

Report to: Cabinet



Date of Meeting 03 December 2025

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Response to the Woodbury Parish Neighbourhood Plan Submission

Report summary:

Woodbury Parish Council (as 'Qualifying Body') has formally submitted their proposed Neighbourhood Plan for the parish of Woodbury to the District Council (as Local Planning Authority). The purpose of the report is to formally agree the response by this Council to the submission.

The Neighbourhood Planning (General) Regulations 2012 (Regulation 16) require the District Council to formally consult on the Plan for a minimum of 6 weeks. At this stage, the District Council can also comment on the Neighbourhood Plan.

Officer observations on the proposal are set out at the end of this report and members are asked to endorse these as the formal response of this Council. The comments of this Council together with all other comments received during the consultation will be submitted to an independent Examiner who will inspect the Plan against a series of conditions that must be met for it to proceed.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

(1) That Cabinet note the formal submission of this first neighbourhood plan for the parish of Woodbury and congratulate the producers of the plan on reaching this milestone.

(2) That Cabinet agree that the proposed representation set out at paragraph 1.22 and Annex 1 in this report is made in response to the consultation.

Reason for recommendation:

To ensure that the view of the District Council is formally recorded and informs the consideration of the Neighbourhood Plan by the independent Examiner.

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Portfolio(s) (check which apply):

- Assets and Economy
- Communications and Democracy
- Council, Corporate and External Engagement
- Culture, Leisure, Sport and Tourism
- Environment - Nature and Climate

- Environment - Operational
- Finance
- Place, Infrastructure and Strategic Planning
- Sustainable Homes and Communities

Equalities impact Low Impact

Neighbourhood Planning is designed to be inclusive and extensive consultation is a fundamental requirement. The Neighbourhood Plan has gone through a number of consultations with the community over the period of its preparation and has been advertised in a variety of formats to increase accessibility. All electors are invited to vote on a neighbourhood plan in a local referendum before it can come into force.

Climate change Low Impact

Risk: Low Risk; There is a risk that the Neighbourhood Plan could fail the examination if it is considered to conflict with the Basic Conditions to which all plans must comply.

Links to background information [The Localism Act](#); [Plain English Guide to the Localism Act](#); [National Planning Policy Framework \(2024\)](#); [Neighbourhood Planning Regulations](#); [Neighbourhood Planning Roadmap Guide](#); [East Devon Neighbourhood Planning webpages](#); [Woodbury Parish Neighbourhood Plan webpage](#); [Bishops Clyst Neighbourhood Plan \(Made, 2017\)](#); [Proposed Woodbury Parish Neighbourhood Plan](#); [Consultation Statement](#); [Basic Conditions Statement](#); [Environmental Screening Opinion](#), [Legal Compliance Assessment](#)

Link to [Council Plan](#)

Priorities (check which apply)

- A supported and engaged community
- Carbon neutrality and ecological recovery
- Resilient economy that supports local business
- Financially secure and improving quality of services

Report in full

1.0 Background to the Woodbury Parish Neighbourhood Plan Proposal

- 1.1 Woodbury Parish Council first started work on their Neighbourhood Plan in 2013, following approval of the whole of their parish as a Neighbourhood Area.
- 1.2 The neighbourhood plan has been prepared by a Steering Group of the Parish Council, which received initial support from a professional facilitator. The membership of the Steering Group has changed over time but has been led throughout by parish councillors with involvement of volunteers from the local community. The Parish Council have taken regular reports to their meetings to help ensure local people have been kept informed of progress and sought input and feedback to the plan at various points in its preparation. Latterly, this included consultation linked to the emerging new Local Plan proposals (in 2022) and conducting the formal pre-submission (Regulation 14 stage) consultation in 2024. As demonstrated in the submitted Consultation Statement the Parish Council has used a range of on- and off-line methods to facilitate engagement from different groups in the community.
- 1.3 The Consultation Statement comments on difficulties faced in relation to the momentum, resourcing and scope of the neighbourhood plan work over time. This refers to the changes in Steering Group members as well as the strategic planning context, which has seen

resources diverted at times into engaging with evolving strategic policies and proposals as well as with developers on speculative applications.

- 1.4 The village of Woodbury is assessed as a sustainable location for some growth under both the adopted and emerging Local Plans and there is an on-going level of development pressure here and elsewhere in the parish. Advancement of the emerging new Local Plan has reinvigorated the neighbourhood plan process in recent times to have more say locally on development decisions and associated infrastructure requirements/provision. Once the neighbourhood plan is made, the Parish Council will be eligible to receive an increased neighbourhood CIL proportion of 25% (rather than the standard 15%).
- 1.5 The Woodbury Parish Neighbourhood Plan aims to ensure 'the parish develops in a way that is sustainable economically, socially and environmentally', and that 'all parishioners enjoy living there and can share a strong sense of community'. The Plan includes 15 policies relating to housing, infrastructure, landscape and biodiversity, heritage, business uses and community spaces. In view of the allocations proposed under the emerging Local Plan, it does not propose any sites for development.
- 1.6 Prior to submitting their plan, under Neighbourhood Planning (General) Regulations 2012 (Regulation 14), Woodbury Parish Council held their own formal public consultation on a draft version of the plan. This ran for the required 6 week minimum, from 10 June 2024 to 22 July 2024. The comments made during this consultation, including informal comments by District Council officers, were reviewed by the Steering Group and, where they have considered necessary, changes made and agreed by the Parish Council to create the final version for submission. The submitted Consultation Statement provides more detail.
- 1.7 It should be noted that the plan proposal was initially submitted in March this year, but Officers assessed that the key supporting statements required more work to meet the minimum requirements set out in regulations. With officer advice and guidance, the submission was re-agreed by the Parish Council in September 2025.

Submission of the Woodbury Parish Neighbourhood Plan

- 1.8 The formal submission of the Neighbourhood Plan from Woodbury Parish Council was accepted as legally compliant on 1st October 2025. The submitted Plan and its supporting documents are available to view on the [neighbourhood planning pages](#) of our website.
- 1.9 This is the twenty-ninth town/parish council in East Devon to formally submit a neighbourhood proposal, out of 42 which currently have a designated neighbourhood area. The Parish Council has received support from both the District Council, under our legal duty to support neighbourhood planning, and grant aid from the (now discontinued) Ministry for Housing, Communities and Local Government neighbourhood planning support programme.
- 1.10 The statutory regulations require that the District Council organise and undertake a minimum 6-week consultation on a plan when a compliant Submission is received. The consultation period is running for 6 weeks from 15 October 2025 to 27 November 2025. Due to the November meeting of Cabinet being an extraordinary meeting, draft comments from EDDC have been published in the Committee papers within this consultation period,

but the final formal response to be agreed and supplied to the examiner is subject to Cabinet approval.

- 1.11 The Plan proposal has been publicised via a [press release](#); EDDC e-news bulletins and social media; notice on the District Council website; emails sent to all Members and statutory consultees, including Devon County Council, Natural England, Historic England, the Environment Agency, and adjoining authorities. In liaison with the Parish Council, it has also been advertised in the local area, including on the Parish Council website and on noticeboards. Comments have been invited through our [online consultation portal](#), [Commonplace](#), as well as provision made for responses to be submitted by email and post. Hard copies of the Plan have also been available on request and to view at our offices at Honiton and Exmouth and the Parish Council office at Woodbury.
- 1.12 One of the statutory roles of the District Council is to consider whether the Plan meets the legislative requirements, in production process terms. Cabinet has previously endorsed a protocol for District Council involvement into neighbourhood plans and in accordance with this protocol an officer review has been completed. Officer assessment is that the minimum legislative requirements are met, and a Legal Compliance statement published accordingly.

Neighbourhood Plan Examination and Referendum

- 1.13 The next step following acceptance of a legally compliant submission and consulting on it, is independent examination of the proposal. In preparation for this, the District Council is in the process of appointing an 'appropriately qualified and independent examiner, in consultation with Woodbury Parish Council.
- 1.14 All responses from the Regulation 16 consultation (including any made by this Council) are forwarded to the Examiner who will consider them, by either written representations or at an hearing (if the Examiner decides one is necessary). The District Council is responsible for paying the costs of the examination but can recoup these expenses by claiming funding from Central Government of £20,000 once a date has been set for referendum, should the plan successfully pass examination. It should be noted that in this case the plan is only just considered to meet the minimum requirements as evidence is more limited and dated compared to some other plans and so there is a greater risk than usual that the plan may not pass examination, and the costs may not be recovered.
- 1.15 The Neighbourhood Plan examination is different to a Local Plan examination. The Examiner is only testing whether the plan meets the Basic Conditions and other relevant legal requirements – they are not testing the soundness of the plan or looking at other material considerations. The Examiner will be considering whether the plan:
- has appropriate regard to national policy and advice contained in guidance issued by the Secretary of State;
 - contributes to the achievement of sustainable development;
 - is in general conformity with the strategic policies in the development plan for the local area (*in terms of the Local Plan, this remains the adopted East Devon Local*

Plan 2013-2031, although some consideration may also be given to the relationship with the emerging new Local Plan (2020-2042);

- is compatible with human rights requirements;
- is compatible with any retained EU obligations.

- 1.16 As part of the Development Plan used in future planning decisions, it is in the interests of the District, Town and Parish Councils to produce high quality neighbourhood development plans, and the examination process helps to ensure this is achieved.
- 1.17 Following the examination, the Examiner's Final Report will set out the extent to which the draft plan proposal meets the Basic Conditions and what modifications (if any) are needed to ensure it does so. The Examiner has 3 options for recommendation:
- A. That the Plan meets the Basic Conditions and proceeds to referendum as submitted
 - B. The Plan is modified by the District Council to meet the Basic Conditions and then the modified version proceeds to referendum
 - C. That the Plan does not meet the Basic Conditions and therefore cannot proceed.
- 1.18 If the Examiner chooses A or B above, they must also consider whether the referendum area should be extended beyond the boundaries of the Plan area (this could be applicable if plan proposals could impact on a larger area). The Examiner's report must give reasons for each recommendation and contain a summary of its findings. It is the responsibility of the District Council, in liaison with the Parish Council, to decide what action to take in response to the recommendations of the Examiner.
- 1.19 Subject to successful examination and incorporation of any agreed modifications, the Plan will be subject to a referendum where everyone on the electoral roll (for the defined neighbourhood area) will have a right to vote for or against it. If at least half of votes cast support the Plan, then the District Council must 'make' (adopt) the plan to bring it into legal force.

Response to the Woodbury Parish Neighbourhood Plan Proposal

- 1.20 It is important that the District Council comments on neighbourhood plans because eventually (if adopted) they form part of the statutory Development Plan for East Devon and must generally conform to the strategic policies of the Local Plan. Plans also gather weight as a material consideration in planning decisions as they advance through the stages of plan preparation. This report provides the recommended representation on the Plan for formal submission to the independent examination.
- 1.21 It should be noted that comments we make at this stage are primarily restricted to land use planning policy matters rather than other content on the Plan including supporting text or community actions and are made on the basis of:
- Do the draft neighbourhood plan policies comply with strategic policies in our adopted Local Plan and have appropriate regard to National Planning Policy?
 - Do we have concerns about policy given consideration of the relationship with our emerging new Local Plan (currently at Regulation 19 stage), or wider objectives of the Council?

- Are the policies workable and enforceable - could they be reasonably applied through the Development Management process? and
- Are they otherwise appropriate or desirable?

1.22 East Devon District Council comments on the Regulation 16 Submission Version of the Woodbury Parish Neighbourhood Plan are proposed as:

General Observations:

Overall, our general observations on the plan are similar to informal officer feedback supplied at the previous Regulation 14 stage, noting that there have been relatively limited changes to the Plan between then and submission:

- the Plan is clearly presented and succinct which is welcomed, and we broadly support its objectives.
- policies would generally benefit from greater explanation, justification, and local specificity, including greater use of supporting maps. However, in many cases they are also not going beyond what national/local plan policies require.
- There are also objectives and requirements for development in the plan that are not translated into policy, but in some cases read as policy. If the intent is that they are policy, then they should be set out as such, if justified, otherwise, in combination with the above, this is likely to limit the effectiveness / influence of the plan in some contradiction to the expectation set out in plan paragraph 1.4 and 1.11.

We understand and support the renewed momentum by the Parish Council in getting their first neighbourhood plan to Submission stage in the context of on-going development pressures and likely future growth linked to national policy changes and the emerging Local Plan proposals. Naturally we will work hard to implement the plan and further its objectives however we support the Parish Council intention set out in the plan to considering an early review of the plan in 2029, which is set to be after adoption of the new Local Plan (expected 2027).

An early review and update could explore areas where fresh evidence could be gathered by the community to build on the current policy base of the neighbourhood plan and new Local Plan, for example, to identify important /valued views, spaces suitable for formal Local Green Space designation, identify non-designated heritage assets for protection, consider addition of a design code, refresh the housing needs evidence to support Policy 1 and potentially reconsider the possibility for inclusion of sites for development to meet local needs etc. Links could also potentially be made with the current work being undertaken with our Green Infrastructure team on identifying green spaces/SANGs and facilitating access to them, and our planned review of Conservation Areas.

In terms of longevity of the Plan, we note the Plan period for the neighbourhood plan is proposed to be aligned to the adopted Local Plan (to 2031), giving the plan a particularly short timeframe for a development plan from adoption. However, in this instance it is not considered inappropriate given the intention to undertake an early review and the likely need for a greater degree / more up to date evidence that a plan for the longer timeframe would require. It would however be advisable to refer to the emerging new Local Plan in the introductory section of the plan, including to acknowledge the key strategy/proposals as they relate to this neighbourhood area, particularly the proposed inclusion of Exton in the

settlement hierarchy and the changed status in the hierarchy of Woodbury and the corresponding housing allocations.

Policy-specific Comments:

Specific policy by policy comments, with some commentary on plan objectives, are set out in Annex 1. We welcome the endeavours of the Steering Group to address informal officer comments made at Regulation 14. Where no amendments have been made in response to those observations, we have sought to focus our comments appropriate to this more advanced stage in the plan-making process.

Non-policy comments:

In addition to policy specific comments, we would make the following observations on plan content that we would wish to see addressed in the final document for accuracy and clarity:

- a) Some corrections are required for typing errors including to the listing and numbering of policies in the contents page, and paragraph numbering.
- b) Paragraph 2.7 – to caveat the statement that “Any revision of the Plan will take place as deemed necessary by the Parish Council.”, to make it clear that the decision to and timing of any review is at the discretion of the Parish Council but that once adopted (made), the plan cannot be revised without using the formal modification process.
- c) Given its status in the district settlement hierarchy as a main town in the adopted Local Plan and Principal Centre in the emerging Local Plan, in recognition of its size and the number and range of services and facilities, whilst there is a relationship with Exeter as the nearest city, it is inaccurate to refer to Exmouth as a dormitory town to Exeter”.
- d) Paragraph 6.2 – reference to the designated Area of Great Landscape Value needs to be removed as this was a designation in the previous Local Plan and no longer exists. However, this could be visited through a review of neighbourhood plan for possible designation under emerging Local Plan Policy PL04 Areas of Strategic Visual Importance.
- e) Paragraph 6.12 – the commitment to identify heritage assets could be clarified as relating to ‘non-designated heritage assets’ and extended to say the identified assets would be put forward for local listing.

2.0 Next Steps and Conclusion

- 2.1 In conclusion, Members are asked to approve the comments set out in this report for submission to the examination, which will form the next formal step in the consideration of this neighbourhood plan proposal.

Financial implications:

There are no direct financial implications identified within the report. (AB/31/10/2025)

Legal implications:

The legal implications are fully set out within the report. It is important that EDDC formally agrees a response to the submission of the Woodbury Parish Neighbourhood Plan (given that it will form part of the Development Plan and therefore help guide decision making on planning applications) so that

it may be submitted to an independent Examiner within the prescribed timeframes.
(ALW/002545/DEC)

Annex 1 – Summary Policy Schedule with EDDC Comments – see separate PDF.