

# INDEPENDENT EXAMINATION OF THE NEWTON POPPLEFORD AND HARPFORD

## NEIGHBOURHOOD PLAN

EXAMINER: Jill Kingaby BSc(Econ) MSC MRTPI

Mr Paul Hayward  
Clerk to Newton Poppleford and Harpford Parish Council

Angela King  
East Devon District Council

Examination Ref: 01/JK/NP&HNP

1 July 2020

Dear Mr Hayward and Ms King

### NEWTON POPPLEFORD AND HARPFORD NEIGHBOURHOOD PLAN EXAMINATION

Following the submission of the Newton Poppleford and Harpford Neighbourhood Plan (the Plan) for examination, I would like to clarify several initial procedural matters.

#### 1. Examination Documentation

I can 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 Regulation 16 representations, 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 carry out a site visit to the neighbourhood plan area once I have received responses to the questions I have set out for the Parish Council, which are attached as an Annex to this letter. The site visit will assist in my assessment of the draft Plan, including the issues identified in the representations.

The 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 (and further respecting the current COVID-19 distancing arrangements).

#### 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. Nevertheless, I will reserve the option to convene a hearing should a matter or matters 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

As mentioned above, I have a number of initial questions seeking further clarification from the Parish Council, set out in the Annex to this letter. I would be grateful if a written response could be provided within **two weeks** of receipt of this letter. However, please let me know if you require more time.

Once I have undertaken my site visit, I may have some further questions which seek clarification on other matters.

#### 5. Examination Timetable

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

However, in view of the additional information which I have requested, I must provide the opportunity for you to reply. This means the examination timetable will need to be extended. Please be assured that I will seek to mitigate any delay as far as is practicable and possible. The IPe office team will keep you updated on the anticipated site visit date and the delivery date of the draft report.

If you 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 that a copy of this letter is placed on both the Parish Council and Local Authority websites.

Thank you in advance for your assistance.

Your sincerely

*Jill Kingaby*

Examiner

## ANNEX

From my initial reading of the submission draft Newton Poppleford and Harpford Neighbourhood Plan (NP) and the supporting evidence, I have the following questions for Newton Poppleford and Harpford Parish Council. I have requested the submission of a response within **two** weeks of receipt of this letter.

1. Paragraphs 3.1 and 3.3 of the NP refer to the services and community facilities located in the Parish, and a full list is given in Appendix 2. It would provide clarity for readers of the Plan if a map showing the principal services and facilities were included. Can this be provided please?
2. The East Devon Way is mentioned in paragraph 3.3, and Map 4 illustrates the Parish's footpath infrastructure. Again, in the interests of clarity, the East Devon Way should be named and shown more clearly on the map, and a cross-reference could be added to Page 22, to clarify the context of the photograph. Could a revised map be provided?
3. Paragraphs 3.4 and 7.3 give conflicting figures for number of households recorded in the 2011 Census. Should it be 930 or 978?
4. Policy T2 for developments of 10+ houses and employment sites are expected to demonstrate how the adverse impact of added vehicles on the transport network and infrastructure will be mitigated, including by way of Travel Plans to encourage more sustainable travel behaviour. Does this approach conflict with Policy T1, which seeks residential development with parking spaces that exceed the standards in the East Devon Local Plan? Is Policy T1 out of general conformity with the Local Plan, and contrary to the promotion of sustainable development?
5. Page 20, paragraph 7.1 – the appeal for new housing at Down Close. Should the reference be to APP/U1105/A/14/2229080?
6. Policy EP1 expresses support for the creation of a new National Park, but the subsequent text in the Policy Overview provides no explanation as to why this should be considered or by whom. Appendix 7 refers to the Glover Review. Please provide new text comprising a short explanation of the aspiration in order to properly inform readers of the NP.
7. Paragraph 7.3 – Housing, Heritage and Design Policy Overview - includes a discussion of housing need. In the interests of clarity, please could this be rewritten having regard for these factors:
  - Community surveys can assist, but do not always reveal full housing need;
  - Although 67 new homes have been built since 2013 in the Parish, only 16 of these were affordable homes; and
  - Housing need is a changing feature, and is likely to have grown since 2013. In fact, newspaper coverage indicated that there were more than 3,000 families on East Devon District Council's waiting list at the end of 2017.

A clearer description of current housing need for future new housing provision in the Parish is needed. The arguments and evidence in Mr Compton's representations (see **11.(ii)** below) could also inform this description. Could this be provided please?

8. Policy HDQ1 refers to Guidance Notes from Wrexham Neighbourhood Plan. Wrexham is a large town in North Wales, and it is unclear why that should have been used as a source of guidance for Newton Poppleford and Harpford. Is the Parish Council able to provide some justification for its approach?
9. Appendix 2 of the NP includes non-designated heritage assets. These are clearly not listed buildings and structures, but it is necessary to understand how they have been identified as significant. Local authorities often maintain local lists of heritage assets, for example. Can the Parish Council provide me with details of how these assets have been identified?
10. Map 9 shows 7 sample viewpoints, with photos on the following page. In the interests of clarity viewpoints and photos should be numbered, so that they can be correlated. Can a revised map be provided please?
11. In addition, I have read the responses to the Regulation 16 consultation exercise from all respondents and will be taking account of them all in my examination of the NP. Three of the representations raised particular points on which I wish to understand fully the Parish Council's position. I would therefore be much obliged if you would comment on the representations from:

(i) Devon Countryside Access Forum

This local Access Forum proposed that Policy T3 be rewritten, to describe public rights of way more accurately. The Forum also suggested a change to the T3-Policy Overview, to refer to the role of landowners and access for all users. Thirdly, it was suggested that the map on page 68 is not particularly comprehensible because the colours are indistinct, and also the key, which refers to "private" and "private footways", is confusing. It is claimed that a footnote of explanation would be helpful. What is the Parish Council's view, and should the NP be modified to take account of the above points?

(ii) Robert G Compton

Mr Compton's perception is that the NP is "a plan for stagnation and decline" rather than development and growth; an overly restrictive Built Up Area Boundary (BUAB) prevents any new residential development in the village. He alleges that development proposals in the recent past have been refused or dismissed because of the poor footpath provision between the Old Toll House and original entrance to the King Alfred Way development. However, a purpose-built footpath link has been constructed as part of the new King Alfred Way scheme, which now better connects the western end of the village to the village centre.

In his further submission, Mr Compton sets out information to demonstrate that there is a high level of need for new housing, especially for affordable housing, in East Devon. He commented that the recent survey of residents in the Newton Poppleford and Harpford Parish demonstrated some 64% of respondents were in favour of new housing development, preferably on small schemes. He estimated that some 84% of respondents supported housing development for local people to meet affordable housing needs, and 43% supported affordable housing development outside the BUAB.

Has the Parish Council had sufficient regard for the results of this survey in its assessment of future housing requirements, and in reporting on the housing data? When responding to my question 7. above, it would be helpful if the Parish Council would consider the above survey results and Mr Compton's assessment.

In addition, has the Parish Council taken account of the effect of the new footpath link on the suitability of Newton Poppleford to accommodate more residential development than is envisaged in the current NP? Is there a case for the NP to propose a review of the current BUAB and/or a more positive policy for future housing development?

Commenting on sections 4.3, 4.7 and 7.7 of the NP, Mr Compton contended that it is incorrect to describe the public transport services in the Parish as weak. Timetable information suggested reasonably frequent services to and from Exeter and other neighbouring towns. He pointed out that a high percentage of Newton Poppleford's population are pensioners who are entitled to free bus travel. Only 7% of respondents to the Parish survey rated local services as poor. Should the NP be modified to reflect these data?

On Policy TH1 – Trees and Hedgerows and Appendix 3 – Natural features to be protected, Mr Compton pointed out that the field above Down Close is a redundant apple orchard. It does not have public access and should not, in his view, be described as natural woodland. Should the NP be modified to clarify the status of this land and its future management?

(iii) East Devon District Council

The District Council has submitted a table in its representation which included some 20 comments on specific policies and textual matters. These suggested revisions and amendments to the NP. It would assist my examination to understand the Parish Council's position on each of the points raised.

Having regard to the questions set out in this Annex, I would be grateful if the Parish Council could please seek (where appropriate) to set out the exact wording and content of any proposed modifications necessary to the NP in response to these questions.

I look forward to receiving your reply, and thank you for your assistance in progressing the examination. As previously noted, please do let me know if you require more time to formulate a full response (than the suggested **two** weeks).