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# **Report on Payhembury Neighbourhood Plan 2017 - 2031**

**An Examination undertaken for East Devon District Council with the support of the Payhembury Parish Council on the September 2018 submission version of the Plan.**

Independent Examiner: Mary O'Rourke BA (Hons) DipTP MRTPI

Date of Report: 29 January 2019

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## **Main Findings - Executive Summary**

From my examination of the Payhembury Neighbourhood Plan (the Plan/NP) and its supporting documentation including the representations made, I have concluded that subject to the policy modifications set out in this report, the Plan meets the Basic Conditions.

I have also concluded that:

- The Plan has been prepared and submitted for examination by a qualifying body – the Payhembury Parish Council;
- The Plan has been prepared for an area properly designated – the parish of Payhembury shown on Figure 1 of the Plan;
- The Plan specifies the period to which it is to take effect – 2017 to 2031; and
- The policies relate to the development and use of land for a designated neighbourhood area.

I recommend that the Plan, once modified, proceeds to Referendum on the basis that it has met all the relevant legal requirements.

I have considered whether the referendum area should extend beyond the designated area to which the Plan relates and have concluded that it should not.

## **1. Introduction and Background**

### *Payhembury Neighbourhood Plan 2017 - 2031*

1.1 Payhembury is a rural parish in East Devon that lies to the north of the A30(T) and south east of the A373 (Honiton to the M5 and Cullompton road). Honiton is about 7km away and the East Devon coast around 15km to the south. The Plan area includes the village of Payhembury, which has a range of community facilities and services, and a number of smaller hamlets and farmsteads. It lies on the western fringes of the Blackdown Hills and the eastern part of the parish, including the Neolithic and Roman hill fort at Hembury, lies within the Blackdown Hills Area of Outstanding Natural Beauty. Much of the land within the parish is used for farming and agriculture remains an important employer of local people. In 2011, the Census data showed a resident population of under 700 people, in 270 households, with the working age population lower than both the Devon and national averages. There has been no significant development since then.

1.2 The decision to prepare a neighbourhood plan was taken early in 2016. The formal application for designation was approved by East Devon District Council (EDDC) on 31 March 2016. The Plan has been prepared

by a volunteer steering group of local residents and parish councillors. The Consultation Statement, which accompanied the submitted Plan, details the aims of the consultation, what was done to engage with the local community, and discussions with key stakeholders.

- 1.3 The Vision, Aims and Objectives for the Plan, set out in Chapter 2, reflect the public consultation. The Plan has a clear Vision of how Payhembury should be viewed in 2031 as a friendly and welcoming community, which retains its peaceful rural character, whilst continuing to be well served by a range of facilities to meet the needs of residents and local businesses and with good and safe connections to the surrounding area. The Plan addresses a number of relevant topics, putting forward 6 planning policies on housing, supporting the local economy, community renewables and sustainability, open space, and footpaths and pavements. They have been written to help achieve the Plan's underlying Vision, Aims and Objectives. Generally, the Plan has a clear structure and overall purpose and is easy to read.

#### *The Independent Examiner*

- 1.4 As the Plan has now reached the examination stage, I have been appointed as the examiner of the Payhembury Neighbourhood Plan by EDDC, with the agreement of the Payhembury Parish Council.
- 1.5 I am a chartered town planner and former government Planning Inspector, with some 40 years of experience in the public and private sector, more recently determining major planning appeals and examining development plans and national infrastructure projects. I have previous experience of examining neighbourhood plans. I am an independent examiner, and do not have an interest in any of the land that may be affected by the draft Plan.

#### *The Scope of the Examination*

- 1.6 As the independent examiner I am required to produce this report and recommend either:
- (a) that the neighbourhood plan is submitted to a referendum without changes; or
  - (b) that modifications are made and that the modified neighbourhood plan is submitted to a referendum; or
  - (c) that the neighbourhood plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.
- 1.7 The scope of the examination is set out in Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended)('the 1990 Act'). The examiner must consider:

- Whether the Plan meets the Basic Conditions;
- Whether the Plan complies with provisions under s.38A and s.38B of the Planning and Compulsory Purchase Act 2004 (as amended) ('the 2004 Act'). These are:
  - it has been prepared and submitted for examination by a qualifying body, for an area that has been properly designated by the Local Planning Authority;
  - it sets out policies in relation to the development and use of land;
  - it specifies the period during which it has effect;
  - it does not include provisions and policies for 'excluded development';
  - it is the only neighbourhood plan for the area and does not relate to land outside the designated neighbourhood area;
  - whether the referendum boundary should be extended beyond the designated area, should the Plan proceed to referendum; and
- Such matters as prescribed in the Neighbourhood Planning (General) Regulations 2012 (as amended) ('the 2012 Regulations').

1.8 I have considered only matters that fall within Paragraph 8(1) of Schedule 4B to the 1990 Act, with one exception. That is the requirement that the Plan is compatible with the Human Rights Convention.

*The Basic Conditions*

1.9 The 'Basic Conditions' are set out in Paragraph 8(2) of Schedule 4B to the 1990 Act. In order to meet the Basic Conditions, the neighbourhood plan must:

- Have regard to national policies and advice contained in guidance issued by the Secretary of State;
- Contribute to the achievement of sustainable development;
- Be in general conformity with the strategic policies of the development plan for the area;
- Be compatible with and not breach European Union (EU) obligations; and
- Meet prescribed conditions and comply with prescribed matters.

1.10 Regulation 32 and Schedule 2 to the 2012 Regulations prescribes a further Basic Condition for a neighbourhood plan. This requires that the making of

the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017<sup>1</sup>.

## 2. Approach to the Examination

### *Planning Policy Context*

- 2.1 The Development Plan for this part of EDDC, not including documents relating to excluded minerals and waste development, is the East Devon Local Plan 2013-2031, adopted in January 2016. It is up to date and provides the relevant strategic background for assessing general conformity. The East Devon Villages Plan (the Villages Plan) was adopted on 26 July 2018. It defines 'Built-up Area Boundaries' (BUAB) around the settlements identified in Local Plan policy Strategy 27 (except for Lypstone). It does not define a BUAB for Payhembury.
- 2.2 EDDC are also partners in the emerging Greater Exeter Strategic Plan, along with Exeter City, Teignbridge and Mid Devon Councils and Devon County Council. Following consultation in 2017 and a call for sites, work is progressing on considering more than 700 sites put forward and in complex transport modelling. Issues are expected to be consulted on in the summer of this year.
- 2.3 The planning policy for England is set out principally in the National Planning Policy Framework (NPPF). The Planning Practice Guidance (PPG) offers guidance on how this policy should be implemented. A revised NPPF was published on 24 July 2018, replacing the previous 2012 NPPF. The transitional arrangements for local plans and neighbourhood plans are set out in paragraph 214 of the 2018 NPPF, which provides '*The policies in the previous Framework will apply for the purpose of examining plans, where those plans are submitted on or before 24 January 2019*'. A footnote clarifies that for neighbourhood plans, '*submission*' in this context means where a qualifying body submits a plan to the local planning authority under Regulation 15 of the 2012 Regulations. The Plan was submitted to EDDC in September 2018. Thus, it is the policies in the previous NPPF that are applied to this examination and all references in this report are to the March 2012 NPPF and its accompanying PPG.

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<sup>1</sup> This revised Basic Condition came into force on 28 December 2018 through the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018.

### *Submitted Documents*

2.4 I have considered all policy, guidance and other reference documents I consider relevant to the examination, including those submitted which comprise:

- the draft Payhembury Neighbourhood Plan 2017-2031, September 2018;
- Figure 1 of the Plan, which identifies the area to which the proposed neighbourhood development plan relates;
- the Consultation Statement, September 2018;
- the Basic Conditions Statement, September 2018;
- all the representations that have been made in accordance with the Regulation 16 consultation;
- the responses of EDDC and of Payhembury Parish Council to my procedural letter dated 11 December 2018<sup>2</sup>; and
- the Strategic Environmental Assessment (SEA) Screening Opinion prepared by EDDC.

### *Site Visit*

2.5 I made an unaccompanied site visit to the Neighbourhood Plan Area on 28 December 2018 to familiarise myself with it, and visit relevant sites and areas referenced in the Plan and evidential documents.

### *Written Representations with or without Public Hearing*

2.6 This examination has been dealt with by written representations. I considered hearing sessions to be unnecessary as the consultation responses clearly articulated the objections to the Plan, and presented arguments for and against the Plan's suitability to proceed to a referendum.

### *Modifications*

2.7 Where necessary, I have recommended modifications to the Plan (**PMs**) in this report in order that it meets the Basic Conditions and other legal requirements. For ease of reference, I have listed these modifications separately in the Appendix.

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<sup>2</sup> View at: <http://eastdevon.gov.uk/planning/neighbourhood-and-community-plans/neighbourhood-plans/neighbourhood-plans-being-produced-in-east-devon/payhembury/#article-content>

### **3. Procedural Compliance and Human Rights**

#### *Qualifying Body and Neighbourhood Plan Area*

- 3.1 The Payhembury Neighbourhood Plan has been prepared and submitted for examination by Payhembury Parish Council which is a qualifying body, for an area that was designated by EDDC on 31 March 2016.
- 3.2 It is the only neighbourhood plan for Payhembury parish, and does not relate to land outside the designated Neighbourhood Plan Area.

#### *Plan Period*

- 3.3 The Plan specifies clearly the period to which it is to take effect, which is from 2017 to 2031.

#### *Neighbourhood Plan Preparation and Consultation*

- 3.4 The Plan has been prepared in response to the Localism Act 2011 and the Parish Council's concern that, with the likelihood of more changes in the future, having a neighbourhood plan would give more stability in terms of future planning in the area and for this to be aligned with the wishes of those who live and work there. Following designation of the Neighbourhood Plan Area, a Steering Group was established in April 2016, comprising members of the Parish Council and of the local community. The value of strong community engagement was recognised from the beginning as an essential component to ensure meaningful consultation and generate a plan that would be well-supported.
- 3.5 A range of methods were used to engage with the community, including presentations at various community events held in the village, letter drops to every household in the parish, posters in the village shop and on the notice board, a monthly newsletter, and a dedicated web page on the progress of the Neighbourhood Plan. In addition, a workshop was held for local businesses to explore and record issues of concern to them.
- 3.6 An initial consultation event held in April 2016 identified some key concerns and was followed up in December 2016 by a questionnaire delivered to all residents and made available online. The 155 responses completed helped to inform the Vision and identify the key priorities for the Plan to address. Three further consultation events were held in 2017, on the renewables policy in the Plan, with local residents and with local businesses.
- 3.7 The Pre-Submission Plan was published in April 2018 for consultation and was made available on-line and at the village shop. The parish newsletter, circulated to all properties in the parish, included articles on the consultation and a community engagement event was held in June 2018 with a question and answer session held with members of the



Steering Group. In addition, community, strategic and statutory organisations were consulted electronically. Some 6 responses were made by statutory consultees (including EDDC), with an additional 3 responses from individuals. The Consultation Statement at Appendices 4 and 5 sets out these Regulation 14 responses.

- 3.8 The consultation responses, and particularly the detailed comments made by EDDC, were taken into account, where considered appropriate, in revising the submitted Plan. The submitted Plan was subject to a further 6-week consultation in October and November 2018 and I have taken account of the 9 responses received in writing this report, as well as the earlier Consultation Statement. I am satisfied that a transparent, fair and inclusive consultation process has been followed for the Plan, having due regard to the advice in the PPG on plan preparation and in procedural compliance with the legal requirements.

#### *Development and Use of Land*

- 3.9 The Plan sets out policies in relation to the development and use of land in accordance with Section 38A of the 2004 Act.

#### *Excluded Development*

- 3.10 The Plan does not include provisions and policies for 'excluded development'.

#### *Human Rights*

- 3.11 The Basic Conditions Statement at section 6 states that the Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act 1998. EDDC has not alleged that the Plan breaches Human Rights (within the meaning of the Human Rights Act). I have considered this matter independently and I have found no reason to disagree with that position.

## **4. Compliance with the Basic Conditions**

#### *EU Obligations*

- 4.1 The Plan was screened for SEA by EDDC. This is a legal requirement and accords with Regulation 15(e)(1) of the 2012 Regulations. The Council found it unnecessary to undertake SEA and Historic England, Natural England and the Environment Agency, when consulted, agreed with that assessment. Having read the Screening Opinion and considered the matter independently, I agree with that conclusion.

4.2 The Plan was further screened for Habitats Regulations Assessment (HRA). The assessment undertaken by EDDC is that the Plan is unlikely to have an adverse effect on any European site, alone or in combination with other plans and projects. Natural England, when consulted, agreed with that conclusion and that the Plan, as currently drafted, is unlikely to have a significant effect on the environment or an adverse effect on the integrity of a European site, and that it did not require HRA. On the basis of the information provided, and my independent consideration, I am satisfied that the Plan is compatible with EU obligations.

### *Main Issues*

4.3 Having regard for the Submission Version of the Payhembury Neighbourhood Plan, the consultation responses and other evidence, and the site visit, I consider that there are 3 main issues relating to the Basic Conditions for this examination. These are:

- whether the settlement boundary proposed in the Plan and the policies for housing and employment provide an appropriate framework to shape and direct sustainable development, have regard to national policy and guidance, and are in general conformity with the strategic policies in the Local Plan and Villages Plan;
- whether the energy and accessibility policies in the Plan meet the Basic Conditions, particularly in relation to the regard had to national policy and guidance; and
- whether the Plan appropriately provides for the designation and protection of Local Green Spaces, having regard to national planning policy and guidance and the need to be consistent with the local planning of sustainable development.

### *Introduction*

4.4 The Neighbourhood Plan for Payhembury begins with an introduction to the Plan area and the evidence gathering undertaken as part of the plan making process, before in Chapter 2 setting out the Vision, Aims and Objectives for the area to 2031 which emerged from the consultation exercises and from which the policies have been developed. These introductory chapters set out a clear and robust structure for the planning of the area over the next 12 years, based on consultation with the local community and which have regard to national and local policy.

4.5 The consultation carried out to inform the preparation of the Plan's policies also brought up other issues, in respect of accessibility and traffic safety and broadband provision, that the Parish Council has pledged to take forward. These action points are set out in Appendix A and do not fall to be considered in this examination against the Basic Conditions.

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4.6 I now turn, in the following paragraphs, to address each of my three main issues.

*Issue 1 – The settlement boundary, housing and the economy*

4.7 The Plan area includes the village of Payhembury and a scatter of hamlets and farmsteads. Payhembury is around 1.6 miles from the nearest A road, down narrow and winding lanes where any significant additional housing development would not be sustainable. The population of Payhembury is older than the national average, and the proportion of working age is below both the national and county average. With many East Devon communities having an overtly aged population profile, Strategy 4 of the Local Plan encourages residential development suited to, or which provides for, younger people and younger families. Consultations with the local community, together with evidence from the East Devon Strategic Market Housing Assessment 2014/15, has identified a priority in the parish for affordable, smaller properties.

4.8 The Plan supports a small increase in housing in the village for families and to help local people looking for affordable housing in the parish, for which there is an identified need, and which would help ensure the viability and sustainability of the village's facilities, which include a primary school, community shop and pub. Policy PNP1 defines a settlement boundary for the village within which new housing development will be supported and sets criteria for new housing development.

4.9 To ensure that new housing is of an appropriate scale and meets the priority identified for affordable, smaller properties for families, policy PNP1 requires that new homes have 1, 2 or 3 bedrooms and a maximum of 93 square metres internal space. Having regard to the advice in the PPG<sup>3</sup>, I am satisfied that adequate local justification has been provided for setting an internal space policy, which would align with Local Plan policy H2 which seeks a range and mix of housing development, and particularly smaller dwellings. Further policy criteria accord with the NPPF and Local Plan policies D1 and TC9 in seeking the provision of sufficient off-street parking in new housing development and that development is in keeping with surrounding properties and with the character of the village.

4.10 However, in limiting residential development adjacent to the settlement boundary to brownfield sites only, the final part of the policy is more restrictive than Strategy 35 of the Local Plan which does not distinguish between 'exception' housing schemes on green field or brownfield land. To be in general conformity with strategic policy, the reference to brownfield sites in the final sentence of the policy should be deleted. In

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<sup>3</sup> PPG Reference ID: 56-018-20150327, 56-002-20160519, and 56-020-20150327.

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promoting the delivery of the identified housing need for smaller properties, I am also recommending that the final part includes a reference back to the maximum internal space standard (**PM1**).

- 4.11 As to the defined settlement boundary, Payhembury is not identified in Strategy 27 of the Local Plan as one of the larger villages where the Villages Plan designates built up area boundaries (BUABs). But whilst Payhembury is in the countryside where Strategy 7 restricts development, Strategy 6 does allow that *“where a local community prepare a Neighbourhood Plan they may specifically allocate sites and/or include criteria based on other policies for promoting development/land uses beyond the boundary. Such ‘outside of boundaries’ policy provision would supersede relevant constraint considerations set out in ‘Strategy 7 - Development in the Countryside’ and also other relevant constraint policies”*. Strategy 27 also provides that where communities wish to promote development other than that supported through Strategy 27 or other Local Plan strategy, *‘they will need to produce a Neighbourhood Plan ... justifying how and why, in a local context, the development would promote the objectives of sustainable development’*. The Villages Plan acknowledges that neighbourhood plans may be produced which define BUABs<sup>4</sup>.
- 4.12 Through policy PNP1, the NP defines a settlement boundary for Payhembury, within which infill housing development will be supported subject to meeting certain criteria. The supporting text provides local justification for the definition of a settlement boundary and sets out in sufficient detail how and why it would promote the objectives of sustainable development by helping to maintain the vitality of the village and the rural community. As such, it has regard to national policy in the NPPF at paragraph 55 and with the PPG, which identifies that all settlements in rural areas can play a role in delivering sustainable development<sup>5</sup>. It is also in general conformity with strategic policies 6 and 27 of the Local Plan.
- 4.13 The settlement boundary shown on Figure 2, whilst it is not called a BUAB, has been defined using the same criteria as those adopted for the Villages Plan. It has been drawn around the main groups of existing buildings, to include the whole of the village, but excludes the large brownfield site of Slade Barton, which is in mixed agricultural/commercial use, and the large gardens of various properties. Looking at the criteria listed at paragraph 3.15, in the case of the latter this is said to be to *‘help control the building of extra houses in their grounds’* (criterion A2), and where large gardens or grounds *‘could extend the built-up area if developed’* (criterion C1),

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<sup>4</sup> Villages Plan paragraph 1.4.

<sup>5</sup> PPG Reference ID: 41-044-20160519.

unless *'any new buildings would look like part of the existing village'* (criterion C2)<sup>6</sup>.

- 4.14 Representations have been made that the boundary now shown in the submitted NP has been drawn too tightly around Culver House, effectively placing the main part of its garden outside the settlement boundary and preventing the contribution that it could make, if developed with one infill unit, towards sustainable development in the village. Culver House is located in the centre of the village, north of the bridge. It has a frontage to the main village street, but the house is set back on the plot and there are well treed gardens to the south and west, extending behind the Village Hall, and enclosed by a wall. Criterion A2 of the Villages Plan – Proposed BUAB Criteria, revised in 2016, advised that, where practicable, boundaries should follow clearly defined physical features, such as walls, fences, hedgerows, roads or watercourses. However, it went on to say that where buildings are set in large grounds, physical features may not form the appropriate BUAB boundary.
- 4.15 In this case, I noted on my site visit that the large garden of Culver House extends out from the main built up area of the village and visually merges with the school's wildlife and woodland area to the west. In my judgement, that part of the garden of Culver House shown on the Plan's Figure 2 outside of the settlement boundary, relates more to the open land to the south and west than to the village itself. If developed, it would extend the built form of the settlement, to the detriment of the character and visual appearance of the area, contrary to the criteria used to identify an appropriate settlement boundary for Payhembury in the Neighbourhood Plan.
- 4.16 Providing that the modifications to the policy wording set out above are made, I conclude that policy PNP1 and the settlement boundary shown on Figure 2 would have regard to national policy and advice, would be in general conformity with the strategic policies of the Local Plan, and would contribute towards the achievement of sustainable development, thus meeting the Basic Conditions.
- 4.17 Although Payhembury is a rural parish, it has a higher than the national average of people working from home, and of people who are self-employed, who together contribute significantly to the local economy, being more likely to use local services and facilities, and less likely to be travelling at peak times on the rural road network. Through policies PNP2 and PNP3, the Plan seeks to support the local economy by encouraging the creation of new employment space and protecting existing employment uses. Subject to modification of policy PNP3 to clarify that marketing of an employment site must be for the existing or similar use

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<sup>6</sup> Submitted NP paragraph 3.15.

(**PM2**), the policies have regard to the NPPF which supports a prosperous rural economy and sustainable economic growth, are in general conformity with strategic policies in the Local Plan and would contribute towards the achievement of sustainable development.

## *Issue 2 – Energy and accessibility policies*

- 4.18 National planning policy is concerned with meeting the challenge of climate change and planning is seen as playing a key role, amongst other things, in supporting the delivery of renewable and local carbon energy and associated infrastructure. However, it recognises that adverse impacts should be satisfactorily addressed in policies, including cumulative landscape and visual impacts. The Local Plan considers renewables at paragraphs 17.15 to 17.18 and in Strategy 39. Policy PNP4 of the NP accords with national and local policy in supporting proposals for individual as well as community scale renewable energy projects. However, I am concerned that the words '*further development of existing buildings or within their curtilage ...*' are not sufficiently clear and unambiguous that a decision maker could apply the policy consistently and with confidence, when determining planning applications<sup>7</sup>. Further, proposals should also have regard to any impact they might have on the natural environment and biodiversity. Subject to modification to the wording along the lines suggested by the District Council (**PM3**), I am satisfied that policy PNP4 would have regard to national policy, would be in general conformity with the strategic policies of the Local Plan, and would contribute to the achievement of sustainable development, thus meeting the Basic Conditions.
- 4.19 The Plan from paragraph 3.41 describes local residents' concerns about pedestrian safety and the lack of pavements in the village centre, particularly on the bend close to the village school. Policy PNP6 supports improved or increased provision for pedestrians in the village centre and seeks to ensure that any new development makes appropriate safe provision for pedestrians. However, I find that the policy, as drafted, lacks the necessary clarity in its use of ambiguous words like 'safe pedestrian zones', 'possibly', 'defined walkway', and 'safe pedestrian area'. Subject to modifications to the policy wording (**PM4**), I am satisfied that policy PNP6 would accord with national policy in the NPPF which promotes sustainable transport and healthy communities and with Local Plan Strategies 5B and 24, and will contribute to the achievement of sustainable development.

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<sup>7</sup> PPG Reference ID: 41-041-20140306.



### *Issue 3 – Local Green Space (LGS)*

- 4.20 Section 8 of the NPPF addresses the way planning can promote healthy communities and the Local Plan policies Strategy 3 and Strategy 4 provide for the achievement of sustainable development and balanced communities, including by conserving and enhancing the environment and promoting social well-being. Paragraph 76 of the NPPF enables local communities through local and neighbourhood plans to identify green areas of particular importance to them for special protection. By designating them as LGS, local communities are able to rule out new development other than in very special circumstances. Criteria for LGSs are set out in the NPPF at paragraph 77 and there is further advice in the PPG<sup>8</sup>.
- 4.21 There is one community open space in Payhembury, the Church Lane play area, which is already listed as an Asset of Community Value and designated in policy PNP5 as LGS. In terms of the criteria in NPPF paragraph 77, I am satisfied from the evidence in the Plan and what I saw on my site visit, that it is local in character, but not an extensive tract of land, demonstrably special and valued for its recreational value, and close to the community that it serves. Paragraph 78 of the NPPF confirms that local policy for managing development within a LGS should be consistent with policy for Green Belts. Subject to policy PNP5 being modified to clarify the high level of protection afforded by designation as LGS, consistent with that for Green Belts (**PM5**), I am satisfied that it has regard to national policy and guidance and is in general conformity with strategic policies of the Local Plan. Accordingly, the Basic Conditions will be met.

## **5. Conclusions**

### *Summary*

- 5.1 The Payhembury Neighbourhood Plan has been duly prepared in compliance with the procedural requirements. My examination has investigated whether the Plan meets the Basic Conditions and other legal requirements for neighbourhood plans. I have had regard for all the responses made following consultation on the Neighbourhood Plan, and the evidence documents submitted with it.
- 5.2 I have made recommendations to modify a number of policies and text to ensure the Plan meets the Basic Conditions and other legal requirements. I recommend that the Plan, once modified, proceeds to referendum.

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<sup>8</sup> PPG Reference IDs: 37-005-20140306 to 37-022-20140306.

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### *The Referendum and its Area*

- 5.3 I have considered whether or not the referendum area should be extended beyond the designated area to which the Plan relates. The Payhembury Neighbourhood Plan as modified has no policy or proposals which I consider significant enough to have an impact beyond the designated Neighbourhood Plan boundary, requiring the referendum to extend to areas beyond the Plan boundary. I recommend that the boundary for the purposes of any future referendum on the Plan should be the boundary of the designated Neighbourhood Plan Area.

### *Overview*

- 5.4 The Neighbourhood Plan is an easy to read and understandable document. I appreciate that there was initial wariness locally about embarking on the plan making process. However, those on the Neighbourhood Plan team, the Parish Council and the local community who engaged with the process should be justly proud of producing a Neighbourhood Plan that reflects local opinion and which successfully addresses, through its policies, the key issues arising in this rural parish. I commend them for producing this Plan which, subject to some modifications, will influence development management decisions over the next 12 years.

*Mary O'Rourke*

Examiner



## Appendix: Modifications

Proposed modification number (PM)	Page no./ other reference	Modification
PM1	Page 22	In the last sentence of policy PNP1 delete the words 'of brownfield sites' and add after 'Local Plan' the words ' <b>and with the maximum internal space standard set out above</b> '.
PM2	Page 24	In policy PNP3 after the word 'marketed' add ' <b>for the existing or similar employment use</b> ' before 'at a realistic price .....'.
PM3	Page 26	<p>Reword policy PNP4 as follows:</p> <p><b>Proposals for individual and community scale renewable energy projects, and other forms of green technology, will be supported subject to the proposed development not having an unacceptable adverse impact on:</b></p> <ul style="list-style-type: none"> <li>● <b>the character and appearance of the area;</b></li> <li>● <b>the amenity of local residents;</b></li> <li><b>and</b></li> <li>● <b>the natural environment and local biodiversity.</b></li> </ul>
PM4	Page 31	<p>Reword policy PNP6 as follows:</p> <p><b>All proposals for new development should make appropriate safe provision for pedestrians. Improved or increased provision for pedestrians in the village centre will be supported.</b></p>
PM5	Page 30	<p>Reword policy PNP5 as follows:</p> <p><b>The Church Lane Play Area, indicated in Figure 3, is designated as Local Green Space and where any proposals for development should be</b></p>

		<b><i>consistent with national Green Belt policy.</i></b>
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