

# South Milton Neighbourhood Plan 2019-2034 as proposed to be modified

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## **Initial Comments of the Independent Examiner**

**Prepared by**

**JOHN SLATER BA(Hons), DMS, MRTPI**

**John Slater Planning Ltd**

**18<sup>th</sup> August 2023**

### Introductory Remarks

1. As you will be aware, I have been appointed to carry out the examination of the modifications to the South Milton Neighbourhood Plan. I have carried out my initial review of the modified Plan and the accompanying documents which I have been sent. I visited the parish on Thursday 17<sup>th</sup> August 2023.
2. I can confirm that the examination of this Plan will proceed by the consideration of the written material only.

### Modification Statement

3. This examination is being carried out into what is to be a modified Neighbourhood Plan, which was originally made in September 2019. As a modification, there are some additional stages required by virtue of Schedule 2A of the Planning and Compulsory Purchase Act 2004. Section 10 states that the examiner must first determine whether the modifications are so significant or substantial as to change the nature of the neighbourhood plan. Such a determination would have the effect of triggering the need for a referendum, if the modified plan passes examination.
4. I have concluded that the changes **are not** so substantial that the nature of the neighbourhood plan will be changed. This finding is in line with the conclusions that have previously been reached by the Parish Council, in its Modification Statement and which have also been agreed by South Hams District Council in its Modification Statement dated July 2023.
5. I have come to this conclusion as the modifications are only introducing one substantive housing policy (Policy H5) into the plan alongside consequential amendments to the other housing policies, by way of cross referencing. Furthermore, the inclusion of the principal residency test replaces supporting text in the written justification, which indicates that the District Council will be expected to be imposing such a restriction on planning permission in any event when granting new housing permissions in the parish. This is a meaningful change, effectively removing the possibility of any additional new homes from being occupied as second homes or holiday lets. I was able to experience from my site visit, the proximity of the village of South Milton to the coast and the attractiveness of the countryside, which inevitably would lead to market pressure for such changes in an area, where it is acknowledged that it is difficult for local people to find homes locally.

### Regulation 16 Comments

6. It is my usual practice to offer the Parish Council the opportunity to comment on the representations that were submitted as part of the Regulation 16 consultation. However, in this instance, as all the Reg 16 comments were supportive or did not require in my view raise substantive issues related to the modification, I will not be inviting any response from

the Parish Council. As this is essentially a one policy modification, I do not envisage that this will take me very long to write what will be a fairly short report and I hope to be able to submit in the next week or so.

### **Concluding Remarks**

7. I am sending this note direct to South Milton Parish Council, as well as South Hams District Council
8. I would also request that this note be placed on the Neighbourhood Plan's and also the District Council's website.

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

John Slater Planning Ltd

Independent Examiner to the South Milton Neighbourhood Plan (as proposed to be modified)

18<sup>th</sup> August 2023