

STOKE FLEMING NEIGHBOURHOOD PLAN

Submission Draft Version

**Questions to the Qualifying Body and Local Planning
Authority on
Stoke Fleming Neighbourhood Plan
by Independent Examiner, Rosemary Kidd**

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19 June 2018

Stoke Fleming Neighbourhood Plan Examiner's Questions

Following my initial assessment of the Neighbourhood Plan and representations, I would appreciate clarification and further evidence on the following matters from the Qualifying Body and/or the Local Planning Authority. In order to ensure openness and transparency of the examination process, these questions and the responses should be published on the Council's website.

1. Would the LPA confirm that the statutory environmental bodies were consulted on the SEA Environmental Report and HRA screening. Would you supply me with copies of their responses. Was the Environmental Report updated to take account of any changes made in the Submission Plan? Would the LPA undertake an assessment of the housing site and proposed car park on heritage assets as advised in their representation by Historic England.
2. Has a Human Rights assessment of how the plan and its preparation been undertaken? If not would the QB/LPA provide me with a brief assessment.
3. Paragraph 5.8 of the NP refers to the assessment of potential housing sites. Is this the same assessment that is included in Appendix E of the NP and the SEA report? What does the statement "*All were confirmed as being potentially suitable*" refer to? What is the relevance of the final sentence of this paragraph?
4. In its representation the LPA has stated that there is no justification or evidence to support the figure of "up to 10 dwellings" set out in paragraphs 6.6 and 8.3.1. The PPG states that where plans contain policies relevant to housing supply the policies should take account of the latest and up to date evidence of housing need. It advises that a local planning authority should share relevant evidence on housing need gathered to support its own plan-making. (Para 41-040-20160211). What is the source of the figure of up to 10 dwellings in paragraph 8.3.1? Does it reflect the latest and up to date evidence of housing need? If not, would the QB and LPA provide this figure and a paragraph to be included in the NP to replace para 8.3.1b) to set out the evidence of housing need and to demonstrate how it is to be delivered in the Plan area (eg through the housing allocation, commitments, infill and windfalls).
5. What is the source of the information on affordable housing need in para 8.3.1?
6. Would you provide a map showing the settlement development boundary. Is it proposed to be revised through emerging JLP?
7. Appendix D sets out information on housing development and commitments since 2014 of 111 dwellings. Would the LPA provide the figure of the current housing commitments.

8. Would the QB respond to the concerns expressed by the LPA about the deliverability of the development in Policy H3 and pedestrian routes under RT1 and RT2. Are legal agreements in place to confirm that the pedestrian routes are deliverable? If not, could the pedestrian route improvements be delivered by alternative means other than linked to the housing development? Paragraph 10.4.1 in the Action Plan only refers to the footpath from Rectory Lane to School Lane being provided as part of the housing development under Policy H3.
9. How are the pedestrian access improvements to be funded? Has any evidence been prepared to demonstrate that they will not result in the housing development being made unviable?
10. The route of the footpath RT2 in Figure 4 appears to show it running through the new housing development on School Road. Is this route correct and if so is it deliverable?
11. The Rectory Field housing site is accessed off a private road. Would the QB confirm that a means of access to the proposed housing development is achievable to the satisfaction of the highway authority?
12. Policy H6 – the first paragraph refers to existing settlements whereas the second part states settlement in the singular. The LPA states that only Stoke Fleming and the proposed extended Cotton would be suitable settlements for infill development. Would the QB confirm where is it intended that this policy should apply to.
13. Would the QB confirm the definition of “infill development” they wish to apply and how the term “well related to existing settlement” is to be defined.
14. Is it possible to achieve an access to the proposed car park under Policy RT3 to the satisfaction of the Highway Authority? Are there any access requirements to be included in the policy?
15. Natural England has commented on Policy RT3 that “*A landscape impact assessment of the proposed allocation is required and the SEA should be amended to consider Policy RT3 and its possible landscape impact. If mitigation measures such as screening are required then the policy should specify this.*” Would the LPA and QB undertake this assessment and inform me of any measures that are required to mitigate any impacts.
16. The Action Plan in paragraph 10.4.2 makes reference to the possibility of infill housing on a suitable part of the proposed car park site. If it is intended that some housing development should be included as part of the car park proposal this should be included in Policy RT3 and Policy H1. This site was not included in the housing site assessments. Would the QB explain what is intended on the site.
17. Policy RT4 footpath to Swannaton – would you provide me with a map showing the area of land it is intended to safeguard through this policy that can be included in the

NP. Would the QB confirm the status of the proposal and its deliverability. Has the location, layout and design of the scheme been agreed?

18. Would the QB provide an assessment of the Local Green Spaces. The justification to Policy E2 refers to it being on the PC website but I cannot find it. I particularly want to know why site 4 has been selected as it appears to be a hedgerow and not a green space. Is there public access? What evidence is there that this area is special to the local community?
19. Would the QB check and revise the maps for LGS sites 1 and 3 as they appear to include buildings at the recreation ground and the car park and other land not used as playing fields at the school. Would they correct the site numbering on Figure 4 to read E2.1, E2.2 etc.
20. Policy E2 does not include any policy approach to safeguarding the Local Green Spaces. Would the QB comment on the following proposed wording: "*Development on the Local Green Spaces will not be approved other than in very special circumstances.*"
21. What is the source of the map of woodland included in Figure 6? Have they been surveyed and the owners consulted? The map differs from the map in the Wildlife and Biodiversity Inventory. Site W15 does not appear as woodland on the Google map of the parish. Are any of the woodlands protected by TPO's?
22. Policy E4 – are the four bullet points intended to be examples of the types of renewable and low carbon energy generation that may be supported ie there may be others as well? Has the QB considered that some of these may be permitted development?
23. How is it intended that developers should demonstrate that an energy generation proposal should have the support of the community?
24. The three paragraphs in the justification under Policy E4 set out further policy statements which ought to be included in the policy itself and not the justification. Has the LPA identified any areas as suitable or unsuitable for the generation of renewable and low carbon energy that affect the NP area?
25. What is the source of statement of Government policy that no new commercial solar or wind turbine farms should be developed in the AONB and Undeveloped Coast? The 2015 Government guidance on Renewable Energy states that "*proposals in National Parks and Areas of Outstanding Natural Beauty, and in areas close to them where there could be an adverse impact on the protected area, will need careful consideration*"; it does not explicitly preclude them.
26. The Community Projects should be a list of projects that the Parish Council wishes to progress during the life of the Neighbourhood Plan. They should be worded in the form

of “The Parish Council will work with XXXX to deliver XXXX”. Would the QB review the wording of CP1, CP2, CP4, CP5, CP6 and CP9 and propose how they could be revised as Parish Council projects.

27. Community Project 7 on Tourism is addressed through a number of Local Plan policies. Is there any aspect that the Parish Council is going to focus on as a specific project so that this Project could be worded as “The Parish Council will work with XXXX to deliver XXXX”?

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