

East Budleigh with Bicton Neighbourhood Plan



Public Consultation on Draft Plan
(Response to Statutory Consultee Representations)
14th April to 20th June 2016

Summary of representations received from Statutory Consultees

- 8 representations and 53 comments

Representations were received from the following Statutory Consultees:-

Statutory Consultees	Representations		
	Policy Number/Community Action/Paragraph	Objecting/Supporting/ Comment	Representation Number
Budleigh Salterton Town Council	Community Action 3	Comment	RN022-01
	Community Action 21	Comment	RN022-02
	L2	Comment	RN022-03
East Devon District Council (EDDC)	Chapter 2	Comment	RN024-01
	Chapter 3	Comment	RN024-02
	Chapter 4	Comment	RN024-03
	P1	Comment	RN024-04
	P3	Comment	RN024-05
	C1	Comment	RN024-06
	E1	Comment	RN024-07
	L1	Comment	RN024-08
	L2	Comment	RN024-09
	L3	Comment	RN024-10
	G1	Comment	RN024-11
	G2	Comment	RN024-12
	N1	Comment	RN024-13
	N2	Comment	RN024-14
	N3	Comment	RN024-15
	N4	Comment	RN024-16
	B1	Comment	RN024-17
	B2	Comment	RN024-18
	B3	Comment	RN024-19
	B4	Comment	RN024-20
	Map(p78)	Comment	RN024-21
	F1	Comment	RN024-22
	F2	Comment	RN024-23
	F3	Comment	RN024-24
	D1	Comment	RN024-25
	D2	Comment	RN024-26
	D3	Comment	RN024-27
	D4	Comment	RN024-28
	Document	Comment	RN024-29
Environment Agency	Chapter 4	Support	RN012-01
	Chapter 4	Comment	RN012-02
	N1	Support/Comment	RN012-03
	N2	Support/Comment	RN012-04
	N4	Support/Comment	RN012-05
	F1	Support/Comment	RN012-06
	F2	Support/Comment	RN012-07
	F3	Support/Comment	RN012-08

Statutory Consultees	Representations		
	Policy Number/Community Action/Paragraph	Objecting/Supporting/ Comment	Representation Number
Highways England	n/a	Comment	RN011-01
Historic England	n/a	Support	RN010-01
National Grid	n/a	Comment	RN007-01
Natural England	Chapter 3	Comment	RN038-01
	Community Action 18	Support	RN038-02
	Community Action 19	Support	RN038-03
	Community Action 20	Support	RN038-04
	Community Action 25	Support	RN038-05
	Community Action 26	Support	RN038-06
	P1	Comment	RN038-07
	N1	Comment	RN038-08
	D2	Comment	RN038-09
South West Water	n/a	Support	RN001-01

Policy P1:- Supporting the development of small business enterprises

To assist the development of sustainable small businesses the following will be supported:

- i. Conversion of existing buildings for small-scale employment uses;
- ii. Integrated home/work locations within existing dwellings and extensions to enable home working; and
- iii. Proposals for the diversification of existing rural enterprises.

All such proposals should not have a significant negative impact on the following criteria :

- a) Impact on residential amenity;
- b) Access, traffic and car parking;
- c) Impact on the landscape and character of the area; and
- d) Design

on the design and setting of existing buildings on or adjacent to the site

- ii. Proposals for the diversification of existing rural enterprises.

All such proposals will be assessed against the following:

- a) Impact on residential amenity;
- b) Access, traffic and car parking;
- c) Impact on the landscape and character of the area; and
- d) Design

Statutory Consultee	Summary of Comments	Major issues identified	Response	Proposed change
EDDC (RN024-04)	The policy is in general conformity with strategies 3 and 4 of the Local Plan, which seeks to support employment provision and economic development in East Devon. The Local Plan Development Management	Clarification is required for criteria d) on what would constitute a significant negative impact on design.	This Policy has been derived to fulfil Objective 1 of the Neighbourhood Plan. In conformity with national (para 28 of NPPF) and local planning guidance (Strategy 3, 4, and 28, Development Management Policies E4 and E5) the aim is to support	The words 'impact on' will be removed from criteria's a) and c). Textual changes to Criteria d) to state "

Policy P1:- Supporting the development of small business enterprises				
	Policy E5 also supports small scale economic development in villages and rural areas. It is not immediately apparent what could be considered as having a significant negative impact on design as stated in criteria d) and whether it refers to design of the new buildings or existing. This requires further clarification. The term 'impact on' has also been duplicated in criteria's a) and c). Suggested amendments: • Further clarification is required for criteria d) on what would constitute a significant negative impact on design. • Remove 'impact on' from criteria's a) and c).	The term 'impact on' has also been duplicated in criteria a) and c).	and promote sustainable economic growth. The Policy seeks to achieve this aim by promoting and supporting small businesses, including rural diversification. This is subject to certain criteria being met. These criteria along with the reference to small scale it is considered will guarantee such development will not lead to a negative effect on protected sites. Criteria d) is intended to ensure that the design of new buildings/ extensions/ conversions has no significantly adverse impact on the existing design and setting of buildings on or adjacent to the site.	<i>the design and setting of existing buildings on or adjacent to the site"</i>
Natural England (RN038-07)	We recommend that you add the protection and enhancement of geodiversity to this policy.	The protection and enhancement of geodiversity should be added to the Policy criteria	It is agreed that any significantly adverse impact on geodiversity is a relevant consideration in respect of the Policy.	Textual changes to criteria c) to include reference to the protection and enhancement of geodiversity

Policy P3: Protection of high value agricultural land

Planning permission for development on high grade agricultural land will not be supported.

Where development of agricultural land is necessary a sequential approach should be taken whereby land of lower quality should be developed in preference to higher grade agricultural land. This is in accordance with East Devon Local Plan Policy EN13 and NPPF para 112.

Statutory Consultee	Comments	Major issues identified	Response	Proposed change
EDDC (RN024-05)	This policy is in general conformity with Strategy 3 of the Local Plan which encourages sustainable economic development. Local Plan policy EN13 also seeks to protect the best and most versatile agricultural land. As the policy is worded, it would not allow any development on high grade agricultural land. It might be appropriate in some circumstances for development to be located on land, if for example it is development specifically associated with agriculture or forestry. There is also no clarification of what is considered 'high grade' in this context, which does not	Clarification is required on what is meant by high grade agricultural land. A caveat should be included in the first sentence to allow development associated with agriculture and forestry.	The Policy has been derived to fulfil Objective 2 of the Neighbourhood Plan. It seeks to protect the highest grade agricultural land in order to increase sustainability of food supplies. This reflects National Planning Guidance (NPPF para 112 and 143) and Local Plan Development Management Policy EN3. To clarify what is meant by high grade agricultural land for the purposes of Policy P3 account has been taken of the agricultural land classification. Natural England defines Grades 1, 2 and 3a as land which is most flexible, productive and efficient in response to inputs and which	Textual changes to Policy P3 to: a) clarity what is considered to be high grade agricultural land b) Include a caveat that would allow development associated with agriculture or forestry. This caveat to be extended, in exceptional circumstances, to uses related to community facilities/ recreation/ informal open space to meet an identified community need. c) Include a caveat that small parcels of high grade agricultural land that have not been or cannot be brought

Policy P3: Protection of high value agricultural land

	provide the necessary clarity for decision makers. Suggested amendments • Include a caveat to the first sentence that would allow development associated with agriculture or forestry • Provide clarity as to what is considered high grade agricultural land		can best deliver food and non-food crops for future generations. Much of the land in the Parish is Grades 1, 2, 3 and for the purpose of Policy P3 the aim is to refuse development on Grade 1 agricultural land in the village. If however development is exceptionally proven to be needed the Policy direct development to the lowest grade land (3b, 4, 5) and then to Grades 2 and 3 and then to Grade 1 agricultural but only in exceptional circumstances as outlined in the policy. It is however recognised that small parcels of land that are in the higher grades may lack the flexibility to be brought into meaningful agricultural use and a caveat for this land will be included in the Policy. It is also considered in line with Policy EN13 of the Local Plan a caveat for development for forestry and agricultural purposes will be included in the	into meaningful agricultural use should be exempt from the Policy in exceptional circumstances and as defined in the criteria.
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Policy P3: Protection of high value agricultural land

			Policy. This together with a caveat for high grade agricultural land to be released exceptionally and where it meets a community need for community facilities/ recreational use/informal open space.	
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Policy C1:- Protecting and enhancing Community Facilities

The Neighbourhood Plan proposes that the Local Planning Authority designates the following buildings/land as Assets of Community Value as a result of their acknowledged importance to the life and enjoyment of the local community:

- Community Shop
- Drakes Primary School
- Salem Chapel
- All Saints Church
- All Saints Church Hall
- Village Hall
- Yettington Recreation Room
- Sir Walter Raleigh Public House
- Rolle Arms Public House
- Recreation Ground, Vicarage Road
- Allotments, Collins Park
- Car park and public conveniences off Hayes Lane

Policy C1:- Protecting and enhancing Community Facilities

Proposals that will enhance the viability and/or community value of the assets will be supported. This includes proposals for new facilities, extensions and/or alterations to existing facilities which meet criteria RC6 of the East Devon Local Plan.

Otherwise, proposals that result in either the loss of the asset or in significant harm to the community value of an asset will be resisted, unless it can be clearly demonstrated that the operation of the asset, or the ongoing delivery of the community value of the asset, is no longer financially viable.

The Neighbourhood Plan proposes the inclusion of these sites on the local planning authority's register of Assets of Community Value in order to provide the Parish Council or other community organisations within the Parish with an opportunity to bid to acquire the asset on behalf of the local community once placed for sale on the open market.

The Policy also applies to Community Assets that are not detailed above but may become listed in the future.

Statutory Consultee	Comments	Major issues identified	Response	Proposed change
EDDC (RN024-06)	This policy is in general conformity with Strategies, 3, 4 and 31, which seeks to ensure the provision of employment uses across the district close to where people live. The policy itself identifies various assets to be included as Assets of Community Value and then offers them additional protection. The Assets of Community Value regime is managed by the Local Authority under the powers granted by the	References to Assets of Community Value regime should be removed from Policy C1.	The Policy has been derived to fulfil Objective 3 of the Neighbourhood Plan. It seeks to enhance and protect community facilities to address identified needs of the community. This is consistent with NPPF paragraph 28, which promotes a strong rural economy and states neighbourhood plans should <i>"promote the retention and development of local services"</i>	Textual changes to Policy C1 and paragraph 6.7 to remove reference to Assets of Community Value Regime. Additions to supporting text in paragraph 6.8 indicating the EBB Parish Council will consider submitting nominations to EDDC for assets that meet the listing criteria.

Policy C1:- Protecting and enhancing Community Facilities

	Localism Act. There is a set legal process that cannot be undertaken through a Neighbourhood Plan We do not consider it appropriate for a Neighbourhood Plan policy to dictate the Local Authority to list various assets and therefore this should be done separately via the standard nomination process. Suggested amendments: Remove references to Assets of Community Value regime.		<i>and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship".</i> The protection of these various local facilities is also recognised by Strategy 3, 4 and 32 of the Local Plan. While it is acknowledged the Policy cannot require the listing of these assets under the assets of community value regime the working group still feel it important, given the value of these facilities to the community, to seek their listing where the relevant criteria are met. This reflects the value placed on these facilities by members of the community as identified though the Neighbourhood Plan questionnaire.	
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Policy E1:- Bicton College

The Neighbourhood Plan supports development proposals within the central built core of the campus at Bicton College(as identified on Map 7.29) provided they:

- are sympathetic to the rural setting of the listed building;
- recognise any impact they may have on the AONB including the protection of any locally and historically significant views;
- protect existing trees important to the setting of the listed building;
- are landscaped appropriately; and
- enhance the College's position as a school and major local employer

Statutory Consultee	Comments	Major Issues Identified	Response	Proposed change
EDDC (RN024-07)	The policy is in general conformity with Strategy 4 of the Local Plan, which seeks to secure education infrastructure to contribute towards creating vibrant and viable communities. The way the policy is worded at present would support all types of development within a specified boundary so long as it meets various criteria For instance, housing in this location would run contrary to paragraph 55 of the NPPF, where there is a presumption against new isolated homes in the countryside and Strategies 6 and 27 the Local Plan, which seeks to	Development should be restricted to educational uses under class D1 or otherwise the Policy should be more specific as to what development would be acceptable. Provide a clearer map indicating the boundary	It is the intention of the Policy to restrict usage within the defined boundary to educational use under class D1 only. Bicton College stands in open countryside within the AONB. It comprises a group of substantial buildings, a number of which are listed, together with playing fields and grounds. As the College has grown a number of additional buildings and facilities have been provided, some of which are unsightly and further proposals may be forthcoming in the future. The College is long established and an important source of local employment. The	Textual changes to the first sentence of Policy E1 to state "<i>The Neighbourhood Plan supports development proposals, for educational use under class D1,.....</i>" A higher definition map to be included in Neighbourhood Plan

Policy E1:- Bickton College

	direct new development to settlements with adequate provision of services and facilities Suggested amendments • Restrict acceptable development to educational uses under class D1 or otherwise be more specific as to what development would be acceptable. • Provide a clearer map indicating the boundary		policy seeks to accommodate the reasonable needs of the College as and when they arise, where possible enhancing the setting of the listed buildings. In view of its setting and prominence within the Area of Outstanding Natural Beauty, the policy provides for special scrutiny to future development proposals in order to ensure there is no damaging impact on the character and appearance of the site itself, nor on the landscape of the surrounding area.	
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Policy L1:- Protecting and Enhancing Recreational Facilities

The following outdoor sports and recreation facilities will be protected:-

- a) Playing fields, Vicarage Road, East Budleigh
- b) Children's play area adjacent to Village Hall, East Budleigh
- c) The Pavilion, Vicarage Road recreational ground, East Budleigh
- d) Tennis Courts, Vicarage Road recreational ground, East Budleigh

Proposals to enhance and improve these and any other local outdoor and recreation facilities will be supported where they:

- a) Do not have an adverse impact on residential amenity; and

Policy L1:- Protecting and Enhancing Recreational Facilities

b) They provide suitable access and car parking

This policy should be read in conjunction with Policy C1.

Statutory Consultee	Comments	Major Issues Identified	Response	Proposed change
EDDC (RN024-08)	This policy is in general conformity with Strategies 3 and 4 of the local plan, which seeks to support and promote the provision of leisure and open space facilities in the district.	None.	The Policy has been derived to fulfil Objective 6 of the Neighbourhood Plan that seeks to enhance and protect recreational facilities and tourist assets within the Parish. This in accordance with national(NPPF para 28,70,73,74) and local guidance(Strategic 3,4, Development Management Policy RC2)	No changes.

Policy L2 – Budleigh Salterton Cricket Ground and Pavilion

Proposals that would result in the loss of all or part of the cricket ground and pavilion will not be supported unless alternative and equivalent space is provided.

Alternative provision will be required to meet the following criteria:

- a) the alternative site must be of an equivalent or larger scale to the existing provision;
- b) a new Pavilion will be required of equivalent or better quality and scale to the existing provision;
- c) the quality of the alternative site must be of an appropriate recreational standard; and
- d) the location of the alternative provision must be accessible by foot, and parking facilities should be provided.

Policy L2 – Budleigh Salterton Cricket Ground and Pavilion

Proposals that would result in the loss of all or part of the cricket ground and pavilion will not be supported unless alternative and equivalent space is provided. Alternative provision will be required to meet the following criteria:

- a) the alternative site must be of an equivalent or larger scale to the existing provision;
- b) a new Pavilion will be required of equivalent or better quality and scale to the existing provision;
- c) the quality of the alternative site must be of an appropriate recreational standard; and
- d) the location of the alternative provision must be accessible by foot, and parking facilities should be provided.

Statutory Consultee	Comments	Major Issues Identified	Response	Proposed change
EDDC (RN024-09)	This policy is in general conformity with Strategies 3 and 4 of the local plan, which seeks to support and promote the provision of leisure and open space facilities in the district.	None.	The Policy has been derived to fulfil Objective 6 of the Neighbourhood Plan that seeks to enhance and protect recreational facilities and tourist assets within the Parish. The Policy sets criteria for the replacement of the Cricket Ground which due to the increased incidence of flooding is desired by all parties. This is in conformity with national (NPPF para 28, 70, 73, 44) and local guidance (Strategy 3, 4, Development Management Policies RC1, RC2).	No changes in response to EDDC comments. Changes to the Policy are proposed in response to representation RN025-02 from CDE. See also Representation RN22-03 from Budleigh Town Council.

Policy L2 – Budleigh Salterton Cricket Ground and Pavilion

Budleigh Salterton Town Council (RN022-03)	Budleigh Salterton Town Council would insist on the same level of provision should a new location in Budleigh Salterton be selected. The current location is restricted in the hours and volume of music - the appropriateness of this for a new location would be subject to discussion and agreement.	Current provision should be equivalent to current provision and in an appropriate location for recreational and social activities.	Policy L2 requires equivalent provision to be provided and to be of a quality required for recreational purposes.	No changes in response to Budleigh Salterton Town Council comments. Changes to the Policy are proposed in response to representation RN025-02 from CDE.
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Policy L3:- Bicton Park Botanical Gardens

The Neighbourhood Plan will support development proposals which will enable Bicton Park Botanical Gardens to expand to meet new and changing needs as a tourist destination, educational resource centre and a renowned historic garden provided that the design is sympathetic to the heritage assets and the important landscape setting.

Statutory Consultee	Comments	Major Issues Identified	Response	Proposed change
EDDC (RN024-10)	This policy is in general conformity with Strategies 3 and 4 of the local plan, which seeks provision of leisure and open space facilities in the district.	None.	The Policy has been derived to fulfil Objective 6 of the Neighbourhood Plan that seeks to enhance and protect recreational facilities and tourist assets within the Parish. Bicton Gardens are located in	No changes.

Policy L3:- Bicton Park Botanical Gardens

			an AONB and are world renowned historic gardens recognised in their Grade 1 listing. Policy L3, in conformity with national and local planning guidance, supports proposals to secure the long term future of Bicton Park Botanical Gardens as an important rural business and tourist attraction. The policy also acknowledges the gardens designation as heritage assets and their setting in the AONB landscape.	
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Policy G1 - To protect and enhance the network of public rights of ways and bridleways around the Parish

Public rights of way in the Parish are to be protected from development. This includes the protection and enhancement of their rural setting, biodiversity and the views from these public rights of way.

Statutory Consultee	Comments	Major Issues Identified	Response	Proposed change
EDDC (RN024-11)	This policy is in general conformity with Strategies 3 and 4 of the Local Plan, which seeks to protect and promote social wellbeing through the provision of recreational space and green infrastructure. Local Plan policy	The Policy as it stands could prevent all development that can be seen from a public right of way. The word 'important' should be added before 'views'	In accordance with the NPPF, paragraph 75 and Local Plan Development Management Policy TC4 it is the intent of the Policy to ensure developers protect and enhance the rural setting of public rights of way	Textual change to Policy G2 to insert the word 'important locally significant' before 'views'. See also changes in response to representation

Policy G1 - To protect and enhance the network of public rights of ways and bridleways around the Parish

	TC4 also seeks to protect existing and promote new provision of footpaths in the district. As worded, the policy promotes 'the protection and enhancement of...views. It is felt that this could prevent all development that can be seen from a public right of way from coming forward regardless of its impact. Suggested amendments: Addition of the word 'important' before 'views'.		to prevent their urbanisation, maintain their recreational value and protect their biodiversity e.g. via green wildlife corridors, informal open space adjacent to footpaths to act as buffer zones. It is however recognised some flexibility is required and it is accepted that not all views, particularly distant views, can be protected from these footpaths	RN035-03
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Policy G2:- Off Road Parking

The policy seeks to ensure that developments are designed to include off-road parking. For all new residential developments, the following minimum standards shall apply for the provision of off-road parking:

- 1-bed house/flat 1 off-road car parking space
- 2-bed house/flat 2 off-road car parking spaces
- 3-bed house/flat 2 off-road car parking spaces
- 4-bed house/flat 3 off-road car parking spaces
- 5+ bed house/flat 4 off-road car parking spaces

Policy G2:- Off Road Parking

Development proposals that will result in the net loss of public car parking facilities in the village centre will be resisted.

Statutory Consultee	Comments	Major Issues Identified	Response	Proposed change
EDDC (RN024-12)	The standards are higher than those set out in the Local Plan in Policy TC9. It sets a minimum of 3 off-road spaces for 4 bed properties and a minimum of 4 off-road spaces for 5+ bed properties, whereas the Local Plan includes provision for at least 2 spaces per home with two or more bedrooms. It is assumed this is in order to reduce levels of congestion in areas identified as being affected by congestion due to cars being parked on the road. However, these provisions are not restricted to any particular area-. No evidence has been provided as to the appropriateness of the higher thresholds. Increased standards could also lead to the knock-on impacts by increasing the size of plots,	The Plan requires justification for the inclusion of higher standards of on-site car parking than that contained in Policy TC9. Increased standards could impact on the viability of future housing schemes and on the risk of flooding due to an increase in the level of impermeable surfaces leading to greater surface water runoff. The promotion of higher car parking standards is contrary to Paragraph 29 of the NPPF and Strategy 5B of the Local Plan that seeks to promote sustainable modes of travel and transport and promote sustainable development.	East Budleigh has high levels of car ownership which reflects the reliance on private transport to access work and/or recreation and the restricted nature of public transport. With high levels of car ownership there can be pressure to find car parking spaces leading to on-road parking particularly in the older parts of the village where the roads are particularly narrow. These include sections of Vicarage Road, Middle Street, adjacent to Drakes School and the road running through Yettington. This can create a danger to vehicular transport and pedestrians. The latter due to the lack of footpaths along many of these narrow roads. The Neighbourhood Plan seeks to ensure off-street parking is provided for new developments	Textual changes to Policy G2 to bring it into conformity with the standards in the Local Plan. See also changes proposed in response to representation RN025-04 by CDE.

Policy G2:- Off Road Parking

	leading to lower densities, smaller front gardens and an increase in the cost of housing, impacting on the viability of future housing schemes. There might also be impacts on the risk of flooding due to an increase in the level of impermeable surfaces leading to greater surface water runoff. Promotion of higher car parking standards is also contrary to Paragraph 29 of the NPPF states that 'The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel'. Similarly, strategy 5B of the Local Plan seeks to promote sustainable modes of travel and transport. It does not take sufficient account of the NPPF, is not in general conformity with the Local Plan and does not promote the objectives of sustainable development. More evidence is required to state why these thresholds have been chosen and amendments need		to reduce these dangers and ensure pressure on existing limited parking is not increased. It also seeks to retain the existing car park at Hayes Lane to enable some residents living in High Street to have a safe place to park their cars and avoid congestion on the narrow roads. It however recognises the standards proposed are higher than Local Plan standards as detailed in Policy TC9 for larger dwellings. This would be contrary to national and local policy (Strategy 5B of the Local Plan and paragraph 29 of the NPPF) that seeks to achieve sustainable development. It is also agreed these higher standards could impact on viability of schemes, increase flood risk and hinder the development of high quality designs that reflect the vernacular of the area and enable developments to blend more appropriately into the	
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Policy G2:- Off Road Parking

	to be made for the policy to meet the basic conditions. Suggested amendments: • Consider removal of increase car parking spaces or revise them to be focus on affected areas where on-street parking causes congestion issues. • Consider presenting them as guidance rather than a minimum requirement.		high quality landscape.	
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Policy N1:- Protecting and enhancing the landscape, biodiversity and local countryside character

Development proposals must ensure the landscape, biodiversity and countryside character of the Parish are protected and wherever possible, enhanced.

Development proposals within the Parish will not be supported unless it is demonstrated that each of the following landscape design principles shall be met:

- a) They conserve and enhance the local distinctiveness and components of natural beauty within the AONB;
- b) Development shall be sited within the defined Built-up Area Boundary (except the site allocations in policy D2) and shall be of a scale to complement the traditional character and historic core of the Village unless allowed through a specific policy in the Neighbourhood or Local Plan;
- c) Development on prominent sites on the edge of the village should be avoided to protect the profile and skyline of the village;

Policy N1:- Protecting and enhancing the landscape, biodiversity and local countryside character

- d) Locally significant views should be protected and new development should take into consideration any adverse impact on these views and seek to conserve and enhance viewing opportunities across the landscape;
- e) Existing hedgerows, trees and ponds are important to the setting of the Parish and provide habitats for wildlife and so regard must be had to their retention and incorporation into landscaping schemes; any landscape and boundary treatments shall use indigenous species;
- f) Existing wildlife and habitats shall be protected, enhanced and new ones created. Bird and bat boxes that blend into a new dwelling wall will be encouraged;
- g) A landscaping scheme is required to ensure in time the development is able to blend appropriately into its surroundings. Opportunities to incorporate informal open space between new and existing development should be provided where appropriate to enhance the green infrastructure and biodiversity.

Statutory Consultee	Summary of Comments	Major issues identified	Response	Proposed change
EDDC (RN024-13)	This policy is in conformity with Strategies 5, 46 and 47, which seek to protect the natural environment and biodiversity, with particular regard to protecting nationally designated sites. As worded, the policy requires all development proposals to meet various criteria. However, it is felt that some of these criteria might not be wholly appropriate or relevant, for example, it is unreasonable to expect all development proposals to incorporate a landscaping scheme when it might not have any impact on landscape - e.g. replacement	The word 'housing' should be added at the start of the 2nd paragraph.	The intention of the policy is for it to apply to all development including housing development except where the change is minor e.g. replacement dormer windows. Guidance is taken from Paragraph: 046 Reference ID: 7-046-20140306 of the NPPG when defining minor development. In the context of this paragraph minor development means: - minor non-residential extensions: industrial/commercial/leisure etc. extensions with a footprint less than 250 square metres. - alterations: development that does not increase the size of buildings e.g. alterations to external appearance	The words "(excluding minor development)" to be added after the words "Development Proposals" in the 2nd paragraph. See also changes proposed in response to statutory representations RN012-03 (Environment Agency), RN038-08 (Natural England)

Policy N1:- Protecting and enhancing the landscape, biodiversity and local countryside character

	dormer windows. The policy wording implies that the plan producers are referring specifically to new housing development and therefore this should be reflected in the policy. Suggested amendments: Add the word 'housing' at the start of the 2nd paragraph.		minor householder development: For example; sheds, garages, games rooms etc. within the curtilage of the existing dwelling, in addition to physical extensions to the existing dwelling itself. This definition excludes any proposed development that would create a separate dwelling within the curtilage of the existing dwelling.	and Community Representation RN003-02
Environment Agency (RN012-03)	Supports Policy N1 but recommends clarifying wording of part f) of the Policy [creation of new habitats] so it is clear whether it is expected that new development will have to create a new habitat or create new habitat only as compensation for any habitat lost.	Clarification is required for criteria f) on when new habitat is to be created.	The intention of criteria f) of Policy N1 is to ensure new development protects and enhances existing habitats. It requires the creation of new habitats within development proposals to replace any habitats lost via development and encourages and promotes developers to take opportunities to create new habitats where relevant to contribute to wildlife and habitat connectivity in the wider area	Textual changes to Policy N1 criteria f) to clarify when new habitats should be created. See also changes in response to statutory representations RN024-13 (EDDC), RN038-08 (Natural England) and Community Representation RN003-02
Natural England (RN038-08)	Recommend adding the protection and enhancement of geodiversity to this policy.	A criteria should be added to Policy N1 to refer to the protection	Agreed, the criteria will be added to the Policy	Textual changes to Policy N1 to add new criteria to

Policy N1:- Protecting and enhancing the landscape, biodiversity and local countryside character

		and enhancement of geodiversity		protect and enhance geodiversity See also changes in response to statutory representations RN024-13 (EDDC), RN012-03 (Environment Agency) and Community Representation RN003-02
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Policy N2 – Protection of Local Green Spaces (Local Green Areas)

The following local green spaces, as shown on the Proposal Map have been designated in accordance with paragraphs 76 and 77 of the NPPF:-

1. Churchyard adjacent to All Saints Church
2. Green space adjacent to Church Hall
3. Recreational ground, Vicarage Road
4. Land adjacent to Salem Chapel
5. Green verges at the entrance to the village and on both sides of the B3178 south of East Budleigh village
6. Conservation area to rear of Middletown Lane
7. Public green space, Brookfield Road

Policy N2 – Protection of Local Green Spaces (Local Green Areas)

- 8. The Pound
- 9. Land adjacent to the village hall
- 10. War memorial

Proposals for development in a Local Green Space will be resisted, unless they are ancillary to the use of the land or for a public recreational purpose

Statutory Consultee	Summary of Comments	Major issues identified	Response	Proposed change
EDDC (RN024-014)	This policy is in general conformity with Strategy 3 and 4, which seeks to secure recreational open spaces for the benefit of the local community. The areas are well justified with reference to the criteria outlined in the NPPF for local green spaces designation	None.	Support for the Policy and the justification provided is noted and welcomed.	No changes in response to EDDC comments. See changes in response to representation RN025-05 from CDE
Environment Agency (RN012-04)	Support for the Policy as green spaces are seen an important part of the Parish's Green Infrastructure (GI). It is noted that the policy justification text regarding green spaces refers to the historic, wildlife and recreational	Supporting text should include reference to GI helping to manage flood risk and protecting water quality.	Support for the Policy is noted and welcomed. It is agreed that GI can play an important part in managing flood risk and protecting water quality.	Textual change in Paragraph 11.13 to highlight importance of GI to the management of flood risk and protection of water quality.

Policy N2 – Protection of Local Green Spaces (Local Green Areas)

	importance of green spaces. We would also recommend that the text highlights the additional benefits which can be provided by GI such as management of flood risk and protection of water quality.			
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Policy N3 – Protection of Allotment Space (Area 11 on the Proposals Map)

Proposals that would result in the loss of all or part of existing allotment spaces will not be supported unless alternative and equivalent allotment space is provided.

Alternative allotment provision proposed as part of such proposals will be required to meet the following criteria:

- a) the scale of the alternative site must be of an equivalent or larger scale to the existing allotment provision;
- b) the quality of the alternative site must be of equivalent standard in terms of layout and soil character to the existing allotment provision; and
- c) the location of the alternative provision must be accessible by foot, parking facilities should be provided and the allotment provision should be within or adjacent to the built-up area of the village.

The Neighbourhood Plan proposes the inclusion of the allotments on the local planning authority's register of Assets of Community Value in accordance with Policy C1.

Statutory Consultee	Summary of Comments	Major issues identified	Response	Proposed change
EDDC	This policy is in general conformity	References to Assets of	It is agreed that the reference to Assets of	Textual changes to

Policy N3 – Protection of Allotment Space (Area 11 on the Proposals Map)

(RN24-015)	with Strategy 3 and 4, which seeks to secure recreational open spaces for the benefit of the local community. The criteria provided are well formed and appropriate. The final paragraph refers to their proposed inclusion on the local authority's register of Assets of Community Value. As previously discussed in commentary to policy C1, it is not a function of the neighbourhood plan to list Assets of Community Value as it might be that a nominated asset is not appropriate for listing due to it not meeting the required criteria. Suggested amendments: Remove final paragraph referring to Assets of Community Value	Community Value regime should be removed from the Policy.	Community Value regime should be removed from the Policy given the process is dictated through legislation (Localism Act) and managed by the Local Authority. It is however considered important given the value of the allotments to sections of the community for the Parish Council to seek to make a nomination for the allotments to be listed subject to the relevant criteria being met.	Policy N3 to remove reference to Assets of Community Value Regime. Supporting text to be added indicating the Parish Council will consider submitting nominations to EDDC to list the allotments See changes in response to representation RN025-06 by CDE.
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Policy N4:- Green Corridor

Support will be provided for creation of a green wildlife corridor (as shown on the proposals map) to protect and enhance the biodiversity and character of Footpath EB14 that links Middletown Lane to EB15 and the open countryside. An area of land adjoining the current footpath could

Policy N4:- Green Corridor

be designated as a green informal open space which could include the planting of native trees, wildflowers and bulbs. (Area 12 on the Proposals Map). Developer contributions from the Community Infrastructure Levy could assist in the creation of this corridor.

Statutory Consultee	Summary of Comments	Major issues identified	Response	Proposed change
EDDC (RN24-016)	This policy is in conformity with Strategies 5, 46 and 47, which seek to protect the natural environment and biodiversity. The policy wording is fairly vague in nature and refers to the creation of a green wildlife corridor shown on the proposals map. The proposals map does not specifically refer to a green corridor and therefore it is unclear whether they are then referring to the 'other green space's indicated on the map. This requires clarification and perhaps the inclusion of a bespoke map for this policy, it would be useful if Footpath EB14 and Middletown Lane EB15 were also identified on this map. It is also unclear whether the Neighbourhood Plan is allocating these areas as informal open	The wording is vague and greater clarity is required to guide policy makers. Greater clarity is needed in respect of the green corridor in the Proposals Map. A bespoke map would be useful.	The green corridor is in conformity with Strategy 5 of the Adopted East Devon Local Plan which encourages the creation of green networks and corridors to link settlements to the wider countryside. The creation of a green wildlife corridor along East Budleigh Footpath 14 offers the opportunity to enhance the rural setting and increase the biodiversity and wildlife habitats along its route. This is in conformity with the NPPF and Strategies 46 and 47 of the Local Plan which seek to protect the natural environment and biodiversity. To clarify the policy it is intended to allocate land for the green corridor. It is agreed that a bespoke map should be included and the Proposals Map should be clarified.	A bespoke map to be included and the Proposals Map to be clarified. Textual changes to Policy N4 and paragraph 11.18 to provide greater clarity.

Policy N4:- Green Corridor

space or just providing support if subsequent proposals were to come in to designate them as such. The use of the word 'could' do not provide the necessary clarity for decision makers.

It also refers to seeking contributions from the Community Infrastructure Levy to assist in this but it is unclear whether this will make up the parish council's meaningful proportion.

Suggested amendments:

- Provide a bespoke map showing areas outlined for the green corridor, and show the footpaths mentioned in the policy.
- Clarify whether this policy seeks to allocate the land as a green corridor or whether it simply provides support if a subsequent proposal was to come forward.
- Clarify if the developer

Policy N4:- Green Corridor

	contributions sought are those that make up the parish council's meaningful proportion of CIL.			
Environment Agency (RN012-05)	Support for Green Corridor as an important part of the Parish's Green Infrastructure (GI). We would also recommend that the text highlights the additional benefits which can be provided by GI such management of flood risk and protection of water quality.	Supporting text should include reference to GI helping to manage flood risk and protecting water quality.	Support for the Policy is noted and welcomed. It is agreed that GI can play an important part in managing flood risk and protecting water quality.	Textual change in Paragraph 11.17 to highlight importance of GI to the management of flood risk and protection of water quality.

Policy B1: Heritage Assets and their Setting

Development proposals affecting heritage assets of the Parish must pay special regard to the need to conserve and enhance their settings and any special architectural or historic features of significance. Beside the nationally 'Designated Heritage Assets' this policy will apply to 'Local Heritage Assets' consisting of buildings, landscapes or sites which have architectural significance, local distinctiveness and character and historic importance.

Inappropriate extensions or revisions to Listed properties and other properties that, while not Listed, make a contribution to the character of the area will not be supported. Any development must not cause harm or adversely impact on the setting of important heritage sites in the Parish.

Policy B1: Heritage Assets and their Setting

Statutory Consultee	Summary of Comments	Major issues identified	Response	Proposed change
EDDC (RN024-17)	This policy is in general conformity with Strategy 49 of the local plan, which seeks to protect the physical and cultural heritage of the district. The third paragraph of the policy refers to 'inappropriate extensions or revisions' but does not refer to what they would deem inappropriate in this instance. This requires clarification as follows:- what is meant by 'inappropriate extensions or revisions'?	The term 'inappropriate extensions or revisions' is unclear and should be clarified.	The Policy has been derived to fulfil Objective 6 of the Neighbourhood Plan that seeks to protect and enhance the historic fabric and environment, including the Conservation Area and its setting. The Parish has a rich heritage and high quality landscape. Policy B2 seeks to ensure any new development is sensitive to any potential adverse impact on the high quality landscape, the historic assets and character of the village. It is agreed the term 'inappropriate extensions or revisions' needs clarification. Taking into account the intent of the Policy Inappropriate extensions or revisions are deemed to be those that would have an adverse impact on the setting of historic assets and any special architectural or historic features of significance.	Paragraph three to be reworded to state <i>'Inappropriate extensions or revisions that adversely impact on the setting and any special architectural or historic features of significance...'</i>

Policy B2 – General Design Principles

The Neighbourhood Plan requires all developments, including alterations to existing buildings, to be sympathetic of the character and scale of surrounding buildings and landscape. Proposals will be expected to demonstrate compliance with the following criteria:

- a) Preservation and enhancement of the locally distinctive built, historic and natural environment;
- b) Designed to take account of site characteristics, respecting and utilising the best qualities of local distinctiveness including layout, siting, scale, height, proportions and massing, orientation, architectural detailing, landscaping and materials;
- c) Density of housing will reflect the existing grain/density/pattern of surrounding development;
- d) No significant adverse impact on residential amenity for existing and future residents;
- e) New buildings should be of individual design that respects the local character. There is room for imaginative new design sympathetic to the traditional buildings of the Parish and in new developments of more than 5 dwellings more than one housing design may be appropriate;
- f) Natural traditional building materials and methods should be used for alterations and extensions to old buildings and preferably for new buildings;
- g) Roofs should be pitched unless there is a functional or aesthetic reason not to do so;
- h) For new build developments of 5 or more dwellings gardens should consist of a usable space and be of a minimum size of 100 sq. meters for 3+ bed dwellings and 50 sq. meters for 1-2 bed dwellings. The garden sizes for smaller infill plots of less than 5 dwellings and for plots on developments over 5 dwellings, but adjacent to existing property, may be required to be larger than these minimum standards to reflect the size and shape of gardens in the immediate surrounding area;
- i) The development does not contribute to, or suffer from, adverse impacts arising from noise, light or air contamination, land instability or cause ground water pollution;
- j) The development utilises sustainable construction methods, minimises the use of non-renewable resources and maximises the use of recycled and sustainably sourced materials;
- k) Carbon reduction measures, for instance solar panels or water heating panels are encouraged but should be sited discretely. Where they would feature on the front elevation or would be prominent within the Conservation Area, consideration should be given to mounting them at ground level;
- l) Easy access for all members of the community;
- m) Safe environments that minimise opportunities for crime;

Policy B2 – General Design Principles

n) Designs that can be easily adapted to accommodate changing lifestyles and technologies.

This policy should be read in conjunction the other policies in the Neighbourhood Plan, particularly Policy N1

Statutory Consultee	Summary of Comments	Major issues identified	Response	Proposed change
EDDC (RN024-18)	This policy is in general conformity with Strategy 48 of the Local Plan, which seeks to reinforce local distinctiveness. One of the criteria provides minimum garden sizes for developments of 5 or more dwellings. It would be useful for the policy justification to provide a background as to why the proposed minimum thresholds are considered appropriate and how they were reached. It is unnecessary to state that this policy should be read in conjunction with other policies in the Plan as this would be the case regardless. Suggested amendments: Provide information in the policy justification as to why the minimum thresholds for garden sizes are appropriate.	Information is required in the policy justification as to why the minimum thresholds for garden sizes stated in criterion h) are appropriate.	Good design is a key aspect of sustainable development as outlined in the NPPF. Policy B2 provides general design principles for new developments and alterations and details a number of criteria to achieve this taking into account the character and scale of surrounding buildings and landscape. Criterion h) puts forward minimum garden sizes to ensure usable amenity space. These standards being based on:- i) the character of East Budleigh where green infrastructure (in many cases sizeable gardens) helps to integrate and blend dwellings into the high quality AONB landscape. Given the flood risk in the village, green infrastructure also plays a useful role in allowing the infiltration of water into the ground reducing the amount of run off and improving water quality. Trees, shrubs and hedges can also add to the biodiversity of an area.	A new paragraph will be added under Policy B2 to provide the policy justification for minimum garden thresholds. Criterion h) will be amended to:- - to remove the last paragraph - introduce more flexibility into the minimum garden standards as a result of representation RN025-07 by CDE.

Policy B2 – General Design Principles

- Remove last paragraph.

ii) Long established planning standards such as the Essex design guide which was based on reasoned research

iii) The long established planning standard which has been used by a number of planning authorities where the minimum overlooking distance between facing windows in new developments is 21 metres. The garden sizes stated with a minimum length of 10 metres would be able to achieve this standard

It is however recognised that flexibility is required in this policy where there are specific site constraints (see representation RN025-07)

It is agreed that the information detailed above will be included in the Policy justification for Policy B2.

Policy B3: Infill development

Within the Built-up Area Boundary planning permission will be supported for infill development on previously developed land, subject to the following criteria:

Policy B3: Infill development

- a) Proposals should reflect the character of the surrounding area and protect the amenity of neighbours. It should reinforce the uniformity of the street by reflecting the scale, mass, height and form of its neighbours;
 - b) Proposals that would lead to over-development of a site or the appearance of cramming will be resisted. It should be demonstrated that development is of a similar density to properties in the immediate surrounding area;
 - c) New buildings should not adversely affect neighbouring properties by seriously reducing the amount of daylight available through windows or by obstructing the path of direct sunlight to a once sunny garden or window;
 - d) Development must not unacceptably reduce the level of private amenity space provision for existing residential properties;
 - e) Garden areas should reflect the size and shape of gardens in the immediate surrounding area;
 - f) A satisfactory road access and off street car parking can be achieved and highway safety is not impaired;
- This policy should be read in conjunction the other policies in the Neighbourhood Plan.

Statutory Consultee	Summary of Comments	Major issues identified	Response	Proposed change
EDDC (RN024-19)	This policy is in general conformity with Strategy 48 of the local plan, which seeks to reinforce local distinctiveness. Local Plan Policy D1 also seeks to protect the amenity of existing residents. Criterion c) requires new buildings to not obstruct the path of direct sunlight to a once sunny garden or window. The path of direct sunlight would be changeable depending on the time of day and the location of the sun and therefore some obstruction on neighbouring properties may be inevitable at certain times. This should perhaps be reworded to ensure that such obstruction would not be severe	Criterion c) should be re-worded to add clarity and reflect that the path of direct sunlight is changeable depending on the time of the day.	Good design is a key aspect of sustainable development as outlined in the NPPF and this criterion is designed to ensure high quality design in respect of the amenity of existing residents. It is agreed that criterion c) needs clarification in the light of EDDC comments.	Rewording of the second part of criteria c) to focus on ensuring that any obstruction to the path of direct sunlight would not cause a significantly adverse impact on amenity. New criterion to prevent inappropriate 'back land' development and ensure private

Policy B3: Infill development

	or have a significant impact. It is unnecessary to state that this policy should be read in conjunction with other policies in the Plan as this would be the case regardless. Suggested amendments: • Reword second part of criteria C) to focus on ensuring that any obstruction to the path of direct sunlight would not cause a significantly adverse impact on amenity. • Remove last paragraph.			amenity is not adversely impacted upon (in response to community representation RN035-08). Removal of last paragraph of the Policy.
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Policy B4: Extensions

Where planning permission is required, the EBBPC will usually recommend permission for house extensions where they meet the following criteria:

- a) The scale, height and form fit with the existing building and the character of the street scene;
- b) Spacing between buildings respects the character of the street scene;
- c) Gaps which provide views out of the village to surrounding countryside are maintained;
- d) Materials are compatible with the materials of the existing building;

Policy B4: Extensions

- e) Natural traditional building materials and methods should be used for alterations and extensions to old buildings with existing locally distinctive old cob, stone and brick boundary walls and buildings, thatched and slate roofs being protected and conserved;
- f) The traditional boundary treatment of an area is retained and where feasible reinforced;
- g) Flat roof extensions are not considered appropriate unless there is a functional or aesthetic reason to do so;
- h) New extensions that are set back or forward to create varied vertical roof lines and horizontal frontage lines will be encouraged;
- i) The privacy, daylight, sunlight and outlook of adjoining properties should not be adversely affected.

This policy should be read in conjunction the other policies in the Neighbourhood Plan

Statutory Consultee	Summary of Comments	Major issues identified	Response	Proposed change
EDDC (RN024-20)	This policy is in general conformity with Strategy 48 of the local plan, which seeks to reinforce local distinctiveness. Criterion d) advises that materials used are compatible with materials of the existing building. The use of the word 'compatible' in this instance is subjective as it could be referring to the physical compatibility rather than the aesthetic compatibility. 'Sympathetic' might be a more appropriate word to use. Suggested amendments: Reword criterion d) to read 'materials are sympathetic to the materials...'	The term 'compatible' in criterion d) is subjective and may lead to inconsistency in decision making.	Good design is a key aspect of sustainable development as outlined in the NPPF and this criterion is designed to reinforce local distinctiveness by ensuring materials used for extensions are in keeping with existing buildings. It is agreed that the term 'compatible' in criterion d) needs to be replaced to reduce subjectivity.	Rewording of criterion d) to read ' <i>materials are sympathetic to the materials...</i> '

Policy F1 - Flood Risk Assessment

A sequential approach will be taken when considering where new development will be located in an area subject to flooding in line with East Devon Local Plan Policy EN21 and NPPF paragraph 100. Development in areas of flood risk zones 2 & 3 as identified by the Environment Agency flood risk maps should be avoided. Developments adjacent to flood risk zones 2 & 3 and in Flood Zone 1, as identified by the current Strategic Flood Risk Assessment, should be subject to a site-specific Flood Risk Assessment that demonstrates that the development will be safe, without increasing flood risk elsewhere and, where possible, will reduce flood risk overall. Where appropriate, Exception Tests must be applied, taking into account the effect of extreme weather conditions, climatic change and any adverse impact on neighbouring areas.

Statutory Consultee	Summary of Comments	Major issues identified	Response	Proposed change
EDDC (RN024-021)	This policy is in general conformity with Strategies 3 and 5 of the local plan, which seek to protect areas that are susceptible to flooding. The NPPG advises that site-specific flood risk assessments should be undertaken in areas situated in areas at particular risk of flooding (flood zones 2 and 3). This policy extends this requirement to areas adjacent to flood zone areas 2 and 3. No compelling evidence has been presented to justify the increased burden and it is considered unreasonable to expect an applicant to undertake a site-	The Policy is more onerous than national policy and there is no compelling reason for this requirement	It is agreed the Policy goes further than national policy. Flood risk was identified as a priority by 68.6% of East Budleigh residents and around 20% of East Budleigh village is located in flood zones 2 or 3 and is at risk of flooding from rivers and the sea and/or from surface water. However it is agreed there is no compelling reason or evidence to require flood risk assessments over and above those required by national policy and as outlined in the NPPG. This with the exception of any wet spots as identified in the current Strategic Flood Risk Assessment that fall outside the guidance in the NPPG.	Textual changes to Policy F1 to bring the Policy into general conformity with national policy. See also proposed policy changes in relation to Representation RN012-06 by the Environment Agency.

Policy F1 - Flood Risk Assessment

	specific flood risk assessment in areas that are not considered to be at particular risk of flooding. In this regard it is considered that this requirement does not have appropriate regard to national policy and should be removed. Suggested amendments: Remove 3rd paragraph of policy.		Policy F1 will be amended to reflect local policy (Development Management Policy EN21) and national policy in the NPPF(para 99-104) and NPPG in respect of permitted development, Flood Risk Assessments and the definition for the 'exception test'	
Environment Agency (RN012-06)	The Environment Agency has no objection to the plan as put forward. They welcome the commitment to manage and reduce flood risk and, the reiteration of national policy requiring a 'sequential approach' to steer new development away from flood risk areas. The Environment Agency note that Policy F1 goes further than national policy. While they support this approach they have stated this would need justification why the Policy needs to be tighter at a local level. They state, in relation to exception tests, that the Parish may consider that there is justification locally to require any new development, which must go in flood	The Policy is more onerous than national policy and will need justification if this approach is to be taken.	Please see comments above in relation to flood risk assessments. In relation to exception tests it is considered there is justification for any new developments in flood zones 2 and 3 and developments over 1 hectare in zone 1 to contribute to the overall reduction in flood risk due to:- • the combination of sloping topography of the village interacting with the creation of impermeable surfaces on green field sites • periodic surface water problems • flooding from the River Otter and Budleigh Brook • the potentially adverse impact of The Lower Otter Restoration Project (LORP)	Textual changes to Policy F1 to bring the Policy into general conformity with national policy and to reflect the NPPG definition of an Exception Test.

Policy F1 - Flood Risk Assessment

	risk areas, to have to contribute to the overall reduction in flood risk		the future impact of climatic change.	
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Policy F2 - Surface Water Run-off

In line with NPPF paragraph 103 and East Devon Local Policy EN22, surface water drainage on any development must not add to the existing site run off or cause any adverse impact to neighbouring properties or the surrounding environment/wildlife habitat. Planning permission will only be supported where the surface run-off implications of the proposal have been fully considered and suitable measures, designed to mitigate the adverse impact of surface water run-off, are included as an integral part of the development. A Drainage Impact Assessment will be required for all new development with potentially significant surface run off implications

Statutory Consultee	Summary of Comments	Major issues identified	Response	Proposed change
EDDC (RN024-021)	This policy is in general conformity with Strategies 3 and 5 of the local plan, which seek to protect areas that are susceptible to flooding. The first paragraph of the policy states that development must not add to existing site run off or cause any adverse impact to neighbouring properties or the surrounding environment/wildlife habitat. It appears unreasonable to include a policy which prevents all additional runoff from new development where the impact could either be	The first paragraph is unreasonable as existing run off may be insignificant or can be mitigated.	It is recognised that new developments may result in a substantial increase in surface water run off as permeable surfaces are replaced by impermeable surfaces This may result in an increased risk of flooding downstream, increased pollution, silt deposition, damage to watercourse habitats and river channel instability. It is agreed that it is unreasonable to prevent all additional runoff from new development. However given the flood risk in many parts of the Parish, it is deemed justifiable that the impact of any additional runoff should be assessed,	Rewording of first paragraph to refer to development proposals ensuring that the impact from any additional runoff can be satisfactorily controlled and mitigated. See also proposed policy changes in relation to Representation RN012-07 by the

Policy F2 - Surface Water Run-off

	insignificant or otherwise mitigated. It is recommended that this instead refers to a development proposal ensuring that the impact from any additional runoff can be satisfactorily mitigated. Additionally, the second paragraph appears to contradict the first by stating that there can be an adverse impact from runoff as long as suitable measures are included to mitigate such impact. Suggested amendments: Amend first paragraph to refer to development proposals ensuring that the impact from any additional runoff can be satisfactorily mitigated.		controlled and satisfactorily mitigated.	Environment Agency.
Environment Agency (RN012-07)	The Environment Agency supports Policy F2 but recommend that the policy wording also refers to the control of surface water.	The Policy should be amended to refer to the control of surface water.	Agreed (see comments for representation RN024-021)	Amendment to Paragraph one to refer to the control of surface water. See also proposed policy changes in relation to Representation RN024-021 by

Policy F2 - Surface Water Run-off

EDDC

Policy F3 - SUDS Design & Management

Development proposals creating new drainage requirements must demonstrate that Sustainable Urban Drainage Systems (SUDS) will be effective and incorporated in any proposed developments, allowing for above surface water management on site. Also a management plan must be put in place for future maintenance of the drainage system. All new development drainage proposals, with evidence of percolation tests and capacity checks, must be made available to the Parish Council.

Statutory Consultee	Summary of Comments	Major issues identified	Response	Proposed change
EDDC (RN024-022)	This policy is in general conformity with Strategies 3 and 5 of the local plan, which seek to protect areas that are susceptible to flooding. It is questionable whether it would be appropriate to require SUDS for all proposals where it might be adequate to provide other means of mitigating the impact of any proposed development on surface water. The final sentence requiring percolation tests and capacity checks to be made available to the parish council cannot be controlled through planning policy. Suggested amendments	The first sentence should be reworded to add 'where appropriate' or 'where practical' to reflect SUDS may not be appropriate for all development proposals The final sentence requiring percolation tests and capacity checks to be made available to the parish council cannot be controlled through planning policy.	It is recognised any increase in non-permeable surfaces on any green field site can increase surface water run-off and it is beneficial to incorporate Sustainable Urban Drainage Systems (SUDS), into any new housing developments to mitigate flood risk and benefit water quality. As stated in Paragraph 22.33 of the Local Plan it is considered such systems should be the first consideration when designing for surface water run-off as they can not only reduce flood risk but can improve water quality and the local environment by minimising diffuse pollution, and reduce the risk of pollution	Amendment to Paragraph one requires SUDS for new development unless it can be demonstrated to be inappropriate. Removal of final sentence requiring percolation tests and capacity checks to be made available to the parish council. See also proposed

Policy F3 - SUDS Design & Management

	- Consider adding 'where appropriate' or 'where practical' to the first sentence of the policy. - Remove final sentence requiring percolation tests and capacity checks to be made available to the parish council.		to aquifers. In accord with paragraph 22.33 and Policy EN22 of the Local Plan SUDS will be expected in new developments unless it can be demonstrated they are inappropriate. This is deemed justifiable given the flood risk to the village, the sloping topography and the objective to improve water quality and achieve Good Ecological Status for the River Otter by 2027.	policy changes in relation to Representation RN012-08 by Environment Agency.
Environment Agency RN012-08	The Environment Agency support the policy but suggest the policy is re-worded to refer to the benefit of SUDS to improving water quality	The Policy should include reference to the benefit of SUDS to improving water quality.	It is recognised as detailed above in representation RN024-022 that SUDS can not only reduce flood risk but can improve water quality and the local environment by minimising diffuse pollution, and reduce the risk of pollution to aquifers. This is particularly important given the Parish is within the Sid and Otter Operational Catchment with surface and ground water entering into the River Otter. In particular, Budleigh Brook flows through the village and runs into the River Otter. A key objective is for the River Otter to meet Good Ecological Status by 2027. To assist in achieving this objective this Policy supports measures that could benefit the quality of surface and ground water	Amendments to Paragraph 13.6 and Policy F3 to refer to SUDS being able to benefit water quality and not just reduce flood risk.

Policy D1:- Built-up Area Boundary

To ensure the proven housing needs of the Parish are met up to 2031 without compromising the character of the village, or leading to development that is of a scale that is inappropriate for local services and infrastructure, a Built-up Area Boundary is shown on the Proposals Map which represents the limits to development in the village.

To conserve the outstanding natural environment the rural character of areas on the edge of the village will be maintained in order to protect the character of the AONB.

Note that gardens, or former gardens, within the curtilages of dwelling houses, will not necessarily be assumed to fall within the developable confines of the village.

Outside the Built-up Area Boundary, development proposals will only be supported by the EBBPC where they comply with a specific policy in the Neighbourhood or Local Plan.

Statutory Consultee	Summary of Comments	Major issues identified	Response	Proposed change
EDDC (RN024-023)	This policy is in general conformity with Strategy 6 and 27 of the Local Plan, which seeks to designate built-up area boundaries (BUAB) to villages across East Devon where development is considered to be acceptable. East Devon District Council is currently in the process of producing a Village Development Plan document which will be designating a built-up area boundary for each of the	To avoid conflict and consistency of approach the BuAB should be reviewed through the Villages Development Plan. A statement should be included in Policy D1 which allows for the boundary to be superseded by one proposed in the Villages Development Plan.	The Parish Council are of the view that the BuAB should not be changed unless the boundary is drawn the same or tighter than the currently adopted boundary (adopted 2006). This view has been supported during the consultation period by members of the community. The BUAB in the Proposed Submission Plan is consistent with the boundary proposed by EDDC in the Habitat	The BUAB is consistent with that proposed by EDDC in the Habitat Screening Report, July 2016 (and the Draft East Devon Villages Plan, July 2016 once the drafting error by EDDC has

Policy D1:- Built-up Area Boundary

	identified villages in Strategy 27, of which East Budleigh is one. The Neighbourhood Plan group advises that they feel there is no pressing need to change the Built-up area boundary and provides a boundary which runs concurrent to the previously adopted BUAB. No evidence has been presented to support this view and without undertaking an assessment of the existing boundary we feel it would be premature to reach this conclusion. The assessment we will be undertaking will take on board the views of the Parish Council, neighbourhood plan group and be subject to community consultation. We therefore feel it would be appropriate to review the BUAB through the Villages Development Plan to ensure consistency of approach across the district. To avoid a conflict between the two plans we suggest including a statement which allows for the boundary to be superseded by one proposed in the Villages Development Plan. Suggested amendments: Consider adding an additional		Screening Report, July 2016(as approved by the Strategic Planning Committee on 21st July 2016). There is currently a small drafting error (on the eastern boundary) in the boundary contained within the Draft East Devon Villages Plan produced by EDDC. EDDC have however confirmed in writing that the boundary in the Habitat Screening Report is the correct boundary and they will be correcting the boundary in the Draft East Devon Villages Plan to ensure consistency with the Habitat Screening Report and the Submission Plan. The boundary in the Draft East Devon Villages Plan is drawn tighter than the 2006 boundary (except on eastern boundary where it is looser) and is in accord with an assessment made in the course of this Plan, subject to the error on the eastern boundary being corrected. The Neighbourhood Plan is supportive of the preferred approach boundary in the habitat screening report (but not the Draft East Devon Villages Plan until the drafting error on the eastern boundary is corrected) and this boundary is now outlined on the Proposal Map. This Proposals Map (in Policy D1) is therefore consistent with the approved habitat screening report and will be	been corrected). This boundary has been incorporated into the Neighbourhood Plan and the Proposals Map amended accordingly. Textual changes in response to community representation RN035-08.
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Policy D1:- Built-up Area Boundary

	statement in the policy along the lines of the following 'The built-up area boundary for Clyst St Mary is shown on the proposals map. This will remain as the recognised limit to development until and unless it is replaced by a revised built-up area boundary in the East Devon Villages Plan.'		consistent with the Draft East Devon Villages Plan once EDDC correct the small drafting error they have acknowledged in writing. An additional statement is not considered necessary or desirable given that:- 1) This could mislead the community who have been consulted on the current boundary and are supportive of the boundary being drawn as per the 2006 boundary or tighter. 2) East Budleigh is within an AONB and any development would have a significantly adverse impact on the landscape and there are no exceptional reasons to produce a looser boundary. 3) If the Parish Council agreed to the statement suggested by EDDC this could lead to them having to agree to any changes that may result from the EDDC mistakes(as identified above) or as the result of consultation (other than the correction of the small error) which may not reflect the Parish Council or community position.	
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Policy D2 :- Housing Supply and Site Allocation

Future development up to 2031 will be allocated on the following sites (as shown on the Proposals Map):-

- a) Frank's Patch – for up to 3 dwellings consisting of 1 and 2 bed terraced dwellings.
- b) Carter's Yard – 10 dwellings consisting of 1, 2 and 3 bed dwellings.

These sites are outside the Built-up Area Boundary and being allocated as exception sites. In accordance with Strategy 35 of the East Devon Local Plan at least 66% of the dwellings will be affordable homes with the type and tenure of these affordable dwellings demonstrated through an up to date robust housing needs survey. The affordable dwellings will be subject to a local lettings policy in perpetuity that ensures their availability for people with a local affordable housing need and a connection with the Parish.

An appropriate and detailed landscaping scheme is to be included as a material part to this allocation to ensure that in time the development is able to blend appropriately into its surroundings.

Statutory Consultee	Summary of Comments	Major issues identified	Response	Proposed change
EDDC (RN024-024)	This policy is in general conformity with the Local Plan Strategy 6, 27, which allow Neighbourhood Plans to allocate land for development outside of the built-up area boundary. As this site is also proposed to comprise of 66% affordable housing it also conforms with strategy 35 of the local plan, which allows for exceptions housing to come forward beyond the boundary where there is a demonstrated affordable housing need.	There is a clear disconnect between the level of housing allocated in the plan to the identified affordable housing need in the Parish. The Plan should be amended to meet identified need. The allocated sites have not been properly assessed in terms of their impact on the landscape	It is agreed that the Policy D2 should be amended to reflect the identified need in the Parish. The suggestion that a single allocation is made on the existing footprint of Carter's Yard site is supported. However the landowner CDE now considers the site to be unavailable (Representation RN025-09) while Frank's Patch is still being promoted for up to 4 dwellings (Representation RN025-09). In light of this it is intended to amend Policy D2 to identify Frank's Patch alone.	In light of CDE representation RN025-09 Carter's Yard will be deleted. Textual changes to reflect that only identified need in the Parish can be used to justify an exception scheme.

Policy D2 :- Housing Supply and Site Allocation

	From reading the supporting justification, there is a clear disconnect between the level of housing allocated in the plan to the identified affordable housing need in the parish. At present there is only an identified need for 3 affordable units over the course of the next 5 years yet the Neighbourhood Plan provides for a potential of 13 dwellings comprising 8 affordable units. We have concerns that the allocated sites have not been properly assessed in terms of their impact on the landscape as East Budleigh is situated in an area of outstanding natural beauty and a large proportion of the sites are green field land with potentially significant impacts on landscape. We would therefore recommend that the plan is amended to ensure that the Plan meets identified needs whilst minimising its impact on the sensitive landscape and environment. We feel this could be achieved by allocating only the footprint of the existing built-		All the allocated sites have been assessed against the sustainability objectives used during the East Devon Local Plan process. The supporting document 'site sustainability appraisal' contains this assessment. All sites other than Frank's Patch have been subject to landscape appraisals as part of the East Devon Draft Village Plan 2014. Frank's Patch has since been subject to a separate landscape appraisal and It is intended that all the landscape appraisals will be incorporated into new supporting documentation.	In light of the deletion of Policy D3 the Policy will reiterate that affordable dwellings identified as needed in the robust housing need survey will be required to be provided on site and commuted sums will not be permitted. Textual changes that support small scale 'exception' schemes particularly where they comprise 5 dwellings or less. Textual changes to Policy D2 requiring applicants to prove that any development would not have an inappropriate adverse impact on
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Policy D2 :- Housing Supply and Site Allocation

	up area of the Carter's Yard site for 4 dwellings, comprising 3 affordable and 1 open market dwelling. Suggested amendments: - Amend policy to provide for a single allocation on the existing footprint of the Carter's Yard site for 4 dwellings, comprising 1 open market and 3 affordable. - Ensure that this is clearly indicated on the proposals map.			the landscape of the AONB and/or biodiversity. .
Natural England (RN038-09)	Whilst we positively welcome site allocations in Neighbourhood Plans, we would like to draw your attention to our response to East Devon's consultation on the SEA and HRA screening of the East Budleigh with Bicton Neighbourhood Plan. In essence, the Neighbourhood Plan allocations as shown may have a significant effect on the AONB, and significant landscape evidence is required to enable an assessment of the impact of the allocations on the AONB.	Significant landscape evidence is required to enable an assessment of the impact of the allocations on the AONB.	The Neighbourhood Plan has recognised that any identified sites would have a significant effect on the AONB. All sites other than Frank's Patch were subject to landscape appraisals as part of the East Devon Draft Village Plan 2014. Natural England were supplied with landscape information on Carter's Yard, by EDDC, as per of the East Devon Consultation on the SEA and HRA screening of the Neighbourhood Plan. This resulted in a recommendation that Carter's Yard was reduced in size to the existing brownfield footprint. Frank's Patch has since been subject to a	All the landscape appraisals will be incorporated into new supporting documentation entitled 'Landscape Sensitivity assessments'

Policy D2 :- Housing Supply and Site Allocation

			separate landscape appraisal which has been provided together with document including all landscape appraisals to EDDC to submit to Natural England as part of the SEA and HRA screening process.	
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Policy D3 :- On 'site' affordable housing provision

Subject to other policies in this plan and in accordance with Strategy 35 of the Adopted East Devon Local Plan affordable housing provision on 'exception sites' is required to be provided on site. Commuted sums are not acceptable. Affordable housing must account for at least 66% of the houses built.

Statutory Consultee	Summary of Comments	Major issues identified	Response	Proposed change
EDDC (RN024-025)	This policy is in general conformity with Strategy 35 of the local plan, which allows for exceptions site housing to come forward at a level of 66% affordable housing, 33% open market. It is difficult to see how much additional detail is added through this policy which isn't already contained in strategy 35 of the Local Plan which already requires 66% of the houses built to be affordable and so doesn't	Policy D3 duplicates policy already set out in East Devon Local Plan and should be deleted	It is agreed that the policy duplicates Strategy 35 of the local plan, which allows for exceptions site housing to come forward at a level of at least 66% affordable housing, As the Policy requires 66% of the houses built to be affordable it does not allow for payments for off-site provision.	Policy D3 to be deleted from the Plan but text to be inserted in Policy D2 to reiterate that affordable dwellings identified as needed by a robust housing need survey will be required to be provided on site and commuted

Policy D3 :- On 'site' affordable housing provision

	allow for payments for off-site provision.			sums will not be permitted.
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Policy D4 :- Dwelling Size

Subject to other policies in this plan new development should favour smaller dwellings of 1 or 2 bed dwellings unless viability or other material considerations show a robust justification for larger dwellings

Statutory Consultee	Summary of Comments	Major issues identified	Response	Proposed change
EDDC (RN024-025)	This policy is in general conformity with Strategy 1 of the local plan, which states that housing in smaller villages should be geared towards meeting local needs. It also conforms with Strategy 4, which promotes and encourages residential development suitable for younger people and younger families to promote more age-balanced communities across the district. The policy, as worded, states that new development should 'favour smaller dwellings'. It is not entirely clear what is meant by the term 'favour' in this context and whether it is referring to supporting proposals that provide a	The term 'favour' should be clarified.	The intent of the Policy is to ensure that new housing development addresses and reflects the imbalance in housing stock in the Parish by providing only smaller dwellings unless there is robust justification for larger dwellings. While the evidence in the Plan shows there is an imbalance in 1 and 2 bedroom dwellings it is considered appropriate to widen the definition of smaller dwellings to include 3 bedroom dwellings. This is to avoid the Policy being too restrictive and potentially cause young families to leave the village. This also accords with the results of the Neighbourhood Plan survey.	Textual changes to Policy D4 to clarify the text.

Policy D4 :- Dwelling Size

	majority of smaller dwelling alongside larger houses. The policy could benefit from this being clarified. Suggested amendments: Clarify what is meant by the term 'favour'.			
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Other Comments

Statutory Consultee	Comments	Major Issues Identified	Response	Proposed change
Budleigh Salterton Town Council (RN022-01)	Community Action 3 A worthy consideration for EB but residents of Budleigh Salterton and surrounding locations who use Budleigh Salterton Medical Centre must not see any degradation in patient services	The proposal should not lead to degradation in patient services.	East Budleigh has no medical facilities and given the ageing population and limited public transport this Community Action represents an aspiration. Any discussions with Budleigh Salterton, regarding a weekly outreach surgery will consider the viability of service delivery.	No changes.
Budleigh Salterton Town Council (RN022-02)	Community Action 21 The walk is used by walkers, runners, dog walkers and cyclists. An official cycleway should not deprive or disrupt current users.	The official cycleway should not be disruptive to current users.	The proposal is not to change the existing cycleway but to create an extension to the former East Budleigh Station	No changes

Statutory Consultee	Comments	Major Issues Identified	Response	Proposed change
	The flight of steps at the Kersbrook end is a challenge for cyclists.			
EDDC (RN024-029)	Whole document The Plan is well presented, attractive and makes good use of photos, graphics and paragraph numbers. The writing style is 'plain english' and accessible without compromising the professional feel. The policies are well justified and there is significant consultation and evidence based research to underpin the direction of the plan.	No issues	Support for the presentation of the Plan is noted and welcomed.	No changes
EDDC (RN024-01)	Chapter 2 This section provides a clear outline of how the plan was produced and the various stages undertaken	No issues	Support for this chapter is noted and welcomed	No changes
EDDC (RN024-02)	Chapter 3 Consider moving the Parish profile into a supporting evidence document	The Parish profile should be moved into a supporting document	Agreed although it is considered that the conclusions in paragraphs 3.17-3.34 should remain to provide an overview.	The Spatial Profile of the Parish para 3.17 to 3.34 together with Appendix D to be moved to a supporting document

Statutory Consultee	Comments	Major Issues Identified	Response	Proposed change
EDDC (RN024-03)	Chapter 4 This section illustrates the objectives that the community are trying to achieve and how policies and community actions are presented in the plan	No issues	Support for this chapter is noted and welcomed	No changes
EDDC (RN024-01)	Map on p78 Display a higher quality surface water runoff map	A higher quality map should be included.	Agreed subject to EDDC being able to supply the map	Higher quality surface water runoff map to be included in the Plan
Environment Agency (RN012-01)	Chapter 4 Welcomes the acknowledgement of challenges faced with regard to environment & Flooding. Support for objectives eight (landscape, rural identity, biodiversity and wildlife habitats), nine (green space) and twelve (reducing flood risks). .	No issues	Support for the stated objectives is noted and welcomed	No changes
Environment Agency (RN012-02)	Chapter 4 No specific reference to water quality, particularly the River Otter. Objective is to meet Good Ecological Status by 2027 and would encourage Plan to consider any contribution to meet this	Reference should be made to water quality and the objective to achieve Good Ecological Status for the River Otter by 2027.	The River Otter is not within the Parish boundary but the Parish is within the Sid and Otter Operational Catchment. In December 2015 the River Basin Plan for the South West Region was approved. In the	Textual changes to Paragraph 4.2 and Objective 12 in Chapter 4 to refer to water quality. Textual changes to paragraph 13.6 to refer to

Statutory Consultee	Comments	Major Issues Identified	Response	Proposed change
	objective.		East Devon Catchment that includes the River Otter Operational catchment area it is recognised that measures to address invasive and non-native species and diffuse agricultural pollution within the Parish can benefit the quality of surface and ground water.	the value of SUDS in improving water quality Also insertion of new paragraphs 13.9-13.11 to refer to measures which could be implemented in the Parish to improve water quality and to assist in the objective of attaining Good Ecological Status by 2027 for the River Otter.
Historic England (RN010-01)	Positive Response to pre-submission document stating it is an impressive document and that the Plan displays a comprehensive understanding of the area's historic character and uses this to underpin its objective of preserving and enhancing local distinctiveness.	No issues	The positive response and support for the Plan is noted and welcomed	No changes
Highways England (RN011-01)	The Parish is not within the East Devon Strategic Road Network, thus no comment to be made.	No issues	Comments noted	No changes
National Grid (RN007-01)	Provided two additional contacts for NP consultation documents or site proposals	No issues	Comments noted	The two additional contacts to be added to the Statutory consultee list.

Statutory Consultee	Comments	Major Issues Identified	Response	Proposed change
Natural England (RN038-01)	Chapter 3:- Local Context We would encourage the insertion of a section about the natural environment within this chapter, in which the environmental designations in the parish are set out. This would complete the local context and would provide a logical link to Objective 8 as stated further on in the plan.	Chapter 3 should set out the environmental designations in the Parish.	It is agreed that a paragraph will be included in Chapter 3	A paragraph to be included in Chapter 3 to refer to the environmental designations in the Parish.
Natural England (RN038-02)	Community Action 18 welcomed	No issues	Support for this Community Action is noted and welcomed	No changes
Natural England (RN038-03)	Community Action 19 welcomed	No issues	Support for this Community Action is noted and welcomed	No changes
Natural England (RN038-04)	Community Action 20 welcomed	No issues	Support for this Community Action is noted and welcomed	No changes
Natural England (RN038-05)	Community Action 25 welcomed	No issues	Support for this Community Action is noted and welcomed	No changes
Natural England (RN038-06)	Community Action 26 welcomed	No issues	Support for this Community Action is noted and welcomed	No changes
South West Water (RN001-01)	Whole Document SWW would be able to support NP's identified development	No issues	Support for the Plan is noted and welcomed	No changes