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Date: 29 November 2022

Dear Mr Whitehead,

Newington Neighbourhood Plan, 2022 Examination (Ref: 01/PW/NNP)
Joint response from the Newington Neighbourhood Plan Forum and Hull City Council to the Examiners questions

I write in response to the queries raised in an email letter dated the 15 November 2022. This is by way of a joint response with those of the Newington Neighbourhood Forum identified with a prefix 'FR' and those of the Council, identified as a prefix 'CR', as detailed in annex 1.

Both parties are pleased the examiner has reviewed the procedural matters in preparing the above plan, in compliance with the regulations, as set out under the Neighbourhood Planning (General) Regulations 2012, and it appears there are no insurmountable issues.

We await any further queries and note the unaccompanied site visit expected shortly.

Subject to the above it would also be useful to know the anticipated date of your conclusions and forthcoming report for fact checking purposes.

Yours sincerely,

K Griffiths
Planning Services

D Coates
Lonsdale Community Centre



Annex 1 - Queries raised by the examiner

Question 1

Q1. Paragraph 1.6 indicates that the NNP builds upon the Newington and St Andrew's Area Action Plan (NaSA). Saved policies from NaSA are outlined or referenced in the Hull Local Plan - Appendix A (HLP) but not detailed. Can a link to NaSA be provided please?

FR1. The NASA AAP is no longer available to view on the Council web site.

CR1. A link to the Councils' web page which shows the NASA Area Action Plan (AAP) and the detailed 'saved' or retained policies would be useful and as such this has been re-instated. The reference can be found via the following link:

[Area action plan | Hull City Council](#)

The AAP for the most part has been superseded by the Hull Local Plan (HLP), with the exception of amendments to policies that apply to different areas within the AAP area, including under Policy NASA3 - West Park and NASA11 – Design of new development, as detailed in Appendix A3 to the HLP (page 307 onwards). For ease of reference for the Examiner, the detailed 'saved' or retained policies from the AAP are provided in an attachment under Background Document No.1.

Question 2

Q2. Does the Design Guidance in Section 9 of the NNP supersede or complement the Design Principles and Design Guidance referred to in the saved policies of NaSA on pages 307 – 313 of HLP?

FR2. The Design Guidance in section 9 of the NNP intends to complement the principles and guidance referred to in the saved policy NASA11 of the NaSA AAP. As such it may be worth making this point clear in the written text to the plan.

CR2. HCC agrees with this point but additionally suggests that the NNP design guidance goes beyond residential design and considers shop frontages and design of the public realm within the Local Shopping Centre. If there was ever a conflict between the two then it is considered the newer version takes precedence in guiding future development within the plan area.

Question 3

Q3. Newington and St Andrew's is identified in the HLP, paragraph 5.18 and figure 5.2 as a housing regeneration priority area (HRPA). This provides the basis for HLP Policy 4 which emphasises housing renewal through demolition or improvement and the re-use of brownfield land. Policy 4 is identified in the NNP as underpinning policies GP4 and GP7 and also, although not referenced as such, Policy GP2. Can the NF or HCC provide further information on progress of the implementation of the HRPA and its implications for the NP area?

F3. It is more appropriate for the Council to respond to this point but initial ideas for the neighbourhood plan stemmed from what was considered to be a limited focus on the more easterly parts of the AAP plan area, in terms of concerted action and funding.

C3. Significant progress has been made in realising the aims/objectives and policies of the NASA area which includes housing renewal alongside much improved public realm and public open space. Large areas adjacent to Hawthorn Avenue have been cleared and re-developed. Significant new housing and public realm works have been completed to date. New public open space on the former Amy Johnson school has been provided. Planning obligation funding arising from new housing has also funded improvements within West Park including new lighting, footpaths, a new skate park and play facilities. Housing frontages including new walls and front gardens have also been completed. Some of these works are on-going and expected to be complete in 2025 including the environmental uplifting of Hawthorn Avenue.

Gateway Pathfinder programme and funding was severely impacted in 2010 following Central Government shift in priorities and the ending of funding in this regard. Following the adoption of the plan the decision was taken by the Council to re-programme works and implementation of the AAP, which effectively extended the delivery period. The eastern side of the AAP area involving much of the current NNP plan area, has effectively been addressed through proposals to improve West Park along with house frontage improvements, south of Anlaby Road. Many of the proposals in the AAP were effectively implemented hence they were not 'saved' or retained as part of the Local Plan preparation.

Question 4

Q4. Policy 5 in the HLP is concerned with rebalancing the housing stock, the provision of affordable housing and custom and self-build housing. It requires that at least 70% of new – specifically affordable - housing should contain no more than 2 bedrooms. Policy GP5 makes no reference to affordable housing, but the supporting text suggests it is related to the provisions of HLP Policy 5. Am I correct in understanding this is the basis for the inclusion of single-person accommodation in Policy GP5?

F4. The Forum confirms this to be the case.

C4. The Council supports the approach here given the demand pressures on the supply of housing across the city, but with a particular local regard to changes of use of properties to homes in multiple occupation. A balanced approach is needed in supplying different forms of accommodation across the city although it is not clear from the policy approach in the NNP what the focus should be within the plan area, especially given the extent of allocations for new build housing proposed. This point was made in a representation to the Forum in October 2019.

Question 5

Q5. Can the NF provide clarification on the relationship between Policy GP7, placing significant restrictions on the subdivision of existing dwellings, and Policy GP5, encouraging the provision of single-person accommodation?

F5. The approach appears to be somewhat contradictory. There was a concern raised by local people, with the number of HMOs and the subdivision of existing dwellings outlined in GP7 in that it was leading to issues with inadequate refuse collection/storage and waste in the street/property frontage, inconsiderate parking practices, insufficient private/shared amenity space, and other adverse effects on the residential amenity potentially caused by over-occupation of premises not fully equipped for the number of occupants. The encouragement of a mix of house types in GP5, including single person accommodation aims to secure housing that is specifically designed to meet the needs of occupants with appropriate servicing and parking etc.

C5. The Council has pointed out the need for clarity in relation to what is being sought within the plan area, in meeting and balancing the needs of current/future households, but that there are limited opportunities within the plan area for this to be addressed in any significant way. To some extent the policy also duplicates existing HLP Policy 7 but there is no harm caused by repeating this point, in seeking to manage a perceived 'over proliferation' and ways/means to address this and attendant undue adverse effects.

In response to the need to better manage the potential of family dwelling loss through 'permitted' changes of use, the Council designated an area (confirmed in January 2020) that includes parts of the Newington NP area, under Article 4 (1) of the Town and country Planning (General Permitted Development) Order 1995, with the intention of bringing the conversion of dwellings into small (less than 6 occupants) houses in multiple occupation. This means that smaller conversions would require planning permission rather than being 'permitted development'. A link to the Council's web page is provided:

<https://www.hull.gov.uk/planning/planning-applications/article-4-directions>

Question 6

Q6. Can the NF provide reasons why it has chosen not to use the designation of Local Green Space, as advised in the NPPF, paragraphs 101 – 103, for the protection of existing open spaces under Policy GP10?

F6. Open spaces are identified on the Policies Map, which are also 'green' in nature with the intention of ensuring their future protection and good maintenance.

C6. There is a high degree of protection (from unwarranted development proposals) afforded existing open spaces as designated on the NNP Policies Map which also happen to be 'green' and small in nature, and which are not generally able to be identified on the HLP Policies Plan, simply because they are not large enough to be shown at a citywide scale. It is not clear what further protection the designation afforded under the NPPF would enable.

Question 7

Q7. Can the NF provide specific survey evidence to support the assertion that there is an over-concentration of hot food takeaways on the eastern side of Anlaby Road? Does this provide sufficient justification for Policy AR1 to be applied to both sides of Anlaby Road?

F7. Local people identified a large number of hot food takeaways in the vicinity of the KC Stadium and as borne out by some analysis led by Hull University Geography students, that reviewed the incidence of these and other uses, in 2018 (see attached Background Document No 2).

C7. The Council has undertaken regular checks on changes of use and the implications of this on its Local Centres, including Anlaby Road. The Council supported the Forum's contention that there was potential for a 'higher than normal' incidence of hot-food-takeaways particularly toward the eastern end of Anlaby Road, largely the result of businesses taking advantage of custom at the KC Stadium. There are health implications associated with the ready availability of so called 'junk food' at such premises within this part of Anlaby Road, so constraints suggested in the NNP, which go beyond those outlined in the HLP, are considered appropriate and precautionary. There are rows of properties on both sides of Anlaby Road where this situation would apply, albeit to a lesser extent on the north side.

The Council made clear the state of play concerning service mix on Anlaby Road, in a representation to the Forum in October 2019 which stated:

'In terms of background the current use mix within the Anlaby Road Local Centre (at July 2019) involves 18 A5 units on Anlaby Road, compared to 16 on Newland Avenue, 12 on Hessle Road and 10 on Cottingham/Beverley Road, although a great deal about the street character depends on the scale and mix of other uses in these streets. In terms of Anlaby Road, there are 127 units in total (that extends beyond the NP boundary) so 14% are A5, meaning there is some way to go before the 20% threshold referenced in both the Local Plan and draft NP policy is breached by another 8 units being acceptable within the local centre as a whole, in these terms.

The diagram below shows current use including 7 A5 units within the eastern end of Anlaby Road, so there is some clustering here. 7 out of 35 units within this part of the centre (or 20%) are in use for A5 purposes.

Figure – A5 uses (in red) within the Anlaby Road Local Centre

