

Frogmore and Sherford Neighbourhood Development Plan 2014 - 2034

Initial Comments of the Independent Examiner

Prepared by

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26th November 2021

Introductory Remarks

1. As you will be aware, I have been appointed to carry out the examination of the Frogmore and Sherford Neighbourhood Plan. I have carried out my initial review of the plan and the accompanying documents which I have been sent. I visited the plan area on Thursday 25th November 2021. I spent about an hour and a half hour within the plan area. I first visited Sherford, before driving around Frogmore and then parking behind the village hall and walking through the village. I visited all the local green spaces and community facilities and tried to walk along the foreshore, before losing a shoe in the soft mud! I enjoyed a lovely sandwich prepared for me in the local shop/ café.
2. I have concluded that I should be able to deal with the examination solely based on the written material and it will not be necessary for me to call for a public hearing. However, there are a number of matters that I need to ask questions or which seek clarification based on what I have read in the plan or saw on my site visit. This is quite common in the examination process.

Regulation 16 Comments

3. I would firstly like to offer the Parish Council an opportunity to comment on the representations that were submitted to the plan as part of the Regulation 16 consultation.
4. I am not expecting a response in respect of every point raised at Regulation 16, just those comments that the Parish Council feels it wishes to respond to.

Strategic Policies

5. Can South Hams District Council confirm which of the Joint Local Plan policies, are for the purpose of the basic condition, the strategic policies that the neighbourhood plan has to be in general conformity with?

Frogmore Creek

6. Does the District Council have planning jurisdiction over development that takes place between high and low tide, within the creek such as moorings and pontoons or the installation of slipways? Does the foreshore come under the jurisdiction of the Marine Management Organisation? I note the reference to the Harbour Estuary and Nature Reserve byelaws, but these are not planning powers.

Policy FSNP 3: Heritage and Conservation

7. Are the undesignated heritage assets already identified on a local list or is the intention that the neighbourhood plan will be the instrument that designates them as such? If that is the case, I will need to see evidence of their historical “significance”.

8. Is it the expectation of the Parish Council that designated and non-designated heritage assets should be accorded the same weight in decision making, as that would not be in accordance with the approach set out in the NPPF?
9. Can the 19th Century former bakery premises be shown on a map, as I was not able to identify it on my site visit?

Policy FSNP 4: Tranquility and Dark skies

10. Can the Parish Council provide me with a link to the document, Institute of Lighting Engineers Intrinsically Dark Landscapes Category C, Zone E1?

Policy FSNP 6: Design and Construction

11. Can the District Council set out how it treats issues regarding disturbance during the construction stage of new development? Would they be subject to planning conditions or are the issues dealt with under other legislation, such as the Control of Pollution Act?

Policy FSNP 9: Private Housing Development

12. Would the Parish Council wish to express a view as to what it considers to be the maximum size of a development which would still be considered “small scale”?

Policy FSNP 13: Local Transport, Footpaths and Bridle paths

13. Can the Parish Council clarify whether the proposed links with adjacent villages and their services, relates to area beyond the plan boundary?

Concluding Remarks

14. I am sending this note direct to both Frogmore and Sherford Parish Council, and South Hams District Council. I would request that the two parties’ response to my questions should be sent to me by 12 pm on **17th December 2021** and also be copied to the other party.
15. I would also request that copies of this note and the respective responses are placed on the Neighbourhood Plan’s and also the District Council’s website.

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Independent Examiner to the Frogmore and Sherford Neighbourhood Plan

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