

Kilmington Neighbourhood Plan



Plan Period 2020 -2031

Referendum Version July 2022

Kilmington Parish Council

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Kilmington Neighbourhood Plan

Referendum Version

2020-2031

Kilmington Parish Council

www.kilmingtonvillage.com/parish-council.html

July 2022

Website: <https://www.kilmingtonvillage.com/neighbourhood-plan.html>

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Foreword and Acknowledgements

The Kilminster Neighbourhood Plan, led by the Parish Council, started in November 2015. The Parish Council wanted the people of Kilminster to have a say in all aspects of the future of our village but most importantly we wanted local people to decide what new housing was needed and where it should go. The Plan also sets objectives on key themes such as Community Facilities; Getting Around: Transport and Traffic; Employment and Business; Heritage and Design; Countryside and Green Spaces; Small Scale Renewable and Low Carbon Energy Generation. It builds on current and planned activity and says what the Parish Council and its partners will work towards. Research in our community confirms that residents want to retain the heritage, community culture and identity of Kilminster and therefore any change in the parish should make a real and positive difference to the lives of local people and the future of our community.

The Kilminster Neighbourhood Plan has been produced by the Neighbourhood Plan Team that includes Parish Council members and community volunteers. There has been considerable help, input and ideas from local residents and stakeholders who have given their views by attending open days, and responding to surveys and consultations. In addition we have been given financial support from The Ministry for Housing, Communities, and Local Government and have received ongoing guidance and advice from Devon Communities Together, East Devon District Council and Stuart Todd Associates.

On behalf of the Parish Council, as Chairman of the Neighbourhood Planning Team, I would like to take this opportunity to sincerely thank everyone for their assistance in developing this plan, in particular the voluntary work of the Neighbourhood Planning Team: Richard Lane, Stafford Seward, Michael Collier, Arnold Dare, Ben Trott, Julia Mears, Heather Gibbard, Nick Bond, and Gill Heighway.

The Parish Council is committed to developing and strengthening the contacts and groups that have evolved as a result of the Neighbourhood Planning process. We believe that by working together to implement the Plan it will make Kilminster an even better place to live, work and enjoy.

Peter Ball
Chairman, Kilminster Parish Council

1. Introduction

1.1 The Community's Plan

This Neighbourhood Plan (the "Plan") is *the community's plan*. It represents the community's vision and priorities for how they would like to see the local area change in the coming years and in doing so it sets out our local planning policies which will be taken into account as and when any proposals for development come forward in the Parish Council administrative (neighbourhood) area.

Development means the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land. It includes the demolition of buildings, rebuilding and structural alterations of or additions to buildings. (Town and Country Planning Act 1990

<https://www.legislation.gov.uk/ukpga/1990/8/section/55?view=plain>)

The Plan is not one which can cover every issue identified as being important to the community: it has a focus on responding to proposals for development the appropriate use of land and protecting areas of local value and importance. It puts us, as a community, in the driving seat when it comes to having a say over what, how and where development should take place when planning permission is required. The box below summarises what the Plan can and cannot do. The Plan and its policies reflect our parish's own characteristics while recognising the need to align with both national and local authority planning policies.

"It can..." 	"But it cannot..." 
✓ Develop policies specific to our area, for example, design of new development. ✓ Protect the facilities and areas of land that the community values most such as community buildings, playing fields, etc. ✓ Help us to get additional funding into the area, for example, through identification of projects or having a plan adopted ("made") ✓ Protect areas of land for conservation, biodiversity and landscape value. ✓ Influence the type, location and design of development. ✓ Help to secure additional funding for infrastructure and other projects. ✓ Propose regeneration projects, transport solutions and areas of land for the allocation of housing and / or employment sites if we wish to do so.	✗ Introduce policies which conflict with national or District Council "strategic" planning policies. ✗ Force requirements on developers which make the delivery of development unviable. ✗ Change regulations / legislation such as Building Regulations or Permitted Development Rights. ✗ Simply repeat (duplicate) national or District Council planning policy. ✗ Reduce the scale of new housing if proposed by the District Council. ✗ Stop all development. ✗ Deal with matters not dealt with through the planning system, for example: • Change traffic speed limits • Increase broadband speeds • Enforce parking restrictions

The Plan covers the period between 2020 and 2031 and is therefore 'in sync' with the existing development plan documents produced by the District Council as the local planning authority.

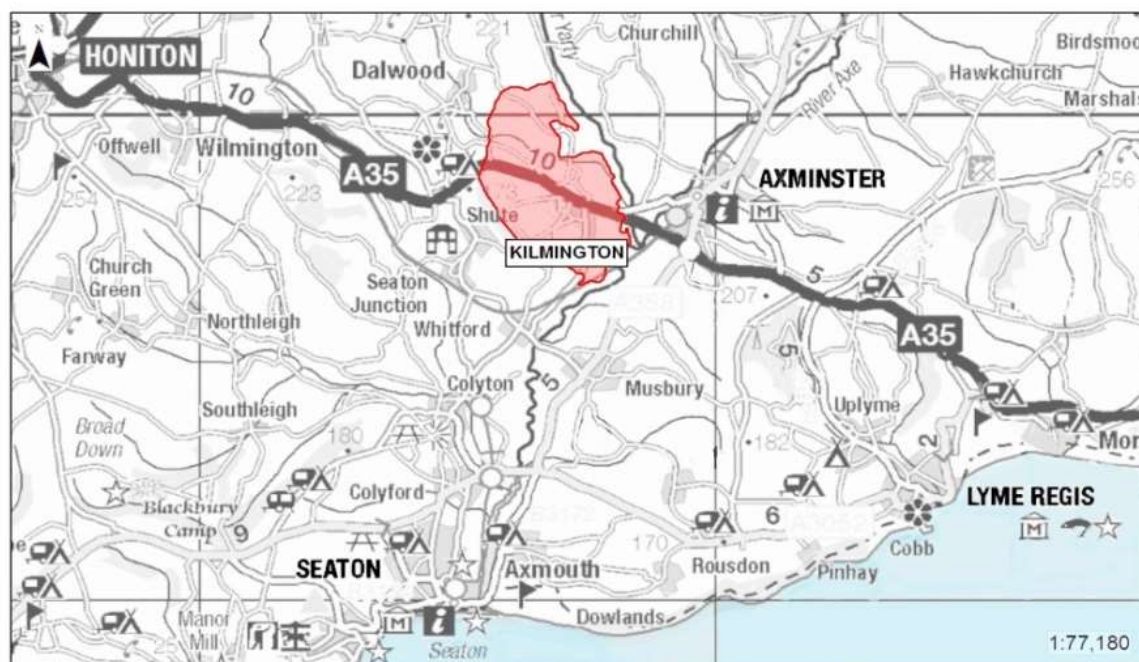
It should be noted that EDDC are embarking on a review of the adopted East Devon Local Plan. It is envisaged that a draft Local Plan could be submitted for examination by March 2023 and adopted by February 2024. The advanced stage of the Kilminster Neighbourhood Plan means it is expected to be adopted first as part of the statutory development plan for the area. The relationship with the new emerging and adopted Local Plan will be monitored, in liaison with the District Council, and an early review of the Neighbourhood Plan may be undertaken to ensure it takes precedence in decisions on development in our parish.

1.2 The Plan Area

1.2.1 A Portrait of what makes our Parish

Kilmington is a rural parish located in the East Devon District Council area. The A35 runs through the village giving it good transport links to Axminster, approximately 2 miles to the north east, and Honiton, approximately 8 miles to the west.

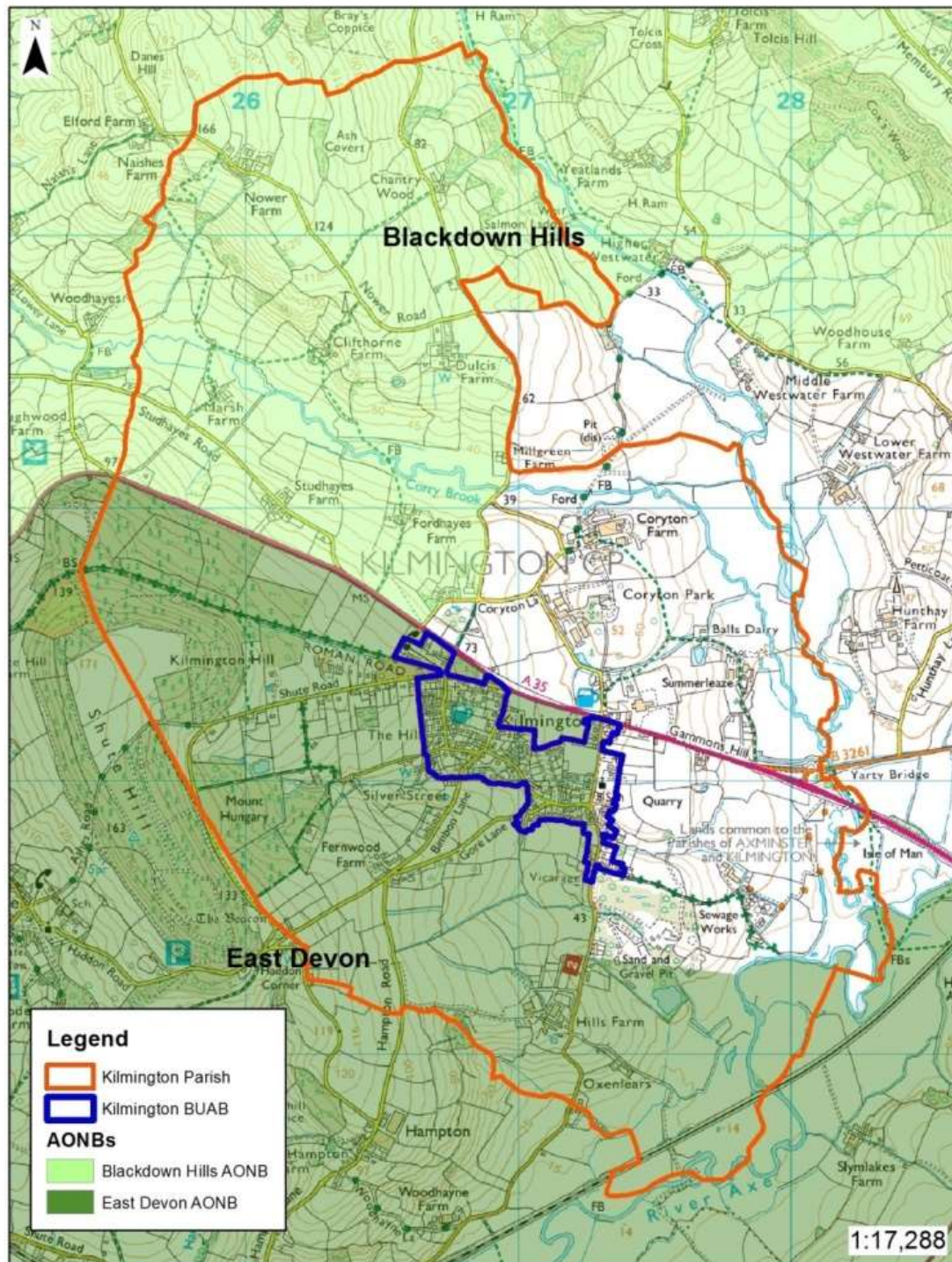
Figure 1: A map showing the location of Kilminster in relation to Honiton, Axminster and Seaton.



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The parish is remarkable in that it is situated in not just one, but two Areas of Outstanding Natural Beauty – the East Devon AONB and the Blackdown Hills AONB.

Figure 2: Areas of Outstanding Natural Beauty, Kilminster Parish boundary, its Built Up Area Boundary and Environs.:



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Street views around Kilmington



George Lane



Silver Street



Veal Hayes



The Village Green



Gore Lane



Bimbom Lane

Kilminster has a range of facilities and amenities including a parish church, a Baptist church (The Beacon), village hall, cricket pavilion on the playing field (which doubles as a meeting place), village primary school, 2 pubs, a filling station with a shop, motel and café attached, and a large farm shop. There is also a small wildlife park. A mobile library calls into the village once a month and a post office once a week.

The Parish of Kilminster covers an area of 1,760 acres upon which there are currently approximately 429 properties (405 Census 2011 +24 new builds) occupied by 830 parishioners. The built-up village lies almost wholly to the south of the A35, the major trunk road running east west that bisects the parish. The built-up area of the village of Kilminster occupies less than 5% of the land area of the parish. The area to the north of the A35 is relatively sparsely populated and is still extensively farmed. The main settlement developed on the sheltered eastern slopes of Shute Hill and Kilminster Hill, below the more steeply sloping ground, taking advantage of the available water supplies. Most of the village lies between 100 and 300 ft above sea level, well above the flood plains of the rivers Axe and Yarty and the Corry Brook.

The parish has a rural feel with the countryside reaching right into the village:

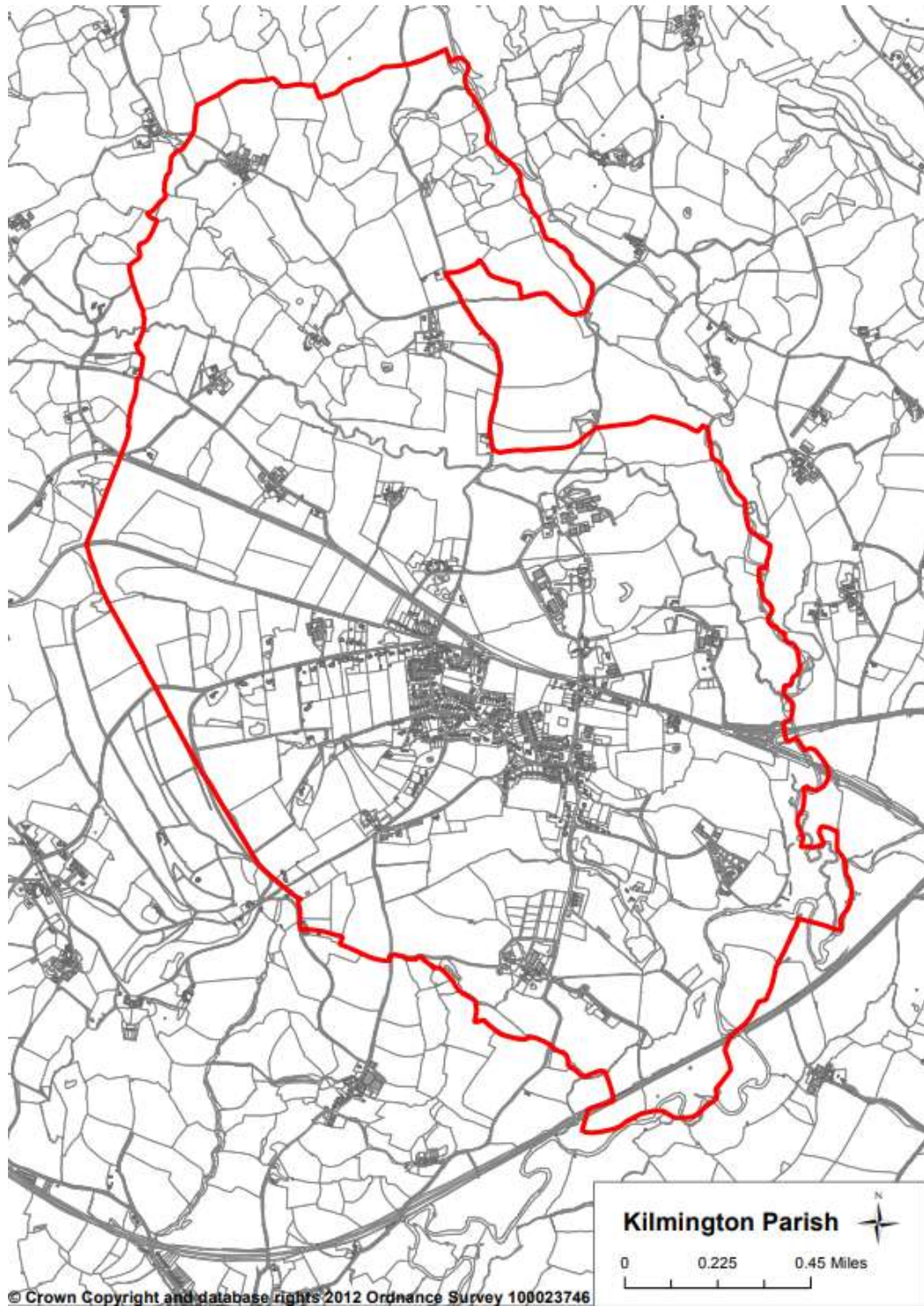
- Most of the parish lies inside the borders of two AONBs – East Devon and Blackdown Hills
- Many of the historic buildings reflect the farming legacy of the parish
- Much of the parish land outside the village is still farmed
- There is no street lighting or pavements along the through roads and narrow single-track lanes of the village (the A35 excepted)
- The long views across the river valleys reveal a patchwork of meadows, fields, hedgerows and trees
- There are a number of green spaces within the village

The NP questionnaire asked residents “what do you like most about living in Kilminster?” the replies were very similar. The majority liked Kilminster’s friendly community spirit. Community cohesion is critical to the quality of life of local people. We believe social cohesion within Kilminster has grown and been retained because the rate of population growth has been incremental and gradual. Any large increase in village population over a short period of time may breakdown this close spirit to the detriment of the community. The population size of Kilminster village provides a feeling of belonging as social interaction is high. The small physical size of the village, the network of its roads, footpaths and green spaces means that neighbours of all ages frequently meet. This has created a caring community with significant social action organising many regular social gatherings to the benefit of the health and wellbeing of its residents. Villagers take care of the lonely and elderly individually and through two churches, many social clubs and the strong Royal British Legion membership. Crime is almost non-existent and residents tend to ‘self-police’ anti-social behaviour, speeding and other minor disruption. Cohesive communities are communities which are better able to tackle common problems, to provide mutual support and to work together for a positive future. Kilminster residents care strongly about their village – they appreciate that change will occur, but they want a common-sense approach to maintaining the environment that they so value here and which helps to give them a lifestyle they value.

1.2.2 The Neighbourhood Area

The neighbourhood plan area (the whole civil parish) was approved on 16th January 2016 by East Devon District Council following consultation. Figure 3 shows the extent of the area.

Figure 3: A map showing the Neighbourhood Plan Area



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1.3 East Devon District Planning Policy Context

The East Devon Local Plan¹ provides the strategic policy context with which the policies in this Plan must align (or be in “general conformity”). Where relevant, this Plan references Local Plan policies where they relate to our specific policies. The following extracts from the Local Plan help to paint the policy picture of the strategic policy context most relevant to our Plan and Parish. We have also reproduced the village’s Built-Up Area Boundary (BUAB) from the East Devon District Council Villages Development Plan Document².

However, it should be noted that EDDC are embarking on a review of the adopted East Devon Local Plan. It is envisaged that a draft Local Plan could be submitted for examination by March 2023 and adopted by February 2024. The advanced stage of the Kilmington Neighbourhood Plan means it is expected to be adopted first as part of the statutory development plan for the area. The relationship with the new emerging and adopted Local Plan will be monitored, in liaison with the District Council, and an early review of the Neighbourhood Plan may be undertaken to ensure it takes precedence in decisions on development in our parish.

Built-up Area Boundaries (BUAB) are lines drawn on maps that define ‘built-up’ areas, where planning policies provide for development (subject to other considerations). Outside of these ‘built-up’ areas the land is considered to be ‘countryside’ for planning policy purposes, where development is usually only allowed in specified exceptional circumstances.

See Figure 2 showing The Kilmington BUAB.

¹ See <https://eastdevon.gov.uk/media/1772841/local-plan-final-adopted-plan-2016.pdf>

² See <https://eastdevon.gov.uk/media/2558248/edvp-adopted-version.pdf>, policy VP01, p.6 and p.25

Strategy 7 - Development in the Countryside

The countryside is defined as all those parts of the plan area that are outside the Built-up Area Boundaries and outside of site specific allocations shown on the Proposals Map. Development in the countryside will only be permitted where it is in accordance with a specific Local or Neighbourhood Plan policy that explicitly permits such development and where it would not harm the distinctive landscape, amenity and environmental qualities within which it is located, including:

1. Land form and patterns of settlement.
2. Important natural and manmade features which contribute to the local landscape character, including topography, traditional field boundaries, areas of importance for nature conservation and rural buildings.
3. The adverse disruption of a view from a public place which forms part of the distinctive character of the area or otherwise causes significant visual intrusions.

Strategy 27 - Development at the Small Towns and Larger Villages

The following settlements vary in size and character but all offer a range of accessible services and facilities to meet many of the everyday needs of local residents and they have reasonable public transport. They will have a Built-up Area Boundary that will be designated in the East Devon Villages DPD though they will not have land specifically allocated for development.

- Beer
- Broadclyst
- Clist St Mary
- Colyton
- East Budleigh
- Feniton
- Kilminster
- Lymington
- Musbury
- Newton Poppleford
- Sidbury
- Uplyme
- West Hill
- Whimble
- Woodbury

If communities wish to promote development other than that which is supported through this strategy and other strategies in the Plan (at the settlements listed above or any other settlement) they will need to produce a Neighbourhood Plan or promote community led development (for example Community Land Trusts) justifying how and why, in a local context, the development will promote the objectives of sustainable development.

Strategy 28 - Sustaining and Diversifying Rural Enterprises

The Local Plan will provide for developments that will help sustain and diversify agricultural and traditional rural enterprises and add value to rural produce. The reuse of rural buildings to provide jobs and accommodate business start ups and expansions will be encouraged.

Strategy 35 – Exception Mixed Market and Affordable Housing At Villages, Small Towns and Outside Built-up Area Boundaries

Exception site mixed affordable and open market housing schemes, at villages and outside of Built-up Area Boundaries, for up to or around 15 dwellings will be allowed where there is a proven local need demonstrated through an up to date robust housing needs survey. Affordable housing must account for at least 66% of the houses built.

For:

- a) Villages WITH a Built-up Area Boundary the scheme must be abutting or physically closely related to that boundary; or
- b) Villages WITHOUT a Built-up Area Boundary the scheme should be physically very well related to the built form of the village.

To be permitted evidence will need to show

1. The affordable housing need in any given locality would not otherwise be met, and
2. The village or small town has a population that falls below 3,000 persons, the scheme is well designed using local materials, close to a range of community services and facilities (including four or more of a school, pub, village hall, shop/post office, doctors surgery, place of worship or public transport service) and sympathetic to the character of the settlement and has a satisfactory highway access.
3. Initial and subsequent occupancy of the affordable housing is restricted to a person(s) who:
 - a) Does not have access to general market housing and is in housing need; and
 - b) Is a resident of that Parish group, or has a local connection with that parish group because of family ties or a need to be near their workplace.

In the event that an occupier who fulfils both criterion (a) or (b) cannot be found within a reasonable period of time, then the criterion will be widened firstly to a person(s) with a local connection to the parish group because of family ties or a need to be near their workplace, and subsequently to a person(s) with an East Devon connection.

In this policy, local connection means one or more of the following connections in priority order in respect of parishes or the parish grouping:

- i) persons who have been permanently resident therein for a continuous period of three years out of the five years immediately prior to the Affordable Dwelling being offered to them; or
- ii) being formerly permanently resident therein for a continuous period of five years at some time in the past;
- iii) having his or her place of permanent work (normally regarded as 16 hours or more a week and not including seasonal employment) therein for a continuous period of at least twelve (12) months immediately prior to being offered the Affordable Dwelling; or
- iv) persons who can demonstrate a close family connection to the District in that the person's mother, father, son, daughter or sibling has been permanently resident therein for a continuous period of five years immediately prior to the Affordable Dwelling being offered to them and where there is independent evidence of a caring dependency relationship.

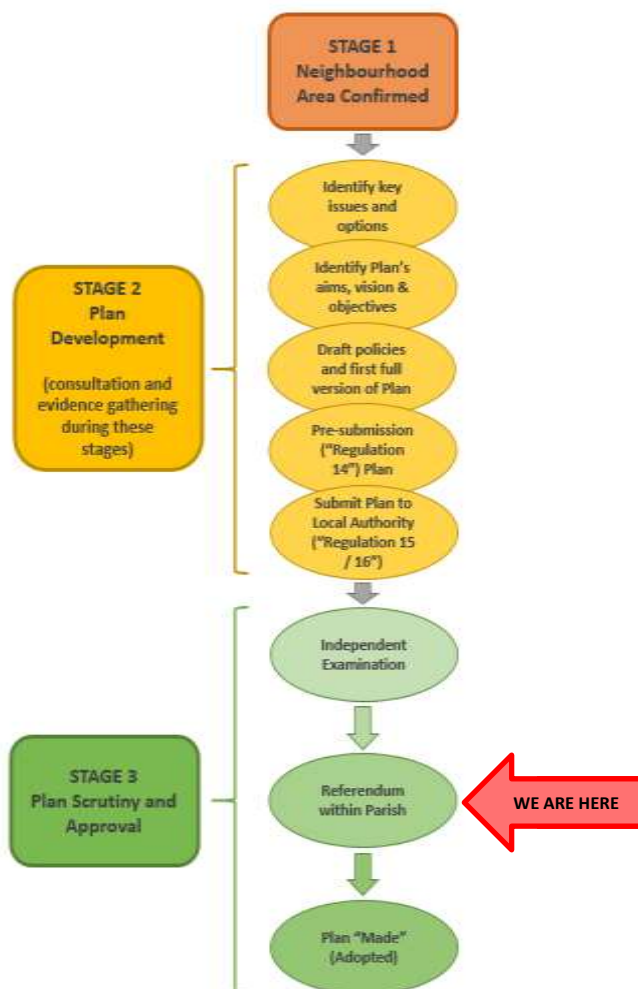
1.4 How Have We Got Here?

In order to produce the Plan, its development has been driven by a steering group, comprised of residents and Parish Councillors. It was recognised at an early stage that for the Plan to be truly representative of the planning issues of relevance in the Parish and to be *the community's plan*, we would need to conduct thorough engagement with those who live and work in the Parish. We also recognised that the Plan could not be developed properly without the input of organisations and agencies with a district, county, sub-regional or national remit.

The process and types of consultation and discussion that we have gone through is documented in detail in our Consultation Statement which will accompany this Plan at Submission stage. However, the key methods we have used have included:

- Public meetings and events
- Community questionnaires distributed to all households
- Discussion with local businesses
- Directly contacting wider-than-local organisations and Agencies (strategic stakeholders) which have an interest in planning issues in the Parish.

Figure 4: The process of developing, approval and adopting a neighbourhood plan and the stage reached.





Kilmington Neighbourhood plan public meetings

Saturday 9th June
2pm and 5pm

In the Village hall

Please come and give us your
opinion on future
development of Kilmington

This meeting is part of the formal Neighbourhood Plan consultation process and our aims for this meeting are:

- To give feedback and discuss what Kilmington residents said in the Public Consultation Questionnaire
- To clarify when there is new development in the village where do residents want it to be

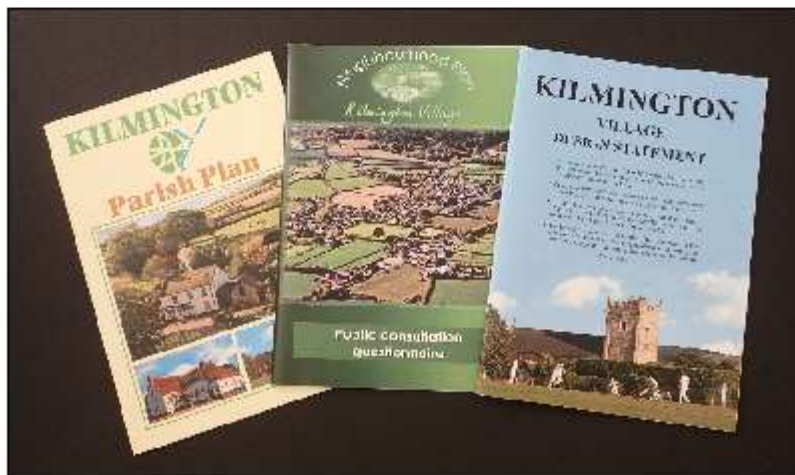
Refreshments will be available



Presentation of the Neighbourhood Plan at a public meeting



Display materials used at various public events



The Neighbourhood Plan drew heavily on the earlier Parish Plan and Village Design Statement. A detailed questionnaire was delivered to each home in the parish

However, we did not start from a “blank sheet of paper”. A Parish Plan was produced in 2007, which led to the development of the *Kilmington Village Design Statement*, adopted by East Devon District Council in 2011 and subsequently used by East Devon District Council when considering planning applications. We have reviewed the *Kilmington Village Design Statement* by undertaking a *Kilmington Village Character Assessment* and consultation to ensure that this Plan is up-to-date. The *Kilmington Village Character Assessment* increases the scope and updates the recommendations of the *Village Design Statement*. The *Kilmington Village Character Assessment* has informed our objectives and policies in this Plan.

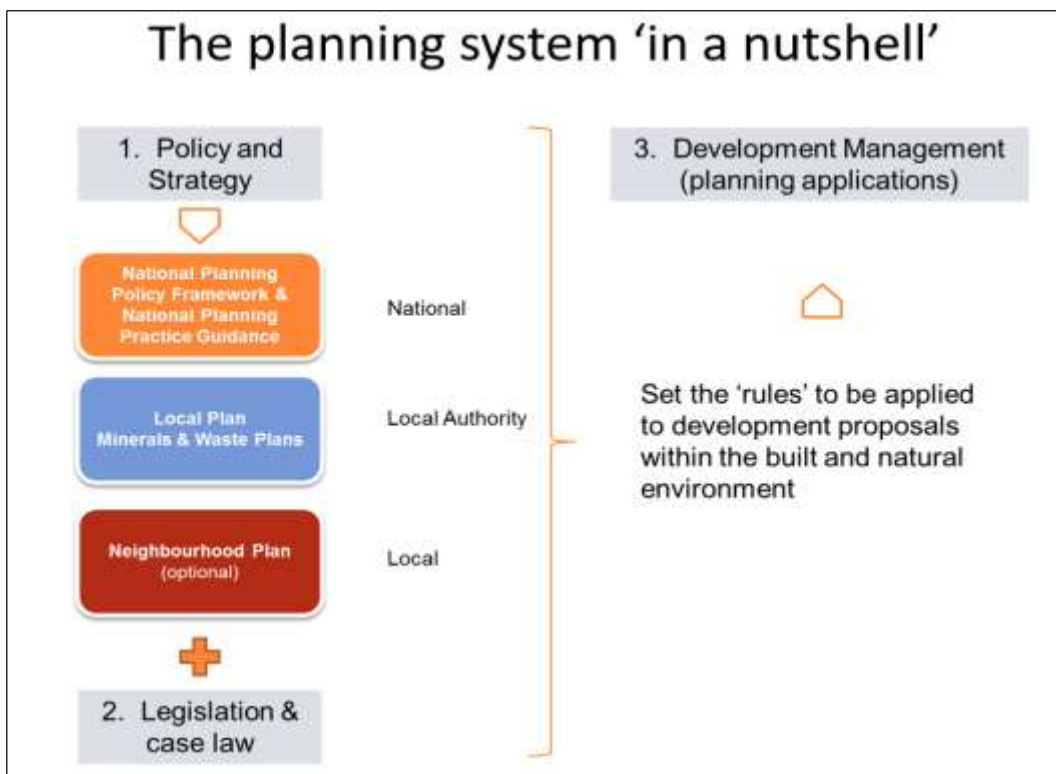
Our development of the plan was based on a desire to be open and to encourage comments and contributions from all quarters with the aim of achieving consensus, but also to have debates about issues where the community was divided in its views.

Having developed the Plan through an iterative approach, this draft is now being shared with the community and other stakeholders. This consultation is the “pre-submission” or Regulation 14 consultation. It is anticipated that it will be revised to reflect comments before progressing through to formal submission to the local authority and public examination of the Plan by an independent Inspector. After that point, assuming that the Plan passes through the Examination successfully, it will be subject to a public referendum where residents on the electoral register will be asked if they support the final plan. If the referendum answer is a “yes” from a majority of voters turning out on the day, the plan will be “made” (or adopted) by the local authority.

1.5 The Plan’s Status

This neighbourhood plan, once “made”, will be a statutory development plan. That means that its policies will have significant weight (or ‘real teeth’) when it is used by the local authority to help decide on proposals for development submitted through planning applications. It will form the local tier of planning policy in our Parish. It sits with the District-wide Local Plan, produced by East Devon District Council (also a statutory development plan) as the main planning policy documents relevant to our area and underneath the umbrella of national planning policy in the Government’s National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG). Other important planning documents governing specific issues are the Minerals and Waste Plans produced at the county-wide level by Devon County Council.

The relationship between our Neighbourhood Plan and other planning policy documents is summarised in the illustration “The planning system ‘in a nutshell’”.



The Plan's policies, however, cannot guarantee that a proposal will be refused or be granted permission, but the policies will carry significant weight, alongside national policies of the National Planning Policy Framework (NPPF), National Planning Policy Guidance (NPPG) and the adopted Local Plan when weighing up the appropriateness of the proposal in question.

If, during the lifetime of this Plan, a new revised Local Plan is adopted by East Devon District Council, where there is any conflict between the policies of a new Local Plan and our Neighbourhood Plan, the most recently adopted policy will prevail. Similarly, this Plan can be updated and, if adopted by EDDC, it will prevail.

1.6 Sustainable Development

The National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG) set out the Government's planning policy to which all plans and proposals for development should comply. The NPPF includes, at its heart, a "presumption in favour of sustainable development". It is important to understand what that means for our Plan as it sets the parameters within which we can make proposals and set policies.

'When taking decisions on proposals for development, proposals should be approved where they accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF or specific policies in the NPPF indicate that development should be restricted.'

Translating this to what it means for our neighbourhood plan, it states that “Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies”³. The NPPF goes on to say that “Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies”⁴. Once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently.”⁵

1.7 Testing Sustainability

In consultation with the statutory environmental agencies ((Natural England, Historic England and the Environment Agency) the Plan was deemed by the local authority not to require a Strategic Environmental Assessment (SEA) or Habitats Regulation Assessment (HRA) (see Appendix 1). Throughout we have, however, been mindful of a need to consider the Plan’s policies against the ability to deliver sustainable development as set out in the NPPF and addressed this in our Basic Conditions Statement which accompanied the Plan at Submission stage.

1.8 The Structure of Our Plan

Our Plan sets out the vision, aims and objectives for our area, which have been based on our extensive dialogue with the community and shaped by existing planning policies, plans and contributions of key organisations and agencies.

Having explained our rationale, the Plan groups our local planning policies together on a theme by theme basis. Our themes have been derived from common aims and key issues arising from consultation.

Within each theme we set out the aims and objectives to which the theme’s policies are seeking to respond, a summary of the characteristics of the theme and the key issues which have arisen during the Plan’s development. Then, for each policy we also set out our justification for why we need the policy and the key evidence which supports it.

It is important to note that, while we have packaged policies under theme headings, when development proposals are being assessed, the whole plan (i.e. all policies) should be considered as policies in one theme might apply to proposals which naturally fit under another.

³ See paragraph 13, National Planning Policy Framework, February 2019

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf

⁴ Neighbourhood plans must be in general conformity with the strategic policies contained in any development plan that covers their area.

⁵ See paragraphs 29 and 30, National Planning Policy Framework, February 2019

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf

Our Plan finishes with a summary of community action projects, an explanation of how we will monitor and review the plan and a glossary which seeks to demystify some of the planning terminology used in our plan.

1.9 A Note About Planning Policies

The planning policies in this Plan are not able, within the context of planning policies and regulations, to provide a solution for every issue in the Parish. Broadly speaking, the following factors need to be remembered when looking at or using the policies in the Plan:

- Policies must be evidence-based and justified, supported by evidence gathered and community consultation
- Policies need to relate to land-use and either protect something, propose something or be able to be used by the local planning authority to respond to a development proposal (i.e. help determine its appropriateness, or not)
- Policies should be ‘positively framed’ to support or enable development subject to various criteria / conditions
- Policies cannot deal with certain “excluded matters” such as waste or minerals planning which are dealt with by the County Council
- Policies in a neighbourhood plan should not simply duplicate policies set out elsewhere in policy at the national or local authority level. The neighbourhood plan forms part of the “development plan”, the other part of which is the district-wide Local Plan and other development plan documents produced by the district council. The policies across these documents should align, with policies in the neighbourhood plan being in “general conformity” with the strategic policies of the local authority’s Local Plan
- It is the planning policies in the Plan which carry legal weight (or are the statutory element of the Plan)

2 Vision and Objectives

2.1 Vision Statement

Our vision for the Parish represents our view of what we would like the Parish to be like over the next ten years.

Vision Statement

“We recognise that Kilminster village and its surrounding Parish is a special place to live, lying within two Areas of Outstanding Natural Beauty. While recognising the need for evolution and development within the Parish, the community wishes the Parish to retain its unique and intimate character. We aim to maintain these qualities, whilst enhancing the rural and built environment by allowing limited incremental development to meet the needs of local people until 2031, in a way that will not compromise future generations and will encourage the maintenance of a sustainable and balanced rural community.”

2.2 Our Objectives

The Plan sets out our objectives, what we want for Kilminster, and how we are going to achieve them. They reflect what can be achieved through this Plan as a land-use planning document within the established planning system. Several planning matters which are not ‘land-use’ have been identified as important by the community during the plan-making process, these are summarised as Community Action Projects later in the Plan.

Objectives by Theme

Theme: Housing Development and Community Facilities
i) To support housing development which meets the identified needs of the local community across types and tenures, whilst meeting changing demographic and social requirements.
ii) To ensure housing growth is of a scale that is appropriate to the village's role, function and does not adversely impact upon the ability to accommodate demand on facilities and infrastructure.
iii) To protect, maintain and enhance existing community facilities and support the provision of new facilities where required.
iv) Promote and support lifelong learning in the Parish to instruct, teach, train and enlighten people of all ages and abilities to help them achieve their full potential.
v) To encourage and support opportunities for sustainable and local food production.
Theme: Getting Around: Transport and Traffic
vi) To manage and address traffic and parking and to encourage pedestrian movement.
Theme: Employment and Business
vii) To support the local economy through existing businesses, and enhance employment opportunities by supporting new enterprises and premises of an appropriate type, location and scale.
Theme: Heritage and Design
viii) To keep all development to a scale, mass and character which respects and responds to principles of high-quality design, reflecting and enhancing local built and landscape character and distinctiveness of the Parish.
Theme: Countryside and Green Spaces
ix) To protect and enhance the AONB designated landscapes, rural identity, biodiversity, geodiversity, and wildlife habitats and corridors (including streams).
x) To protect and enhance green spaces and sports facilities which are of recreational value to the community. Create a healthy living environment and facilitate physical activity to promote the health and wellbeing of the community.
Theme: Small Scale Renewable & Low Carbon Energy Generation
xi) To support small scale renewable and low carbon energy generation to help reduce emissions in the Parish and help contribute positively to adaptation to and mitigation of climate change at the local level.

3 Housing Development and Community Facilities

3.1 Introduction

The village of Kilminster developed off the main road running east to west, the current A35. It grew in support of the dominant farming economy. There were three main centres of population quite widely spaced at The Green, Silver Street and the northern end of The Hill; The Street linked these three centres. There was a smaller community around Kilminster Cross on the main road and a number of large farms outside the core of the village.

About 85 of the 94 properties listed around 1840 that have survived, provide the historic core of modern Kilminster. They lie on a network of roads and lanes that has not changed over the last 200 years and is of critical importance to the visual character of the village. A small part of the historic village core, at the eastern end of The Street and around St Giles Church and The Green, has Conservation Area status. There are in total 35 listed buildings in the Parish of Kilminster, only 9 of which lie in the existing Conservation Area.

The pace of housing development has increased over the past 170 years. A total of 36 new properties were added in the 60 years to 1900. These all fronted on existing village roads; none were built behind the line of the historic core village. The next 60 years, from 1900 to 1960, saw the building of a further 86 properties, about half of which were the village's first council houses. The majority were again built along and fronted on to the historic road network; only the properties in The Orchard were built behind on a new access road, the first of Kilminster's cul-de-sacs. Almost all the new build properties in this period were 2-storey. The 1960s brought the advent of the village bungalow, many built behind the line of the historic core in small cul-de-sacs located in the former orchards and yards of farms.

Since 1961, over 200 new properties, an average of three each year, have been added doubling the housing stock of the parish. Of these, about 21 are conversions of former farm outbuildings. By accident or good planning, most of the other new buildings are low rise and do not severely impair the visual impact on the historic elements of the village.

The dwelling stock in the parish comprises 57% (244) detached houses and 27% (116) detached bungalows. Semi-detached houses make up 12% (51). The remaining 24% are terraced houses and flats. Overall, three and four-bedroom houses are the most common dwelling size with relatively few smaller houses for young families or the elderly. The 2019 Housing Needs Study⁶ (HNS) also highlighted this imbalance. The majority of dwellings are in private ownership.⁷

Several of the small cottages in the village are now holiday lets or second homes. The purchase of homes for short term holiday lets removes dwellings from the local housing stock, for either residential purchase or long term rental by local residents. This is not a major problem in the village yet, but we would not want to see a larger proportion of homes removed from the local market.

⁶ See https://www.kilminstervillage.com/uploads/5/7/3/6/57362287/kilminster_housing_needs_survey_report_jan_20.pdf

⁷ Data in this section is set out in our Housing Paper.

Although there is little that this Plan can do to address this, increased second home ownership could create a further barrier to younger families remaining or entering the village, or elderly residents being able to downsize and remain. The situation in Kilminster needs to be monitored. If the number of these short term rental properties becomes too great, it will need to be managed. If, in the future, legislation is introduced which allows councils to designate all or part of their area as a Short-Term Let Control Area, the Parish council may need to introduce such controls. Planning regulations that control the change of use, from residential properties to short-term lets, would enable us to more effectively manage our local development plan and other considerations.

Residents were asked in the neighbourhood plan questionnaire if they wanted new housing. The majority wanted no new housing (164 said no: 30 yes). However, in further questions most residents recognise a need for a small amount of new housing in line with growth over recent decades (2 or 3 on average each year to keep the village alive). The critical issue therefore seems to be the rate of growth and most respondents have suggested slow incremental growth so that Kilminster does not lose its sense of community, outgrow the existing village amenities, or cause further traffic pressure. Any significant increase which cannot be accommodated through mitigation by provision of additional services, infrastructure or capacity could significantly overstretch existing resources which are currently running at capacity.

The demographics of Kilminster are similar to that of East Devon, which is older than the national average, a trend that is likely to be exacerbated in the future. There is the danger that the village could become a “retirement community”. Currently, this is not the case and is decidedly not what the residents wish. The provision of low cost housing to attract or retain young families therefore remains a priority, as does the retention of a thriving school, preschool and other youth leisure activities. The HNS⁸ has identified a need for 5 ‘affordable’ homes within the next 5 years⁹. Three additional households on Devon Home Choice who had not completed the survey were eligible for affordable housing in the parish. The local community has also recognised a need for older generations to downsize to a smaller property while remaining in the village. This is not always possible due to the lack of supply of smaller dwellings. There is a distinct lack of accessible and adaptable properties to meet the needs of elderly residents. Strategy 36 of the Local Plan (Accessible and Adaptable Homes and Care/Extra Care Homes) recognises the needs of the elderly, something we are keen to help address in the village. The mismatch between the Kilminster housing market and local needs are also recognised by local estate agents¹⁰.

⁸ 405 surveys were delivered, 160 survey forms were returned. The response rate was 40%. The HNS was carried out in September 2019 and is available to view at

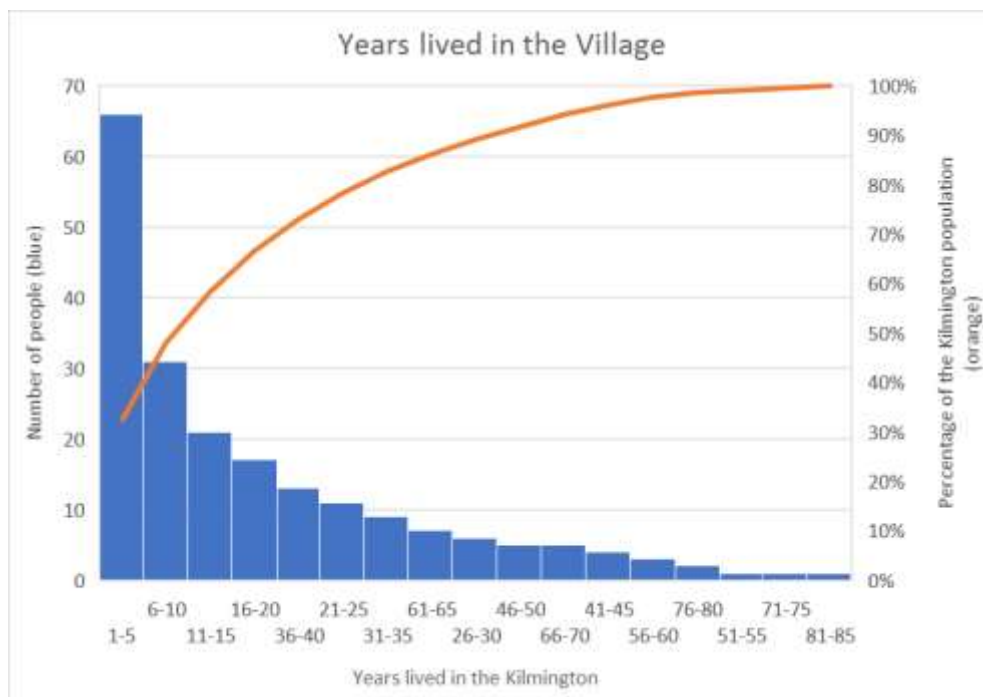
https://www.kilminstervillage.com/uploads/5/7/3/6/57362287/kilminster_housing_needs_survey_report_jan_20.pdf

⁹ Comprising 3 x 1 or 2 bed properties for singles / couples, 1 x 2 bed property for a family and 1 x 3 bed property for a family. All of the households identified would require affordable rented accommodation. Two households in housing need could not afford to buy or rent in the open market.

¹⁰ Discussion with local estate agents in February 2020 has provided the following key points in relation to the housing market in Kilminster. Kilminster property is more expensive than most of the surrounding villages. Even ex local authority houses are fetching good prices. There is a shortage of quality small properties to buy and rent, both for younger people to get on the ladder and older couples who don't want a large property. It is a problem for people who don't want to leave the village. On our books (Symonds & Sampson, Axminster) we have a number of older people who have been looking to downsize in Kilminster. There is really only Balfour and Salisbury Terraces which are not suitable for older people and they have no parking.

As expected for a village community, some people have lived here all their lives, while many have been here for several generations. Sixteen homes had people who have lived here more than 60 years. It is interesting to note however, that 30% of village residents have lived here 10 years or less.

Figure 5: Years Lived in the Village



Source: Neighbourhood Plan Questionnaire Results

As we have set out elsewhere in this Plan, the parish is a vibrant and friendly community of about 800 people; there are many active societies, good sports facilities with a modern pavilion, a well-used village hall, a fuel service station and stores, a farm shop, two inns, allotments, a respected school with more than 80 pupils, two churches, a village website, Facebook page and a village magazine.

There is a strong sense of community and social cohesion within the village. The vast majority of residents in the parish are very satisfied with living here, citing the friendliness of the people as major factor¹¹.

It is clear that the size of the village is a key factor in maintaining this social cohesion – there is real concern among residents that a high rate and scale of growth in building will be detrimental to this cohesion (Kilminster Parish Survey, 2017 and public consultation meetings).

During community consultations the following issues were raised:

- Housing development should be gradual and limited in number. Fast population growth or a large development could destroy the village community spirit and our culture of volunteers

¹¹ See Kilminster Parish Neighbourhood Planning Questionnaire 2017, results
https://www.kilminstervillage.com/uploads/5/7/3/6/57362287/neighbourhood_plan_public_questionnaire_results.pdf

caring for neighbours and the vulnerable, which for example has proven essential during the Covid 19 pandemic

- Significant development would overstretch the limited village amenities.
- Affordable Housing is needed for young families and the elderly who have a Connection to Kilminster.
- There is concern that development within the Built-up Area, where housing is already dense and parking difficult could increase these problems.
- Any development on the Edge of the Built-up Area should be sensitively located so as not to negatively impact valued landscape views or increase traffic through the narrow lanes of the densely populated centre of the village.
- There is a very active village community that relies on Community Facilities, Amenities and Assets. Therefore these must be protected, maintained and enhanced.
- Green spaces in the village should be protected and environmental issues embraced.
- A number of development and improvement projects were suggested which fall outside of planning. These have been recorded for action as Community Action Projects

Our objectives reflect the desire to respond positively to these issues and are summarised below and we have developed a package of policies designed to help implement responses and solutions to these issues.

Theme: Housing Development and Community Facilities – Objectives	
i)	To support housing development which meets the identified needs of the local community across types and tenures, whilst meeting changing demographic and social requirements.
ii)	To ensure housing growth is of a scale that is appropriate to the village's role and, function and does not adversely impact upon the ability to accommodate demand on facilities and infrastructure.
iii)	To protect, maintain and enhance existing community facilities and support the provision of new facilities where required.
iv)	Promote and support lifelong learning in the Parish to instruct, teach, train and enlighten people of all ages and abilities to help them achieve their full potential.
v)	To encourage and support opportunities for sustainable and local food production.

Kilminster Parish Council invite, and will welcome, discussion with all developers prior to submission of planning applications to help ensure that aims and objectives of this community plan are fully understood and taken into account for their proposals.

Policy HD1: Community Engagement

1. Applications for developments will be expected to clearly demonstrate how proposals meet the aims and objectives of the Neighbourhood Plan. Accordingly, proposers of development (other than for minor domestic proposals), are strongly encouraged to engage with the Parish Council and the local community at the earliest opportunity prior to submission of a planning application stage to ensure local views and the aims and objectives of the Neighbourhood Plan are understood and taken account of.

2. Where major development is proposed (10 or more dwellings or for other uses, 1000sq metres or 1ha or more), the applicant is strongly encouraged to consult the local community prior to submitting the planning application and demonstrate how the issues raised through the consultation have been addressed. As a minimum to meet the requirements of the EDDC Statement of Community Consultation, proposals should be sent to Kilminster Parish Council, available to view online, a staffed public exhibition should be held and the local community should be notified in writing and by public notice.

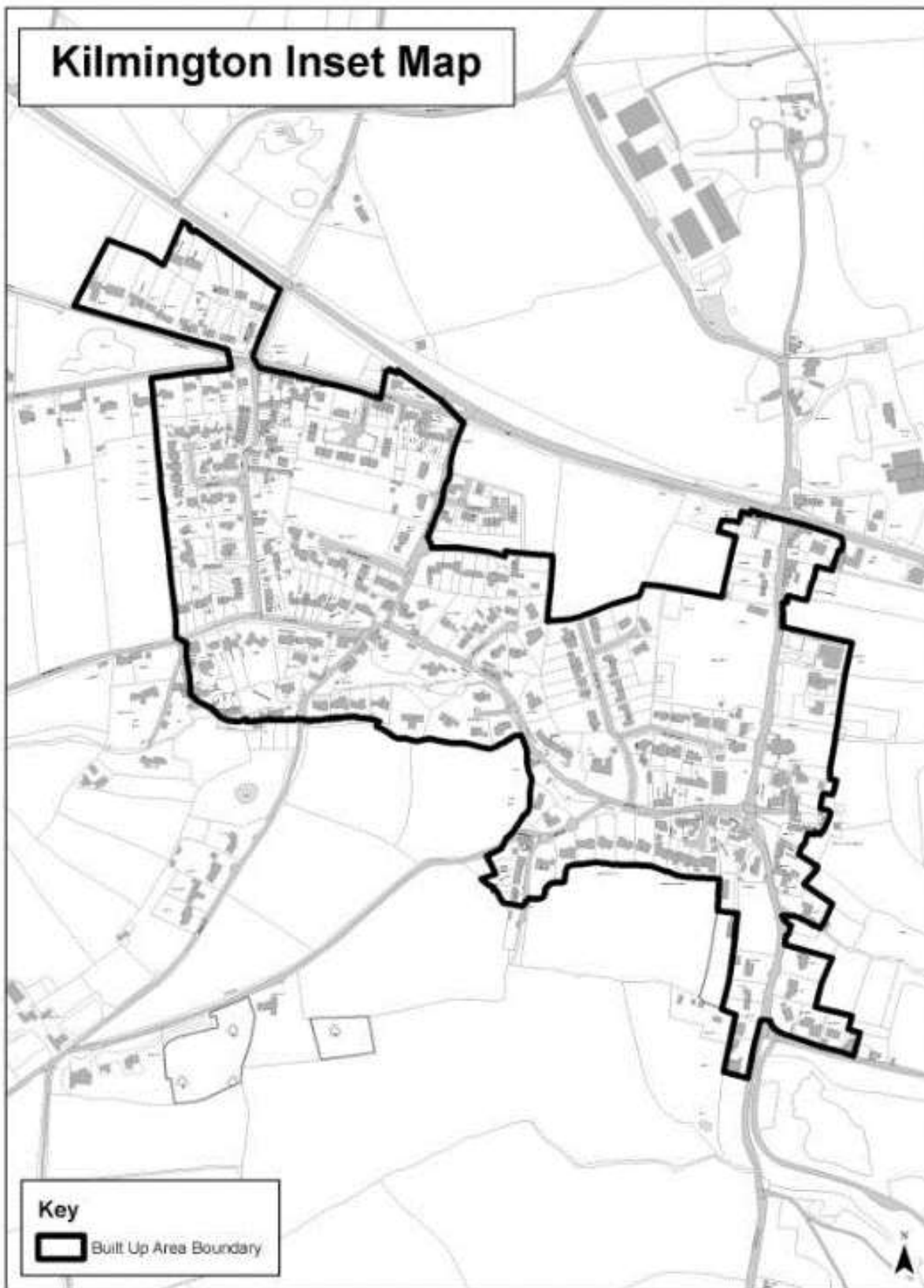
3. Where other applications are likely to result in a significant local impact, pre-application consultation may be required. Accordingly, proposers of development (other than for minor domestic proposals), are strongly encouraged to engage with the Parish Council and the local community at the earliest opportunity prior to submission of a planning application stage to ensure local views and the aims and objectives of the Neighbourhood Plan are understood and taken account of.

3.2 Housing Development within the Built-Up Area Boundary

3.2.1 Justification for our policy

We support the delivery of additional housing to respond positively to the demands and needs of the parish. This is explored later in this section. However, with regard to the location of this response, we are clear that the delivery of new development cannot be at any cost. This means that we need to set out a planning policy framework which directs new housing development to locations which we consider are appropriate. In setting the strategic position for planning policy and the framework within which this Plan's policies has to be set, the East Devon Local Plan identifies a boundary around Kilminster village where the principle of development is accepted subject to other planning policies relevant to specific planning applications. This built-up area boundary (Defined in 2018) is shown in Figure 6.

Figure 6: East Devon Local Plan Adopted Village Plan Kilmington Built-up Area Boundary



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While there are limited opportunities within this boundary for development, while acknowledging the principle of the 'acceptability of development within the boundary', we have added a layer of

local requirements to help ensure that development takes place away from greenfield sites. Namely: on previously developed (or brownfield) sites, infill sites, and as annexes adjacent to or part of existing properties where the curtilage of the dwelling allows such development to take place.

By supporting this policy context, we are aligning with both the Local Plan and our community's wishes to retain some control over where development occurs. The policy also responds positively to our desire to enable small amounts of change within the village where local residents wish to downsize or support changes to their household composition (for example, the needs to accommodate an elderly member of the family to live "close to home" when they can no longer manage to maintain their own larger property or the need to accommodate a young adult who does not wish to leave the village or cannot afford to move to a property elsewhere). Nevertheless, our policy seeks to restrict such changes to these specific needs and we cannot support development in large gardens which then go on to be sold on the open market. So-called "back-land development" (i.e. building in back gardens with a new drive alongside an existing property) is not supported in this Plan; EDDC will also not support this type of development. As such new development to support a household's changing needs should be infill development between two existing properties. Our *Kilminster Village Character Assessment's* findings and the *Kilminster Village Design Statement* also underpin this requirement. We are also clear that such developments must respond positively to other linked issues identified in this Plan, such as our concerns about increased on-street parking exacerbating current parking and traffic flow difficulties and the need for development to respect the character of the village with regard to density, scale and mass.

Policy HD2: Housing Development

1. The preferred location for new housing development is within the defined Kilminster Built-Up Area Boundary (BUAB) as shown on Figure 6. Proposals for new dwellings outside the BUAB, other than in accordance with Policies HD3, HD4 and HD5 of this Plan, will not normally be supported.

2. Sites should be located:

- i) On previously developed land; or,**
- ii) On an infill site in line with, and between, existing built properties; or,**
- iii) For "annexes" to be used by family or other household members as ancillary accommodation, which will remain tied to, and part of, the original property in perpetuity. Annexes will be supported where they are physically attached or closely related and subservient to the main dwelling, and can be accessed without the addition of a separate driveway.**

3. Proposals for new dwellings should demonstrate that they will not adversely impact the road network and safe movement of traffic; do not exacerbate transport constraints identified in Policy TT1 and will provide sufficient additional off-road parking for the new dwelling.

4. Proposals should demonstrate they will be of a density, scale and massing appropriate to the character, built form and setting of the site and its surroundings.

5. Trees and hedgerows are valued for their habitat for wildlife, biodiversity, air purification and amenity value and should not be removed, unless there is a sound ecological or community benefit for doing so.



central built up area of Kilmington

3.3 Housing Site Allocations

3.3.1 Justification for our policies

While it is our preference for new housing to be built on the types of sites we have identified in policy HD2, we are conscious that building just within the Built Up Area Boundary (BUAB) will deliver little housing to help meet our needs.

The Local Plan favours development only in towns and villages within a built-up area boundary and thereafter on sites which are designated as “strategic allocations” across the district in larger towns. There is no requirement for new development to be allocated in Kilminster as a village and very little opportunity for such development within the Kilminster BUAB. Development outside of the BUAB is defined as “open countryside” within which permission for new development is more difficult to secure. Strategy 6 states that “Where a local community prepare a Neighbourhood Plan they may specifically allocate sites and/or include criteria based on other policies for promoting development/land uses beyond the boundary. Such ‘outside of boundaries’ policy provision would supersede relevant constraint considerations set out in ‘Strategy 7 - Development in the Countryside’ and also other relevant constraint policies.”

The Local Plan (in the policy “Strategy 7, Development in the Countryside” or equivalent replacement policy), Strategy 7 states that “...Development in the countryside will only be permitted where it is in accordance with a specific Local Plan policy that explicitly permits such development...” and subject to other criteria. However, Strategy 27 *Development at the Small Towns and Larger Villages* does provide the overarching exception where there is a Neighbourhood Plan”.

“If communities wish to promote development other than that which is supported through this strategy and other strategies in the Local Plan at the settlements listed above or any other settlement [including Kilminster] they will need to produce a Neighbourhood Plan or promote community led development (for example Community Land Trusts) justifying how and why, in a local context, the development will promote the objectives of sustainable development.” Strategy 35 also introduces an “exceptions” policy¹² where, subject to certain special criteria being met, local needs housing can be built in special circumstances where need is demonstrated.

We have already outlined that affordability of housing is a problem in our rural community. This is partly due to market forces; an increasing gap between salaries, the amount that can be borrowed and house prices; and also the lack of supply, further driving up house prices. A combination of factors therefore makes housing inaccessible for some people who live locally and who want to get onto the housing ladder, for example, young people and couples who may be living with parents and who wish to remain in the parish but cannot do so. Notwithstanding the gap in supply in our small rural community, in the general sense, there is an affordability gap for people who earn too much to qualify for “affordable housing” (such as social rent or shared equity housing) but earn too little to access a mortgage required to purchase a house on the open market. They require ‘low-cost’ housing. People and households which fall into this category are often referred to as being in an “intermediate sector”. Traditionally, these people have to rent privately or live with friends or family until they save enough to buy a property.

¹² Exception sites see Glossary.

Kilminster village has historically grown slowly. Our consultation has confirmed that a continuation of this pattern and rate of growth is acceptable to residents and we have seen, through local consultation, that there is support for small scale housing (which we would term as “organic growth”) and particularly for local people to help provide an opportunity and solution for those who wish to remain in the parish but for whom the usual route to own their own home or move to a larger home to accommodate their needs (for example a growing family) is made difficult. 81% (130) of those who answered the Housing Needs Survey (HNS) questionnaire said they would be in favour of a small development of affordable housing for local people. Our affordable housing needs survey has also identified a need for affordable housing within particular tenures¹³.

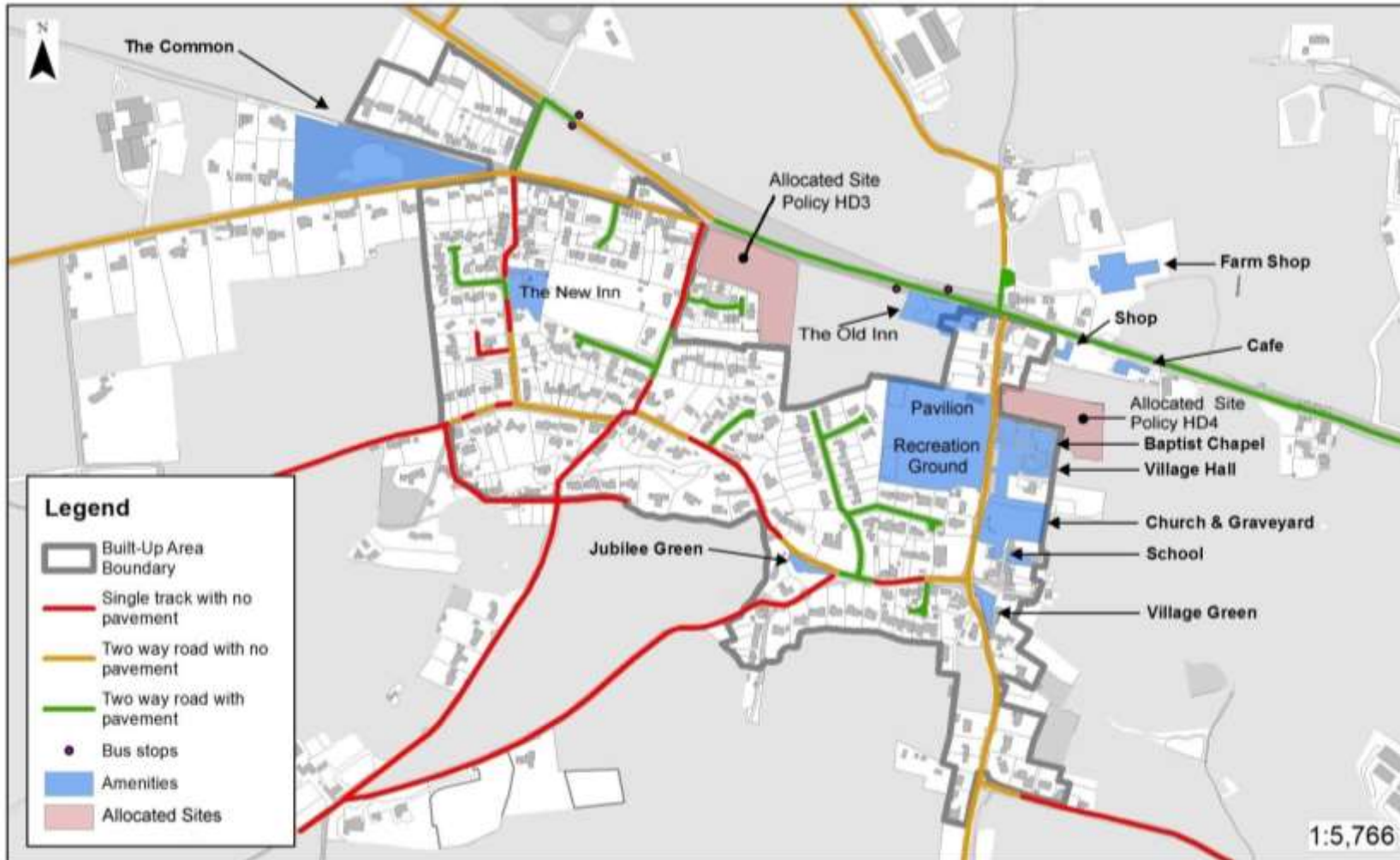
As we have set out elsewhere in this Plan and in the *Kilminster Village Character Assessment*, our historic pattern and network of largely narrow roads without pavements in the village (made narrower in many places by on-street parking), together with the development of ten cul-de-sacs in more modern times feeding these roads, do not lend themselves to seeing an increased level of traffic using them. Opportunities to develop housing which responds effectively both to address the needs we have identified and the traffic issues we have outlined are unlikely to come from within the built-up area boundary.

With regard to scale and density, the existing character of housing within the village is single plots along roadsides and small cul-de-sac developments of several houses. In the NP questionnaire residents overwhelmingly stated that any new housing should follow the same layout and there should not be any large groups of houses.

While the Local Plan does not force us to allocate sites for housing, without doing so, the village could be left open to speculative planning applications for development in locations which the community does not feel are the most appropriate and which do not respond positively to the constraints we have identified (and which could further exacerbate problems). In order, therefore, to meet the needs of housing for the local community and be in a position of control over where development occurs, we have identified two potential sites which could be developed for new housing which respond positively to the guiding issues presented and are the closest of any known sites potentially available for development to the village’s core facilities (located on the eastern side of the settlement). These have previously been identified by the Strategic Housing Land Availability Assessment (SHLAA) as being the most suitable, in planning terms, for development, by East Devon District Council. The sites lie outside but adjacent to the built-up area boundary and are allocated for development further to Strategy 27 of the adopted Local Plan, which enables communities to promote development in such locations through a neighbourhood plan, where they promote the objectives of sustainable development. The sites are designed to meet specific identified local needs and are not ‘Rural Exception Schemes’ as such under Strategy 35 of the Local Plan however there are also links to this strategy in respect of the requirements for occupancy of the/any affordable housing’. Meeting the requirements of this policy fits with the pattern of housing needs we have established as required in the village. The detailed requirements, set out in the criteria in the following allocation policies, are based upon the recommendations in our *Kilminster Village Character Assessment*, *Village Design Statement*, SHLAA, local consultation, and Heritage Impact Review and Landscape and Visual Assessment by EDDC Officers as part of the SEA/HRA screening (see Appendix 1).

¹⁴ See Housing Needs Survey Report https://www.kilminstervillage.com/uploads/5/7/3/6/57362287/kilminster_housing_needs_survey_report_jan_20.pdf

Figure 7: A map of Kilmington showing proposed housing development sites: Policy HD3 Land off George Lane (adjacent to Dares Field) and Policy HD4 Whitford Road north of The Beacon Chapel.



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3.3.1.1 Land off George Lane (adjacent to Dares Field)

Land off George Lane and adjacent to Dares Field is allocated for around 14 dwellings over the ten years 2021 -2031. The site, identified as site E332 in the East Devon SHLAA (2012), is well-located in relation to responding positively to the challenges outlined above. The site also provides an opportunity to create improved connectivity by foot and bicycle routes from the western half of the village to the eastern side where most amenities and facilities are located. This will enable safer routes avoiding the narrow lanes which do not have pavements. The site will provide at least 50% affordable housing and respond positively, across all dwellings, whether affordable or not, to the needs of the local community in terms of dwelling size, type and tenure. The site provides a good opportunity to help provide dwellings for affordable housing in line with the needs identified in the housing needs assessment and also to the wider identified demands for low cost homes for families and young people. The site's location also presents an opportunity to reinforce the boundary with the A35 through planting and landscaping, reducing noise and pollution, enhancing amenity for residents and also enabling a positive response to our desire to enhance the "green corridor" on the edge of the village and along the A35.

Policy HD3 The Allocated land off George Lane adjacent to Dares Field is outlined in red (for illustrative purposes only)



Policy HD3: Land off George Lane (adjacent to Dares Field)

1. Land off George Lane (adjacent to Dares Field) defined in Figure 7 is allocated for up to or around 14 dwellings to meet the housing needs of the local community during the term of this plan. Any proposals must comply with Policy EN19 of the East Devon Local Plan 2013-2031 and the measures set out in the emerging Axe Catchment Area Nutrient Management Plan. Permission will not be granted, nor can development commence, until it can demonstrated that there will be no increase in phosphates as a result of the development and this has been approved in writing by the Local Planning Authority;

2. A Development Brief should be prepared for the site which takes into account both this Plan's aims, and objectives and the views of the local community established through engagement with the local community and Parish Council.

3. Proposals will be supported where they:

i) deliver a mix of dwelling types and sizes which meet demonstrable up-to-date local needs to help maintain a balanced and thriving local community; and

ii) provide at least 50% 'affordable' housing (a mix of low cost, shared ownership, and subsidised rent). The initial and subsequent occupancy of the affordable housing is restricted to a person(s) who:

a. Does not have access to general market housing and is in housing need; and

b. Is a resident of that parish group (as defined in The Local Plan), or has a local connection with that parish group because of family ties or a need to be near their workplace.

In the event that an occupier who fulfils both criterion (a) or (b) cannot be found within a reasonable period of time, then the criterion will be widened firstly to a person(s) with a local connection to the parish group because of family ties or a need to be near their workplace, and subsequently to a person(s) with an East Devon connection (Reference: EDDC Local Plan Strategy 35 or equivalent replacement policy); and

iii) include an element of 'self-build' (and custom build) subject to meeting the requirements in Policy HD5.

Local evidence at present suggests 7 affordable 2-3 bedroom houses, 3 self-build 3-4 bedroom houses and 4 open market 3-4 bedroom houses; the self-build (and custom build) element is in addition to and not part of the required affordable housing provision for this site; and

iv) demonstrate that an adequate connection to the public sewer can be provided; and

v) set built development back into the site from the northern boundary as far as is practically

possible and include the provision of, as a minimum, a 10-metre buffer on the northern edge of the site between new development and the A35 which will be landscaped and planted before first occupation of the houses, in order to:

- a. minimise particulate and other pollution levels on the new site
- b. minimise noise from the A35
- c. enhance the boundary with the A35 to make a positive contribution to the “A35 green corridor”; and

vi) are designed to minimise the loss of existing hedges and trees. Where loss is unavoidable, development proposals must provide for appropriate replacement planting with native trees and hedgerow on the site to improve landscape structure, screening and bio-diversity value;

vii) provide a detailed landscaping scheme which includes:

- a) strategic planting and landscaping to reinforce the existing field boundary on the eastern edge of the site to act as a buffer;
- b) a mix of native and site appropriate trees including orchard planting
- c) include provision for, as a minimum, biodiversity net gain in compliance with national policy which retains and enhances habitat on the site, including installing a minimum of one integral nesting brick or bird box into each new build residential unit and external nest cups for house martins and swallows;
- d) include advance planting where possible and a detailed management plan for the ongoing care and maintenance of trees and hedgerows on the site; and

viii) provide safe pedestrian and cycle access on-site to help enable good access to community facilities and local services; and

ix) do not adversely impact the local road network, to provide adequate parking and options for sustainable travel (Policy TT1); and,

x) provide an East – West foot and cycle path at the southern end of the site that can, in future be extended to act as a west-east link from land north of The Orchard to the land to the east of the development site, together with a link to Meadowbank residential area; and

xi) provide dwellings of two storeys of a design, form, scale and density appropriate to and in keeping with the character of this part of the village, relating positively to the existing development on the adjacent site, following the guidance in the Blackdown Hills AONB Design Guide for Houses and the requirements set out in the Kilminster Village Design Statement; and

xii) use appropriate materials, particularly stone elevations to properties adjacent to A35 and George Lane with slate roofs; and,

xiii) avoid conspicuous gables and large window openings particularly to elevations facing open countryside.

4. The development will be expected to satisfy the requirements of the other policies in this plan.

3.3.1.2 Land off Whitford Road (north of The Beacon)

Land off Whitford Road (north of The Beacon) (assessed as site E407 in the East Devon SHLAA¹⁴) is allocated for the development of up to 10 small bungalows depending on design and layout, over the ten years 2021 -2031. This site's location responds positively to the issues and challenges faced by the village in providing new dwellings. The site is in a particularly favourable location to respond to the needs of the elderly by providing housing to enable downsizing and also fully accessible housing to the needs of the elderly through design. The site is flat and very close to local amenities and facilities.

Policy HD4 Allocated Land off Whitford Road and adjacent to The Beacon Chapel is outlined in red (for illustrative purposes only)



¹⁴ Part of which has been developed as the Baptist Hall.

Policy HD4: Land off Whitford Road (north of The Beacon)

- 1. Land off Whitford Road (north of The Beacon) defined in Figure 7 is allocated for up to 10 small bungalows to meet the housing demands and needs of the local community with a focus on housing for local older people as defined in the NPPF. Any proposals must comply with Policy EN19 of the East Devon Local Plan 2013-2031 and the measures set out in the emerging Axe Catchment Area Nutrient Management Plan. Permission will not be granted, nor can development commence until it can be demonstrated that there will be no increase in phosphates as a result of the proposed development.**
- 2. A Development Brief should be prepared for the site which takes into account both this plan's aims, and objectives and the views of the local community established through engagement with the local community and Parish Council.**
- 3. Proposals will be supported where they:**
 - i) deliver a mix of accommodation suitable for older people of up to or around 96m2, designed to meet the needs of a range of downsizers and which promotes independent living;**
 - ii) include a mix of market, affordable, sheltered and self-build* (and custom build) plots based on an up-to-date assessment of local need;**
 - iii) are of a design and density appropriate to and in-keeping with the character of this part of the village and pay particular regard to the requirements set out in the Kilmington Village Design Statement;**
 - iv) respond positively to the needs of older people which should include inside or outside communal space and a 'dementia friendly' design and layout;**
 - v) incorporate the principles of 'secure by design' which may incorporate CCTV, secure access and mutual overlooking of shared space;**
 - vi) where relevant, meet the requirements of Local Plan Strategy 35 and Strategy 36;**
 - vii) can demonstrate that an adequate connection to the public sewer can be provided;**
 - viii) route utility and other service infrastructure underground, including existing infrastructure if technically feasible;**
 - ix) provide a 10m set-back from Whitford Road and include orchard planting in this area between Whitford Road and the proposed building line, with built development to the south of the site as much as possible to minimise impact on the listed buildings to the north;**
 - x) provide a detailed landscaping scheme which includes:**

- a) reinforcing the existing northern boundary through new planting;
- b) a mix of native and site appropriate trees including orchard planting;
- c) include provision for, as a minimum, biodiversity net gain in compliance with national policy which retains and enhances habitat on the site, including installing a minimum of one integral nesting brick or bird box into each new build residential unit and external nest cups for house martins and swallows;
- d) include advance planting where possible and a detailed management plan for the ongoing care and maintenance of trees and hedgerows on the site; and

xi) provide safe pedestrian and cycle access on-site to help enable good access to community facilities and local services; and,

xii) provide single storey dwellings with a maximum of 3 bedrooms that are up to or around 96m² gross internal area and meet accessible and adaptable standards and, ideally, also suitable for wheelchair users.

4. Permitted development rights will be withdrawn to ensure reasonable controls exist over future extensions, increase in height and modification of dwellings in perpetuity. This is necessary in order to protect the character of the area and to ensure the size and layout of the dwelling continues to meet the identified need.

5. The development will be expected to satisfy the requirements of the other policies in this plan.

**Self and Custom House Building - The building or completion by individuals; associations of individuals; or persons working with or for individuals or associations of individuals, of houses to be occupied as homes by those individuals. But it does not include the building of a house on a plot acquired from a person who builds the house wholly or mainly to plans or specifications decided or offered by that person (as defined in the 2015 (amended) Self-Build Act.*

3.4 Self-build Housing

3.4.1 Justification for our policy

Self-build housing (which includes “custom build housing”) is defined by the Government (in the Community Infrastructure Levy Regulations, 2014) as a dwelling built by (or commissioned by) someone to be occupied by them as their sole or main residence for at least 3 years¹⁵. The [Self-build and Custom Housebuilding Act 2015](#) (as amended by the [Housing and Planning Act 2016](#)) introduced legal requirements for LPA’s to measure demand for self-build (in the form of a register) and to meet that demand by granting permissions for enough serviced plots suitable for self-build (and custom build) to meet the demand shown on the register. The East Devon register provides a useful

¹⁵ The NPPF defines self-build and custom build housing as follows: “Housing built by an individual, a group of individuals, or persons working with or for them, to be occupied by that individual. Such housing can be either market or affordable housing. A legal definition, for the purpose of applying the Self-build and Custom Housebuilding Act 2015 (as amended), is contained in section 1(A1) and (A2) of that Act.”, Annex 2,

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf Further parameters for self-build and custom build housing, including the self-build land register, can be seen on the local authority website at <https://eastdevon.gov.uk/planning/planning-policy/housing-issues/self-build-and-custom-build/how-to-register/> Further information about self-build is available online at the Self-build Portal www.selfbuildportal.org.

indicator of demand for self-build developments. The [national planning guidance](#) suggests that the registers may be considered as a material consideration when planning applications are being determined (i.e. an issue of relevance to the decision). They should also be taken into account by local authorities in their calculations of housing supply, demand, need and delivery. Section 5 of the NPPF recognises the need to provide housing for a variety of types, sizes and tenures including homes for those “*who want to commission or build their own homes*”¹⁶. Self-build is also recognised by the Local Plan which states that “*The contribution of self-build plots to the supply of new housing is recognised and contributes to the range of homes available. A significant proportion of planning permissions for housing in East Devon are on individual plots, which are likely to be available to those wishing to build/have their own house built.*” We would like to provide local support to the development of small scale single self-build (and custom build) dwellings.¹⁷

Self-build can provide a lower cost solution to local people and support the local economy by providing work for local builders, architects and tradesmen. It can also help to “free-up” the availability of market housing (private rent and owned) as a self-builder will often be resident in the parish already and will vacate their home when their self-build home is complete.

As a community, the consultation responses did not reveal a large volume of support for self-build housing; perhaps because there is a common misconception that ‘self-build’ means the owners have to physically build their house. However, there was some support for it as a specific type of development. Therefore we do see a role in self-build (and custom build) housing providing a route into delivering a small amount of dwellings for local people. It is therefore one of a number of potential solutions which can help to deliver housing for local people, particularly younger people and families, identified as a need locally in our consultations.

Recognising the balance between the need to protect the rural character of our village whilst enabling local people to continue living here, it is critical that self-build housing is limited in number and is built by (or for) people who currently live in the local community. In other words, it is seen locally as a route into house ownership which could help respond positively to deliver houses for local need, for example, to enable those living in hidden or multiple household dwellings (such as young couples living in a parents’ house) to move into a house of their own. Such development will still need to adhere to other planning policy requirements but we have set out a supportive policy in HD5 which also sets parameters which seek to retain self-build (and custom build) housing for its original purpose in the long-term. Alternatively, a Community Land Trust (CLT) could be established to maintain self-build housing in the long-term for its original purpose of providing a solution to local housing need.

Our policy sets out our desire to support self-build development at a small scale appropriate to the parish but only where it meets other policy criteria and also the special considerations relative to our parish set out in this Plan. Sources of research which underpin our policy include self-build guidance and policies used and adopted by other local authorities¹⁸.

¹⁶ See NPPF, paragraph 61,

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf

¹⁷ See paragraph 16.30, Local Plan, <https://eastdevon.gov.uk/media/1772841/local-plan-final-adopted-plan-2016.pdf>

¹⁸ Such as Teignbridge District Council (<https://www.teignbridge.gov.uk/planning/custom-and-self-build/self-and-custom-house-building-including-self-build-register/further-information-supplementary-planning-document/>) and Cornwall Council (<https://www.cornwall.gov.uk/environment-and-planning/planning/planning-policy/adopted-plans/evidence-base/self-and-custom-build/>)

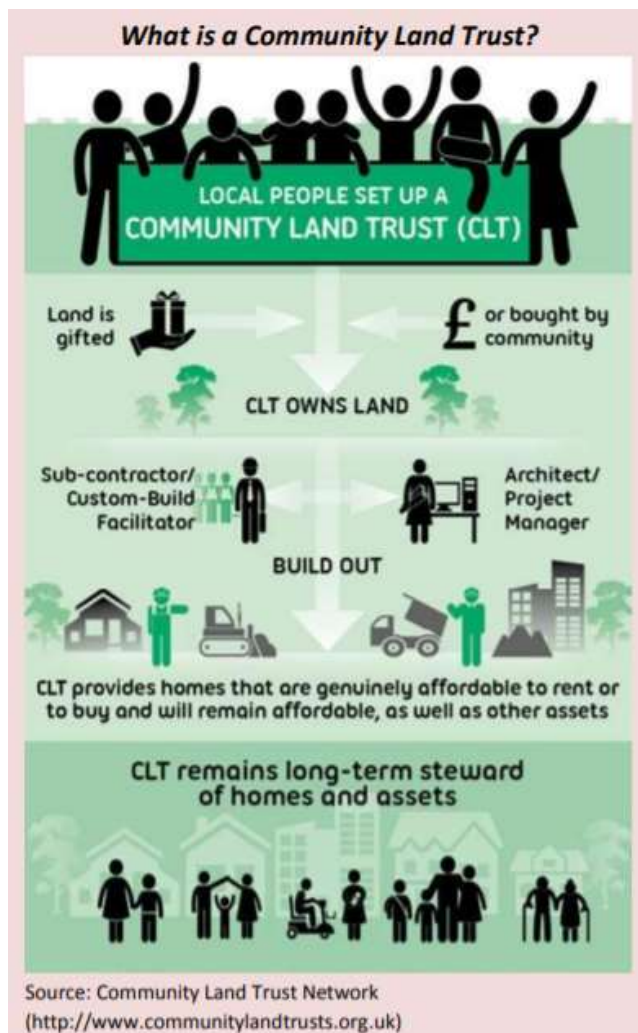
Policy HD5: Self-build (and custom build) Housing

- 1. Proposals for self-build (and custom build) dwellings must comply with Policy EN19 of the East Devon Local Plan 2013-2031 and the measures set out in the emerging Axe Catchment Area Nutrient Management Plan. Permission will not be granted, and the development must not commence, until the development can demonstrate that there will be no increase in phosphates as a result of the development.**
- 2. Proposals will be supported where:**
 - i) the proposed development is located within or immediately adjacent to the Kilminster Built-Up Area Boundary;**
 - ii) they do not have an adverse impact on the special character of the area's natural and built environments;**
 - iii) the dwelling is self-built, or custom built by someone who either lives in the parish of Kilminster or who has a local connection to it as defined in Strategy 35 of the Local Plan and the number of dwellings granted permission as a result of this policy does not exceed 10 during the neighbourhood plan period;**
 - iv) the dwelling is to be occupied by the person who builds it or commissions it (i.e., the first occupant has the primary input into the design of the home) as their main residence for a minimum period of 3 years after completion unless exceptional circumstances prevent this as agreed in writing by the local planning authority;**
 - v) the application be described as a self-build or custom build and will be conditioned as such;**
 - vii) each plot has at least water and electricity supply available at the plot boundary;**
 - viii) the plot has suitable access, with minimal disruption to local communities, for construction vehicles necessary for the completion of the dwelling; and,**
 - ix) they satisfy the requirements of the other relevant policies in this plan.**
- 3. To reduce embodied carbon, support will not normally be given for replacement dwellings unless accompanied by a robust condition survey which demonstrates the case for demolition. In this case, the existing foundations should be re-used unless the application clearly demonstrates why this is not practically possible.**
- 4. Where appropriate, the above criteria will be enforced through legal obligations.**

3.5 Supporting a Community Land Trust

3.5.1 Justification for our policy

As part of a package of policies which seek to promote and deliver new housing which is affordable for people within our community, we are keen to promote the community land trust (CLT) mechanism.



A CLT is a community trust set up to deliver and retain affordable housing for a local community and by retaining control over the tenure of the housing it delivers it can retain such housing as subsidised for members of the local community in perpetuity without risk of housing being sold on the open market and therefore being lost to the affordable or low cost housing stock. The parish council will explore, with members of the community, opportunities to deliver such housing through a CLT outside of this Plan and we have set out a policy below which will support delivery of housing through such a mechanism when a CLT is formed.

Our policy HD6 responds to our concerns that affordable housing provided through Registered Providers (including Housing Associations) is subject to the Government's re-introduced "Right to Buy" scheme. Tenants in affordable housing now have the option to purchase their home at discounted cost. While this helps households to get on to the "housing ladder" it could take affordable housing supply away in the short to medium-term (the scheme is meant to compensate

Registered Providers and replace the dwelling sold) and could therefore exacerbate affordable housing problems locally.

Policy HD6: Retaining Affordable Housing in Perpetuity

Affordable or low cost housing should be provided in perpetuity, (in accordance with the most up-to-date Government policy), for example, through a Community Land Trust, section 106 agreements, other community housing scheme or Registered Provider which retains stock for the benefit of the local community at an accessible cost. Community housing schemes which provide and retain local affordable housing for the benefit of local people in need will be supported.



St Giles' Church



The Village Hall is the centre for much community activity



The Beacon



The New Inn - one of two pubs serving the village



The village library!



Moviola cinema in the village hall



The recreation field includes the cricket pitch and pavilion, tennis courts and children's play park



Mobile facilities include a library and post office

Photographs of some of Kilmington village community facilities and amenities.

3.6 Community Facilities, Amenities and Assets

3.6.1 Justification for our policies

The presence of community facilities and amenities within our village makes a significant contribution to the wellbeing and community spirit of the people living in Kilminster. They have a positive impact on the sustainability of the Parish enhancing the village, providing varied options of social interaction for all ages which leads to an active community life and improved social cohesion.

For its size, Kilminster has a wide range of facilities. These include:

- Two pubs,
- A Primary School,
- A Village Hall,
- Two Churches,
- A Recreation Field which includes:
 - a cricket oval maintained by the cricket club,
 - a tennis court maintained by the tennis club,
 - a children's play park with equipment, maintained by the Parish Council,
 - a multi-use pavilion.

Apart from the New Inn pub, which is in the centre of the village, all these facilities are offset from the main centre of the population in the eastern edge of the village around Whitford Road.

As our *Community Facilities and Amenities Paper* Appendix 2 has identified, our school currently has 87 children against an overall capacity of 105. Each year group is almost at capacity from Reception to Year 6 apart from Years 1 and 2 which are currently at capacity. The school lacks a large hall to bring together the whole school, so pupils are walked to the neighbouring village hall or church. To use an outdoor recreation field staff and pupils must cross the Whitford Road to access the village recreation field. The school lacks suitably sized rooms for taking small groups of children, staff and office use (staff room & office are very cramped). The facilities and amenities away from the school site are therefore critical in supporting pupil's education. There have been discussions with a neighbouring landowner to purchase part of field adjoining the school which would be a great asset to the school.

We are also fortunate to have a well-used (by all ages) village hall (which can accommodate 110 people seated) with a meeting room, a stage / performance area, kitchen and bar area, an outside play space (partly covered) and a shed. Numerous clubs and societies use the facility and alongside bookings for private parties and events it is often fully booked throughout the week.

The Recreation ground and Pavilion, is owned, managed and maintained by The Hitchcock Trust (a local registered charity). Although the pavilion is much smaller than the village hall, it is used in much the same way but with smaller groups and the village cricket team use it at weekends during the season. Village residents initiated and raised funds to install equipment so the ground can now be used as a Devon Air Ambulance Night Landing Site.

The Beacon Baptist church and St Giles Parish Church are also well-used facilities, not just for faith (such as services) but also wider societies, clubs and meetings.

Village allotments provide 23 allotment plots, some full size and some half size, within a field of approximately 2 acres which are owned by the Parish Council. Plots are usually taken by village residents or those with close village connections and there is usually a waiting list to take on a site when one is vacated.

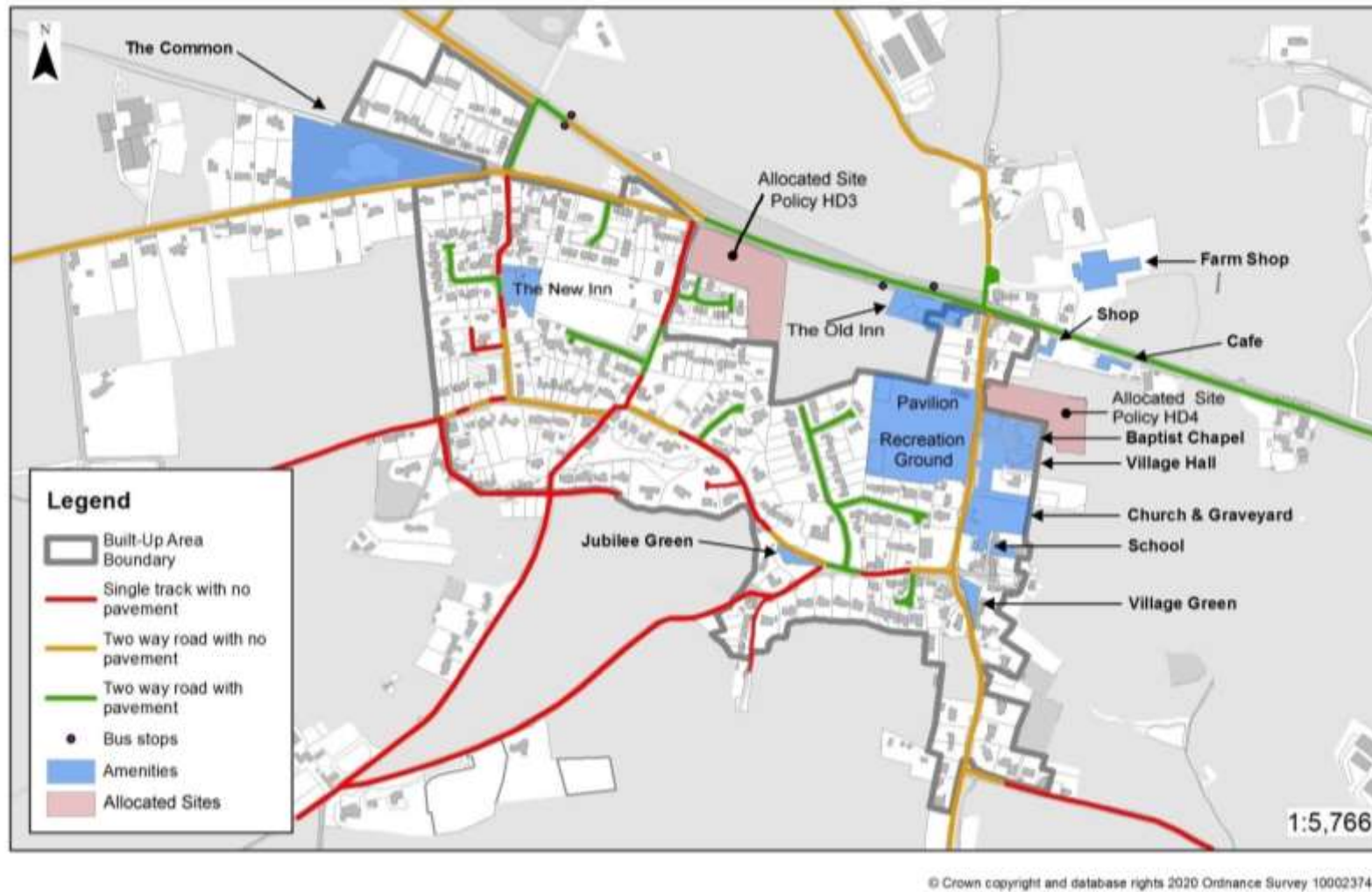
Opened in 2010, our phone box library on Jubilee Green (which has books, leaflets and a notice board) is owned by the Parish Council and funded, refurbished, fitted out and maintained by volunteer residents. The facility is well-used by local residents, with parents and children frequently seen on seats close by on Jubilee Green reading. We are fortunate also to receive support through donations of redundant books from Axminster Library. The Common and Village Green are our other two green areas used for relaxation and recreation by the local community. Our green spaces are considered further in Countryside and Green Spaces – Section 7.

The New Inn (a Palmers Brewery pub) is a centrally located and well-used pub by the local community with several village skittles, darts, cribbage and boule teams. It has a large garden that more than doubles the limited internal tabled seating within the pub, substantially increasing the viability of the pub business. The garden also provides additional space for a marquee, a boule court, a BBQ Pizza Oven and garden toys for children. It is an extremely important site of many recreational activities, including summer parties, weddings, wakes, charity and family events. Its role as a community hub means that we would not want to see it closed for conversion to dwellings. The Old Inn, due to its location on the A35, attracts more passing traffic but is still used by locals and has some social events.

The location of these valued and essential facilities and amenities are shown on Figure 8 opposite. As our evidence shows¹⁹ any loss of these facilities and amenities would create a significant problem in terms of accommodating the community's needs for social, health & wellbeing, sporting, faith and education. Our policies in this section respond to this need but also will help to enable extended or new facilities which benefit the community to come forward if proposed. These policies are supported by the NPPF for the benefit of promoting safe and healthy communities (paragraph 92) and the local economy (paragraph 83) and by section 25 of the Local Plan, the policies within which are strengthened and elaborated by our local policies below.

¹⁹ See our Community Facilities Paper

Figure 8: A Map of Kilmington showing the location of our Valued Local Community Facilities, Amenities and Assets



Policy HD7: Retaining Community Facilities, Amenities and Assets

1. Existing community facilities and amenities (as identified on Figure 8 and listed below) are locally valued and will be protected for community use. Their loss will not normally be supported:

- i) Kilmington Primary School
- ii) Kilmington Village Hall
- iii) Churches - St Marys Church and the Beacon Baptist Church
- iv) Public Houses - New Inn and Old Inn
- v) Recreation Field, including cricket oval, tennis court, children's play park with equipment and multi-use pavilion.

Foot note [Appendix 2 Amenities list together with details of the groups and activities they support]

2. Proposals which result in the loss (redevelopment or change of use) of these facilities and amenities will only be supported where:

- i) there is no reasonable prospect of viable continued use of the existing building or facility which will benefit the local community and they demonstrate a need for their proposed change; and,
- ii) they do not have an adverse impact on the special character of the area's natural and built environments.

Policy HD8: Maintaining and Enhancing Community Facilities, Amenities and Assets

1. Development proposals for new, replacement, extended and/or improved community facilities and amenities will be supported where:

- i) the proposal would not have significant adverse impact on the amenity of nearby residents;
- ii) the proposal would not have significant adverse impacts on the surrounding local environment (with regard to biodiversity, wildlife habitat and landscape character);
- iii) the proposal would not have unacceptable impacts on the local road network (with regard to additional traffic volume / congestion, demand for parking, and pollution levels);
- iv) the proposed use will be dedicated to community use in perpetuity, and,
- v) they are easily accessible by residents and users, including, where possible, by sustainable modes of transport.

Policy HD9: Education and Learning Facilities

Development proposals for new or improved facilities which support education and learning will be supported where:

- i) they do not increase fluvial or surface water flood risk;

- ii) they will have no adverse effect on residential amenity (such as noise, operating hours, light pollution, anti-social behaviour and so on) in nearby areas; and,**
- iii) there will be no adverse impact on the natural environment (landscape, biodiversity and habitats) or that negative impacts will be satisfactorily mitigated and where possible, enhancement secured.**

3.6.2 Community Action Projects

Through consultation we have identified a range of projects which could require support from planning policies to help their delivery. There might also be other projects which look to deliver infrastructure or additional facilities and amenities for the community which emerge during the lifetime of this Plan.

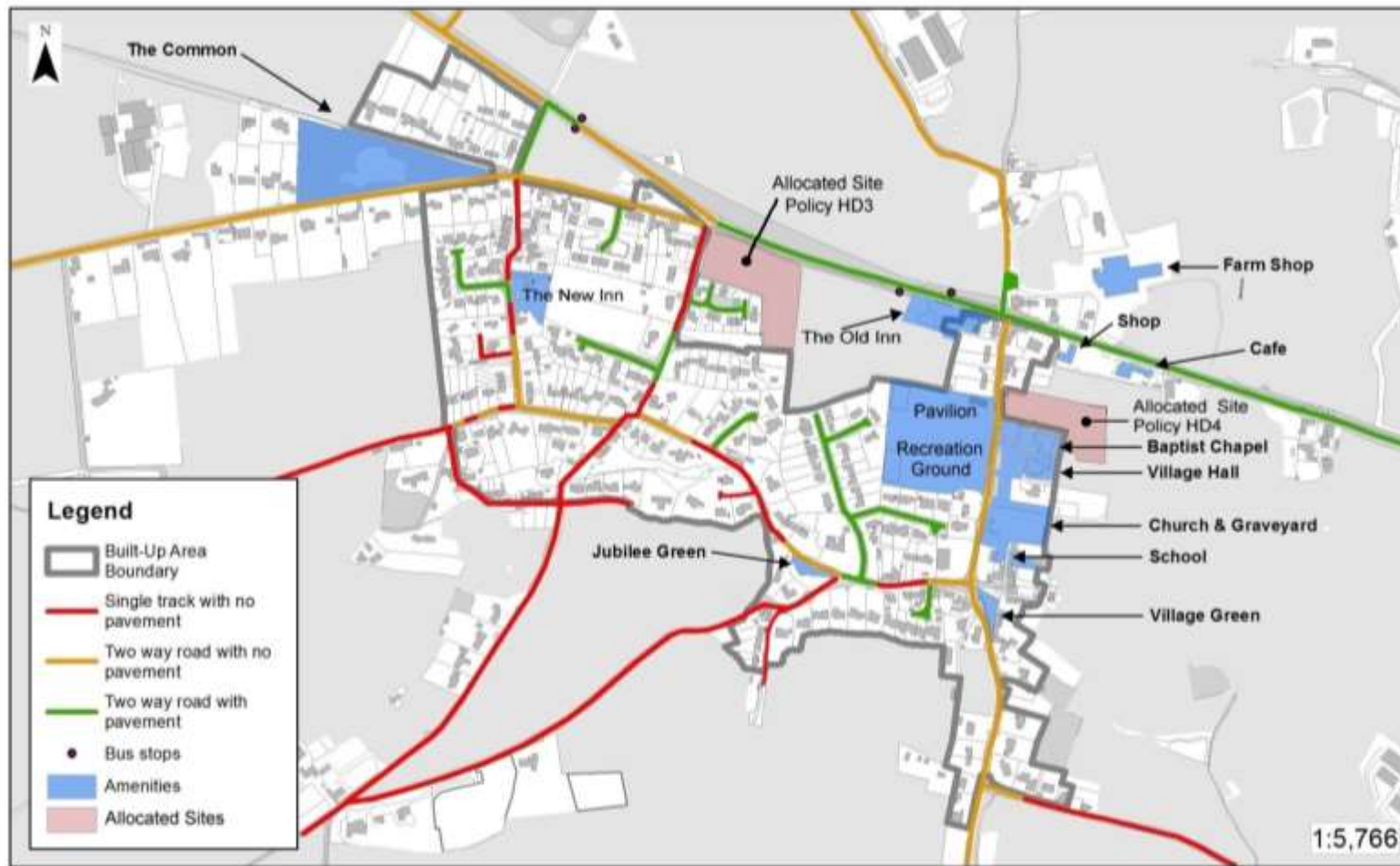
These projects and programmes may be outside the remit of the planning system (and therefore the Neighbourhood Plan) to influence or deliver. These actions would typically fall to the Parish Council or the community, or partners such as local authorities or statutory agencies to lead. They also provide an indication, in some cases, of what local infrastructure in Kilmington we see as a priority (and therefore how any proportion of Community Infrastructure Levy receipts received as a result of new development, could be beneficially used). We plan to investigate:

- creating a Community Land Trust to maintain self-build housing in the long-term so as to provide a solution to the local housing need;
- the possible registration of Assets of Community Value to protect: New Inn; School; Recreation Ground; Village Hall and St Giles Church;
- changing the public A35 bus route to go via Shute Road & The Hill to provide access to the east bound public bus to Axminster without the necessity to cross the A35;
- creating an attractive 'green corridor' along the A35 through the village following DCC's 'Life on the Verge' strategy. This will provide environmental benefits (see transport section);
- developing a hedge and tree green buffer between the A35 and the village (Dares Field to The Old Inn) to reduce the highway's impact on the village. It would also make the drive along this main tourist route through the AONB more attractive (see housing allocations and transport section); Creating a new footpath routed through the centre of the village from The Hill and George Lane with a link to Meadowbank residential areas to the centre of the village amenities around Whitford Road (see housing allocations and transport section);
- Through consultation with residents, the possibility of adding two additional Conservation Areas on Silver Street and part of The Hill/Shute Road (see map Figure 13 Page 87); and,
- Establishing a community orchard to enhance the environment and benefit the village.

When asked (in our neighbourhood plan questionnaire) what facilities or amenities local residents would spend £1,000 on if they had the opportunity, traffic and parking received the most support with support also indicated for other facilities and measures such as facilities for the elderly, teenagers and children, the village character and amenity and green space.

Questionnaire responses to hypothetical priority spend of £1,000	
Traffic and parking	25.5%
Village character and setting	16.4%
Amenity and green space	14.7%
Facilities for teenagers	13.4%
Facilities for the elderly	12.8%
Facilities for the children	10.3%
Sports and recreation	7.1%

Figure 9: A map showing the residential area of the village centred on the BUAB and its Historic Road Network with an Appraisal of Road Widths



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4 Getting Around: Transport and Traffic

4.1 Introduction

The Parish of Kilminster is served by a network of roads and narrow rural and village lanes, the lines of which have remained essentially unchanged for almost 200 years. At the far east of the parish (at the foot of Gammons Hill) significant alterations to the route of the A35 were made in the 1970s as part of the construction of the Axminster by-pass. However, there have been no other major changes to the through roads of the village in this long period.

The village of Kilminster developed off this main road, the current A35, running east to west. The shape of the settlement at Kilminster and the pattern of the surrounding farms were pretty much established by the late 1700s, as was the pattern of the roads, lanes and tracks that served and linked them. The tithe map and apportionment schedule of 1838 give a detailed picture of the parish at that time and about 85 of the 94 properties listed have survived. These historic houses lie on this network of roads and lanes that has not changed over the last 200 years and is of critical importance to the visual character of the village. Together they make up the historic core of Kilminster.

The only new road building in the village has been the construction of nine cul-de-sacs, running off and built behind the line of the historic core, to service new housing developments: Brooklands Farm Close, Brookside Close, The Crescent, Meadowbank (incl. Eastleigh), Newton's Orchard, The Orchard, Silverlea, Wellmead and Whitehayes Close. These new cul-de-sac roads are wider and have pedestrian pavements. As cul-de-sacs, they are not interconnected and have the advantage of no through traffic. The housing also has good off-road parking.

There are two main through-roads in the village:

- **The Whitford Road** at the lower eastern end of the village joins the A35 at Kilminster Cross and provides a through route to Whitford, Musbury, Colyton and Seaton. It is a narrow two-lane road without a pavement. Along it are most of the village amenities: The School, Two Churches, The Village Hall, The Recreation Field and Pavilion. It is also a main route from the village out to the A35, to shops, The Old Inn and the Pit Stop café. An industrial area off South View Road (Quick's Engineering works, Bardon Aggregates concrete supplies, Kilminster sewage treatment works and a Storage Compound for Boats, Caravans and Containers) joins and is served by Whitford Road which necessitates heavy goods vehicles moving through the village past all these amenities to the A35. There has been significant discussion with DCC highways over reducing the speed limit from 30mph to 20mph along Whitford Road past the school and recreation field. As yet this has been unsuccessful.
- **The Shute Road** is the second through-road in the village. It provides a route from the A35 to Shute and Seaton Junction, bordering the central residential core of the village to the north. It is a straight narrow road without a pedestrian pavement which joins the A35 at a 'Y' junction. Traffic often turns off the (50mph speed limit) A35 into it at speed and travels down it in excess of the speed limit.

Kilmington is served by a network of roads and narrow rural and village lanes



The Street - one of the main connecting roads in the village (single track, no footpaths)



George Lane - connects The Street to the A35 (single track, no footpaths)



Whitford Road - one of two 'through roads' on which most village facilities are to be found (no footpaths)



The Hill - an old connecting road to the A35. Lorries struggle to get through the 'dog leg'. Note damage on building



Road from A35 to Stockland



Typical country lane (single track with high Devon Banks)

Within the central residential core of the village lie four important connecting roads. All these roads are narrow, without pavements and have limited opportunity for roadside parking. Housing in this central core is dense and off-road parking is limited.

- **The Street** provides the main vehicle and pedestrian thoroughfare between the upper densely populated part of the village and the lower area along Whitford Road which gives access to the majority of the village amenities: The School, Two Churches, The Village Hall, The recreation Field, The Pavilion and out to the A35 and to shops, The Old Inn and convenience store at the fuel station. As the main pedestrian access, The Street is used each day by children walking to school, mothers and toddlers going to preschool and child activity groups at the Chapel. The elderly, some using wheelchairs and mobility scooters travel along it to coffee mornings and lunches at the village hall and churches. The historic lane with its attractive verges and rubblestone walls meanders downhill and runs alongside the stream, passing Jubilee Green and the old telephone box converted into Kilminster's Little Library. Along its route rest seats are provided encouraging social interaction between all, young and old. The increase in through traffic on this narrow lane is of concern as The Street has no pavements. In many places it is single track between stone walls or hedges with limited passing places. Larger vehicles struggle to pass along it.
- **The Hill** is one of two short link roads providing village access out to the A35. From the upper end of The Street it winds past The New Inn through a very narrow dog-leg past the Victorian Balfour Terrace and cottages of Salisbury Terrace, the densest area of housing in Kilminster. With almost no off-road parking along this part and only a small car park at The New Inn, the area has become a real parking 'hot spot'. Refuse trucks struggle to access the area and concerns over access of emergency vehicles were highlighted in the responses to the NP Questionnaire. DCC refuse to route Gritting trucks through as 'The Hill is too narrow'.
- **George Lane** is the second of the two link roads from the core of the village out to the A35. It is a single lane narrow road with passing places, the majority is without pedestrian pavements. George Lane is used every day by school children accessing the school bus stop at the War Memorial opposite where it meets Shute Road.
- **Silver Street** is the other of the central residential lanes, the single lane road without pedestrian pavement loops around and at each end joins The Street, linking with Bim Bom Lane on its way. The entire length of the lane, other than a few metres is very narrow with no space for roadside parking. Residential housing on Silver Street has limited off road parking.

Excluding the A35, all the other through roads and lanes of the village are narrow and do not have pavements or street lighting. This preserved network of historic roads and lanes, the road boundaries, rubblestone walls, the banks, grass verges, hedges and trees give the parish and the village much of its character. They are an essential and attractive part of the landscape setting, encouraging walking and cycling and therefore must be protected. Boundaries along roads, lanes and paths should be rural in character. Pavements and street lighting are not appropriate on this network. As well as our review of the transport network set out in this section, *our Kilminster Village Character Assessment* has set out a number of recommendations which relate to the transport network and how the character of the village should influence appropriate provision for vehicles, pedestrians and cyclists within or as a result of new development.

Like most of the rest of the UK, car ownership amongst the residents of Kilminster Parish is high. The NP questionnaire returns indicate that cars are by far the dominant means of transport in the village with 95% (188 of 196 households) using a car either daily or several times a week. In addition, 21 households used a van daily. Over 315 vehicles were owned by the 215 NPPCQ respondents: 1.47 vehicles per household. For public transport, trains were used at least monthly by 50% of respondents (59 of 112) and buses were used at least a few times a week by 50% of those that commented (43 of 87). Responses also suggested the A35 is a barrier to using public transport and if the bus were routed through the village more residents would use it. The school bus stop is already on Shute Road demonstrating the feasibility of re-routing the main bus route. At least 8 households use a daily arranged bus for school. The questionnaire also suggested that the number of vehicles per household has risen in recent years with children living for a longer time with parents into adulthood and working vans parked at home.

In summary the key issues which have arisen from community consultation can be summarised as follows:

- The volume and speed of traffic on the A35 make it very difficult for pedestrians to cross safely as there is no pedestrian crossing. There are a significant number of accidents which discourages pedestrians and cyclists from using the road and pavement alongside it.
- The network of roads in the central residential part of the village are narrow, some single track, they have no street lighting and most are without pavements. People who walk and cycle on them are becoming increasingly concerned for their safety as traffic increases through the village. As local amenities are located at the eastern end of the village, there is a considerable distance to travel on these lanes from the central residential area located to the western side.
- Concern that increased traffic arising from any development would worsen the safety issue on village lanes.
- The lack of footpaths through the village to allow the elderly, school children and mums with pushchairs to travel safely through the village, away from traffic. etc – opportunity for a new one
- The Cycleways National route comes through the village and quite often, when the River Yarty floods, cyclists have to cross the A35 at Kilminster Cross. Without a pedestrian crossing, as the traffic is usually heavy, this can be difficult and dangerous.

Our objective reflects the desire to respond positively to these issues and is summarised below.

Objectives
To manage and address traffic and parking, pedestrian and cycle movement issues.

4.2 Impact on the Local Highway and Footpath Network

4.2.1 Justification for our policy

We have set out the key characteristics of the transport network and the historical network of narrow lanes and roads which form the main routes through and around the village. There are a number of issues which this Plan can positively seek to help resolve. These have been identified

through local consultation, our *Kilminster Village Character Assessment* and the *Kilminster Village Design Statement*.

The volume of traffic passing through the Parish and the speed of much of this traffic was raised as one of the two major concerns by residents.

- The extremely busy A35 trunk road, running east-west, cuts the parish in two and acts as something of a barrier between the two halves of the parish to its north and south.
- A recent Highways England Average Annual Daily Traffic Flow Survey RL09 recorded over 13,600 vehicles, of which 2,040 were classified as Heavy Goods Vehicles, passing along this road each day. Traffic flow is significantly greater during daylight hours, particularly during commuter times and the tourist holiday months.
- The high frequency of these vehicles passing by, at speeds up to the 50 miles an hour speed limit, makes it very difficult for vehicles emerging from the village side roads to find a suitable gap to enter the A35 carriageway safely.
- The National Cycle Route also crosses the A35 at Kilminster Cross.
- The majority of Kilminster's population live to the south and therefore many villagers regularly have to make the dangerous A35 crossing. As there is no pedestrian crossing facility it is also dangerous and difficult for pedestrians and cyclists to cross.
- The Millers farm shop and the bus stops to Axminster and from Honiton, the nearest local towns, are located to the north of the A35.
- To ensure their safety, children and elderly residents have to be accompanied.
- A pavement runs on the south side of the A35 from George Lane to Whitford Road and then across on the north side from Coryton Lane down the hill towards Axminster. However, most residents avoid walking along the busy, noisy and dangerous road.
- Responses to the neighbourhood plan questionnaire suggest the A35 is also barrier to using public transport (given the location of the bus stop for Axminster bound services on the northern side of the A35) and if the bus were routed through the village, more residents would use it. The school bus stop is already located off the A35 on Shute Road.

Whilst only 14 properties front directly onto the 2 miles of the A35 that runs through the parish, five of these are busy commercial businesses. All this commercial activity is concentrated together just after the eastern entry to the village. It includes Axe Skip Hire, Kilminster Pit Stop Café and Motel, Kilminster Cross Fuel Station and Londis store, DB Autos Car Sales & Service and two small business units. Coryton Lane which provides access to Miller's Farm Shop and The Whitford Road, with its HGV traffic from Bardon Aggregates, the sewerage treatment and the engineering works also join the A35 at this point at Kilminster Cross, with The Old Inn 25 metres from the junction. There is another busy junction, central to the village at the War Memorial, where Shute Road and George Lane join the A35 at the same point.

The very busy A35 cuts the Parish in half (50mph speed limit, 13,600 vehicles daily)



The A35 bisects the parish. A commercial area has developed (lower right), serving through traffic and local needs



Crossing the A35 to gain access to bus stops and facilities is a major problem



School bus collects children at the War Memorial alongside the A35



Accessing the A35 at George Lane is increasingly difficult



Traffic on the A35 has increased dramatically over the years

The latest Highways England accident reports available show that for the five year period 2015 to 2019 there were accidents involving 65 vehicles reported resulting in 52 casualties 1 fatality , 7 serious and 19 slight. . Many more 'non serious' accidents and near misses go unreported. All of these discourage others, particularly the elderly from driving on, walking alongside and crossing the A35 road. Village residents made different suggestions in the neighbourhood plan questionnaire to improve the safety on the A35 including improvements to sign visibility, installing an assisted crossing point, reducing the speed limit on the A35 to 40 mph (or even 30 mph) and introducing traffic calming and half-way crossing island.

Undoubtedly the high volume of traffic along the A35 passing through the centre of the village has an impact on residents' quality of life and amenity, for example, noise, air quality, visual impact, vibration and community severance. Any action that can reduce the impact on residents such as maintaining and creating new buffer zones adjacent to roads should be investigated. In particular, buffer zones would help to reduce the inputs of pollutants from vehicle exhausts and brakes to nutrient-poor shrub land ecosystems.

The very busy A35 had been, until recently, flanked to the south by a mature private plantation woodland at Gapemouth (without public access) that provided what local residents consider to be an important and valuable 'buffer' between the central densely populated residential core of the village and the road. A number of mature trees towards the eastern end of the site and along its northern and southern boundaries are subject to a Tree Preservation Order and the 0.56 hectare area which was felled is subject to a restocking condition by the Forestry commission which requires natural regeneration to achieve 80% native broadleaves and 20% open ground to achieve not less than 1100 stems per hectare evenly distributed over the site. The existing trees, and in time the regenerating woodland, is considered important for its biodiversity value, contribution to landscape setting, local visual amenity and as part of the screening/buffer between the village and the A35 (which reduces noise from traffic, intercepts dust and harmful particulates from exhaust smoke and adsorbs pollutants) and thereby contributes to well-being of residents.

During NP consultation it became very clear that residents feel very strongly that the new trees must be protected and properly managed to allow a replacement tree cover to grow quickly to continue to benefit residents. In considering the recent application, in relation to the felling licence, the EDDC Landscape and Tree Officers described the current status of the felled area as woodland and concluded that 'the site is considered to be of high landscape value, lying within an area designated as AONB and comprising developing broadleaved woodland that would be expected to make a positive landscape and bio-diversity contribution as it matures.' As such the Plan seeks to protect its loss to development.

We propose that the A35 corridor is considered a 'planning entity' in its own right, mixing commercial, residential (impact) and environmental components to benefit those travelling through the parish as well as residents. While the road itself is the responsibility of Highways England , how it interacts more widely with the parish can be influenced by planning policies and decisions.

Specific areas to be enhanced within the corridor include:

- Wide grass borders along the road are increasingly being managed for wild-flowers by specialised cutting regimes by Highways England "A35 Verge Enhancement Management

Strategy” (supporting the similar “Life on the Verge” initiative by DCC, Highways). This initiative, with volunteer support, could extend to enhancing the hedges and trees along some sections to give passing visitors a more rural experience and increase biodiversity within the parish. There is the opportunity for volunteer groups to assist with the maintenance of these borders.

- The War memorial at the junction of George Lane with the A35 is a key landmark and an assembly area for parishioners. The area behind the war memorial and its surroundings needs to be protected for tranquillity and to give appropriate respect.
- The A35 is part of the South West Peninsular Strategic Road Network and is recognised as a busy route to the South West. Careful management of how traffic joins and exits the highway is essential to ensure safety of all road users.
- A tree and shrub barrier between and to the south of the A35 and the main village (from the Old Police House in the west to Kilminster Cross) needs to be maintained and enhanced where it exists, and further extended to protect the village (such as Dares Field) and any future development in adjacent fields from the harmful effect of particulate pollution (2.5µ particles) from the A35. The woodland at Gapemouth, uphill from the war memorial, is particularly important in this respect. It is now well known that trees and shrubs, especially dense hedges, mitigate the effects of pollution.

Within the village, respondents to the neighbourhood plan questionnaire identified a number of measures which could be introduced to improve road safety in the village. These included a new access road from the A35, Gammons Hill to the sewage works, a 20mph speed limit throughout the whole village, restricting the village’s road network to 5 tons for access only, 20 mph speed limit around the school, improved road sign visibility and traffic calming measures.

The area within the village already has a high density of housing built on predominantly single lane narrow roads without pavements and has limited opportunity for roadside parking. On street parking is already an issue causing problems for residents. Cars and vans parking within the village on narrow roads constitutes a problem for emergency and service vehicles, disrupts the free-flow of traffic and heightens the safety risks for pedestrians, pushchairs and mobility scooters. These problems are added to by the growing number of delivery vans and trucks driving through the village, some quickly as they are paid on piece rates. They also tend to ‘pause’ on road while the driver delivers goods. Making your way through narrow roads without pavements, with this increased traffic, around parked vehicles discourages cycling and walking, particularly for the elderly and those with pushchairs and young children. Therefore we will not support any new development or change of use of land that would increase in traffic flow on the local road network, particularly through The Hill, The Street and George Lane or have an adverse impact on highway safety.

Of the 315 vehicles owned by neighbourhood plan questionnaire respondents, a surprising 93% were said to be parked off road on private land, drives, etc. However, the majority of respondents think parking is variable in quality around the village and needs improvement. Temporary visitors’ parking outside houses and The New Inn were cited together with permanent ‘hotspots’ such as The Hill and Silver Street where the high density of housing does not allow off road parking. On Whitford Road there are temporary problems usually associated with the school drop-off. We will therefore not support any new development that cannot provide adequate off road parking as this would result in an increase of on road parking, which is a hazard to pedestrians, cyclists, emergency and service vehicles and other road users.

Narrow lanes without pavements and street lighting, on road parking, larger agricultural vehicles and the increasing number of delivery vans, create hazards for cyclists and pedestrians particularly through the residential centre of the village.



Access through some roads is very restricted



Delivery vehicles and agricultural equipment struggle to negotiate some roads within the village



Street parking is a major problem in some parts of the village, for example Whitford Road (at school time), The Hill where off-road parking is very limited and The Street, that narrows in places. On-street parking can make access for emergency vehicles difficult.

All development within the parish should respect the environment and character of the parish's existing historic network of roads and lanes. Developments on land behind an existing wall, bank or hedge should limit any damage to that existing boundary and make good any newly created openings in that boundary. Traditional stone walls, banks and hedges are preferred, blended with trees as appropriate. Urban fencing, such as wooden panelling should be discouraged on boundaries that front onto a road or path.

Policy TT1: Impact on the Local Highway, Cycleway and Footpath Network

- 1. Proposals must provide sufficient off road parking to serve the development commensurate to the size and nature of the use, and ensure no adverse impact on highway safety.**
- 2. Proposals which would significantly increase traffic flow on the local road network, particularly through The Hill, The Street and George Lane will not be supported.**
- 3. Proposals that improve pedestrian and cycle access to facilities will be supported.**
- 4. Proposals for new residential dwellings, employment development or community/recreation facilities must include secure storage facilities for cycles.**
- 5. Proposals for new residential dwellings or employment development should include charging points for electric vehicles.**

Having outlined the key transport issues, we are clear that they are not something over which both this Plan nor the planning system has complete control and other services such as the County Highways Authority, District Council and Police also play a role. For example, speed limits, pedestrian crossings, parking enforcement and speed cameras are all measures over which the Plan will have no direct control. However, articulating the complete story from a "real world" perspective with regard to transport issues is important, whether they are within the remit of the planning system to address or not. We have therefore included a number of actions within our Community Action Projects. They focus on two priority areas of opportunity where action would deliver significant benefits:

The A35:

- Improve safety by pursuing and supporting measures to reduce the speed of traffic through the village.
- Improve pedestrian and cycle access to facilities by pursuing and supporting the installation of a pedestrian crossing across the A35 close to Kilmington Cross.
- Improve safety by pursuing and supporting the installation of a 'Village Gateway' on the A35 at the western entry to the village, to encourage vehicles to reduce their speed.

Within the central residential area of the village :

- Pursue a 20mph speed limit in place of the existing 30mph limit or at least within the BUAB to reduce the speed of traffic passing through the centre of the village.
- Pursue a weight restriction within the BUAB to reduce the number of heavy goods vehicles entering, unless they are delivering/collecting or gaining access to land and/or premises.

4.3 Protecting Devon Banks, Hedgerows and Trees from New and Widened Access Points

4.3.1 Justification for our policy

Both our *Kilminster Village Character Assessment* (recommendations 3,12 and 13) and *Countryside and Green Space Assessment* demonstrate that Devon hedges (commonly also referred to as “Devon banks”) and other established hedgerows are a common feature of the landscape in Kilminster. They are often old, rich in biodiversity and very attractive, host a wide variety of wildlife, and can play an important role as stock-proof barriers and shelter for livestock and crops. We are aware of the threat of gradual erosion of such hedge banks in the Parish as a result of development and access proposals. The successful conservation of these hedges is critical to maintaining the special character of Kilminster’s natural and farmed landscape and the character of the village. Trees and hedgerows bring the wider countryside right into the village, especially those consisting of indigenous species. Removal of these hedges and associated trees and small areas of copse or woodland, as has happened in recent developments, undermines the rural context of the village leading to an undesirable suburbanisation of the village landscape.

Proposals relating to the highway could have an impact on hedgerows, Devon banks and treescape. Therefore, where development could have an impact on established trees, hedgerows and Devon banks forming the edge of roads or access to the highway, applicants should take fully into account the Devon County Council Highways Protocol for Protected Landscapes (or the most up-to-date guidance and standards relating to impact on hedgerows).

Policy TT2: Protecting Devon Banks, Hedgerows and Trees from New and Widened Access Points

Proposals for development including new and widened access points which negatively affect traditional Devon banks, established hedgerows and trees should demonstrate that:

- i) Alternative options are impractical and the proposal is the least damaging option (to the hedgerow / bank / tree(s), setting in the landscape, biodiversity and habitats), and,**
- ii) They have taken into account the most up-to-date Highways Authority standards and guidance relating to changes to hedgerows.**

A few examples of the Devon Banks, verges and rumble stone walls around the village



Devon Bank with primroses on Whitford Road



Mown grass verges with Devon Bank and hedge



Corner of The Hill and Shute Road with recent hedge following new build



Recently renovated rumble stone wall



18th century barn and wall of rumble stone construction



Thatched Devon long house and perimeter stone wall

4.4 Traffic Arising from Major Development

4.4.1 Justification for our policy

Any new housing will result in an increase in traffic flow to the A35. Increased traffic routing along the narrow roads through the central residential core of the village should be avoided. Any new additional housing should be built in areas that do not necessitate traffic using The Hill, The Street and George Lane to access the A35.

We want to ensure that additional housing development provides sufficient off road parking to accommodate any additional vehicles; otherwise the narrow local roads will become more congested and obstructed by resident's parked cars. Development should also provide facilities for the charging of electric vehicles.

Policy TT3: Traffic arising from Major Development

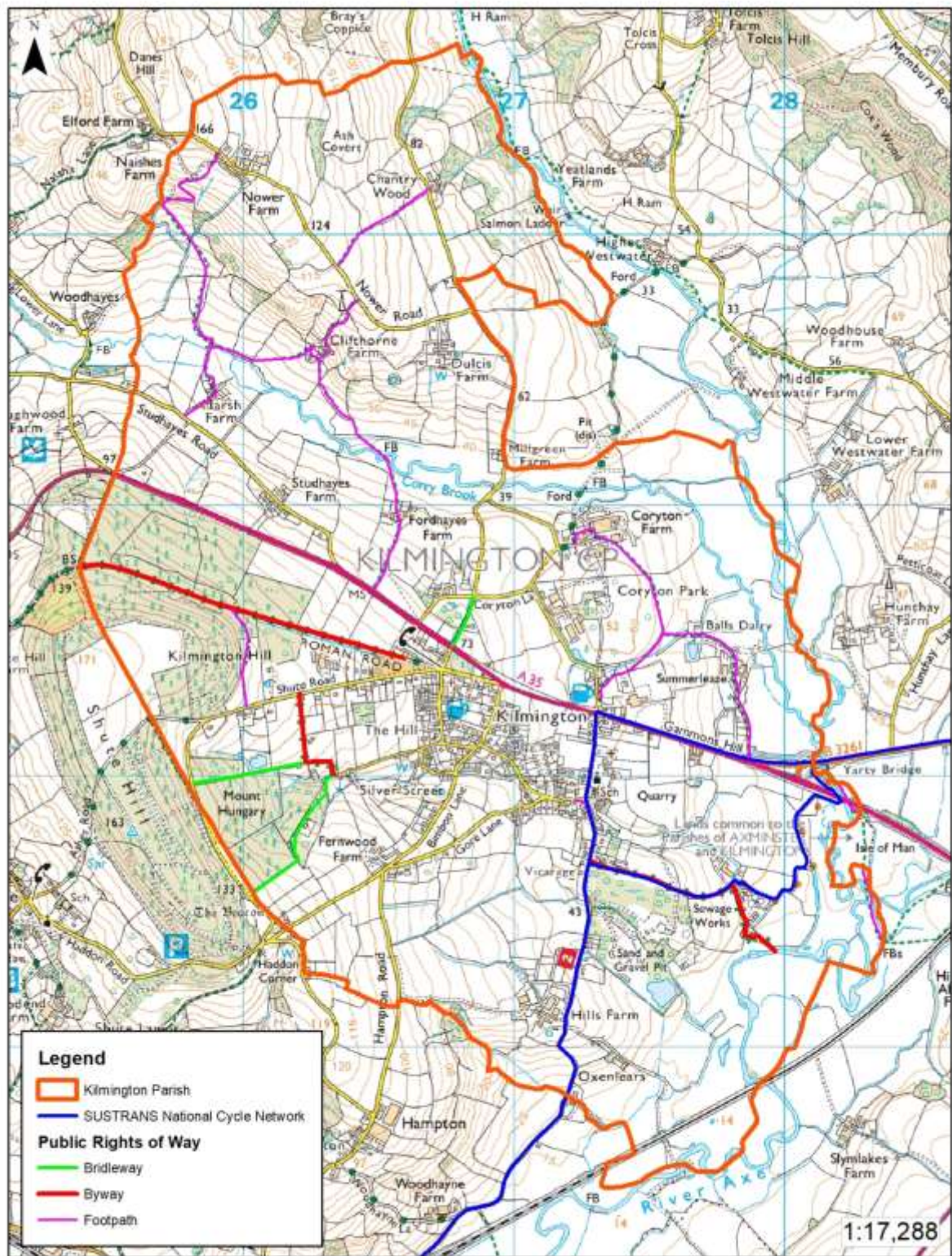
Proposals for all new housing developments, major employment or retail proposals and expansion of existing employment and retail premises which are likely to generate significant additional vehicle movements into and out of the site should demonstrate, as part of a Transport Assessment, how vehicular access into and out of the site and circulation within the site will mitigate impacts of additional traffic onto the A35 and (where relevant) through Kilminster village (including with regards to safety, journey time, congestion, air quality and noise).

4.5 Protecting the Footpath, Bridleway and Cyclepath Network

4.5.1 Justification for our policy

While some of our policies are about accommodating the motor vehicles better, we are also keen to reduce vehicle impact by reducing the need for their use. It should be made easier, more pleasurable and safer for local people to travel around the area safely without using a car. The network of footpaths, cycleways and bridleways we have at present is illustrated on Figure 10.

Figure 10: A Map showing Public Rights of Way within Kilminster Parish



There is a network of footpaths, cycleways²⁰ and bridleways within the Parish that are extensively used by residents and visitors. However, they are mostly used for leisure, dog walking etc. as their routes do not follow the main access routes to amenities. We will be investigating the feasibility of creating new footpaths through the village that would serve residents and help to persuade travellers to switch away from their cars. Specifically, a route between the amenity area on the Whitford Road and central residential area of the village (George Lane and The Hill) would be the most beneficial. A route through the Recreation Field and one of our proposed housing sites could help this to be delivered and also perhaps link to the A35 pavement.

Policy TT4: Protecting the Footpath, Bridleway and Cycleway Network

- 1. Development proposals which result in the loss of public footpaths, bridleways and cyclepaths will not normally be supported unless an appropriate replacement route can be provided.**
- 2. Proposals for new rights of way and other public non-vehicular routes and development affecting existing rights of way and other public non-vehicular routes should, where relevant:**
 - i) help to increase opportunities for recreational access to and within the countryside;**
 - ii) better link existing areas of green infrastructure and Local Green Space used for recreational purposes;**
 - iii) help to retain and enhance safe and easy pedestrian and cycle access to local amenities including the school, community facilities and services;**
 - iv) not adversely impact upon local amenity;**
 - v) have no adverse impact on landscape or built character or such impacts are satisfactorily mitigated;**
 - vi) meet the most up-to-date standards of design and use surface materials that do not exacerbate flooding.**
- 3. New and improved walking and cycle routes in the following locations, to improve accessibility within and around Kilminster village, will be supported:**
 - i) connecting George Lane and Whitford Road; and,**
 - ii) connecting Meadowbank and the proposed development HD3**
 - iii) connecting The Hill and Newtons Orchard/George Lane**

²⁰ The National Cycle Route 2, also known as The South Coast Cycle Route also runs through the parish.

A network of footpaths, cycleways²¹ and bridleways within the Parish used extensively by residents and visitors.



Leisure walks leaflets



Footpaths and bridleways provide a network of routes for families



The annual Kilmington Kanter is a popular local family fun run which follows village footpaths

²¹ The National Cycle Route 2, also known as The South Coast Cycle Route also runs through the parish.

5 Employment and Business

5.1 Introduction

The local economy in Kilminster is based largely on rural small-scale businesses and the agriculture and forestry sector. There are 6 farms across the parish.

Kilminster village has a range of businesses which serve the community, many highlighted in previous sections. In addition a number of businesses operating along the A35 also serve a wider area than the parish. These include:

- a fuel garage with convenience shop,
- the Pit Stop motel and cafe,
- a skip hire and recycling yard,
- a car sales forecourt and servicing workshop,
- woodworking sales and workshop,
- the Old Inn pub / restaurant,
- Millers farm shop with associated outlets (fish shop, florist, cafe).

This 'commercial strip' and main road forms an interface between the rural nature of the parish and a semi-urban environment.

There are a number of tourist accommodations across the parish.

To the south of the village, businesses include a storage facility, concrete supplier, wedding car hire and engineering / welding business. The concrete supplier, engineering works and sewage treatment works necessitate heavy goods traffic movements through the village along Whitford Road from the A35. The wider catchment for employment extends to Axminster to the east and into Dorset, Honiton to the west and more strategically looking to Exeter.

Businesses in the village are essential in providing employment for the current and next generation and sustaining Kilminster as a place to live. As well as the business noted above, there are many service sector based businesses operating within the village often from homes. The parish NP questionnaire (November 2017) highlighted a small requirement for affordable office work spaces or units (room size) and a need for upgrade to current Telecommunications/internet; there was no requirement for additional industrial/workshop units, perhaps because these are already available for rent locally at Hunthayes near Axminster, also in Kilminster at Summerleaze and off Whitford Road at the quarry site.

Summerleaze (a diversified ex dairy farm) also on the eastern edge of the village off Trafalgar Way is in part now a Wildlife Park. It attracts in the region of 26,000 visitors pa. As well as a tourist attraction it provides educational facilities for local schools and pre-schools both at the Park and offsite. The site also homes a large animal and Equine Vets providing essential support to the local community; 'Buglers' agricultural retailer; RBS scaffolding, Clarkes concrete supplies and a horticultural and woodland management team. Overall this one site employs over 60 local people.

The key issues for the economy which have arisen from community consultation are:

- The need for local employment in Agriculture and Forestry:

- Opportunities for continued and additional employment in small scale Local Tourism:
- Managing the Change of Use or Conversion of Employment and Retail Premises to Other Uses to Enhance Employment but not at the expense of the Countryside or Increasing Traffic through the Centre of the Village;
- Managing the Diversification of Agricultural Buildings which support the Local Economy but not at the expense of the Countryside or Increasing Traffic through the Centre of the Village;
- Improving Telecommunications, particularly faster Broadband Connection, to support Local Businesses.

Our objective reflects the desire to respond positively to these issues and is summarised below.

Theme: Employment and Business

To support the local economy through existing businesses, and enhance employment opportunities by supporting new enterprises and premises of an appropriate type, location and scale.

As we have already stated, we are cognisant of the need to support the local economy where we can. This extends to the need to retain existing employment and retail units as such where at all possible. While we would wish to have a policy which seeks to protect retail and employment uses from loss to alternative uses, we consider that Local Plan policies (such as Strategy 32(or equivalent replacement policy): Resisting Loss of Employment, Retail and Community Sites and Buildings) are sufficient to enable this protection as is allowable in the planning system.

5.2 Supporting Local Employment in Agriculture, Forestry and Leisure

5.2.1 Justification for our policies

The current agricultural and forestry businesses in Kilmington are essential for maintaining the life, soul and ambiance of the Village. Agricultural practices aligned to governmental environmental requirements in the 21st century, provide employment for future generations and help safeguard/protect the village by maintaining the countryside that surrounds the current populated area. The policies in this section are therefore designed to support and maintain current operations and permit limited development, whilst restricting large developments (tourist accommodation sites) which the current infrastructure in Kilmington (particularly roads) is unable to support.

Policy EB1: Local Employment in Agriculture and Forestry

Development proposals which provide additional opportunities for agricultural and forestry employment will be supported where they:

- i) do not increase flood risk;**
- ii) have no adverse impact on locally valued landscapes and views, as identified in Policy CGS1 or built character or such impacts are satisfactorily mitigated;**
- iii) have no adverse impact on biodiversity or impacts can be satisfactorily mitigated.**

iv) the proposals demonstrate how a biodiversity net gain equal to or exceeding national policy requirements will be delivered;

v) do not adversely impact upon local amenity; and,

vi) do not adversely affect traffic within the village.

The local economy in Kilminster is based largely on rural small-scale businesses and the agriculture and forestry sector.



Commercial area on A35 with motel/restaurant, petrol station, garage services, outdoor furniture workshop and farm shop with florist, fish-stall and cafe



The Farm Shop is a successful and expanding enterprise



Diversification of Summerleaze Farm includes an animal park, equine vet, scaffolding depot, agricultural machinery and concrete lorry park



Tourist destinations include an animal park, holiday accommodation and small campsite



Farming occupies a major part of the parish area



Commercial forestry on the southern boundary of the parish

5.3 Local Tourism and Leisure Opportunities

5.3.1 Justification for our policy

Over the past decade the leisure industry has grown significantly and provides much needed income and jobs in the area of East Devon. Bed and breakfast, Airbnb, holiday lets and small number of specific holiday units all provide a number of part time jobs, which are essential for some people living in the village. In order to diversify rural businesses or landowners may wish to apply for a 'change of use' to their land to provide holiday accommodation sites. There needs to be a delicate balance between encouraging such tourism-based development to help improve our local economy and protecting the quality of the landscape. This policy seeks to give greater control over areas relating to holiday accommodation parks including caravan & camping/glamping and holiday lodges sites within the Kilminster Parish.

There is no support for a large permanent caravan site within Kilminster Parish; there are many large permanent sites nearby: in Musbury, towards Lyme Regis and Seaton. Andrewshayes in nearby Dalwood on the edge of the Kilminster parish boundary is a large permanent site located adjacent to the A35 which provides 89 static holiday homes, 140 caravan/motorhome pitches and 20 tent pitches. Future requirements may highlight a need for small holiday accommodation sites within the countryside around Kilminster and these may be considered appropriate if access is suitable, they are non-intrusive, do not adversely impact upon the special qualities of the AONB landscape and benefits to the community (jobs) can be sustained.

Local Plan Policy "E19: Holiday Accommodation Parks" permits the development of new 'holiday accommodation' sites outside designated landscape areas such as the AONBs, where they meet criteria relating to harmony and compatibility. It is also permissive of existing holiday accommodation parks within the AONBs where they meet the same criteria in full and provide no new permanent structures or are replacement structures designed to blend into their surroundings.

Our policy is specifically designed to add a local 'layer' to Local Plan Policy E19 (or equivalent replacement policy), with its focus on small scale holiday accommodation site proposals (for a maximum of 5 pitches or holiday units, to avoid cumulative impact of larger sites) and criteria which we feel should be amplified in the local context.

Small scale holiday accommodation sites up to 5 temporary pitches or holiday units, such as a caravan certified location, camping/glamping, yurts, shepherds' huts, small holiday lodges within the countryside around Kilminster may be considered appropriate if access is suitable, they are non-intrusive, do not adversely impact upon particularly locally valued landscapes and views, the special qualities of the AONB landscape and benefits to the community (jobs) can be sustained. Where permanent structures/houses/mobile homes to support these industries are not already in place, new dwellings of any type will not be supported; conversion of existing buildings to support such sites will be considered on an individual basis.

Policy EB2: Local Tourism and Leisure Opportunities

1. Development proposals for holiday accommodation and tourist attractions which provide additional opportunities to support the local economy will normally be supported where they:

- i) are of a small scale appropriate to their setting;**
- ii) are in a sustainable location with safe and good access to local facilities and amenities**
- iii) serve a local rather than strategic tourism need and /or demand;**
- iv) have no adverse impact on highway safety or traffic flow on the local road network;**
- v) do not increase fluvial or surface water flood risk;**
- vi) have no adverse impact on locally valued landscapes and views identified in policy CGS1, or built character or such impacts are satisfactorily mitigated;**
- vii) have no adverse impact on biodiversity or impacts can be satisfactorily mitigated to ensure net gains in biodiversity; and,**
- viii) do not adversely impact upon local amenity.**

2. The development of new permanent dwellings of any type to support such developments will not be supported. The conversion of existing buildings to provide support to the facility will be considered on an individual basis.

5.4 Change of Use of Agricultural Buildings

5.4.1 Justification for our policy

Farming is a vital component of our Parish landscape, character and economy. We will help ensure that farming businesses can remain viable by supporting business diversification and the conversion or redevelopment of existing farm buildings where it can be shown that it will make a difference to the viability of the main business but have little or no impact on the character of its surroundings. The NPPF states that policies should enable “the development and diversification of agricultural and other land-based rural businesses” (paragraph 83).

Local Plan Policy D8 (or equivalent replacement policy): Re-use of Rural Buildings Outside of Settlements is permissive of the conversion of rural buildings. Within the AONBs however we feel that we should be cognisant of the AONBs' Management Plans (Ref: Local Plan Policy Strategy 46 (or equivalent replacement policy) - Landscape Conservation and Enhancement and AONBs) which recognise the value of "rural diversification", but not at the cost of compromising the conservation and enhancement of the natural beauty and the special qualities of the AONBs. In the spirit of the national policy we will not oppose the careful and sensitive conversion and alteration of existing agricultural buildings for business-related purposes.

Our policy EB3 supports the conversion of agricultural buildings in the interests of increasing the viability of the farm business, for example to Class E use or other diversification such as holiday accommodation, subject to other policies in this Plan, whilst ensuring the conversion and reuse is compatible with its setting and the special character of the AONB. Thereby it complies with the AONB Management Plans by encouraging the development of sustainable employment opportunities.

Policy EB3: Change of Use of Agricultural Buildings Development

Where planning permission is required, proposals for conversion of agricultural buildings will be supported where:

- i) they support the diversification of farm businesses, and it can be shown that it will make a difference to the viability of the main business as a working farm;**
- ii) they have no adverse impact on highway safety, on road parking or traffic flow on the local road network;**
- iii) they will have no adverse effect on residential amenity (such as resulting from noise, hours of operation, light pollution, anti-social behaviour and so on) in nearby areas;**
- iv) there will be no adverse impact on the natural environment (landscape, biodiversity and habitats) or that any adverse impacts will be satisfactorily mitigated.**
- v) the proposals demonstrate how a biodiversity net gain equal to or exceeding national policy requirements will be delivered;**
- vi) they do not result in disproportionate extension of the existing structure or building.**

5.5 Change of Use from Agricultural Land to Woodland

5.5.1 Justification for our policy

In order to diversify and make the best use of land available, established farm enterprises, rural businesses or landowners may wish to apply for a 'change of use' to their land to introduce or increase areas of woodland. While this would not normally give rise to many objections, we are keen to support the principle and encourage diversification which can support mitigation of climate change impacts. It is also designed to support legislation regarding the replenishment of woodland and improving the natural environment in which we live including access and health and educational benefits. There are, however, some criteria that such proposals should take into consideration, as set out by our policy below.

Where it can be proven to be beneficial and supports current legislation in respect to improving the environment, has suitable access and has no detrimental effect on the landscape or neighbouring developments, applications will be supported. Small areas of deciduous trees natural to the area and region are preferred, providing the location will not impair or undermine properties located nearby. Larger plantations of conifer/crop trees such as Douglas Fir and Larch (but not limited to these) will also be supported, providing they do not impair or undermine properties located nearby and suitable access for trimming, felling and distribution is provided. Areas within the BUAB where access is already restricted will be considered on an individual basis, providing the benefit of the proposal can be proven to outweigh the disadvantages and disruption that may be caused in maintaining/clearing a proposed area. Proposed sites that provide additional access to the public and can provide an educational benefit are viewed as a 'high priority' and will be supported providing the necessary parking and support facilities are also included in the application. The last Kilminster survey conducted in 2018 highlighted individual concerns regarding the removal of woodland and generally supports this policy.

Policy EB4: Change of Use from Agricultural to Woodland / Forestry Use

Development proposals associated with a change from agricultural use to woodland/ forestry for commercial purposes which require planning permission will be supported where:

- i) they help to increase opportunities for public access to and education within the countryside;**
- ii) they have no detrimental impact on the neighbouring developments or landscape designations or such impacts can be satisfactorily mitigated;**
- iii) access to and from the site for trimming, felling and distribution does not exacerbate existing transport problems experienced in Kilmington village;**
- iv) they demonstrate that there is no adverse impact on the landscape from buildings required for operational uses of the site or such impacts can be satisfactorily mitigated;**
- v) they utilise species natural to the region across the site to enhance habitats and achieve a net gain in biodiversity and avoiding monoculture; and,**
- vi) they demonstrate that there is a plan in place for the management of the woodland, especially where it is being used as a crop.**

5.6 Telecommunications

5.6.1 Justification for our policy

Fast and reliable internet connection is essential for running successful businesses, accessing services and assistance, furthering education and creating a breadth of opportunities for personal growth and development. We are intent on establishing and maintaining a level of connectivity commensurate with the best in East Devon. While the main driver for our policy is to help sustain and improve the local economy, the need for improved provision extends beyond the traditional business premises as many people are now working from home or running a business from home which would benefit from a reliable, high speed broadband connectivity. Naturally, there are positive spin-offs for local households, as the use of the internet for social interaction, education and access to essential services increases with time.

Regular use of the internet and social media is also important if we are to maintain or improve our quality of life. This is particularly so in a rural area dependent on local services and facilities which some cannot readily access without personal transport. The NPPF (para. 112) says “Advanced, high quality and reliable communications infrastructure is essential for economic growth and social wellbeing”. It is also likely to become more important as increasingly services are accessible principally via the internet.

However improved connectivity, where this involves hard infrastructure, cannot be done at all costs. Our policy is set in the context of the special quality of our natural and built environment. It seeks to minimise the visual impact of new connectivity infrastructure such as masts, cabling, telecoms boxes or hubs for super-fast fibre broadband. Such infrastructure should be appropriately sited, sympathetically designed and camouflaged so that it is in-keeping with its setting and surroundings. However, we recognise the limitations of this policy with many types of telecoms infrastructure not being subject to planning permission. The use of masts which require planning permission would only be supported where there was no adverse impact on the landscape.

Policy EB5: Telecommunications

1. The development of infrastructure to support improvements in telecommunications which serve the Parish will be supported where sympathetically incorporated and sensitively sited within the landscape.

2. Masts will only be supported where they are located outside of the Locally Valued Landscape Areas and Views as shown in Figure 19 and it can be proven that:

- i) there is a need for a mast at that specific location;**
- ii) there are no opportunities to share an existing mast.**

3. Wherever practical, all new residential, educational and business premises will be required to make provision for the latest high-speed internet and mobile connectivity.

6 Heritage and Design

6.1 Introduction

The Parish of Kilminster occupies an area of around 1,760 acres = 712 hectares within which there are about 430²² properties occupied by 830 parishioners²³. In community terms, all these parishioners belong to Kilminster, but the term “Kilminster village” usually refers more narrowly to the built-up village lying almost wholly to the south of the A35, the major trunk road running east-west that bisects the parish. The built-up area occupies less than 5% of area of the parish. The area to the north of the A35 is relatively sparsely populated and is still extensively farmed. The main settlement developed on the eastern slopes of Shute Hill and Kilminster Hill below more steeply sloping ground. Most of the village lies between 100 and 300 ft. above sea level, well above the flood plains of the rivers Axe and Yarty and the Corry Brook.

The parish has a distinctly rural feel with countryside reaching right into the village. Maintenance of this rural characteristic is strongly supported by parishioners in responses to the neighbourhood plan questionnaire. Most of the parish lies within the East Devon and Blackdown Hills AONBs. The village gateways, the access points to the village, have kept their rural aspects. Many of the historic buildings reflect the farming legacy of the parish. Much of the land outside the built-up area is still farmed or used for forestry. The long views across the river valleys reveal a patchwork of pastures, fields, hedgerows and trees, which we explore further in the Countryside and Green Spaces Section 7.

The historic development of the village has a significant impact on its character today. There were three main foci of population quite widely spaced at The Green, Silver Street and the northern end of The Hill – The Street linked these three centres. About 85 of the 94 properties listed around 1840 that have survived, provide the historic core of modern Kilminster. They lie on a network of roads that has not changed over the last 200 years and is of critical importance to the visual character of the village. A small part of the historic village core, at the eastern end of The Street and around St Giles Church and The Green, has Conservation Area status. There are in total 35 listed buildings in the Parish of Kilminster, only 9 of which lie in the existing Conservation Area. Reviews of the Conservation Area undertaken by EDDC have identified further small areas of the village that may qualify for Conservation Area status and have also criticised recent developments that tend to intrude on or lead to loss of the essential qualities of the existing Conservation Area.

As the Housing Development and Community Facilities section describes in detail, housing development in the early to mid-1900's was along these historic roads adding to the character of the village. In the 1960's and 70's there was considerable new house building, mainly on the sites of former small farms and orchards. These new developments, usually bungalows in cul-de-sacs, had single points of access to the historic road network ensuring that the rural character of the village was maintained. The most recent development, in date 2016 of 13 mainly 'affordable housing' properties at Dares Field, is a cul-de-sac off George Lane. An extensive and fascinating analysis of the

²² census 2011 = 405 + new builds 24 =429

²³ According to the 2011 census

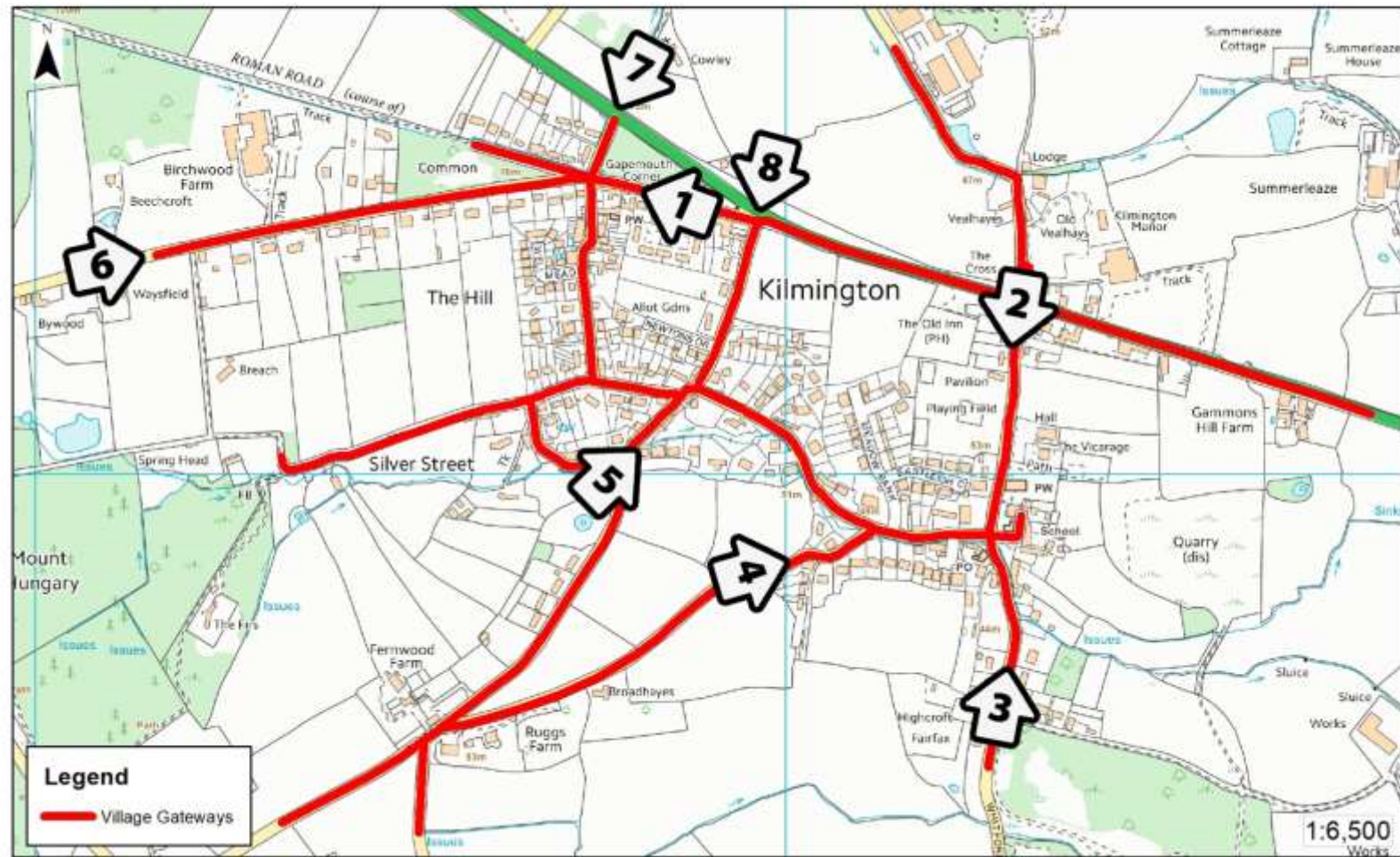
growth of the village in each phase of its development is given in the *Kilmington Village Design Statement* (2011) (see Appendix 3).

Thus, by accident, or good planning, the substantial increase in housing over the past 50 years which led to a doubling in the number of dwellings has had relatively limited impact on the visual character of the village.

Village Gateways (as shown on Figure 11)

1. War memorial looking west up Shute Road
2. A35 looking south at Ashes Farm
3. Whitford Road looking north approaching Fairfax
4. Gore Lane looking north-east approaching Jubilee Green
5. Bim Bom Lane looking north at Silver Street
6. Shute Road looking east at Little Park
7. A35 looking south down The Hill
8. War Memorial looking south down George Lane

Figure 11 Map showing village gateways



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Style of housing varies around the village but if new development is sympathetic to its neighbours it will help to maintain the overall character of the Parish



Historic houses along original village roads



Post-war development in cul-de-sac



Farm conversion on The Street



1960's bungalow developments in cul-de-sacs off the original village roads

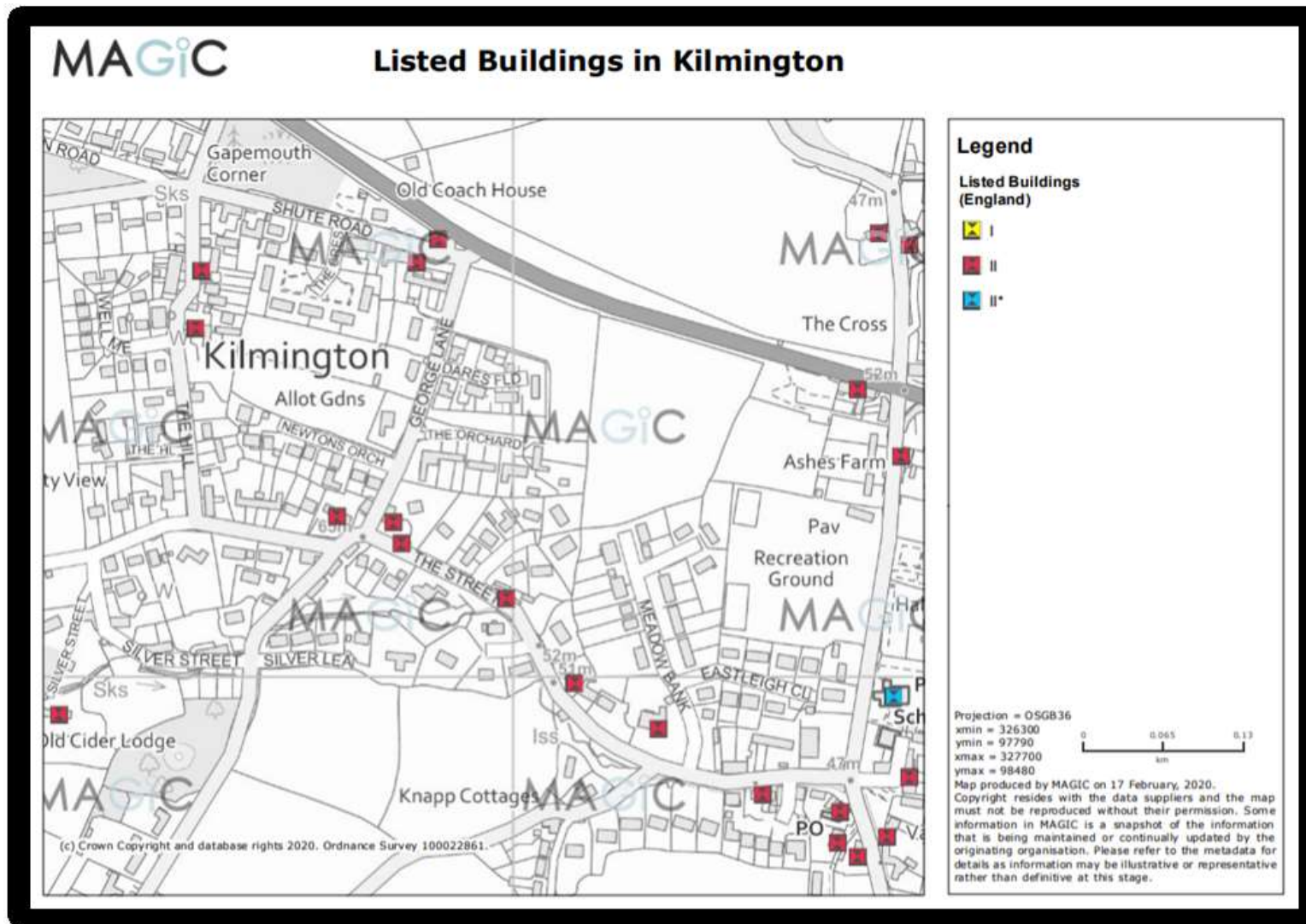


Late 20th century development off George Lane



Recent affordable housing development in Dares Field using vernacular architecture

Figure 12: A map showing Listed Building Locations in Kilminster



Source: MAGiC Online Mapping, Natural England, <https://magic.defra.gov.uk/MagicMap.aspx> © Crown copyright and data base right, Ordnance Survey licence number 100051170, 2020

A number of key character elements in the village have local heritage significance including:

- verges,
- open ditches and drainage channels,
- streams,
- woodland, trees and hedgerows (including Devon banks),
- walls built out of local stone (rubblestones),
- natural springs often contained within dipping wells or openings on to public areas such as village lanes.

The building styles and materials of construction that have been employed as the building stock of the village have expanded reflecting the fashions and the technologies of the times including traditional cob and thatch. No single vernacular style can be applied across the village, nor across the parish as a whole. However, the feel that chert rubblestone is the material that gives Kilminster its character is accentuated by its ubiquitous presence in walls and boundaries around the historic village. It has been copied with varying degrees of success in the boundaries of many more modern properties. The other key element of character is the use of colour washed render in cream or off-white on many of the older properties built of rubblestone.

The built environment and layout of the village has a significant impact on its character and the 'sense' of cohesion of the community. Many residents walk along the roads and lanes, taking their children to school, running errands, walking dogs or simply for recreation. During these walks, an activity much encouraged by government and health authorities alike, individuals meet others and cement relationships. Research suggests that areas where people feel safe and comfortable to walk are conducive to positive perceptions of social cohesion and therefore maintaining the quality of the lanes and key thoroughfares in the village are critical.

The village has many facilities and activities that contribute to and reinforce the social cohesion felt by residents as described in the section on Community Facilities, Amenities and Assets.

In summary the key issues in this section which have arisen from community consultation and our evidence base can be summarised as:

- The desire to Protect Local Heritage Assets
- Protecting the Character and Distinctiveness of the Parish whilst Embracing New Technology to Improve Our Environment

Our objectives reflect the desire to respond positively to these issues and are summarised below.

Theme Heritage and Design - Objective:
To keep all development to a scale, mass and character which respects and responds to principles of high-quality design, reflecting and enhancing local built and landscape character and distinctiveness of the Parish.

6.2 High Quality Design

6.2.1 Justification for our policy

This Neighbourhood Plan is not the first parish-wide statement of how the village sees itself and wants to develop. *The Kilminster Parish Plan* was published in 2007 based on a parish-wide questionnaire in which more than 90% responded. The key findings were that the residents wished to preserve the rural character of the parish, but not to the extent that it becomes locked in a time-warped. They also concluded that:

- The village should not be allowed to grow too large through over development and priority should be given to affordable and sheltered housing.
- Where development is allowed, there should be much better control over planning consent ensuring that any new building is sympathetic to its neighbours and to the landscape environment.
- Those features that are most admired and characterise the village should be maintained.

The Parish Plan was followed and built on by the *Kilminster Village Design Statement* in 2011. This excellent document described the distinctive character of the village and the surrounding countryside, how the village had developed and, finally, drew up landscape and design principles for future development. It was based on lengthy and extensive consultation within the parish. It was approved by the Parish Council and formally endorsed by the East Devon District Council in October 2011. Since then it has guided the Parish council and the EDDC in reviewing building and development applications. The *Kilminster Village Design Statement* produced a series of recommendations that are still very pertinent today. More recently, most neighbourhood plan questionnaire respondents (114 replies) thought new buildings should harmonise visually with the surrounding buildings. There is a significant level of support, set out in full in our *Kilminster Village Character Assessment* ²⁴, to suggest that the *Kilminster Village Design Statement* should continue to be supported through this Plan. The key areas of the *Kilminster Village Design Statement* where support was emphasised in the responses have been incorporated in the *Kilminster Village Character Assessment* (Appendix 4). They are:

1. New design should demonstrate an awareness of the past while, at the same time, embracing modern technologies.
2. Adequate garaging and off-road parking.
3. New buildings, extensions and renovations should 'sit well / fit in with' with adjacent properties.
4. Buildings should be no more than two storeys high and should have pitched roofs. Porch and garage roofs should reflect the pitch and materials of the main roof. Flat roofs should be discouraged.
5. On both new and existing properties a range of roofing materials may be employed – slate, tiles, thatch – but, with the exception of thatch, a dark colour should be used.
6. The colour of renders and other external wall finishes should be neutral or pastel shades (not vivid colours) and should blend with the neighbouring properties.

²⁴ See Appendix 4 *Kilminster Village Character Assessment*

7. Chimneys are an important element of design and should be encouraged. Typically, they should be of brick (possibly rendered) with terra cotta chimney pots. External flues should be dark in colour or concealed from view.
8. The style and detail of windows, including replacement windows, should harmonise throughout the property and any extensions.
9. Dormer windows should have pitched roofs and should be subordinate in scale to the main roof.
10. In older properties a high wall to window ratio should be retained, and prominent picture windows discouraged. Windows and doors in these properties should, when appropriate, use deep window and door reveals to retain the sense of solidity.
11. Guttering should be discreet and appropriate to the age and design of the building.
12. Detail – the use of decoration, texture and design – creates a sense of quality and craftsmanship and should be encouraged in new buildings and carefully preserved in existing buildings. The use of “faux” materials should not be permitted on those parts of a building that are visible from public areas and especially on buildings that front on to the historic road network.
13. All extensions and alterations (including partial rebuilding) to existing buildings should respect the character of the original. Extensions should be subordinate in scale and in height to the existing building(s).
14. Garages, unless integral or concealed from view, should be set back from the building line of the property.
15. The following household adjuncts should, where possible, be concealed from view: fuel storage tanks and refuse storage bins; television and dish aerials; and solar panels. Wind turbines may be appropriate on more remote sites but should not be permitted in the village because of possible noise pollution and visual impact.

In reconsidering the appropriateness of the *Kilminster Village Design Statement* nine years after its publication, our *Village Character Assessment* has a wider scope and sets out a number of recommendations all of which align with the *Village Design Statement*, most of which are also encapsulated in other policies in this Plan. The recommendations focus on the following themes:

- To preserve the rural character and distinctiveness of the parish
- To encourage development that respects the environment in which it is set
- To protect the village and the rural environment.

Our policy DE1 signposts the *Kilminster Village Character Assessment* as the main point of reference for proposers of development in the parish. It also draws attention to the key aspects of development which contribute to what we consider to be high quality design in the Kilminster context. Our policy brings the *Kilminster Village Design Statement* up-to-date with regard to the need to have positive regard to the most recent standards and design guidance which was not produced at the time that the Statement was published, or subsequent requirements for protection of the environment and biodiversity.

The importance of high-quality design is emphasised in the NPPF (section 12) and therefore provides a positive and strong policy framework for this policy. It specifically references neighbourhood plans as an appropriate level of development plan through which to articulate specific design requirements for development (paragraph 125).

Policy DE1: High Quality Design

1. All new development should be of high-quality design, complementing the local vernacular, enhancing visual amenity, minimising any adverse impacts on the built environment, neighbouring amenity and landscape.

2. For proposals to be considered high quality, they should meet the requirements of the *Kilmington Village Character Assessment* (Appendix 4) and have particular regard to the following considerations, wherever applicable and practical:

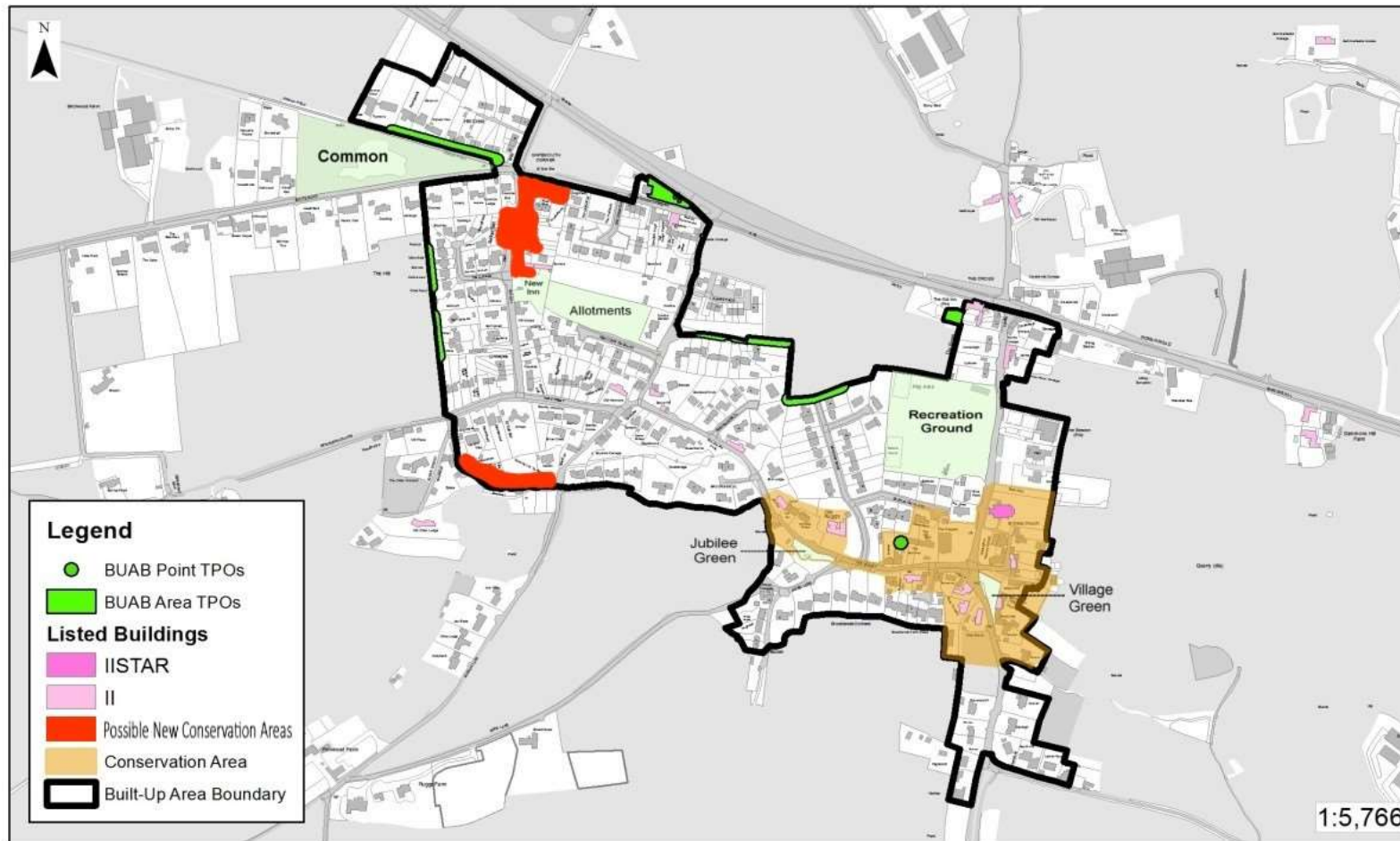
- i) application of the most up-to-date accessibility standards which are applicable to the type and location of development (and exceed those standards where possible);**
- ii) be well-related to scale, form and character of the existing village built-up area and of its setting, sitting and fitting well with neighbouring properties including residential dwellings providing private rear amenity space (gardens) appropriate to dwelling type and size;**
- iii) demonstrate how they respond positively to the *Kilmington Village Character Assessment* and *Kilmington Village Design Statement* (Appendix 3);**
- iv) retain and enhance boundary features of a site or have boundary treatment well-related to those of nearby dwellings and other buildings and the character of its setting. Where this requires planting of hedgerows or banks, species should be native to the local area;**
- v) have no adverse impact on the amenity of neighbouring residents;**
- vi) have minimal adverse visual impact on the village gateways (approaches) identified on Figure 11;**
- vii) exceed adopted off road parking standards;**
- viii) ensure good and safe accessibility for refuse, emergency and delivery vehicles;**
- ix) provide safe and easy access for pedestrians and cyclists onto the existing pedestrian and cycle network and enable good connectivity to local facilities and amenities;**
- x) provide a street design which is safe for pedestrian, cycle and vehicular access but does not adversely impact upon the character of the historic network of roads and lanes, for example, through inappropriate lighting or pavement areas which adversely impact on the character and setting of public spaces;**
- xi) route utility and other service infrastructure underground;**
- xii) as a minimum meeting and wherever possible exceeding the latest Government Standards in relation to energy efficiency of materials and thereby achieving any policy requirement to reduce CO2 emissions;**
- xiii) have a layout which optimises passive solar gain;**
- xiv) new residential dwellings, employment development or community/recreation facilities must include secure storage facilities for cycles;**
- xv) new residential dwellings or employment development should include charging points for electric vehicles;**
- xvi) pass the tests and exceed standards relating to Building for a Healthy Life for dwellings and BREEAM “Very Good” for commercial / employment uses, or equivalent other up-to-date standards at the time of application; and,**
- xvii) respond positively to National Design Guidance, and to principles such as those set out for “walkable communities” in Sport England and Public Health England’s “Active Design” guidance.**

6.3 Protecting Heritage Assets

There are 35 listed buildings in the Parish of Kilminster, only nine of which lie in the existing Conservation Area designated in June 1973²⁵ (see Figure 13). The 1999 appraisal review concluded “that other parts of the village retain sufficient residual character for consideration to be given to designation of two further small conservation areas.” These are the compact area of Silver Street along the stream from the junction with Bim Bom Lane; and part of The Hill including The New Inn, Salisbury and Balfour Terraces. There is also a strong case for the buildings running down the lower end of Shute Road, below the junction with The Hill, to be given consideration and the Parish Council will be exploring this with EDDC and residents during the lifetime of this Plan.

²⁵ conservation area status provides for policies designed to preserve or enhance all aspects of the character that define the area’s status

Figure 13: Map showing existing and possible new Conservation Areas



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To maintain the character of the village all new buildings, extensions and modifications should harmonise visually with the surrounding buildings. Property owners with permitted development rights that relate to modifications and/or extensions of existing buildings of a more minor nature that do not require an application to the planning authorities are encouraged, nevertheless, to consider the recommendations of the *Kilmington Village Character Assessment*.

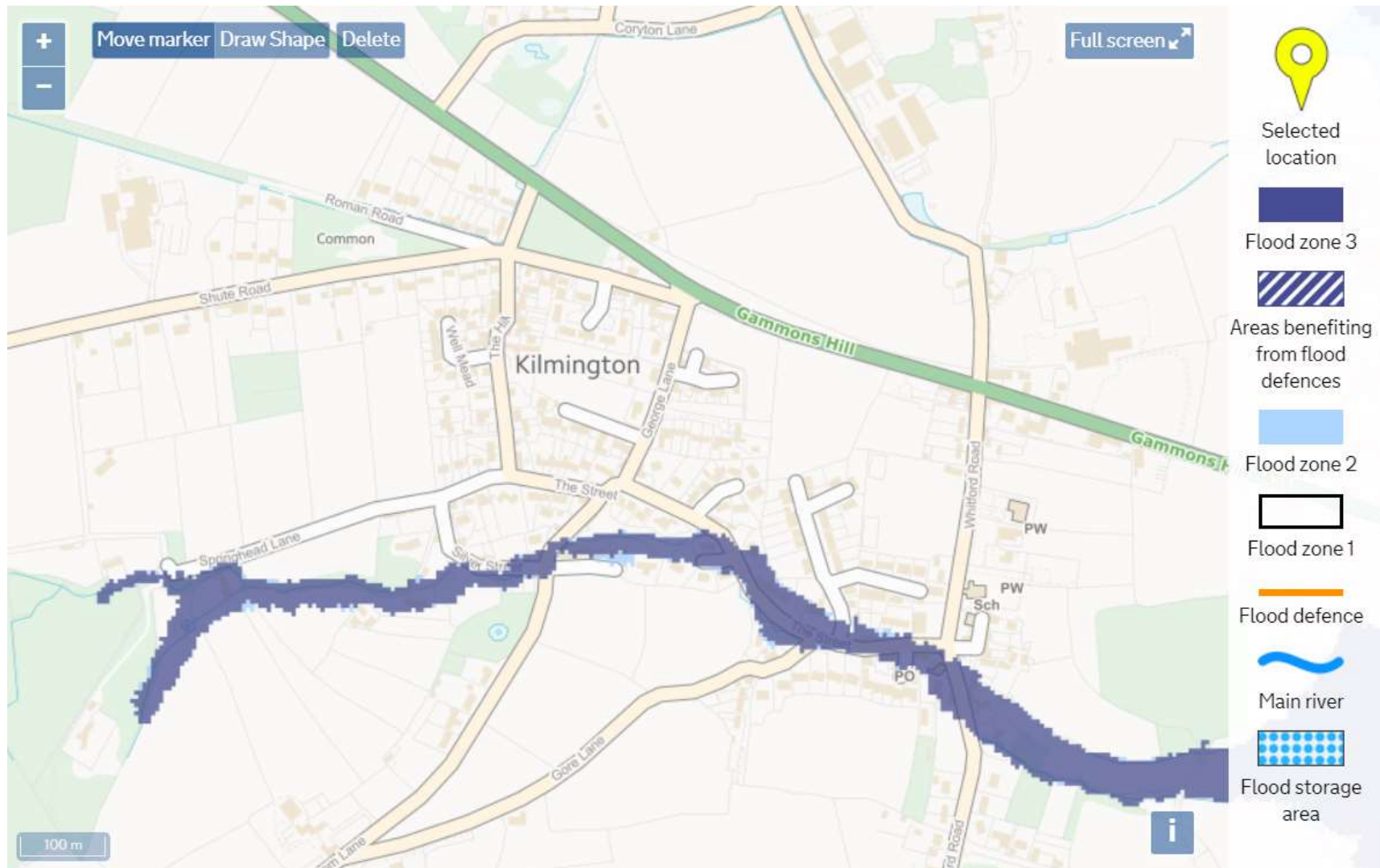
Alongside our policy requirements above for proposals to meet the guidance and recommendations in the *Kilmington Village Character Assessment*, we consider that there is sufficient national legal protection and policy support in the adopted Local Plan and NPPF to protect heritage assets without needing a specific additional policy in this Plan. There are a number of local historic structures and buildings without national designations which we consider to be important in the village, but we will pursue these with East Devon District Council to get them included on the “local list” of locally important heritage assets to give them protection.

6.4 Flood Risk

6.4.1 Justification for our policy

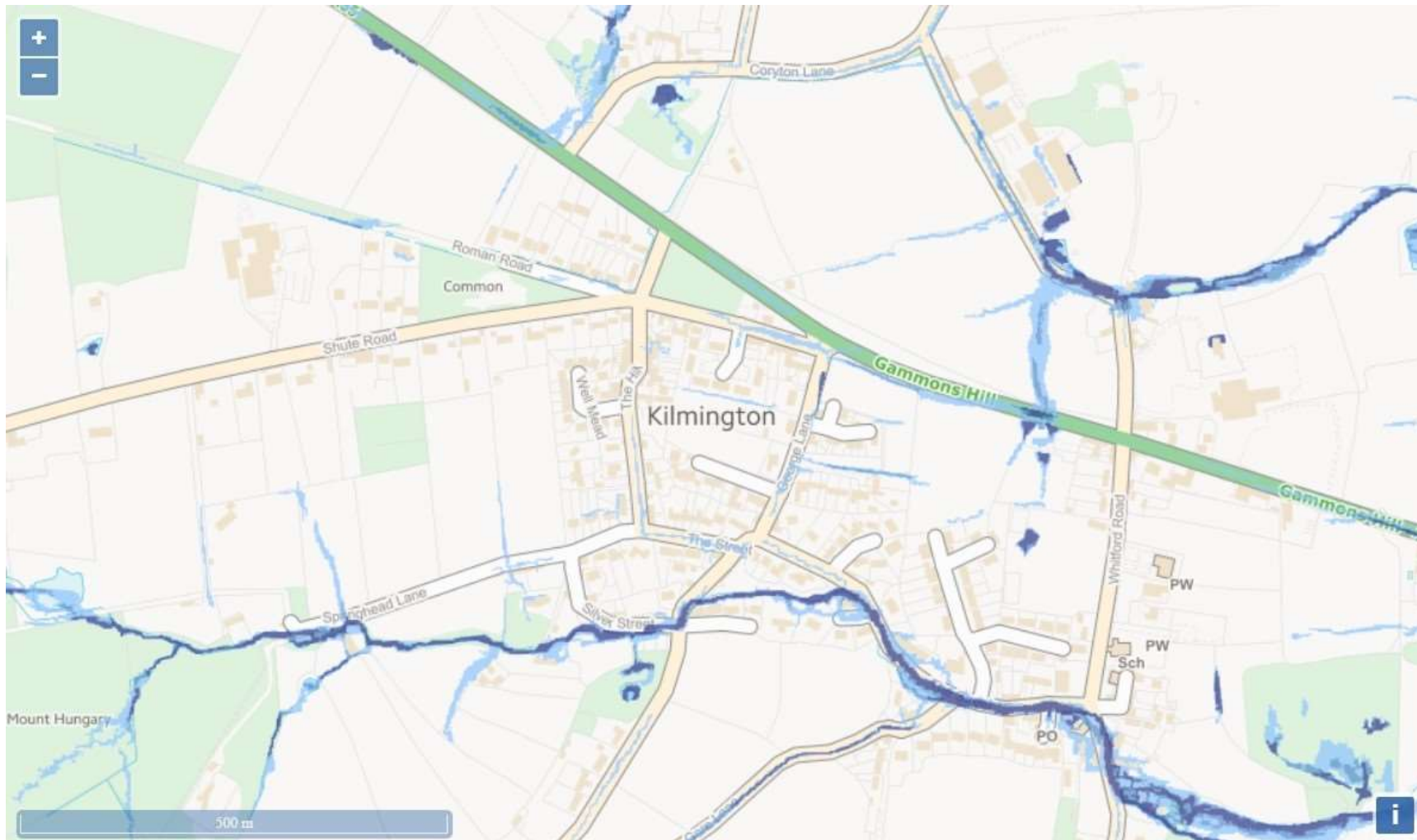
The parish has one main area of flood risk arising from fluvial (river) flows, shown on the map below, passing across the southern edge of the village. Maps below also show the known extent of surface water flooding. While shown on two maps, the risk from flooding, both fluvial and surface water, are linked by the cause of flood events, namely heavy rainfall. Flooding may be caused by extensive periods of rain or by short intense periods of rainfall. We believe that there is sufficient policy coverage at the district and national levels as set out in policies EN21: River and Coastal Flooding and EN22: Surface Run-Off Implications of New Development in the Local Plan and by section 14 in the NPPF to ensure that the risk to and arising from new development is minimised and mitigated where necessary. We are clear that our neighbourhood plan cannot, on its own, prevent flood risk and it will be a combination of actions, many outside of that which can be affected through the planning system, which can be carried out to help reduce and manage the risk (e.g. agricultural land management).

Figure 14: This Map shows the Flood Risk Areas in Kilmington Village (Fluvial / River)



Source: Environment Agency Flood Risk Mapping Online - <https://flood-map-for-planning.service.gov.uk/> PSMA 100051170

Figure 15: This map shows the Flood Risk Areas in Kilminster Village (Recorded Surface Water Events)



Source: Environment Agency Flood Risk Mapping Online - <https://flood-map-for-planning.service.gov.uk/> PSMA 100051170

While planning policy can do much to minimise and mitigate risk from flooding from new development it can do little, if anything, to help maintain existing infrastructure which is key to effective drainage. Therefore, we would stress the critical importance of effective maintenance and management of these measures and of land owners' responsibilities to ensure the effectiveness of drainage ditches, gullies and drains and maintenance and improvement of planting to help mitigate the flow rate of run-off during periods of heavy rainfall to help ensure continued protection of parts of the village from flooding events. It is also contingent on local authorities and landowners to minimise the impact of clearing watercourses on biodiversity when balancing the needs of flood prevention and improving the local environment.

However, there is the opportunity in our Plan to introduce a policy to reinforce the need for measures to be considered through development proposals which play a critical role in the prevention of and mitigation of flooding. Our policy DE3 seeks to ensure that new development does not exacerbate surface water flooding events as a result of new development increasing run-off. It also requires a management plan to be put in place for sustainable drainage systems (SuDS) which are put in place when new development is built, to ensure that such systems, designed to prevent flooding issues, maintain their efficiency and that responsibility is put in place to ensure that they remain effective.

Policy DE2: Flood Risk

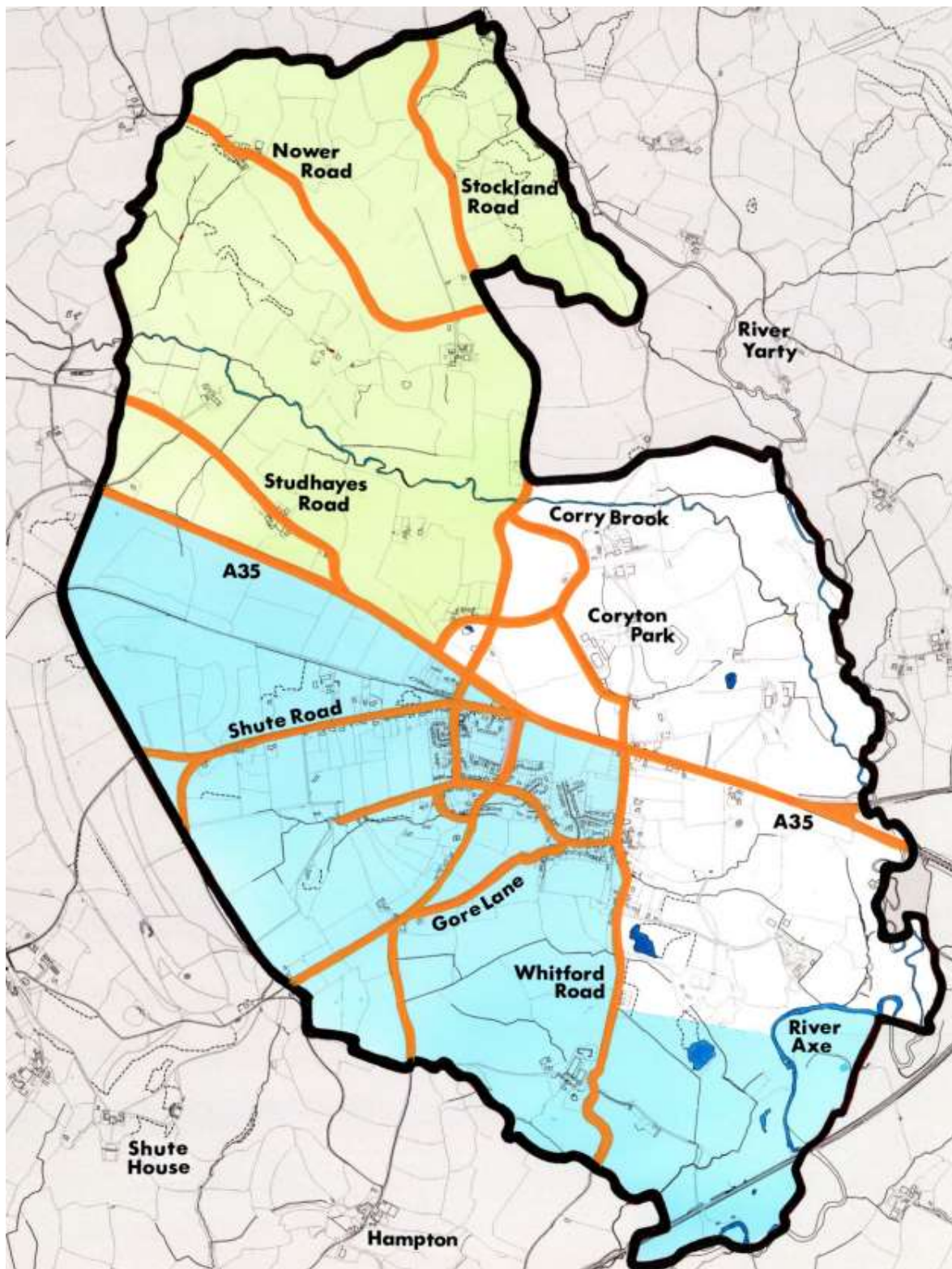
- 1. Where appropriate, development proposals should demonstrate that they do not increase local flood risk, with regard both to locations of known surface water flooding and fluvial flood risk (identified on up-to-date flood risk maps).**
- 2. Development proposals creating new drainage requirements must incorporate Sustainable Urban Drainage Systems (SuDS), following the SuDS hierarchy. New drainage systems must demonstrate they will be effective in allowing for above surface water management on site and improvement of water quality.**
- 3. A management plan must be put in place for future maintenance of the drainage system. SuDS systems maintained by South West Water would be preferred.**

7 Countryside and Green Spaces

7.1 Introduction

The countryside and greenspace theme responds to, and helps deliver, objectives which focus on protecting and enhancing the natural environment that we enjoy for its own sake, for its biodiversity and wildlife, landscape and ecology, and help reduce the risks associated with flooding. We have already set out the key characteristics of Kilminster parish and described much of what the countryside is like within which the village of Kilminster nestles. We have also described the important features of what gives Kilminster village its character as a place. The parish is remarkable in that it is situated in not just one, but two Areas of Outstanding Natural Beauty – the East Devon AONB and the Blackdown Hills AONB. The triangle of land between the East Devon and Blackdown Hills AONB's, around Summerleze Farm on the banks of the Yarty, was formerly designated as an 'area of great landscape value' in the now revoked Devon County Structure Plan. Thus, all parts of the parish are or have been in one or other major protected landscapes. This indicates that overall, the landscape in which the parish is set and to which it contributes is remarkably highly prized.

Figure 16: A Map of Kilmington Parish and Areas of Outstanding Natural Beauty



The Parish of Kilmington is divided into approximately equal halves by the A35. The built-up area lies immediately to the south of this road. Much of the Parish lies within the boundaries of two Areas of Outstanding Natural Beauty: the East Devon AONB (blue wash) and the Blackdown Hills AONB (green wash).

Source: Kilmington Village Design Statement © Crown copyright and data base right, Ordnance Survey licence number 100051170, 2020

To the east, the parish has a boundary with and contributes to the wider landscape of “The Axe Valley” a specific ‘Devon Character Area’ which is an important and unique landscape in Devon²⁶. Within the lowland floodplain of the Axe is a small area, the “lands common to the parishes of Axminster and Kilminster”. While the rising land to the eastern area of the parish form the valley walls of the lower Axe valley. Further north, the River Yarty forms the eastern most boundary of the parish on lowlands before the Yarty climbs to a narrower valley beyond the parish to form the boundary once again in the north-east of the parish (near Cock Wood).

The Parish ranges across four distinct ‘landscape character types’ (LCT’s), as defined by the Devon Landscape Character Assessment (2019): [see *East Devon and Blackdown Hills Landscape Character Assessment* ²⁷] This very varied landscape within one parish not only gives the very attractive visual character to the area but also drives, and is derived from, the past and current land use. This is primarily animal-based agriculture (pasture and small-field production of animal feed) and forestry. Small-scale private pheasant shoots maintain some woodland and cover in field margins of value to wildlife. Such woodlands are encouraged in the *East Devon and Blackdown Hills Landscape Character Assessment*. Future changes in legislation and agricultural regulation, management and economic incentives might significantly affect the future use of the landscape – both positively and negatively for biodiversity and these drivers will influence possible development.

Our habitats are dominated by “agricultural, improved grassland”²⁸ of little biodiversity value, although of great importance for the visual character of the area. However, within the parish are several areas of ‘priority habitat’, important for biodiversity. We have several woodland areas (made up of a combination of deciduous woodlands and coniferous forestry, for example at Shute Hill and Mount Hungary), small areas of heathland and grasslands which are of notable value. The ‘lowland heath’ patch on The Common is of national importance as it is home to the incredibly rare Heath lobelia (*Lobelia urens*) which was first found on Kilminster common in the 18th century. It is confined to Kilminster and Shute and a few sparse clumps in Devon and the South West. Attempts are being made to re-establish it on The Common. Our *Countryside and Greenspaces Assessment* explores these further²⁹. Some patches of woodland close to the village have considerable amenity value either for walking or they act as a buffer against the A35 traffic (for example, at Gapemouth Corner). A Special Site of Scientific Interest (River AXE SSSI) runs along the river through the southern end of the parish. With regard to notable species, parts of the parish are noted for their habitats supporting the brown hairstreak butterfly, the kingfisher and the bullhead fish.

Various areas of land described above are set out below on Figures 17 and 18.

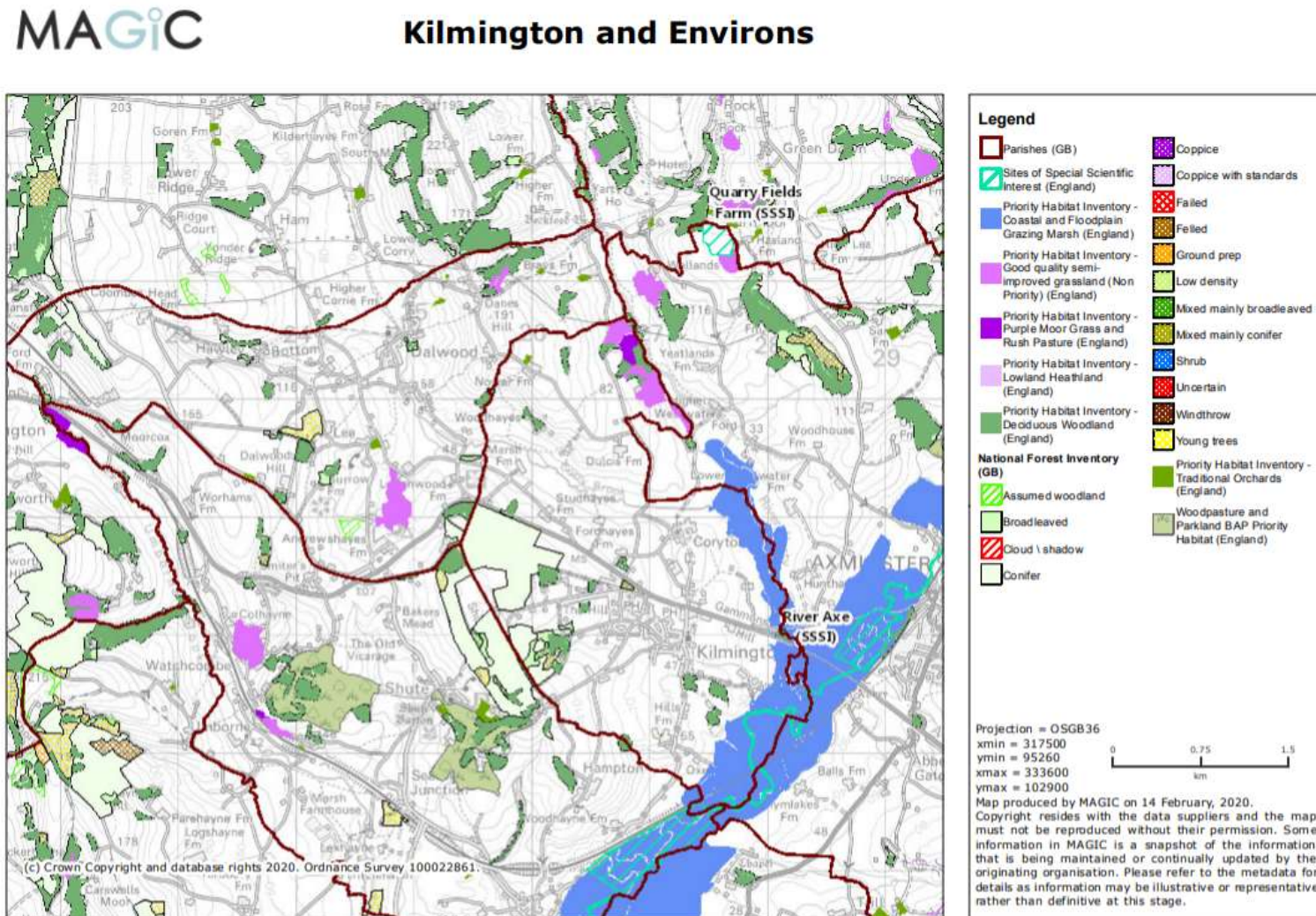
²⁶ See <https://www.devon.gov.uk/planning/planning-policies/landscape/devon-character-areas/east-devon-area>

²⁷ See https://eastdevon.gov.uk/media/2816886/lca_complete_final_march-2019_low-res.pdf The report describes the four LCTs as Wooded ridges and hilltops; Upper undulating farmed and woodland slopes; Lower rolling farmed and settled slopes; and, Unsettled farmed valley floors. Devon County Council describes “landscape” as “...more than just scenery – it is the interaction between people and place; the bedrock upon which our society is built. The European Landscape Convention defines landscape as ‘an area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors.’” <https://www.devon.gov.uk/planning/planning-policies/landscape>

²⁸ based on definitions in the Natural Environment and Rural Communities Act (2006) Section 41: habitats of principal importance

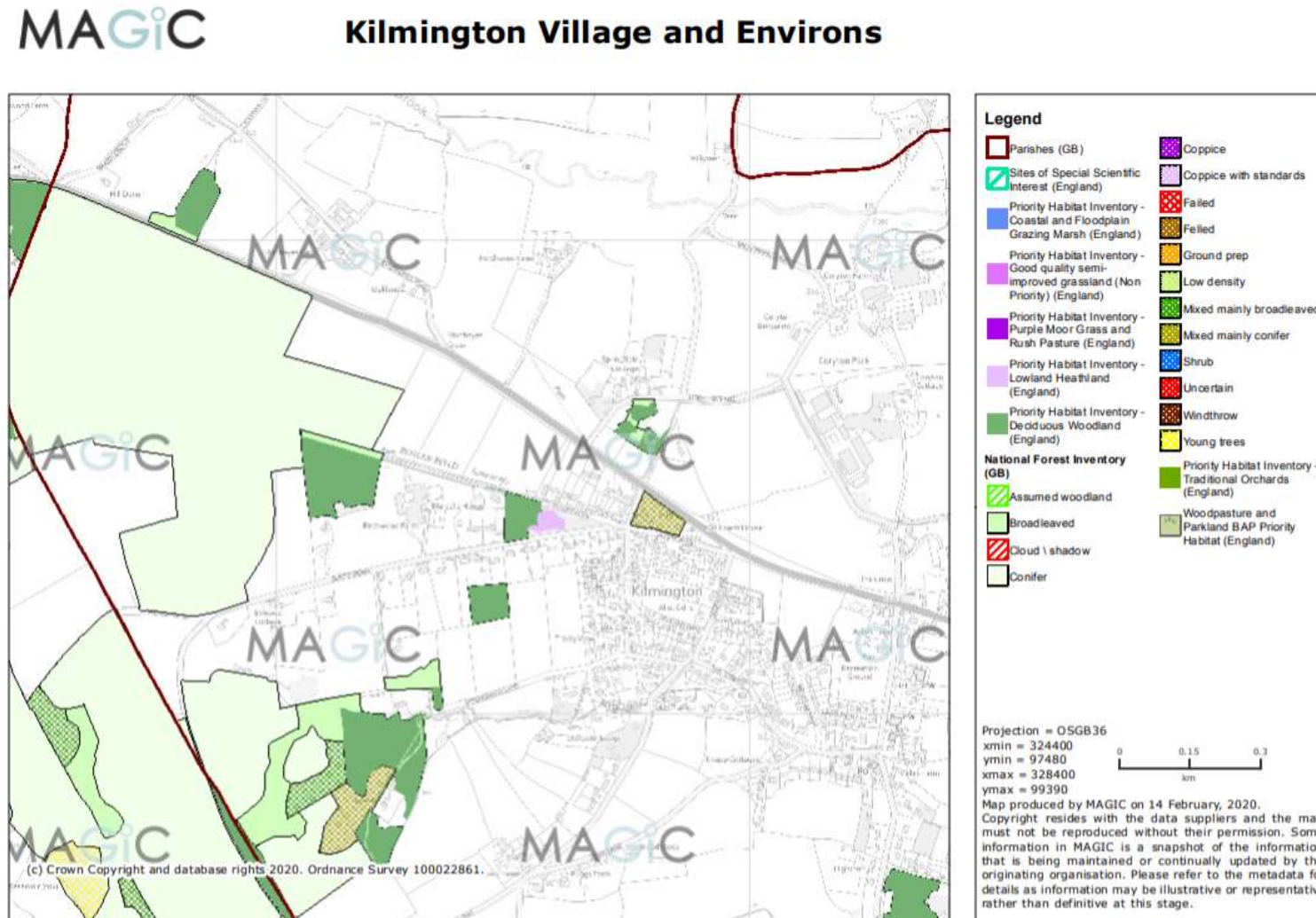
²⁹ See Countryside and Green Spaces Assessment Appendix 5

Figure 17: Key Environmental Assets and Areas (Kilminster Parish and Environs)



Source: MAGiC Nature on the Map, Natural England, <https://magic.defra.gov.uk/MagicMap.aspx> © Crown copyright and data base right, Ordnance Survey licence number 100051170, 2020

Figure 18: Key Environmental Assets and Areas (Kilminster Village and Environs)



Source: MAGiC Nature on the Map, Natural England, <https://magic.defra.gov.uk/MagicMap.aspx> © Crown copyright and data base right, Ordnance Survey licence number 100051170, 2020

The parish has extensive runs of hedges; most fields are demarcated in this way with relatively little use of wire fences. The hedges are mixed species and give a very distinctive character to both the village and the surrounding countryside. Some hedges still host emergent trees, and this should be encouraged for the future to not only maintain the integrity of the landscape but also contribute to minimising soil erosion and flooding and to maintaining biodiversity. The critical value of hedges in hosting biodiversity is well known but they are equally important in connecting the fragmented woodland habitats that are essential for the survival of many species (such as the endangered dormouse) (see DBGAP, “Species rich hedges” section, 2009). Most of the deciduous woodland in the parish are fragments (see maps above), making the maintenance of hedges even more important. Associated with these hedges are many roadside verges and some have significant ‘Devon banks’ which are notable for their biodiversity value.

Within the village, trees contribute greatly to the landscape and its visual character. Key trees act as reference and wayfinding points and connect the village to the wider landscape, especially mature indigenous species. Some individual trees, such as the large Monterey Pine on the playing fields have particular social significance and are even used as visual motifs for the parish. Trees give much amenity value to residents and visitors alike. In the wider countryside of the parish, trees have great landscape value being key components of the various Landscape Character types found in the parish. Tree Preservation Orders are the formal way to protect individual and groups of trees and can be pursued with EDDC for those trees or groups of trees where such protection does not yet exist and where they have particular value. The parish council intends to undertake a more comprehensive review of tree protection within the parish for this reason.

Water courses range from seasonal trickles (winterbournes) and field drainage ditches, to permanent streams (e.g. “the village stream”), brooks (e.g. Corry Brook) to rivers and their floodplains on the eastern edge of the parish (River Yarty, River Axe).

The watercourses in Kilminster, as in most of East Devon, emerge from spring lines. There are several natural springs in the parish (including the village stream and the stream from Roman Rd under the A35 to Conley Pit Lane and on to Corry Brook). The watercourses are a vital element in making our landscape so attractive for leisure and tourism.

The Axe and its major confluence The Yarty, is the only truly “lowland river” in Devon which means it is not flushed by fast flowing water from uplands and has some of the most important plant communities in Devon (see Devon Geodiversity and Biodiversity Action Plan). This makes protection and management of the Parish’s watercourses particularly important from both an environmentally responsible viewpoint as well as improving the quality of life and promoting tourism. Within the village, the village stream is particularly important and yet sensitive. Kingfishers have been sighted several times in 2019 along the stream which runs alongside The Street (the Kingfisher is listed on Annex I of the EC Directive on the Conservation of Wild Birds).

In summary the key issues which have arisen from community consultation can be summarised as follows Ensuring we Protect, Enhance and Effectively Manage:

- Locally Valued Areas of Biodiversity, Geodiversity and Habitat;
- Locally Valued Landscapes;

- Our Areas of Local Green Space which provide recreational space for the local community.

Our objectives reflect the desire to respond positively to these issues and are summarised below.

Objectives
i) To protect and enhance the AONB designated landscape, rural identity, biodiversity, geodiversity, and wildlife habitats and corridors (including streams).
ii) To protect and enhance green spaces (including water space) which are of recreational value to the community and create a healthy living environment by providing recreational opportunities and sports facilities that encourage community engagement and make physical activity easy to do in order to promote the health and wellbeing of the community.

7.2 Locally Valued Landscapes

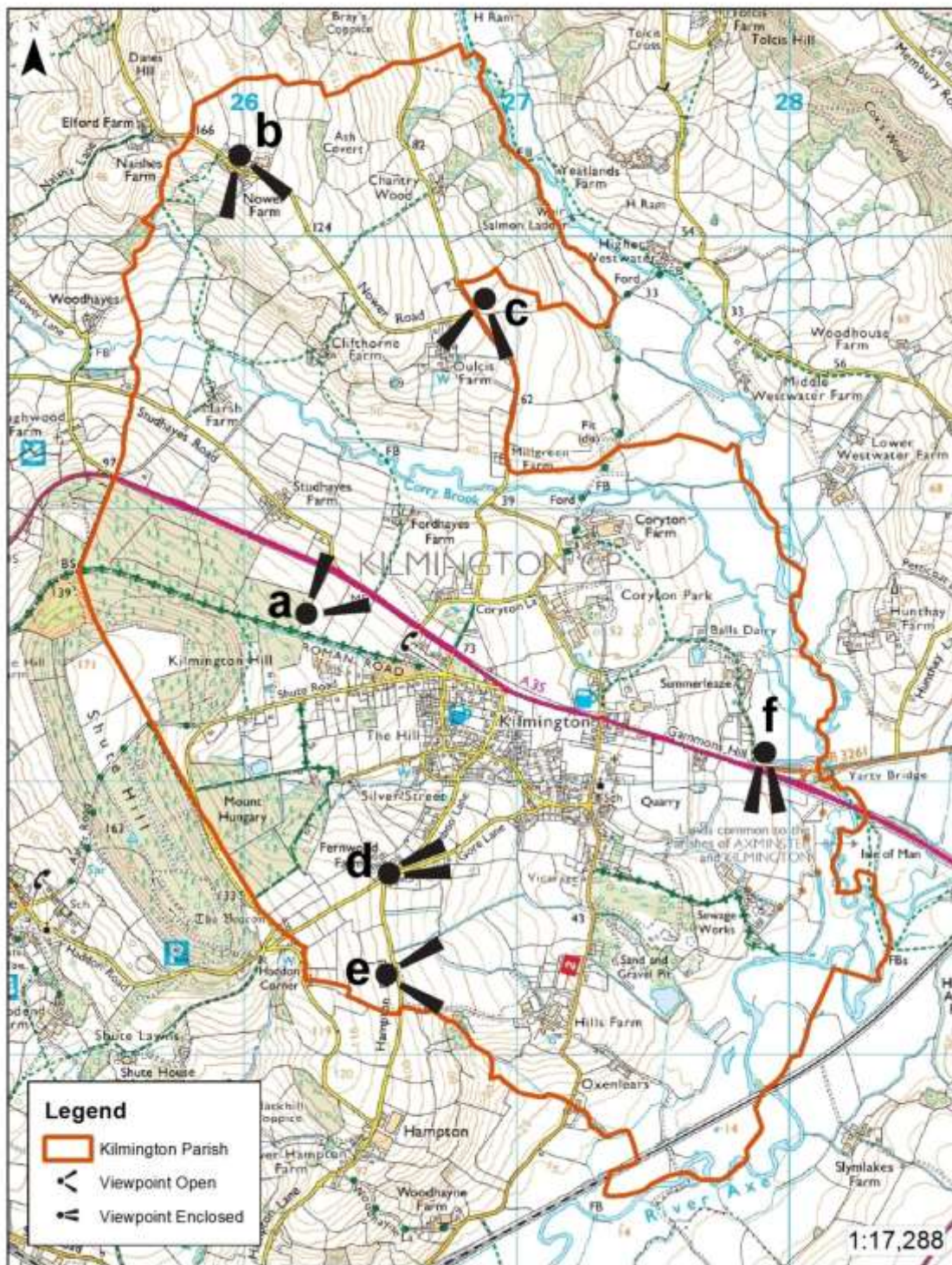
7.2.1 Justification for our policy

We have set out in the introduction to this section the character and value overall of the parish's landscapes. From that evidence, consultation responses from our neighbourhood plan questionnaire and further work on important landscape areas which form views that we value³⁰, we have identified areas of land which should be protected from inappropriate development.

While our policy in the Transport and Traffic section seeks to protect hedgerows and Devon banks from adverse changes to access points, our policy below extends protection to hedgerows, verges and Devon banks which play a vital role in acting as green corridors for wildlife and the visual character of the parish.

³⁰ See Appendix 5 the Countryside and Green Spaces Assessment for our study on important local views

Figure 19: A map showing Locally Valued Landscape Areas (and Views)



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Policy CGS1: Locally Valued Landscapes and Views

1. Areas of particularly locally valued landscapes and views will be protected. The landscape views identified in Figure 19 and set out in the Kilminster Village Character Assessment are:

- a. from Roman Road across Cory Brook;**
- b. from Nower Lane at Nower farm down the Cory valley;**
- c. from Stockland Road at the junction with Nower Lane across the Cory valley;**
- d. from Gore Head over the village, particularly St Giles' church tower;**
- e. from Hampton Road looking east across the Axe Valley; and,**
- f. from the A35 along the River Axe looking south;**

2. These views will be protected for the quality of their amenity value and their contribution to the character and setting of the village and wider parish. Their loss or despoilment will not normally be supported.

3. Proposals which result in unavoidable adverse visual impact on these views (in whole or in part) will only be supported where:

- i) there are no other suitable sites for the proposed development; and,**
- ii) the visual impact of the development can be satisfactorily mitigated in a manner which retains or enhances landscape character.**

4. Proposals, and the assessment of proposals, is expected to take account of and apply the latest available local guidance:

- i) Kilminster Village Character Assessment and Countryside and Green Spaces Assessment and Audit (including the Local Views / Visual Landscape and Local Green Space Assessment); and,**
- ii) East Devon and Blackdown Hills AONB and East Devon District Landscape Character Assessment and Management Guidelines Blackdown Hills AONB "What makes a view?" (where relevant) .**

7.3 Locally Valued Areas of Biodiversity, Geodiversity and Habitat

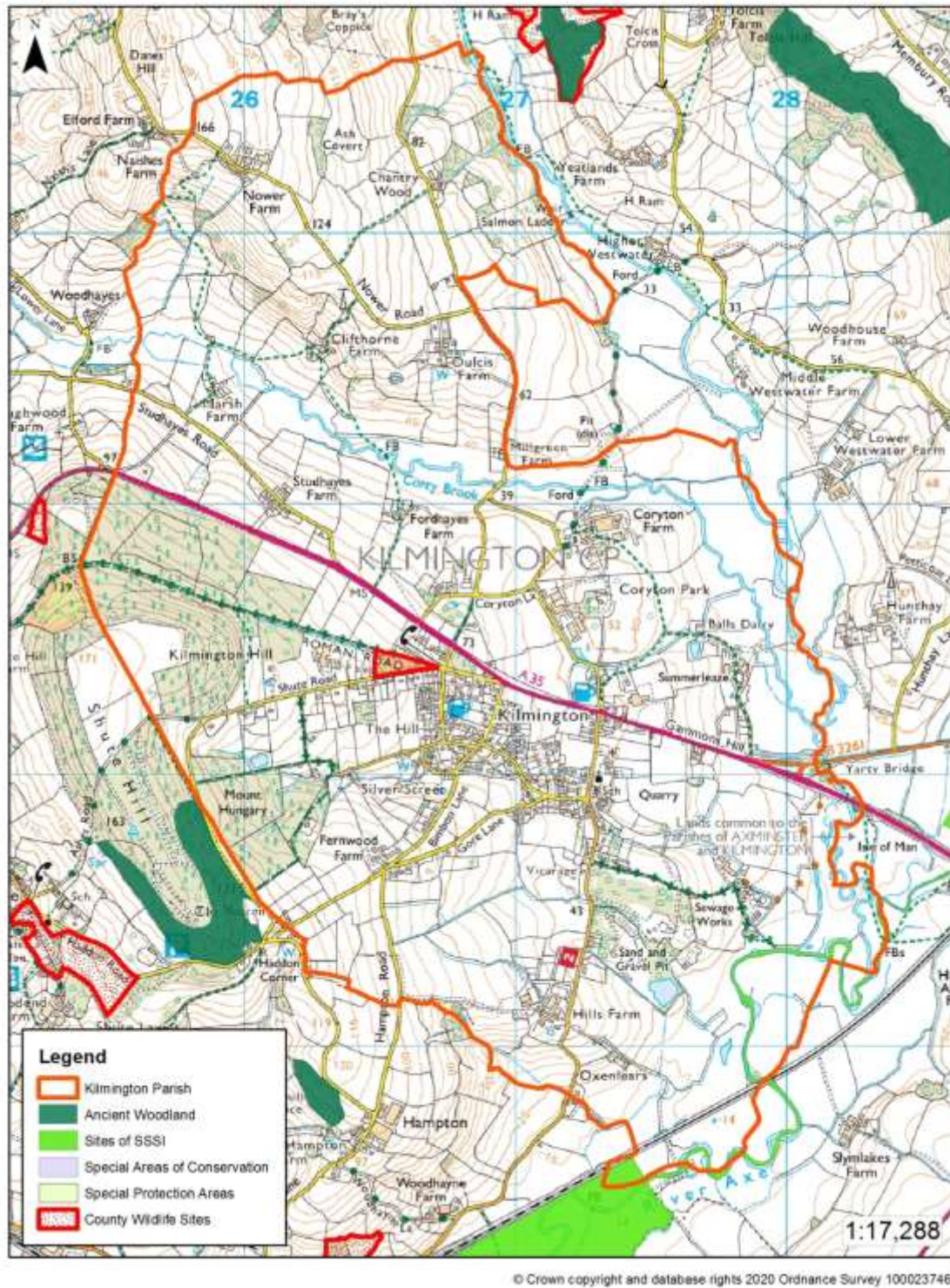
7.3.1 Justification for our policy

Responding to the community's views and their desire to see certain areas protected from inappropriate development, we undertook further evidence based research to identify those areas of particular value in contributing to wildlife, biodiversity, geodiversity and habitat. In addition to our own local knowledge, this included use of the Natural England "MAGIC" land-use designation mapping resource³¹ to identify areas of land which could play a significant role in supporting these facets. In many cases, land-use information and species identification records correlate.

Figure 20 shows the areas of land that we wish to protect for their contribution to wildlife habitat, biodiversity and geodiversity. Our policy CGS2 seeks to protect these areas from inappropriate development.

³¹ See <https://magic.defra.gov.uk/>

Figure 20: A map showing the Locally Valued Areas of Biodiversity, Geodiversity and Habitat



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Policy CGS2: Locally Valued Areas of Biodiversity, Geodiversity and Habitat

1. Our particularly locally valued areas of biodiversity, geodiversity and habitat, shown in Figure 20, are:

- i) deciduous woodlands, particularly those within the village (south of Shute Road, either side of Roman Road, between Springhead and Shute Road and Coryton Lane, along the 'Quarry Road') (deciduous woodland is scarce in the parish and is a 'Priority Habitat');**
- ii) areas of purple moor grasslands in the north of the parish, (Purple moor grassland is a 'Priority Habitat');**
- iii) The Common (contains lowland heath and deciduous woodland, both 'Priority Habitats', used by many parishioners for recreation, site for re-establishment of the Heath Lobelia); and,**
- iv) the stream corridor running from the west end of Springhead Lane through the village to Whitford Road (a valued watercourse for running freshwater with margin vegetation, see Figure 23 section 7.5).**

These areas will be protected as areas critical in supporting wildlife habitats, biodiversity and geodiversity and their role within the wider network of green infrastructure. Their loss will not normally be supported.

2. Proposals which result in unavoidable adverse impact on these areas will only be supported where:

- i) there are no other suitable sites for the proposed development;**
- ii) the areas (quality, land area and habitat, biodiversity and geodiversity value) can be satisfactorily replaced in close proximity to their original location with net gains in biodiversity**
- iii) a funded management and maintenance plan, of 3 or 5 years depending on habitat type, is agreed to ensure that net gains in biodiversity are realised; and,**
- iv) the proposal would not have significant adverse impacts on the site's wider setting (regarding biodiversity, geodiversity and habitat) or such impacts can be satisfactorily mitigated.**

3. Trees and hedgerows are valued for their habitat for wildlife, biodiversity, air purification and amenity value and should not be removed, unless there is a sound ecological or community benefit for doing so.

4. Development should aim to:

- i) maintain the visual and biodiversity value of verges, hedgerows, and Devon banks which provide connectivity as green corridors for wildlife.**
- ii) limit external light sources ensuring that lighting is appropriately sited, specified and controlled to minimise light spill and adverse impact on dark skies and bat commuting and foraging patterns.**

5. Opportunities to incorporate provision for nesting birds and roosting bats must be considered, and included wherever possible/practical in new developments, to protect and enhance biodiversity. A minimum of one integral bird box designed for swifts shall be incorporated into each new build residential unit, and/or where existing buildings are being altered/extended, an ecologist should be instructed to check for existing nests/ roosts of birds or bats. These should be retained where possible or replaced with an integral box, or if not practical, an external box. Wherever possible and practicable, this minimum requirement should be exceeded through other appropriate measures including, but not limited to, external nest cups for house martins and swallows, and internal oxygen “tubes” for bats, at all times in accordance with current legislation for specially protected species.

7.4 Local Green Space

7.4.1 Justification for our policy

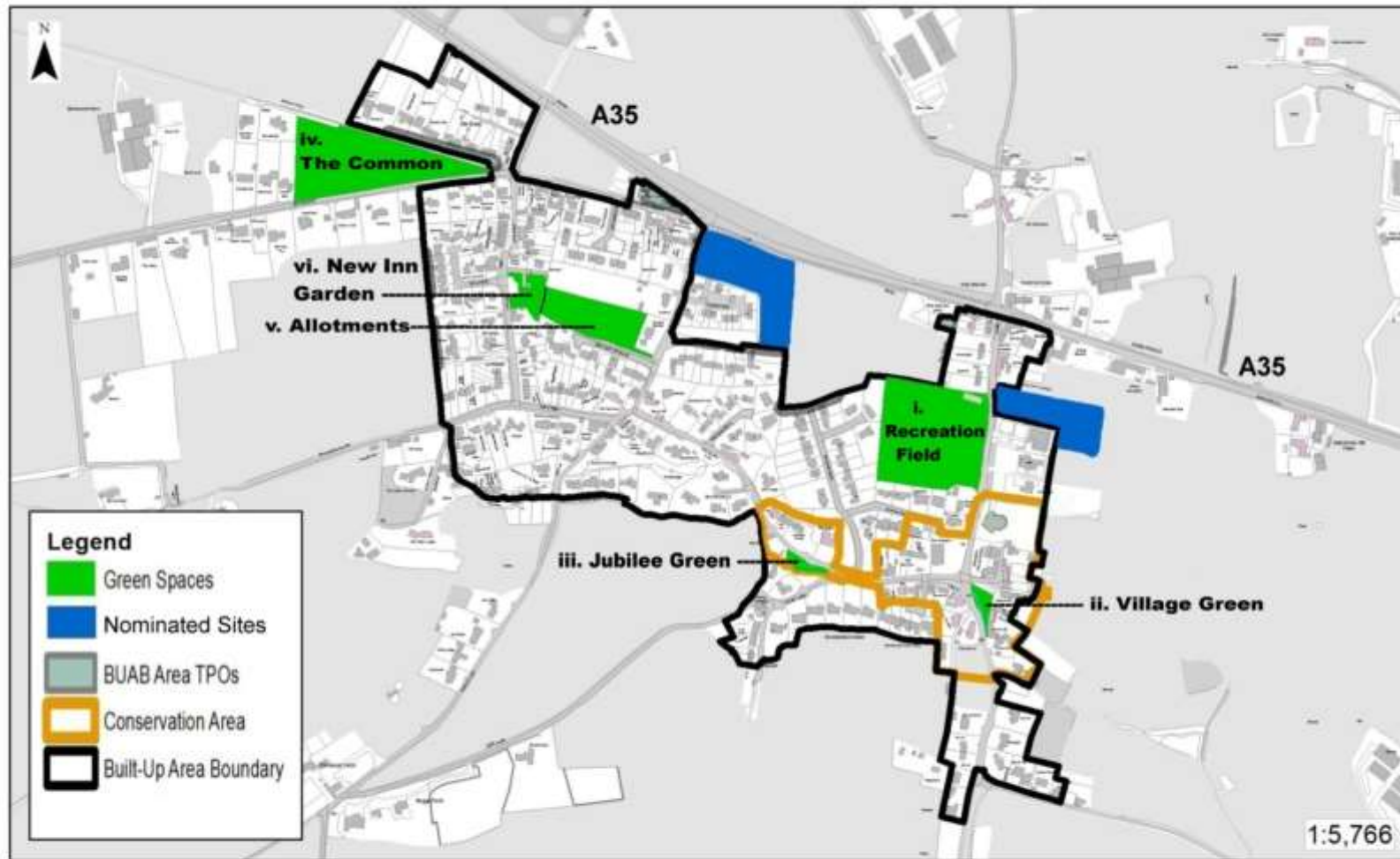
Through national planning policy, we have an opportunity to designate our important local green spaces in order to protect them and ensure that their current use remains³². Through local consultation and gathering evidence on the nature, use of and quality of important local spaces³³, we have identified eight spaces which we designate as Local Green Spaces (LGS). The areas received support for protection in our neighbourhood plan questionnaire. They are designated for social, recreational leisure or environmental reasons. These spaces all meet the requirements set out in national policy which must be met for the spaces formally to receive protection as LGS (see Figures 21 & 22) and their designation is underpinned by a study into their validity for designation³⁴.

³² NPPF paragraphs 99-101 set out the criteria that are to be used to designate Local Green Space. Paragraph 99 states that “The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them. Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or updated, and be capable of enduring beyond the end of the plan period.” with paragraph 101 setting the tests that need to be applied: “The Local Green Space designation should only be used where the green space is: a) in reasonably close proximity to the community it serves; b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and c) local in character and is not an extensive tract of land.”

³³ See Appendix 4 Kilmington Character Assessment for further details

³⁴ See Appendix 5 Kilmington Countryside and Green Spaces Assessment and Appendix 6 Green and Open Space Audit The survey undertaken was based on the Green Infrastructure audit tool provided by “Locality” at www.locality.org.uk

Figure 21a: A Map of Kilmington showing the location of Local Green Spaces



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Figure 21b: Detailed Maps of Kilmington Local Green Spaces

i The Recreation Ground



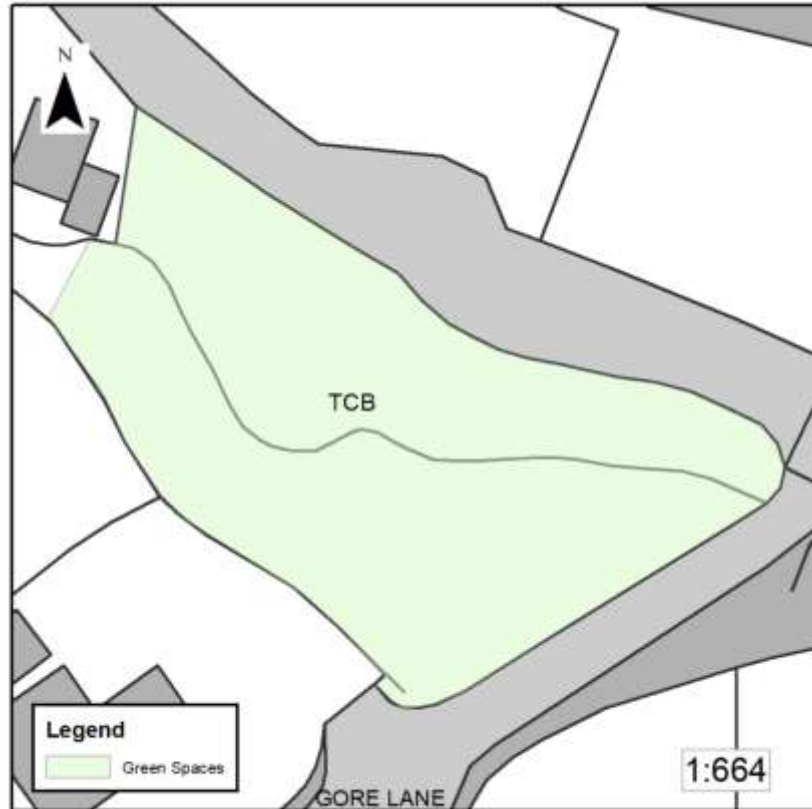
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ii The Village Green



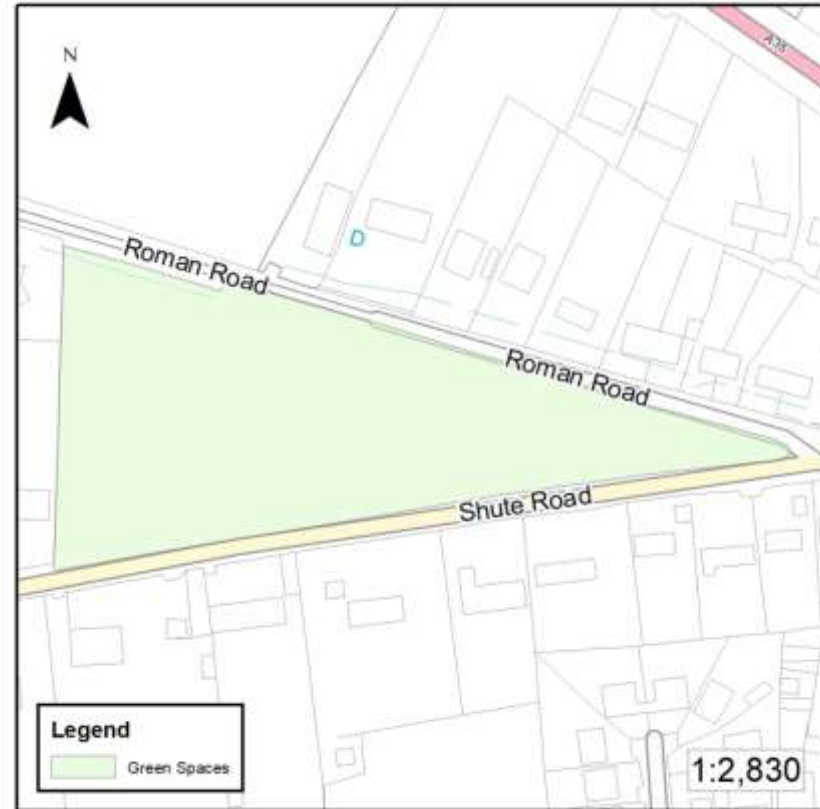
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iii Jubilee Green



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iv The Common



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v The Allotments



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vi The New Inn Garden



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Local Green Spaces CGS3



Village allotments



Cricket pitch and pavilion



The New Inn Garden Summer Party



The Common with areas of lowland heath and deciduous woodland



Village Green within the conservation area



Jubilee Green with village stream

Figure 22: Description of Local Green Spaces

Site	Local Significance to the Community	Close proximity to the community they serve?	Area (ha)
i) Recreation Field	Recreational use: cricket field, playing field for school, hard-surface tennis court and children's play area. Landing zone for air ambulance.	Yes	1.47 ha
ii) Village Green	Key element of the historic centre around St Giles church, the School and former village shop. Site of village activities.	Yes	0.1 ha
iii) Jubilee Green	Area along the historic lane, The Street, and site of village telephone box library, recreational seating, and regular village events. It has commemorative trees.	Yes	0.1 ha
iv) The Common	Recreational area and a "County Wildlife Site". It has several commemorative trees of social value to parishioners.	Yes	1.31 ha
v) The allotments	Has been part of the community's activities for over a century. Bordered by row of historic oaks setting the rural nature of George Lane.	Yes	0.53 ha
vi) New Inn garden	One of the key view-points within the village towards Trinity Hill, contiguous with the allotments and providing a green belt within the built-up area. The garden more than doubles the limited internal tabled seating within the pub, substantially increasing the viability of the pub business. It has a boule court used by pub teams, a BBQ Pizza Oven, garden toys for children and can provide additional covered marquee space. It is an extremely important site of many recreational activities, including summer parties, weddings, wakes, charity and family events. As it would be a great loss if it were to close, we shall investigate if the garden, together with the pub, can be included as 'An asset of community value'.	Yes	0.1 ha

Policy CGS3: Local Green Space

1. Our locally valued green spaces are identified on Figure 21 and are designated as Local Green Space:

i) Village Recreation Field;

ii) Village Green;

iii) Jubilee Green;

iv) The Common;

v) The allotments;

vi) New Inn Garden

2. Inappropriate development will not be supported except in very special circumstances.

7.5 Protecting the Stream Corridor

7.5.1 Justification for our policy

The River Axe Special Area of Conservation [including the Corry Brook, Yarty and Axe rivers] is in an unfavourable condition and is declining owing to nutrient enrichment and sediment pollution that has led to a number of ecological problems including habitat loss and loss of fish species” (River Axe Catchment Regulatory Project report, 2019)

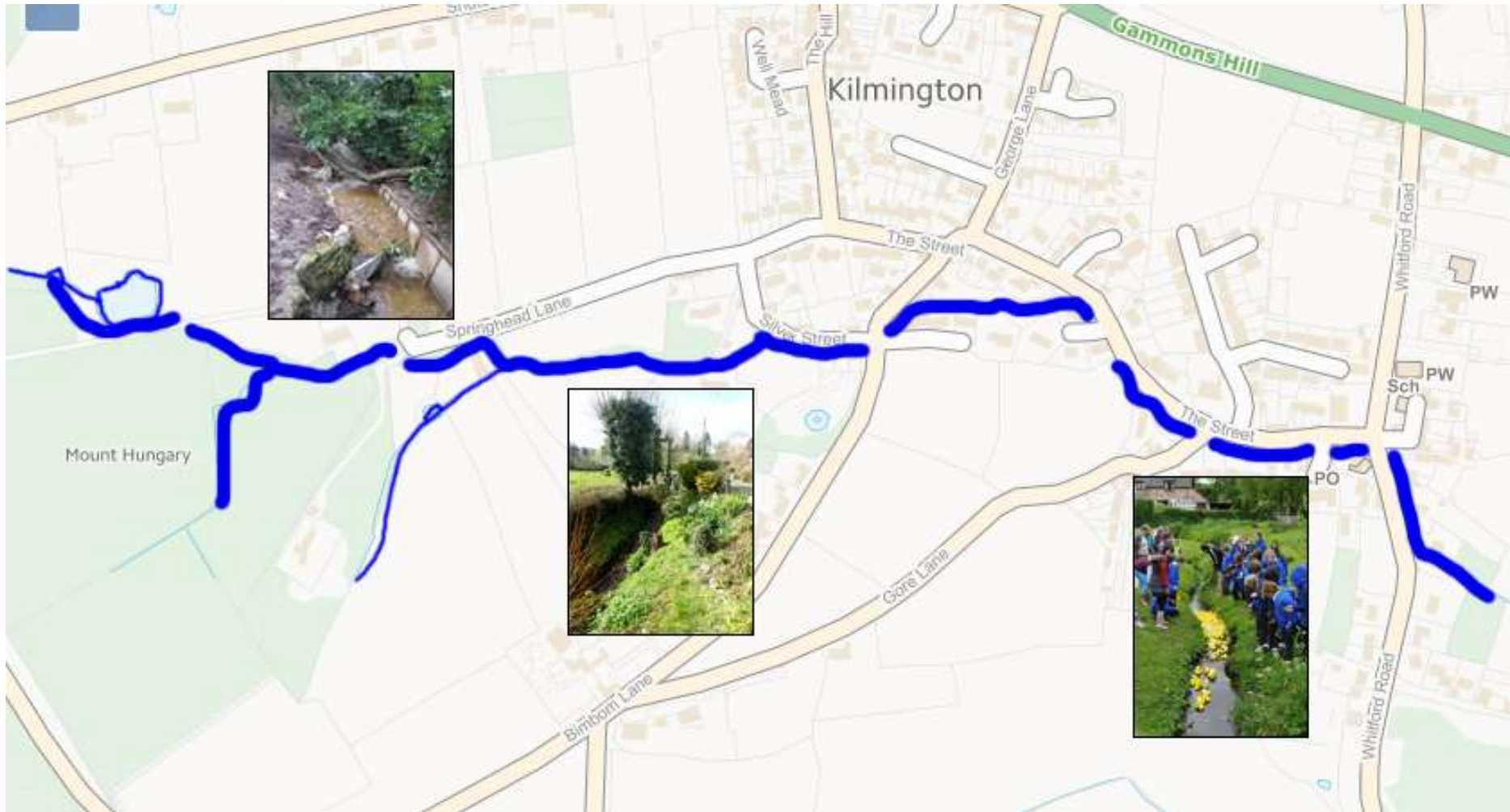
New development usually results in additional impermeable surface such as roads, car-parks and roofs, reducing infiltration. This causes more run-off from the catchment and resulting in larger flood discharges. Developers should adopt sustainable drainage systems, using soakaways, detention ponds and grass swales to reduce the above effects (DGBAP, 2009) and this is reflected in policies at the national level in the NPPF, Local Plan and elsewhere in this Plan.

A particular risk is culverting however short, which increases flow and disturbs the natural watercourse and increases the risk of flooding within the village, especially from the village stream at the Village Green.

Accordingly, this neighbourhood plan will seek to ensure that any development takes full account of the Catchment Based Approach to improving environmental water quality (DEFRA, 2013; East Devon

Catchment Partnership). This means paying particular attention to the impact of any development on all the watercourses in the Parish, large or small. This will not only ensure improvements to the environment and biodiversity but also mitigate flood-risk, mindful of the potential for increased rainfall resulting from climate change.

Figure 23: Map of the Kilminster Stream Corridor. The village stream forms a blue corridor through the village. Arising in the woods above Springhead Lane through gardens by Silver Street and down to Jubilee Green where it is the focus of social activities, such as the annual duck race.



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Policy CGS4: Protecting the Stream Corridor

1. The stream “corridor” is indicated on Figure 23 and will be protected from adverse impact from development which could erode its value to local biodiversity, and its contribution to the built character and heritage of Kilmington village.

2. With the exception of householder applications, proposals for development should demonstrate that:

i) They are designed to avoid any negative impact on phosphate levels, sediment run off and flooding in relation to the stream (as part of the Axe, Yarty and Corry Catchment), and

ii) Seek to contribute to achieving, “Good Ecological Status” where applicable, feasible and viable, and

iii) Will not contribute to deterioration of the current ecological status of the stream (as part of the Axe, Yarty and Corry Catchment).

8 Small Scale Renewable & Low Carbon Energy

8.1 Introduction

The renewable and low carbon energy theme responds to and helps deliver objectives which focus on providing support for small-scale renewable and low carbon energy generating proposals where they align with the principles and other policies in our Plan.

We recognise the importance and value that renewable and low carbon energy schemes, and improvements to energy efficiency of buildings, when done sensitively, can have to help provide alternatives to fossil-based fuels and agricultural emissions, therefore:

- help reduce carbon dioxide, nitrous oxide and methane emissions
- improve the security of energy supply
- reduce households bills for energy
- generate an income for community organisations and businesses
- reduce the cost of supply of energy

In summary the key issues which have arisen from community consultation can be summarised as follows:

- Support for Small Scale Household Renewable Energy Solutions;
- Objections to Large Scale Wind Turbines and PV Farms.

Our objective reflects the desire to respond positively to these issues and is summarised below.

Theme: Small Scale Renewable & Low Carbon Energy Generation
To support small scale renewable and low carbon energy generation to help reduce carbon dioxide emissions in the Parish and help contribute positively to adaptation to and mitigation of climate change at the local level.

8.2 Small Scale Renewable and Low Carbon Energy Generation

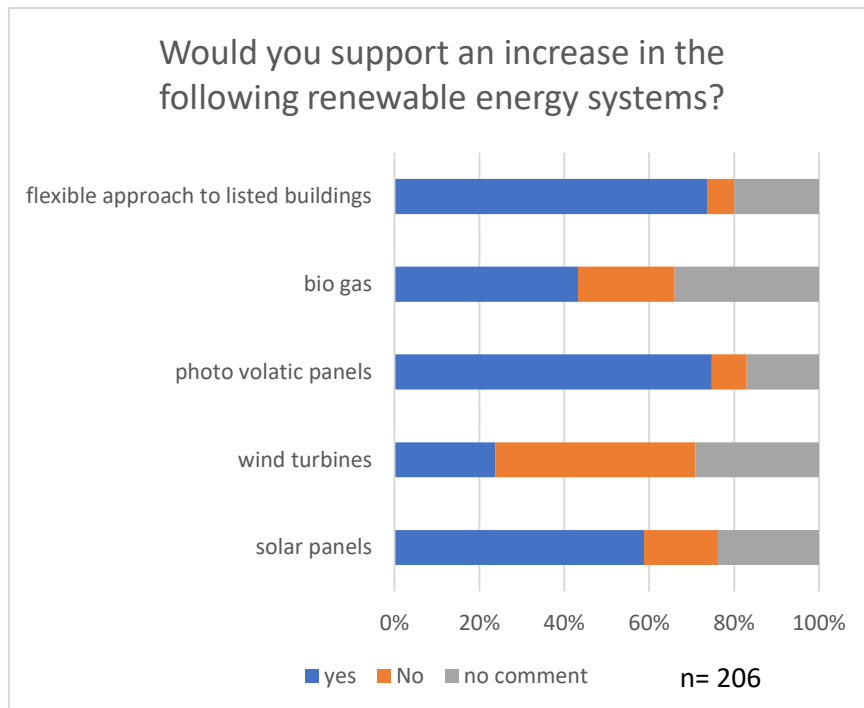
8.2.1 Justification for our policy

The Parish Council is supportive of micro-energy generation including the use of small-scale solar technology on farm, domestic and industrial buildings. We all need to play our part in reducing reliance on centralised energy generation and distribution. However, we recognise that both, in practical terms and intrusion, different types of renewable and low carbon energy installations may, or may not be, suitable in different built and natural landscapes. We have already set out how we value our natural landscape in Kilminster within the context of the Blackdown Hills and East Devon AONBs and the Kilminster Landscape assessment and our energy proposals reflect this position.

Response to our neighbourhood plan questionnaire and consultations suggest that our local community is generally supportive of smaller scale renewable and low carbon energy schemes which respect the qualities of the landscape and natural environment as a whole and do not have an

adverse impact on the beauty of and biodiversity within our Parish. People were overwhelmingly in favour of a more flexible approach to energy conservation in listed buildings, for example, the use of double glazing in wooden frames. However, this is not something that policies in our Plan can address, although we can influence it through our *Kilmington Village Character Assessment* (Design Considerations on the ‘built form’).

Figure 24: Neighbourhood Plan Questionnaire Renewable Energy Views



There was less support for the use, and presumably generation, of bio-gas although it is possible that this is not a well understood technology by respondents. In general, respondents were significantly in favour of increasing the use of solar thermal (hot water) and photo voltaic (electricity) panels. Domestic wind power was a different matter however, where twice as many were against than for it. However, during our consultation within the village, while there was overwhelming support for solar PV generation on buildings, there was no support shown for PV farms.

The NPPF (section 14) supports the provision of renewable and low carbon energy solutions. It states that “*To help increase the use and supply of renewable and low carbon energy and heat, plans should: a) provide a positive strategy for energy from these sources, that maximises the potential for suitable development, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts)...*” (paragraph 151) which supports the approach taken our policy where we look to encourage and support renewable and low carbon energy solutions but not at the cost of adverse impact on the quality of our landscape, wider environment across the parish or character of the village.

Where appropriate, proposals for renewable or low carbon energy schemes are encouraged to follow relevant guidance and advice given in:

- East Devon and Blackdown Hills Landscape Character Assessment

- the *Blackdown Hills Area of Outstanding Natural Beauty Management Plan*
- the *East Devon Area of Outstanding Natural Beauty Management Plan*
- the *“Renewable Energy in the Blackdown Hills Report (2010)”*

Local Plan Strategy 39 supports renewable or low-carbon energy projects in either domestic or commercial development in principle, subject to them *“following current best practice guidance and the adverse impacts on features of environmental and heritage sensitivity, including any cumulative landscape and visual impacts, being satisfactorily addressed”*.

The *East Devon ANOB partnership plan* supports and encourages environmental and renewable energy initiatives aimed at maintaining and improving the natural resources of the AONB and reducing greenhouse gas emissions that are in keeping with the sustainable management of the landscape, maintain landscape character and conserve, and where possible enhance, natural beauty. It also states it will seek to understand and plan to exploit or minimise possible impacts arising from climate change in order to conserve and enhance the AONB, in specific habitats and species protected for their nature conservation value.

The *Blackdown Hills AONB Management Plan* is supportive of appropriate, small-scale renewable energy schemes that *“do not detract from historic character or visual amenity, and do not conflict with the special qualities of the AONB or the conservation of natural beauty”* (Policy PD3). In supporting renewable or low-carbon energy projects, we have taken our guidance from the *“Renewable Energy in the Blackdown Hills”* report, which assessed the suitability in broad terms, in the AONB, of different types and scales of renewable and low carbon energy solutions.

The table below, reproduced from the *“Renewable Energy in the Blackdown Hills”* report, sets out this position and helpfully confirms what we mean in our policies by “small scale” and “large scale” renewable energy installations. In accordance with the table, the only larger-scale installations that may be acceptable in the AONB are solar PV farms, which are considered to have very limited suitability, and small to medium size wind turbines. We consider this to be transferable to the East Devon AONB area within the parish and the areas outside both AONBs.

Figure 25: A table showing the policies from the “Renewable Energy in the Blackdown Hills” report

TYPE	TECHNOLOGY	SUITABILITY
Biomass	Large-scale 10-40MW electricity generation plant	Red
	Small Combined Heat and Power plant	Green
	Business / domestic biomass boilers	Green
	Business / domestic biomass stoves	Green
Anaerobic digestion	Centralised anaerobic digestion (AD) plant	Red
	AD serving a group of farms	Yellow
	AD serving a single farm	Green
Waste to energy scheme		Red
Micro-hydro	Micro-hydro	Green
	Restoration of traditional mill sites	Green
Photovoltaics	Building associated PV systems	Green
	Solar PV farms	Yellow
Solar hot water		Green
Ground, air and water source heat pumps		Green
Community heating	Small-scale or micro community heating	Green
Wind	Large-scale turbines (90m – 135m)	Red
	Medium-scale turbines (25m – 90m)	Yellow
	Small-scale turbines (12m – 25m height)	Yellow
	Micro turbines (<11m)	Green

Green shaded cells mean acceptable in principle, orange means possibly acceptable and red means not acceptable.

Source: “Renewable Energy in the Blackdown Hills Report, Land Use Consultants in association with the Centre for Sustainable Energy, 2010.”

Any proposals which come forward for wind turbines in the parish should be mindful of the Government’s Written Ministerial Statement published on Wind Energy Development on 18th June 2015 (HCWS42) which requires any proposals for wind energy to be located within suitable areas identified in the development plan policies map, and to demonstrate that the schemes have the backing of the local community. This plan does not identify any such areas suitable for wind turbine development. Small, micro wind generation units should not be installed in locations where either the noise would adversely affect neighbouring properties or landscape, or views of the landscape around the wind generator.

Our policy RLC1 is generally supportive of micro-generation and small-scale development for renewable or low carbon energy schemes so long as they do not have an adverse impact on our special environment.

Policy RLC1: Small Scale Renewable and Low Carbon Energy Generation

1. In order to protect the quality of Kilminster’s and the East Devon and Blackdown Hills Areas of Outstanding Natural Beauty’s landscapes, biodiversity, tranquillity and wildlife habitats proposals for renewable or low carbon energy schemes should follow the policies from “Renewable Energy in the Blackdown Hills Report (2010)” See figure 25. Proposals will be supported where they meet the following criteria in full:

- i) are small scale,
- ii) they do not adversely impact upon local amenity, locally valued landscapes and views,
- iii) are sensitively sited, and

iv) they are appropriately landscaped.

2. Large scale renewable and low carbon installations will not normally be supported.

3. Proposals for renewable or low carbon energy schemes must follow relevant guidance and advice, as applicable, given in:

- i) East Devon and Blackdown Hills Landscape Character Assessment and Management Guidelines;
- ii) the *Blackdown Hills Area of Outstanding Natural Beauty Management Plan*;
- iii) the *East Devon Area of Outstanding Natural Beauty Management Plan*; and,
- iv) the “*Renewable Energy in the Blackdown Hills Report (2010)*”.

9 Summary of Community Action Projects

A number of community actions have been identified through local consultation and the development of the plan's Objectives. These projects and programmes may be outside the remit of the planning system (and therefore the Neighbourhood Plan) to influence or deliver. These actions would typically fall to the Parish Council or the community, or partners such as local authorities or statutory agencies to lead. They also provide an indication, in some cases, of what local infrastructure in Kilminster we see as a priority (and therefore how any proportion of Community Infrastructure Levy receipts received as a result of new development, could be beneficially used). The Projects are:

- Improve safety by pursuing and supporting measures to reduce the speed of traffic through the village on the A35 .
- Improve pedestrian and cycle access to facilities by pursuing and supporting the installation of a pedestrian crossing across the A35 close to Kilminster Cross:
- Improve safety by pursuing and supporting the installation of a 'Village Gateway' on the A35 at the western entry to the village, to encourage vehicles to reduce their speed:
- Pursue a 20mph speed limit in place of the existing 30mph limit or at least within the BUAB to reduce the speed of traffic passing through the centre of the village:
- Pursue a weight restriction within the BUAB to reduce the number of heavy goods vehicles entering, unless they are delivering/collecting or gaining access to land and/or premises.

We also plan to investigate:

- creating a Community Land Trust to maintain self-build housing in the long-term so as to provide a solution to the local housing need:
- the possible registration of Assets of Community Value to protect: New Inn; School; Recreation Ground; Village Hall and St Giles Church;
- improving Telecommunications, particularly faster Broadband Connection, to support Local Businesses.
- changing the public A35 bus route to go via Shute Road & The Hill to provide access to the east bound public bus to Axminster without the necessity to cross the A35;
- creating an attractive 'green corridor' along the A35 through the village following DCC's 'Life on the Verge' strategy. This will provide environmental benefits (see transport section);
- developing a hedge and tree green buffer between the A35 and the village (Dares Field to The Old Inn) to reduce the highway's impact on the village. It would also make the drive along this main tourist route through the ANOB more attractive (see housing allocations and transport section);
- creating a new footpath routed through the centre of the village from The Hill and George Lane with a link to Meadowbank residential area to the centre of the village amenities around Whitford Road (see housing allocations and transport section);
- through consultation with residents, the possibility of adding two additional Conservation Areas on Silver Street and part of The Hill/Shute Road (see map Figure 13 Page 87).
- establishing a community orchard to enhance the environment and benefit the village.

10 Monitoring and Review

While there is no statutory requirement for the impact of this Plan and its policies to be monitored, the Parish Council will periodically monitor the impact of policies on change in the Parish by considering the policies' effectiveness in the planning application decision making process.

A full or partial review of this Plan may be triggered by changes to legislation, changes to national, county-wide or district planning policies, or significant planning issues being raised by the local community which cannot be dealt with effectively by a combination of national, district and/or existing neighbourhood plan policies.

The latter stages of preparation and the adoption of a new Local Plan will necessitate the Parish Council considering whether a revised and/or up-dated Neighbourhood plan will be required.

Notwithstanding this, five years from the date the Neighbourhood Plan is made, the Parish Council will consider the need and value in undertaking some form of Review.

Community Action Projects will be reviewed annually by the Parish Council. Where appropriate, Action Groups will be formed by interested volunteers to manage specific projects, with guidance and assistance provided by the Parish Council.

Appendix 1 – Local Authority Formal Notification of SEA / HRA Requirements

Kilmington Neighbourhood Development Plan Strategic Environmental Assessment Habitat Regulations Assessment

Screening Report

Prepared by Officers of East Devon District Council

July 2021

Introduction

- 3.1 The purpose of this report is to assess the draft proposals in the Kilminster Neighbourhood Development Plan ('the Plan'), covering the whole of Kilminster Parish, to determine whether it requires a Strategic Environmental Assessment (SEA) in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended). An SEA is required under this legislation for all plans which may have a significant effect on the environment.
- 3.2 This report will also screen to determine whether or not the Plan requires a Habitats Regulations Assessment (HRA) in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended). An HRA is required when there is the potential that the implementation of a plan could cause a likely significant effect on protected European Sites (Natura 2000 sites or national site network).
- 3.3 **With regard to the SEA, the conclusion of the assessment is that the Plan is unlikely to result in a significant adverse effect on the environment, subsequently SEA is not required.**
- 3.4 **With regard to the HRA, the assessment demonstrates that there is potential for significant effects on a European site, the River Axe SAC, through pollution from household effluent. An Appropriate Assessment has been carried out and strategic mitigation is in place through Policy EN19 of the East Devon Local Plan/ amendments to KNP policies to ensure that there will be no significant effects on the features of the SAC. It is therefore possible to conclude that, in combination with the Local Plan Policy, there will be no impact on the integrity of the European site.**
- 3.5 This report has been sent to the three statutory consultees designated in the Regulations (Historic England, Environment Agency and Natural England) to elicit their views on the findings.

SEA screening

- 6.1 The basis for Strategic Environmental Assessments and Sustainability Appraisal is the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended), or SEA Regulations. Detailed Guidance of these regulations can be found in the Government publication 'A Practical Guide to the Strategic Environmental Assessment Directive' (ODPM 2005).
- 6.2 The objective of SEA is 'to provide for a high level of protection of the environment and contribute to the integration of environmental considerations into the preparation and adoption of development plans with a view to promoting sustainable development'.
- 2.3 Local authorities are legally obliged to assess the Plan proposals and advise plan producers as to whether an SEA is required. To ascertain if SEA is required, a "screening" exercise has been undertaken by East Devon District Council to evaluate the proposals of the Plan against the criteria set out in the SEA Regulations. This criterion is set out in Schedule 1 of the SEA Regulations.
 - Should the screening report reach the conclusion that that Plan will have a significant impact on the environment; a full SEA should be undertaken.
 - If the conclusion is that a full SEA is not required, any significant variations or additions to the Plan will also be subject to screening.
- 2.4 An SEA has been undertaken as part of the adopted East Devon Local Plan 2013-2031 and has been taken into account whilst undertaking this screening assessment.

3.0 Kilminster Neighbourhood Plan

- 3.1 The Plan has been in production for approximately four years. It has undergone significant consultation and the Neighbourhood Plan Steering Group (NPSG) is currently assessing responses made to the Regulation 14 consultation.
- 3.2 East Devon District Council has been kept informed on progress and has offered support and guidance to the NPSG throughout and therefore can be fairly confident in the Plan's direction of travel. We have been asked to screen the draft Plan prior to submission.
- 3.3 The Plan is predominantly protective, recognising that parts of the parish are within one of two Areas of Outstanding Natural Beauty, that there are many important environmental features in the parish and that much of the village is designated as a conservation area.
- 3.4 The Plan makes two allocations for housing - one for around 14 mixed market and affordable dwellings (within but on the edge of the AONB) and one for 6-10 single level dwellings (aimed at older people, just outside the AONB) as well as permitting infill within the built up area boundary defined in the EDDC Villages Plan.
- 3.5 Kilminster is identified as a village with a Built up Area Boundary in the East Devon Villages Plan and is therefore considered to be a 'sustainable' settlement capable of meeting the basic everyday needs of residents and therefore suitable to accommodate some additional growth.

Figure 1 SEA Screening Flowchart (from A Practical Guide to the Strategic Environmental Assessment Directive)

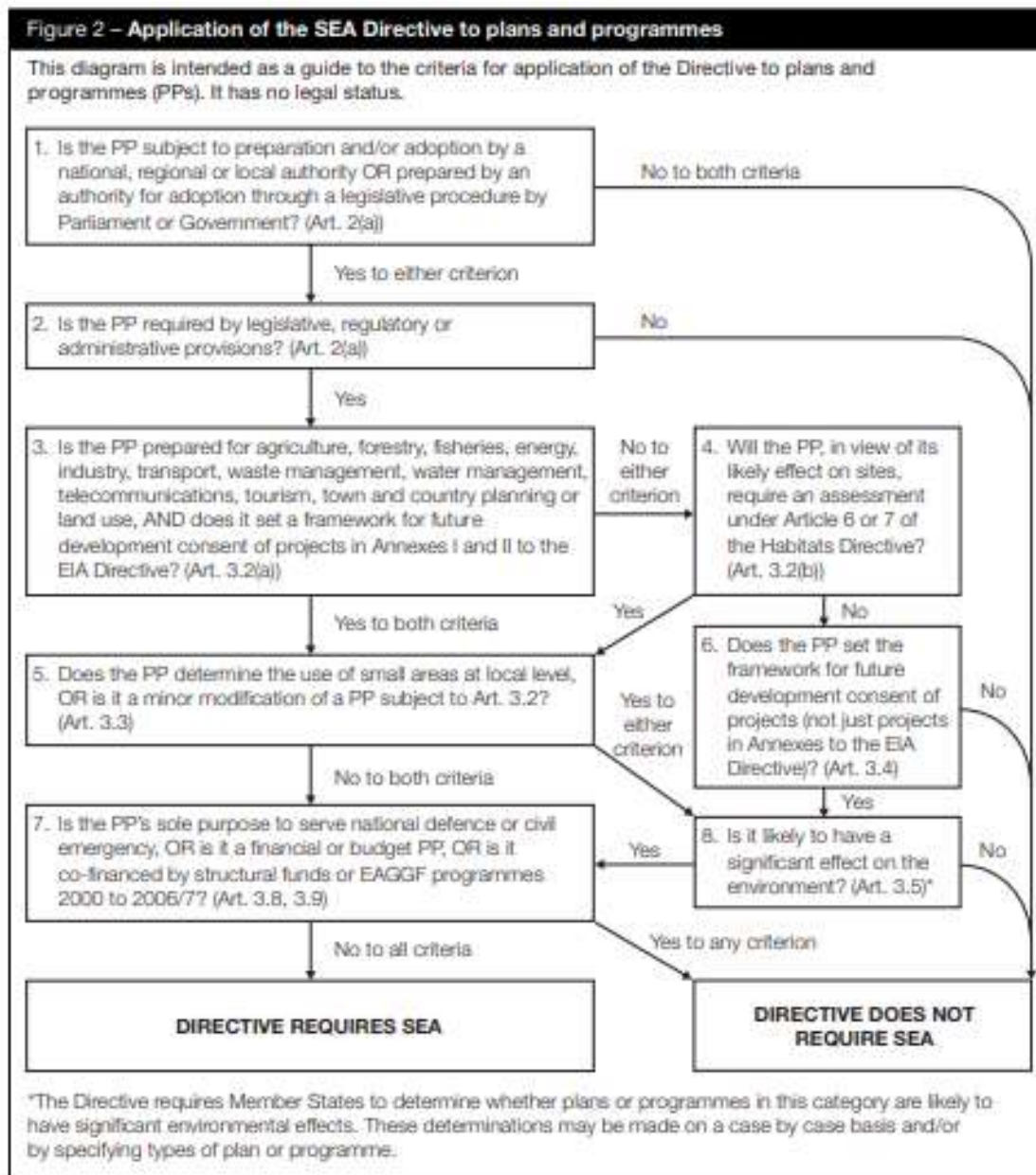


Figure 2: Screening assessment against the criteria for whether the Kilminster Neighbourhood Plan (and Neighbourhood Development Order) requires an SEA.

Stage	Y/N	Reason
Is the Plan subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government?	Y	The Plan and Neighbourhood Development Order will be prepared by Kilminster Parish Council and 'made' (adopted) by East Devon District Council as part of the Development Framework, subject to a successful referendum.
Is the Plan required by legislative, regulatory or administrative provisions?	Y	Localism Act 2011 The Plan meets the characteristics set out in the Government's Practical Guide to the SEA Directive in that that it will be publicly available, prepared in a formal way and involving consultation with interested parties.
Is the Plan prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Reg 5 (2))	N	The Plan is prepared for Town and Country Planning and land use and is not considered to provide the framework for development of a scale that would fall within Annex II of the EIA Directive at a Neighbourhood Area level.
Will the Plan, in view of its likely effect on sites, require an assessment for future development under Articles 6 or 7 of the Habitats Directive?	Y	The Plan will require an appropriate assessment.
Does the Plan determine the use of small areas at local level, OR is it a minor modification of a PP subject to Reg 5 (6)	Y	The Plan will determine the use of small areas at a local, parish, level.
Does the PP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)?	Y	The NDP will be 'made' and used as part of the development plan for determining planning applications in the Plan area

Stage	Y/N	Reason
Is the PP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7?	N	
Is the Plan likely to have a significant effect on the environment? Reg 5 (4)	N	See screening assessment for environmental effects in table 1 of this report.

4.0 Screening Assessment for Environmental effects

- 4.1 Under step 8 of the Application of the SEA directive (Table 1), in order to establish whether a plan requires an SEA, it was necessary to conduct a thorough assessment of whether the Plan is likely to have a significant effect on the environment.
- 4.2 The table below sets out the criteria by which the site allocation in the Plan should be judged, as outlined in the SEA Regulations.

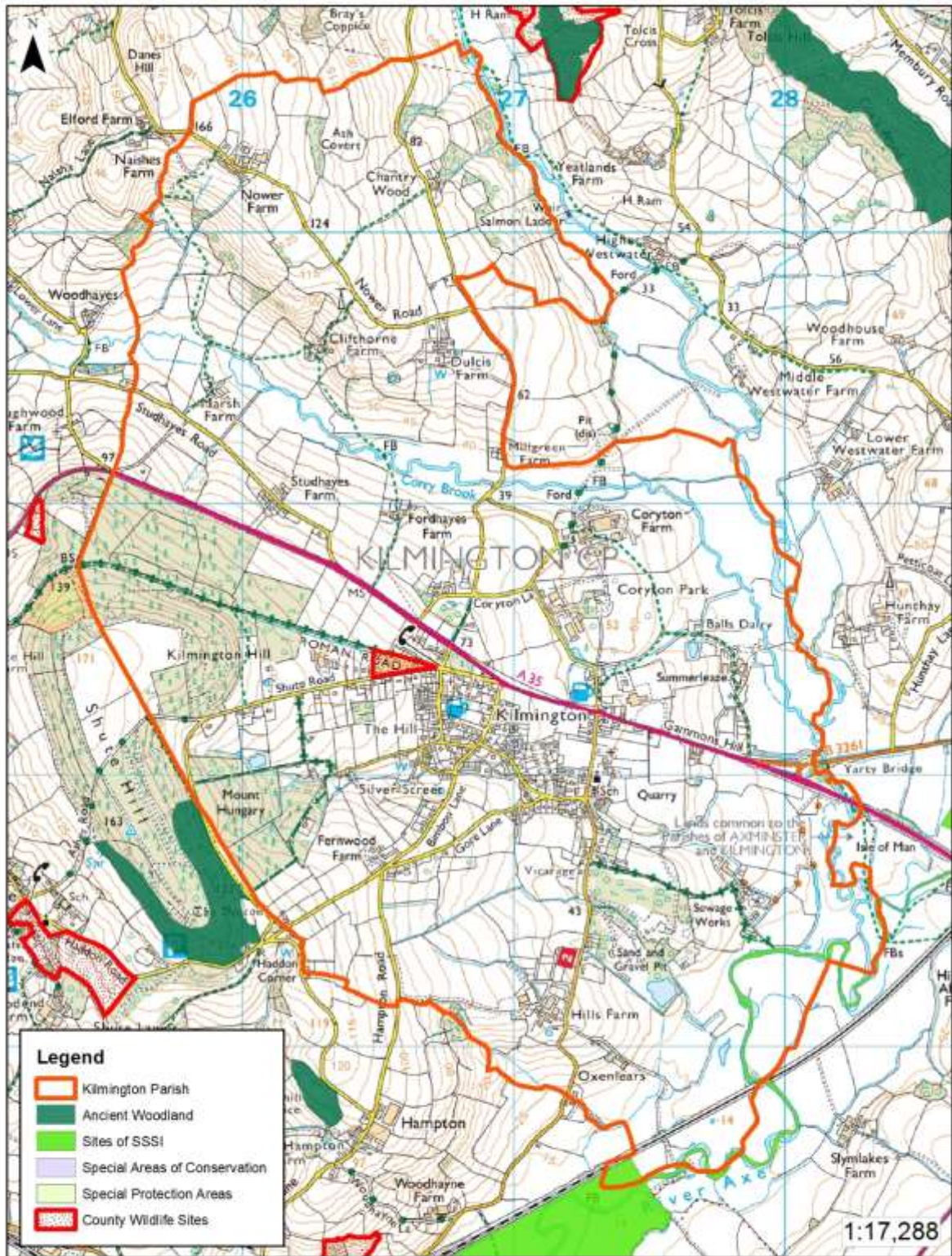
Table 1: Environmental impact screening assesment

Criteria for determining the likely significance of effects (Schedule 1 of SEA regulations)	Comment
The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.	The type and distribution of development at Kilminster will support policies contained within the adopted East Devon Local Plan. Kilminster is a settlement with a Built-up Area Boundary and therefore a level of new development (commensurate with the size of the settlement and available facilities) was considered when the Local Plan was subject to SEA. The two housing allocations will be seen in the context of existing development and a detailed landscape assessment (undertaken by a qualified landscape architect) has concluded that the visual impact is not unacceptable.
The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	The Plan must be in general conformity with the adopted East Devon Local Plan and have regard to national policies. It must also be compatible with EU law and the ECHR obligations.
The relevance of the plan or programme for the integration	The Plan will contribute towards the achievement of sustainable development, as required by the "basic conditions" on which the

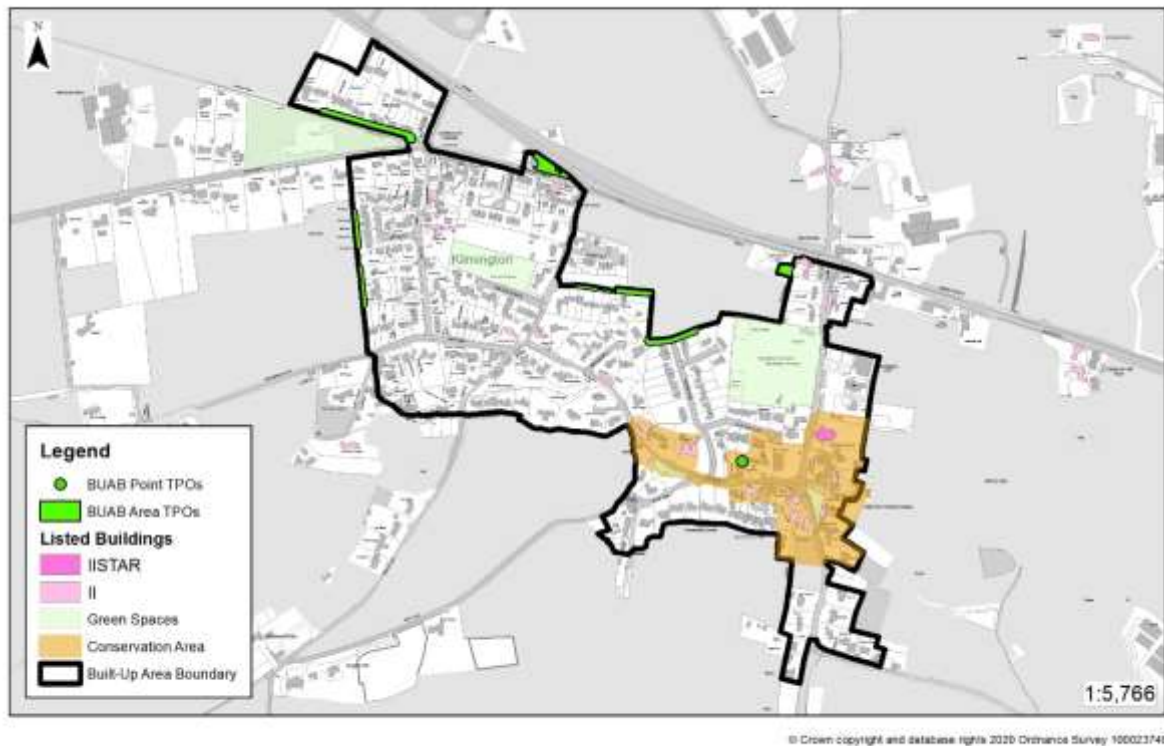
Criteria for determining the likely significance of effects (Schedule 1 of SEA regulations)	Comment
of environmental considerations in particular with a view to promoting sustainable development.	Plan will be judged by at examination.
Environmental problems relevant to the plan or programme.	Development of the type and scale proposed has the potential to result in environmental problems. The River Axe Special Area of Conservation (SAC) lies approximately 1km from the village, on the boundary of the parish. The River Axe has been identified as being at risk from increased development, with Kilminster sewage treatment works potentially contributing to adverse effects on the SAC through phosphorus (p) discharges. The Plan producers have agreed to amend the site allocation policies to provide a cross-reference to Policy EN19 in the East Devon Local Plan 2013-20312, which seeks to ensure water quality issues such as this are addressed, stating that permission can only be granted for new developments where the sewage treatment can be proven adequate. In addition policy will require the developer to comply with the measures set out in the emerging Axe Catchment Area Nutrient Management Plan. This is considered in the appropriate assessment within this report.
The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection).	These community legislation types are not relevant to the Plan and will not need to be considered.
The probability, duration, frequency and reversibility of the effects.	The Plan will influence development that will likely come forward over the Plan period and therefore any impact will be long term and not easily reversible, however this was considered in the SEA to the Local Plan and villages Plan.
The cumulative nature of the effects.	The cumulative effects of the Plan are not considered to have potential for significant adverse effect on the environment on the basis of the information available.
The trans-boundary nature of the effects.	There are not considered to be any proposals in the Plan or NDO which will have a significant trans-boundary effect.
The risks to human health or the environment (e.g. due to accidents).	There is not considered to be potential for risks to human health. The housing allocation south of the A35 includes a requirement for planting to reduce the impact of exhaust particulates on new and existing residents so an overall improvement will result.

Criteria for determining the likely significance of effects (Schedule 1 of SEA regulations)	Comment
The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).	The Plan is concerned only with development within the Neighbourhood Area (which covers all of the Parish of Kilminster).
The value and vulnerability of the area likely to be affected due to: special natural characteristics or cultural heritage; exceeded environmental quality standards or limit values; intensive land-use. The effects on areas or landscapes which have a recognised national, community or international protection status.	Kilminster Parish contains some areas of value and vulnerability. • 33 listed buildings or structures (all Grade II except Grade II* St Giles Church) • Two ancient orchards • A County Wildlife Site • Potential archaeology • Two Areas of Outstanding Natural Beauty European sites within the parish: • River Axe SSSI, SAC A landscape assessment has been undertaken by a qualified landscape architect and has concluded that the likely impacts (particularly on the AONB's) of the proposed development are not considered significant. Notwithstanding that the development as proposed falls below the threshold for 'significant' he has suggested mitigation which would further lessen the impact. A heritage assessment has been undertaken by a qualified conservationist. This concludes that the allocated housing sites will not result in an unacceptable impact on any heritage assets. Opportunities to improve the setting of a listed building adjacent to one of the housing allocations (through the undergrounding of an electricity transformer and wires) have been identified. Opportunities to minimize the impact of the development through use of traditional vernacular materials, design and layout have been identified.

The maps below show the locations of the areas of value and vulnerability. Housing allocations and infill are proposed adjacent to/within the BUAB so listed buildings and the conservation area are shown in detail on the larger scale second map.



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5.0 Conclusion

- 5.1 The Plan does not require a Strategic Environmental Assessment. Subject to the housing allocation Policies cross-referring to Policy EN19 of the East Devon Local Plan (to ensure that the potential for phosphorous to enter the River Axe is addressed prior to development commencing), the Plan does not have the potential to result in a significant environmental impact and proposes a level of development in broad conformity with the adopted Local Plan. Allocated sites, infill and (limited) self-build are proposed within or adjacent to the BUAB and this limits potential harm elsewhere in the parish. The other policies of the plan are protective in nature.

6.0 Habitat Regulations Assessment (HRA) Screening

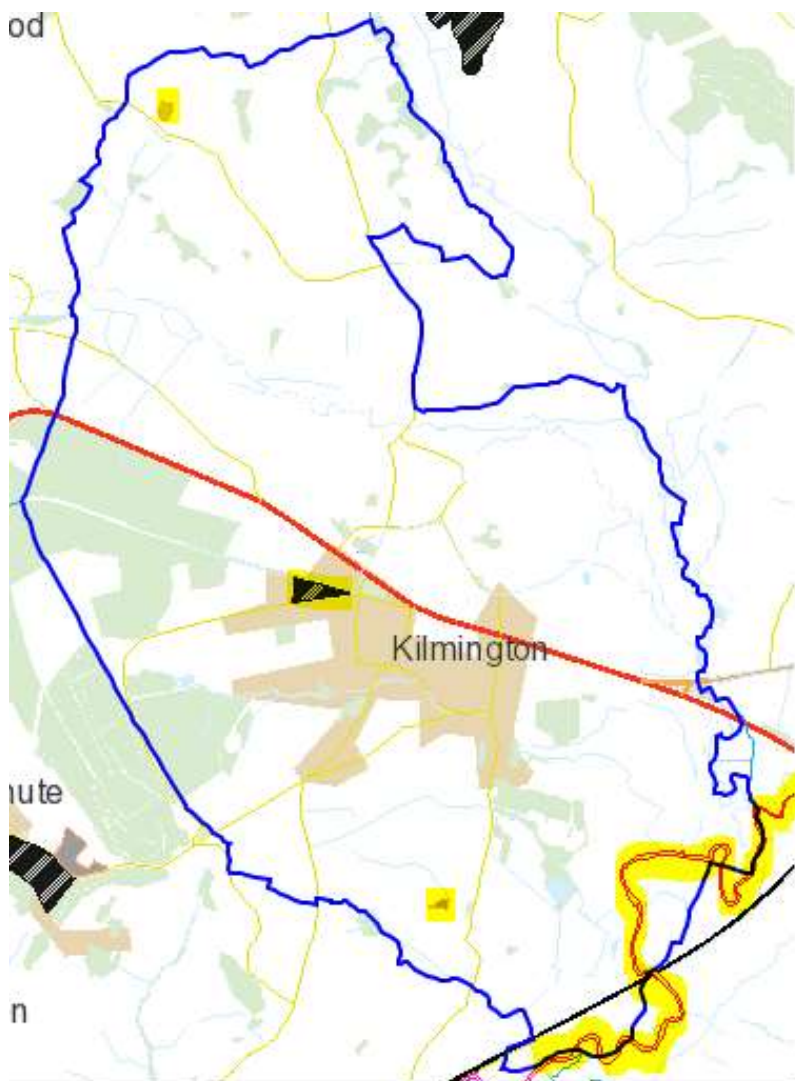
6.1 The Regulation 14 version of the Plan forms the basis of this initial screening assessment. Any variations or additions to the aims and objectives may require a further screening. A screening report was produced as part of the production of the Local Plan <https://www.footprint-ecology.co.uk/reports/Liley%20and%20Underhill-Day%20-%20202012%20-%20Habitat%20Regulations%20Assessment%20of%20the%20East%20Devon%20L.pdf> and has been taken into account in undertaking this screening assessment.

6.2 The HRA needs to satisfy the following Regulation:

- Habitat Regulation 105 & 106 of The Conservation of Habitats and Species Regulations 2017 (referred to as Habitat Regulations 2017 (as amended) in this document)

The Habitat Regulations 2017 afford protection to plants, animals and habitats that are rare and vulnerable in a European context.

6.3 Habitats Regulations Assessment (HRA) is a systematic process through which the performance of a plan or project can be assessed for its likely impact on the integrity of a European Site. European Sites, also referred to as Natura 2000 sites or national site network, consist of Special Protection Areas (SPA), Special Areas of Conservation (SAC); Potential Special Protection Areas and candidate Special Areas of Conservation (pSPA and cSAC); and listed or proposed Ramsar sites.



6.4 There are European Site(s) of relevance to the Kilminster Neighbourhood Plan within the Parish. The River Axe is a SAC and SSSI and forms a significant length of the south eastern boundary to the parish (shown red, highlighted with yellow). Natural England have been consulted on a draft of this document by the District Council and will be consulted on this version.

6.5 Of more local importance, Kilminster Common, on the north western edge of the village, is a County Wildlife Site. There are also two traditional orchards in the parish. These are located to the north and south of the parish, well outside the built up area. All of these features are highlighted yellow on the map.

6.6 HRA screening must address the question “Is the Plan, either alone or in combination with other relevant projects and plans, likely to result in a significant effect upon European sites? The table below appraises the effect of allocations or policies within the KNP which have the potential to significantly affect European sites within or with a pathway of impact from the KNP. The precautionary principle must be used when assessing whether adverse effects are significant.

European Site	Qualifying Features	Threats/ Pressures	Pathways of Impact (arising from development relating to the KNP)	Likely significant effects (including in combination)	Screen in or out
Rive Axe SAC and SSSI	* S1095 Petromyzon marinus: Sea lamprey * H3260 Water courses of plain to montane levels with the Ranunculus fluitans and Callitriche- Batrachium vegetation * S1096 Lampetra planeri: Brook lamprey * S1163 Cottus gobio: Bullhead	Water Pollution is the main threat Pollution as a result of run-off from agricultural fields and household effluent (i.e. from sewage treatment works and septic tanks) can lead to elevated levels of phosphate within the river. In turn, this can lead to excessive weed/algal growth resulting in changes to water chemistry, which is potentially damaging to the designated features of the SAC Siltation Invasive Species Inappropriate structures such as weirs and dams	Impact of pollution from household effluent (i.e. from sewage treatment works and septic tanks)	Yes	In

As new development is proposed allocations are within the River Axe catchment and has the potential to increase phosphate loading, therefore, in combination with the level of growth in the Local Plan it is concluded that there is a Likely Significant Effect so an appropriate assessment must be carried out.

6.7 Appropriate Assessment

In combination with the windfall and limited other development permitted by the policies in the East Devon Local Plan there is potential for the development identified in the KNP to increase household effluent and therefore increase pollution in the River Axe (approximately 1km to the west). The East Devon Local Plan recognises in *Strategy 20-Axminster* that development in the Axminster area has the potential to impact upon the River Axe and states, in criteria 6, that “ Environment- make sure that any development does not harm wildlife and habitats in the Axminster area. In particular, the water quality of the River Axe and the surrounding wildlife sites should be protected.” *Strategy 47- Nature Conservation and Geology* establishes that mitigation will be required if harmful impacts to a European designated site are predicted or could arise. Where such harmful impacts arise as a result of pollution, they are controlled by Policy EN14 of the Local Plan in addition to EN18 which requires water quality and quantity to be maintained and EN19 which requires foul sewers and sewage treatment systems to be adequate.

6.8 The KNP proposes two housing sites to be allocated and there are policies supporting limited infill and up to 10 self-build houses. Kilminster is identified in the Local Plan as a village with a good range of everyday facilities and services which is suitable to accommodate an appropriate amount of housing growth. It is considered that the approach proposed in the Neighbourhood Plan is well thought out and will provide a balanced mix of housing to meet local needs, suited to the scale of the village and the facilities available and at a level envisaged by the Local Plan. Most housing will be on the two allocated sites with the remainder being subject to strict locational criteria. Mains sewerage is available to the village and it is anticipated that new development will be connected to this mains provision.

6.9 The potential for pollution was recognised in the River Axe Site Improvement Plan and actions were proposed to address the issue:

1D Walkover surveys in the catchment to identify diffuse and point source pollution

1E Investigate the locations of septic tanks within the River Axe catchment to identify potential sources of pollution including phosphate (SSSI Risk Assessment of Septic Tanks underway as part of a national project).

1I Investigate the need to improve discharges from sewage treatment works in line with the best available technology to accommodate housing growth.

The lead delivery body for each of these actions is Natural England (with the Environment Agency for action 1D), to timescales between 2014-2020.

6.10 The Kilminster sewage treatment works has potential to contribute to adverse effects on the SAC through phosphorus (p) discharges (See 1I above). The Neighbourhood Plan producers have agreed to amend the site allocation policies to provide a cross-reference to Policy EN19 in the East Devon Local Plan 2013-2031, which seeks to ensure water quality issues such as this are addressed, stating that permission can only be granted for new developments where the sewage treatment can be proven adequate. This will be read alongside the wider local plan policies including those relating to water quality and management of sewage.

6.11 In addition to the reference to local plan policy EN19, the neighbourhood plan policy will require the developer to comply with the measures set out in the emerging Axe Catchment Area Nutrient Management Plan and will not permit permission to be granted, or development commenced, until it can be demonstrated that no increase in phosphates will result. This ACANM Plan identifies a need for mitigation, how net adverse impacts can be calculated and potential mitigation options. This Plan is supported by the Axe Catchment/Triple Axe Project, being advanced by a multi-agency steering group, which considers the overall environmental quality of the Axe and identifies measures to bring about environmental improvements. This project will secure schemes to facilitate phosphate removal, funded through development contributions.

6.12 It is therefore possible to conclude that, in combination with the East Devon Local Plan, the possible effects are considered to have been appropriately assessed and measures are in place to ensure that any effects are addressed prior to development being granted consent, or development commencing, and therefore there will be no impact on the integrity of the SAC.

7.0 Conclusion/Screening Outcome

7.1 The assessment demonstrates that there is potential for significant effects on a European site, the River Axe SAC, through pollution from household effluent. An Appropriate Assessment has been carried out and strategic mitigation is in place through Policy EN19 of the East Devon Local Plan combined with amendments to KNP policies to ensure that there will be no significant effects on the features of the SAC. It is therefore possible to conclude that, in combination with the Local Plan Policy, there will be no impact on the integrity of the European site.

7.2 SEA screening: Regulation 5(1) of the Environmental Assessment of Plans and Programmes Regulations 2004 (“the SEA Regulations”) provides that an environmental assessment (an SEA) must be carried out in a number of circumstances, including where the plan or programme, in view of the likely effect on sites, has been determined to require an assessment pursuant to Article 6 or 7 of the Habitats Directive (i.e. appropriate assessment by way of an HRA).

7.3 However, this requirement is subject to an exception contained in Regulation 5(6) which provides that an environmental assessment need not be carried out for a plan or programme “which determines the use of a small area at local level” unless the plan has been determined to be likely to have significant environmental effects. Whether the plan is likely to have significant environmental effects needs to be determined by reference to the criteria in Schedule 1 of the 2004 Regulations. These criteria are set out in a series of questions in section 4 of this report.

7.4 The assessment in section 4 does not reveal any significant effects in the environment resulting from the Kilminster Neighbourhood Plan. The plan is of a small scale providing for two small sites (around 21 dwellings) as well as a small amount of windfall development and up to 10 self-build dwellings in line with the strategic policies of the East Devon Local Plan. The development boundary and locations for development are based on appropriate evidence and are chosen to avoid environmental effects. As well as criteria-based policies in the KNP, the policy framework exists in the East Devon Local Plan (which was itself subject to SEA and HRA) to ensure protection of the environment. SEA is therefore not required.

Heritage Impact Review - Kilminster Neighbourhood Plan

Introduction

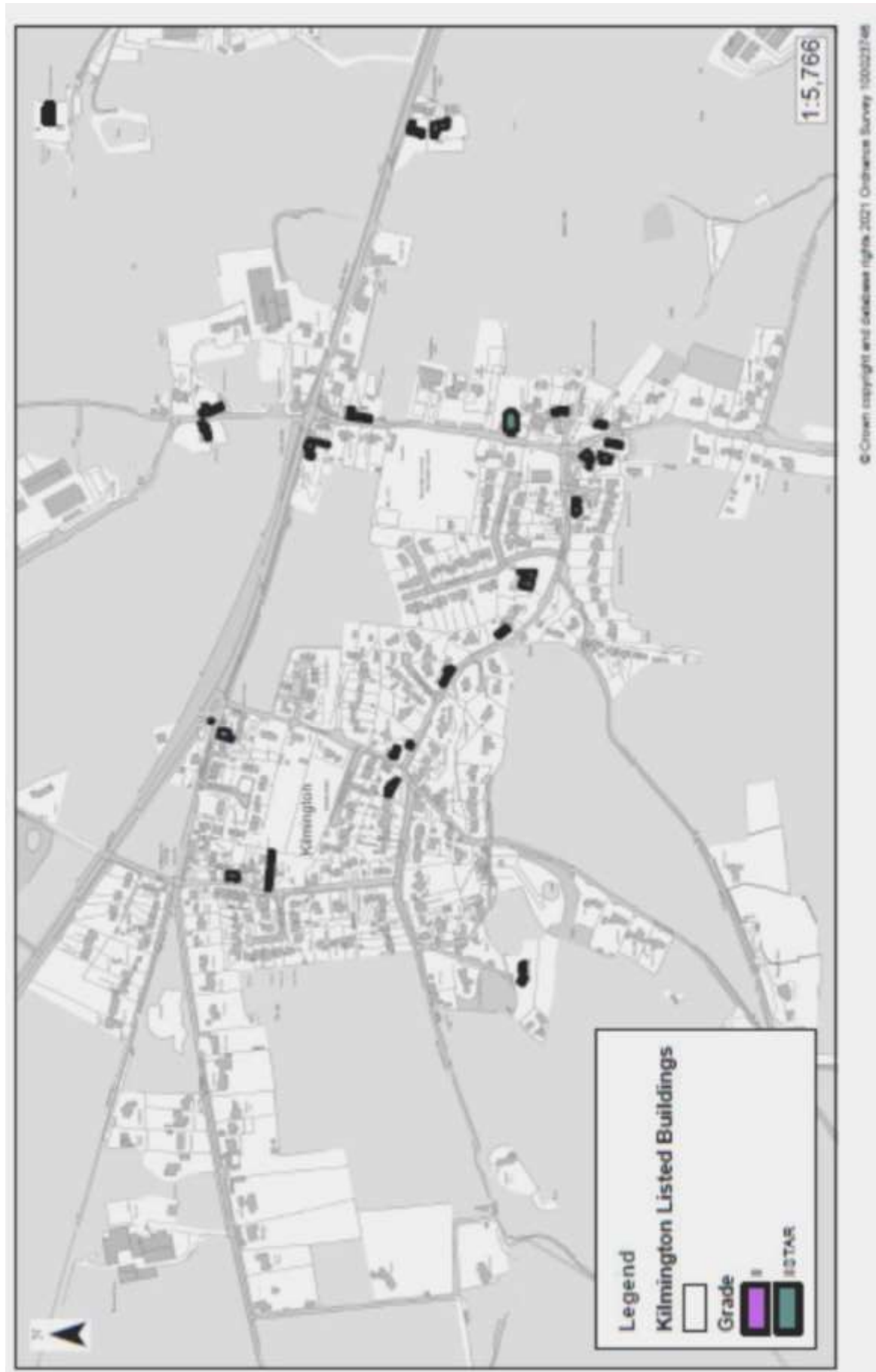
This report has been produced by Planning Officers of East Devon District Council to support the Kilminster Neighbourhood Plan, following a request from Historic England for more information on the potential heritage impact of the proposals, so they can form a conclusion as to whether the Neighbourhood Plan is likely to have a significant environmental impact and therefore require a Strategic Environmental Assessment (SEA). The Heritage Impact Review uses information from the Devon Historic Environment Record, guidance from Historic England (particularly with regard to assessing significance and potential impact), District Council historic assets information and conservation area appraisals and a visual assessment carried out on site.

Heritage Assets in Kilminster

There are 25 listed buildings or structures in the parish, all of which are Grade II apart from St Giles Church which is Grade II*. These are listed in the table below and shown on the subsequent map. Most are located within the village and the juxtaposition between listed buildings and the proposed housing allocation sites, and potential harm arising from this, is discussed later in this assessment.

There are 25 listed buildings or structures in the parish, all of which are Grade II apart from St Giles Church which is Grade II*. These are listed in the table below and shown on the subsequent map. Most are located within the village and the juxtaposition between listed buildings and the proposed housing allocation sites, and potential harm arising from this, is discussed later in this assessment.	Grade
Address	
Summerleaze House, Gammons Hill, Kilminster, Axminster, EX13 7RA	II
Gammons Hill Farm, Gammons Hill, Kilminster, Axminster, EX13 7RA	II
Gammon Hill Cottage, Gammons Hill, Kilminster, Axminster, EX13 7RA	II
Old Cider Lodge, Kilminster, Axminster, EX13 7SW	II
New Inn, Kilminster, Axminster, EX13 7SF	II
5 Salisbury Terrace, Kilminster, Axminster, EX13 7SE	II
Newtons House, The Street, Kilminster, Axminster, EX13 7SH	II
Spout Hill, The Street, Kilminster, Axminster, EX13 7RW	II
Spout Hill, The Street, Kilminster, Axminster, EX13 7RW	II
George Farmhouse, Kilminster, Axminster, EX13 7RX	II
War Memorial, Kilminster,,	II
Whitehayes Cottages, The Street, Kilminster	II
Kent Cottage, The Street, Kilminster, Axminster, EX13 7RW	II
Old Ruggs Farm, The Street, Kilminster, Axminster, EX13 7RW	II
Brooklands Farm, The Street, Kilminster, Axminster, EX13 7RJ	II
The Stores, Whitford Road, Kilminster, Axminster, EX13 7RG	II
Ways Cottage, Whitford Road, Kilminster, Axminster, EX13 7RG	II
The Old Inn, Kilminster, Axminster, EX13 7RB	II
Westbrook, Whitford Road, Kilminster, Axminster, EX13 7RG	II
Vealhayes, Kilminster, Axminster, EX13 7RD	II
St Giles Church, Whitford Road, Kilminster	II STAR

Brook House, Whitford Road, Kilminster, Axminster, EX13 7RG	II
Ashes Farm Cottage, Whitford Road, Kilminster, Axminster, EX13 7RF	II
Old Vealhayes, Kilminster, Axminster, EX13 7RD	II
The Old Post Office, Whitford Road, Kilminster, Axminster, EX13 7RG	II



The historic core of the village is covered by a conservation area which is also a designated heritage asset. The extent of this is shown dotted on the map below; listed buildings are indicated in pink (the stars indicate sites where primary archaeological surveys have been undertaken). The Kilminster Conservation Area is subject to a Conservation Area Appraisal and Interim review <https://eastdevon.gov.uk/media/560780/kilminsterca.pdf>. The conservation area lies to the south of both proposed allocations and is separated from them by intervening development. There will be a small degree of intervisibility with development on the western section of Site B (Land off Whitford Road, north of The Beacon) but this will be minimised by the single storey height of the dwellings, the village hall and Baptist church car parks and several hedgerows.

The Interim appraisal considers a potential review of the conservation area boundary. It states

Potential review of conservation area boundary.

The existing conservation area boundary covers the entire historic core of the settlement. Development outside the boundary is on the whole modern and does not meet the criteria for inclusion within the conservation area. Historically Kilminster evolved around two separate areas of development; the first being the historic core of the settlement around the church and the second area centred along The Hill to the north-west. This area of the village presents an attractive and distinct streetscape. This may be considered as a separate conservation area when the boundary is reviewed as part of a later consultation exercise.

At present this review has not been undertaken and there is no plan to do so in the near future. It is possible that a conservation area centred along The Hill would include Georges Farmhouse and the War Memorial and so would lie in close proximity to the Dares Field/Georges Lane allocation, with intervisibility between the two areas. Theoretically the field could be included in the conservation area if it is deemed to have historic importance or be of importance to its setting, however at this stage no conservation area has been identified.



There are no scheduled ancient monuments located in the parish.

Devon Historic Environment Records indicate there is a considerable body of archaeological material in the parish, especially associated with the original Roman Road, part of the Fosse Way, which ran from Exeter to Dorchester and can still be seen along parts of the A35 route and the byway running west from the common. The village has grown up around this route and, relevant to the allocation sites, Site A is also known as Ashen field (a Roman or medieval reference to ironworking), Georges Farmhouse opposite the site was a former coaching inn, with the Old Smithy/forge providing blacksmithing. When The Beacon, adjacent to Site B, was built remnants of old field boundaries were uncovered- these have been retained and incorporated into the existing boundary between it and the allocation.

Kilmington Neighbourhood Plan

The Neighbourhood Plan aims to allocate two sites for development to meet the needs of local people. Both sites are located on the northern side of the village, close to the A35 and local facilities. In total, 20-24 houses are proposed across the two sites; a mix of tenures and types intended to provide affordable housing, family homes, self-build opportunities and housing to meet the requirements of older people. Both sites (albeit slightly different areas as adjoining land was also included) were previously considered for development in a draft version of the East Devon Villages Plan in 2014, but did not proceed any further due to changes made to the Plan which no longer sought to allocate land for development in the villages.

The Neighbourhood Plan group are pursuing both sites in the Neighbourhood Plan, predominantly using the evidence base produced to support the allocation in the draft Local Plan and Villages Plan, alongside various consultation exercises undertaken with the local community. The Plan below (not to scale) is taken from the Neighbourhood Plan and shows the two sites in context.

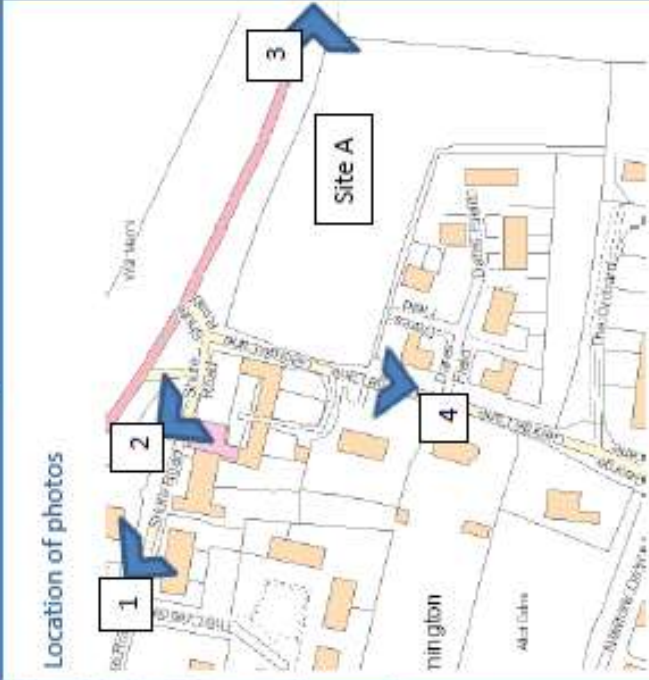


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Site A (Land off George Lane and adjacent to Dares Field (marked "Dares Field" on plan above)) is allocated for around 14 dwellings, at least 50% of which must be affordable. Local evidence at present suggests 7 affordable 2-3 bedroom houses, 3 self-build 3-4 bedroom houses and 4 open market 3-4 bedroom houses. This site provides an opportunity to create improved connectivity by foot and bicycle routes from the western half of the village to the eastern side where most amenities and facilities are located. This will enable safer routes avoiding the narrow lanes which do not have pavements. The site's location also presents an opportunity to reinforce the boundary with the A35 through planting and landscaping, reducing noise and pollution, enhancing amenity for residents and also enabling a positive response to the group's desire to enhance the "green corridor" on the edge of the village and along the A35. The Policy relating to this site is appended to this review.

There are 3 listed buildings/structures which have been identified as having the potential to be affected due to their proximity to the allocated site. The following table outlines these assets, and assesses the extent and likelihood of any harm.

Heritage Asset	Proximity to Development	Description	Setting and Significance	Potential Harm
George Farmhouse	Around 50m	George Farmhouse II House. Early C19. Plastered stone rubble. Bitumenised slate roof with gabled ends. Two storeys. Three bays. Sash windows with glazing bars, and flat dressed stone arches. Central doorway with panelled door and later porch. Situated at right angles to road. Listing NGR: SY2692298334	George Farmhouse is located, along with a courtyard of residential former outbuildings, prominently on the junction of George Lane, Shute Road and Gammon's Hill (A35). From Shute Road George Farmhouse adjoins the road and dominates the approach to the junction, but from George Lane only the top of the gable end is visible over the modern barn conversion roofs.	There is potential for oblique intervisibility between the new development and George Farmhouse but this is limited by hedgerow planting (existing and that required by the NP policy), existing boundary walls and by existing, intervening residential development. Dares Field already forms a backdrop of new development and additional housing is not considered to significantly detract from the setting of the Farmhouse. Setting new development away from the northwest corner of the site will significantly reduce intervisibility and will ensure that the listed building continues to be a focal point for those approaching from the east.

Heritage Asset	Proximity to Development	Description	Setting and Significance	Potential Harm
 3	 4	 1	 Location of photos	
		 2		
		 3		
		 4		
The War Memorial	Around 50m	First World War memorial. Erected 1921, with further inscriptions added later. Reasons for Designation Kilmington War Memorial, which stands at the crossroads of the A35 and Shute Road on the north side of the village, is listed at Grade II for the following principle reasons: Historic interest: as an eloquent witness to the tragic impact of world events on the local community and sacrifice it made in the conflicts of the C20;	The War Memorial forms a group with George Farmhouse at the junction of Shute Road, George Lane and the A35. The War Memorial is extremely prominent when entering the village from the East as it is located on its own against a backdrop of trees.	The proposed development will not impact upon the setting of the War Memorial. There will be limited intervisibility in oblique views but no impact on the main viewpoint to the east or the setting of the Memorial (which is the woodland to the west).

Heritage Asset	Proximity to Development	Description	Setting and Significance	Potential Harm
		external stack at rear. Rectangular staircase bay at rear. Interior: Jointed cruck trusses, and wind braces to former open hall. Part of plank and muntin screen at higher end. Inserted fireplaces with chamfered stone jambs and chamfered timber bressummers. Stopped and chamfered ceiling beams. Listing NGR: SY2729598357		
The Old Inn	260m	Old Inn II Public house. Circa C16/17 with C18 wing. Roughcast and white-washed stone rubble. Thatched roof with hipped ends. Two storeys. Long four/five window range. Two and three light casement on first floor with chamfered mullions and leaded panes. One C20 casement on ground floor. C20 glazed doors and C20 thatched porch in the angle with circa C18 wing projecting to left hand, the gable to road with bowed sash on each floor with glazing bars. Plank door to left. Rebuilt brick ridge stacks and stack over gable of wing. Interior: one jointed cruck truss. Stopped chamfer ceiling beams. Listing NGR: SY2727898231	The Old Inn is located on the junction of Whitford Road and the A35. It is visible for a considerable distance when approaching the village from the west but is much less prominent when viewed from the eastern approach (seen against adjoining development). An open agricultural field and the pub car park lie between the proposed site and the Old Inn and Neighbourhood Plan policy seeks a hedgerow to be planted along the roadside.	No impact. The Old Inn will have no relationship with the proposed site. There is slight distant intervisibility but this will be against a backdrop of existing development and will cause no harm to the setting of the listed building. Roadside planting will further reduce and visual intervisibility.
Conservation area	Around 300m	The conservation lies around 300 m to the south east of the site. It should be noted that the interim conservation area review raises the possibility of designating a second conservation area around The Hill, running to the north west of the site. This could lie very close to the site (or	The conservation area is of high significance to the village but of very limited significance to the site due to the distance between them and the modern intervening development.	There is no intervisibility due to considerable intervening modern development so no harm is likely to arise. If a conservation area were designated at The Hill there is potential for visual harm, however the area has yet to

Heritage Asset	Proximity to Development	Description	Setting and Significance	Potential Harm
		possibly even include it) but no assessment or consultation has yet been undertaken.		be assessed and, in the absence of evidence to suggest it may be designated in future, this can be given little, if any weight.

Heritage Impact Summary	Potential mitigation
As concluded in the table above, there will be a limited impact on the existing heritage assets through the allocation of the site. There will be some unavoidable impact through the change of use of open land at a prominent entrance to the village, however, the immediate setting of heritage assets in the village will not be impacted.	If part of the site is intended to be given over to an open green space, there should be a preference to this being fronted onto the road, behind the new hedge, with the dwellings set back into the site. That way the site can maintain a somewhat open character and avoid distraction to views of George Farmhouse and the War Memorial from the main road junction.

Site B (Land off Whitford Road, north of The Beacon (marked "E407" on plan above)) is allocated for the development of 6-10 smaller bungalows depending on design and layout. The site is in a particularly favourable location to respond to the needs of the elderly by providing housing to enable downsizing and also fully accessible housing to the needs of the elderly through design. The site is flat and very close to local amenities and facilities. The Policy relating to this site is appended to this review.

There are 5 listed buildings which have been identified as having the potential to be affected due to their proximity to the allocated site (two are dealt with together). The following table outlines these assets, and assesses the extent and likelihood of any harm. Perspective photographs have been used to aid these conclusions.

Heritage Asset	Proximity to Development	Description	Setting and Significance	Potential Harm
Church	Approximately 150m south of the site.	Grade II* Listed Church of St Giles II* Parish church. C15 west tower. Remainder rebuilt in 1862 and designed by T.T. Bury. West tower of two stages, north angle buttresses with set offs, battlements, finials and gargoyles. Two light bell openings. Four centred arch west window and door. Polygonal stair turret on south side. Nave, north and south aisles and chancel built in 1862 in perpendicular style, and with open timber framed south porch. Coursed stone with freestone dressings, and slate and tiled roofs. Interior: four bay north and south arcades with octagonal piers, moulded capitals and double chamfered arches. Four centred arch wagon roofs to nave and chancel. Circa C15 octagonal font with quatrefoil panels. Monuments in north aisle Thomas Southcott 1735 with Corinthian pilasters broken pediment containing cartouche flanked by angels. Mrs Agnes Tucker 1788 by Harris of London, with draped urn. Royal Arms of	Very significant with tower a prominent feature in the village. The Church and Graveyard have an enclosed character due to vegetation planting around its perimeter, restricting views out from the site. Adjacent modern properties to the north of the Church (Village Hall and Baptist Church) are set back from the road, to the east of their plots so that views of the Church from Whitford Road are uninterrupted.	Minimal impact. Short range views from the Church to the site are separated by car parking and obstructed by hedgerows. New development would be seen against a backdrop of development, including an illuminated garage services and diner in the middle ground to the north east. From the site the tower can be seen over the top of the hedgerows. Photographs 1,2 and 3 were taken on March 15 th 21 when they had been recently cut and were not yet in leaf. Site makes no meaningful contribution to setting of the church.

Heritage Asset	Proximity to Development	Description	Setting and Significance	Potential Harm
		Charles II fixed to roof of north aisle. Hatchment over tower arch. Listing NGR: SY2730797984		
	  	 	 Location of photos	Minor impact from new development, provided it is single storey and located to the south and east of the site (away from the listed building). The impact would increase if dwellings are Ashes Farm Cottage/Farmhouse is located alongside the road immediately to the north of the site. Outbuildings within the curtilage lie between the cottage and the development site.
Ashes Farm Cottage	Adjacent to the site. Cottage is around 30m from the access point. There is an outbuilding	Ashes Farmhouse (recorded as Ashes Farm Cottage) II House. Circa C17. Stone rubble. Thatched hipped roof. L-shaped on plan. Two storeys. C20 casement windows. C20 door and thatched porch. Rebuilt brick ridge stack. Long circa C18, wing to south with concrete tile roof and small C20 shop window. Interior:		

Heritage Asset	Proximity to Development	Description	Setting and Significance	Potential Harm
	Immediately adjoining the site.	stopped chamfer ceiling beams. Fireplace with chamfered bressummer. Circa C18 staircase with turned balusters. Listing NGR: SY2732298180	The predominant pattern of development in this area is of pairs of semi-detached houses set back from the road opposite Ashes Farm Cottage/Farmhouse and terraced housing to the north adjoining the junction with the main road. A paddock lies to the east of the listed building, beyond this is a modern garage service station and diner. An electricity pole with a large transformer is sited prominently at the south east of the property and this detracts from its appearance when approaching from the south.	located close to the boundary with the listed building. There will be some impact from the new access (this could be eliminated if access was taken through the Baptist Church car park). Assuming access is to be taken from Whitford Road, it would be seen in the context of numerous other accesses to housing and community buildings. Views to and from the site from public vantage points are predominately blocked by hedgerows and existing building. The electricity transformer is substantially higher than the listed building and greatly detracts from it. Undergrounding, as part of a development scheme, would represent a considerable visual benefit. Use of complimentary materials and landscaping would lessen any impact and should be requirements of any planning permission.

Heritage Asset	Proximity to Development	Description	Setting and Significance	Potential Harm
				
				

The following 3 pictures were taken just prior to the construction of the Baptist Church. The proposed allocation is just beyond the temporary post and wire fence with Ash Farm Cottage in the background of pictures 6 and 8. The fence has been replaced by a Devon bank with a hedge on top and it is no longer possible to see the listed building from this location.

Heritage Asset	Proximity to Development	Description	Setting and Significance	Potential Harm
 The Old Inn	110m north-west	 6	 7	 8
		Old Inn II Public house. Circa C16/17 with C18 wing. Roughcast and white-washed stone rubble. Thatched roof with hipped ends. Two storeys. Long four/five window range. Two and three light casement on first floor with chamfered mullions and leaded panes. One C20 casement on ground floor. C20 glazed doors and C20 thatched porch in the angle with circa C18 wing projecting to left hand, the gable to road with bowed sash on each floor with glazing bars. Plank door to left. Rebuilt brick ridge stacks and stack over gable of wing. Interior: one jointed cruck truss. Stopped chamfer ceiling beams. Listing NGR: SY2727898231	The New Inn is located close to the development site but is separated from it by two pairs of semi-detached houses and a new terrace of three houses.	No impact. The Inn will have no visible relationship with the proposed site and cannot be seen either to or from it.
Gammons Hill Farmhouse and Gammons Hill Cottage (2 entries)	275m east	Gammons Hill Farmhouse GV II Farmhouse. Circa early C16. Roughcast stone rubble. Asbestos slate roof with gabled and half hipped ends. Two storeys. Four window range. C19 three light casements with glazing bars. Doorway off centre to cross passage	Gammons Hill Farmhouse and Cottage (formerly a cart shed) are located east of the site, separated from it by an agricultural field and two hedgerows.	No Impact. Buildings will have minimal visible relationship with the proposed site and the low height and landscaping will not make new development stand out against the skyline. The listed

Heritage Asset	Proximity to Development	Description	Setting and Significance	Potential Harm
		with late C19 glazed porch. Rendered chimney stacks at ridge and gable ends. Wing at rear forming L-shaped plan. Interior: Jointed cruck trusses. Plank and muntin screens to cross passage, one with four centred arch doorway. Inserted floor with stopped and chamfered ceiling beams. Open fireplaces with chamfered bressummers. SY2766998071 Farm Building immediately north of Gammons Hill Farmhouse GV II Cart shed with hay loft above and adjoining stables. Circa C18. Stone rubble. Corrugated iron hipped roof. Two storeys. Two segmental stone arched cart bays with keystones. Large loft door above. Circa early C19 one storey and attic stable range adjoining at right angles with slate gable ended roof. Listing NGR: SY2766198106	The application site is around 15m higher than the listed buildings but the slope is gradual across the intervening field.	buildings already see the village in long range views and new development will be seen against a backdrop of existing building (including the much taller bulk of the Baptist Church.
Conservation Area	100-125m	Kilmington conservation area lies to the south of the site. It contains a cluster of Grade 11 listed buildings and the Grade 11* Church. The conservation area, together with the cluster of Grade 11 listed buildings and the Grade 11* Church together amount to a medium to high value (cumulative) significance.	The conservation area appraisal states that the following elements are leading to an intrusion or a loss of the essential qualities of the conservation areas: - a loss of true rural character resulting from excessive recent housing development leading to reurbanisation - loss of traditional features, particularly church, and replacement with artificial slate and corrugated iron roofs - prominent overhead power lines - a gradual loss of original detail, especially traditional carpentry to doors and windows, and replacement with incompatible materials and finishes, including methods of coating or repointing of stone walls	

Heritage Impact Summary	Potential mitigation
As concluded in the table above, there will be a potential on two existing heritage assets through the allocation of the site but these can be minimised through mitigation measures. Public views of the Church will not be impeded, although the development will be partially visible from the Church. Ashes Farmhouse could be impacted if development is permitted in close proximity to the parking area and curtilage listed buildings to the south of it. It is considered that the small scale, low height development proposed would minimise this risk.	Restricting development from the boundary with the curtilage listed building to the north of the site will minimise harm to its setting. Undergrounding electricity wires in this area will achieve a considerable visual improvement. If possible, accessing the site through the Baptist Church car park would totally avoid a new access detracting from the setting of the listed building but numerous existing accesses open onto Whitford Road and a further opening will not result in significant harm. Single storey, modestly sized dwellings in appropriate materials, combined with a landscaping scheme would minimise harm.

Conclusions

The allocation sites do not significantly contribute to the setting of nearby heritage assets due to their locations away from the majority of assets and limited intervisibility or obscured views in most instances. Significant development has recently been constructed in close proximity to both the sites (Dare's Field next to site A and the Baptist Church next to Site B) and this sets a precedent for more modern building design in the area although it should be noted that this recent development is of a high design quality and utilises local materials and traditional forms. This use of traditional materials that respect the local vernacular should be replicated in both proposed development and the layouts should respect historic settlement patterns. Building ridge heights should not exceed those in the historic core, or those of typical single storey outbuildings in the case of Site B.

With sensitive design and layout, the development of the sites will not have a significant impact on nearby heritage assets but key views into and out of the sites should be retained, for instance, views of the Grade 11* Church in particular. In both cases it is recommended that development be separated from the northern site boundaries to reduce the potential intervisibility with nearby heritage assets and any impact on their setting as well as the retention of historic boundaries (or minimal loss where their removal is essential to achieving an access). For Site A this will be facilitated by the requirement for a substantial roadside hedge, for Site B it is recommended that landscaping be implemented in association with the new access and development be set back so that impact on the streetscene and Ashes Farmhouse is minimised. Undergrounding the very visually dominant electricity wires and transformer will enhance the setting of Ashes Farmhouse.

APPENDIX 1- SITE A

Neighbourhood Plan Policy

Policy HD2: Land off George Lane (adjacent to Dares Field)

1. Land off George Lane (adjacent to Dares Field) defined in Figure X is allocated for around 14 dwellings to enable sustainable development responding to the housing demand and needs of the local community.
2. To ensure that supply is delivered in an "organic" way which respects previous rates of delivery.
3. Proposers of development should engage with the local community and Parish Council, prior to submission of a planning application to the local planning authority, to help ensure that proposals take into account both this plan's aims and objectives and the views of the local community.
4. Development on the site will be expected to:
 - i) subject to viability, deliver a mix of dwelling types and sizes in a proportion of affordability types which meet demonstrable up-to-date local needs to help maintain a balanced and thriving local community to accommodate the needs of younger generations and families. At least 50% 'affordable' housing, a mix of low cost, shared ownership, subsidised rent and an element of 'self-build' subject to meeting the requirements in Policy HD4. Local evidence at present suggests 7 affordable 2-3 bedroom houses, 3 self-build 3-4 bedroom houses and 4 open market 3-4 bedroom houses.
 - ii) provide (at least) a 10-metre buffer on the northern edge of the site between new development and the A35 which will be landscaped and planted before first occupation of the houses, in order to:
 - a. minimise particulate and other pollution levels on the new site
 - b. minimise noise from the A35
 - c. enhance the boundary with the A35 to make a positive contribution to the "A35 green corridor" (see Transport Plan)
 - d. retain and enhance biodiversity and habitat on the site
 - iii) not harm, adversely impact or result in the loss of the existing mature trees and hedgerows on the site
 - iv) provide strategic planting and landscaping to reinforce the existing field boundary and provide a green buffer on the eastern edge of the site
 - v) provide a foot and cycle path at the southern end of the site to act as a west-east route linking land north of The Orchard with the land to the east of the development site
 - vi) relate positively to and be contiguous with the existing development on the adjacent site, particularly with regard to design, form, scale and density
 - vii) be of a design and density appropriate to and in keeping with the character of this part of the village and pay particular regard to the requirements set out in the Kilminster Village Design Statement
 - viii) provide safe pedestrian and cycle access on-site to help enable good access to community facilities and local services
 - ix) provide a Transport Assessment as part of the application
 - x) satisfy the requirements of the other policies in this plan.

APPENDIX 1- SITE B

Neighbourhood Plan Policy

Policy HD3: Land off Whitford Road (north of The Beacon)

1. Land off Whitford Road (north of The Beacon) defined in Figure X is allocated for 6-10 smaller bungalows to enable sustainable development responding to the housing demand and needs of the local community, with a focus on housing for local older people.
2. To ensure that supply is delivered in an "organic" way which respects previous rates of delivery.
3. Proposers of development should engage with the local community and Parish Council, prior to submission of a planning application to the local planning authority, to help ensure that proposals take into account both this plan's aims and objectives and the views of the local community.
4. Development on the site will be expected to:
 - i) deliver a mix of elderly suitable accommodation by design that meets the needs of a range of downsizers.
 - ii) include a mix of market, sheltered and self-build plots based on an up-to-date assessment of local need,
 - iii) be single storey,
 - iv) have a maximum 96m² gross internal area (as defined by RICS),
 - v) does not exceed 3 bedrooms; and
 - vi) meets accessible and adaptable standards set out in the Building Regulations and, ideally, is also suitable for wheelchair users.

The Development should:

- a. Incorporate the principles of 'secure by design' which may incorporate CCTV, secure access and mutual overlooking of shared space,
- b. Respond positively to the needs of the elderly which should include inside or outside communal space and a 'dementia friendly' design and layout,
- c. meet the requirements of Local Plan Strategy 35 and Strategy 36, where relevant
- d. provide strategic planting and landscaping to provide a green buffer on the eastern edge of the site
- e. relate positively to and be contiguous with the existing development on the adjacent site, particularly with regard to design, form, scale and density
- f. be of a design and density appropriate to and in-keeping with the character of this part of the village and pay particular regard to the requirements set out in the Kilminster Village Design Statement
- g. provide safe pedestrian and cycle access on-site to help enable good access to community facilities and local services; and,
- h. satisfy the requirements of the other policies in this plan.

Permitted development rights will be withdrawn to ensure reasonable controls exist over future extension, increase in height and modification of dwellings in perpetuity. This is necessary in order to protect the character of the area and to ensure the size and layout of the dwelling continues to meet the identified need.

Date: 17th August 2021
Our ref: 363477
Your ref: Kilminster NDP revised SEA/HRA Screening



Angela King
Neighbourhood Planning Officer
East Devon District Council

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BY EMAIL ONLY

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T 0300 060 3900

Dear Angela

Consultation: Kilminster Neighbourhood Plan – SEA/HRA

Thank you for your consultation on the above dated 28 July 2021 which was received by Natural England on the same day.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Strategic Environmental Assessment - screening

Natural England notes, and welcomes, the changes made to the SEA screening report in light of our previous comments. The changes clarify the rationale behind the conclusions made. To reiterate, in so far as our strategic environmental interests (including but not limited to statutory designated sites, landscapes and protected species, geology and soil) are concerned, we concur that there are unlikely to be significant environmental effects from the proposed plan.

Habitats Regulations Assessment – screening and appropriate assessment requirements

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the plan in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the plan will not result in adverse effects on the integrity of the River Axe SAC. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the plan, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in the policy text.

For any queries relating to the specific advice in this letter only please contact **Stephanie Parker-Stephenson**, on **07799438517**. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

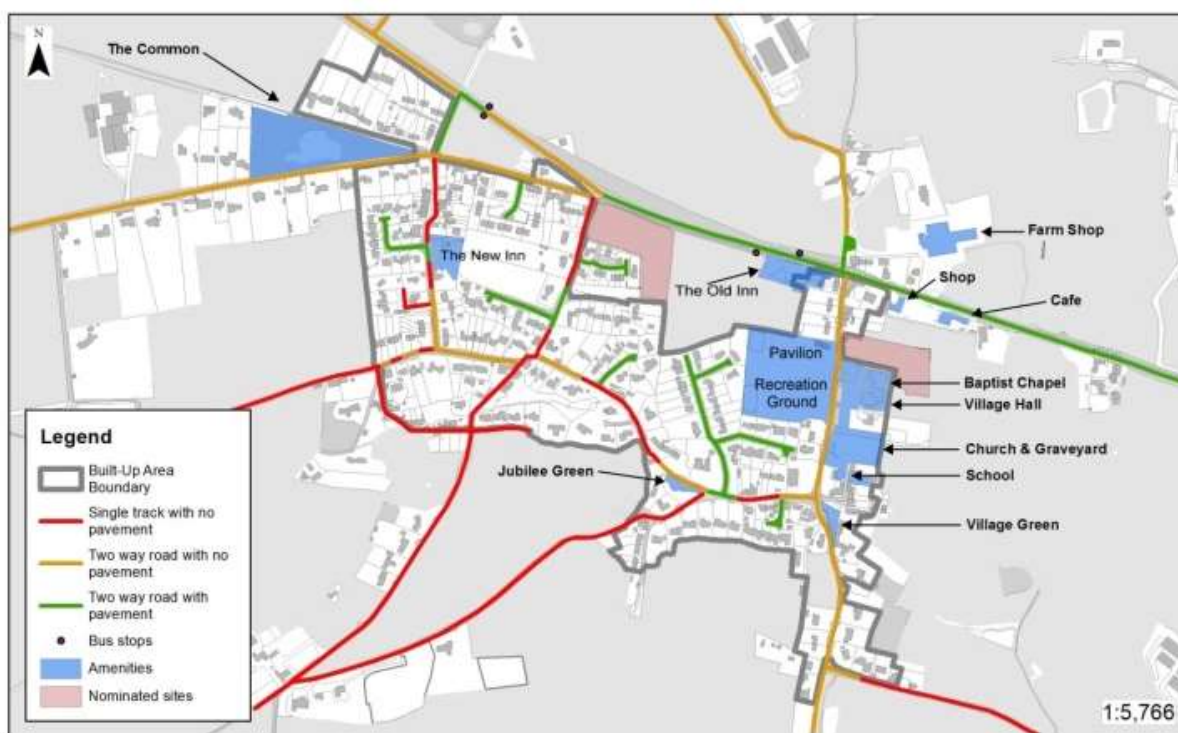
Yours sincerely

Stephanie Parker-Stephenson
Lead Adviser (Sustainable Development)
Devon, Cornwall and Isles of Scilly Area Team

Appendix 2 - Kilminster Neighbourhood Plan Community Facilities and Amenities

Introduction: The presence of community facilities and amenities within our village makes a significant contribution to the wellbeing and community spirit of the people living in Kilminster. They have a positive impact on the sustainability of the Parish enhancing the village, providing varied options of social interaction for all ages which leads to an active community life and improved social cohesion.

For the size of Kilminster there is a wide range of facilities. These include two Pubs; a Primary School, a Village Hall, two Churches, a Telephone Box Library, a Recreation/Cricket field which also has a multi-use Pavilion, Tennis Court and a Children's Play Park with equipment. The field is also a night landing site for the Air Ambulance. There is a farm shop and a fuel station with a small convenience store. Apart from the New Inn pub which is in the centre of the village, the main focal point for all of these facilities is on the eastern edge of the village around Whitford Road, which is some distance from the main centre of the population.



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Map showing village amenities and their location. PSMA 100051170

Kilminster Primary School & pre-school: The Primary School is owned by Devon County Council and currently has 87 children with a capacity of 105. The Pre-school currently have 7 children which will rise through the year as children turn 3 years old. Approximately 40-45% of children are from the village and each year group can take up to 15 pupils. Close to capacity in each year group with a lull in Year 1 and 2.

This is currently made up as follows:

14 in Reception	13 in Year 4
11 in Year 1	14 in Year 5
10 in Year 2	14 in Year 6
13 in Year 3	

The school lacks a large hall to bring together the whole school so pupils are walked to the village hall or church. For an outdoor recreation field staff and pupils must cross the Whitford Road to access the village Recreation field/Play park/pavilion. They lack suitably sized rooms for taking small groups of children, staff and office use (staff room & office are very cramped). There have been discussions with a neighbouring landowner to purchase part of field adjoining the school which would be a great asset to the school.

The Village Hall: Owned by the Village Hall Trustees it is operated by their management committee. The main hall can seat 110 theatre-style. It provides meeting rooms, stage/performance area, kitchen and bar area and an outside play space (partly covered) with a shed. A kitchen allows groups to provide breakfasts, lunches, dinners and refreshments. A stage provides presentation and drama facilities. Events are organised to raise funds to pay for the hall overheads and maintenance. It is a well-used facility for all ages. It is used extensively by many village social groups (see below) and also the village school and preschool as they do not have a large hall within the school facilities. Additionally it is hired by residents for birthday parties, christening parties and funeral wakes, etc.

Village Hall Usage

Social Group	Frequency	Time	Attendance
Kilminster Country Dancing	Every week Sept - April	Monday Afternoons	20-25
Kilminster Players (Drama)	Every week Oct – Feb, Monday & Wednesdays	Evenings	20-30
Kilminster Table Tennis	Every week	Tuesday Mornings	25-30
Kilminster Primary School	Every week during Terms, Tues pm, Thurs am, Fri pm	Mornings/Afternoons	80
Lyme Majorettes	Every week during Term	Tuesday Evening	30
Kilminster Badminton Club	Every week	Tuesday Evening	8-10
Kilminster Short Mat Bowls	Every week	Wednesday Afternoon	8-10
Kilminster Table Tennis	Every week	Thursday Evenings	16-20

Social Group	Frequency	Time	Attendance
Moviola Film Night	Monthly	Wednesday Evening	50-80
East Devon Bee Keepers	Monthly Talks, Education & socials	Thursday Evening	50 to 70
Kilminster Garden Club	Monthly Talks	Friday Evening	35 to 110
Kilminster Garden Club	Annual Plant Sale	Saturday Morning	140
Kilminster Garden Club	Annual General Meeting & Supper	Friday Evening	70
Sequence Dancing	Monthly	Saturday Evening	30-40
Royal British Legion	3 Coffee Mornings Spring, Remembrance, Xmas	Saturday Morning	100-120
Royal British Legion	Annual Talk	Saturday Evening	60-80
Village Hall Funds	October Lunch & Social	Thursday Lunchtime	20
St Giles Church	Lent Lunches & Social	Thursday Lunchtime	40
St Giles Church	Annual Church Fete	Saturday day	100
Parish Council	Annual Village Meeting	Tuesday Evening	30-60
Kilminster Players (Drama)	Annual Feb Pantomime or show	Thursday to Saturday	360+
Village Show	Annual Village Show	Saturday	500+
STAG (Shute drama group)	Show & Rehearsals	Thursday to Saturday	40-50
Kilminster Primary School	Annual Nativity Play	Mon, Tues x2, Wed x2	600+
Photographic Society	Annual Photographic Competition meeting	Evening in March	50
Country Dancing	Saturday in November	Saturday Evening	60
Polling Station	As required	All Day	350
Private Parties Children's	Weekends (averages 1-2/month)	Afternoon/evenings	30-40
Private Parties Adults	Weekends (averages 1/month)	Afternoon/evenings	80-100
One Night Only fundraiser	Saturday in March (Annual)	Evening	160
Church Quiz	Saturday in February (Annual)	Evening	70-80
Hall Quiz Evening	April (Annual)	Evening	70-80
School Maypole Dance	Weekday in May (annual)	Afternoon	150-200
Flamenco Dancing	Saturday in May (annual)	Evening	80
Axe Heritage Race Night	Saturday in September (annual)	Evening	80
Axminster Musical Theatre	October-November 4-5 times	Evening	10-40
Conservative Lunch	March (annual)	Daytime	50-100
Car Wash Day DoE	August (annual)	Daytime	60
Hand Bell Raleigh	September (annual)	Evening	30-40
School Jumble Sale	September (annual)	Daytime	150
Harvest Lunch	October (annual)	Daytime	80
Nostalgia Evening	November (annual)	Evening	80-100
Bollywood Night Social	November (annual)	Evening	60-80

Social Group	Frequency	Time	Attendance
Business meetings	Week day evenings (averages 1/month)	Evenings	6-40
Royal British Legion Greatest Thankyou	August (annual) fri/sat/sun	Daytime	500+
Big Breakfast Cancer Research	April (annual)	Morning	220+

The Hitchcock Pavilion: Owned by The Hitchcock Trust, a local registered charity (Charity no. 300878) set up for the provision and maintenance of a recreation ground for the use of the inhabitants of the Parish of Kilmington.

The pavilion is used in much the same way as the village hall, but for smaller groups. As it is located on the Cricket/Recreation field, it has the advantage of a large outside area to use alongside it. Many residents use it for children's birthday parties, small private parties, (no late night parties) christening and funeral teas etc. The village cricket teams use it at weekends. It is an important facility for the School when using the field/play park, particularly use of the building's toilets.

Pavilion Usage

Social Group	Frequency	Time	Attendance
Cricket	32 matches per annum	Daytime	60-120
Bridge Club	17 bookings per annum	Daytime	24-28
Pilates	25 bookings per annum	Daytime	6
Neighbourhood Planning	7 meetings per annum	Evening	6-8
Parish Council Meetings	11 bookings per annum (+extras)	Evening	9-12
Summerleaze Vets	5-6 meetings per annum	Evening	20
A35 Highways meetings	4 per annum	Evening	5-6
Acorn Federation governors	2 per annum	Daytime	15-20
Royal British Legion	3 meetings per annum plus Remembrance Maroon	Daytime	30
STAG (Shute Drama group)	8 meetings per annum	Evening	10-30
Kilmington Players	Oct-Feb 8 to 10 weekly meetings	Evening	20-30
Music Groups	9 per annum	Evening	4
FROGS	Annual	Daytime	6-10
Duke of Edinburgh	6 per annum	Evening	6-10
Gardening Club	2 per annum	Evening	50-60
East Devon Bee Keepers	Training Classes	Afternoon	15-25
Kilmington Kanter Fun Run	Annual Fun Run raising School funds	Saturday	150-200
Kilmington Primary School	SATS week annually	Mon-Fri daytime	20
Kilmington Primary School	Photographs – annually	Weekday	90
Kilmington Primary School	Kilmington Kanter – annually Good Friday	Daytime	150-200
Kilmington Primary School	Sports Day - annual	Weekday	150-200
Kilmington Primary School	Other meetings approx. 5 per annum	Weekday	10-20

Village Recreation Field / Cricket Ground / Tennis Court / Play Park: Owned by The Hitchcock Trust, a local registered charity (Charity no. 300878) set up for the provision and maintenance of a recreation ground for the use of the inhabitants of the Parish of Kilminster. It provides vital health and wellbeing assets for outside activities for all ages. Funds were donated by village residents for facilities to be installed to enable its use as a night landing site for the Air Ambulance.

Social Group	Frequency	Time	Attendance
Cricket (players & spectators)	32 matches/annum	daytime	60-120
Cricket (players)	Nets weekly through season	daytime	15-20
Kilminster Primary School	Kilminster Kanter fun run – annually	Good Friday	150-200
Kilminster Primary School	Sports Day	weekday	150-200
Kilminster Primary School	Football club - weekly	Weekday	15-20
Community Use	Field & playpark used daily by the public	Every day	5-40
Tennis Club Members	Tennis Courts – daily in the summer	Every day	6-10
Dog walking	Daily	Every day	5-20
Night Landing Site	As required 4 -6 annum		

The Beacon: is a Baptist Church of about 80 members, with a congregation of around 140 people. In addition to religious services, the Beacon also organises a variety of other social and support events for the community, see list below, these are of benefit to many village residents. The Beacon also hosts the visiting Post Office and allows their facilities to be used for other group events.

The Beacon Group	Frequency	Time	Attendance
Women's Institute	Mondays – Fortnightly	Daytime	Approx 25
Girl Guides	Monday Evenings	Evening	15
Art Group	Tuesday Mornings	Mornings	8
Kilminster Primary School	Quarterly for Film Evening	1530 – 1730 hours	30
Scrabble Club	Monthly	Afternoon	10
Post Office	Tuesday	Mornings	5-30
Playgroup	Tuesday or Wednesday	Mornings	30
After School Club	Wednesday (term time)	Afternoon	8
Youth Club	Thursday (term time)	Evening	6
CAMEO: Seniors coffee/lunch	Tuesday (occasional)	Mornings	40
Sunday Church Service	Sunday – weekly	All Day	90
Royal British Legion	Services and functions	Various	150+

St Giles Church: The Kilminster village church is part of the Five Alive Mission Community East Devon. The church, village churchyard and cemetery, which are located behind the church, are owned by the Exeter Diocese. In addition to religious services, the school, various social groups meet and concerts and bell ringing are organised.

St Giles Group	Frequency	Time	Attendance
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Weekday Services	Weekly	Mornings/Evenings	20-30
Coffee Mornings	Weekly	Mornings	15-20
Mother & Toddlers	Weekly / monthly	Mornings	20
Sunday Service	Weekly	Mornings/Evenings	20 - 40
Christenings, Weddings, Funerals	As required 20 – 30 annum	Mornings/Afternoons	40-150
School	Weekly during term	Mornings/Afternoons	
Concerts	4-6 annually	Day time / Evenings	60-120
Bell Ringing Team	Weekly	Evenings	10-15
Bell Ringing Visitors	4 -6 annum	Day time / Evenings	10-20

Green areas owned and maintained by the Parish Council are listed below. Seating is provided and they are used by families for walking and relaxation. In addition we have identified a further five spaces (giving eight in total) which we designate as Local Green Spaces (LGS) in the Plan, through the national planning policy.

The Village Green: Grass area with village stream, alongside Whitford Road and close to the school.

The Common: A recreational area, partially wooded, and a “County Wildlife Site”. It has several commemorative trees of social value to parishioners.

Jubilee Green: Grass area with village stream alongside the historic lane The Street; The site of the village library, recreational seating, commemorative trees and regular village events.

Allotments: There are 23 allotment spaces within a field of approximately 2 acres, some full size and some half size; owned by the Parish Council. All are usually taken by village residents and there is usually a waiting list of one or two more interested to take on a site when one is vacated. There is also a communal shed for allotment users to store their tools & machinery. The site also has its own bore hole and water pump rather than using mains supply.

Phone Box Library: Located on Jubilee green, previously a village telephone box when decommissioned it was purchased by the parish council. Refurbished, fitted out and now funded and maintained by volunteers, with shelves for adult and children’s books, leaflets and a notice board. Opened in 2011 and well used by local residents, frequently see parents and child on seats close by reading. We receive some support with donations of redundant books from Axminster Library.

Millers Farm Shop: Considered now as ‘the village shop’ Millers provides a full range of grocery products, a fresh fish monger, flower shop and has a café. It is located close to Kilminster Cross on the eastern end of the village. This area has several commercial businesses grouped together alongside the A3, Millers is on the northern side of this busy road. This creates a problem for many residents, particularly the elderly and mums with young children, as there is no pedestrian crossing and this 50mph road can be difficult and a real hazard to cross. One of our Community Action Projects is to continue pursuing and support reducing the speed limit to 30mph and installing a pedestrian crossing. Several other villages along the A35 have both.

Millers - Social Group	Frequency	Time	Attendance
Millers Music Festival	August (annual)	PM	150-200
Themed evenings	4-5/annum	Evening	30-50
Family Christmas Carols	Annual village event	Afternoon	50-60

Pubs: The New Inn / The Old Inn

The New Inn is a Palmers pub in the centre of the village on The Hill. It is popular with residents, serves meals and has a full programme of Quizzes, Darts, Cribbage, Skittles and Boule. It is an extremely important site of many recreational activities, including summer parties, weddings, wakes, charity and family events. The garden more than doubles the limited internal tabled seating within the pub, substantially increasing the viability of the pub business. It provides additional covered marquee space, a boule court, a BBQ Pizza Oven and garden toys for children. It has become a social centre and therefore it would be a great loss to the village if it were to close. With its location within the BUAB and its large garden it could be a target for residential development. We shall investigate as a Community Action Project the possibility of registering it as an Asset of Community Value.

New Inn usage	Frequency	Time	Attendance
Community Event	Musical charity walk around the village	Daytime	120-150
Monthly charity quiz	Monthly	Sunday evening	80
Skittles	Mon, Tue, Wed, Thu, Fri (Sept-Apr)	Evenings	12 (x5)
Skittles	Wednesday (May-Aug)	Evenings	12
Darts	Thursday (Sept – Apr)	Evenings	12
Boule	Tuesdays (Apr – Sept)	Evenings	20
Crib	Mondays	Evenings	8
Annual Garden Party	Saturday in August	All day	150-200
Christmas Carols & Song	One event before Christmas	Evening	75
Music entertainment	8 events over the year	Evenings	60-80 (x8)
Private parties, wakes, etc.	4 events over the year	Lunch and evenings	40

The Old Inn is located near to Kilminster Cross on the A35. It attracts some local customers but, in recent years, the majority of its trade is from the passing traffic on this busy road. It has a skittle alley and holds the occasional event such as their annual beer festival.

Old Inn usage	Frequency	Time	Attendance
Skittles	Wednesday (Sept-Apr)	evenings	12
Beer Festival	2 per annum	All day	75-100 (x2)
Private parties	4 per annum	Lunch, evenings	30

Pit Stop Motel, Café, Fuel Station and Londis Convenience Shop: Located alongside the A35 on the eastern side of the village this complex provides a variety of services to the community and passing visitors. The Londis convenience shop has a limited range of groceries and newspapers, but is open extended hours.

Cranberries: is a self-catering holiday complex located on the southern edge of the parish, offering accommodation, pampering breaks, weddings and corporate events. Operates primarily as a tourist venue but has two or three local community events through the year.

Cranberries	Frequency	Time	Attendance
Craft and Christmas Fairs	3 per year	Day/ Evening	120
Weddings/Parties	6 annum	All day/evenings	60

Axe Valley Wildlife Park: is a small zoo located off Trafalgar Way and the A35 on the eastern edge of the parish. The park caters for families, school and pre-school children, tourists, etc. Total visitors are around 26,000 per annum from February to November.

Two bus stop shelters: these are located on the A35.

Appendix 3 Kilmington Village Design Statement

Available on the Kilmington Village website at:

https://www.kilmingtonvillage.com/uploads/5/7/3/6/57362287/design_statement.pdf

Appendix 4 Kilminster Village Character Assessment

This village character assessment is produced in line with recent recommendations on gathering evidence to support a Neighbourhood Plan (*Neighbourhood Planning Guidance. Gathering evidence and information*, 2016. East Devon District Council). This assessment concerns the settled area known as Kilminster village and not just the more tightly delimited “Built up area boundary” (BUAB) within the village which is defined for planning matters. It is important to see the BUAB in the context of the village as a whole, which this assessment addresses, and the Parish, which the accompanying Countryside and Green Spaces topic paper addresses.

This Neighbourhood Plan is not the first parish-wide statement of how the village sees itself and wants to develop.

A *Parish Plan* was published in 2007 which was later built on by a *Kilminster Village Design Statement* in 2011. This latter document described the distinctive character of the village and the surrounding countryside, how the village had developed and, finally, drew up landscape and design principles for future development. It was approved by the Parish Council and formally endorsed by the East Devon District Council in October 2011. Since then it has guided the Parish council and the EDDC in reviewing building and development applications.

We have drawn heavily on the excellent *Kilminster Village Design Statement* (2011) and the Kilminster Neighbourhood Plan has updated its scope and recommendations.

Overview of the Parish

The Parish of Kilminster occupies an area of 1,760 acres (= 307 hectares) upon which there are about 429 properties occupied by 830 parishioners. In community terms all these parishioners belong to Kilminster, but the term “Kilminster village” usually refers more narrowly to the built-up village lying almost wholly to the south of the A35, the major trunk road running east-west that bisects the parish. The built-up area occupies less than 5% of area of the parish. The area to the north of the A35 is relatively sparsely populated and is still extensively farmed. The main settlement developed on the eastern slopes of Shute Hill and Kilminster Hill below more steeply sloping ground. Most of the village lies between 100 and 300 ft above sea level, well above the flood plains of the rivers Axe and Yarty and the Corry Brook (see Countryside and Green Spaces topic paper).

The parish has a distinctly rural feel with countryside reaching right into the village. Maintenance of this rural characteristic is strongly supported by parishioners (Village survey, 2018). Most of the parish lies within the East Devon and Blackdown Hills AONBs, the remainder is in an Area of Great Landscape Value (see Countryside and Green Spaces topic paper). The village gateways, the access points to the village, have kept their rural aspects (see below). Many of the historic buildings reflect the farming legacy of the parish. Much of the land outside the built-up area is still farmed or used for forestry. The long views across the river valleys reveal a patchwork of pastures, fields, hedgerows and trees (see Countryside and Green Spaces Audit. “Map showing key views”). Green and other open spaces within the village have great recreational and character value. The principal roads and lanes do not have pavements or street lighting, with the exception of parts of the A35 corridor and many recent housing developments (post 1960).

Kilmington Village

The historic development of the village has a significant impact on its character today. Three main foci of population grew at The Green, Silver Street and the northern end of The Hill. The Street linked these three relatively spaced out centres. About 85 of the 94 properties listed around 1840 that have survived provide the historic core of modern Kilmington. They lie on a network of roads that has not changed over the last 200 years and is of critical importance to the visual character of the village.

Housing development, in the early to mid-1900's was along these historic roads adding to the character of the village. Local authority housing in the inter-war and post war years were either in small cul de sacs or on the periphery of the main connecting roads (The Street, off The Hill and The Orchards). In the 1960's and 70's there was considerable new house building, mainly on the sites of former small farms and orchards. These new developments, usually bungalows in cul-de-sacs, had single points of access to the historic road network ensuring that the rural character of the village was maintained. The most recent development, in 2017, of 13 mainly 'affordable housing' properties at Dare's Field, is a cul de sac off George Lane. An extensive and fascinating analysis of the growth of the village in each phase of its development is given in the Kilmington Village Design Statement (2011).

Thus, by accident, or good planning, the substantial increase in housing over the past 50 years which led to a doubling in the number of dwellings has had relatively limited impact on the visual character of the village. It is the strong opinion of the current parishioners that this design trend should continue with the rural nature of the village maintained by close attention to the frontages on the main roads and lanes.

Conservation area

Kilmington's only "Conservation Area" was formally designated in June 1973. It covers a relatively small area of the village along the eastern end of The Street, around St Giles church and The Green and contains nine listed buildings. The policies within the conservation area status are designed to preserve or enhance all aspects of the character that define the area's status.



Designated "Conservation area" in Kilmington (green) around the The Street and Whitford Roads

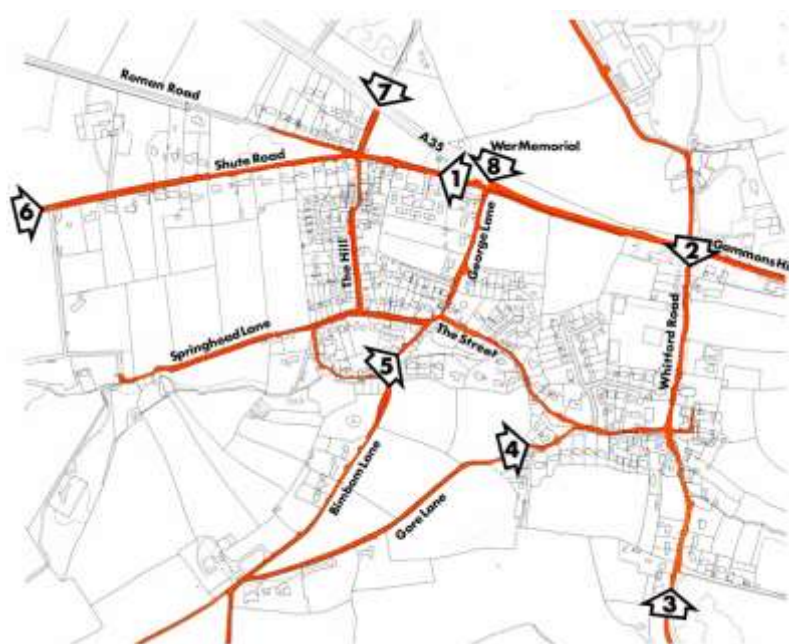
Subsequent to the formal designation regular appraisals are required, which took place in 1999 and 2008. The 1999 appraisal noted that certain elements “are tending to lead to intrusion or a loss of the essential qualities of the Conservation Area”. These included a loss of rural character from excessive recent housing development leading to suburbanisation; loss of traditional features, particularly thatch, and replacement with artificial slate and corrugated iron roofs; prominent overhead power lines; and a gradual loss of original detail, especially traditional carpentry to doors and windows, and replacement with incompatible materials and finishes, including methods of coating and repointing of stone walls. The interim review of 2008 made only minor comments.

The 1999 appraisal concluded “that other parts of the village retain sufficient residual character for consideration to be given to designation of two further small conservation areas.” These are the compact area of Silver Street along the stream from the junction with Bim Bom Lane; and part of The Hill including The New Inn, Salisbury and Balfour Terraces. There is also a strong case for the buildings running down the lower end of Shute Road, below the junction with The Hill, to be given consideration. There are in total 35 listed buildings in the Parish of Kilmington, only 9 of these are within the existing Conservation Area.

Village Gateways

The interface between the surrounding countryside and the built-up area of the village are best characterised by a series of ‘village gateways’, these are the points at which the village houses and gardens are first seen. There are eight gateways which reflect a variety of landscapes contributing to the rural character of the village.

1. From the War Memorial looking west up Shute Road
2. From the A35 looking south at Ashes Farm along the Whitford Road
3. From Whitford Road in the south looking north at ‘Fairfax’
4. From Gore Lane looking north-east approaching Jubilee Green
5. From Bim Bom Lane looking north at Silver Street
6. From Shute Road looking east at Little Park
7. From the A35 looking south down The Hill
8. From the War Memorial looking south down George Lane



Further details of the development of the road and lane network around the parish is given in the Kilmington Village Design Statement (2011).

Village 'Gateways' – principal entrances to the village from local roads



Gateway 1. From the war memorial on the A35 up Shute Road



Gateway 2. From the A35 looking south along Whitford Road



Gateway 3. Whitford Road looking north



Gateway 4. Gore Lane towards Jubilee Green



Gateway 5. Bim Bom Lane towards Silver Street



Gateway 6. Shute Road looking east at Little Park



Gateway 7. The Street from the A35



Gateway 8. George Lane from the War memorial

Village landscape views

There are many views in the wider landscape which are valued by parishioners and visitors alike. Similarly, there are many smaller scale views within the village that characterise the varied character of the environment which are equally valued. The principal views are:

1. St Giles Church and churchyard
2. The Village Hall
3. The Green – the views to and from the Whitford Road both to the north and south and to and from The Street both east and west
4. Former Hurford's Stores opposite the village green
5. School Lane and the Village School
6. The Playing Fields and the Monterey pine
7. Jubilee Green – both from Gore Lane at Knapp Cottages and from The Street
8. The Whitehayes cottages from The Street both east and west
9. Silver Street
10. Fields above Silver Lea and BimBom Lane
11. Old Newtons and the entrance to George Lane from The Street
12. The New Inn
13. Salisbury Terrace
14. Gowrie House and the Old Bakery from Shute Road
15. The Common
16. The War Memorial
17. The Old Inn
18. Vealhayes and Old Vealhayes
19. The entrance to Coryton Park

Elements of the village character

Within the village, there are many smaller features that add to the character of the built and green environment.



Verges - there is a wide variety of roadside verges around the village from close mown and flower strewn to natural vegetation reflecting the surrounding countryside. Their variety contributes significantly to the village character.



Open ditches and drainage channels again contribute to the rural atmosphere of both the village and the parish more widely. The vegetation within and alongside these small watercourses slows run-off contributing to both flood alleviation and promoting biodiversity. There is an urgent need to conserve them and to resist further replacement with conduits during building development and refurbishment.

Streams - the 'village stream' runs from the top of Springhead Lane through private gardens and public spaces to the conservation area at the bottom of The Street. It needs to be carefully managed as a 'blue corridor' through the village including the stream bed, banks and marginal vegetation - see "Countryside and Green Spaces topic paper for further details. Similarly, the small stream running alongside houses in Roman Road, under the A35 to Cowley Pit Lane and into Corry Brook also needs careful management to avoid pollution and contamination.



Trees and hedgerows bring the wider countryside right into the village, especially those consisting of indigenous species. Removal of these hedges, as has happened in recent developments, undermines the rural context of the village leading to an undesirable suburbanisation of the village landscape.

Such hedges are often associated with Devon banks, though strictly a Devon bank consists of soil and close grass – often harbouring primroses in spring and many other wild-flowers throughout the summer.





Walls built of local stone (rumblestones) are very characteristic of this part of Devon. Such walls vary in scale from curtain walls, retaining walls in sunken lanes to tall walls contiguous with rumblestone buildings. Many gardens are circumscribed by these walls. The walls require considerable maintenance and need to be retained or enhanced in any development or refurbishment. New developments need to be sensitive to this vernacular style.



Springs – these are a natural feature of the parish derived from the underlying geology. Within the village several springs have been contained (dipping well or openings on to public areas such as lanes), originally as a water supply but now they simply run into small watercourses. Many are of heritage significance

Building styles within Kilmington



Traditional chert rubblestone laid randomly, sometimes rendered or painted



Victorian rubblestone terraced houses



Edwardian brick villas



Inter-war and post war local authority houses



1960's bungalow cul de sacs



Late 20th century houses in cul de sacs



Farm conversion



The most recent development of houses in a cul de sac acknowledges traditional village style

Building styles

The existing building stock of Kilminster is varied; this is hardly surprising given the age profile of the parish's 400 properties:

The building styles and materials of construction that have been employed as the building stock of the village has expanded have reflected the fashions and the technologies of the times. There is little evidence of traditional cob, and thatch is now a rarity in the village though formerly commonplace. The predominant early building material is chert rubblestone, normally randomly laid and often now rendered or painted over. The early quoins are of stone as are the window lintels.

- The use of chert rubblestone continued through the Victorian period and into the early part of the 20th century, when the designs became more sophisticated and the quoins, door surrounds and window surrounds for these properties are usually in brick. Balfour Terrace in The Hill is a plain 1880s terrace of chert rubblestone with brick dressings.
- Rubblestone gave way to brick in the early 20th century, two good examples being Combe in George Lane and The Beeches on Shute Road, both Edwardian.
- Buildings remained two-storey, including the majority of the council houses, right through until the late 1950s when the first of Kilminster's bungalows appeared.
- Bungalows accounted for the majority of new builds in the years of rapid expansion from the 1960s to the 1980s. There have been more than 20 conversions of former farm buildings since 1960 and these have incorporated the traditional chert rubblestone of the originals.

Kilminster cannot be said to have a single village house style, yet the feel that chert rubblestone is the material that gives Kilminster its character is accentuated by its ubiquitous presence in walls and boundaries all around the historic village. It has been copied with varying degrees of success in the boundaries of many more modern properties. The other key element of character is the use of colour washed render in cream or off-white on many of the older properties built of rubblestone; good examples are the Whitehayes cottages and Arch Cottage on The Street and Gowrie House and the Old Bakery on Shute Road at the corner of The Hill.

A35 corridor

The parish is bisected by the A35 trunk road which has a major impact on life in the parish but also gives it relatively easy access to distant facilities. It seriously constrains movement by foot within the parish because it is dangerous and difficult to cross. As the majority of the village is on the south side of the road, it prevents some members of the community gaining access to transport (bus and subsequently train at Axminster or Honiton) as well as accessing commercial facilities such as the extensive farm shop facilities on the north side of the road. The road is increasingly influencing the character of the parish by rising noise and pollution.

Of the 2 miles of the A35 that runs through the parish, the few village properties that front directly onto the road (14 out of 399 village properties and five of which are commercial) occupy only 1,200 metres of the road from the Old Police House in the west to Gammons Hill Farm in the east. The A35 provides the only access to the village from the east, this side of the parish being protected by the flood plains of the rivers Yarty and Axe before rising steeply from the river valley.

Several commercial activities and facilities serving a wider area, as well as the residents, are clustered on the A35 at the centre of the parish, forming a short 'commercial strip'. It includes a petrol garage, motel and restaurant, convenience store, car sales, pub, woodwork shop and much visited Millers farm shop with associated outlets (fish shop, florist, and cafe).

This 'commercial strip' and main road forms an interface between the rural nature of the parish and a semi-urban environment. Local buses stop at two points along the A35.

Some 300 yards beyond Kilminster Cross at the War Memorial bearing left off the A35 leads directly into Shute Road (Gateway 1). Approaching along the A35 from the west, the road is flanked to the south by the woodland running up to Kilminster Hill which has recently been felled along the road edge (conifers as well as many mature beech trees). To the north there are unbroken long views out across the valley of the Corry Brook to the patchwork of farmland that characterises the northern half of the parish. Through this farmland the rural Studhayes Road passes just three properties (two are farms) before joining the A35. There is little feel of development even when the A35 reaches the "Kilminster" sign and the busy junction with Shute Road and George Lane at the War Memorial. A sparse hedge and now only one narrow field provide an important barrier between the trunk road and the village to the south as the A35 runs down to the Old Inn and Kilminster Cross.

It is proposed that the A35 corridor is considered a 'planning entity' in its own right, mixing commercial, residential (impact) and environmental components to benefit those travelling through the parish as well as residents. While the road itself is the responsibility of the Highways England, how it interacts more widely with the parish can be influenced by planning considerations.

Specific areas to be enhanced within the corridor:

- Wide grass borders along the road are now part of a new Highways England project 'The A35 Verge Enhancement Management Strategy' and are increasingly being managed for wild-flowers. This initiative, together with volunteer support to enhance the hedges and trees along some sections could provide travellers a more rural experience and increase biodiversity within the parish.
- The War memorial at the junction of George Lane with the A35 is a key landmark and an assembly area for parishioners. The area behind the war memorial and its surroundings needs to be protected for tranquillity and to give appropriate respect.
- Access to the A35 at Kilminster Cross (Whitford Road and Stockland road) and George Lane are very busy 'difficult' junctions. Future building development will exacerbate the difficulty at these junctions by increasing traffic attempting to access the A35. The incremental effect of a series of even small developments could have a detrimental effect on these junctions.
- A tree and shrub barrier between the A35 and the main village (from the Old Police House in the west to Kilminster Cross) needs to be developed to protect the village (such as Dare's Field) and any future development in adjacent fields from the harmful effect of particulate pollution (2.5µ particles) from the A35. The woodland at Gapemouth, uphill from the war memorial, was particularly important in this respect before it was felled. It is now well known that trees and shrubs, especially dense hedges, mitigate the effects of pollution. It is worthy of note that the villages of Chideock and Wilmington, to the east and west of Kilminster on the A35, have some of the highest recorded levels of Nitrogen dioxide in England.

Community and Social cohesion

There is a strong sense of community and social cohesion within the village. The vast majority of residents in the parish are very satisfied with living here, citing the friendliness of the people as major factor (Kilminster Parish Survey, 2017). It is clear that the size of the village is a key factor in maintaining this social cohesion – there is real concern among

residents that a high **rate and scale** of growth in building will be detrimental to this cohesion (Kilminster Parish Survey, 2017 and public consultation meetings).

The built environment and layout of the village also has a significant impact on its character and the 'sense' of cohesion of the community. Many residents walk along the roads and lanes, taking their children to school, running errands, walking dogs or simply recreation. During these walks, an activity much encouraged by government and health authorities alike, individuals meet others and cement relationships. Research suggests that areas where people feel safe and comfortable to walk are conducive to positive perceptions of social cohesion and therefore maintaining the quality of the lanes and key thoroughfares in the village are critical.

The village has many facilities and activities that contribute to and reinforce the social cohesion felt by residents:

- A successful village school, many from Kilminster as well as surrounding parishes
- Two churches, St Giles (Church of England) and The Beacon (Baptist) with an entourage of voluntary help and a focus of many activities.
- A surprisingly well-used village hall with a wide range of activities and clubs (see Appendix 2 of activities/ use). The hall is run by a team of volunteers.
- Many support groups (coffee morning in St Giles, lent lunches, etc) and charity events (eg. charity walks, duck race on the stream,)
- An active youth club in The Beacon (Baptist Church)
- Good sports facilities and sports clubs (playing field with a modern pavilion, a very successful cricket club, tennis, table tennis and short mat bowls clubs)
- Annual Village Show organised and run by volunteers.
- Kilminster Gardening Club organises monthly talks, plant sales and an annual produce show.
- Annual pantomime or other show presented by members of the village, including school children. This activity has a very long history, predating the modern Village Hall built in the 1970's.
- A well-produced magazine, "Postscript" compiled and distributed free of charge by volunteers 10 months of the year, reporting on activities and matters of interest to the village.
- A Village web-site and Facebook social media site.
- Two pubs which act as a significant social resource, especially the New Inn (skittle, darts, cribbage and boules teams, monthly charity quiz nights and charity events during the year).

Recommendations

The residents care strongly about their village – they appreciate that change will occur, but they want a common sense approach to maintain the environment that either kept them in or drew them to Kilminster and helps gives them the lifestyle they value.

To maintain and enhance the characteristics of the village the following recommendations are made (based on the Kilminster Village Design Statement; adopted by the EDDC 2011).

Preserve the rural character of the parish

1. Protect the sight lines of the village approaches (village gateways) and their rural feel
2. Respect the parishes historic network of roads and lanes. Pavements and street lighting are not appropriate on this network
3. Protect the hedgerows, grass verges, banks and rubblestone walls that line the roads and lanes of the parish and are an essential part of the landscape setting
4. Protect the stream that runs through the village from Springhead via Silver Street, Jubilee Green to The Green. It is essential to protect the intermittent ditches that carry storm water to this stream without recourse to conduits (to minimise flooding).
5. Respect and preserve the network of by-ways, bridleways and footpaths that are an important village amenity.

Encourage development that respects the environment in which it is set

6. The historic elements of the village comprising both the older village properties and the historic village road network are of critical importance to the visual impact of present day Kilminster and should be protected
7. The regulations relating to the existing conservation area should be enforced, while a modern approach to energy conservation be encouraged.

Protect the village and the rural environment

8. Any changes either to land use or to existing farm buildings must be undertaken sensitively with the interests of villagers in mind.
9. New build developments should not overcrowd their plots and should provide proportionate space for gardens, for screening and for garaging and adequate off-road parking. Any new building of prominent size or position must be of high quality in terms of its design and its materials of construction.
10. Extensions to existing properties and the complete or partial rebuilding of an existing property should not adversely impact on sight lines when viewed from public areas or from neighbouring properties.
11. The visual focal points within the village should be protected. Any new developments or modifications to existing properties should not obscure these focal points or detract from their appearance or their sight lines.
12. Boundaries along roads, lanes and paths should be rural in character and well related to those of nearby dwellings and other buildings and the character of its setting. Traditional stone walls, banks and hedges are preferred, blended with trees as appropriate. Developments on land behind an existing wall, bank or hedge should limit any damage to that existing boundary and make good any newly created openings in that boundary. Urban fencing, such as wooden panelling, is out of character and should not be installed on boundaries that front onto a road or path.
13. Planting schedules for trees, banks and hedges should form part of the planning conditions for any new development and should be enforced. New plantings in banks and hedges should be of traditional species native to the local area.
14. New build developments should, wherever possible, provide for running electrical and telephone connections underground.

Design Considerations on the “The Built Form”

Recommendations for the detailed design of new buildings in Kilminster are not to replace or upstage the detailed planning guidance laid out in the Devon Structure Plan, the East Devon Local Plan or building regulations. Rather it is to identify relevant local characteristics that should be reflected in proposed developments. Design considerations include scale, layout, building density, height, materials of construction, architectural style and detailing.

Given the varied nature of Kilminster’s existing housing stock and the wish of the villagers for new build and extensions to harmonise both with the existing housing stock and with their setting, it follows that the requirements for the built form will vary around the village. The design guidelines may not be appropriate in all situations.

1. **New design should demonstrate an awareness of the past while, at the same time, embracing modern technologies.**
2. **Buildings should be no more than two storeys high and should have pitched roofs. Porch and garage roofs should reflect the pitch and materials of the main roof. Flat roofs should not be permitted.**
3. **On both new and existing properties a range of roofing materials may be employed – slate, tiles, thatch – but, with the exception of thatch, a dark colour should be used.**
4. **The colour of renders and other external wall finishes should be neutral or pastel shades (not vivid colours) and should blend with the neighbouring properties.**
5. **Chimneys are an important element of design and should be encouraged. Typically, they should be of brick (possibly rendered) with terra cotta chimney pots. External flues should be dark in colour or concealed from view.**
6. **The style and detail of windows, including replacement windows, should harmonise throughout the property and any extensions.**
7. **Dormer windows should have pitched roofs and should be subordinate in scale to the main roof.**
8. **In older properties a high wall to window ratio should be retained, and prominent picture windows discouraged. Windows and doors in these properties should, when appropriate, use deep window and door reveals to retain the sense of solidity.**
9. **Guttering should be discreet and appropriate to the age and design of the building.**
10. **Detail – the use of decoration, texture and design – creates a sense of quality and craftsmanship and should be encouraged in new buildings and carefully preserved in existing buildings. The use of “faux” materials should not be permitted on those parts of a building that are visible from public areas and especially on buildings that front on to the historic road network.**
11. **All extensions and alterations (including partial rebuilding) to existing buildings should respect the character of the original. Extensions should be subordinate in scale and in height to the existing building(s).**
12. **Garages, unless integral or concealed from view, should be set back from the building line of the property.**
13. **The following household adjuncts should, where possible, be concealed from view: fuel storage tanks and refuse storage bins; television and dish aerials; and solar panels. Wind turbines may be appropriate on more remote sites but should not be permitted in the village because of possible noise pollution and visual impact.**

December 2020

Appendix 5 - Countryside & Green Spaces Assessment

Introduction

“Landscape is more than just scenery – it is the interaction between people and place; the bedrock upon which our society is built. The European Landscape Convention defines landscape as ‘an area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors.’” [<https://www.devon.gov.uk/planning/planning-policies/landscape>]

Wider landscape context

The parish is remarkable in that it is situated in not just one, but **two** Areas of Outstanding Natural Beauty – the East Devon AONB and the Blackdown Hills AONB. The triangle of land between the East Devon and Blackdown Hills AONB’s, around Summerleaze farm on the banks of the Yarty, is formally within the EDDC’s ‘area of great landscape value’. Thus, all parts of the parish are in one or other major protected landscapes. This indicates that overall, the landscape in which the parish is set and to which it contributes is remarkably highly prized.

To the east, the parish has a boundary with and contributes to the wider landscape of “The Axe Valley” a specific ‘Devon Character Area’ (a county-level designation) which is an important and unique landscape in Devon [<https://www.devon.gov.uk/planning/planning-policies/landscape/devon-character-areas/east-devon-area>]. The “lands common to the parishes of Axminster and Kilminster” are within the lowland floodplain of the Axe while the rising land to the eastern area of the parish form the valley walls of the lower Axe valley. Further north, the River Yarty forms the eastern most boundary of the parish on lowlands before the Yarty climbs to a narrower valley beyond the parish to form the boundary once again in the north-east of the parish (near Cock Wood).

The views from the high ground on the eastern part of the Parish along Hampton Road from Fernwood Farm, and from the Whitford Road at Hills Farm, contribute in particular to the *“Generally open character with views across the valley floor to gentle valley sides with more intimate, enclosed tributary valleys”*. These key views give an important context to the parish in its wider setting. Any development along these valley slopes will have an adverse impact not only on the parish but beyond to the unique Axe Valley.

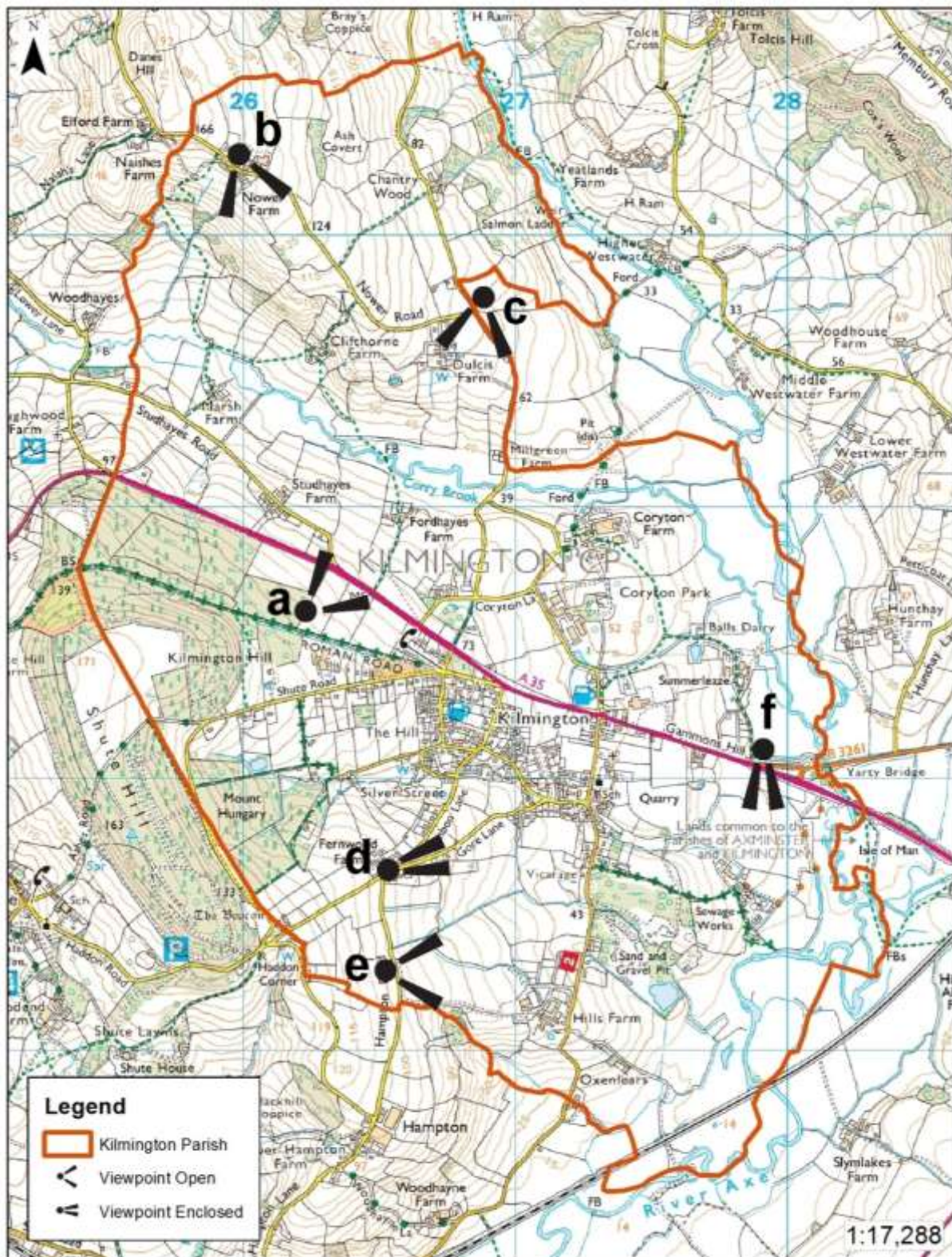
Landscapes within the Parish

The Parish ranges across four distinct ‘landscape character types’ (LCT’s), as defined by the Devon Landscape Character Assessment (2019): [see *East Devon and Blackdown Hills Landscape Character Assessment and management guidelines* Sept 2018.] The LCT’s for Kilminster have been identified through Map 3 in that document.

This very varied landscape within one parish not only gives the very attractive visual character to the area but also drives, and is derived from, the past and current land use. This is primarily animal-based agriculture (pasture and small-field production of animal feed) and forestry.

Small-scale pheasant shoots maintain some woodland and cover in field margins of value to wildlife. Such woodlands are encouraged in the East Devon and Blackdown Hills Landscape Character Assessment.

A map showing key views which demonstrate the diversity of landscapes and character of the Parish



Future changes in legislation and agricultural regulation, management and economic incentives might significantly affect the future use of the landscape – both positively and negatively for biodiversity and these drivers will influence possible development.

Landscape Character types in the Parish of Kilminster

- Wooded ridges and hilltops (LCT 1E) - these are characterised by wooded treed hills and ridges which rise above the surrounding landform. They are enhanced by roadside and hedgerow trees and species-rich hedgerows which line small / medium sized fields. The scattered farms are connected by narrow sunken lanes which climb the sides of the ridges and afford spectacular views. Shute Hill on the southern part of the parish is a particularly fine example of this landscape type.
 - Management strategy: The distinctive ridgelines should be kept free from development. Species rich hedgerows, woodlands and [distinctive] grasslands should be protected and enhanced by appropriate management. Views should be kept open.
- Upper undulating farmed and woodland slopes (LCT 3A) typical of the eastern part of East Devon they sit between the wooded hilltops and lower valleys. This is an ancient and settled landscape with a patchwork of irregular fields woodlands and winding lanes. St Giles' Church with its square tower is typical of villages in this LCT. There are many attractive views such as those from Hampton Road looking east, and from the Whitford Road at Hills Farm.
 - Management strategy: maintenance of the small fields and woodlands [and lanes] to maintain the patchwork character and spectacular views. Where possible agricultural practices should fit into the landscape and impacts of new buildings minimised.



Looking eastwards from Hampton Lane to undulating farmland and wooded ridges

- Lower rolling farmed and settled slopes (LCT 3B) This is predominantly agricultural with pastoral and arable land uses with patches of woodland, copses and hedgerows. It is a well settled landscape, the villages have numerous historic buildings. This characterises most of the Kilminster parish. Views within the parish which are particularly cherished are from the Roman Road across Cory Brook, from the hill at Nower farm down the Cory valley and the view of the village, particularly St Giles' church tower from Gore Head.
 - Management strategy: the landscape remains productive while retaining its landscape structure or hedgerows, woodland and farms. Alternative uses should be

found for redundant farm buildings and land uses should take place within the existing field patterns. Where settlements expand, this should be in a way which enhances their character and setting.



St Giles' church tower from Gore Head



View over Birchwood farm to hills

- Unsettled farmed valley floors (LCT 3C). Open flat valley floors associated with river systems, in our case the Axe, with river meanders. Unsettled due to flood risk and mainly used for grazing. This LCT only occurs on the far eastern part of the parish along the Axe and lower Yarty. This includes the River Axe which is a Site of Special Scientific Importance. Riverside paths and cycle tracks are important for access.
 - Management strategy: Should remain largely free from development to minimise the impact of flooding. Recreational use should respect the open landscape characteristics.



River Axe: Site of Special Scientific Importance



River Axe floodplain without building development

Biodiversity and key habitats within the village

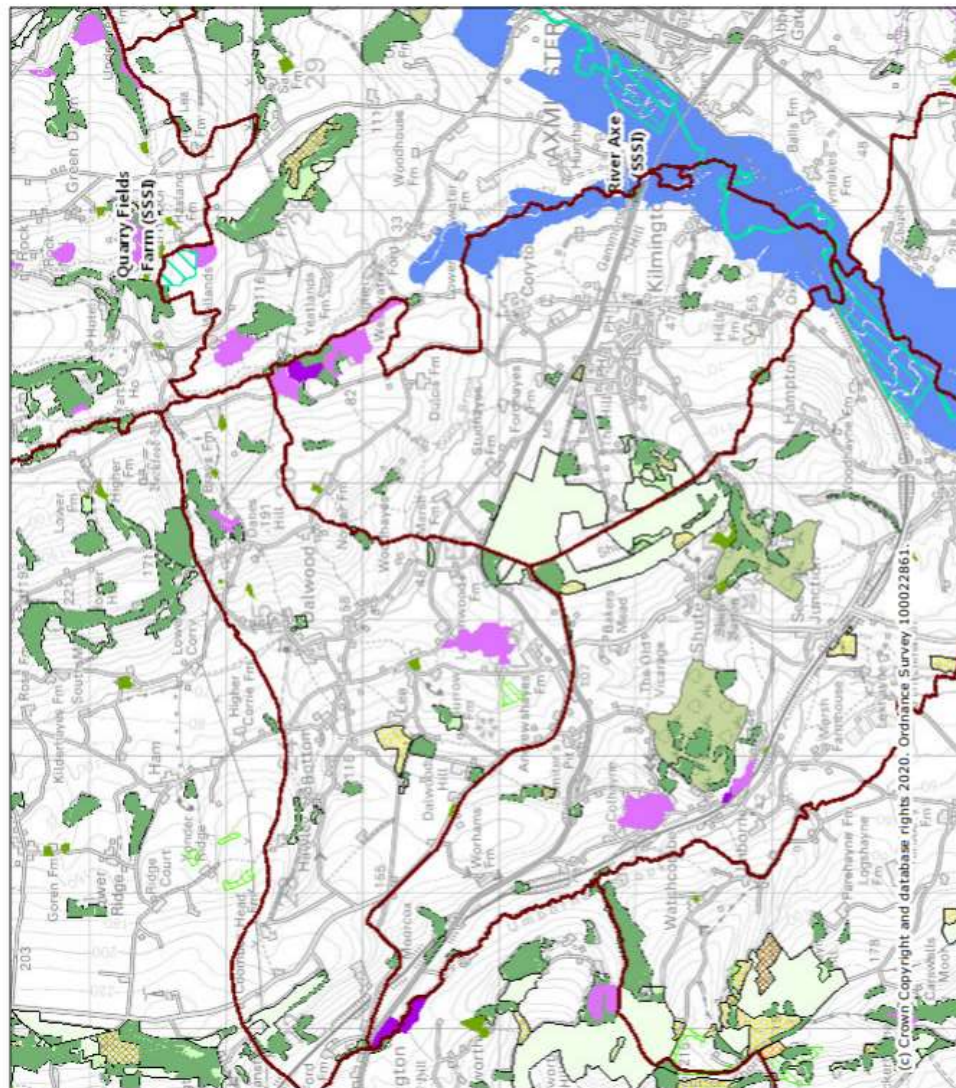
'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity' The duty applies to all local authorities, including parish and town councils. Its purpose is to raise the profile of biodiversity and make it a 'natural and integral' part of policy and decision making (Section 40 of the Natural Environment and Rural Communities Act 2006).

Habitat types within the Parish

Habitat types are based on definitions in the Natural Environment and Rural Communities Act (2006) Section 41: habitats of principal importance].

The parish is dominated by “agricultural, improved grassland” of little biodiversity value, although of great importance for the visual character of the area. However, within the parish are several areas of ‘priority habitat’, important for biodiversity. These are marked on the following habitat map.

MAGiC Kilmington and Environs

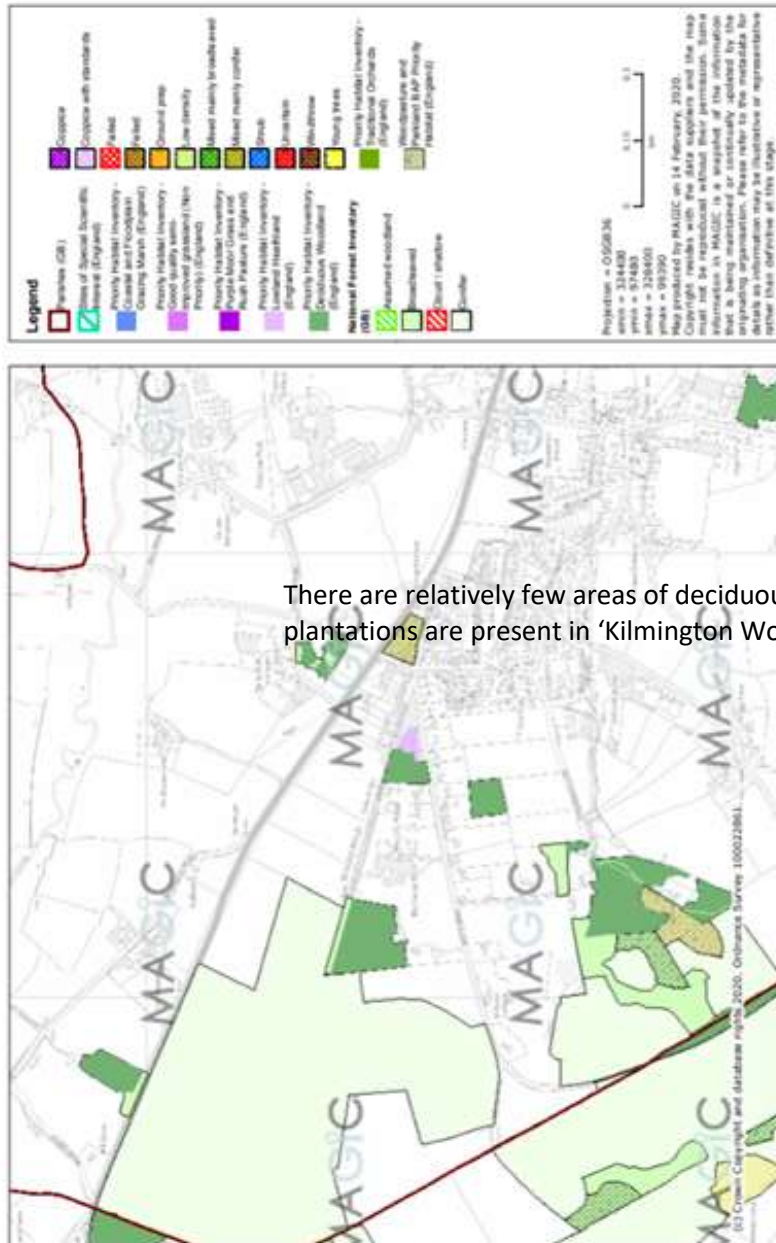


Woodlands

- deciduous woodlands – a ‘priority habitat’ found in small patches scattered throughout the parish. Most are in private ownership, but some are on public spaces e.g. on The Common. In the neighbouring parish of Shute there are “recovered ancient woodlands” of high biodiversity value. Some of the woodlands in Kilmington abut these Shute woodlands and no doubt contribute to their biodiversity.

- Forestry – there are several patches of coniferous forestry with some mixed deciduous/ coniferous forestry in varying states of the forestry cycle. The larger commercial stands in Shute woods, and Mt Hungary, have been part-felled and replanted with conifers.
- Some patches of woodland close to the village have considerable amenity value either for walking or they act as a buffer against the A35 traffic (eg. Gapemouth Corner) (source: parish survey).

MAGiC Kilmington Village and Environs





Woodlands on the edge of the village



Grasslands

Grasslands

Amidst the agriculturally dominated pastures there are some notable pieces of grassland of biodiversity value:

- “Purple Moor Grass and rush pasture”. This ‘priority habitat’ is found in a small patch in the North east of the Parish around the Stockland Road and Chantry wood. [dark purple on map]
- “Coastal and floodplain grazing marsh”. A ‘priority habitat’ along the Axe and Yarty floodplains to the east of the parish and along the parish boundary. These are particularly important because they are contiguous with the River Axe SSSI which occurs on the eastern part of the parish.
- Good quality “non-improved grassland”. Although not a ‘priority habitat’ like the other two types of grassland, it is important within the parish where so much of the pasture is closely managed.

Heathland

- Lowland heathland – a small triangle of land on “The Common” between the Shute and Roman Roads is ‘lowland heath’. This is a ‘priority habitat’ requiring particular care in its maintenance. This triangle of heath adjoins a patch of deciduous woodland at the west end of The Common. The incredibly rare wildflower, the Heath Lobelia (*Lobelia urens*) was first discovered on Kilminster Common over 200 years ago.



Lowland heath on The Common



Heath lobelia (*Lobelia urens*)
source: East Devon ANOB)

Species of significance in conservation designations

- Most of the parish is within the “priority Area for Countryside Stewardship addressing the Brown Hairstreak habitat issues” The Brown Hairstreak butterfly is a ‘priority species’ which feeds on the extensive buckthorn in hedgerows around the parish.
- Kingfisher – occurs along the village stream -it is listed on Annex I of the EC Directive on the Conservation of Wild Birds.
- The Bullhead (fish) is one of three species that characterise a Special Area of Conservation (SAC) for the river Axe. It occurs in the village stream at Jubilee Green.
- The Heath lobelia (*Lobelia urens*) is a nationally scarce species confined to impoverished acid soils, especially disturbed ground. Known from Kilminster and Shute since the 18th century it has become extremely rare through habitat loss, especially the trend to coniferous plantations.

There aren’t any ‘Strategic Nature Areas’ in the parish yet, according to the Devon Biodiversity Records Centre (SNA’s are not formally ‘designated’ areas in a regulatory sense).

Hedges

Devon's hedges are truly world class. In a country famed for its hedgerows, Devon has a larger and more intact hedgerow heritage than any other county in Britain. Most of the county's hedgerows are ancient, most dating back to Medieval times or before, and through their rich and intricate patterns tell the story of Devon's landscape and farming traditions over many centuries. They are a distinctive feature of our countryside, important culturally, of great value to wildlife including threatened species like the dormouse, and deliver numerous other public benefits like soil protection, water regulation and carbon storage.

The parish has extensive runs of hedges, most fields are demarcated in this way with relatively little use of wire fences. The hedges are mixed species and give a very distinctive character to both the village and the surrounding countryside. Some hedges still host emergent trees, and this should be encouraged for the future to not only maintain the integrity of the landscape but also contribute to minimising soil erosion and flooding and to maintaining biodiversity. The critical value of hedges in hosting biodiversity is well known but they are equally important in connecting the fragmented woodland habitats that are essential for the survival on many species (such as the endangered dormouse) (see DBGAP, "Species rich hedges" section, 2009). Most of the deciduous woodland in the parish are fragments (see habitat map), making the maintenance of hedges even more important.

Associated with these hedges are many roadside verges and some have significant 'Devon banks' which are notable for their biodiversity value. The hedges and other margins are host to numerous primroses, a Devon Biodiversity Action Plan species.



Devon bank on Whitford road with mixed wildflowers



Ancient moss and liverwort covered banks

Hedges are protected by the Hedgerow regulations (1997), it is essential to maintain the runs of hedgerows and verges within the parish and to encourage the planting of new hedgerows. Any development should aim to improve or at least maintain the visual and biodiversity value of verges, hedges, and banks.

Water courses:

Water courses range from seasonal trickles and field drainage ditches, to permanent streams (e.g. “the village stream”), brooks (e.g. Corry Brook) to rivers and their floodplains on the eastern edge of the parish (River Yarty, River Axe).

The watercourses in Kilminster, as in most of East Devon, emerge from spring lines. There are a number of natural springs in the parish (includes the village stream and the stream from Roman Rd under the A35 to Conley Pit Lane and on to Corry Brook). The watercourses are a vital element in making our landscape so attractive for leisure and tourism.



Stream at Springhead emerges from springs
in Kilminster woods



River Axe on eastern margin of the parish is a Site of
Special Scientific Interest

The Axe and its major confluence The Yarty, is the only truly “lowland river” in Devon which means it is not flushed by fast flowing water from uplands and has some of the most important plant communities in Devon (see Devon Geodiversity and Biodiversity Action Plan). This makes protection and management of the Parish’s watercourses particularly important from both an environmentally responsible viewpoint as well as improving the quality of life and promoting tourism. Within the village, the village stream is particularly important and yet sensitive. Kingfishers have been sighted several times in 2019 along the stream (the Kingfisher is listed on Annex I of the EC Directive on the Conservation of Wild Birds).

The eastern part of the Parish includes the River Axe Site of Special Scientific Interest (SSSI), particularly the western banks of the River Axe. The Axe is also designated a Special Area of Conservation (SAC) indicated by the presence of three fish species, one of which, the Bullhead, occurs in the village stream at Jubilee Green.

The River Axe, River Yarty and Corry Brook are part of the River Axe Special Area of Conservation. They are *“in unfavourable condition [which] is declining, owing to nutrient enrichment and sediment pollution that had led to a number of ecological problems including habitat loss and loss of fish species. This has resulted from intensification of dairy farming and associated maize growing for fodder as well as for energy production. The soils in the catchment are vulnerable to compaction and erosion and are unsuitable for growing maize or winter manure spreading but these activities are widespread.”* (River Axe N2K catchment Regulatory Project Report Nov. 2019).

These water courses are at 'Moderate Ecological Status'. *"All three water-bodies are failing with regard to Macrophytes/Phytobenthos and Phosphates. These failing elements indicate high levels of nutrients ... largely attributable to agricultural and other land management activities. It is the target for these water bodies to meet Good Ecological Status by 2027"* (Salmon, 2015).

New development usually results in additional impermeable surface such as roads, car-parks and roofs, reducing infiltration. This causes more run-off from the catchment and resulting in larger flood discharges. Developers should now adopt sustainable drainage systems, using soakaways, detention ponds and grass swales to reduce the above effects (DGBAP, 2009).

A particular risk is culverting, which increases flow and disturbs the natural watercourse and increases the risk of flooding within the village, especially from the village stream at the Village Green.

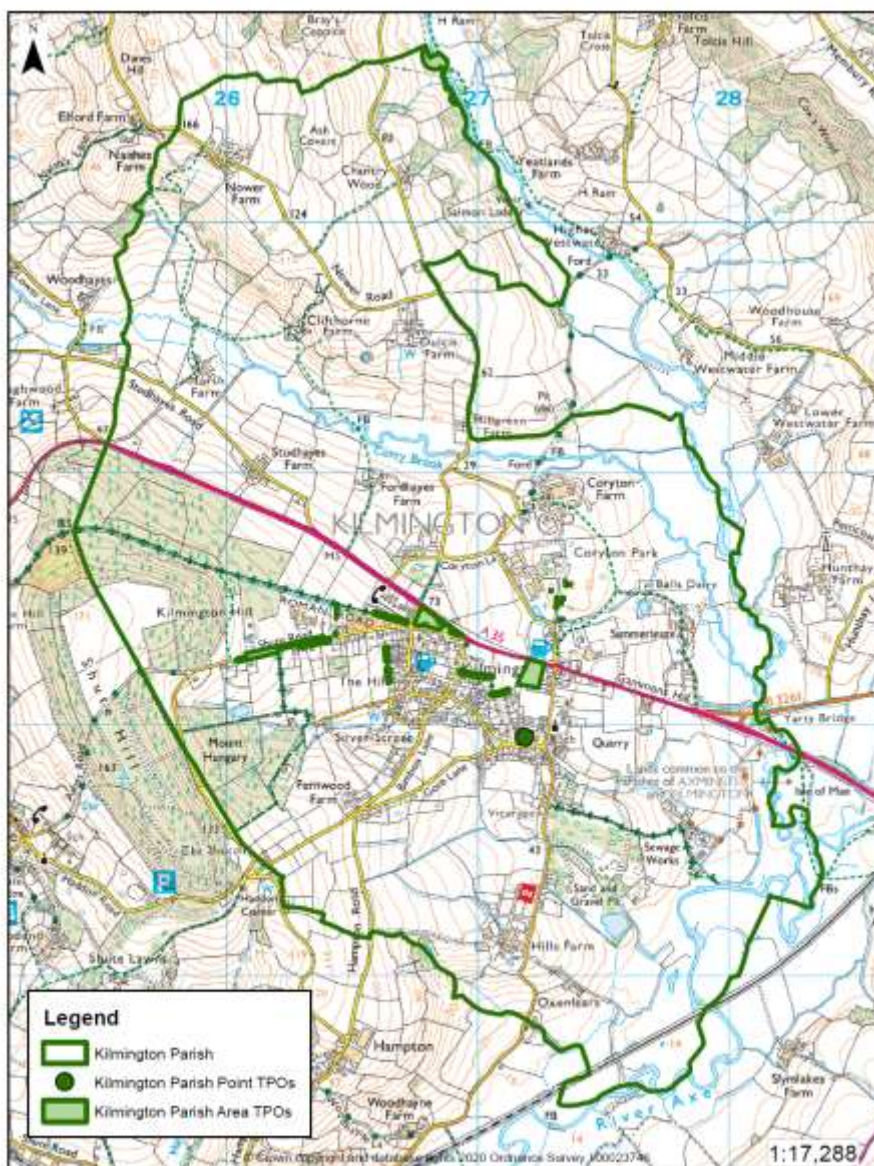
Accordingly, this neighbourhood plan will seek to ensure that any development takes full account of the Catchment Based Approach to improving environmental water quality (DEFRA, 2013; East Devon Catchment Partnership). This means paying particular attention to the impact of any development on **all** the watercourses in the Parish, large or small. This will not only ensure improvements to the environment and biodiversity but also mitigate flood-risk, mindful of the potential for increased rainfall as a consequence of climate change.

Trees:

Within the village, trees contribute greatly to the landscape and its visual character. Key trees act as reference and wayfinding points and connect the village to the wider landscape, especially mature indigenous species. Some individual trees, such as the large Monterey Pine on the playing fields have particular significance and are even used as visual motifs for the parish. Trees give much amenity value to residents and visitors alike. In the wider countryside of the parish, trees have great landscape value being key components of the various Landscape Character types found in the parish.

Several groups of trees have Tree Protection Orders (TPOs) on the margins of the Built Up Area Boundary (BUAB) which have particular value to the older and more dense areas of building in the village. Outside the BUAB there are fewer TPOs, these are mainly in Coryton Park. In addition to formal TPOs, trees are also protected within the conservation area around the Village Green and lower parts of The Street. Some other trees are covered by planning conditions during development, although these are time limited.

A strip of land in the neighbouring Shute parish along the Shute Road (= the coach road) on land owned by the Hitchcock Trust has several trees of note, mostly exotic mature trees (including *Sequoia sempervirens* and *Araucara aracana*, an endangered species in its natural habitat). Also, in Shute parish on the south western boundary, parts of Shute woods are categorised as "ancient replanted woodland" a 'priority habitat



Kilminster Parish - Tree Preservation Orders

There are many mature ash trees in the parish, and the inevitable impact of ash die-back disease will be to severely impact the landscape, especially along field margins where ash are often emergent trees in hedgerows.

Similarly, mature beech trees are at risk where a drier climate leads to drought. Mature beech trees along the Shute Road have a particular value to the village environment and might be particularly at risk.

As a consequence of this NP, the KPC intend to undertake a more comprehensive review of tree protection within the parish.

Trees are specifically mentioned in the EDDC 2020-24 plans under Priority 1 (Place and environment). Specifically, the council aims to Protect, value and increase our treescape. They will also support Devon County Council in their work in relation to understanding and managing the ecological threats to trees with a view to ensuring trees are being replaced throughout the District.

06/11/2020

Appendix 6 Kilminster Neighbourhood Plan - Green and Open Space Audit.

This survey is based on the Green Infrastructure Audit Tool provided by “Locality” [locality.org.uk].

The green spaces (including footpaths) are given on maps at the end of this document.

In a community survey conducted by the NP team in 2018, the overall view is that all green spaces are valued, with the woods and playing field being particularly highly rated, followed by Jubilee Green and The Common (the green/open spaces with * were the subject of the questionnaire).

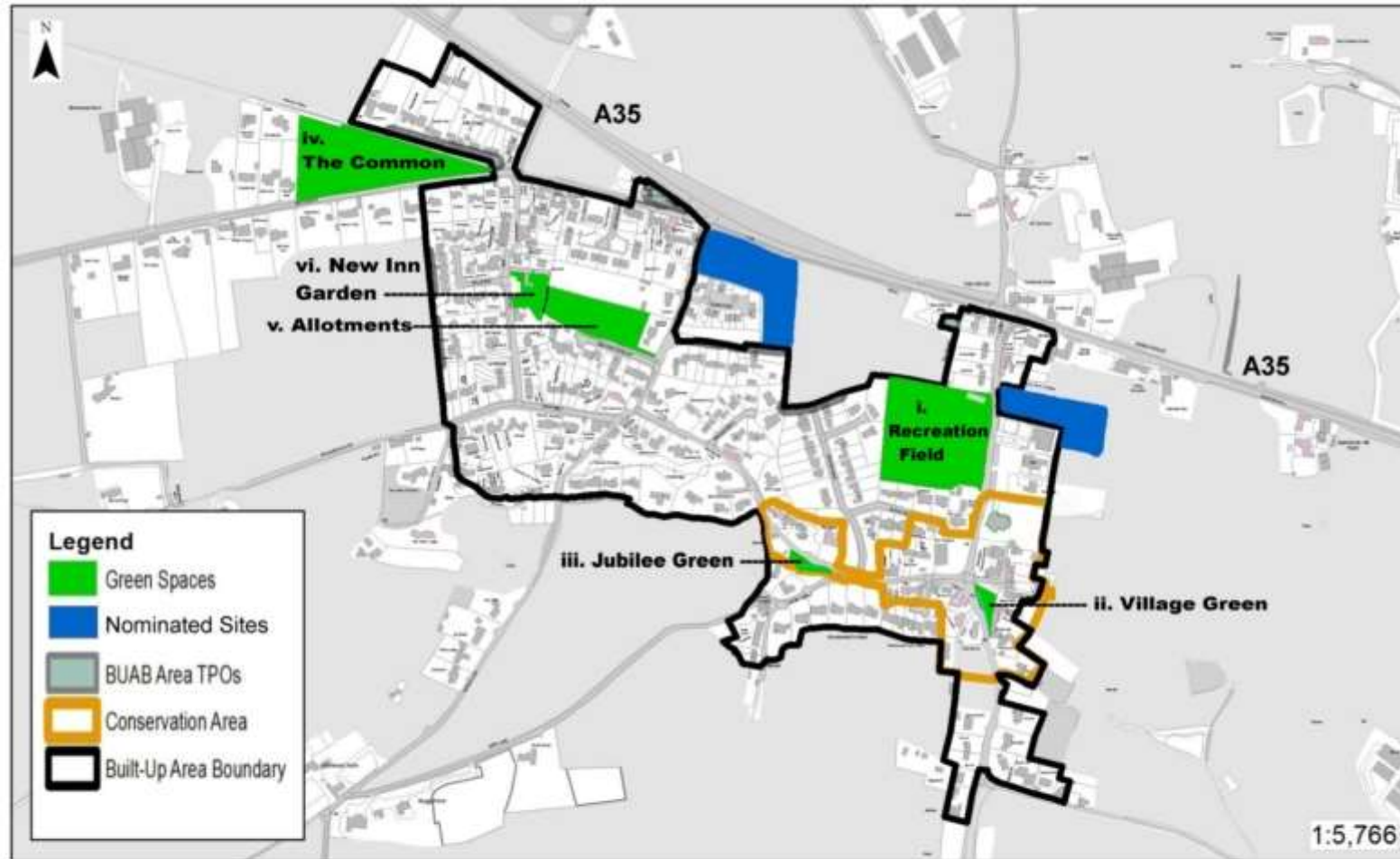
Site details Name & address	Description and purpose	Quality of Facility	Ownership/ designation	Notes
St Giles Church, Churchyard* Whitford Road	Churchyard dating back to 18 th century 0.39 ha (including church)	Close cut grass with some trees, though no ancient trees (eg yew).	Exeter Diocese	Maintained by voluntary group FROGS. Local Green Space designation not required at this time.
Cemetery* Behind St Giles Church, Whitford Road	Newly developed community burial ground 0.23 ha (including expansion area)	Close cut grass in burial ground with pasture in area awaiting use	Exeter Diocese	Maintained by voluntary group FROGS. Green Space designation not required at this time
Playing field* Whitford Road	Recreational use: cricket field, playing field for school, hard-surface tennis court and children’s play area. Landing zone for air ambulance. 1.47 ha	Close-cut amenity grass. Multispecies hedges along Whitford Road. Community-significant Monterrey Pine.	Hitchcock trust	Maintained by Cricket club (most of grass area), Parish Council (play area), Tennis Club (tennis courts). Local Green Space Designation to maintain landscape value opposite churches and village hall.

Site details Name & address	Description and purpose	Quality of Facility	Ownership/ designation	Notes
Village green/ The Green* Whitford Road	Historic value, in current conservation area. Village stream runs through. 0.1 ha	Maintained amenity grass, surrounded by mostly historic buildings. High village landscape value.	Parish Council	Maintained by PC Already protected as part of Conservation Area but Local Green Space Designation even though in conservation area.
Jubilee green* Junction of The Street and Gore Lane	Historic value, only part is within the current conservation area [the remainder will be reviewed by PC as community asset]. Old telephone box has 'historic' value 0.1 ha	Maintained amenity grass, with lanes to two sides of a triangle, hedge and housing to remaining side. Some historic houses. Stream runs through, of biodiversity importance. Site used for some social activities (eg annual 'duck-race). Space for sitting and reflection.	Parish Council	Maintained by PC Telephone box maintained as community library and information point by volunteers. Part within conservation area, remaining area to south of stream not protected. Local Green Space Designation
The common* Junction Shute & Roman Roads	Amenity land of woodland and open area for walking and dog-walking. 1.31 ha	Lower open area is classified as 'lowland heath' – a priority conservation habitat. The upper part is 'mixed woodland'.	Parish Council No formal designation known	Maintained by PC. Local Green Space Designation
Allotments	Horticulture – growing of vegetables, fruits and flowers. All plots occupied in 2019. Annual competition for best allotment by Kilminster Gardening Club.	Cultivated, with narrow grass verges. Mixed species hedges on all four sides of biodiversity significance. Significant trees on one boundary (mainly oak).	Parish Council Hedges privately owned	Maintained by PC Allotment club maintain hut and plots. Local Green Space Designation

Site details Name & address	Description and purpose	Quality of Facility	Ownership/ designation	Notes
	0.53 ha			
New Inn garden	Garden for use of public house customers, regular public events. Views of Trinity Hill. Abuts allotments on one side. 0.1 ha	Close mown grass with hedges on two sides.	Palmer's Brewery	Maintained by publican. Local Green Space Designation
Yarty/ Axe floodplains	Floodplain between Axe and Yarty rivers. Used for seasonal grazing. Footpaths and cycle routes in part of this area.	River Axe is a Site of Special Scientific Interest. The land is 'Floodplain grazing marsh', a 'priority habitat', a county level "landscape of importance". Newly constructed cycle paths give some access when area not flooded.	Privately owned, various	Part of Kilminster parish as well as land common to Kilminster & Axminster councils. Already protected by SSSI and County designation for Axe Valley (Devon Character Area).
Verges of A35	Grassland verge alongside trunk road, opposite War memorial. Triangle in front of War memorial (maintained by volunteers). Maintained for traffic visibility.	Unimproved grassland with wildflowers, now part of a new Highways England project 'The A35 Verge Enhancement Management Strategy'. Recent work to improve the biodiversity and amenity value of the large verge will greatly enhance the area for those passing through and those in the parish.	Highways England	KPC is in contact with Highways England to discuss how together we can develop our "A35 corridor initiative". Volunteers from Kilminster would engage with this project. Designation as Local Green Space not appropriate at this time.
Woodlands* – "Shute woods" (includes Mount	Commercial forestry, used for recreation along footpaths, dog	Mixed evergreen commercial woods with some wet broadleaf	Private: several private owners.	Designation as Local Green Space not appropriate.

Site details Name & address	Description and purpose	Quality of Facility	Ownership/ designation	Notes
<i>Hungary).</i>	walking and access to countryside. Permissive path on Mt Hungary. Pheasant shoots.	woodland. Little evidence of ancient woodland (neighbouring Shute Parish has 'ancient woodlands' of high conservation status). Woodlands greatly valued by parishioners (2018 survey).	Commercial owners and managed.	
Footpaths, byways, and cycle paths	Maintained footpaths and cycle paths (in Axe valley). Used regularly by parishioners 15-26% people use daily, c.90% use at some time. Most frequently used for recreational walking (65%), dog walking (33%), access (16%) (2018 survey).	Most footpaths well maintained and used regularly.	Mostly on private land.	Some permissive paths. Cycle path maintained by local council. Already protected/ covered by Public Rights of Way.

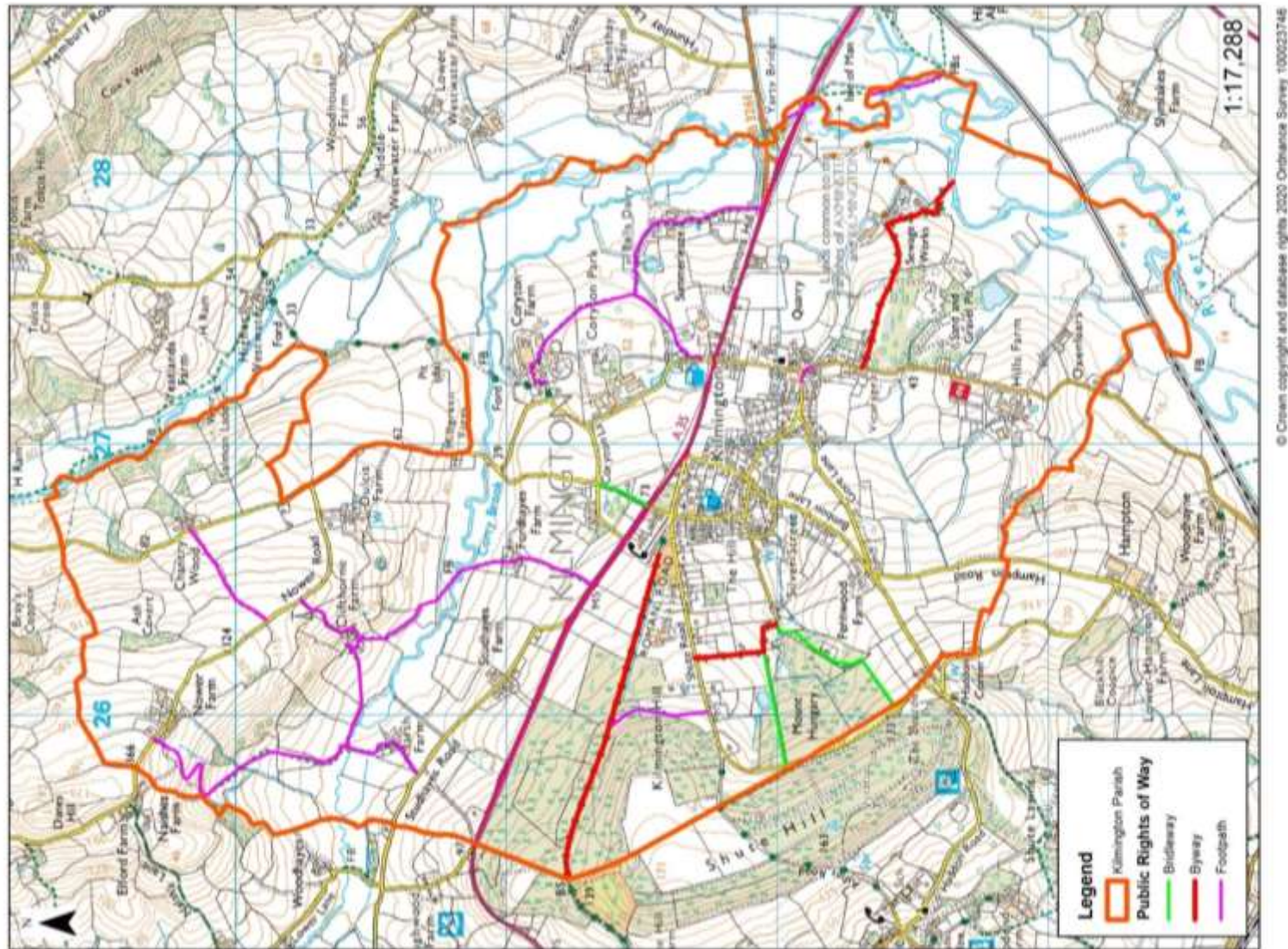
A Map of Kilminster showing the location of Local Green Spaces



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PSMA 100051170

A Map of Kilmington showing the Public Rights of Way



Appendix 7 - Glossary

We know that not everyone knows about the planning system or the planning terms used. We have set out, below, some of the most commonly used terms and what they mean. Some of these are used in this Plan, others are not.

“Affordable housing” - Housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers). In broad terms, it normally includes: affordable housing for rent, starter homes, discounted market sales, shared ownership, relevant equity loans, other low cost homes for sale and rent to buy.

“Allocation / allocated land” - An allocation in a Local Plan or Neighbourhood Plan is a specific area of land (site) which is defined on a map by a boundary. A planning policy defines what type and scale of development should take place there. It is not the same as planning permission and proposals on the site still has to be taken through the planning application process.

“Approvals” - When a development receives planning permission, it is considered as an approval.

“Commitments” - All land with current planning permission or allocated in adopted development plans (Local Plans or Neighbourhood Plans) for development (particularly residential development).

“Completions” - When housing development which has required planning permission, has been finished it is considered a completion.

“Deprivation” - The Government identifies deprivation in its Index of Multiple Deprivation which measures, in small areas, relative deprivation using various indicators (income, education, employment, health, crime, barriers to housing & services and the living environment).

“Development” - Development is defined under the 1990 Town and Country Planning Act as "the carrying out of building, engineering, mining or other operation in, on, over or under land, or the making of any material change in the use of any building or other land." Most forms of development require planning permission.

“Exception Sites” - *Small sites used for affordable housing in perpetuity where sites would not normally be used for housing.* Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. Small numbers of market homes may be allowed at the local authority's discretion, for example where essential to enable the delivery of affordable units without grant that respects its rural and built surroundings.

“Major development” - For housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. For non-residential development it means additional floor space of 1,000m² or more, or a site of 1 hectare or more, or as otherwise defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

“Older people” NPPF definition: “Older people: People over or approaching retirement age, including the active, newly-retired through to the very frail elderly; and whose housing needs can encompass accessible, adaptable general needs housing through to the full range of retirement and specialised housing for those

“Design Guide” - A document providing guidance on how development can be carried out in accordance with good design practice with a view to retaining local distinctiveness.

“Previously developed land / brownfield land” - Land which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.

“Public realm” - The public realm embraces the external places in villages, towns and cities that are accessible to all. These are the everyday spaces that we move through and linger within, the places where we live, work and play. It includes everything which is not private including roads and footways, pedestrianised areas, green spaces, public parks and gardens and so on.

“Sustainable development” - At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. The National Planning Policy Framework (Government planning policy) explains in greater depth what this means in the English planning system.

with support or care needs.”

“Permitted development” - Permission to carry out certain limited forms of development without the need to make an application to a local planning authority, as granted under the

terms of the Town and Country Planning (General Permitted Development) Order.

“Planning application” - A planning application is made to a local planning authority to seek planning permission.

“Planning permission” - Formal approval sought from a local planning authority allowing a proposed development to proceed. Permission may be sought in principle through outline planning applications or be sought in detail through full planning applications.