

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

EXAMINER: Andrew Mead BSc (Hons) MRTPI MIQ

Examination Ref: 02/AM/NNP

Guy Langton
Clerk to Northam Town Council

Tristan Otten
Planning Policy Officer
Torridge District Council

11 November 2025

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 Torridge 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)

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

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>

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.

Questions to Northam Town Council and Torridge 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.

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

Policy: CF1 Community Facilities

- 1. Question 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.
- 2. Question 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?

Policy: HO1 Size of Dwellings

- 3. Question 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.

4. **Question 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.

Policy: HO2 New Affordable Housing

5. **Question 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?
6. **Question 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?
7. **Question to NTC.** What is meant by “low cost home ownership opportunities” in Policy HO2.3?

Policy: TR1 Residential Design and Amenity

8. **Question 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?
9. **Question to TDC.** What are the parking standards for residential development applied by TDC when considering applications for planning permission?

Policy: DE1 Quality of Design

10. **Question to NTC.** Policy DE1.i. supports development which delivers “net zero carbon dwellings”. What is the evidence for such a requirement?
11. **Question to TDC.** How can the net zero carbon dwellings requirement be implemented by development management?
12. **Question to NTC.** What is meant by “traditional materials” and by “low ecological impact materials and techniques” in Policy DE1.v.

Policy: EN1 Local Green Spaces

13. **Q 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?

- 14. Question 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.

Policy: EN1a Open Space and Recreation

- 15. Question 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.

Policy: EN2 Protecting the Identity of Settlements and Policy: EN3 Protecting Rural Character

- 16. Question 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.

- 17. Question 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)?

Policy: EN3a Protecting Dark Skies and Reduce Light Pollution

- 18. Question to NTC.** What is the specific justification for the technical details which are described in Policy EN3a 1 Clauses ii. and iii?

Policy: ED1 Business

- 19. Question to NTC.** How would the policy of prioritising brownfield development work in practice (See TDC point 99)?

- 20. Question to NTC.** What is meant by the “local economy” in Policy ED1 Clause 2?

Policy: ED2 Tourism Attraction and Accommodation

- 21. Question 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)?

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

Policy: ED3 Appledore Maritime Employment Zone

22. a) Question to NTC. Is the intention of the policy to restrict new development in the Appledore Maritime Employment Zone to maritime based industries?

And, if the response is 'Yes':

b) Question to TDC. Would such a restriction generally conform with the strategic policies of the NDTLP?

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.

Yours sincerely

Andy Mead

Examiner