

Clyst St Mary and Sowton (Bishops Clyst) Neighbourhood Plan

Examiners' Clarification Questions supplied 8th April 2025

NP Policy	Examiner's Question	EDDC Officer Response
BisC11	What is the methodology used by the NPG to establish the settlement boundary in Policy BisC11?	<p>Please refer to the response by the NP Review Group.</p> <p>EDDC are aware that the NPG used the methodology/criteria used to set the Built Up Area Boundary for the village under the East Devon Villages Plan which was adopted in 2018, as part of the adopted development plan. We can confirm that the inclusion of sites physically well related to the village which have since been approved for residential/employment development by EDDC and the sites proposed for allocation through the NP is consistent with those criteria which can be viewed in Appendix 3 of this Strategic Planning Committee report (pages 69-72). As commented upon by the NPG, at Regulation 14 we advised, “as the emerging LP progresses, consider relationship with this and the changing terminology from BUABs to settlement boundaries.”</p>
BisC11	Why have EDDC used a different methodology to establish the settlement boundary in the emerging local plan?	<p>In the new Local Plan (now at Reg 19 stage) we are proposing to retain the principle of using settlement boundaries as a policy tool. We reviewed our approach to this as part of the work to prepare the draft new Local Plan, with reference to latest national policy context and case law. This review suggested that a refinement of the approach under the adopted Local Plan (through the Villages Plan) would be justified to allow more flexibility. The boundaries were drawn deliberately ‘tight’ in the Villages Plan in accordance with the strategy set out in the adopted Local Plan. The strategy of the emerging local plan differs from the adopted plan in wanting to promote some opportunities for housing within the settlement boundaries so that they guide but do not stifle the outward growth of settlements in line with the plan strategy. As a result, the review work led to the development of a new methodology for the setting of these boundaries designed “to enable some</p>

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		<p>limited, small scale, incremental growth”, as well as a change in terminology from Built Up Area Boundaries (‘BUAB’s’) to Settlement Boundaries.</p> <p>The rationale and decisions related to this have been debated and taken by Members at Strategic Planning Committee. This included consideration of a topic paper looking at different options and implications when Members first considered issues relating to the principle of settlement boundaries in the context of the new Local Plan at Strategic Planning Committee on 5th October 2021 and approval of the new methodology at Strategic Planning Committee on 5th April 2022.</p> <p>The new methodology was consulted on at Reg 18 stage together with draft boundaries for all settlements in the proposed new settlement hierarchy in the emerging new Local Plan – including the village of Clyst St Mary. Following consideration of the consultation responses, revisions were made, and the method and proposed boundaries were included again in the recent Reg 19 consultation, which closed on 31st March. Alongside the Reg 19 consultation, an updated topic paper on settlement boundaries was published in our emerging Local Plan library: ksd-010-settlement-boundaries.pdf</p> <p>We currently anticipate that the new Local Plan will be adopted during late 2026, and we would expect to include a settlement boundary in strategic policy within it for Clyst St Mary village and all other settlements in our ‘settlement hierarchy’. We are keen for the boundary in the neighbourhood plan and new local plan to align as far as possible so as to avoid unnecessarily conflict between the two. Between Reg 18 and 19 stages, EDDC agreed not to make allocations at Clyst St Mary in favour of leaving this to the emerging NP. Therefore, our preferred allocation sites at the village were removed from the proposed settlement boundary at Reg 19. These amendments as well as several corrections and a comparator with the adopted BUAB are shown on page 25-26 of the Reg 19 Topic paper (link above).</p>

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		<p>As noted in our Reg 16 response, assuming the NP is adopted (made) ahead of the Local Plan, we would envisage including the neighbourhood plan housing allocation sites (if/as they remain in the neighbourhood plan) in the LP settlement boundary through modifications as this would also align to our new methodology. In contrast to the boundary proposed in the neighbourhood plan, we would also seek to retain our proposed inclusion of the recreation ground on the basis this is within the settlement 'envelope' as well as several of the larger gardens previously excluded under application of our previous methodology. The differences between the proposed boundaries in the 2 emerging plans were flagged and discussed informally with the NPSG ahead of submission to see whether modification of the NP boundary could be considered to increase alignment with the boundary proposed to go to consultation under the Reg 19 Local Plan to avoid confusion from consulting on 2 different boundaries simultaneously. Understandably the NPG advised that they did not feel it would be appropriate at that stage to make changes - in particular to include the recreation ground within the boundary – as this had not been subject to community consultation. However, we note and welcome their response to you that they are not raising objections.</p> <p>Please note we are currently collating responses received to the Reg 19 consultation and will report on these in the coming months. We do not anticipate significant changes, but in the case of Clyst St Mary we are aware that the boundary we published at Reg 19 omitted the existing commitment for residential use on land adjacent to the football ground. This is included in the NP boundary and its inclusion would be in line with the criteria agreed by EDDC for new Local Plan settlement boundaries. Whether we make and consult on an amendment to include this land for the Local Plan submission will be considered as part of the on-going work on the Local Plan over the coming months.</p>
BisC12	Why the Land to the East of Clyst St Mary was selected as the preferred site	<p>Please refer to the response by the NP Review Group.</p> <p>In addition, EDDC would comment that whilst the conclusions of our own site assessments for possible allocations for residential development at Clyst St Mary differed in part from the final</p>

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	<p>allocation despite not achieving the highest score in the site selection process?</p>	<p>selected NP sites for allocation, the PC / NPG have been clear in their intent through their own work to seek to accommodate the level of development the new Local Plan was seeking at the village, whilst minimising additional traffic movements emanating from within the village centre and alleviating rat running and HGV movements through it. This is understood by EDDC to be a key driver for the Plan and to have influenced site selection.</p> <p>In a series of discussions with the PC about site selection during the development of the plan and in our Regulation 14 response, EDDC Officers did raise a number of concerns about the inclusion of the northern portion of the site and the proposed through-road. We also flagged viability and the risk of the community ending up with the housing but not the infrastructure benefits they were seeking and/or with more development at the village than we were proposing through the Local Plan. Similar to DCC, we also highlighted the potential for the new community proposals to include the delivery of a new north-south vehicular link between the A3052 and A30 – albeit in the longer term – which could allow Bishops Court Lane to be closed to through-traffic.</p> <p>The NPG gave consideration to the points we raised and have taken on board various suggestions we have made to address them, for example, inclusion of a requirement in the policy for a 10m landscaping buffer. In terms of the potential for the new community proposals to provide a solution, the NPG considered this to be too uncertain and too far into the future to support delay of their proposals and missing the opportunity to influence the direction and shape of growth at the village, and also advised of the issues that would remain from continued HGV movements from the industrial units up Bishops Court Lane.</p> <p>Ultimately, in consideration of all the circumstances and on balance, EDDC Members agreed not to make site allocations at the village through the Local Plan and instead to support the community to pursue their preferred sites and the infrastructure benefits they wanted to achieve through the NP route. We are also aware that the NPG has had constructive engagement/dialogue with the landowners of their site allocation, who we understand have their own transport</p>

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		and viability work, giving the NPG sufficient confidence to proceed with their proposals to Submission.
BisC12	Is the allocation of Land to the East of Clyst St Mary consistent with the findings of the SEA?	<p>See also response of the NP Review Group.</p> <p>We agree with the NPG that the findings of the SEA were also used by the NPG to inform the policy drafting. EDDC Officers note that paragraph 4.24 in the Reg 16 SEA report explains the reasons for choosing Sowt_03 and 11A as the allocation (which is a hybrid of Options 3 and 5 in the extent to which Sowt_11A is included). We would comment that whilst the site selection option for the allocation is not the most sustainable alternative in terms purely of the findings of the SEA assessment, this is an acceptable position to take as long as this is explained, and the reasons given are credible. This is consistent with the role of SEA to identify the likely significant effects of reasonable alternatives, and then outline which alternatives are preferred or not with reasons why.</p> <p>We note that the reasons in para 4.24 include “solve a major issue we have with traffic in the village”. We do not dispute that there are traffic issues in/at Clyst St Mary village, although we have not had sight of any technical highways evidence. However, we are aware there have been transport consultants enlisted by the owner of part of the allocation site (Sowt_11A) and that there have been discussions with the Highways Authority.</p>
BisC12	As a result of the Highway Authority's objection, can the proposed site allocation still be considered achievable?	EDDC Officers facilitated discussions between the PC, DCC and landowners of Sowt_11A between Reg 14 and 16. This allowed concerns to be aired although no specific proposals were available for discussion. However, it was clear that there were various highways issues/concerns to be addressed, and that road design would be key. The transport consultants for the landowner present were confident the matters could be satisfactorily addressed and a through-road achieved as part of the scheme. It was agreed further dialogue between them and the Highways Authority would be needed, with more information available.

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	<p>(A site is considered achievable for development where there is a reasonable prospect that the particular type of development will be developed on the site at a particular point in time. This is essentially a judgement about the economic viability of a site, and the capacity of the developer to complete and let or sell the development over a certain period.)</p>	<p>Throughout discussions on the evolving plan, EDDC officers have reserved judgement on the road link and advised that the views of the Highways Authority would be key. Similarly, we have looked to the PC and their engagement with the landowners for whether the scheme can be viable, including the delivery of the through-road to the specification that would be required. We have noted the Reg 16 representations from DCC as Highways Authority and the landowners on both matters.</p> <p>We would observe that delivery of the scheme with or without the road link would be expected to achieve the scale of housing that we are seeking to be provided at Clyst St Mary in our emerging Local Plan and provision of a key link for the Clyst Valley Trail which furthers the objectives of our Clyst Valley Regional Park Masterplan. We would however reiterate that in all discussions with the PC over the course of the plan preparation, the importance of the through-road link to the decision to pursue the allocation for housing in their plan and to the overall plan strategy has been clear. If the suggestion made by DCC Highways for the allocation policy to be amended to safeguard land for a potential future vehicular link to Bishops Court Lane, EDDC would wish to ensure there is clarity for the community on the trigger for the road link and how it would be delivered. In terms of potentially relevant highways changes associated with the planned new community under the emerging new Local Plan, we would advise that work is currently advancing on a draft masterplan and transport modelling, but this is not yet available to share. There will be further public consultation to come later this year (including as part of a 2nd Reg 19 consultation on the Local Plan – the extent and timing of which is subject to Member approval), and the Local Plan examination to follow.</p>