

Clyst St Mary and Sowton Neighbourhood Plan

Short Report for the attention of Deborah McCann, Examiner March 2025

It has been suggested that we might like to provide a response to any of the representations received during the Reg.16 consultation on the Submission Version (3.5) of the Clyst St Mary and Sowton Neighbourhood Plan, which took place from 29th January to 17th March 2025.

The Review Group, on behalf of Bishops Clyst Parish Council, submit the following observations in tabular form on each of the representations and submissions received, in the hope it will assist the examination process. The order of respondents is alphabetical as sent to us by EDDC.

Please note our comments are intentionally succinct at this stage. We remain happy to answer any further questions the Examiner may have regarding any aspect of the Plan.

Clyst St Mary and Sowton Neighbourhood Plan	
Respondent	Review Group rejoinder to representations and comments
Bell Cornwell LLP for Darts Farm Limited	We note that the respondent supports policy BisC12 in general and in detail. Preparation of policy BisC12 in the Submission Version of the NP was the subject of considerable discussion between the Review Group and the landowners/developers along with EDDC Planning and DCC Highways, as well as a consideration of all the suggestions and representations made by all parties during the Reg.14 consultation.
Carney Sweeney on behalf of CR Down Farming Ltd and Stuart Partners Ltd	The submission made on behalf of the owners and developers with an interest in the land south of the A3052 and east of A376, on the periphery of the neighbourhood area is largely a repeat of the submission made during the Reg.14 consultation. It acknowledges that <i>“little amendments have been made to the Plan.... which warrant any additional comments”</i> . The Reg.14 submission (re-submitted at Reg.16) made clear that the respondent is generally supportive of the policies in the Neighbourhood Plan and the Design Codes and expresses a willingness to work collaboratively with the Parish Council. In acknowledging the support in principle and for specific policies received from this respondent, the Parish Council is in no way endorsing their proposals for a Clyst New Village on land south of A3052 and east of A376, Clyst St Mary.
The Office of the Police and Crime Commissioner for Devon and Cornwall and Scilly Isles	Despite a reminder, no response was received from Devon and Cornwall Police during the Reg.14 consultation. The matter it now raises about <i>“public service infrastructure”</i> could have been taken into account when preparing the Submission Version of the NP. We shall await the views of the Examiner regarding the necessity to make any changes to policy BisC10. We note that representations on this matter, and especially <i>“blue light services”</i> are also being submitted to the emerging East Devon Local Plan, Reg.19 consultation, where the matter may better be addressed.
Devon Countryside Access Forum	We note that the Devon Countryside Access Forum (DCAF) comments on criterion d) in policy BisC12 in the Submission Version of the Plan. The same criterion d) with the same wording was in the draft policy BisC12 in the Pre-Submission Version of the Plan, but DCAF chose not to make comment on it within its Reg.14 submission on the 2 nd July 2024. We are not averse to altering the wording of criterion d) to acknowledge the Clyst Valley Trail is a shared-use trail. Our preference is: <i>d) the Clyst Valley Trail route being incorporated through the development to</i>

	<i>connect with Bishops Court Lane along with other relevant cycle and vital pedestrian links.</i>
Devon County Council (Transportation Planning and Highways Development Management)	<p>We note the concerns expressed by the respondent.</p> <p>We have maintained a regular dialogue with DCC Highways throughout the preparation of the NP. We endeavoured to take its concerns into account when the Submission Version of the NP was prepared. We share the view with DCC Highways that Bishops Court Lane should remain a quiet country lane. Our policy includes a requirement for an effective layout and traffic management scheme, for that purpose, which does not make any assumptions about how any New Community may impact on the situation.</p> <p>Criteria in policy BisC12 and paragraph 9.21 are intended to ensure that the concerns and requirements of the “<i>Local Highway Authority</i>” are fully taken into account and adhered to through the planning and development process. A variation on the respondent’s proposed alternative wording to criterion b) may be an acceptable necessity.</p>
Devon County Council Historic Environment Team	<p>The Historic Environment Team at Devon County Council has repeated its suggestion that the Plan should include photos and a summary of the history and development of the settlements in the area.</p> <p>We decided after Reg.14 not to add photos, because the Plan was a modification of the existing Plan, and the Design Codes document¹ provides exactly the kind of relevant photographic portrait of the Parish, showing what is special about the neighbourhood area in terms of its landscape and buildings.</p> <p>As regards including a historical summary, we felt to do so in the way suggested would place an over-emphasis on conservation aspects, and duplicate advice and guidance covered by both EDDC and Devon County Council.</p>
East Devon DC	<p>We have maintained a dialogue with EDDC via the Neighbourhood Planning Officer and other officers throughout the preparation of the NP.</p> <p>We note that amongst the general observations made are suggestions to update various submission documents. Please note these documents were believed to be correct at the time of submission. For instance it is suggested that the plan period for the NP be aligned with that of the new Local Plan. It has always been our intention that it should do. The end date has recently been changed by EDDC from 2040 to 2042.</p> <p>As regards its policy- and non-policy comments, we are surprised that EDDC is now calling for so many minor changes. EDDC has had several opportunities to suggest alterations to the Plan’s text during plan-preparation. Those suggestions they have made, either formally or informally; we have usually taken into account. We are disappointed that EDDC is using the examination process to have other changes made.</p> <p>As regards, the NP’s objectives, they are those that have been approved by the community and the Parish Council. We do not understand why EDDC would ask for these to be over-written at this late stage.</p> <p>We do not understand why EDDC would choose to allude to typographical and grammatical errors without being specific.</p> <p>It is suggested that there are out-of-date NPPF references in the NP, also without identifying them. We have had all 27 references to the NPPF in the Submission Version of the NP checked (again). We believe they are all consistent with the December 2024 version of the NPPF (and as amended in February 2025).</p>
Environment Agency	<p>We note that the Environment Agency has chosen merely to provide the comments it made during the Reg.14 consultation. These were taken into account when the Submission Version of the NP was prepared.</p>

¹ <https://www.bishopsclyst.org.uk/wp-content/uploads/2023/11/Design-Codea-and-Guidelines-final-document.pdf>

	It has made no specific comments or objected to anything in the Submission Version of the NP.
Greenslade Taylor Hunt for Waddeton Park	The representations made by this respondent echo those it made during the Reg.14 consultation. These were taken into account when the Submission Version of the NP was prepared. The respondent fails to acknowledge that the extent of the green wedge area in the NP is that which was agreed by East Devon Strategic Planning Committee in 2024 for the new Local Plan.
Historic England	We note that Historic England, having studied the latest Strategic Environmental Assessment <i>“are satisfied that the Neighbourhood Plan steering group have produced a sufficient heritage evidence-base and also provided a sound justification for the proposed development”</i> .
Honiton Town Council	It appears that Honiton Town Council was invited by EDDC to comment on our Plan. It is not an adjoining parish and was not included on our Reg. 14 consultee list. We are nevertheless happy to note that Honiton Town Council has no adverse comments to make.
National Highways	National Highways make the same points as it made during the Reg. 14 consultation. These were taken into account when the Submission Version of the NP was prepared. We note that there does not appear to be any objection to the policy content of the Submission Version of the NP.
Natural England	We note that <i>“Natural England does not have any specific comments on this draft neighbourhood plan”</i> .
OKB on Behalf of Core Strategic Land Ltd	We note that the respondent supports policy BisC12 in general. The policy in the Submission Version of the NP was the subject of considerable discussion and correspondence between the Review Group and the landowners/developers, including OKB, along with EDDC Planning and DCC Highways. It also involved a thorough consideration of all the suggestions and representations made by all parties during the Reg.14 consultation. We note the respondent suggests some re-wording of criteria in policy BisC12. We wish to ensure that the land allocated for residential development, identified on Map 9, should be regarded and planned as a single comprehensive development. All criteria were drafted with that in mind. We are content with the current version of the policy.
RSPB	RSPB appears to direct plan-writers to a source of, what they consider to be, good practice guidance. The document they suggest we refer to is behind a pay-wall, so we are uncertain of its content or publication date. Please note, we would have been prepared to consider its guidance if RSPB had responded to our Reg.14 consultation. They were written to twice.
South West Water	South West Water make the same submission as it made during the Reg. 14 consultation. The points made were taken into account when the Submission Version of the NP was prepared. We note that there does not appear to be any objection to the policy content of the Submission Version of the NP.
Sport England	We note that Sport England have resubmitted the same standardised set of neighbourhood planning guidance as it first did on the 29 th September 2021, and again during the Reg.14 consultation on the 29 th July 2024. We understand why this happens. We have been cognisant of the general advice it offers when preparing all versions of the modified NP.
Summerfield Planning on behalf of	We note that the interests in the land at Frog Lane have commissioned a detailed representation about the land allocations in the Submission Version of the NP. Mainly because of cost, but also time constraints, we are unable to

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provide a similarly detailed report, which would challenge many of the points made in the representation and provide local context and a counterargument to others.

At this stage we are grateful to have the opportunity to make the following points:

- There is nothing said in the report and the representation that we are not aware of nor taken into account when considering the development requirements, the options, and what is in the long-term interest for the neighbourhood area and its communities.
- We engaged experienced consultants to carry out a detailed assessment of the options, and an analysis of our conclusions, to ensure that our draft development strategy and policies were logical, robust and viable.
- We shared the process of site selection and site allocation policy development with the community.
- The views of the community on the prospect of housing development on the land at Frog Lane (site reference Sowt09) was made very clear at the Residential Development Site Consultation which took place in September 2022.
- Valid planning reasons were the basis of a large proportion of the objections to residential development to Sowt09, that were made by local people during the public consultation in 2022.
- Similar planning reasons were the basis of most of the 65 objections and representations made by local stakeholders, members of the community, and the Parish Council on behalf of the community, to the planning application (23/1948/MFUL) submitted on behalf of the landowners for residential development on land at Frog Lane.
- Despite clear evidence of local opposition to development on land at Frog Lane, site Sowt09 was included in the same objective assessment and appraisal as other available parcels of land in the vicinity of Clyst St Mary.
- The Site Assessment did not provide a convincing case for site Sowt09, in terms of benefits to the area and the community, for it to be favoured for residential development over other sites.
- Following the advice of our consultants we selected the preferred development sites for the NP only after discussions with landowners and developers, viability considerations and discussions with EDDC.
- The proposed allocation for residential development in the NP (of land including all of site Sowt03 and part of Sowt11) with criteria, were set out in the Pre-Submission Version of the NP as policy BisC12; and the land was included in a revised settlement area boundary in policy Bisc11.
- The response we received to policy BisC11, the settlement area boundary, and BisC12, the site allocation policy during the Reg.14 consultation, included few objections. Most representations received called for amendments to the essential criteria to ensure the impact of future residential development was most beneficial and least harmful to the area and the community.
- Discussions with EDDC's planning officers, on the approach to residential site allocation at Clyst St Mary, continued post-Reg.14.
- In October 2024 the Strategic Planning Committee at EDDC received an officer's report regarding the site options at Clyst St Mary and heard representations from those with interests in sites Sowt03 and Sowt11 as well as Sowt09. It heard too from a spokesperson for the Parish Council. After discussion, the Strategic Planning Committee agreed the Local Plan "*does not make any allocations at Clyst St Mary*", and instead, to "*give the community the choice about where these homes are accommodated through the Neighbourhood Plan.*"
- This decision is reflected in draft Strategic Policy SD14: Development at Clyst St Mary in the Reg.19 version of the Local Plan. It says:

	<p><i>Development of at least 72 dwellings will be accommodated at Clyst St Mary through allocations to be made through the Neighbourhood Plan. Development at the village will need to come forward on sites that meet broader local plan policy requirements and that are well related, physically close to or abutting, the built form of the village.</i></p> <p><i>Should development at Clyst St Mary have not started and progressed in a timely manner before 2030 there will be a review the need for allocations to be made in future local plan (or similar plan document). After 2030, should housing development have not started, planning permission may be granted for windfall developments, outside of the settlement boundary for the village, to address part or all of the 72 dwelling-shortfall where in compliance with wider local plan policies.</i></p> <ul style="list-style-type: none"> • The Submission Version of the NP allocates land that the Parish Council is confident represents the preferred choice of the community and is consistent with the approach and strategic policies of the Local Plan. <p>We are happy to address any other aspect of our Plan and/or its site allocation policies as required by the Examiner.</p>
Swifts Local Network	<p>It appears that the Swifts Local Network was invited by EDDC to comment on our Plan.</p> <p>We have not heard previously from it or been advised to consult this body. Perhaps its detailed and belated lobbying could be taken into account in the preparation of the new Local Plan.</p>
West Hill Parish Council	<p>We are pleased to see that West Hill Parish Council supports the modified Neighbourhood Plan and to receive its congratulations.</p>