

INDEPENDENT EXAMINATION OF THE KIRK LANGLEY NEIGHBOURHOOD
DEVELOPMENT PLAN

INDEPENDENT EXAMINER:
Christopher Collison BA(Hons) MBA MRTPI MIED MCFI IHBC

To Amber Valley Borough Council - by email to Derek Stafford, Assistant Director
(Planning)
and Kirk Langley Parish Council – by email to Margaret Matthews, Clerk to Kirk
Langley Parish Council

Dated 29 April 2020

Dear Margaret and Derek

**Kirk Langley Neighbourhood Development Plan Independent Examination –
Examiner letter seeking clarification of matters**

Further to my initial letter of 1 April 2020 I am writing to seek clarification regarding the following matters:

General

1. Could you please confirm the Parish Council do not wish to comment on the Regulation 16 representations of other parties?
2. The Strategic Environmental Assessment and Habitats Regulations Assessment of the Kirk Langley Neighbourhood Plan Screening Document prepared by Lepus Consulting and dated September 2019 states in Section 4.3 that the report will be subject to consultation with Natural England, the Environment Agency, and Historic England, and that their comments will be presented in Appendix B. Appendix B appears to without content. The Habitats Regulations Assessment and the Environmental Assessment of Plans and Programmes Regulations 2004 Regulation 9 Screening Determination dated 5 November 2019 states on page 2 that the responses of the statutory consultees are appended, although this does not appear to be the case. Could you please confirm the outcome of statutory consultation regarding both Strategic Environmental Assessment and Habitats Regulations Assessment?

Policy HOUS5

3. In that the term “other buildings” is imprecise is it intended the policy, which is a housing policy, should apply to outbuildings in this respect?

Policy HER1

4. Is the term “improves or enhances the approach” intended to refer to visual amenity?

5. Is it intended the policy should apply to all forms of development rather than housing and commercial only?

Policy ENV3

6. Paragraph 3.4.3.6 of text supporting Policy ENV3 states Figure 33 (this should be Figure 34) shows six Local Wildlife Sites. Could you please inform me of the names of those six Local Wildlife Sites?

Policy ENV5

7. Figure 36 has the title of "Extent of Surface Water Flood Risk". The text below Figure 36 identifies areas at Church Lane and at Moor Lane where surface water flooding has been recorded but these areas do not appear to be identified on Figure 36. Is it intended parts, and if so which parts, of the policy should apply in the areas identified on Figure 36 and in the areas identified in the text below Figure 36?
8. Can you please explain the meaning of the part of the policy which states "Developers providing sewers on new developments should safely accommodate floods which exceed the design capacity of the sewers".

I request any response is agreed as a joint response of the Borough Council and the Parish Council if at all possible. This request for clarification of matters and any response should be published on the Borough Council website.

I should be grateful if the Borough Council and the Parish Council could acknowledge receipt of this email.

Best regards

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