

## neighbourhood plans

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**From:** Luscombe, Adam  
**Sent:** 11 December 2017 09:09  
**To:** neighbourhood plans  
**Subject:** Fwd: Paignton Neighbourhood Plan  
**Attachments:** DAT Letter re Boundary Line Change. Nov 2017..docx; ATT00001.htm; Torbay local Plan. No 2 (Map).pdf; ATT00002.htm; DAT, Paignton Forum (PLGS-24, Occombe Valley Wood).pdf; ATT00003.htm

Please can you note the email below in the representations.

Adam.

### **Adam Luscombe**

Team Leader, Strategy and Project Delivery  
Torbay Council, [2nd Floor Electric House, Castle Circus, Torquay, Devon, TQ1 3DR](#)  
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Sent from my iPad

Begin forwarded message:

**From:** David Thompson [REDACTED]  
**Date:** 8 December 2017 at 14:37:04 GMT  
**To:** "Luscombe, Adam" <[adam.luscombe@torbay.gov.uk](mailto:adam.luscombe@torbay.gov.uk)>  
**Cc:** Chris Lewis <[Chris.Lewis@torbay.gov.uk](mailto:Chris.Lewis@torbay.gov.uk)>, Mary Thompson [REDACTED]  
**Subject:** Paignton Neighbourhood Plan

Dear Adam

Please find attached our submission for The Inspector, regarding our concerns relating to "The Paignton Neighbourhood Plan". I have today sent a "hard copy" to you under registered post which hopefully will arrive early next week. I would be grateful if you could acknowledge receipt of it in due course. Thank you.

I will wait to hear from you with regard to the Hearing date and as I mentioned previously if it is required, both my wife and I would be happy to speak at the meeting.

Kind regards

David

To Whom it may Concern –  
Independent Assessor who will be examining :

**“The Paignton Forum’s Neighbourhood Plan”**

Dear Sir or Madam:

We wish to raise our concerns with regard to an area within the above plan, which appears to be incorrectly drawn. We are referring to the designation of **PLGS24** in relation to our property, **East Down, Preston Down Road**. It would appear that an error has clearly been made within the plan in defining the boundary of Occombe Valley Woods.

We attach a map, (attachment 1) taken from the Paignton Forum Plan, which illustrates the proposed boundary of PLGS 24, Occombe Valley Woods. The red boundary line is shown following the boundary line as set out in the Council’s Local Plan as well as the DEFRA plan (attachment 2).

This boundary line, shown in all the plans, comes to the south of a plot of council owned land, **PNPH2** as well as the two properties to the east of East Down, namely **The Linney and Burrow Down**. The Forum’s boundary line however then changes from both the Council’s and DEFRA plans, to swing north to Preston Down Road taking in the whole of our property, East Down, before reverting to the original DEFRA and Council plan boundary line on our western side where properties to the west of us, **Three Burrows and Occombe Farm House**, are treated in a similar manner to the properties to the east of us.

We can see no logical reason for this and would suggest that an error has clearly been made in defining the boundary of Occombe Valley Woods in The Paignton Neighbourhood Plan and would ask that it be corrected. We merely seek to modify the boundary indicated in the Forum’s plan and understand that this modification can only be made through the examination process.

We appreciate Occombe Valley Woods as a local green space and indeed have enjoyed our walks through the woods on many occasions during our thirty two years at East Down. We do not however wish to see our property included in the Occombe Valley

Wood boundary.

We have studied the guide lines/criteria for Local Green Space set out in the Planning Policy Framework and in **paragraph 77**, the framework states that designation should only be used if three points are met. :

***1. The space should be in close proximity to the community it serves.***

We are indeed quite close to Preston, but East Down is located outside the 30mph limit signs and at the top of a hill, several hundred yards from the main part of the community. Over 40% of the property can not be seen from the road as it lies behind a high stone wall and the remaining area is extremely difficult to see as it is behind high thick hedges and trees. Relatively few local people walk past the property on the road side, because of its location at the top of the hill. The whole property has always been securely fenced and although it may be possible to see small parts of the garden from Occombe Woods, one would have to divert from the normal footpaths and walk along our southern fence line to do so. The local community do not have access to the property or garden and therefore we are at a loss to see how our garden could serve the community in any way.

***2. The green area should be demonstrably special to the community and should hold particular local significance eg as recreational value or as a playing field.***

Our garden and land only looks the way it does because of the hard work my wife and I have put into it over the last thirty years and it has no recreational value as a playing field as the public obviously do not have access to it.

As we have already stated, the property is very private and the community would have to go out of their way to even see into the garden. We feel we do not therefore conform with criteria number two.

***3. The green area is local in character and not an extensive tract of land***

Quite what local in character means we are unsure. We are obviously "local" but no doubt so is every other garden in the locality and although at 3.5 acres we are larger than most, we are in fact smaller in area than our immediate neighbours to the east and west of us, who have not been included in the Forum's proposed new boundary line. Neither could we, in our view, be termed an extensive tract of land.

In other words, we fail to see how East Down conforms with the criteria set out. We also cannot understand why in the Forum's view, East Down conforms with the requirements set out for green space and is therefore included in Occombe Valley Woods, but the properties on both the east and the west of us do not. There appears to be no consistency in approach and we have not been given any specific reasons as to why our property has been included in the Occombe Valley woods area and our neighbours have not.

According to The Forum, **The Supporting Evidence (doc. 3)** in the Paignton Neighbourhood Plan, **Appendix 5 (page 140)** provides the summary as to why East Down should be included in the Occombe Valley Woods boundary. We have covered the 3 points stated and do not agree that East Down conforms with the requirements set out by The Paignton Forum.

We are sorry for having to make this submission at this late stage. We were told that letters had been sent to both my wife and I concerning this matter. Neither of us however received such letters or we would most definitely have raised this matter at an earlier point in time. We would respectfully suggest that in future letters concerning matters of this nature should either be hand delivered or sent by registered mail.

Describing our concerns on paper is not easy and if it was felt appropriate, we would welcome an onsite visit which would undoubtedly help to clarify the issues mentioned. Failing that, we would be happy to speak at the meeting and try to clarify any issues that are still unclear.

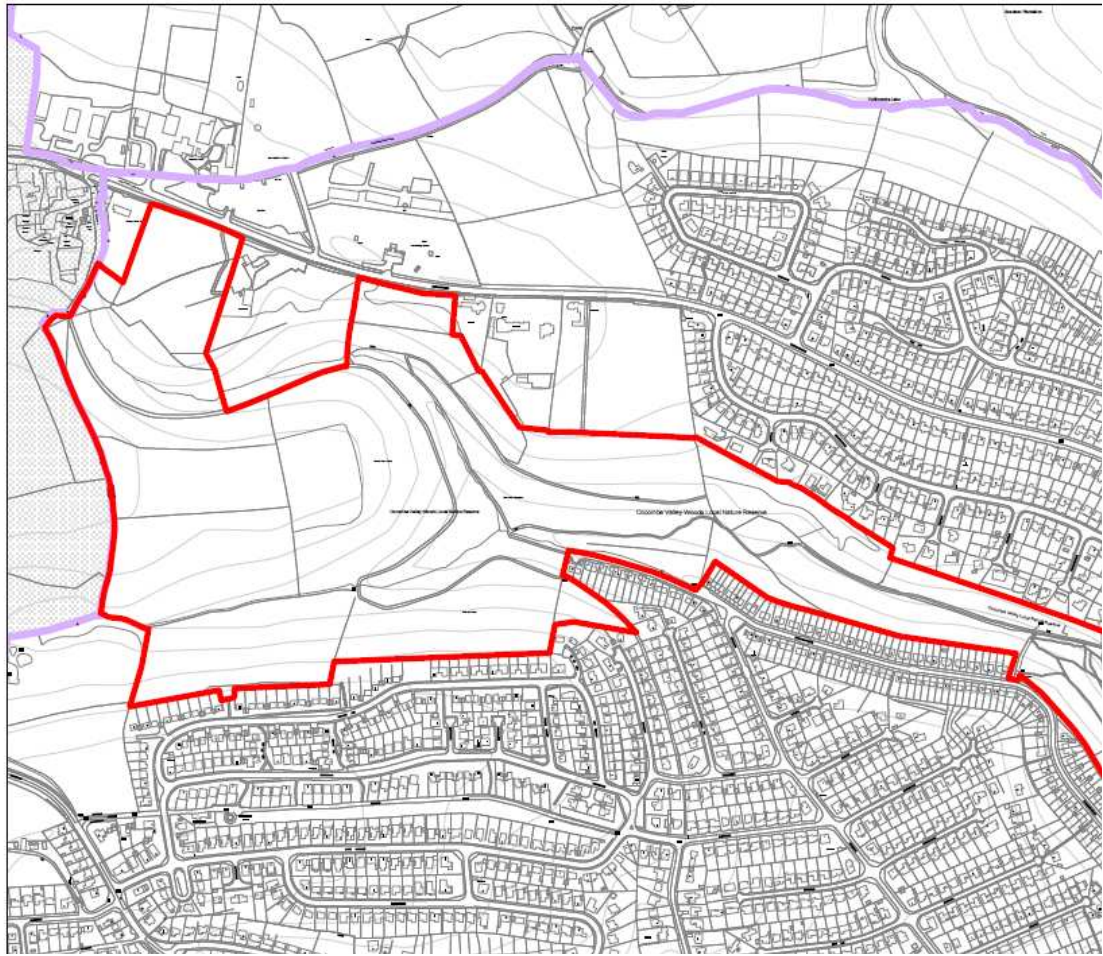
Thank you for listening to our concerns.

David & Mary Thompson

[Redacted]  
Tel. No. : [Redacted]  
Email : [Redacted]

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**Extract of proposed PLGS.24 Occombe Valley Woods**



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**16**

**21**

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