

Hatherleigh Market planning application 00760/2013

FAQ's (correct as at 4/6/14)

Q.1 – This was an outline planning application, what does that mean?

A – This application was an outline application only. That means that all it was considering was the principle of the types of development. It was not considering the very fine details such as exact positioning of houses, what they look like, where roads will go, what landscaping will be planted etc.

Although there were detailed plans submitted as part of the scheme these were just to show one way it could look, this detail has not been approved and could change.

Q.2 – Has the planning permission been granted yet?

A – No, West Devon Borough Council's Planning Committee decided to grant the scheme (with conditions) however this was subject to the final agreement and completion of the legal agreement (often referred to as a Section 106) which needs to accompany the scheme which has not yet been completed.

Q.3 – When will the permission be granted then?

A – This depends upon how long it takes to finalise the legal agreement. However the content of this was already agreed in principle so it is just the detailed wording etc which is being worked on at present. It is nearly completed so the final agreement and planning permission should be granted and issued soon, in the next few weeks.

Q.4 – Once it has been granted and planning permission issued what happens next?

A – As mentioned above this will be an outline permission only. What this means is that all the detail still needs to be considered and this will have to be formally considered by West Devon Borough Council's Planning Department when the applicant/future developer submits a 'reserved matters' application – quite literally those matters which were reserved for consideration at outline stage. Those are scale, appearance landscaping and layout.

Q.5 – When will this reserved matters application be submitted?

A – This is not within West Devon Borough Council or Hatherleigh Town Council's control. It is entirely up to the applicant when/if they wish to submit a reserved matters application. However they do have to submit it within 3 years of the date that the outline permission was granted.

Q.6 – Will the public/Hatherleigh Town Council get a say in the reserved matters application?

A – Yes. West Devon Borough Council would encourage any future applicant to engage directly with the community before making a planning application. The Borough Council would also encourage them to have discussions with its Planning department before making an application and within this would expect engagement with the community. However even if these were not done (as presently it is the applicant's choice) at the very least once the application was made then West Devon Borough Council would consult with the community, Hatherleigh Town Council etc through site notices, the press etc. and there would then be the usual 21 day period for comment.

Q.7 – When will works start?

A – This is dependent upon when/if a reserved matters application is submitted and if any such application is successful. However the development must begin not later than 3 years from the date of grant of the outline permission, OR 2 years from the date of grant of the final reserved matters (whichever is later of the dates).

Q.8 - Once works start what will happen to the Market?

A – One of the things which is being secured in the legal agreement is that during the construction on the site, there will provision of space for the market to continue. West Devon Borough Council can secure that sufficient space is made however it is important to remember that the operation/closure of the market is not within the Council's control and is within the gift of the market owner.

Q.9 – What else does the legal agreement cover?

A – As an overview it covers:

a) A phasing scheme. This will ensure that different parts of the final scheme are delivered at the right time. For example it makes sure that bus link, market facilities, some of the employment and only some of the open market houses are delivered in the first phase. This makes sure a developer could not simply build the more profitable parts and not delivery the community facilities, employment etc. It also requires the approval of details of space, access and car parking throughout the construction period to allow the market to continue to function.

b) A lease for 25 years at a minimal rent for a second cricket pitch

c) Money to be paid to Devon County Council (DCC) for primary education provision and secondary education transport provision. Also a payment to DCC in order to move the 30mph limit further up the A386.

d) £25,000 off site play contribution. This money is likely to be managed by West Devon Borough Council but can be applied for by parties wishing to improve/manage play areas in the Town so for example Island Park.

e) Affordable housing, a fixed delivery of 11 on-site units and then either 10 more later on or a contribution for £200,000 to West Devon Borough Council instead (for delivery of Affordable housing elsewhere in the Borough) if Hatherleigh doesn't need more units.

f) The legal agreement also makes sure that necessary play space, the riverside walk and landscaping and ecology are delivered, managed and maintained.

Q.10 - Where can I find more details on the application?

A – On the West Devon Borough Council's website planning search facility under the planning application number (00760/2013):

<http://www.westdevon.gov.uk/>

Any future applications would also be on here and all new planning applications are put on the WDBC's weekly list of planning applications, also online.