

# **Clyst Honiton Neighbourhood Plan**

## **Summary of the Representations Submitted to the Independent Examination**

### **Use of this Document**

This document sets out a summary of the representations (comments) received on the Submission Version of the Neighbourhood Plan, which were passed to the independent examiner for consideration. Please note that the full wording of all representations is available on the [Clyst Honiton Neighbourhood Plan](https://eastdevon.gov.uk/planning/planning-policy/neighbourhood-and-community-plans) page of the District Council website (found at: <https://eastdevon.gov.uk/planning/planning-policy/neighbourhood-and-community-plans>)

The Examiner's Final Report is also available on this webpage and forms part of the documentation for the referendum. In addition, correspondence that took place during the examination and documentation for every previous stage in the development of the neighbourhood plan can be viewed.

Please note that the Submission Version of the Plan has been updated to the Referendum Version, following consideration of the Examiner's final report by East Devon District Council. The District Council Decision Notice sets out the changes agreed between the versions. The Decision Notice and the Referendum Version of the Plan are also part of the referendum documentation and available on the webpage above. Please note in the Referendum Version, draft Policy NE3 River Clyst Park has been deleted in accordance with the Examiner's findings, and policies renumbered accordingly.

Paper copies can be supplied if necessary.

## **Summary of Representations**

### **1. Chris Rudge (Owner of Old School Business Centre, Clyst Honiton)**

Considered that as the Plan was developed in 2016, initial enthusiasm has faded and that it may need updating to reflect recent changes in the village. Suggests that there is a desire for people to live in established locations such as Clyst Honiton (noting it is now more attractive since the closure of the roundabout exit has made it a quiet cul-de-sac) over new large scale residential developments, but feels that the Local Planning Authority favours the latter which can make it difficult for smaller schemes to get approval. As such, supports proposals for small housing projects in the village as beneficial for revitalising the village and preventing stagnation. However, does not support the use of the old antiques and car sales plot for commercial use due to poor access for HGVs.

### **2. Church Commissioners for England (CCE) (owners of land at Clyst Honiton including the 'Bypass / NDO' site and land proposed for public open space in the plan)**

Objects to Policy NE3 allocating a public amenity space ('River Clyst Park') on their land and linking it to the residential allocation opposite, as proposing noise mitigation for future residents of the residential allocation opposite. Advises that this land is already safeguarded by a Section 106 agreement which includes a Public Right of Way (PRoW) but restricts public access to the specific route only. Considers that the policy's supporting text, which encourages higher levels of access, conflicts with this and with wildlife and livestock management needs. Questions the policy's effectiveness in providing noise mitigation and suggest for all reasons given, it fails the legal test to further sustainable development. Similarly, while supporting new community facilities in the village, objects to Policy C3's reference to facilities at River Clyst Park, citing the same access restrictions and wildlife considerations, and requests this clause be removed.

Supports Policy C2 for a new community building, and for this to be delivered through a Neighbourhood Development Order and welcomes further discussions to facilitate this development at the Bypass Site. However, stresses that its delivery depends on residential development to fund construction and infrastructure and the practical reasons relating to scheme viability and health and safety during construction that would preclude developing and opening the community facility ahead of the housing.

Also supports Policy E3 for business development in Zone A; Policy D1 for high-quality design, and; Policy NE1's requirements for achieving Biodiversity Net Gain, but makes it clear (with reference to proposals in supporting Plan documentation), that CCE have not agreed to use their land for this purpose.

### **3. Devon Countryside Access Forum (DCAF)**

Supports the Plan aims to improve footpath, cycle, and mobility networks but promotes including horse riders to provide genuine multi-user routes. They note that the term "Active Travel" may exclude horse riders and recommend that wherever possible and appropriate, routes should be multi-use (designed for safe use by all users, including horse riders) to provide inclusive and accessible opportunities for everyone. In making these observations, DCAF references Devon County Council's statutory Rights of Way Improvement Plan (RoWIP Version 3 2024), Policy C14, which encourages the inclusion of horse riding as part of multi-use trails and reviews restrictions on existing trails to identify where horse riding can be safely added.

Accordingly, proposes revised wording to the aims, objectives and clauses of Policy AC3 'Active Travel Provision' to reflect this and also specifically reference the opportunities to link with the Clyst Valley Trail in the second part of the policy.

### **4. East Devon District Council**

Welcomes the reduced number of policies (although still a large number) and the removal of the bypass site development allocation. Notes this allocation as proposed at Regulation 14 stage had caused concerns about scale, sustainability, and its relationship with the airport and expresses a willingness to continue to liaise on this proposal should it progress via a Neighbourhood Development Order proposal.

Considers over all that the plan is well-written and presented, with a good degree of supporting evidence. However, highlights that some policies support development in unsustainable locations, such as live-work units and holiday accommodation in areas like Holbrook and Zone B. Stresses that the entire plan area is classified as open countryside in the adopted Local Plan. Asked the Examiner to consider the apparent conflict with the plan's objectives of sustainable development and tackling the climate emergency and the development that the plan could support.

Made numerous policy specific comments to help ensure greater clarity and longevity of the policies and alignment to national/strategic policy and sustainable development principles including:

- **Policy C1 Community Facilities and Services:** Noted potential duplication with the Local Plan and suggested clarifying the difference between 'redevelopment' and 'loss'. Recommended including the allotment site for protection and specifying marketing requirements for public houses.
- **Policy C2 New Community Building:** Consider it important to caveat support for residential enabling development as 'in principle' and for 'the minimum necessary', with clear community support and engagement with the Local Planning Authority (LPA). Suggested rephrasing the policy to read as a policy rather than an aim.
- **Policy C3 Additional New Community Facilities and Services:** Recommended rephrasing to avoid misinterpretation regarding development on the 'River Clyst Park' site. Questioned if the provision to extend leisure/recreation experience is too restrictive. Suggested adding a clause to support shared/multi-use spaces and specifying 'in or adjacent to the village of Clyst Honiton' for locational control. Proposed amalgamating policies C2 and C3.
- **Policy DS1 High Quality Design:** Suggested requiring adherence to the Design Code. Recommended removing the requirement to apply national policy for heritage assets and deleting the clause on flood risk to avoid conflict with national policy. Suggested using 'where necessary' instead of 'where appropriate' for clarity.
- **Policy DS2 Sustainable Design and Construction:** Suggested using 'where necessary' instead of 'where appropriate' for clarity regarding noise mitigation.
- **Policy DS4 Sustainable Drainage:** Suggested clarifying that the policy refers to additional surface water run-off relating to the proposed development.
- **Policy DS5 Flood Risk Management:** Recommended prioritising natural flood management and stronger wording on biodiversity impacts.
- **Policy DS6 Storage Spaces:** Suggested ensuring storage for at least 2 bikes and using 'no obstruction' instead of 'minimum obstruction'.
- **Policy DS7: Charging Points:** Recommended using 'latest Government requirements' instead of 'NPPF (2023)'.
- **Policy DS8: Renewable Energy:** Noted duplication with Policy DS2 and suggested amalgamating them.
- **Policy DS9 Community Led Renewable Energy Production:** Recommended wording amendments for flow and legibility and suggested reconsidering the extensive visual considerations required in the context of the climate emergency.
- **Policy E1: Supporting a Rural Economy:** Considered the policy too open/encouraging to new build business accommodation and holiday let spaces in rural areas, potentially leading to dwellings in the open countryside and increased car travel. Suggests restricting locations to those accessible by sustainable travel means and to limiting new builds to conversions and extensions near Clyst Honiton village and established business parks.

- **Policy E2 Live Work Units:** Significant concerns about risk of supporting new residential development in the open countryside 'by the back door'. Recommends defining live work units by the proportion of workspace to living space. Suggests requiring the residential element to be subordinate to the commercial space and limiting support to conversions only in 'Zone B'.
- **Policy E3 Business Development in 'Zone A':** Suggests renaming 'non-village locations' to 'Edge of Village Locations' and clarifying 'adjacent to the village' to "immediately adjacent to the existing built form of the village". Notes potential issues with implementing criteria 'v' due to changes in the NDO and lack of a site for the future community building. Suggests cross-checking with Policy DS1 to avoid conflicts and including airport safety considerations.
- **SA1 Slate and Tile Site:** Generally, proposals resulting in the loss of employment sites are resisted, but on balance on the evidence presented and community support, does not object. Recommends subject to more precise wording for noise mitigation measures to ensure a good level of amenity for residents. Advises that if affordable housing is intended, the policy should specify requirements as it cannot be required for schemes of this size under the Local Plan. Suggests adding a requirement for housing to meet national space standards to avoid small single-bedroom properties only.
- **Policy H1 Self-Build and Custom-Build:** Again concerned that the policy could lead to residential development in unsustainable locations, allowing new houses next to existing isolated dwellings which would be contrary to adopted Local Plan policy. Expresses concern about the suitability of certain structures listed in supporting text for conversion, suggesting these are more likely to need replacement. Recommends revising the policy to allow development only at Clyst Honiton village. Also suggests amending the policy wording to 'encourage' rather than 'require' for developments of 30 or more houses to align with Local Plan policy (H2).
- **Policy NE2 Green Landscaped Corridor:** Supports the policy but suggests strengthening it to actively enhance the landscape corridor, potentially as a Biodiversity Net Gain (BNG) opportunity.
- **Policy NE3 River Clyst Park:** Supports the policy for securing public open space with a wildflower meadow, progressing through a s.106 legal agreement. Open to discussions with the Parish Council about this site. [**Note:** see subsequent responses published on EDDC website in responses to Examiner's questions which correct comments to align to the restricted access to be secured through the s106 to specific rights of way only]
- **Policy AC1 Parking Provision:** Suggests requiring additional parking spaces for commercial sites to be justified to meet operational requirements that cannot be met through sustainable travel measures.
- **Policy AC2 Public Realm Improvements:** Recommends including support for measures that facilitate walking and cycling infrastructure and connectivity, linking to the Clyst Valley Trail and other local destinations.
- **Policy AC3 Active Travel:** Suggests rewording the opening part of the policy for clarity on development proposals and listed routes. Recommends specifically naming the Clyst Valley Trail and referring to the emerging LCWIP, and including links to the east (Cranbrook, Airport, etc.) in a revised Figure 55. Suggests caveating support for developments by adding "subject to being otherwise acceptable".

Recommends wording to clarify that, "Development proposals **must** provide appropriate and safe access and should link up with existing networks, **wherever practicable.**"

Also, suggested:

- **Local Green Spaces** references to be 'designated' rather than 'allocated'.
- **Map of Businesses:** Add annotations/key and plan area boundary.
- **Economic Policy Evidence:** Advised some evidence is outdated and suggested acknowledge new EDDC economic strategy.
- **Unsubstantiated Comments:** Noted some specific areas where the Plan would need to provide more evidence for several assertions.
- **Formatting:** Suggested use of continuous paragraph numbering and updated NPPF references.
- **Minor Corrections:** Fix grammar and typographical errors.

## 5. Historic England

Comments made as a national statutory consultee for Neighbourhood Planning, with a focus on ensuring there is no undue harm to heritage assets. They note that the draft Neighbourhood Plan includes several site-specific proposals/allocations for development, which could pose a risk to heritage assets. They expect these allocations to be supported by a robust heritage evidence base and justifications, demonstrating conformity with the National Planning Policy Framework (NPPF).

Advises that concerns expressed at the regulation 14 consultation stage about the lack of a strong heritage evidence base and clear justifications for some site allocations have not been addressed. This included more legible maps to show the relationship between heritage assets and proposed developments and revisiting the heritage evidence base to strengthen it. Also note that unlike many neighbourhood plans there is no dedicated chapter to heritage and considers that policies do not adequately mention the protection of heritage.

The policies identified as lacking sufficient evidence or justification include:

- Policy C1: Community Facilities and Services
- Policy C3: New Community Facilities and Services
- Policy E3: Opportunities for New and/or Improved Business Development in Zone A

- Policy SA1: Slate and Tile Site (Residential allocation)

Whilst highlighting these areas as weaknesses, Historic England comments that it will be for the LPA to ultimately decide if heritage assets are adequately protected from harm by the proposed policies.

## **6. McMurdo Land Planning and Development Ltd on Behalf of Stuart Partners Ltd (own and control significant area of land in the Neighbourhood Area, including land proposed for a new community in the emerging new Local Plan)**

Welcomes the acknowledgment in Plan text of the Neighbourhood Area's strategic role/importance for accommodating future growth linked to the emerging new Local Plan, but raises several concerns that this is not translated into policy and call for changes to rectify this. In particular objects to the exclusion of Hill Barton Business Park from policy in the plan which supports employment development, on the basis that this relies on outdated policy in the adopted Local Plan (citing Policy E7) and the Villages Plan and is at odds with the Local Planning Authority's preferred strategy for meeting strategic employment needs and ensuring delivery of sub-regional requirements for housing and employment. Stresses the role of Hill Barton Business Park (in both the short and longer term) in meeting these needs and seeks changes to neighbourhood plan policies to support expansion and development opportunities at this location accordingly.

## **7. National Highways**

Considers that the submitted Plan is unlikely to negatively impact the safe operation of the strategic road network which it manages, including the A30 and M5 Junction 29. Therefore, no specific comments at this time, but notes the right to comment on future site-specific applications as they arise.

## **8. Natural England**

Comments made as a national statutory consultee for Neighbourhood Planning, with a focus on ensuring the conservation, enhancement and management of the natural environment.

Welcomes the Plan and appreciates the effort put into its development, but reiterates previous comments residential site allocation Policy SA1 recommending that it highlights the site's location within the Zone of Influence (Zoi) for the Exe Estuary SPA and East Devon

Pebblebed Heaths SPA and SAC. In doing so, advises referencing the South-East Devon European Site Mitigation Strategy and necessary mitigation measures within the policy wording.

Confirms Natural England has no specific comments to make on the Strategic Environmental Assessment. In relation to the Habitats Regulations Assessment, notes that the Plan area lies within the Zone of Influence for the Exe Estuary SPA and East Devon Pebblebed Heaths SPA and SAC. In view of this, emphasises that the Local Planning Authority ensure that the proposed development can be appropriately mitigated through existing strategic measures, especially if the development level differs from that envisaged by the Local Plan.

## 9. Planning Prospects on behalf of Exeter and Devon Airport Ltd (EDAL)

Supports the reduction in the number of dwellings from 65 to 9 from earlier draft Plan, and the decision to separate the Neighbourhood Plan (NP) and Neighbourhood Development Order (NDO). However remains concerns about the supportive nature of the plan for large scale development and location and volume of xxxxx emphasises the need for the Neighbourhood Plan to align with higher-order planning strategies and to ensure that development proposals do not compromise airport operations or safety.

Raises the following specific objections to plan text and policies:

- **Section 2.3 Spatial Context:** objects to the implication that the entire NP area is suitable for major housing development, noting that only the part south of the A30, with reference to the emerging new Local Plan proposals, might be appropriate, and seeks changes in the text to reflect this.
- **Policy C2 (New Community Building):** Has no objection in principle to a new community building for the village, but expresses serious concerns about the way the policy it is drafted, finding it imprecise and encouraging of unsustainable future growth, particularly regarding the scale of housing development that may be needed to fund the community facility and the very limited facilities/services at Clyst Honiton. Calls for any growth to be proportionate / limited to that required to meet any well-evidenced local need and emphasises that neighbourhood plans should be in general conformity with overarching strategic development plan policy. Raises a number of concerns about the 2016 Housing Needs Assessment in particular in terms of its findings and age, and stresses the need to ensure the policy approach to considerations of 'community support' is reconsidered and tightened up for clarity and to mitigate risk of development that might serve narrow interests very locally but create harm for neighbours, including businesses.
- **Policy E3 (Business Development in Zone A):** objects to the proposed employment development locations due to unacceptable noise levels and relationship with the Airport Public Safety Zone (PSZ).

- **Policy SA1 (Slate and Tile Site):** EDAL argues that the proposed residential development would not guarantee affordable housing and, with reference to the airport noise contours and National Planning Practice Guidance on Noise, would expose residents to significant noise levels, making it unsuitable and likely to generate complaints from future residents that may impact future operations of the airport. In combination, finds the proposed residential use of this site unacceptable.

Also, suggests specific wording changes to the following policies to ensure appropriate and adequate provision and consideration is given to the securing of airport safety and safeguarding, including regarding design, drainage solutions and biodiversity mitigation and landscaping:

- Policy DS1 (High-Quality Design)
- Policy DS2 (Sustainable Design and Construction)
- Policy DS3 (Sustainable Drainage)
- Policy DS5 (Flood Risk Management)
- Policy DS8 (Renewable Energy)
- Policy NE1 (Landscape and Biodiversity)

## 10. Sports England

In their role as a statutory consultee on planning matters, comments in general terms only on the Plan, with no specific comments on plan text or policies.

Emphasises the importance of planning for sport to facilitate social interaction and create healthy, inclusive communities. Highlights the need for neighbourhood plans to comply with national planning policy for sport, protect existing sports facilities, and integrate new housing and employment land with community facilities, and provides a range of sources for guidance and further information to support the development and implementation of planning policies for sport.

## **11. Turley on Behalf of Bloor homes SW and Stuart Partners Ltd**

Confirms Bloor Homes South West and Stuart Partners Ltd have significant land interests within the Clyst Honiton Neighbourhood Plan (CHNP) area, including land earmarked for a new town in the emerging East Devon Local Plan and associated interest in strategic planning matters for this area.

Support the Plan as submitted, welcoming the additions and changes made since the submission of their previous representations at Regulation 14 stage, including the addition of a section setting out the "Spatial Context of Clyst Honiton" section which is considered helpful in setting the overarching context for the parish and giving reference to emerging future strategic planning policies. Also, welcome the differentiation between the northern and southern parts of the Neighbourhood Plan Area (Zone A and Zone B) and wording in the plan setting out the Neighbourhood Steering Group's understanding of a need to update the plan to comply with future strategic policies from the new East Devon Local Plan.

Overall, confirms there are no objections to the CHNP in its current form.

### **Important Note**

This document seeks to set out a factual summary of the key points made in each representation in order to give an overview. However, to view further detail and the original wording of the representations as submitted in full, please go to the [Clyst Honiton Neighbourhood plan page](#) on our website (see under 'Submission Consultation').

Summary produced with assistance of Microsoft Office 'Co-pilot' tool, with manual checking and adjustment.