

# INDEPENDENT EXAMINATION OF THE MEMBURY NEIGHBOURHOOD PLAN

EXAMINER: Andy Mead BSc (Hons) MRTPI MIQ

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Examination Ref: 01/AM/MNP

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Dear Mr Tasker and Mr Twamley

## MEMBURY NEIGHBOURHOOD PLAN EXAMINATION

Following the submission of the Membury Neighbourhood Plan (NP) for examination, I would like to confirm several initial procedural matters. I also have a number of preliminary questions for the Qualifying Body (QB), Membury Parish Council, which are set out in the attached Annex.

### 1. Examination Documentation

I can confirm that I am satisfied that I have received a complete submission of the draft Plan and accompanying documentation, including the Basic Conditions Statement, the Consultation Statement and the Regulation 16 representations. These will enable me to undertake the examination.

Subject to my detailed assessment of the NP, I have not identified any very significant and obvious flaws that might lead me to advise that the examination should not proceed.

### 2. Site Visit

I intend to undertake a site visit to the neighbourhood plan area during this week, following the Easter break. This will assist in my assessment of the NP, including the issues identified in the representations.

The site visit will be undertaken unaccompanied. It is very important that I am not approached to discuss any aspects of the Plan or the neighbourhood area, as this may be perceived to prejudice my independence and risk compromising the fairness of the examination process.

### 3. Written Representations

At this stage, I consider the examination can be conducted solely by the written representations procedure, without the need for a hearing. However, I will reserve the option to convene a hearing should a matter(s) come to light where I consider that a hearing is necessary to ensure the adequate examination of an issue, or to ensure that a person has a fair chance to put a case.

#### 4. Further Clarification

I have a number of questions seeking further clarification, which I have set out in the Annex to this letter. I would be grateful if you could provide a written response within 2 weeks of receipt of this letter.

#### 5. Examination Timetable

As you will be aware, the intention is to examine the NP (including conduct of the site visit) with a view to providing a draft report (for 'fact checking') within 4-6 weeks of submission of the draft Plan.

However, I am conscious that I have raised a number of questions and therefore must provide sufficient time for the parties to respond. Consequently, the examination timetable may be extended. Please be assured that I will aim to minimise any delay as far as is practicable. The IPe office team will seek to keep you updated on the anticipated delivery date of the draft report.

If the parish council or local authority have any process questions related to the conduct of the examination, which you would like me to address, please do not hesitate to contact the office team in the first instance.

In the interests of transparency, may I prevail upon you to ensure a copy of this letter, and any responses to it, are placed on both the local authority and parish council websites.

Thank you in advance for your assistance.

Your sincerely

*Andy Mead*

Examiner

## ANNEX

From my initial reading of the Membury Neighbourhood Plan (NP) and the supporting evidence, I have a number of questions for the Qualifying Body (QB). I have requested the submission of responses within two weeks of the receipt of this letter, but earlier responses would be welcome.

### Questions to Membury Parish Council

1. Could the QB please provide me with a map marking the location of Furley Chalk Pit SSSI and Quarry Fields meadows (Quarry Fields Farm?) SSSI?
2. Policy BEH1. Does this policy apply to proposals for all development? If so, is it reasonable to require BEH1 (3) “encourage enhancement of listed assets”, when some development for which planning permission is necessary may not have any impact on a heritage asset or its setting? Alternatively, does Policy BEH1 only apply to proposals for development which would affect heritage assets and, if so, should its description be altered?
3. Policy HP1 states that there should be no more than “3 new builds in the village or any hamlet over the plan period.” What evidence is there to suggest that infill development as defined in the NP should be capable of taking up to six dwellings? For example, in my experience, infilling is frequently described as building one or two dwellings within an otherwise built up frontage.
4. Policy HP1. Could the QB please provide the evidence and justification to support the NP policy of building new dwellings in the named hamlets of Furley, Longbridge, Rock and Webble Green, in addition to development in Membury village?
5. Policy HP3. The policy states that proposals for any new additional housing development will be supported “if it provides a Community Land Trust to support local families and the local elderly or where the proposal meets demonstrable local housing needs or is supporting employment or for dependent family”. Does this policy apply to all new dwellings? If so, how does the policy fit with Policy HP1 (4) which implies that there would be up to 3 new builds in the village or any hamlet over the plan period, in addition to those built under Policy HP3 and Policy HP4? Alternatively, does the policy only apply to housing for local needs as implied in the title and should the policy say so?

### Question to East Devon District Council

6. Policy HP2. Notwithstanding the details of the policy, if a detached residential annex is built in the grounds of a house in order to provide a low-cost home for family members, such as the young or elderly, is the local planning authority satisfied that reasonable development management measures will enable such an annex to be maintained for the permitted purpose and not turned into another ancillary use such as holiday accommodation, or segregated from its host dwelling?