



Rockbeare Neighbourhood Plan

Submission Version Representation Form

The Rockbeare Neighbourhood Plan has been prepared by Rockbeare Parish Council. It has now been formally submitted to East Devon District Council who are legally required to undertake public consultation.

Accession	Rep No.
For Council Use Only	For Council Use Only

Please return this form to East Devon District Council by Friday 16th March 2018. Representations received after this time will not be accepted.

Part A – Personal Details Please note we cannot accept anonymous responses.

Personal Details	
Title	
First Name	
Last Name	
Job Title (where relevant)	
Organisation (where relevant)	Hallam Land Management Limited and Taylor Wimpey Homes and Persimmon Homes
Address	care/of agent
Postcode	
Tel. No.	
Email Address	

Agent's Details (if applicable)*	
Title	Mr
First Name	Nick
Last Name	Freer
Job Title (where relevant)	
Organisation (where relevant)	David Lock Associates Limited
Address	50 North Thirteenth Street, Central Milton Keynes, Buckinghamshire
Postcode	MK9 3BP
Tel. No.	██████████
Email Address	████████████████████

*if an agent is appointed, please fill in your title, name and organisation and the full contact details of the agent. Where an agent is used the agent will be the point of contact for correspondence.

Name/Organisation Please complete for each sheet	Hallam Land Management Limited and Taylor Wimpey Homes and Persimmon Homes (East Devon New Community partners)
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Please indicate whether you wish to be notified of any of the following:

The publication of the recommendations of any person appointed to carry out an independent examination of the Rockbeare Neighbourhood Plan.

The adoption of the Rockbeare Neighbourhood Plan.

Representation details

Please use a separate form for each representation

1. To which section of the Neighbourhood Plan does this representation relate?

(Please note that a separate form must be completed for each representation)

Policy Number (Include policy, paragraph or other reference no. if appropriate)	Rock05
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2. Please use the box below to set out why you are supporting or objecting to this part of the plan. If your comment relates to a specific area of land or site if possible please identify it on a map. Continue on a separate sheet if necessary

Previous objections to this policy by other parties include representations specifically by the FAB Project take issue with viewpoint E in this policy as it looks across the site of the now approved FAB Link Converter Station site - a substantial development not subject to any landscape objections by the District or Parish Council. The evidence base to support the specific "protection" of viewpoint E - which is simply from a lane with high hedges - is not clear. No more than partial or glimpsed views of the landscape are possible and then generally by vehicle.

The policy is not consistent with national policy in that significant harm might be expected to be an appropriate test rather than any harm. Nor is "any harm" consistent with the subsequent correct wording of the policy which seeks to resist development which fundamentally compromises the panoramas etc (not development which has insignificant harm).

EDNCp nevertheless support the proper references in para 7.23 of the text setting out expectations that any development is sensitively treated and that mitigation is an appropriate response to ensure that development is acceptable. This is an important principle set out in national guidance and in the pursuit of sustainable development. To satisfy the basic conditions of compliance with national guidance and promoting sustainable development the role of mitigation in development proposals impinging on the views set out in the Neighbourhood Plan, the Plan references to mitigation should be reinforced by their inclusion in the wording of Policy Rock05 (see below).

EDNCp are also concerned by the reference to Parish Council objections potentially being made to development beyond the Parish Boundary. While this remains possible as part of any application process such a planning approach should not form part of the neighbourhood plan process. The purpose in national policy of neighbourhood plans and the definition of their areas, is to provide policies that guide development within those areas not beyond. Specifically the Localism Act 2011 defines a neighbourhood development plan as "a plan which sets out policies (however expressed) in relation to the development and use of land in the whole or any part of a particular neighbourhood area specified in the plan" (Schedule 9, Part 2, para 7) (and section 38A(2) of Planning and Compensation Act 2004). It is not appropriate therefore for the NP to propose influence beyond the boundaries. It also goes beyond the remit of Neighbourhood Plans in the Strategic Policies. The references in the supporting text should therefore be deleted.

Name/Organisation Please complete for each sheet	Hallam Land Management Limited and Taylor Wimpey Homes and Persimmon Homes (East Devon New Community partners)
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3. What changes would you suggest should be made to the plan?

It will be helpful if you are able to put forward your suggested revised wording of any policy or text or suggested alternative policy boundary. Please be as precise as possible.

For the reasons set out above EDNCp propose the following changes to policy Rock05:

- a) Deletion of View E from the policy
- b) Deletion of the words "which should not be harmed by development" to allow proper reliance on the test that Development should not compromise the panoramas (already in the policy)
- c) Insertion in policy of reference to mitigation consistent with para 7.23 of the submission NP. Suggest addition of the following after the first sentence: "Development impinging on such panoramas and views should set out appropriate mitigation measures acceptable to the local planning authority". Also add as follows "Development, following mitigation, should not compromise..."
- d) Delete last sentences of both paragraphs 7.21 and 7.22.

For the avoidance of doubt the policy would then read:

"There are important panoramas, vistas and views within Rockbeare, or views to and from the parish, that contribute to its rural character and the quality of the countryside. Development impinging on such panoramas and views should set out appropriate mitigation measures acceptable to the local planning authority. Development, following mitigation, should not compromise the following panoramas, vistas and views:

- A. View SE from Silver Lane
- B. View of Southwood and Home Covert
- C. View along Parsons Lane from Rockbeare
- D View towards Rockbeare from Lions Farm "

Continue on a separate sheet if necessary

4. If your representation is seeking a change, do you consider it necessary to speak at the examination? (please tick one box only)

Please note this will not be regarded as a binding decision but will help us in our planning.

If you select No your representation(s) will still be fully considered by the independent Planning Inspector by way of written representations.

- No, I do not wish to speak at the examination.
- Yes, I wish to speak at the examination.

Name/Organisation Please complete for each sheet	Hallam Land Management Limited and Taylor Wimpey Homes and Persimmon Homes (East Devon New Community partners)
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5. If you wish to speak at the examination, please outline why you consider this to be necessary:

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in the examination. If the Inspector does not consider it necessary to hold a public examination consideration will be given by way of written representations.

Please note that your comments and your contact details will be publically available, although your signature, private e-mail address and telephone number will not be visible on our web site.

Signed	Nicholas Freer
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A signature is required by the Planning Inspectorate. If filling in the form electronically it can be an 'electronic signature' by typing in your name in the box. If you provide a handwritten signature we will ensure that it is not published on-line but it will be visible on the paper copies available at our offices and sent to the Inspector.

Date	16/03/2018
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Please e-mail the completed form(s) and any additional information to planningpolicy@eastdevon.gov.uk or send to Phil Twamley, Planning Policy Section, East Devon District Council, The Knowle, Sidmouth, EX10 8HL

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Representation details

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1. To which section of the Neighbourhood Plan does this representation relate?

(Please note that a separate form must be completed for each representation)

Policy Number (Include policy, paragraph or other reference no. if appropriate)	Rock06: Green Wedge
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2. Please use the box below to set out why you are supporting or objecting to this part of the plan. If your comment relates to a specific area of land or site if possible please identify it on a map. Continue on a separate sheet if necessary

Policy Rock06 is presented as an endorsement of Local Plan policy S8.

The policy however varies and appears to extend the scope of Strategic Policy S8 referencing harm to the character as well as purposes of the Green Wedge for instance.

One minor issue of clarity arises. Policy Rock06 cross refers to the designated Green Wedge area shown on Map 5 which itself replicates the plan from Local Plan Strategy Policy 8. It extends beyond the Neighbourhood Plan area boundary.

For the avoidance of doubt, to ensure consistency with national planning policy in relation to Neighbourhood Plans, Policy Rock06 should refer only to the Green Wedge within the Neighbourhood Plan area. This is particularly the case if Rock06 strengthens the policy to be applied to Green Wedge compared with the strategic policy. The NP may only consider such variation within the Plan area. Specifically the Localism Act 2011 defines a neighbourhood development plan as "a plan which sets out policies (however expressed) in relation to the development and use of land in the whole or any part of a particular neighbourhood area specified in the plan" (Schedule 9, Part 2, para 7) (and section 38A (2) of Planning and Compensation Act 2004.

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3. What changes would you suggest should be made to the plan?

It will be helpful if you are able to put forward your suggested revised wording of any policy or text or suggested alternative policy boundary. Please be as precise as possible.

For the avoidance of doubt EDNCp propose the following changes to policy Rock06:
"Development proposals in the designated Green Wedge area within the Neighbourhood Plan area shown on map 5) will not be supported unless..."

Continue on a separate sheet if necessary

4. If your representation is seeking a change, do you consider it necessary to speak at the examination? (please tick one box only)

Please note this will not be regarded as a binding decision but will help us in our planning.

If you select No your representation(s) will still be fully considered by the independent Planning Inspector by way of written representations.

- No, I do not wish to speak at the examination.
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Signed	Nicholas Freer
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Date	16/03/2018
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