existence of <i>“suitable brown field sites.”</i> In this respect, it is unclear how development proposals can prioritise something that has not been demonstrated to exist. Notwithstanding this, national planning policy establishes a presumption in favour of sustainable development. There is nothing before me to suggest that it seeks to prevent sustainable development from coming forward on the basis that there might possibly be a brown field site elsewhere, that might be capable of development. Criterion iv. does not meet the basic conditions.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
M32	Paragraph 4.4.1.1	Para 4.4.1.1, delete second sentence and replace with <i>“The village is surrounded by Green Belt and this severely limits the scope for residential development.”</i> Delete last sentence (<i>“These restrictions...parish.”</i>)	The supporting text to Policy H1 includes a confusing reference to sites being identified <i>“as potentially accommodating new homes.”</i> The Neighbourhood Plan does not identify any such sites and the inclusion of this reference detracts from the document’s clarity.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
Policy H2: Housing size and type				
M33	Policy H2 i	Delete Policy H2 i.	The evidence supporting the Neighbourhood Plan identifies local demand for smaller homes. However, no indication of what a dwelling <i>“designed for new families”</i> might comprise is provided. The undefined term <i>“new family”</i> is imprecise and does not provide a decision maker with a clear indication of how to react to a development proposal. <i>“Those seeking to downsize to housing more appropriate to their needs”</i> is also an undefined, imprecise term. This lack of precision means that Policy H2 fails to have regard to relevant national	Agree to modify the text as indicated to comply with the examiner’s recommendations.

			planning guidance, referred to earlier in this Report.	
M34	Policy H2 ii	Policy H2 ii., change to <i>“The provision of smaller homes, comprising up to two bedrooms, will be supported.”</i> (Policy to comprise one sentence, rather than separate criteria)	The second part of Policy H2 is confusing. It is not clear how an assessment can <i>“call for”</i> new homes. Also, <i>“the most up to date”</i> housing assessment at the time of a planning application will depend upon when a planning application is submitted. In the absence of evidence related to future housing needs over the course of the plan period, it is not clear why a report not yet produced relates specifically to the provision of up to 2 bedrooms.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
Policy H3: Supporting sustainable development				
M35	Policy H3	Policy H3, delete the wording and replace with <i>“Developers should seek to engage with the local community before submitting applications and take into account local housing needs, as identified in the most up to date assessments.”</i>	<p>It is the responsibility of the Local Planning Authority to determine planning application information requirements over and above national information requirements. No evidence has been provided to demonstrate that a requirement for all developments of more than two dwellings to provide <i>“Statements of Community Involvement”</i> and <i>“Infrastructure Delivery Plans”</i> would, in all cases, have regard to either Paragraph 193 of the Framework; or that such requirements are viable and deliverable, having regard to Paragraph 173 of the Framework.</p> <p>In addition, Criterion ii. is far from clear. No indication is provided of what <i>“key issues”</i> or <i>“key services”</i> might comprise and the Policy is therefore imprecise in this regard.</p> <p>Notwithstanding the above, the first part of Policy H3 promotes community engagement, having regard to Paragraph 189 of the Framework and the final Criterion relates to the provision of useful information.</p>	Agree to modify the text as indicated to comply with the examiner’s recommendations.
Policy H4: Scale of development				
M36	Policy H4 i	Policy H4, change i. to <i>“Development should respond to and reflect its</i>	The start of Policy H4 would apply to many forms of development that do not require planning permission.	Agree to modify the text as indicated to comply with the

		<i>surroundings and materials. New housing development should:"</i>	<p>Paragraph 58 of the Framework states that development should: "...respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation." (my emphasis)</p> <p>As set out, Policy H4 requires all housing development to be similar to the density, footprint, separation and bulk of buildings in the surrounding area. In the absence of any evidence to the contrary, I find that this runs the significant risk of stifling opportunities for appropriate innovation and thus preventing sustainable development from coming forward.</p>	examiner's recommendations.
M37	Paragraph 4.4.4.1	Para 4.4.4.1, change first sentence to "...developments <i>and the Parish Council considers that these are</i> out of keeping with the rural nature of the parish."	Part of the supporting text reads as though it comprises a Policy,	Agree to modify the text as indicated to comply with the examiner's recommendations.
Policy E1: Small business development				
M38	Policy E1 i	Policy E1 i., change to "...will be supported, subject to development proposals taking into account residential amenity and highway safety."	The first part of the Policy refers to " <i>minimising</i> " impacts, traffic and the use of large vehicles. However, no indication of what " <i>minimising</i> " means, how it will be measured, on what basis and who by, is provided. This part of the Policy is imprecise.	Agree to modify the text as indicated to comply with the examiner's recommendations.
M39	Policy E ii	Policy E1 ii., change to "...work at home and development takes into account the residential amenity of neighbours. Any such..."	Similarly, the second part of the Policy refers to " <i>making every effort to minimise</i> " impact. This is an imprecise term and does not provide a decision maker with a clear indication of how to react to a development proposal.	Agree to modify the text as indicated to comply with the examiner's recommendations.
Policy E3: Redundant buildings				
M40	Policy E3 ii	Policy E3, delete Criterion ii.	The second part of the Policy, as worded, is imprecise. It is not clear how maintaining something that already exists will result in enhancement and further, it may be that the boundary treatment and landscaping associated with a redundant building could itself be redundant and therefore not necessarily in a	Agree to modify the text as indicated to comply with the examiner's recommendations.

			condition that it is appropriate to “ <i>maintain.</i> ” There is no evidence to demonstrate that this is not the case.	
Policy CA1: Retaining key community services and facilities				
M41	Policy CA1 ii	Policy CA1, delete Criterion ii.	The second part of Policy CA1, in stating that any proposal detrimental to the listed facilities will not be supported, fails to provide for a balanced approach to sustainable development, such that the benefits arising from a proposal are weighed against any harm that might arise. Consequently, Policy CF1 ii. does not contribute to the achievement of sustainable development and does not meet the basic conditions.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
M42	Policy CA1	Change Policy reference in title from “CF1” to “CA1”	There is a typographical error in the title to Policy CA1.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
Policy CA2: Local Green Spaces				
M43	Policy CA2	Delete Policy CA2, supporting text and Tables 2(a) and 2(b)	<p>The Neighbourhood Plan does not provide any plans showing the boundaries of the proposed areas of Local Green Space. No such plans were submitted for examination or consulted upon rather the description of sites and a Grid Reference were relied upon. The precise areas of Local Green Space that the Neighbourhood Plan seeks to designate are not defined which is inappropriate. Without a plan showing the boundaries of the Local Green Space, there is no knowing the precise area to which the Policy would relate. This would be likely to result in confusion. Policy CA2 is imprecise and does not provide a decision maker with a clear indication of how to react to a development proposal.</p> <p>The supporting text refers to Local Green Space “<i>designated by Leeds.</i>” However, Leeds City Council has not designated areas of Local Green Space. Also, the Leeds Site Allocation process is separate to, and not the same as, the plan-making process related to this Neighbourhood Plan.</p>	Agree to modify the text as indicated to comply with the examiner’s recommendations.

			<p>Taking the above into account, it is not entirely clear what the precise areas of Local Green Space comprise. Specific areas of Local Green Space have not been consulted upon. Consequently, it is not possible for me to conclude that Policy CA2 meets the tests set out in Paragraph 76 and 77 of the Framework. Policy CA2 does not meet the basic conditions.</p>	
The Neighbourhood Plan: Other Matters				
M44	Formatting the Neighbourhood Plan	Update the Contents page (page 3) and page/paragraph numbering to reflect the recommendations above.	The recommendations made in this Report will have a subsequent impact on page numbering and Contents.	Agree to modify the text as indicated to comply with the examiner's recommendations.