

Thurlestone Parish Neighbourhood Plan Q & A

Q1. Why should I bother voting in this Referendum? Will my vote really make any difference?

A. In order for the Neighbourhood Plan to be made (adopted), it needs to be supported by a majority vote, i.e. more people will need to vote 'Yes' than 'No' in the Referendum. Localism is about allowing the community to have its say – so, yes, you should vote in this Referendum, since this Plan will affect the development of the parish up until 2034. A summary of the policies is set out in the current issue of Village Voice and on this website.

Q2. Does the Neighbourhood Plan influence the South Hams Planning Committee? How does it affect me?

A. Under planning law, all planning applications are determined in accordance with the development plan for the area (i.e. the Neighbourhood Plan and the Local Plan), unless material considerations indicate otherwise. Once made, the Neighbourhood Plan will have equal weight to the South Hams' Local Plan. The Neighbourhood Plan will affect you if you wish to make a planning application in the future, or if you wish to comment on someone else's planning application in the parish.

Material considerations include issues such as: national planning guidance and advice, previous appeal decisions, loss of privacy and highway issues. Land ownership, covenants, loss of view and loss of property value are not material considerations. The weight attached to material considerations is a matter of judgement for the District Council.

Q3. If I object to just one of the 29 policies in the neighbourhood plan, do I have to object to the whole plan by voting 'No'?

A. You are voting on the whole Plan. You would therefore need to decide whether your objection to that one policy is enough to warrant you objecting to the whole Plan by voting 'No'.

Q4. What is the procedure for deciding whether planning applications conform to the neighbourhood plan? Who has the final decision at local level?

A. The Parish Council is consulted on all planning applications in the parish, but it is the local planning authority (South Hams District Council) that determines all planning applications and it has the final decision at local level.

Q5. What happens if the Plan is rejected at Referendum?

A. If the Plan is rejected at Referendum, the community will have no further input in the statutory planning process and will be limited to making representations on planning applications, as and when they arise.

Q6. Times change. Is there an established procedure for reviewing the Plan.

A. There is an established procedure for reviewing the Plan. The Parish Council must monitor the Plan annually, review the Plan every 5 years and update the Plan as appropriate. These arrangements are presently under discussion and await the outcome of the Referendum.

Q7. I live here but now wish to sell my house. Can I sell it without NP approval to a second home buyer?

A. Anyone can sell their house to a second home buyer. The principal residence requirement in the Plan only affects proposals for new open market housing, or where an existing dwelling is demolished and replaced by more than one dwelling.

Q8. What if someone gets permission to build a house as a full-time resident and then decides not to live there full-time. What sanctions are there in that situation?

A. The principal residence requirement is enforced by way of a legal agreement, which is binding on the property. Anyone buying the property will be made aware of their legal position and how they must comply with the agreement at the outset. The ultimate sanction is a court injunction.

Q9. What is the status of the Plan in the planning process? Does it carry the force of law meaning that the planners have to abide by it?

A. The Plan has statutory legal force and the planners have to abide by it.

Q10. Why does having a settlement boundary around Buckland and Bantham offer more protection than the existing protection?

A. The Plan relates to development within the parish up until 2034. Without settlement boundaries there can be no clear limit to the encroachment of development into the countryside. The purpose of the settlement boundary is to mark the limits of each settlement, i.e. its built form. The settlement boundaries around Bantham and Buckland allow for small-scale infill of a size, type and tenure that reflects identified local housing needs which is occupied year round, and protects the adjoining countryside from inappropriate development.

Q11. I pay Council Tax to SHDC but am registered to vote elsewhere. Can I vote in the Neighbourhood Plan Referendum?

A. Only those registered to vote in local government elections on 12 June 2018 may vote in the Neighbourhood Plan Referendum. Details of voting procedure are set out in the current issue of Village Voice and on this website.

Q12. Why is a settlement boundary necessary and what are the benefits for Bantham and Buckland if the council had not been in favour of them and the land was protected from development anyway, by being part of the countryside and Undeveloped Coast? Why does the Examiner say this issue is a good example of 'localism'?

A. The first part of this Q is dealt with in response to Q10 above. Further, it is arguable whether Bantham and Buckland do have existing protection from development by being part of the countryside and Undeveloped Coast, given that they are already settlements with a built form.

The Examiner says this issue is a good example of 'localism' because the Plan has taken the initiative of shaping development in terms of its location and the type of housing it feels it needs. It has done this by allowing small, infill residential development within all three settlements, rather than supporting one large housing site. The objective is to achieve sustainable development (a requirement of neighbourhood plans) by helping to maintain and enhance the vitality of all three settlements, which together function as a village network with development in one village supporting services in another.

The National Planning Policy Framework describes sustainable development as: *"about positive growth – making economic, environmental and social progress for this and future generations."*

Q13. If a house is sold which is outside the settlement boundaries, can the new owner redevelop/refurbish it to become a second home or holiday home? Or if it's completely demolished and re-built, is it then subject to the same conditions outlined in TP6 regarding primary residence?

A. A new owner could redevelop/refurbish a house which is outside the settlement boundaries to become a second home or holiday home. The principal residence requirement in Policy TP6 of the Plan only affects proposals for new open market housing, or where an existing dwelling is demolished and replaced by more than one dwelling. Only additional replacement dwellings are affected.

Q14. Can an existing home within the settlement boundary be redeveloped into a second home/holiday home?

A. An existing home within the settlement boundary can be redeveloped into a second home/holiday home.

Q15. Can an area on the fringes of a settlement boundary be considered for a rural exception site if a developer wants to build a mix of affordable and market value houses?

A. The Plan supports affordable housing on a rural exception site, i.e. land that would not normally be used for housing and it may be an area on the fringes of a settlement boundary. However, it is not a matter of simply building a mix of affordable and market value houses, the affordable housing would have to meet clearly identified local housing needs, and any open market housing would only be acceptable if it was needed to cross-subsidise the affordable housing. The detailed criteria are set out in Policy TP3.

Q16. How soon after the Referendum will the result be known? Who counts the votes? Where and when does the count take place? Are the public/representatives of the Steering Group allowed to attend the count?

A. The result will be known the following day, Friday 29 June 2018. South Hams Elections Unit organise the Count and it takes place at Follaton House, Totnes. Steering Group members, including parish councillors, have been invited to attend the Count.