



East Devon District Council

Clyst St Mary and Sowton (Bishops Clyst) Neighbourhood Plan Decision Statement

7 August 2025 (effective date of decision)

1. Summary

Following an independent examination, East Devon District Council now confirms that the Clyst St Mary and Sowton (Bishops Clyst) Neighbourhood Development Plan will proceed to a Neighbourhood Planning Referendum.

In accordance with the Government's Neighbourhood Planning Guidance (updated September 2020), the effect of this Decision Statement is to give the Clyst St Mary and Sowton (Bishops Clyst) Neighbourhood Plan (Referendum Version) significant weight in decision-making so far as the plan is material to the planning application.

2. Background

On 5 March 2014, East Devon District Council designated the area comprising the combined civil parishes of Clyst St Mary and Sowton (Bishops Clyst) as a Neighbourhood Area for the purpose of preparing a Neighbourhood Plan in accordance with Part Two of the Town and Country Planning (England), Neighbourhood Planning (General) Regulations 2012.

The first neighbourhood plan for this area was 'made' on 8 March 2017. Following the submission of the Clyst St Mary and Sowton (Bishops Clyst) Neighbourhood Plan (First Review) to the Council, the modified plan was publicised, and representations invited. The publicity period ended on 17 March 2025.

East Devon District Council appointed an independent examiner, Deborah McCann, to review whether the Plan should proceed to referendum.

The examiner's report concludes that subject to making the modifications recommended by the examiner, the Plan meets the basic conditions set out in the legislation and can proceed to a Neighbourhood Planning referendum.

3. Decision and Reasons

3.1 Modifications

The modifications set out overleaf were agreed to be made to the Submission Version of the Clyst St Mary and Sowton (Bishops Clyst) Neighbourhood Plan (First Review) by East Devon District Council, further to the [findings of the independent examination](#) and consideration of the plan and examiners report at [EDDC Cabinet on 30 July 2025](#). The modifications incorporate the examiner's modifications in full, to secure that the plan is clear, accurate, and meets the basic conditions set out in legislation.

3.2 Referendum

The District Council has considered whether to extend the area in which the referendum is to take place. Like the examiner, the District Council has decided that there is no reason to extend the Neighbourhood Plan area for the purpose of holding the referendum.

The examiner has concluded that with the below modifications made, the Plan meets the basic conditions and other relevant legal requirements. The Council concurs with this view. Therefore, to meet the requirements of the Localism Act 2011, a referendum which poses the question, '*Do you want East Devon District Council to use the Neighbourhood Plan for Clyst St Mary and Sowton (Bishops Clyst) (First Review) to help it decide planning applications in the neighbourhood area?*' will be held in the Neighbourhood Area of Clyst St Mary and Sowton (Bishops Clyst).

The referendum will take place at the earliest opportunity, allowing for the adherence to the prescribed timescales from publication of the referendum documents. The details will be available on the [Electoral Services pages](#) of the East Devon District Council website.

3.3 Referendum Version of the Plan

This Decision Statement and a Referendum Version of the Clyst St Mary and Sowton (Bishops Clyst) Neighbourhood Plan (First Review), incorporating the

changes set out in this Decision Statement, will be available to view on the [Neighbourhood Planning pages](#) of the District Council website (www.eastdevon.gov.uk).

Hard copies will also be available to view at:

- a) East Devon District Council Offices, Blackdown House, Border Road, Heathpark Industrial Estate, Honiton, EX14 1EJ **BY APPOINTMENT ONLY** between the hours of 9.00am to 5.00pm Monday to Friday, **by calling 01404 515616.**
- b) Exeter Library, Castle Street, Exeter, EX4 3PQ, Tel. 01392 407027 / email: exeter.library@librariesunlimited.org.uk.
- c) Parish Council office at the Village Hall, Clyst St Mary, EX5 1AA (Mon to Weds 9am - 12.30pm). Enquiries relating to this should be directed to Bishops Clyst Parish Council Tel. 01392 874405 / clerk@bishopsclyst.org.uk

Paper copies can also be provided by post if necessary. To request a hard copy please contact Angela King, Neighbourhood Planning Officer by calling 01395 571740 or emailing: Angela.King@eastdevon.gov.uk.

Modifications Made

Note: ***Bold italic text*** in modified policy wording highlights changes for the purposes of this decision notice only.

Modifications to Policies

1. Policy BisC04: Development Outside the Clyst St Mary Settlement Boundary

For clarity and to meet the Basic Conditions:

- Amend the first paragraph, to read:

“Other than where proposed through strategic allocations or provided for by strategic policies of the Local Plan, development proposals on land outside the confines of the Clyst St Mary settlement area (as defined on Map 8) will be supported ***where*** they are necessary for the purposes of agriculture, ***informal outdoor*** recreation, or farm diversification, without harming the countryside and/or where they in conformity with other relevant policies in the Development Plan”.

And;

- Amend Clause b), to read:

“b) new buildings are sensitively sited amongst or adjacent to existing farm buildings, ***unless specific justification can be made that there is operational need for an alternative location.***”

2. Policy BisC09: Sustainable Development

- Minor amendment to the term ‘land of local amenity importance’ to reframe this as ‘land of local amenity ***value***’ to avoid and confusion with policy and specific areas identified as the former in the district wide Local Plan.

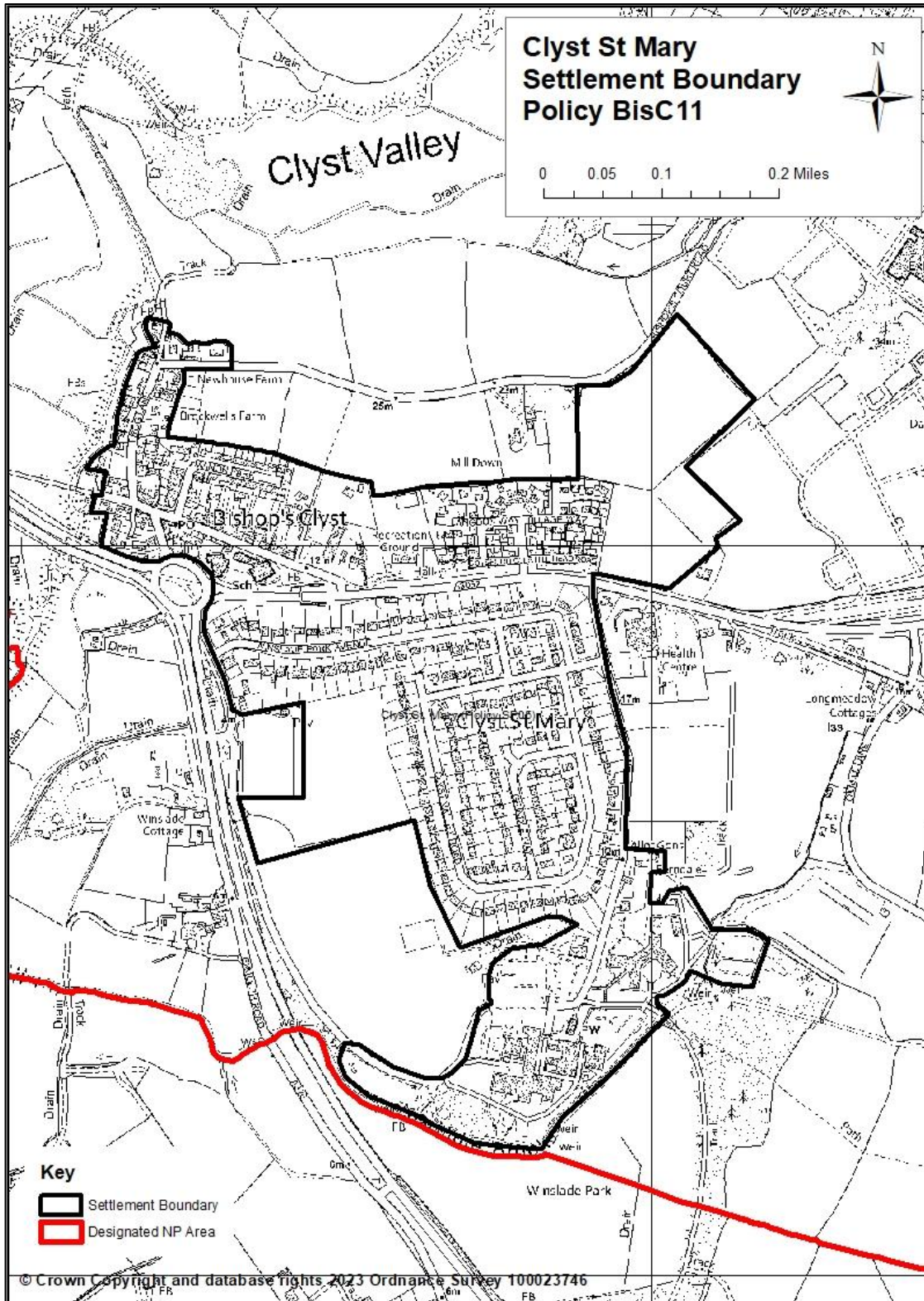
3. Policy BisC10: Infrastructure

- To aid effective implementation, modify the first sentence to read:

“All proposals for new development must ***make*** provision for physical and social infrastructure to ***address*** its impacts.”

4. Policy BisC11: Clyst St Mary Settlement Boundary

- For clarity, longevity and to meet the Basic Conditions, revise the boundary to which this policy relates, shown in Map 8 of the plan, through the application of the methodology adopted by EDDC for the establishment of settlement boundaries within the new Local Plan, as shown below:



5. Policy BisC12: Land East of Clyst St Mary

For clarity and with reference to evidence provided to the examiner by EDDC, the Highways Authority and the Parish Council:

- Replace the second paragraph of the policy with:

“This allocation will need to come forward on the basis of an agreed masterplan for the whole site that clearly demonstrates how comprehensive development will be undertaken and implemented to deliver a fully integrated and co-ordinated housing scheme that complies with the requirements of this policy. The masterplan must include measures to provide fully for infrastructure requirements and appropriate mechanisms for apportionment of development costs and contributions across separately owned land parcels. Planning permission will not be granted for any individual parcel of land in the allocation in the absence of this Masterplan.”

- Amend the introductory wording to the list of policy criteria/requirements to read:

“The masterplan, for the land shown on Map 9, will be supported, subject to the provision of:”

- Amend and combine requirement b) and c) to create a single revised clause b) (re-lettering the subsequent policy clauses accordingly), to read:

“b) an estate road **linking the development to** the A3052 junction and **to** Bishops Court Lane **to be fully constructed as part of the first phase of the development.** The estate road to be constructed to an adoptable standard **suitable for vehicular traffic, to** a specification to be agreed with **the Local Highway Authority with access to and from Bishops Court Lane limited to pedestrians and cyclists, until such time that the necessity of providing a vehicular access is confirmed following adoption of the East Devon Local Plan 2020-2042.** In the event of the requirement for a vehicular link between the development and Bishops Court Lane, this should be open to the public before occupation exceeds 80% of the total houses on the site and traffic mitigation measures implemented on Bishops Court Lane and Frog Lane to deter their use by through vehicular traffic. The detail specification and timing of the proposed estate road should be included in a s106;”

- To extend clause e) (new clause d)) regarding pedestrian and cycle links to add:

“with best endeavours to connect to adjacent development, e.g. Tillage Way, and subsequently to the Village Hall.”

- Replacement of the final paragraph of the policy to make it clear that habitat mitigation will be applicable to this development, given its location, to read:

“The site lies within the Zone of Influence for the Exe Estuary SPA and the East Devon Pebblebed Heaths SPA and SAC. All new residential development is required to accord with the requirements set out in the current South-East Devon European Site Mitigation Strategy or any successor document.”

- Amend paragraph 9.22 of the supporting text for clarity and consistency with the amended policy, to read:

“As part of the package of traffic management measures, Bishop Clyst Parish Council would actively support the closure of Frog Lane to motor traffic, other than for access, if that should prove possible and permissible by the Local Highway Authority. **This may be facilitated by the delivery of the New Community proposed in the draft East Devon Local Plan 2020 – 2042, which is likely to significantly alter the local road network and may enable existing traffic to be removed from southern parts of Bishops Court Lane (leading to Frog Lane). Alternatively, this could be facilitated by provision of a vehicular link between Bishops Court Lane and the proposed estate road through the land allocated for development under policy BisC12 subject to support from the Highway Authority. However, the latter would likely require** traffic management measures **to be** introduced in conjunction with the development **to** reduce the priority for traffic travelling west on Bishops Court Lane and generally discourage other than local motor traffic from using Bishops Court Lane, to advance its status as a quiet lane suitable for cycling. **The necessity of a vehicular link between Bishops Court Lane and the development is therefore proposed to be confirmed following adoption of the East Devon Local Plan 2020-2042, which is expected to provide additional information regarding the infrastructure to be delivered in conjunction with the proposed New Community.”**

And:

- For clarity and longevity given local government reorganisation, to replace all references in the supporting text to Devon County Council with the **Local Highways Authority** all references to ‘Concept plan’ with **‘Masterplan’** for consistency with the modified Policy wording.

6. Policy BisC15: Existing Business Space

For clarity and robustness, to extend the policy to read:

- “Proposals for change of use of existing business premises away from employment activity will be resisted unless it can be demonstrated that the existing use is no longer economically viable, and all reasonable steps have been taken to let or sell the site or building for employment purposes for a period of at least 12 months ***to the satisfaction of the Local Planning Authority, and they are otherwise in accordance with all relevant policies in the Development Plan.***”

7. Policy BisC16: Business Areas

To allow for proposals in the emerging new Local Plan and for clarity and accuracy, to:

- Insert “***Other than where permitted elsewhere in the development plan,***” at the beginning of the policy, and;
- Modify clause e) to replace “an adverse impact” with “***any significant*** adverse impact”

8. Policy BisC17: Business Development

For greater control and clarity, to modify clause 2 to read:

- “Proposals for new development that combines living and small-scale employment space, **where the living element is subordinate**, will be encouraged provided there is no significant adverse impact on residential amenity and character.”

Other (non-policy) modifications

1. Housing Statement

To reflect the latest 2024 version of National Planning Policy Framework (amended February 2025) revised standard method for calculating housing need and the implications for the Parish, replace the current housing statement set out in Paragraph 9.10 of the Plan With the following statement (prepared by EDDC), to read:

“Government policy requires that local plan policy sets out housing requirements for all designated neighbourhood areas. The local planning authority was asked to provide a housing requirement figure for the neighbourhood area for the plan period, aligned to the emerging Local Plan (2020 – 2042). In October 2024, the Strategic Planning Committee of EDDC agreed that a minimum of an additional 72 new homes, above those already completed and committed by planning permission, are required. The Committee further resolved to give the community “the choice about where these homes are accommodated through the Neighbourhood Plan”.

As part of the neighbourhood plan examination, East Devon District council has provided an up-to-date housing statement with reference to the status of this housing requirement in terms of its emerging new Local Plan and the latest revision of the NPPF (2024), and the implications for the neighbourhood plan, as follows:

As a result of the revised standard method, the Local Planning Authority cannot currently demonstrate a 5-year housing land supply and the Local Plan is being progressed under transitional arrangements (Annex 1 of the NPPF, 2024) to make provision for 80% of standard method housing numbers, based on the revised methodology.

The housing requirement set for the Neighbourhood Plan is derived from work undertaken for the emerging Local Plan that used a methodology informed by strategic considerations of locations/settlements suitable for development of differing scales and individual site assessments. This is supported by a robust and detailed technical evidence report and the response received to formal rounds of Local Plan consultation.

The total housing requirement figure for 2020-2042 for the Bishops Clyst Neighbourhood Area is a minimum of 169 dwellings, of which 72 are expected to be provided for through the emerging NP. This is also set out in emerging Local Plan Policy SD14.

This housing requirement relates to the emerging Local Plan spatial strategy for the district which directs ‘new development towards the most

sustainable locations in East Devon’, through continuing a focus of development on the ‘west end’ of the district, including a further new community (that will fall partly within this NA) and via a settlement hierarchy which includes the village of Clyst St Mary as one of 23 ‘service villages’ where ‘limited development will be allowed’. These are “settlements with good local facilities, providing essential services and infrastructure for their immediate rural areas and supporting more localised, sustainable development” than settlements higher up the hierarchy.

The figure of at least 72 that the NP cites therefore derives from the latest available spatial strategy for the district, which in turn is underpinned by the latest evidence and technical assessment work that takes account of local assets, circumstances, and constraints. It is not an apportionment of the district housing requirement and there is no requirement or expectation on the neighbourhood plan to make provision in excess of this to meet the minimum district housing requirement. However, the NP is at liberty to plan for more than the 72 dwellings, as it has done by allocating land for ‘at least’ 72 dwellings and through the development boundary setting for both this housing site and the village settlement boundary. Furthermore, it should be noted that in terms of the proportion of the district housing requirement, only 2 other settlements of the 23 in this tier of the settlement hierarchy have provision for a higher level of growth within the emerging LP than Clyst St Mary village. There are also significant constraints to expansion at the village, together with a comparably high level of commitments associated with the on-going redevelopment at Winslade Park as well as the further growth expected in the wider Neighbourhood Area from the planned new community.

The agreed minimum of 72 by our Strategic Planning Committee as the net identified housing requirement for the NP to make provision for therefore continues to be seen as a reasonable and justified housing requirement based on all the circumstances, including the latest revision of the NPPF.”

2. Plan period

- To amend the end of the plan period for inclusion on the front cover to extend it from 2040 to **2042** to emerge with the anticipated period for the emerging new Local Plan.

3. Consequential and Incidental Changes

- In line with [National Planning Guidance on Neighbourhood Planning](#) and recommendation by the Examiner, minor amendments made where required directly consequential to implementing the agreed modifications, for example

to page numbering in the contents page, together with inconsequential minor edits to correct any typing and referencing errors, agreed between the LPA and the Qualifying Body (Bishops Clyst Parish Council) in creating the final Referendum Version of the plan, as follows:

- Updated cover page to rename it Referendum Version, version control and date to August 2025. Also update footer throughout from Submission Version to Referendum Version.
- References to emerging Local Plan - update the plan period from 2022-2040 to 2020-2042 (paragraph 4.5) including in relation to housing requirement (paragraph 8.5).
- Spell out NA, NP and LP in full (as Neighbourhood Area, Neighbourhood Plan, Local Plan) in insertion of housing statement as the new paragraph 9.10 and removed reference to the neighbourhood plan being 'emerging' to avoid any confusion in the final plan text.
- Appendix A - add 'Bishops Clyst' to design code document reference for clarity.
- Spelling - Foreword – changed 'up-dated' to 'updated'.
- Grammar – insertion of several missing commas to aid syntax.
- Paragraph 9.11 For consistency and accuracy in relation to housing growth, changed 'period to 2040' to 'for the period of the updated Neighbourhood Plan'.
- Corrected the reference in the second part of Policy BiSc11 Settlement Boundary and the title of the revised map to accompany the policy agreed by Cabinet, to replace the references to "Built Up Area Boundary" with "Settlement Boundary" in line with the Examiner's modifications.
- Updated supporting text to Policy BisC11 Settlement Boundary to align with the Examiner's report and modification, to read:

"The focus of new development in the parish is on Clyst St Mary, despite its infrastructure constraints. To constrain development and protect the countryside, a settlement boundary has been defined as shown on Map 8. This boundary is an up-date on the 'built-up area boundary' defined in the East Devon Villages Plan (adopted 26th July 2018). It has been **amended to** take account of developments that have taken place or been committed since that time, and to reflect the site allocation policies in the development plan, **and also to be consistent with the criteria used by the local planning authority to define the settlement boundaries for the emerging Local Plan (2020-2042)**²⁹. Land allocated for residential development in policy BisC12 is included within the new settlement boundary shown on Map 8." Footnote 29 has been updated to the [methodology for settlement boundaries](#) for the emerging Local Plan to replace the previous methodology for Built Up Area Boundaries under the Villages Plan.

- Updated hyperlinks throughout the plan to the Design Codes and Guidance document to the copy on the EDDC website, to ensure it is stored alongside the Plan, as it forms part of it (Appendix A).
- Updated page numbers in the contents page.

4. **Accessibility**

East Devon District Council and Bishops Clyst Parish Council have considered accessibility of the Plan for publishing online in preparing the final Referendum Version. Alterations for improved accessibility relate to formatting and descriptive text ('alt text') added for images but have not otherwise amended any part of the plan.