

# INDEPENDENT EXAMINATION OF ROCKBEARE PARISH NEIGHBOURHOOD PLAN

EXAMINER: Bob Yuille MSc DipTP MRTPI

Mark Readman  
Rockbeare Parish Council

Philip Twamley  
East Devon District Council

Examination Ref: 01/BY/RNP

Via email: [markjreadman@aol.com](mailto:markjreadman@aol.com)  
[PTwamley@eastdevon.gov.uk](mailto:PTwamley@eastdevon.gov.uk)

04 April 2018

Dear Mr Readman and Mr Twamley

## ROCKBEARE PARISH NEIGHBOURHOOD PLAN EXAMINATION

Following the submission of the Rockbeare Parish Neighbourhood Plan (the Plan) for examination, I would like to clarify several initial procedural matters. I also have a number of preliminary questions for East Devon District Council (the LPA) and Rockbeare Parish Council (the QB) which are set out in the **Annex** to this letter.

### 1. Examination Documentation

In the Annex, I raise the question of whether or not I have been supplied with a full set of Regulation 16 representations. Subject to the answer to this question, I confirm that I am satisfied that I have received a complete submission of the Plan and accompanying documentation - including the Basic Conditions Statement, the Consultation Statement and the Strategic Environmental Assessment and Habitat Regulations Assessment Screening Report - to enable me to undertake the examination.

Subject to my detailed assessment of the Plan, I have not at this initial stage identified any very significant and obvious flaws in it that might lead me to advise that the examination should not proceed.

### 2. Site Visit

I intend to undertake a site visit to the Plan area. I will notify you of the date for this when I have received the answers to my questions in the Annex.

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 it is likely that 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 or matters come to light which make this 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 initial questions seeking further clarification, which I have set out in the Annex to this letter. I would be grateful if you can seek to provide a written response within three weeks from the date of this letter.

#### 5. Examination Timetable

As you will be aware, the intention is to examine the plan (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 have raised a number of questions which will require time to answer. Consequentially, the examination timetable will be extended. Please be assured that I will seek mitigate 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 you or the QB 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 Planning Authority and Parish Council websites.

Thank you in advance for your assistance.

Your sincerely

*R J Yuille*

Examiner

# ROCKBEARE PARISH NEIGHBOURHOOD PLAN EXAMINATION

## Annex

From my initial reading of the Rockbeare Neighbourhood Plan (the Plan) and the supporting evidence, I have a number of questions for the Qualifying Body (QB) and East Devon District Council (the LPA). I have requested the submission of responses within three weeks of the receipt of this letter, but earlier responses would be welcome.

### Question to LPA or QB

1. Could I please be provided a copy of an extract from the West End Inset Map of the East Devon Local Plan 2013-2031, centred on Rockbeare, at reasonably large scale with the following additional information shown?
  - The Neighbourhood Plan Area;
  - The extent to which development proposed in the emerging Cranbrook Masterplan (both recreational greenspace uses and housing) extend into the Neighbourhood Plan Area and the Green Wedge; and
  - The Rockbeare Key Viewpoints.

### Questions to LPA

1. Set out below is what is described on the LPA's web site as "...a full list of responses..." to the Regulation 16 consultation on the Rockbeare Neighbourhood Plan.

Amec Foster for National Grid

Aylesbeare Parish Council

Cranbrook Town Council

David Lock Associates

Dorset County Council

Gladman Developments Ltd

Highways England

Historic England

PCL Planning

South Somerset District Council

South West Water

Sport England

Woodland Trust

The documents in green are those of which I have received hard copies. I have not received hard copies of the documents in red but obviously I have access to them electronically.

More worrying is the fact that I have received hard copies of three documents which appear to be Regulation 16 responses but which are not on the list. There are:

1. A response from Natural England dated 7<sup>th</sup> March 2018;
2. A response from [REDACTED] dated 15<sup>th</sup> March 2018; and
3. A response from the LPA in the form of a report to Cabinet dated 7<sup>th</sup> March 2018.

Are these indeed regulation 16 responses? If they are, please inform me and add them to the list on the LPA's web site.

2. The Development Plan for the area, not including documents relating to excluded minerals and waste development, is the East Devon Local Plan 2013 – 2021. Is that correct? Is the

LPA able to tell me what are the principal strategic policies in this document that are relevant to the Plan?

3. There are two emerging development plan documents that appear to be relevant to the examination of the Plan. These are the Cranbrook Plan and the Greater Exeter Strategic Plan. Can the LPA please tell me what stage these plans have reached in their preparation; when they are due to be submitted for examination; and what, if any, strategic policies they contain that are of particular relevance to the examination of the Plan?
4. From a preliminary reading of the evidence it appears that the LPA was satisfied when it prepared the East Devon Local Plan that the growth needs of Cranbrook could be met without utilising land in the Rockbeare Parish Neighbourhood Plan Area and in Policy STRAT8 it designated a Green Wedge, part of which is in the Neighbourhood Plan Area, the purpose of which is to prevent the coalescence of settlements. However, in the emerging Cranbrook Plan the LPA appears to have changed its stance and is proposing to allocate land for recreational greenspace uses and housing in the Rockbeare Green Wedge. Is that correct? If so, could the LPA please give a brief summary of the reasons for this change of approach?
5. The Plan proposes (Policy Rock06) to resist development in the Green Wedge. On that basis there appears to be a conflict between the Plan and the emerging Cranford Plan. Although the Plan is not to be tested against the policies of an emerging plan, such plans are expected to be complementary with each other and the LPA is expected to have worked collaboratively with the QB to minimise conflict<sup>1</sup>. Has such collaborative working taken place?
6. Reference is made in evidence to a report to the LPA's Strategic Planning Committee on 20<sup>th</sup> March 2018. Can the LPA please supply me with the agenda for and the minutes of that meeting?
7. Would the LPA please confirm whether or not it considers that the Plan meets the Basic Conditions?

### **Questions to QB**

1. Does the QB intend to respond to the Regulation 16 representations as it did to the Regulation 14 representations? It has the opportunity to do so should it choose.
2. The Plan indicates<sup>2</sup> that Map 4 shows the most significant views and vistas in the parish. What is the evidence underpinning this judgement? What are the particular features that make these views so important?
3. At Question 5 above I asked the LPA whether there had been any collaborative working to minimise conflict between the Plan and the emerging Cranford Plan. I would also welcome the QB's comments on this question.

---

<sup>1</sup> Planning Practice Guidance. Paragraph: 009 Reference ID: 41-009-20160211.

<sup>2</sup> Paragraph 7.22.