

## Part B - Representation Details

Enter Your Name/Organisation in the box below (Please state this on each sheet):

MR RICHARD HOLMAN

### Question 1

To which section of the Neighbourhood Plan does this representation relate?

Please state in the box below, the point of reference for your representation (this means the policy, paragraph number or other reference as appropriate)

① The Plan itself ② Infrastructure ③ Commercial development ④ Housing development  
PLEASE SEE ENCLOSED CORRESPONDENCE

### Question 2

Please use the box below to explain why you are supporting or objecting to this part of the plan. If your comment relates to a specific area of land or site please identify it on a map if possible. Continue on a separate sheet if necessary.

OBJECTING: Please see attached documentation "OBJECTION to Broadclyst Neighbourhood Plan"

Enter Your Name/Organisation in the box below (Please state this on each sheet):

RICHARD HOLMAN

### Question 3

Please use the box below to say what changes you would suggest should be made to the plan?

It will be helpful if you are able to put forward your suggested revised wording of any policy or text or suggested alternative policy boundary as appropriate. Please be as precise as possible and continue on a separate sheet if necessary.

- ① THE WHOLE PLAN NEED TO BE REJECTED AS IT BREAKS STATUTORY LAW
- ② THE PLAN IS LITTLE MORE THAN A BOX TICKING PLAN. IT FAILS TO ADDRESS LEGAL REQUIREMENTS AND FAILS ON SO MANY REQUIREMENTS IT NEEDS TO BE REJECTED AND A NEW PLAN STARTED.

Enter Your Name/Organisation in the box below (Please state this on each sheet):

MR RICHARD HOLMAN

#### Question 4

If your representation is seeking a change to the Plan, do you consider it necessary to speak at the examination?

Please note if you select 'No' your representation(s) will still be fully considered by the independent Planning Inspector by way of written representations.

Please select as appropriate:

- No, I do not wish to speak at the examination
- Yes, I wish to speak at the examination

If you have answered yes above and wish to speak at the examination, please outline in the box below why you consider this to be necessary:

IF THE EXAMINER DEEMS MY REPRESENTATIONS TO BE VALID I AM MORE THAN HAPPY TO ATTEND AND SPEAK.

Please note this will not be regarded as a binding decision but will help us in our planning of the examination. The Inspector will ultimately determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in the examination. If the Examiner does not consider it necessary to hold a public examination, consideration will be given by way of written representations.

#### Future Correspondence

Please indicate by selecting yes or no as appropriate, whether you wish to be notified of:

1. The publication of the recommendations of any person appointed to carry out an independent examination of the Broadclyst Neighbourhood Plan? Y  N
2. The adoption of the Broadclyst Neighbourhood Plan? Y  N

Enter Your Name/Organisation in the box below (Please state this on each sheet):

RICHARD HOLMAN

### Signature

Please sign and date your form in the box below.

Please note a signature is required by the Planning Inspectorate. If filling in the form electronically it can be an 'electronic signature' by typing in your name in the box. If you provide a *handwritten signature* we will ensure that it is not published on-line but it will be visible on the paper copies available at our offices and sent to the Inspector.

Signature:

A black rectangular box redacting the signature.

Date:

28/7/22

Broadclyst Neighbourhood Plan:

Comments and Observations:

### **OBJECTION to Broadclyst Neighbourhood Plan**

1. Broadclyst have allocated sites for fewer dwellings than OAN requirement and if windfall and reserve sites are taken into account the figures fails by a larger margin
2. The plan does not provide for the correct amounts of types of housing such as social housing and falls far short of the legal requirements
3. There has been a direct failure to address the infrastructure requirements of the area and again this is woefully short of what is required to be legally accepted
4. There has been a direct instruction and policy to completely block and omit sites which have in them B8 commercial planning, this is again not legal and no such unilateral powers exist to prevent applications from either progressing or having within them commercial B8 planning
5. It has been Broadclyst policy to remove any plans with illegal restrictions held in their policy such as the forced omission of B8 commercial planning

Additional failure: There was effectively carried out at the consultation stage a referendum which directly attributed to removal of sites from the Neighbourhood Plan which is against the Localism Acts and no referendum should have been entered into at any point other than the final decision stage. This is a law which is on the statute books and on this matter alone this Neighbourhood Plan should fail. Please see attached documentation

There is a direct quote on the letter dated 31/1/2020 **(A)** which states 'To adhere to a democratic process all sites which have 50% and above support from the community are progressing in the Neighbourhood Plan process ' . This comment relates directly to the votes which were taken during the consultation period when Broadclyst Parish Council organised a referendum which as stated is 100% illegal and against legal statutes.

Likewise on the same letter **(A)** of the 31/1/2020 it states Neighbourhood Plan Site Permission Form, which is a request for the cessation of site MU3's progress in the Neighbourhood plan and Broadclyst Parish have directly asked for permission to remove the site from the plan. They were told at the time that no permission was given and would not be given to remove the site from the plan as it was considered that by organising and using a referendum at this stage that the council had breached the rules and regulations.

On the email of 4/11/2021 **(B)**

The council have confirmed in 1) that they have removed Lodge Trading estate from the plan even though our acceptance of this was requested and never granted as per the letter of the 31/1/2020 **(A)** .

Broadclyst Parish Council confirm in question (3) that in their referendum no site which failed to achieve 50% of the vote progressed onto the neighbourhood plan.

They clearly consider the referendum vote as just that a 'referendum' and they use the data as such. They clearly separate the vote from other data acquired by stating 'Such "Results" included vote data and qualitative data'. The definition of qualitative data states "Qualitative data is data that cannot be counted". They clearly consider vote data,

data that can be counted and not as qualitative data whereby the numbers don't matter. They have also clearly used the votes as a referendum and 'counted' the votes. They have then used the counted votes to make decisions. This is 100% illegal and it clearly states in the laws relating to this that NO referendum can be undertaken at any point until the final referendum vote. If a vote is taken as Broadclyst has done then the whole process of the Neighbourhood plan is void.

- a) There are also clear deficiencies in provision for local infrastructure with no real attempt and providing infrastructure in this plan. It is more of an infilling exercise and is clearly an exercise at looking at putting forward a plan which is as far from adequate as possible. There is a massive lack of infrastructure and no real provision has been put into the plan.
- b) There is a massive shortfall on provision of the required mix of housing and none of the numbers of development come anywhere near the amounts legally required under law.
- c) There is no commercial provision that meets and of the needs of the area and legally again the plan fails in its legal requirements

This plan is a Neighbourhood Plan in name only. It addresses none of the underlying legal issues correctly within the scope of the law and is merely a box ticking exercise designed to look like the Parish Council have brought out a Neighbourhood Plan but in truth it is just a smoke screen to cover all the failings and failure to meet legal requirements placed upon the Parish by entering into a neighbourhood Plan. This plan fails under every examination and should be thrown out.



Broadclyst Parish Council  
GROWING OUR COMMUNITY

Broadclyst Parish Council  
19 New Buildings  
Broadclyst  
Exeter  
EX5 3EX  
31/1/2020

Dear [REDACTED]

The Broadclyst Neighbourhood Plan Overview Steering Group met today to agree on the sites that will progress in the Broadclyst Neighbourhood Plan. This decision has been based on the results of the two public consultations that took place during the Spring and Autumn 2019.

**MU3: Lodge Trading Estate at Broadclyst Station** : has not been selected by the community of Broadclyst Parish to be allocated as a Mixed Development Site.

In the table below are details on your sites from the Public Consultation event.

	MU3
Final Y total	38
Final N	69
Final Total	107
Percentages	36%

To adhere to a democratic process all sites which have 50% and above support from the community are progressing in the Neighbourhood Plan process. The sites going forward under this criterion are not guaranteed to be in the Neighbourhood Plan, as assessment of sites continues right up to Examination.

I have attached a form for you to fill in and return. **Please note that you have two weeks to return your form due in by 4pm on Friday 14<sup>th</sup> February 2020.**

I have attached a document which provides you with the qualitative data from the consultation process for MU3. This document has rich material which provides some detail behind the voting of your site.



A full copy of the results will be in the Summer Broadsheet and then you will see that Broadclyst Station was not a popular area for development.

Thank you for being part of the Broadclyst Neighbourhood Plan.

Kind Regards,

Janvrin Edbrooke

Neighbourhood Plan Officer Broadclyst Parish Council

[Redacted contact information]

### Neighbourhood Plan Site Permission Form.

Land Owner /s: Name/s in full below

.....  
.....  
.....  
.....

of the Site MU3 agree that this site will not be progressing in the Broadclyst Neighbourhood.

MU 3 Mixed Development	Will not progress in the Broadclyst Neighbourhood Plan
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Signature/s :

Date:

.....

Please return by post or you can scan and send to [Redacted] by 4pm on FEB 14<sup>th</sup> 2020



**Subject:** NP Questions

**From:** Janvrin Edbrooke [REDACTED]

**Date:** 04/11/2021, 18:45

**To:** [REDACTED]  
[REDACTED]

**CC:** Angie Hurren [REDACTED], Henry Massey  
[REDACTED]

Dear Richard [REDACTED]

Below are the answers to the 3 questions you posed.

1) Can you confirm that you have removed the site Lodge Trading Estate from the neighbourhood plan? The NP Overview Steering Group can confirm that your site was removed from the NP and that you were notified of this in a letter dated 31/1/20 which is attached.

2) Can you confirm if any of the proposed sites which were removed from the plan which got voted on achieved over 50% of the vote you carried out? The NP Overview Steering Group can confirm that there were several sites which did not progress in the NP Draft even though they had gained a 50% vote (by the community who took part in the public consultations events)

3) Can you confirm if any of the sites which achieved under 50% of the vote are still in the neighbourhood plan? The NP Overview Steering Group can confirm that there are no sites in the NP that achieved a vote under 50% (by the community who took part in the public consultations events.)

I would like you to note that the criteria for sites to be in and out of the Neighbourhood Plan was based on more than whether a site got a 50% vote. Please note in the letter it says that:

*This decision has been based on the results of the two public consultations that took place during the Spring and Autumn 2019.*

Such "Results" included vote data and qualitative data which produced a range of criteria.

This meant that the Overview Steering Group used multiple criteria to decide on

which sites went forward into the Reg 14 draft NP after the public consultation events. Each site was looked at and although some sites had their own specific contextual criteria the following were utilised in the decision making process.

- Site Consultation Results and comments
- Local Knowledge and Site Context
- AECOM report
- Stratton & Creber Report
- Economic Steering Group documentation
- Housing Needs Survey
- Site Criteria

Please also note that in the letter it also says that sites are being constantly assessed against criteria in the various stages of a Neighbourhood Plan. *The sites going forward under this criterion are not guaranteed to be in the Neighbourhood Plan, as assessment of sites continues right up to Examination.*

This ongoing assessment of sites is evident in the Reg 16 NP Draft which contains less sites than the Reg 14 version, showing that sites were once again assessed in light of evidence.

I hope that this extra information adds to your understanding.

My priority for the Parish Council in the coming weeks is to submit the Neighbourhood Plan, so I will have a delayed email response time. After submission I will be resuming normal email contact.

Kind regards,

Janvrin Edbrooke

Neighbourhood Plan Officer  
Broadclyst Parish Council  
Janvrin works on Mondays and Wednesdays only

<http://www.broadclyst.org>



Broadclyst Parish Council  
GROWING OUR COMMUNITY



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<https://www.gov.uk/register-to-vote>

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### MU3a qualitative data .JPG

: (YES) If it reduces industrial traffic on local roads x11

: (YES) Positive development for this area x5

: (YES) Makes good use of wasted land x3

: (YES) But new road/infrastructure needed x2

: (YES) Although concerned about flooding & access

: (YES) Concern regarding traffic on railway bridge

: (YES) Only if properly phased

: (YES) Local employment

: (MAYBE) If the access to it is not from station road x2

: (MAYBE) The proposal is a possibility but not convinced infrastructure will be delivered first

: (NO) Negative impact on congested traffic x17

: (NO) Flood risk and negative impact on traffic x13

: (NO) Too many houses, will end up being a town/join cranbrook x6

: (NO) Development too large - negative impact on traffic & flooding concerns x5

: (NO) Flood risk x5

: (NO) No access to public transport or footpaths x3

: (NO) Traffic & pedestrian concerns & flood risk x3

: (NO) Too close to own property, destroy remaining countryside, increase traffic problem, flood risk

: (NO) Already enough development in this area, traffic and flooding concerns

: (NO) If access to cranbrook station was provided this could be better

MU3

### Attachments:

MU3a qualitative data .JPG

141 KB