



**INDEPENDENT EXAMINATION OF THE NORTHAM
NEIGHBOURHOOD DEVELOPMENT PLAN**

Torrige District Council's response to Examiner Andrew Mead's questions

Examination Ref: 04/TDC/NNP

5 December 2025

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Dear Mr Mead,

We have prepared this letter following receipt of the Examiner's (Andrew Mead BSc (Hons) MRTPI MIQ) questions on 11 November 2025. The letter contains the actions and questions raised by the Examiner in connection with the examination of the Northam Neighbourhood Plan proposal. Responses from Torrige District Council are formatted in bold font.

[Letter from Andrew Mead BSc \(Hons\) MRTPI MIQ:](#)

Dear Mr Langton and Mr Otten

I have now had an opportunity to undertake some further detailed work on the examination of the Northam Neighbourhood Development Plan (the Plan/NNDP) and have identified a key 'Action Point' for Torrige District Council (the Council/TDC). I also have some matters seeking clarification from Northam Town Council (the Town Council/NTC) and TDC which will assist me in progressing the examination.

[Legal Compliance: Focused Consultation \(Action Point from Examiner\)](#)

Before I outline my questions, I have an action point I would like TDC to take forward as a priority.

In response to my initial procedural letter of 4 November 2025¹, TDC confirmed via an email of 5 November 2025 to Steve Canraby (IPE office team) that it had concluded that a Strategic Environmental Assessment (SEA) (and Habitats Regulation Assessment (HRA)) would not be required. TDC advised that, as a result of consultation with the relevant bodies, it was considered that the proposed NNDP would not have a significant environmental impact.

Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended) requires the qualifying body to submit a 'plan proposal' which includes either an SEA report² or a statement of reasons outlining why such a report is not required (see Reg. 15(1)(e)).

That same 'plan proposal' must be subject to consultation under Regulation 16. Notwithstanding that it can be deduced from the Basic Conditions Statement that a screening for SEA was undertaken by TDC, the screening determination and statement of reasons was not available at the Regulation 16 consultation stage for representors to comment on.

Accordingly, in order to ensure that the legal compliance requirements are substantively met, I consider it is necessary for TDC to undertake a focussed consultation to draw this additional information to the attention of those with an interest in the Plan who may wish to comment. Therefore, I request that a short clarificatory paragraph is added to the examination website that explains the omission; directs readers to the relevant document now available³; and provides a suitable opportunity to submit any relevant comments. In addition, those who submitted representations at Regulation 16 should be contacted directly and advised of the additional focused consultation.

I suggest a period of **4 weeks** should be provided for any interested parties to provide comments to TDC. It should be made clear that this is a very focused consultation to ensure legal compliance, and that there is no need for responses to repeat representations that have already been made in relation to any other matters (since the Regulation 16 representations stand as submitted). Similarly, it is not an opportunity to raise new matters that do not relate to the screening determination.

I would be grateful if TDC can implement this action point as soon as practicable and subsequently advise the IPE office team when the consultation is 'live'. Similarly, any responses received should be forwarded to the office team, who will also answer any practical questions you have in relation to this action point request.

Action taken by Torridge District Council:

Torridge District Council (TDC) launched the additional consultation as requested and all consultees and representors identified for the Regulation 16 consultation were contacted again to provide opportunity for comment. The consultation commenced on 17 November 2025 and will conclude on 15 December 2025. Torridge District Council confirmed this by e-mail to IPE and Northam Town Council Town Clerk on 17 November 2025. The consultation portal page is available at this web address: <https://consult.torridge.gov.uk/kpse/event/375B3147-8352-4F14-A3CD-AB009BE923FF>

¹ View at: <https://torridge.objective.co.uk/file/6542344>

² In accordance with the *Environmental Assessment of Plans and Programmes Regulations 2004*.

³ View at: <https://torridge.objective.co.uk/file/6542289>

Questions from Examiner to Northam Town Council and Torrridge District Council

I now turn to my specific questions of clarification to the Councils. I am happy to receive comments from either Council on any of the questions which are not directed at them in the first instance. May I request the submission of responses to my questions by **Monday 24 November 2025**, although an earlier response would be most welcome.

Response from Torrridge District Council:

The Council notes that Intelligent Plans and Examinations (IPE) agreed with requests from NTC on 14 November 2025, and TDC on 19 November 2025, to extend the deadline for responses. Following a proposal for TDC and NTC to meet before submitting their answers to the Examiner's questions, a further extension to the deadline was granted by IPE. NTC and TDC now aim to complete their comments as soon as possible following the meeting on 1 December 2025. All responses are provided as officer level comments and have not been ratified through any formal Council process. References to the Council/TDC should be read and construed in this context.

All of the following questions flow from the requirement to meet the Basic Conditions.

1. Question from Examiner to NTC and TDC:

The breadth of the policy which applies to all “new development” appears unrealistic in that it would apply to all scales of development from minor house extensions through to major residential development and all forms of commercial development. In addition, Clauses ii and iii seek the addition of new or enhanced facilities or the increased availability of open space for sport and recreation and children’s play. I can understand the aims behind the policy but it must have regard to paragraphs 56, 57 and 58 of the NPPF. In particular, if off site works are sought, planning obligations must only be sought where they meet all of the following tests: a) necessary to make the development acceptable in planning terms; b) directly related to the development; and c) fairly and reasonably related in scale and kind to the development. Therefore, I suggest including a reference to those paragraphs in Policy CF1 to qualify Clauses (ii) and (iii). Please may I have comments from both Councils on this suggestion for a proposed modification.

Response from Torridge District Council to Question 1:

The Council welcomes the recognition that the policy, as currently worded, provides some challenges for practical implementation. The Council would support the addition of provisions that would frame the application of clauses (ii) and (iii) in the context of what is reasonable for an individual development proposal.

The Council welcomes the suggestion of referencing the principles contained within the planning obligation tests and believe that this will provide the basis for a more robust approach that ensures that requirements are appropriate and related to the scale and nature of an individual development proposal.

The Council would highlight that the requirements of clauses (ii) and (iii) should probably not be mutually exclusive as inferred by the ‘or’ between the clauses as some development proposals may in fact generate a need for both components (community facilities and/or open spaces for sport, recreation and children’s play). To address this the Council would suggest that the two clauses (ii) and (iii) may benefit from being combined with the planning obligation tests applied to all sub-components identified in both clauses together.

The Council would also welcome ‘play space’ instead of ‘children’s play’, as it is considered to more broadly encapsulate the range facilities that could be delivered.

The Council would therefore suggest the following wording for the proposed policy:

Policy CF1 Community Facilities

- 1. Proposals for change of use and redevelopment of community facilities will be supported where:**
 - a. There is no loss of community facilities for which there is evidence of on-going demand and community value¹; and/or**
 - b. Where necessary, the development adds new or enhances current provision of the community facilities^{2 or 3}; and/or**
 - c. Where necessary, the development increases the availability of open spaces for sport and recreation and/or play space^{2 or 3}.**

¹To demonstrate that the community facility is no longer required for communities and organisations seeking to further the social wellbeing or social interests of the local community, the Local Planning Authority will expect that applications resulting in a loss of a community facility to be supported by robust and credible evidence demonstrating no demand for the community facility in the locality. Applicants will be expected to submit detailed information to show that the community facility (premises and/or land) has been marketed, at an appropriate price reflecting the existing or potential community use of the community facility, for a period of 18 months and that there was no legitimate buyer-demand for the community facility over that period. The marketing strategy, along with the price at which the community facility will be marketed, should be agreed with the Local Planning Authority prior to commencement of the marketing exercise.

²in reference to paragraph 57 of the NPPF, where planning conditions are used to secure on-site provisions, they must:

- a) be kept to a minimum and only imposed where they are necessary;
- b) relevant to planning and to the development to be permitted;
- c) enforceable;
- d) precise;
- e) reasonable in all other respects.

³in reference to paragraph 58 of the NPPF, that where off-site developer contributions are sought, they must be:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

2. Question from Examiner to NTC:

What is the definition of “community value” in CF1.i and how can it be measured so that it is a useful tool for development management?

Response from Torridge District Council to Question 2:

The Council recognises that this is a question directed at Northam Town Council (NTC). However, in the interest of supporting the positive progression of the proposed neighbourhood plan, we would offer the following suggestions in relation to the definition and additional policy wording.

The Council cannot, from a development management perspective discern between on-going demand and community value. It is suggested that a community facility could only reasonably be considered to have community value if it can be seen to have an ongoing demand by a community organisation.

The Council suggests that community value could be defined by reference to demand for use by an organisation or organisations seeking to further the social wellbeing or social interests of the local community.

In terms of measuring the continuing community value, the Council would suggest that it is necessary to tie consideration to the future need for the premises and/or land that makes up the community facility. To demonstrate that the community facility is no longer

required for communities and organisations seeking to further the social wellbeing or social interests of the local community, the Local Planning Authority will expect that applications resulting in a loss of a community facility to be supported by robust and credible evidence demonstrating no demand for the community facility in the locality. Applicants will be expected to submit detailed information to show that the community facility (premises and/or land) has been marketed, at an appropriate price reflecting the existing or potential community use of the community facility, for a period of 18 months and that there was no legitimate buyer-demand for the community facility over that period. The marketing strategy, along with the price at which the community facility will be marketed, should be agreed with the Local Planning Authority prior to commencement of the marketing exercise.

The Council would also welcome clarification on whether the given lists of community facilities are indicative of the types of facilities that are to be considered community facilities. If they are indicative lists, then the Council would suggest they are removed from the supporting text (being retained in the appendix as per present) and welcome a definition of “community facility”, maybe within the glossary, that non-exhaustively lists types of facilities such as play spaces, pubs, public toilets etc., so that the policy can be more transparently applied to more facilities than those listed; providing longevity to the plan and reducing the burden to maintain a list.

Separately, the Council questions whether paragraph 6.1 of the NNP is right in implying that the public houses of Northam, Appledore and Westward Ho! (as identified in the list of presently identified community facilities) are likely in the ownership of charitable bodies, community organisations or local faith groups, as inferred by the text. The Council understands that the public houses of Northam, Appledore and Westward Ho! are in private ownership in many instances. The Council would suggest that clarification is provided within the supporting text on this basis.

3. Question from Examiner to NTC and TDC:

Policy HO1 Clause 1 supports the provision of one and two bedroomed houses. As currently drafted, the policy does not generally conform with Policy ST17 of the North Devon and Torridge Local Plan (NDTLP) which states that “the scale and mix of dwellings, in terms of dwelling numbers, type, size and tenure provided through development proposals should reflect identified local housing needs, subject to consideration of: (a) site character and context; and (b) development viability”. The housing needs survey (Northam Town Council 2017) suggests that 15% of respondents required a one bedroomed property and 54% required a property of two bedrooms. I am concerned that seeking one or two bedroomed dwellings on small developments might inhibit the provision of housing generally due to the impact on viability.

Therefore, I am considering recommending that Policy HO1.1 is modified to: *“On developments of more than 10 dwellings, 50% shall have one or two bedrooms, subject to considerations of viability, site character and context.”* I should be pleased to have comments from both Councils on this suggestion.

Response from Torridge District Council to Question 3:

The Council welcomes the suggested modification to the wording of Policy HO1.1 and considers that this provides a rounded pragmatic approach that is precise, reasonable and broadly reflective of the evidence presented alongside the neighbourhood plan.

4. Question from Examiner to NTC and TDC:

Policy HO1 Clause 2 supports new dwellings where they are designed to be accessible and adaptable to cater for the changing needs of occupants over their lifetime. I can appreciate the need to cater for the needs of the elderly or infirm but consider that there may be effects on viability which would inhibit the delivery of housing generally should all dwellings be required to be designed to cater for all residents’ needs throughout their lifetime. Therefore, I am considering recommending the following modification to Policy HO1.2 which would become: *“On development of more than 10 dwellings on sites which are well located in terms of access to social and community facilities, at least a third should be age-friendly.”* I would be pleased to have comments on this suggestion from both Councils.

Response from Torridge District Council to Question 4:

The Council welcomes the intent of the proposed modification but would question the precision and explicit meaning of the term ‘age friendly’ within the proposed modification.

The Council would welcome further details about whether age-friendly would mean adaptable and/or accessible homes with more explicit reference in the policy to [The Building Regulations Document M4\(2\)](#). The Council would also welcome details on what proportion of the third of the dwellings should be either Adaptable or Accessible homes. Alternatively, the Council would question whether reference could potentially be made to Lifetime Homes?

The Council also questions the meaning of ‘well-located’ in terms of access to social and community facilities and recommends providing a more measurable definition to make the proposed policy implementable by development management. Walking or wheeling distance along sound pavement is considered by the Council to be a more appropriate means of defining what would be acceptable, rather than travel times as different people

may walk at different paces – particularly those that may have a range of age-related mobility issues.

The Council recognises that due to the wide range of possible needs within the population, that requiring a specific measurable distance between dwellings and facilities may not be appropriate or achievable in all cases. In addition, gradient, weather conditions, provision of handrails and benches along a route and other factors affect how accessible and inclusive a walking or wheeling route may be. Given the range of factors that affect accessibility, the Council considers it appropriate that each development proposal should be considered on a case-by-case basis. We would suggest that the policy refers to available government guidance on the subject. We note that page 20 of the [National Design Guide](#) defines 'Walkable' local facilities as being within an 800 metre radius of a dwelling. However, we consider this to refer to what would be walkable for people who are able-bodied. Instead, it is suggested that, in consideration of appropriate distances between dwellings and facilities, it could be more appropriate to consider section 3.4 of the Department for Transport's guidance, '[Inclusive Mobility: A Guide to Best Practice on Access to Pedestrian and Transport Infrastructure](#)'. Moreover, we would suggest that the policy makes provisions to ensure that development proposals are tested, on a case-by-case basis, against the recommendations within the Department for Transport's guidance document so that more inclusive locations for development might be achieved and so that there is clear guidance available and implementable for applicants and the development management team. We also note that Active Travel England have recently published guidance on [critical safety issues for walking, wheeling and cycling](#), and we would welcome suggested wording which would include reference to this guidance. The Active Travel England guidance provides a range of details about how walking, wheeling and cycling routes might be made more accessible, whilst links to a number of existing government guidance and evidence documents are provided which could help applicants and development management team members to propose and implement inclusive and accessible routes.

5. Question from Examiner to TDC:

How is the Vacant Building Credit referred to in the representation from TDC relevant to the land use policy of the provision of affordable housing?

Response from Torridge District Council to Question 5:

[Policy ST18](#) of the NDTLP makes provisions for Affordable Housing on Development Sites, and Clause 2 of ST18 of the NDTLP makes provisions for discounts on the requirement of affordable housing where proposals are bringing vacant buildings back into use or where buildings are being demolished and replaced, unless the requirement to do so is removed or moderated by a change in national policy or guidance. The Council's [Affordable Housing Supplementary Planning Document](#) (SPD) was adopted in July 2022 and section 10 provides specific guidance on Vacant Building Credit (VBC) in relation to the NDTLP.

The Council suggests that for the purposes of clarity to anyone using the neighbourhood plan, that there should be reference in the supporting text to the impact that Vacant Building Credit might have on any major affordable housing proposal on brownfield sites or where vacant buildings are being put back into use. The proposed policy is at risk of misleading readers, as the number of affordable housing units may reduce in some scenarios where a proposal is eligible for Vacant Building Credit.

6. Question from Examiner to NTC:

What is the expected "standard of accommodation" to which reference is made in Policy HO2.2 and which failure to provide might prove fatal to any planning application?

Response from Torridge District Council to Question 6:

The Council would welcome the inclusion of reference to [nationally described space standards](#) or specific standards from the [Affordable Housing Supplementary Planning Document](#) (SPD).

7. Question from Examiner to NTC:

What is meant by "low cost home ownership opportunities" in Policy HO2.3?

Response from Torridge District Council to Question 7:

The Council would welcome any specific references to the definition of affordable housing in the glossary of the NPPF. In addition, the Council's [Affordable Housing Supplementary Planning Document](#) (SPD) was adopted in July 2022 and provides further guidance in relation to the implementation of the NDTLP. Both documents outline the Council's policies on types of affordable housing which could assist in defining low-cost home ownership opportunities.

The interactive Housing Monitoring Dashboard (www.torridge.gov.uk/housingmonitoring) provides the latest available data on how many affordable homes have been and are being completed in the Parishes.

8. Question from Examiner to NTC and TDC:

The tone of paragraph 7.22 of the Plan is that due to issues of (inadequate?) parking and road congestion, there should be sufficient residential off street parking provided on new development. However, Policy TR2.2. sets a maximum. Shouldn't the standard be expressed as a minimum?

Response from Torridge District Council to Question 8:

The Council responds on the basis that question 8 relates to Policy TR1 Clause 2. The Council would agree that if the premise of the proposed policy is based on the ambition for off street parking spaces, that the standard should be expressed as a minimum but that any necessary provision should be caveated to have regard to site context, in particular sustainable travel options and existing parking provision in the locality.

9. Question from Examiner to TDC:

What are the parking standards for residential development applied by TDC when considering applications for planning permission?

Response from Torridge District Council to Question 9:

There are no defined minimum or maximum parking space requirements for residential development in the NDTLP. Nor do Devon County Council Highways provide maximum or minimum parking space requirements for residential development. It is considered by the Council that explicit minimum or maximum parking space standards could have resulted in inefficient use of land, or inappropriate provision, if the need or context of a site proposal did not match the extant public transport or active travel context and opportunities.

However, there are policies within the NDTLP which set out principles and requirements for development proposals to adhere to. The approach of the NDTLP aims for parking and transport provision that principally meets anticipated needs, whilst having regard to the scale and type of planning proposal and to the transport context of the site (principally under policy [DM06](#)). The approach aims to encourage the use of means of transport other than the private car where appropriate, whilst recognising that in rural areas the dependence on private cars will prevail unless rural public transport or active travel options improve for rural areas.

For context:

Clause (1)(h) of Policy [DM04](#) (Design Principles) of the NDTLP says that development proposals need to have regard to, among other things, providing safe and appropriate highways access and incorporating adequate well-integrated car parking, pedestrian and cycle routes and facilities". Paragraph 13.40 of the NDTLP explains that "adequate parking provision for new development will be based on accessibility to the main towns through the public transport network, recognising that opportunities to reduce car usage are greatest where alternative transport options are available".

Clause 1 of Policy [DM05](#) (Highways) of the NDTLP requires that "All development must ensure safe and well designed vehicular access and egress, adequate parking and layouts which consider the needs and accessibility of all highway users including cyclists and pedestrians. Clause 2 of the same policy requires all development shall protect, enhance

and provide new active travel connections where it is practical to do so. Paragraphs 13.43 to 13.47 explain in more detail how parking should not be laid out in such a manner that would, for example, create unsafe streets for a range of means of travel and result in obstructions for other vehicles. Paragraph 13.47 places particular emphasis on the requirement for development to “provide for adequate parking that actively aims to reduce the likelihood of inappropriate parking on the highway which could conflict with the aforementioned aims.”

Clause 1 of Policy [DM06](#) (Parking Provision) of the NDTLP explains that proposals for development “will be expected to provide an appropriate scale and range of parking provision to meet anticipated needs, whilst have regard to the accessibility and suitability of the site, availability of public transport, provision of safe walking and cycling routes, and the specific scale, type and mix of development.” At the same time, Clause 2 states that “proposals must encourage the use of sustainable modes of transport through careful design, layout and integration to the existing built form.” Paragraphs 13.48 to 13.53 provide more detail on how parking provisions should meet anticipated needs, reflecting the rurality or transport context of an area.

10. Question from Examiner to NTC:

Policy DE1.i. supports development which delivers “net zero carbon dwellings”. What is the evidence for such a requirement?

Response from Torridge District Council to Question 10:

The Council continues to advocate that it does not consider that there is currently a robust evidence base, including around the impacts on development viability, to support the proposition that all dwellings should be net zero carbon. Local plans that seek to introduce such provisions, or even carbon reduction targets for dwellings, tend to have extensive and complex technical evidence in support and to demonstrate their acceptability.

As an aside, the lead in aspect of Policy DE1, in combination with clause (i) would suggest that all development should provide net zero carbon dwellings to garner support, even if a proposal is not intended to deliver residential development. Whilst it is clear this is not the intent of the policy, it would benefit from refinement if this aspect of the policy is to be retained.

The Council could support the inclusion of policy provisions that would give weight to applications that are supported by carbon reduction plans, subject to their impact on viability, rather than obligating them to provide such provisions.

11. Question from Examiner to TDC:

How can the net zero carbon dwellings requirement be implemented by development management?

Response from Torridge District Council to Question 11:

Although the Council supports ambitious approaches to achieving sustainable development and to tackling anthropogenic climate change, we have significant concerns about the implementability of the proposed policy and about the apparent conflict with the December 2023 written ministerial statement and national approach.

Considering question 11, the Council would in the first instance need to fully appreciate any new proposed definition of ‘net zero carbon dwellings’ in order to understand whether it is intended to consider the lifetime carbon and/or embodied carbon and/or other carbon that needs to be considered through the development management approach.

If the NNP’s glossary definition of ‘net zero carbon’ is to be used, then all planning applications would need to be supported by analysis detailing the carbon properties of all materials used and all construction methods employed to erect the building. Details of how the building is then used by occupants may also be required to make the policy implementable. Further, taking the definition literally, every development proposal would potentially need to be supported by a means of removing carbon from the atmosphere. The Council would subsequently need to understand the impact that such a requirement has on development viability.

The Council asserts that significant engagement with the development industry would be necessary to understand how such a requirement might impact on the viability of

residential development schemes and how this may impact on the Council's obligations to plan positively for the delivery of housing and support the Government's objective of significantly boosting the supply of homes (paragraph 61, NPPF, December 2024).

The Council has significant concerns that it would not be realistically possible to implement the proposed policy and that it would be unreasonable to do so without significant engagement with developers on viability impacts, without a detailed evidence-based approach and a detailed understanding of the technical approach envisaged to be applied in the application of the policy.

However, considering the provisions of [the Written Ministerial Statement](#) (WMS) published on 13 December 2023 and associated subsequent legal judgements, the Council would suggest that the provisions of the Northam Neighbourhood Plan would need to be robustly evidenced in order to justify the requirement for net zero carbon dwellings to possibly go beyond the provisions of Building Regulations.

In addition, it is the Council's understanding that the new standards (the Future Homes Standard) proposed for introduction through Building Regulations would be [result in significantly enhanced standards compared to those that are currently in place](#).

12. Question from Examiner to NTC:

What is meant by "traditional materials" and by "low ecological impact materials and techniques" in Policy DE1.v.

Response from Torridge District Council to Question 12:

The Council does not have any specific views or advice on how these should be defined beyond reiterating the need for clarity on these matters to be provided within the neighbourhood plan in order to enable the effective implementation of the provisions through the development management process.

The Council would welcome and support wording that would encourage carbon reductions.

13. Question from Examiner to NTC:

The Planning Practice Guidance (PPG) advises that, in the case of neighbourhood plans, the qualifying body (i.e. NTC) should contact landowners at an early stage about proposals to designate any part of their land as Local Green Space.⁴ Please can NTC confirm when this consultation was carried out?

Response from Torridge District Council to Question 13:

The Council has no comment to make on this matter.

14. Question from Examiner to NTC:

The Local Green Spaces are listed in Policy EN1 and described quite fully in Appendix 3. However, the map accompanying each LGS merely shows the location of the LGS by a symbol and is, in my opinion and also that of TDC (See point 53 in the Regulation 16 representation), wholly inadequate for development management purposes. Therefore, please could a plan be submitted of each LGS on which the affected land is clearly delineated with reference to plot boundaries. This might best be presented on an Ordnance Survey base map at a scale of e.g. 1:1250 or 1:2500. Accordingly, this may require the technical assistance of TDC as holders of the relevant Ordnance Survey licence for the area.

Response from Torridge District Council to Question 14:

The Council agrees and has been liaising with Northam Town Council regarding the provision of Shapefiles, plotted to an accuracy discernible down to at least 1:1250 for the following spatial policies:

- **CF1: Community Facilities (unless those listed are indicative only)**
- **EN1: Local Green Space**
- **EN1a: Open Space and Recreation**
- **EN3: Protecting Rural Character**
- **EN3a: Protecting Dark Skies and Reduce Light Pollution**
- **EN4: Protecting Valued Views**
- **EN5: Protecting Green Corridors and Biodiversity Enhancement**
- **HE2: Richmond Dock**
- **ED3: Appledore Maritime Employment Zone**

The Town Council has been able to share draft Shapefiles and we are working with the Town Council to ensure that they are of a sufficient accuracy and resolution to enable the functional use of the Shapefiles without our Development Management mapping systems and to inform appropriate detailed maps to be included within the neighbourhood plan and support the examination process.

The Council is happy to provide technical mapping support at the request of the Town Council as part of our statutory duty to support neighbourhood planning groups and their activity.

⁴ See PPG Reference ID: 37-019-20140306.

15. Question from Examiner to NTC:

I have a similar issue about Local Areas for Sport and Recreation (LASR) to that raised about LGS in Q14 above, as does TDC. For the same reasons as above, please could a plan be submitted of each LASR on which the affected land is clearly delineated with reference to plot boundaries, to be produced with the assistance of TDC.

Response from Torridge District Council to Question 15:

Please see the Council's answer to the Examiner's questions 14.

16. Question from Examiner to NTC:

It seems to me that Policies EN2 and EN3 have very similar objectives and consider the same tract of land which is the largely undeveloped area between Northam, Appledore and Westward Ho! However, there is a contradiction in that Policy EN2 only supports development where it maintains the visual and physical separation between the development boundaries of the settlements. Policy EN3 supports development within the land shown as a Local Gap on Map N1 subject to five considerations. In addition, there may be forms of development which would be allowed, in certain circumstances, in the Local Gap under policies of the NDTLP, e.g. for employment and tourism purposes.

Therefore, I am considering recommending combining Policies EN2 and EN3 and using Map N1 as the area of land covered by the combined policy. Please may I have comments from both Councils.

Response from Torridge District Council to Question 16:

The Council agrees in principle that policies EN2 and EN3 should be combined in a manner that would not result in policy contradictions, for the ease of implementation of the policies and for clarity to the users of the plan.

The Council recognises that there are very minor differences to the areas towards which the two policies are intended to apply (referencing development boundary vs local gap), however it is considered that these could be reconciled to apply to the local gap without any significant impact on the application of the policy.

The Council considers it necessary to allow for some limited flexibility for development within the proposed combined policy so that the new policy will not conflict with the policies [ST09](#), [ST11](#) and [NOR](#) of the NDTLP.

For example:

- **Clause 1 of [Policy ST09](#) of the NDTLP states that, “The sustainability of coastal communities will be maintained and enhanced with regard to their distinctive cultural heritage, diverse maritime economy, landscape setting and regeneration opportunities. The separate identity of these settlements will be maintained and enhanced”.**
- **The Council also notes that Clauses 2, 3 and 7 of [policy ST09](#) of the NDTLP supports proposals relating to employment, tourism and waterside infrastructure uses, which could result in a conflict within the Development Plan should the proposed wording of policies EN2 and Clause iii of EN3 be retained – recognising that the provisions of these aspects of the NNP policies are more constrained.**
- **[Policy ST11](#) also provides support in particular circumstances for new businesses and the expansion or growth of existing businesses.**
- **[Policy NOR](#) of the NDTLP outlines the spatial vision for Northam, Westward Ho! and Appledore. Particularly relevant is the support given to Northam “building on**

its strengths taking advantage of its coastal location". The vision also states that, "Westward Ho! will be established as a thriving coastal resort and Appledore will develop further as a centre for maritime activities. The development of marine based industries and a quality tourism offer will contribute to re-balancing Northam's community and add economic value to the area."

- The NOR Spatial Development Strategy then explains that "Over the period to 2031, the Local Plan will enable significant growth of high quality development which is supported by necessary infrastructure to meet the needs of Northam Parish. Achieved development will be delivered having regard to the settlements setting in the landscape and the special character of the area provided by a coastal location."
- Specific support is then given in clause (d) of Policy NOR of the NDTLP for employment uses relating to the Appledore shipyard, port facilities and tourism assets. In addition, clause (f) provides support for site regeneration and new site development in Westward Ho! in particular circumstances.
- Finally, clause (g) provides some specific support for certain types of development on the Northam Burrows.

All of the above mean that the NDTLP supports some development in certain circumstances in areas that overlap with the proposed 'Local Gap' area delineated on Map N1 of the proposed neighbourhood plan.

The NDTLP, like the proposed policy, provides protection for undeveloped coast areas, the heritage coast and the gaps between the settlements of Northam, Appledore and Westward Ho!:

- Clause 1 of [Policy ST09](#) states that "The separate identity of these settlements will be maintained and enhanced".
- Clause 7 of [Policy ST09](#) states that "Development within the Undeveloped Coast and estuary will be supported where it does not detract from the unspoilt character, appearance and tranquillity of the area, nor the undeveloped character of the Heritage Coasts, and it is required because it cannot reasonably be located outside the Undeveloped Coast and estuary."
- Clause (k) of [Policy NOR](#) states that there is support for "development that respects the landscape setting including the special landscape character and qualities of the adjoining Area of Outstanding Natural Beauty".
- Clause (h) of [Policy NOR](#) of the NDTLP states that, "avoidance of development that would contribute to coalescence between Appledore and Northam and the designated Green Wedge in Northam".

Considering the above, the Council recommends that proposed wording of Policy EN2 is amended prior to it being merged with Policy EN3. The Council recognises that The Local Gap (or any alternative name NTC decide to give to the area shown in green on map N1) aims to extend the protective provisions afforded by the NDTLP to other nearby areas. Therefore we would suggest that the combined policy reads as follows:

Development will be supported within The Local Gap in the following circumstances:

- 1. Where it does not detract from the unspoilt character, appearance and tranquillity of the area;**
- 2. Where it maintains and enhances the separate identities of Appledore, Northam and Westward Ho! and maintains their visual and physical separation;**
- 3. Where it conserves, restores, or increases the extent of traditional hedge banks or hedgerow boundaries where appropriate in order to integrate the development with the rural character of the area;**
- 4. Where it does not significantly harm the setting of Northam Burrows or the South West Coast Path;**
- 5. Where it, in appropriate circumstances, provides safe and convenient access to the development by foot, bicycle, vehicle and public transport;**
- 6. Where it is required because it cannot reasonably be located outside the Local Gap.**

17. Question from Examiner to NTC:

Why are the dwellings on Greenway Drive, Westward Ho! and the Appledore Shipyard included within the green area of Map N1 (See point 71 made by TDC)?

Response from Torridge District Council to Question 17:

The Council would reiterate it's view that it considers that it is inappropriate for these areas to be included within the green area of Map N1. The areas were excluded from the development boundary within the NDTLP for very specific reasons – namely their tourism and key economic uses respectively and not because they are considered to be undeveloped or contributing to openness.

18. Question from Examiner to NTC:

What is the specific justification for the technical details which are described in Policy EN3a 1 Clauses ii. and iii?

Response from Torridge District Council to Question 18:

The Council has further no comments beyond those previously provided. We would welcome supporting text to explain the intention.

19. Question from Examiner to NTC:

How would the policy of prioritising brownfield development work in practice (See TDC point 99)?

Response from Torridge District Council to Question 19:

The Council would recommend that any proposed method of implementation would benefit from the inclusion of a sequential test to be applied when considering a relevant planning application. For example:

Within development boundaries economic development will be supported in the following order of preference:

- 1. On brownfield sites;**
- 2. Elsewhere within the development boundary if it has been clearly demonstrated that no brownfield sites are appropriate.**

20. Question from Examiner to NTC:

What is meant by the “local economy” in Policy ED1 Clause 2?

Response from Torridge District Council to Question 20:

The Council would recommend that any definition would need to enable a decision taker to assess a planning proposal effectively. This could be achieved by providing a definition that explains the intended spatial scale of “local economy”, such as Parish, District, or County scale, or something different. The Council would also recommend that a definition explains what is meant by “benefits the local economy”, e.g. whether it means through employment/ employee generation, additional gross domestic product, increased net profit, or some other measure.

The Council would welcome the removal of the phrase ‘local economy’.

21. Question from Examiner to NTC:

Does the use of the word “extension” in Policy ED2 Clauses 2 and 3 also mean expansion (See TDC points 108 and 109)?

22. a) Question from Examiner to NTC:

Is the intention of the policy to restrict new development in the Appledore Maritime Employment Zone to maritime based industries?

The Council would welcome wording that does not prevent existing residential dwellings from improving their premises, but that does support premises which are currently or previously used for employment purposes.

The Council would also welcome wording that explains that employment development will be supported in the zone, particularly where it requires a coastal location.

And, if the response is 'Yes':

b) Question from Examiner to TDC:

Would such a restriction generally conform with the strategic policies of the NDTLP?

Response from Torridge District Council to Question 22:

If it is the intention of the policy to restrict new development in the proposed Appledore Maritime Employment Zone to maritime based industries, then the Council asserts that there would be some conflict with the strategic policies of the NDTLP. For example, [Policy ST11](#) provides support for a broader range of uses and does not restrict particular sites to, for example, maritime based industries. Further [Policy ST11](#) also has provisions for diversification of sites, so that sites may adapt to temporal economic conditions. If the intention of the policy is to restrict the area shown on page 55 of the NNP to maritime based industries only, then the Council suggests that there could be harm to the strategic objective to achieve sustainable development because there is no guarantee that the only economic need for the area will in the future be for maritime based industries.

The Council would highlight that Clause (2) of [Policy ST09: Coast and Estuary Strategy](#) of the NDTLP contains provisions that seek to give priority within the Coast and Estuarine Zone to "employment uses and waterside infrastructure requiring a coastal location" and that previously developed sites, along with existing jetties and wharves should be "safeguarded for employment uses requiring a waterside location", with facilities at Appledore "protected for their value as landing stages for marine aggregates and for other marine employment uses".

Final remarks from Examiner:

In the interests of transparency, may I prevail upon you to ensure that a copy of this letter and any subsequent response(s) are placed on the Town Council and District Council websites.

Thank you in advance for your assistance.

Final remarks from Torridge District Council:

We shall publish this letter on our [Examination webpage](#) together with the response from Northam Town Council.

Please do not hesitate to contact us for clarification of any of the above.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'TO', enclosed within a large, loopy circular flourish.

Tristan Otten
Planning Policy Officer
Torridge District Council
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Bideford
EX39 2QG