

Okehampton Town and Hamlets Neighbourhood Plan 2021 - 2034

Further Comments of the Independent Examiner and Notice of Public Hearing

Prepared by

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6th March 2024

Introductory Remarks

1. On 18th December 2023, following my site visit to the town, I issued my Initial Comments document which raised a number of issues and asked a number of questions of both the two Parish Council and also West Devon Borough Council.
2. I received responses from the Steering Group dated 29th January 2024 and from the Borough Council, on 2nd February 2024.
3. I note that both parish councils have agreed that Okehampton Hamlets Parish Council will be the Qualifying Body for the plan and I can confirm that the title of the plan can remain unchanged as Okehampton Town and Hamlets Neighbourhood Plan.

The Public Hearing

4. Having considered the responses and reaching the conclusion that a public hearing **will be** required, I passed this information on to West Devon Borough Council via a telephone call and asked it to liaise with the Qualifying Body to find a suitable date and venue for the hearing, which I indicated should be capable of finishing within a single day's sitting .
5. I can now confirm that the hearing will commence at **10am on Thursday 11th April 2024 in The Town Hall, Fore Street, Okehampton, EX20 1AA.**
6. The hearing is open to the public to attend; however, the conduct of a neighbourhood plan hearings, is to be as set out in Schedule 4B to the Town and Country Planning Act 1990 and that specifies the parties who can participate. The legislation specifically provides for oral representations to be made by the Qualifying Body, namely Okehampton Hamlets Parish Council through the Neighbourhood Plan Steering Group and the Local Planning Authority, West Devon Borough Council.
7. It is open to me to invite other parties and I would like West Devon Borough Council to issue an invitation to a representative of Devon County Council as Highway Authority, to contribute to the discussions regarding transportation matters, including the Town Centre Access Road, pedestrianisation, parking standards and the parkway station and retail hub proposal.
8. I have no objections if any party wishes to film or record any part of the proceeding or to use social media. However, to be clear, members of the public will not be allowed to take part in the proceedings.
9. It is for the me, as the Examiner, to decide how the hearing is to be conducted. In particular, I will decide the nature and extent of any follow up questions, and the amount of time for oral representations. The principle to be applied, is that questioning will be done by myself, except where I feel that questioning by other parties should be allowed to

ensure the adequate examination of a particular issue, or to ensure that a party has a fair chance to put their case.

10. We will take a short break during the morning session and if required in the afternoon. I will have an adjournment for lunch at a suitable moment in the proceedings.

Agenda

11. The agenda will be as follows:
 - a. **Opening remarks-** by myself as Examiner
 - b. **Opening statement** by the Steering Group – I would like to offer the opportunity to the Steering Group to introduce and set out its overall approach to the neighbourhood plan. I would suggest that 10 minutes should be sufficient.
 - c. **Discussion based on my individual questions:** These will look at the questions which I have attached to this note. It may be that the order that the matters are covered will change depending upon how the discussion evolves.
 - d. **Examiners Closing Remarks**

Site visits

12. I have already carried out an unaccompanied site visit to Okehampton where I saw many of the sites, but I could not identify some sites based on the scale and clarity of the maps provided.
13. I have therefore decided to conduct a series of accompanied site visits on the day before the hearing, namely on Wednesday 10th April 2024. I propose we meet at 10.30 am at The Town Hall. I would like to be accompanied by a representative of the Steering Group and a planner from West Devon Borough Council.
14. I propose we visit the all the sites identified as “brownfield sites” in Policy PP2 and also the eight viewpoints, where the views and vistas identified in Policy PP4, can be experienced from. I would like to be able to appreciate the site which is now proposed for the out-of-town retail hub around the new parkway station. I would also like to trace the route of the Town Centre Access Road on the ground so I can assess its impact on the existing buildings along the route.
15. Can I ask the Steering Group to take the lead in devising a route that takes in all the above sites.

Non -Hearing Matters

16. There are some issues which are outstanding from the responses to my Initial Comments document that need to be sorted before I am in a position to conclude my examination.

17. Can the Steering Group provide me with, ideally before the hearing, the following mapping.

- Individual maps showing the extent of the PP2 sites.
- The maps showing the full extent of the woodland areas at the periphery of Map 4.
- More detailed maps showing where the photographs of the vistas identified in PP4 were taken.
- A map showing the extent of the North Road Industrial site.

Publicity

18. Please can this note be placed on the appropriate borough and the respective parish councils' websites. I would also ask both parish councils, to give publicity to the hearing, within the town and the hamlets, for example, by placing posters on notice boards and/ or through press releases or social media, advertising that the hearing will be taking place and that the public can attend (but not participate in the proceedings). I attach as an appendix at the end of this note, a template for the proposed Public Notice which hopefully the Borough Council can insert the correct information.

John Slater BA (Hons), DMS, MRTPI, FRGS

John Slater Planning Ltd

Independent Examiner to the Okehampton Town and Hamlets Neighbourhood Plan

Questions

1. What criteria was used to establish the settlement boundary in Policy PP1, especially to the east of Okehampton, which seems to extend beyond the areas allocated in the Local Plan?
2. Planning Practice Guidance and the NPPF both refer to the fact that neighbourhood plans can allocate sites for development. Is the approach set out in Policy PP2, which identifies sites where development proposals “will be supported in principle”, essentially site allocations by another name? On what basis were the extent of the “brownfield sites” established, particularly in the case of Upcott House, where the extent of the brownfield site, seems to go beyond the criteria which is set out in the definition of “previously developed land” used in the Glossary to the NPPF? Should the Borough Council owned site at Northfield Road be shown on the Map 3 as a brownfield site and what part of that site is to be treated as a green space under Site G on Map 4?
3. Are there any ecological surveys or other evidence that support the presence of dormice and slow worms on Site G, which supports the case that the site as being especially special, in terms of its wildlife interest?
4. What criteria was used to determine which particular viewpoints are worthy of designation under Policy PP4, as being the views which are particularly important to the people of the Town and Hamlets?
5. What criteria would a decision maker use to decide whether an employment proposal would “provide sustainable forms of construction, energy conservation measures and renewable energy where feasible” in Policy PP5?
6. I need to explore the wider proposals for the new parkway station which is identified as a key Local Plan site and understand what the impact of a new supermarket, with an unspecified limit on floorspace, would have on the parking provision for the station, and the wider proposals for that site. Secondly whether, by supporting a new supermarket, without an understanding of how big it would be, would have an adverse impact on the economic viability of the town centre? Is the support offered by the policy consistent with the approach recommended by the Secretary of State in Chapter 7 of the NPPF, entitled “Ensuring the viability of town centres” and is the policy in general conformity with Local Plan Policy TTV 14 which is to support “local retailing facilities of a scale and format to meet local retailing needs, where it can be demonstrated that there will be no significant adverse impact on the existing town centre”? Can the location of the proposed Out of Town retail hub be shown on a map within the neighbourhood plan?
7. Does Policy PP10, relating to the pedestrianisation of the High Street, meet the legal requirement of being a policy for the use and development of land, capable of being used to determine planning

applications or should it be included as a Community Aspiration as it will be facilitated by highways powers?

8. What guidance should be offered to a decision maker to determine whether the loss of car parking in Policy PP11 is a “significant loss”?
9. In the context of paragraph 111 of the NPPF, are there particular characteristics associated with the plan area, that should encourage developers to exceed Local Highway Authority residential car parking standards?
10. I would like to understand why the previous local plan policy that referred to an inner ring road around the town centre, were no longer included within the current local plan? Can the Borough Council provide me with a potted history of the potential for a town centre relief road? Has the position of the County Council changed and why? Is it the plan’s intention that development proposals which would prevent, or be jeopardised by the building of the Town Centre Access Road, should be refused? Is the policy actually deliverable and would Section 106 contributions meet the criteria set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and does the inclusion of an identified road line have planning blight implications?

WEST DEVON BOROUGH COUNCIL

OKEHAMPTON TOWN AND HAMLETS NEIGHBOURHOOD PLAN

West Devon Borough Council hereby gives notice of a public hearing relating to the Okehampton Town and Hamlets Neighbourhood Plan submitted for examination under Regulation 17 of the Neighbourhood Planning (General) Regulations 2012 (as amended).

A copy of the submitted neighbourhood plan is available via the following link:

<https://www.neighbourhoodplanning.swdevon.gov.uk/okehampton>

The independent examiner of the Okehampton Town and Hamlets Neighbourhood Plan, John Slater BA, DMS, MRTPI, FRGS, having read the plan, supporting documents and representations, has considered it is necessary to call a Hearing under the provisions of Schedule 4B of the Town and Country Planning Act 1990, as amended by the Localism Act 2011.

The Hearing will commence at **10.00 am on 11th April 2024 at:**

The Town Hall, Fore Street, Okehampton, EX20 1AA.

It should be noted that any member of the public may attend the hearing, however, only specific persons, at the examiners discretion, may make oral representation, in accordance with Paragraph 9(3) of Schedule 4B to the Town and Country Planning Act 1990 (as amended).

Further updates regarding the examination of the Okehampton Town and Hamlets Neighbourhood Plan, including in respect of the hearing, will be available via the following link:

<https://www.neighbourhoodplanning.swdevon.gov.uk/okehampton>