



East Devon District Council

Clyst Honiton Neighbourhood Plan Decision Statement

7 November 2024 (effective date of decision)

1. Summary

Following an independent examination, East Devon District Council now confirms that the Clyst Honiton Neighbourhood Development Plan will proceed to a Neighbourhood Planning Referendum.

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

2. Background

On 2 April 2014, East Devon District Council designated the area comprising the part of the parish of Clyst Honiton (excludes strategic sites within the north and east of the parish) as a Neighbourhood Area for the purpose of preparing a Neighbourhood Plan in accordance with Part Two of the Town and Country Planning (England), Neighbourhood Planning (General) Regulations 2012.

Following the submission of the Clyst Honiton Neighbourhood Plan to the Council, the plan was publicised and representations were invited. The publicity period ended on 12 April 2024.

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

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

3. Decision and Reasons

3.1 Modifications

The modifications set out overleaf were agreed to be made to the Submission Version of the Clyst Honiton Neighbourhood Plan by East Devon District Council, further to the [findings of the independent examination](#) and consideration of the plan and examiners report at [EDDC Cabinet on 30 October 2024](#). The modifications incorporate the examiner's modifications in full, to secure that the plan is clear, accurate, and meets the basic conditions set out in legislation.

3.2 Referendum

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

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

The referendum will take place on 23 January 2025. The details will be available on the [Electoral Services pages](#) of the East Devon District Council website.

3.3 Referendum Version of the Plan

This Decision Statement and a Referendum Version of the Clyst Honiton Neighbourhood Plan, incorporating the changes set out in this Decision Statement, will be available to view on the [Neighbourhood Planning pages](#) of the District Council website (www.eastdevon.gov.uk).

Hard copies will also be available to view at:

- a) East Devon District Council Offices, Blackdown House, Border Road, Heathpark Industrial Estate, Honiton, EX14 1EJ **BY APPOINTMENT ONLY** between the hours of 9.00am to 5.00pm Monday to Friday, **by calling 01404 515616.**
- b) Exeter Library, Castle Street, Exeter, EX4 3PQ, Tel. 01392 407027 / email: exeter.library@librariesunlimited.org.uk.
- c) St Michael's & All Angels' Church (porch), Church Close, Clyst Honiton, EX5 2LZ. Several copies will be available here on a 'read and return' basis. Enquiries relating to this should be directed to Clyst Honiton Parish Council on 07444 780437 / clerk@clysthoniton.org.uk

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

4. Modifications Made

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

Modifications to Policies

1. Policy C1: Community Facilities & Services

- Amended the second part of the policy to clarify the primary intent being to protect the named facilities, to read:

“Proposals ***which retain or enhance the above uses or their roles as valued community facilities*** will be supported”.

- Minor wording amends for clarity throughout the remainder of the policy, to read:

“The loss of all or part of ***a*** community ***use*** including, but not limited to those identified above, will not be supported unless:

- the proposal ***is for or includes*** an alternative community ***use*** that would provide ***equivalent*** or greater ***community*** benefits to the local community, and is no less accessible to the community and where possible, ***offers*** greater levels of accessibility; or
- it can be demonstrated that the community facility is no longer ***economically*** viable (in the case of public houses, they should provide ***appropriate and proportionate*** marketing information and viability studies that ***satisfactorily demonstrate*** that the current use or an alternative community use is not viable).”

2. Policy C2: New Community Building

- Revised the policy to clarify the expectation for the anticipated future submission of a Neighbourhood Development Order for a scheme to deliver a community building for Clyst Honiton, to read:

“***The*** provision of a new community ***building*** in or near the village where it can be accessed by Clyst Honiton residents through active travel and, where appropriate, with additional provision of an outdoor community space and parking ***is supported in appropriate locations***.

Residential development on the site will be supported ***where this is essential to enable the delivery of the community building. The number of new homes provided must be proportionate to enable***

the delivery of the scheme, be at the discretion of the local planning authority and reflect and meet local housing needs.

Schemes will be supported through:

- 1) A Neighbourhood Development Order or
- 2) Submission of a community engagement statement detailing the preapplication engagement activity with the community and wider stakeholders.”

3. Policy C3: Additional New Community Facilities and Services

- Linked to deletion of Policy NE3 and for clarity/flexibility in application, deleted the following clauses from the policy:
 - “Proposals to bring forward new community facilities at the River Clyst Park (Policy NE3) will be supported.” and
 - “where there is a proven need for development to extend the existing leisure and or recreation experience for the community”.
- Amended the second sentence of the policy, to read:
“Proposals for new community facilities in the Neighbourhood Plan Area will be supported where:”

4. Policy DS1: Development of high-quality design

- First sentence - strengthened the reference to the design code by requiring proposals to, “***accord with*** the Clyst Honiton Design Code (2020).”
- Criterion 3 – amended to read, ‘Conserve ***or*** enhance designated and non-designated heritage assets and their setting. Proposals that affect the significance of heritage assets or their setting will be determined in line with ***national policy.***” to better reflect current national policy and remove reference to the current date of the NPPF to future proof the policy.
- Criterion 10 - removed ‘where appropriate’ to ensure due regard is given to issues of airport related noise and airport safeguarding.

5. Policy DS2: Sustainable design and construction of buildings

- Deleted ‘where appropriate’ in the last clause of the policy, to ensure due regard is given in all proposals to mitigating noise.

6. Policy DS4: Sustainable Drainage

- First sentence amended to clarify that all development “will be required to accommodate **additional** surface water run off within the site.”
- Last sentence amended to clarify that “The use of retention ponds **or any other feature which might create standing water** will be limited by airport safeguarding legislation.”

7. Policy DS5: Flood Risk

- Added to the first sentence to state that, “**Priority will be given to natural flood management schemes which are preferred to engineered solutions.**”

- Amended the second part of the policy to read:

“Flood management and/or flood defence proposals should **avoid harm to biodiversity, mitigate any harmful impacts where this is a last resort and take every available opportunity** for natural biodiversity enhancement and habitat creation. Any biodiversity enhancement and habitat creation **must** be made acceptable from an airport safeguarding perspective.”

8. Policy DS6: Storage Spaces

- Various minor modifications for clarity to wording of the second part of the policy, to read:

“**Such** storage facilities **should be designed** to ensure that there is:

- **An acceptable** visual impact on the public realm,
- **No** obstruction to pedestrians and vehicular access and **movement**,
- **Space** for the storage of **a minimum of 2** bikes per dwelling, **and**
- **Sufficient** space to accommodate containers provided by the district council for waste and recycling.

9. Policy DS7: Provision of charging points

- Replaced the reference to the ‘NPPF (2023)’ with reference more generally to ‘**national policy**’ to future proof the policy.

10. Policy DS8: Provision and use of renewable energy

- Added a new paragraph at the end of the policy to read:

“**Development proposals for such schemes should be designed to ensure that there is no impact on airport safety and operations.**”

11. Policy DS9: Community led renewable energy production

- Amended wording in criterion 1, 2, 3 and 5 so that the second part of the policy reads:

“**Such** schemes should be designed **to**:

1. **Respect the** scale, form and character **of their location** and or countryside setting;
 2. **Ensure that** noise, **lighting**, vibration, views and vistas, shadow flicker, water pollution **and** emissions **do not cause unacceptable harm to** the amenities of local residents and the road network;
 3. **Have an acceptable** impact on local biodiversity **ensuring any impacts are appropriately mitigated**;
 4. Where appropriate, provide natural screening perimeters and new wildlife habitats;
 5. **Ensure that** there is no impact on airport safety and operations.
 6. Where appropriate, for livestock farming to continue on the land.”
- Amended the last clause to clarify the expectation that, “As technology evolves the renewable energy developments that are no longer in use are to be removed and the site **appropriately restored**”.

12. Policy E1: Supporting a rural economy

- Revisions made to all policy clauses for clarity and to give greater control, including addition of a new criterion related to active/sustainable travel, to read:

“Proposals for holiday accommodation **or small-scale** businesses classes (E(c) and E(g)(i) in Zone B (Fig 6), excluding Hill Barton Business Park, will be supported where they:

1. Are proposed on previously developed land or through the conversion of an existing redundant **building**;
2. The building and its proposed use(s) is in keeping with the existing scale and form **of development in its setting**;
3. The building is physically located adjacent to **or is otherwise** well related to an existing building **and or** dwelling;
4. Are **compatible** with the existing countryside **and** landscape setting;
5. **Have suitable access and take every opportunity for encouraging active travel; and**
6. Do not result in adverse impacts to residential amenity, biodiversity or highway safety.

Where proposals involve the conversion of existing buildings, disproportionate extensions **will not be permitted**.”

13. Policy E2: Rural economy: live-work units

Modifications made throughout to clarify the intent and assist with prevention of inappropriate development, as follows:

- Modified the policy title and reference to 'live-work' units throughout the policy and the Plan text to, "Live **and** Work Units" for clarity on the use.
- Amended the two overarching criteria in the first part of the policy to read:
 1. "The residential element **of the live and work unit will** only be occupied in conjunction with the operation of the dedicated working space; **and**
 2. Proposals involve the change of use of an existing building and/or **are located** on a brownfield site."
- Modified the introductory sentence to the second part of the policy and the first 3 bullets, to read:

"Proposals are to meet **all of** the following site-specific requirements:

 - **Respect the scale and form of existing development** and their countryside setting.
 - **Be located** adjacent to, or **be** well-related to, existing dwellings or clusters of dwellings such as Holbrook.
 - **Be of a high quality** design **which enhances the immediate setting,** and"

14. Policy E3: Opportunities for new and/or improved business development in Zone A (Fig 6)

- Revised wording throughout for greater clarity and control, to read:

"Development proposals for new business **and commercial uses** and new and/or improved business development will **usually** be supported at the following locations:

A. Clyst Honiton village locations

1. Home Farm Business Park (Site 1 in Figure 26):
2. Exeter Inn Car Park (Site 2 in Figure 26):
3. Old School Business Park (Site 3 in Figure 26):

subject to:

- a) **any new build development and/or the proposed use must** be in

- keeping with the scale and form of their setting;
- b) where applicable, **new buildings must** be designed to **respect** the existing village character as identified in the Clyst Honiton Village Character Assessment **and accord with the Design Code**;
- c) residential amenity is not adversely **affected**;
- d) **the provision of satisfactory** off-street parking to avoid businesses using on street parking;
- e) **retention of** the village road **as** a cul-de-sac;
- f) **ensuring** that the level and flow of traffic generated does not adversely impact on the safety and operation of the village road and/ or the highway network;
- g) **demonstration of satisfactory noise conditions including taking the noise from the airport on the site into consideration and implementation of any mitigation measures**;
- h) **the provision of an appropriate flood risk** assessment and **implementation of any** mitigation measures; and
- i) **there would be no adverse impact on airport safety and operations.**

Development proposals for Old School Business Park should seek to retain and reuse the original school building and incorporate this structure's design features into the wider scheme.

B. Edge of village locations

Development proposals for new businesses and new and/or improved business development will, in principle, be supported **on appropriate sites immediately** adjacent to the village where:

- i) the proposal is consistent with Strategy 7 in the Local Plan (or its future equivalent);
 - ii) ii) the proposal does not impact the cul-de-sac status of the village road;
 - iii) a safe highway access is in place and the local highway network is capable of accommodating the forecast increase in traffic, established by a Traffic Assessment; **and**
 - iv) criteria **c, d, g, h and i** (above) where appropriate, is met.”
- Amendment made to associated Figure 26* of the Plan to remove the part of the Old School site which now has a dwelling on it.

15. Policy SA1: Slate and Tile Site, York Terrace

- Modified the policy to include greater specificity of the requirement / expectation for an acceptable proposal, to read:

“Land fronting onto York Terrace identified in Figure 39 is allocated for a small development of up to nine dwellings **subject to the following requirements:**

1. Housing to be **smaller units of 1 and 2 bed properties;**
2. **Any scheme should meet local housing needs including through the onsite provision of affordable housing;**
3. **Appropriately detailed assessments should be submitted at the time of any planning application to satisfactorily address issues of contamination, flood risk and noise, particularly from Exeter Airport and the road which set out any mitigation measures and how these will be implemented;**
4. The provision of **a satisfactory level of car parking;**
5. The provision of safe vehicular, pedestrian and cycle access;
6. **The scheme is designed to a high quality that reflects the site’s gateway location and position within the village;**
7. **The scheme meets nationally prescribed space standards;**
8. **The site lies within the Zone of Influence for the Exe Estuary SPA and the East Devon Pebblebed Heaths SPA and SAC. All new residential development is required to accord with the requirements set out in the South-East Devon European Site Mitigation Strategy or any successor document.”**

16. Policy H1: Self – Build and Custom Build Houses

- Minor modifications made throughout all parts of the policy for clarity and control, to read:

“Development of self and custom-build dwellings will be **supported:**

1. On single plots where the dwelling is a conversion of an existing building **which would not need significant rebuilding for its new use, or**
2. On single plots in which the new build is in scale with surrounding properties and is located within the plot **of, or adjoins, an existing dwelling and**
3. **Where such development would not harm the distinctive landscape, amenity and environmental qualities within which the plot is located.**

Provision of 10% self-build and custom build dwellings will be **encouraged** on all residential schemes of 30 houses or more, unless superseded by Local or National requirements.

Such provision could be provided through: Serviced plots for self-build and

custom build, either on an individual basis or for a duly constituted self-build group (to include a community group).

This policy will not apply to Hill Barton Business Park.”

17. Policy NE1: Landscape and Biodiversity

- For clarity, added a new clause at the end of the policy to read, “***Any measures must be made acceptable from an airport safeguarding perspective.***”

18. Policy NE2: Green Landscaped Corridor

- Amended and extended the second part of the policy to give greater specificity, to read:

“Development requirements associated with maintaining the strategic road network ***are supported. Proposals which improve the management or enhance the wildlife and landscape corridor and the setting of the village are positively encouraged and welcomed.***”

19. Policy NE3: River Clyst Park

- Deleted this policy in view of the existing public access arrangements already being brought forward over this land under a separate signed section 106 agreement, concerns over allowing wider public use of the land beyond designated public rights of way, and objection of the landowner.

20. Policy NE4: Local Green Spaces

- Removed superfluous wording from the first paragraph which stated, “(in accordance with paragraphs 100 and 101 of the NPPF (2021) in Appendix 17:”
- Amended the last sentence of the policy in line with the NPPF to read, “***Development proposals within the designated local green spaces will be consistent with national policy for Green Belts.***”
- Corrected the associated map (Figure 50*) to ensure the areas of designated LGS verge are shown in full.
- Renamed this policy as Policy NE3 to replace the deleted Policy NE3 and reflected this change as necessary throughout the Plan.

21. Policy AC1: Parking provision

- Amended the criteria in the second paragraph of the policy for reasons of sustainability and accuracy, to read:
 - “further onsite parking spaces **where these are justified by the operational needs of the commercial enterprise and cannot otherwise be met through measures to promote sustainable travel** and
 - charging facilities (see 8 above).”

22. Policy AC2: Public realm improvements to Clyst Honiton village road and its road junctions

- Added a new bullet point to the list of intervention measures supported by the policy, that reads: “**Measures that facilitate walking and cycling infrastructure and connectivity.**”

23. Policy AC3: Active Travel Provision

For accuracy, clarity and specificity in requirement and expectation:

- Modified the first line of the policy to read: “Development proposals which would provide new and/or **enhanced** routes for active travel, **particularly on the routes listed below**, will be supported.”
- Corrected the reference in bullet point 1 to refer to Figure 43 rather than Figure 49.
- Removed the reference to the anticipated future Neighbourhood Development Order (NDO) in bullet point 3, to say simply “Route No 7”.
- Extended the sentence above the bullets in the second paragraph to read: “**Otherwise acceptable** development proposals that contribute to the creation of new links **to the following key destinations will be particularly welcome. These should be multi-use, wherever possible as these provide the most inclusive and accessible opportunities for everyone. Such routes should be designed to allow safe use by all users.**”
- Modified the third paragraph to read, “Development proposals **must** provide appropriate and safe access **for all users** and should link up with existing networks **wherever practicable.**”
- Inserted a replacement Figure 55* with the revised version provided by EDDC in response to clarification questions during the examination, amending the title accordingly to “Figure 55: Existing and potential cycle routes through and linking from the Clyst Honiton Plan area “.

Non-policy modifications

1. Monitoring Section of the Plan

Updated the expectation of EDDC in respect of monitoring of the plan (Submission Plan page 135), to read:

“At the moment, there is no mandatory monitoring of neighbourhood plans. It is anticipated that East Devon District Council will undertake high level monitoring of neighbourhood plan preparation across the District. The responsibility therefore lies with the Parish Council to undertake monitoring to ensure that its plan continues to be effective. It is anticipated that the District Council will support the Parish Council in this with any support or guidance as required. An example of the monitoring the Parish Council intends to undertake is provided in Appendix 19.”

2. Consequential Changes

In line with [National Planning Guidance on Neighbourhood Planning](#) and recommendation by the Examiner, minor amendments made throughout the plan document text as required directly consequential to implementing the agreed modifications. Of note, this included renaming Policy NE4 to Policy NE3 and related references throughout; removing the specific reference to ‘structures such as a piggery, lambing pens and corrugated iron sheds’ in the paragraph 7 of the supporting text to Policy H1 to reflect the Examiner’s amendments to clause 1, and adding a reference to the existence of the parish field in paragraph 4 of the justification to housing allocation policy SA1 as a consequence of the deletion of Policy NE3.

3. Referencing and Corrections

In line with [National Planning Guidance on Neighbourhood Planning](#) and recommendation by the Examiner, minor amendments made throughout the Plan document to:

- Correct / update references to the NPPF (December 2023 version) throughout the Plan.
- Remove all references in the Design Code to potential future Neighbourhood Development Order (NDO) and to policies in previous drafts of the Plan and amended the reference to the code on p.45 of the Plan to correctly state that it contains **7** codes.
- Amend the last sentence of paragraph four on page 58 of the Plan, to read: “At a recent EDDC meeting (SPC Oct 4th 2022) the following insert on page 1 of the Committee Report was provided and is a statement read out on behalf of a resident of Cranbrook.”

- Add a key to map of business areas (Figure 23* page 69 of the plan) and adjusted the business area at the Old School site as a consequential amend for consistency with the change made to Figure 26.
- Correct typos, grammatical and formatting errors, incorrect references and paragraph numbering. Of note, this included correction in paragraph 3, page 98 to replace “large sites and proportioning plots” with “proportion of larger sites” for legibility.
- Update title and date on front cover to Referendum Version November 2024.

4. **Background Information within the Plan and Appendices and Supporting Documents**

To avoid unintended consequences relating to the coherence and implementation of the Plan, no changes have been agreed, beyond consequential amendments and corrections as set out above, regarding the Examiner’s informal observation that “Consideration could now be given to removing some of the background information for example about the changes made to the Plan following the pre-submission stage at the next stages of Plan production or the evolution of the designation of the Plan area. This was useful background at earlier stages of Plan making, but there may now be an opportunity to remove some of this at the latter stages of Plan production. The same applies to the plethora of appendices accompanying the Plan; some may now be redundant or unnecessary. However, this is a matter of preference...”

In line with the Examiner’s specific recommendation, the Design Code is now appended to the main Plan document, with consequential formatting, and all other appendices (at Regulation 16 Submission) remain separate supporting documents, available on the [Clyst Honiton Parish Council](#) and/or [East Devon District Council](#) website as applicable.

5. **Accessibility**

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

Notes

*Amended figures were re-created in different software for the Referendum Version as original files/software used was unavailable.

Page numbers in this Decision Notice refer to the [Submission Version](#) of the Plan.