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and examinations

Report on Farringdon Neighbourhood Plan 2018 - 2031

An Examination undertaken for East Devon District Council with the support of the Farringdon Parish Council on the July 2020 submission version of the Plan.

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Main Findings - Executive Summary

From my examination of the Farringdon Neighbourhood Plan (the Plan/FNP) 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 – Farringdon Parish Council;
- The Plan has been prepared for an area properly designated – The Farringdon Neighbourhood Area as identified on Map 1 of the document;
- The Plan specifies the period to which it is to take effect – 2018-2031; 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

Farringdon Neighbourhood Plan 2018-2031

- 1.1 The Parish of Farringdon lies to the east of Exeter and to the south of Exeter Airport and the A30. The A3052 runs through the southern part of the Parish and provides a relatively short route to the City of Exeter and the M5. Most of the Parish is open countryside and the narrow lanes and scattered farms and dwellings contribute to the rural character. The village of Farringdon itself is small and dispersed and whilst there is a Village Hall and a Parish Church, there is no public house or shop, although on my visit I did see the proximity of the Greendale Farm shop, the Petrol Station and the public house on the A3052.
- 1.2 As a traveller on the A3052, one of the most significant land uses, visually, is the Hill Barton Business Park. This is a relatively large area of commercial and industrial enterprises, which I saw generates a significant number of traffic movements. There is also the Crealy Theme Park and Resort (closed at the time of my visit) which, although being significant in terms of scale, is relatively well screened from the main road.
- 1.3 The task of preparing a neighbourhood plan for Farringdon commenced in October 2015. A steering group was established, and an 'Information Day' was held at the Village Hall in March 2017. A wide range of

communication and feedback methods were used, including public exhibitions, local newsletters, social media, questionnaires, discussions with local businesses and the Parish Council web-site.

The Independent Examiner

- 1.4 As the Plan has now reached the examination stage, I have been appointed as the examiner of the Farringdon Neighbourhood Plan by East Devon District Council (EDDC), with the agreement of Farringdon Parish Council (FPC).
- 1.5 I am a chartered town planner and former government Planning Inspector, with extensive experience in the preparation and examination of development plans and other documents. 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 of 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 2017¹.

¹ 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.

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 (EDLP) (January 2016) and the East Devon Villages Plan (July 2018). In October 2020 EDDC resolved to review the Local Plan but this is at the earliest stage of preparation and the Council do not anticipate that the 'new' Plan will be adopted before February 2024.
- 2.2 Concerns were expressed regarding the validity of preparing a neighbourhood plan in circumstances where the adopted Local Plan will 'soon be out of date'². This is not a unique situation and it is clear to me that both the District and the Parish Councils are aware of, and indeed have discussed, the relationships between the various relevant planning documents. EDDC has also confirmed³ that it considers that the policies in the FNP (if made) would not unduly influence or constrain any emerging policies in the Local Plan review.
- 2.3 Paragraph 13 of the National Planning Policy Framework (NPPF) advises that 'neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies'. I am satisfied that this advice has been heeded by the relevant parties.
- 2.4 The planning policy for England is set out principally in the NPPF. The Planning Practice Guidance (PPG) offers guidance on how this policy should be implemented. A revised NPPF was published on 19 February 2019, and all references in this report are to the February 2019 NPPF and its accompanying PPG⁴.

Submitted Documents

- 2.5 I have considered all policy, guidance and other reference documents I consider relevant to the examination, including those submitted which comprise:
- the draft Farringdon Neighbourhood Plan 2018-2031, dated July 2020;
 - Map 1 of the Plan which identifies the area to which the proposed Neighbourhood Development Plan relates;
 - the Consultation Statement (July 2020);
 - the Basic Conditions Statement (July 2020);
 - the Strategic Environmental Assessment/Habitats Regulation Assessment Screening Report prepared by EDDC (May 2020);

² Regulation 16 response from Savills.

³ See response to Examiner's Question 2 from EDDC.

⁴ NPPF, paragraph 214. The Plan was submitted under Regulation 15 to the local planning authority after 24 January 2019.

- the Housing Needs Assessment (January 2020);
- all the representations that have been made in accordance with the Regulation 16 consultation; and
- the requests for additional clarification sought in my letter of 11 November 2020, the combined schedule of responses dated 2 December from FPC and from EDDC⁵.

Site Visit

2.6 I made an unaccompanied site visit to the Neighbourhood Plan Area on 23 November 2020 to familiarise myself with the locality, and visit relevant sites and areas referenced in the Plan and evidential documents.

Written Representations with or without Public Hearing

2.7 This examination has been dealt with by written representations. One of the Regulation 16 representors⁶ confirmed (on the Council's form) that they wished to 'speak at the examination', but I considered hearing sessions to be unnecessary as the consultation responses clearly articulated the objections to the Plan (including that of the aforementioned representor) and presented arguments for and against the Plan's suitability to proceed to a referendum. The Council's form clearly explains that it is the examiner's responsibility to determine the most appropriate procedure to adopt⁷.

Modifications

2.8 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.

3. Procedural Compliance and Human Rights

Qualifying Body and Neighbourhood Plan Area

3.1 The Farringdon Neighbourhood Plan has been prepared and submitted for examination by FPC, which is a qualifying body for an area that was designated by EDDC on 9 December 2015.

3.2 It is the only Neighbourhood Plan for Farringdon and does not relate to land outside the designated Neighbourhood Plan Area.

⁵ View at: <https://eastdevon.gov.uk/planning/planning-policy/neighbourhood-and-community-plans/neighbourhood-plans/neighbourhood-plans-being-produced-in-east-devon/farringdon/#article-content>

⁶ McMurdo for Stuart Partners Ltd.

⁷ See paragraph 9 of Schedule 4B of the 1990 Act.

Plan Period

- 3.3 The Plan specifies clearly the period to which it is to take effect, which is from 2018 to 2031.

Neighbourhood Plan Preparation and Consultation

- 3.4 The Consultation Statement (CS), dated July 2020, clearly summarises the wide range of consultation that has taken place. This has ranged from the initial Community Survey, to consultation on specific topics, for example on the aims and objectives of the Plan and on Housing Needs. The CS summarises the statutory and non-statutory consultation that has been undertaken since the launch of the project with a Community Questionnaire and Information Day in February 2017.
- 3.5 Focus groups, topic meetings and workshops have been held and information has been disseminated through, for example, the use of notice boards, articles in the Parish newsletter, surveys and discussions with local businesses and community groups. A wide range of interested parties have been given the opportunity to contribute to the preparation of the FNP at all the relevant stages.
- 3.6 The CS is a thorough and detailed document which clearly demonstrates that ample opportunities have been available to all interested parties to contribute to the Plan making process at all the relevant stages. This includes at both the Regulation 14 stage (6 April 2020 to 29 June 2020) and the Regulation 16 stage (11 August 2020 to 20 October 2020). It should be noted that the Regulation 14 and 16 consultations were extended to take into account the Covid-19 lockdown restrictions.
- 3.7 I am satisfied that all the relevant requirements in the 2012 Regulations have been met. I also consider that, in all respects, the preparation of the FNP and the involvement of interested parties in consultation has been conducted through a transparent, fair and inclusive process. Regard has been had to the advice in the PPG on plan preparation and community engagement and the relevant legal requirements have been met.

Development and Use of Land

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

Excluded Development

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

Human Rights

- 3.10 No party has raised issues regarding a breach of, or incompatibility with Human Rights and no representations have been made to that effect. From my independent assessment of the draft FNP and supporting evidence, I am satisfied that proper regard has been given to the fundamental rights and freedoms guaranteed under the European Convention of Human Rights and that the Plan complies with the Human Rights Act 1998.

4. Compliance with the Basic Conditions

EU Obligations

- 4.1 The FNP was screened for Strategic Environmental Assessment (SEA) by EDDC⁸, which found that it was unnecessary to undertake an SEA. Having read the Strategic Environmental Assessment Screening Opinion, I support this conclusion.
- 4.2 The Neighbourhood Plan was further screened for Habitats Regulations Assessment (HRA), which also was not triggered. From my independent assessment of the matter, I have no reason to disagree.

Main Issues

- 4.3 I have approached the assessment of whether or not the FNP complies with the Basic Conditions under two main headings:
- General issues of compliance of the Plan, as a whole; and
 - Specific issues of compliance of the Plan policies.

General Issues of Compliance of the Plan

National Policy, Sustainable Development and the Development Plan

- 4.4 The policies of the FNP are set out under five headings: Natural Environment; Built Environment, Heritage and Housing; Local Economy; Community and Recreation Facilities; and Transport and Travel. The Basic Conditions Statement (July 2020) satisfactorily summarises how the policies in the FNP have regard to national policies; the strategic policies of the EDLP; and European Union obligations.
- 4.5 The achievement of sustainable development is a key national objective and I consider, subject to the recommended modifications set out below, that all three dimensions of such development (economic, social and environmental) have been satisfactorily taken into account in the

⁸ SEA/HRA Screening Report May 2020.

preparation of the FNP. The Basic Conditions in this regard have been met.

- 4.6 Subject to the detailed comments on the individual policies, that I set out below, I conclude that the FNP has had proper regard to national policy and guidance. I also conclude that:
- The FNP is in general conformity with the strategic policies of the EDLP and that overall, the document provides an appropriate framework that will facilitate the achievement of the stated Vision, Aims and Objectives (subject to the recommended modifications that I set out below); and
 - That the policies (as modified) are supported by appropriate evidence, are sufficiently clear and unambiguous and that they can be applied consistently and with confidence⁹.

Specific Issues of Compliance of the Plan's Policies

Introductory Chapters 1-6 (pages 4-12)

- 4.7 The Introduction to the document, which identifies the Plan area, is followed by a brief description of the Parish and an assessment of the strategic planning context for the locality. There is reference to the adopted EDLP and the East Devon Villages Plan (July 2018), but no acknowledgement that the EDLP is at the earliest stages of review. In order to ensure that the reader is aware of this potential future change to the planning context, I recommend in **PM1** that a new paragraph is inserted after paragraph 3.6, regarding the forthcoming Local Plan review.
- 4.8 The approach adopted by the Parish Council towards the future of the area is made very clear in the Position Statement on page 7. There is, however, a reference (in paragraph 3.14) to the 2018 NPPF. This should be the 2019 version and I recommend accordingly in **PM2**¹⁰.
- 4.9 The purpose of the FNP is succinctly set out in chapter 4, which also includes appropriate information regarding the Plan making process and the eventual status of the document, once made. The structure of the FNP is summarised and there is a reference to the companion documents to the Plan.
- 4.10 The Vision, Aims and Objectives of the FNP are explained in chapter 6. I am satisfied that they accurately reflect the aspirations of the local community; that they complement other planning policies for the locality; and that they are compatible with the achievement of sustainable development¹¹.

⁹ PPG Reference ID: 41-041-20140306.

¹⁰ Modifications for the purpose of correcting errors is provided for in Paragraph 10(3)(e) of Schedule 4B to the 1990 Act.

¹¹ NPPF, Chapter 2.

Natural Environment (Chapter 7: Policies Farr1, Farr2 and Farr3)

- 4.11 Map 2 on page 13 of the FNP identifies the two landscape character types in the Parish¹² and it is clear that the retention of this character is an important objective for the local community. Policy Farr1 seeks to safeguard and enhance the natural environment. Chapter 15 of the NPPF¹³ confirms that valued landscapes should be protected and enhanced and that impacts on biodiversity should be minimised. I am satisfied that policy FARR1 has appropriate regard to national policy.
- 4.12 However, in order to further strengthen the wording I recommend, in **PM3**, the deletion of the references to 'where' and 'whenever possible' in clauses b) and d). In this way the starting point for the consideration of a proposal is clear.
- 4.13 In the last sentence of the policy there is a reference to 'unacceptable' harm, but this would be clearer (and easier to measure) if the reference was to 'significant' harm. **PM4** is therefore recommended.
- 4.14 In paragraph 7.12 there is a reference to 'community' benefit, but any benefits may be enjoyed by a wider range of people than just the local community and therefore I recommend in **PM5** that the reference is to 'public' benefit.
- 4.15 The retention of the rural character of the Parish is an important objective for the community, especially bearing in mind pressures for development arising, for example, from the proximity of Exeter. Policy Farr2 seeks to ensure that any new development would respect and if possible, improve the character of the area and that it would also maintain the tranquillity and dark skies enjoyed in the Parish. There is no substantive evidence that would lead me to conclude that this approach would significantly constrain the growth of local businesses. I note that Policy D1 of the EDLP requires a formal Design and Access Statement to accompany planning applications and therefore there is no value in repeating that requirement in Policy Farr2¹⁴.
- 4.16 In order to remove any ambiguity for the decision maker, I recommend the deletion of the words 'Wherever relevant' from the last sentence of the policy (**PM6**). The maintenance of tranquillity and dark skies should thus be ensured in all proposals.
- 4.17 Policy Farr3 seeks to ensure that trees, woodlands and hedgerows are appropriately protected. This approach is compatible with the advice in chapter 15 of the NPPF and the section of the PPG entitled 'Natural Environment'. However, clause D refers to various tree sizes but there is

¹² 'Lower Rolling Farmed and Settled Valley Slopes' and 'Lowland Plains'.

¹³ Conserving and enhancing the natural environment.

¹⁴ NPPF, paragraph 16 f).

no indication of what constitutes a small, medium or large tree. Therefore, in **PM7** I recommend the inclusion of a reference to the Glossary (see also paragraph 4.43 of this Report).

- 4.18 I am satisfied that, as modified, the policies relating to the Natural Environment are in general conformity with the strategic policies of the Development Plan for the area, have regard to national policy and guidance and meet the other Basic Conditions.

Built Environment, Heritage and Housing (Chapter 8: Policies Farr4 and Farr5)

- 4.19 The EDLP identifies Farringdon Parish as being within the countryside and suggests that the Parish is a non-sustainable development area for housing because it lacks local services and has an inadequate infrastructure. Having travelled through the Parish I agree.
- 4.20 The Farringdon Housing Needs Survey (2019) informed an independent Housing Needs Assessment (January 2020) which concluded that a housing needs figure for the Parish of 13 dwellings is justified. In the event, a figure of 12 dwellings over the period 2018 to 2031 has been supported by the Parish and accepted by the District Council as a level of development that is not considered unreasonable in this context¹⁵. I am satisfied that such an approach is justified.
- 4.21 Policy Farr4 establishes the requirements for extension or alterations to existing dwellings – such an approach accords with the advice in the NPPF¹⁶. However, clause c) refers to ‘enhancing’ the character and appearance of a building. Whilst this might be desirable, it is not a requirement of national policy and therefore I recommend in **PM8**, the replacement of ‘reflects and enhances’ with the word ‘respects’. In the interests of biodiversity, the policy also encourages the integration of bee bricks, and bat and bird boxes into new development.
- 4.22 The requirements for the provision of self-build and custom-built dwellings are covered in detail by Policy Farr5. The policy also provides support for up to 12 new homes in the Parish (see paragraph 4.20 above). However, clause k) includes a repetition of ‘shall be strongly supported’ and I recommend in **PM9** that one of the references should be deleted.
- 4.23 Policy Farr5 does require any new dwelling to be located ‘within the curtilage of an existing dwelling house’. Therefore, new isolated dwellings in the countryside are unlikely to be supported, thus ensuring that sporadic development (which may harm the character of the area) does not occur.
- 4.24 EDDC suggests that the new dwellings should be directed to the more sustainable locations in the Parish and restricted (in perpetuity) to those

¹⁵ See answers to Examiner’s Initial Questions.

¹⁶ NPPF, paragraph 127.

with a local connection. Having travelled through the Parish I consider the identification of sustainable locations to be very difficult. EDDC suggest they should be located near the village core but as I saw, that is some distance away from, for example, the Farm Shop, the nearest public house and the shop at the petrol filling station.

- 4.25 In terms of meeting local need in perpetuity, I note that this was considered by the Parish Council but that following discussions with the District Council such a requirement was not progressed¹⁷ because 'it complicates matters hugely'. Including such a restriction on market housing in a rural location such as this, may have undesirable implications in terms of securing occupancy and financial viability. In any event, I have no evidence that would lead me to disagree with the conclusions of the Parish and District Councils on this matter.
- 4.26 I am therefore satisfied, on both counts, that Policy Farr5 as proposed to be modified meets the Basic Conditions.
- 4.27 There was a suggestion from one respondent¹⁸ that the new dwellings should include electric vehicle charging points, but I am satisfied that this requirement is satisfactorily addressed in Policy TC9 of the EDLP.
- 4.28 The policies on the built environment, heritage and housing (as modified) have regard to national policies and advice and meet all the other Basic Conditions.

Local Economy (Chapter 9: Policies Farr6, Farr7, Farr8 and Farr9)

- 4.29 I saw on my visit the visual impact of the Hill Barton Business Park, as well as the high level of traffic that it generates. I also saw a number of other employment areas in the Parish. Paragraph 9.7 of the FNP refers to concerns, for example, about noise, smell, light pollution and traffic levels. I can go some way to appreciating why the community arrive at a view that 'enough is enough'. To address some of these issues, Policy Farr6, whilst supporting appropriate business and commercial development, sets out the parameters that such proposals would be assessed against and I am satisfied that they are all justified.
- 4.30 In the interests of clarity, clause d) of Policy Farr6 should refer to living conditions and clause e) would be clearer if the word 'reduce' was deleted. I recommend these modifications in **PM10**.
- 4.31 It was suggested by Devon County Council that the boundary of the Hill Barton Business Park should be extended northwards to encompass land identified in the Devon Waste Plan on Map W6C: Hill Barton (December

¹⁷ See Parish Council response to Examiner's Initial Questions.

¹⁸ Devon County Council.

- 2014) and another representor¹⁹ raised concerns regarding the approach being taken towards the future of the Business Park.
- 4.32 It is confirmed in the EDLP that Policy E7 (extensions to existing employment sites) does not apply to Hill Barton. The site is further addressed in the adopted East Devon Villages Plan (July 2018) which, in Policy VP05 confirms that within the identified boundary (as shown on the Hill Barton Inset Map) development may be acceptable, subject to other Development Plan policies.
- 4.33 Having visited the site and seen the various land uses in operation, I have given the matter careful consideration but conclude that at this time the boundary should follow that as identified in the East Devon Villages Plan (July 2018) on the Hill Barton Inset Map (and described in Policy VP05). It is a Basic Condition that the Neighbourhood Plan must be in general conformity with relevant strategic development plan policy, in this case Policy E7, read in combination with Policy VP05. I understand the issues raised by the respondents but the most appropriate way of addressing those issues is through the review of the EDLP, which is now underway.
- 4.34 Paragraph 84 of the NPPF concludes that business sites in rural areas should be sensitive to their surroundings, not have an unacceptable impact on local roads and take opportunities to make the location more sustainable. To this end, I am satisfied that the requirements of Policy Farr6 on existing businesses and commercial areas are justified. This conclusion is strengthened by the fact that Policy E7 of the EDLP allows for small-scale expansion of most employment sites if it is clearly demonstrated that the site or estate is at, or near, full occupancy (subject to meeting a number of criteria).
- 4.35 Policy Farr7 provides conditional support for home-based businesses and reflects the advice in NPPF paragraph 83 with regard to enabling the sustainable growth of businesses in rural areas.
- 4.36 Tourism development is covered by Policy Farr8, which includes four broad and justified requirements. However, the policy refers to the exclusion of Crealy Park from clause a). Crealy Park is a major tourist attraction with rides, attractions, live shows and a range of visitor accommodation available. Development at the site is addressed in Policies E19 and E20 of the EDLP (as referred to in paragraph 9.22 of the FNP).
- 4.37 I consider the reference to Crealy Park in just one of the clauses of Policy Farr8 to be unclear. Firstly, does it mean that the other clauses do apply to the Park and secondly it could be interpreted that development that is not 'small and proportionate' would be supported at the Park. Therefore, I recommend the replacement of the reference to Crealy Park in clause a) with an appropriate reference in the introductory sentence of the policy, which also refers to the two relevant Local Plan policies. The introductory

¹⁹ McMurdo for Stuart Partners Ltd.

sentence should also include a cross-reference to The Glossary, where a definition of 'tourism related businesses' should be inserted (see PM16). The modifications that I recommend to Policy Farr8 are set out in **PM11**.

- 4.38 In paragraph 9.19 there is a reference to facilitating the development of small-scale tourism accommodation. In the interests of clarity, the word 'facilitate' should be replaced with 'support' because this more accurately describes the situation and I recommend this modification in **PM12**.
- 4.39 The provision of super-fast communication infrastructure is the subject of Policy Farr9. The approach being taken accords with the advice in NPPF paragraph 112 and is justified. Indeed, all the policies on the Local Economy, as proposed to be modified, will have regard to national policy and meet the other Basic Conditions.

Community and Recreation Facilities (Chapter 10: Policies Farr 10 and Farr 11)

- 4.40 Improvements to existing community facilities is provided in Policy Farr10. The District Council suggested that two further criteria be added to the policy – to prevent visual harm and to ensure adequate parking provision. I agree that in this basically rural location those two requirements are justified. I note that the EDLP Policy RC6: Local Community Facilities does include a reference to the retention of character but not to parking provision. In order to assist the decision maker, I consider that it would be beneficial for Policy Farr10 to include the two additional criteria and recommend accordingly in **PM13**.
- 4.41 Policy Farr11 relates to the provision of new community facilities and services and it is clear that local people would support such provision. In this way greater local sustainability²⁰ may be achieved and therefore such an approach is justified. However, it would be clearer to the decision maker if the word 'transport' is replaced by 'road' in clause c) and I recommend accordingly in **PM14**. Both policies in this chapter, as proposed to be modified will contribute to the achievement of sustainable development and meet all the other Basic Conditions.

Transport and Travel (Chapter 11: Policy Farr12)

- 4.42 The Parish Council take a pragmatic approach towards the issue of transport. Whilst recognising that the level of traffic on the main roads through the Parish is high, and that traffic flows and consequent safety issues are of great concern to the community, FPC accepts that there is little the FNP can do to address the issue in any depth. Nevertheless, Policy Farr12 encourages improved accessibility and the supporting text confirms that support would be given to the provision of pavements and where appropriate, dedicated footpaths and cycleways. To reflect this support more clearly, I recommend in **PM15** that specific reference is made in the policy to strengthening links to the existing public rights of

²⁰ NPPF, paragraph 91.

way network, albeit recognising that the existing network in the Parish is very limited. This will contribute to improving sustainability and the policy, as proposed to be modified, will meet the Basic Conditions.

The Glossary

- 4.43 Although there is no statutory requirement to include a Glossary it is a valuable tool for the decision maker and should be encouraged. To that end I recommend, in **PM16**, the inclusion of the definition of 'Tree Sizes' and also 'Tourism Related Business', thus reducing any element of doubt. I further recommend the replacement of footnote 27 with a weblink to the 2019 NPPF.

5. Conclusions

Summary

- 5.1 The Farringdon 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.

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 and conclude that the FNP, 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 that 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 It is clear to me that Farringdon Parish Council has invested significant time and effort in the preparation of the FNP. Consideration has been given to all the consultation responses received and the Plan satisfactorily reflects the aspirations of the local community. It is encouraging that there appears to be a good relationship between the Parish and District Councils. The resulting document flows well, is mostly written with clarity

and includes appropriate references to both the EDLP and the NPPF, thus ensuring the decision maker can be confident that all the relevant existing advice has been referenced where necessary. It is particularly pleasing to record that all the plans in the FNP are easy to decipher. I am confident that, if made, the FNP will provide an important component in the Development Plan for the area.

David Hogger

Examiner

Appendix: Modifications (17)

Note: Deletions are shown in ~~strickethrough~~ and additions in **bold**.

Proposed modification number (PM)	Page no./ other reference	Modification
PM1	Page 6	Insert a new paragraph (after paragraph 3.6) regarding the East Devon Local Plan Review: It should be noted that EDDC are embarking on a review of the adopted EDLP. It is envisaged that a draft Plan could be submitted for examination by March 2023 and adopted by February 2024.
PM2	Page 7	Up-date NPPF reference: 2018 2019
PM3	Page 15 Policy Farr1	In clause b) delete: Where possible. And in clause d) delete: whenever possible.
PM4	Page 15 Policy Farr1	In last sentence: Replace unacceptable with significant .
PM5	Page 15 Paragraph 7.12	Replace community with public .
PM6	Page 17 Policy Farr2	Delete Wherever relevant from the last sentence of the policy.
PM7	Page 18 Policy Farr3 D	Add the following to clause D of the policy: (see the Glossary for a definition of tree sizes).
PM8	Page 22	Modify clause c) to read:

	Policy Farr4	Of a design which reflects and enhances respects the character and appearance of the existing building.
PM9	Page 23 Policy Farr5	In the first sentence below k) delete one of the shall be strongly supported .
PM10	Page 27 Policy Farr6	Modify clause d) to read: d) Not have an adverse effect on the living conditions of its neighbours; Modify clause e) to read: e) not have an unacceptable adverse impact on the transport network or reduce parking provision;
PM11	Page 29 Policy Farr8	Modify the introductory sentence and clause a) to read: With the exception of Crealy Park (which is addressed in East Devon Local Plan policies E19 and E20), Pproposals for the development and expansion of tourism related businesses (see Glossary for definition of such businesses) will be supported providing that: a) the scale of development is small and proportionate to the existing activity (where there is one) (not including Crealy Park) , and the locality;
PM12	Page 29 Paragraph 9.19	Replace facilitate with support .
PM13	Page 31 Policy Farr10	Delete and at end of clause a) Add two additional criteria: c) there is no significant visual harm; and d) an appropriate level of parking provision is provided.
PM14	Page 32	Modify clause c) to read:

	Policy Farr11	c) the local transport road network;
PM15	Page 35 Policy Farr12	Delete the 's' on strengthens and modify the second part of the policy to read: and strengthens links with the wider transport and public rights of way networks, will be supported.
PM16	Page 36 Glossary	Include two further definitions of Tree Sizes and Tourism Related Business: Tree Sizes – small tree <10m; medium tree 10m – 15m; and large tree 15m-25m+. Tourism Related Business – a business that offers sustainable accommodation or recreation space to visitors to the area, for example those who wish to enjoy the countryside and natural environment of the locality. Replace Footnote 27 with a weblink to the February 2019 NPPF. National Planning Policy Framework - GOV.UK (www.gov.uk)