



Woodbury Parish Neighbourhood Plan

Submission Version Representation Form

The proposed Woodbury Parish Neighbourhood Plan has been prepared by Woodbury Parish Council. It has been formally submitted to East Devon District Council who are legally required to undertake public consultation. The consultation closes at **9am** on **27th November 2025**.

Please use this form to make representations (comments) on the Plan, or preferably, submit your comments direct through our consultation portal online at: <https://woodburyparishneighbourhoodplanreg16.commonplace.is/>.

Using this form

Please use a separate form for each representation you wish to make and state your name or organisation on each page. Please note we cannot accept anonymous responses. Your name, address and your comments will be made publicly available on our website. Other personal details (signature, personal email address and telephone number) will not be visible, however your representation will be shared in full as submitted with the independent examiner.

If you are not responding through the consultation portal, please return your completed form(s) and any additional information to East Devon District Council:

By email: planningpolicy@eastdevon.gov.uk

By post: Angela King, Planning Policy team, East Devon District Council, Blackdown House, Border Road, Heathpark Industrial Estate, Honiton, EX14 1EJ

Representations received after 9am 27th November 2025 may not be accepted.

Data Protection

Any personal information you provide will be held and used by East Devon District Council for the purpose of producing the neighbourhood plan and may inform other Planning Policy work. Your information may also be shared within East Devon District Council for the purposes of carrying out our lawful functions. The content of your representation including your name will be made available our website, and your representation with all contact details will be supplied to the independent examiner specifically for the sole purpose of the examination of this neighbourhood plan submission. Otherwise your personal information will not be disclosed to anybody outside East Devon District Council without your permission, unless there is a lawful reason to do so, for example disclosure is necessary for crime prevention or detection purposes. Your information will be held securely and will not be retained for any longer than is necessary. There are a number of rights available to you in relation to our use of your personal information, depending on the reason for processing. Further detail about our use of your personal information can be found in the [Neighbourhood Planning Representations Privacy Notice](#) on the data protection pages on our website.

Part A – Personal Details

Please enter your details as appropriate below. Please note your full name and address must be provided as a minimum. Please see page 1 for details on how we use your data.

Your Personal Details

Title:	Mr
First name:	Richard
Last name:	House
Job Title (where relevant):	
Address:	c/o Agent
Postcode:	
Telephone number:	c/o Agent
Email address:	c/o Agent

Your Agent's Details

If you are using an agent, please fill in your title, name and organisation above and the full contact details of the agent below. Where applicable, an agent will be the point of contact for any correspondence.

Title:	Mr
First name:	Matt
Last name:	Frost
Job Title (where relevant):	Planning Director
Address:	LRM Planning Winslade Manor Manor Drive Exeter
Postcode:	EX5 1FY
Telephone number:	[REDACTED]
Email address:	[REDACTED]

Part B - Representation Details

Enter Your Name/Organisation in the box below (Please state this on each sheet):

LRM Planning

Question 1

To which section of the Neighbourhood Plan submission does this representation relate?
Please state in the box below the point of reference for your representation (this means the policy, paragraph number or other reference as appropriate)

Policy 4: Assessment of Cumulative Impact

"P4.1 - Any development of more than ten dwellings within the Parish must have an assessment of the cumulative impact on the environment which takes account of any other development that has been granted or is known to be strategically planned within the Parish or adjacent to the Parish Boundary. Developments that are assessed as having a net negative impact will not normally be supported, unless suitable mitigation or overriding public benefit can be demonstrated."

Question 2

Please use the box below to explain why you are supporting or objecting to this part of the plan. If your comment relates to a specific area of land or site please identify it on a map if possible. (Continue on a separate sheet as/if necessary.)

Objection to Policy 4 (Assessment of Cumulative Impact) of the Woodbury Neighbourhood Plan Regulation 15 Submission (September 2025)

On behalf of Mr Richard House, LRM Planning Ltd objects to the inclusion of Policy 4 (Assessment of Cumulative Impact) within the Woodbury Neighbourhood Plan.

The basic conditions that must be met by a draft neighbourhood plan if it is to proceed to referendum are set out at paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as amended). These are:

- 1) Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the plan.
- 2) The making of the plan contributes to the achievement of sustainable development.
- 3) The making of the plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).

4) The making of the plan does not breach, and is otherwise compatible with, EU obligations.

5) Prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the plan).

Objections to Policy 4 are made on the following grounds:

Failure to comply with national planning policies and advice:

Section 3 of the Neighbourhood Plan Basic Conditions Statement (September 2025) states that Policy 4 of the draft neighbourhood plan aligns with the National Planning Policy Framework (NPPF) as Section 2 (Achieving Sustainable Development) of the NPPF “*requires cumulative environmental impacts of development to be assessed and mitigated*”.

This assessment is considered overly simplistic. With regard to plan-making, Section 2 of the NPPF does not state that policies must require developments of more than 10 dwellings (or above any threshold) to demonstrate a neutral cumulative environmental impact or to achieve net gains. Paragraph 8 of the NPPF states that sustainable development should be achieved by pursuing economic, social and environmental objectives in mutually supportive ways so opportunities to secure net-gains across each of the objectives may be taken. However, paragraph 9 of the NPPF clarifies that these economic, social and environmental objectives are not criteria against which every decision can or should be judged. It also states that plan-making should take local circumstances into account to reflect the character, needs and opportunities of an area.

In this context, the wording of Policy 4 is considered overly prescriptive and contrary to the presumption in favour of sustainable development, which is at the heart of the NPPF (paragraph 10). The wording of Policy 4 is contrary to the presumption in favour at paragraph 11 a) of the NPPF, which requires a more balanced approach to plan-making to meet the economic and social needs of an area, as well as environmental objectives. Policy 4 is also contrary to the application of the ‘*tilted balance*’ to be applied by the presumption in favour in decision-making. Paragraph 11 d ii) of the NPPF adopts a permissive approach to approving development where any adverse impacts are significantly and demonstrably outweighed by the benefits when taking into account all material planning considerations (not just environmental concerns).

Failure to comply with the Development Plan:

Section 5 of the Neighbourhood Plan Basic Conditions Statement (September 2025) states that Policy 4 of the draft neighbourhood plan is compliant with the strategic policies within the Development Plan (i.e. the adopted East Devon Local Plan 2016). It refers to Policy EN5 (Wildlife Habitats and Features) and Strategy 46 (Landscape Conservation and Enhancement of AONBs) in this regard.

Neither Policy EN5 nor Strategy 46 within the adopted local plan requires a development proposal of more than 10 dwellings (or above any threshold) to undertake a cumulative impact assessment with other committed or planned development within a parish to demonstrate a net neutral environmental impact. Consequently, it is considered that Policy 4 is not compliant with the Development Plan in this regard.

Policy EN5 requires the protection of wildlife habitats and the inclusion of suitable mitigation, which would need to be satisfactorily addressed by any future development

proposals and does not need an additional layer of policy to secure such environmental objectives (the need for any future development to achieve statutory 10% Biodiversity Net Gain would also achieve significant environmental improvements in this regard).

Strategy 46 allows development that does not undermine landscape quality and is appropriate to the economic, social and well-being of an area. Compliance with Strategy 46, therefore, already requires development proposals to undertake a wider landscape assessment within the context of existing built form (which could also reasonably include committed and planned developments). In accordance with Strategy 46, any landscape impact should be considered against a judgement of whether such development is appropriate in securing the economic, social and environmental objectives of the area. Policy 4 of the draft neighbourhood plan does not require any such judgement in considering the appropriateness of any landscape impact of new development relative to the economic, social and well-being of the Parish. Rather, it adopts a negative approach whereby new development with a net negative landscape impact “*will not normally be supported*”. This approach is contrary to Strategy 46 of the adopted Local Plan.

Incompatibility with EU obligations:

Policy 4 of the draft neighbourhood plan does not comply with EU Directive 2011/92/EU relating to the Environmental Impact Assessment (EIA) process.

Category 10(b) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 requires that residential developments of more than 150 No. dwellings, or with a site area of more than 5 hectares, are subject to a formal screening process by the local planning authority to determine whether a proposal is EIA development. If a proposal is considered to be EIA development, any planning application should be accompanied by an environmental statement which would consider matters of cumulative impact.

The threshold of 10 No. dwellings proposed by draft Policy 4 is in conflict with the current EIA process and, therefore, fails the basic tests in this regard.

Lack of clarity and supporting evidence:

With regard to neighbourhood plan preparation, the Planning Practice Guidance states:

What evidence is needed to support a neighbourhood plan or Order?

While there are prescribed documents that must be submitted with a neighbourhood plan or Order there is no ‘tick box’ list of evidence required for neighbourhood planning. Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft neighbourhood plan or the proposals in an Order.

Paragraph: 040 Reference ID: 41-040-20160211

How should the policies in a neighbourhood plan be drafted?

A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique

characteristics and planning context of the specific neighbourhood area for which it has been prepared.

(Paragraph: 041 Reference ID: 41-041-20140306)

Policy 4 does not comply with the Planning Practice Guidance. It is extremely vague and imprecise and provides no guidance either within the policy wording or supporting text (of which there is none) explaining how any cumulative impact of new development should be assessed and what environmental factors should be considered.

There appears to be no evidence underpinning the need or rationale for any such policy, which is particularly relevant given its inconsistency with national planning policy and guidance, strategic policies within the Development Plan and EIA Regulations as outlined above.

Having regard to the above, there is a clear lack of transparency behind the formulation of Policy 4 with no explanation as to its purpose or how it should be applied by all stakeholders in the development management process.

It is noted that East Devon District Council has raised the following concerns regarding Policy 4 in its response to the Neighbourhood Plan Group following earlier consultation on the draft Neighbourhood Plan. These concerns are set out at pages 74 and 75 of the Neighbourhood Plan Consultation Statement – September 2025:

Unfortunately, we do not consider we can require this for anything other than developments captured by the EIA regulations where an assessment of cumulative impacts is required. It is therefore unlikely to be enforceable and would also need evidence and guidance as to how it was to be applied/measured. However, the emerging new Local Plan will make allocations and set a development (settlement) boundary for villages considered to be able to accommodate some additional growth (currently proposed to be Woodbury and Exton in your parish). This is underpinned by detailed assessment work and residential development beyond this would be rural exception schemes (pre-dominantly affordable housing to meet local needs) or if we are in a position where we cannot demonstrate our full required housing land supply, where a general presumption in favour of development that is sustainable will apply, and considerations of the planning balance and suitable mitigation will apply in the consideration of all proposals.

We agree with the concerns expressed by the District Council. It is noted that no amendments have been made to Policy 4 to address these concerns.

Having regard to the above it is respectfully contended that Policy 4 as worded should not be incorporated within any neighbourhood plan progressing to referendum.

Enter Your Name/Organisation in the box below (Please state this on each sheet):

LRM Planning

Question 3

Please use the box below to say what changes you would suggest should be made to the plan?

It will be helpful if you are able to put forward your suggested revised wording of any policy or text or suggested alternative policy boundary as appropriate. Please be as precise as possible. (Continue on a separate sheet as/if necessary.)

It is considered that Policy 4 should be deleted.

Enter Your Name/Organisation in the box below (Please state this on each sheet):

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Question 4

If your representation is seeking a change to the Plan, do you consider it necessary to speak at the examination?

Please note if you select 'No' your representation(s) will still be fully considered by the independent Planning Inspector by way of written representations.

Please select as appropriate:

- No, I do not wish to speak at the examination
- Yes, I wish to speak at the examination

If you have answered yes above and wish to speak at the examination, please outline in the box below why you consider this to be necessary:

Please note this will not be regarded as a binding decision but will help us in our planning of the examination. The Inspector will ultimately determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in the examination. If the Examiner does not consider it necessary to hold a public examination, consideration will be given by way of written representations.

Future Correspondence

Please indicate by deleting yes or no as appropriate, whether you wish to be notified of:

1. The publication of the recommendations of any person appointed to carry out an independent examination of the Woodbury Neighbourhood Plan? **Yes** / **No**
2. The adoption of the Woodbury Neighbourhood Plan? **Yes** / **No**

Enter Your Name/Organisation in the box below (Please state this on each sheet):

LRM Planning

Signature

Please sign and date your form in the box below.

Please note a signature is required by the Planning Inspectorate. If filling in the form electronically it can be an 'electronic signature' by typing in your name in the box. If you provide a handwritten signature we will ensure that it is not published on-line but it will be visible on the paper copies available at our offices and sent to the Inspector.

Signature:	Matt Frost
Date:	26.11.2025