STOKE FLEMING NEIGHBOURHOOD PLAN

Submission Draft Version

Examination Update and Further Questions to the Qualifying Body and Local Planning Authority on

Stoke Fleming Neighbourhood Plan

by Independent Examiner, Rosemary Kidd

Rosemary Kidd, Dip TP, MRTPI

NPIERS Independent Examiner

31 July 2018

Stoke Fleming Neighbourhood Plan Examiner's Update and Further Questions

Further to the responses received from the Qualifying Body to my initial questions, I would to give you a preliminary indication of the recommendations that I am proposing to make to policies in the Stoke Fleming NP and some matters on which I would appreciate clarification and further evidence from the Qualifying Body and/or the Local Planning Authority. My Examination Report will include full reasons for my recommendations.

In order to ensure openness and transparency of the examination process, this update note and further questions and the responses should be published on the Council's website.

Policy H1 Housing and Development Provision

I shall be recommending that this policy should be deleted. The area where the visual character to be preserved in the first part of the policy is not defined and in any case is superfluous as Policy H4 sets out design criteria. The second part of the policy sets a blanket restriction on development contrary to national policy; again, the area to which the policy is to be applied is not defined. The third part of the policy sets a cap on development of up to 10 dwellings which is not supported by robust evidence. The final part of the policy on land east of School Road is not a policy statement. I am not seeking any further evidence or information with respect to the matters in this policy.

Policy H2 Affordable Housing

I shall be recommending that this policy should be deleted. The policy does not set out any locally specific planning policy requirements for the delivery of affordable housing. The Local Lettings Plan is a housing management policy and not a planning policy and as such should be included as a Community Project. I am not seeking any further evidence or information with respect to the matters in this policy.

Policy H3 Rectory Field Site

I am awaiting confirmation that a means of access to the satisfaction of the highway authority can be achieved to this site.

I shall be recommending that the policy should be worded that the site is "allocated for housing development" and that mitigation measures are included to reflect the conclusions of the heritage assessment with the policy stating that "*the scale, design and layout of the development should be sensitive to the location of the site within the setting of the listed building and the conservation area*". Reference to "up to 10 dwellings" should be deleted as no evidence has been provided to demonstrate this scale of development that may be feasible on the site.

Other amendments include corrections to Policy numbering and a modification to explain how the new link to School Road is to be achieved, as set out in the response from the QB.

Policy H4 Design Quality

Only minor modifications to the wording are proposed.

Policy H5 Heritage

I shall be recommending that this policy should be deleted. The policy does not add any locally specific policy guidance. The list of heritage assets in Appendix D could be retained with a reference to it in the justification and an explanation that development proposals affecting them will be determined against the LDF/Local Plan policies. I am not seeking any further evidence or information with respect to the matters in this policy.

Policy H6 – Infill Development and Self Build

The policy is not clear about which are the "existing settlements" that will be suitable for infill development. Would the LPA and QB agree which are appropriate and I will make a recommendation to that effect. Would the LPA and QB also agree on a definition of infill development and the criteria to be used in assessing the suitability of sites.

Is it intended that self build housing development is only to be supported on infill sites? Should they be supported on any type of housing site acceptable under the development plan policies including allocated sites and rural conversions? Would the LPA and QB comment of the following form of wording:

"*Self build housing development will be supported on all housing sites, including allocated and infill sites as well as through the conversion of rural buildings where the location of the site and the design of the development satisfy the policies of the development plan."*

Policy H7 Climate Change

Only minor modifications to the wording are proposed.

Policy RT1 Bird Walk

Only minor modifications to the wording are proposed.

Policy RT2 New footpath from Rectory Lane to School Road

Only minor modifications to the wording are proposed.

Policy RT3 Car Park

The QB has supplied me with a plan to show the proposed access and layout of the car park. It is noted that this is not the same site as that shown on Fig 4 of the NP. Would the LPA and QB discuss whether the location of the car park as shown in the NP on Fig 4 should be revised to reflect the comments in the heritage assessment. If so would they supply me with a revised location plan.

I am awaiting confirmation that a means of access to the satisfaction of the highway authority can be achieved to this site and whether there are any specific highway requirements that should be included in the policy wording.

I shall be recommending that the mitigation measures proposed in the Landscape Impact Assessment should be included in the wording of the policy.

Policy RT4 Footpath to Swannaton

Only minor modifications to the wording are proposed. The safeguarded route should be shown on an OS base that can be included in the NP.

Traffic Calming Venn Lane

I shall be recommending that this should be included as a Community Project.

Policy E1 Locally Important Views

The descriptive text in the first two and last sentences to be placed in the justification. The list of views to be included in the policy wording with them being shown a cross reference to Fig 6. I am not seeking any further evidence or information with respect to the matters in this policy.

Policy E2 Local Green Space

The Local Green Space Assessment provides a brief description of the sites; it does not include an assessment of all the sites (including those rejected) considered against the criteria set out in NPPF 77. Would the QB carry out this assessment, paying particular attention to site 4.

Policy E3 Trees and Woodland: Biodiversity

I shall be recommending that this policy should be deleted. The first part of the policy does not add a local policy approach to the consideration of development proposals affecting biodiversity sites. It simply highlights the existence of a biodiversity record for the parish. The second part of the policy does not accord with national guidance as it does not explain the circumstances where development may be permissible and does not add a locally specific policy to the subject. The third part of the policy refers to woodland and copses shown on Fig 7 (actually Fig 6) being protected. This is in effect a blanket protection on these areas without any robust assessment or other evidence of their significance. There are alternative mechanisms available through Tree Preservation Orders to protect areas of woodland. I am not seeking any further evidence or information with respect to the matters in this policy.

Policy E4 Renewable Energy

Revise to read “renewable and low carbon energy generation”.

Revise the first paragraph to read “The development of small scale renewable *and low carbon* energy generation projects of up to 50 kW will be supported where *following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed* and where there are no unacceptable *adverse* impacts.

Place the four bullet points in the justification as they are examples only and the policy is not limited to these types of energy generation.

Replace the paragraph under the policy with the following: “In accordance with *Government guidance on Renewable Energy proposals in the Area of Outstanding Natural Beauty, and in areas close to it, where there could be an adverse impact on the protected area, will need careful consideration. Great weight should be given to conserving the landscape and scenic beauty and wildlife of the AONB and its setting which have the highest status of protection”.*

Has the LPA identified any areas as suitable or unsuitable for the generation of renewable and low carbon energy affecting the NP area?

Policy B1 Local Rural Employment

Only minor modifications to the wording are proposed.

Action Plan – Policy RT3 Car Park

I shall be recommending the deletion of reference to the provision of infill housing on a suitable part of the site.

Environmental Report

It is suggested that the Environmental Report should be updated to include the Landscape Impact Assessment and Heritage Assessment and the mitigation measures set out.

Rosemary Kidd
Independent Examiner
31 July 2018