

# Bishops Clyst Neighbourhood Plan (Reviewed 2022/24)

## Review Modification Statement

### Submission Version- Statement Of Changes

- 1.0 Introduction
- 1.1 The Bishops Clyst Neighbourhood Plan was adopted in March 2017. Bishops Clyst Parish Council has since decided to undertake a review of the Neighbourhood Plan to ensure that it remains effective in meeting the objectives and ambitions of the community and to ensure that it will remain in conformity with strategic requirements of the East Devon Local Plan.
- 1.2 Regulation 11(a) of the Planning and Compulsory Purchase Act 2004 (as amended) states that if a neighbourhood development plan is in force in relation to a neighbourhood area, a qualifying body may make a proposal for the existing plan to be replaced by a new one. As a 'qualifying body', Bishops Clyst Parish Council proposes to modify the made Bishops Clyst Neighbourhood Plan (2014-2031) ('the made Plan').
- 1.3 Schedule A2 of the 2004 Act (as set out in Schedule 1 of the Neighbourhood Planning Act 2017) states that a Qualifying Body is entitled to submit a proposal to the local planning authority for the modification of the neighbourhood development plan. The proposal must be accompanied by a draft of the neighbourhood development plan as proposed to be modified (the 'draft plan') and a statement which contains a summary of the proposals and sets out the reasons why the Plan should be modified as proposed.
- 1.4 We are also required to publish a Modification Statement in association with consultation on the modified Plan under Regulation 14 of the Neighbourhood Planning (General) Regulations 2012 (as amended). This Modification Proposal Statement is prepared in accordance with the requirements set out in Schedule A2 of the 2004 Act and Regulation 14 (v)(f4) which requires "*in relation to a modification proposal, a statement setting out whether or not the qualifying body consider that the modifications contained in the modification proposal are so significant or substantial as to change the nature of the neighbourhood development plan which the modification proposal would modify, giving reasons for why the qualifying body is of this opinion.*"
- 1.5 This Statement meets this legislative requirement by setting out the proposed modifications to the Bishops Clyst Neighbourhood Plan, why Bishops Clyst Parish Council considers these modifications are necessary, and whether these modifications would change the nature of the neighbourhood development plan.
- 1.6 In determining whether the modifications would change the nature of the neighbourhood development plan, we have referred to the additional guidance set out in Planning Practice Guidance (PPG) which sets out the three types of modification which can be made to a neighbourhood plan:  
*"Minor (non-material) modifications to a neighbourhood plan or order are those which would not materially affect the policies in the plan or permission granted by the order. These may include correcting errors, such as a reference to a supporting document, and would not require examination or a referendum.*

*Material modifications which do not change the nature of the plan or order would require examination but not a referendum. This might, for example, entail the addition of a design code that builds on a pre-existing design policy, or the addition of a site or sites which, subject to the decision of the independent examiner, are not so significant or substantial as to change the nature of the plan.*

*Material modifications which do change the nature of the plan or order would require examination and a referendum. This might, for example, involve allocating significant new sites for development.” (PPG, Paragraph: 106 Reference ID: 41-106-20190509)*

Bishops Clyst Parish Council has considered the proposed modifications in the revised draft Neighbourhood Plan and whether they represent Material or Non-Material changes to the Made Neighbourhood Plan. Whilst many of the proposed modifications are thought to be non-material, some do represent material modifications. The Parish Council takes the view that changes involving the allocation of land for new development are Material requiring a referendum.

- 1.7 Bishops Clyst Parish Council as the Qualifying Body is fully supportive of the changes to the Made Neighbourhood Plan as described in Section 2 of this Statement.
- 1.8 **Bishops Clyst Parish Council considers that, taken as a whole, the modifications proposed are not minor. Moreover they are of a nature which do change the nature of the Plan and will require both examination and a referendum.**
- 2.0 [Proposed Modifications To Bishops Clyst Neighbourhood Development Plan](#)
- 2.1 The Bishops Clyst Neighbourhood Plan was ‘made’ by East Devon District Council on 8<sup>th</sup> March 2017 following a referendum in which 90% of respondents voted in favour of wanting “*East Devon District Council to use the Neighbourhood Plan for Bishops Clyst to help it decide planning applications in the neighbourhood area*”.
- 2.2 Bishops Clyst Parish Council is now proposing to make a series of modifications to the ‘made’ plan for several reasons, including:
  - to ensure that the Neighbourhood Plan remains in conformity with the updated NPPF (Dec. 2024) which was published after the Bishops Clyst Neighbourhood Plan 2014-31 was ‘made’. All references to NPPF paragraphs have been updated, where relevant;
  - to ensure that the Neighbourhood Plan takes account of the emerging strategies of the new Local Plan, which has been subject to consultation under Regulation 18 the Town and Country Planning (Local Planning) (England) Regulations 2012;
  - to provide additional capacity and certainty regarding the location of residential development in the neighbourhood area during the plan period;
  - to add more detail and specificity to policies, as suggested by the LPA following a review of the efficacy of the Bishops Clyst Neighbourhood Plan 2014-31;
  - to ensure that the Neighbourhood Plan for Bishops Clyst continues to reflect the community’s opinions and aspirations post-Covid and reflects a heightened local awareness of the impact of climate change on the area.
- 2.3 The tables that follow summarise the modifications that are proposed to the Bishops Clyst Neighbourhood Plan, sets out the reasons why these modifications are required and the nature of the proposed modifications including whether they are considered non-material or material, and whether they would change the nature of the Plan.

Table A – Introductory Sections

Section of 'Made' Plan	Modification	Reason for Change	Nature of Change
Cover	New Wording and Image	To help distinguish the new draft NP from the made version	Minor (non-material)
Title	New Name: <i>"Clyst St Mary and Sowton (Bishops Clyst) Neighbourhood Plan"</i>	In response to community opinion, and advice from the LPA to help better identify the NP with the villages of the areas	Minor (non-material)
Plan Period	Extended to 2040	Extended to align with the plan period of the new Local Plan	Minor (non-material)
Foreword	Re-worded	To be relevant to the new context and Plan	Minor (non-material)
Section 2	Re-written	To explain the reasoning, context and parameters for the review and modification process	Minor (non-material)
Section 4	Revisions to the text, in particular paragraphs 4.8 – 4.12	To up-date the strategic context relating to the East Devon Local Plan, current and emerging	Minor (non-material)
Section 4	Revisions to the text, in particular paragraph 4.14 East Devon Village Plan	To explain the strategic context of the East Devon Villages Plan adopted in 2018 after the NP was made	Minor (non-material)
Section 4	Revisions to the text, in particular paragraphs 4.16 – 4.17	To explain the reason and rationale for a modified NP	Minor (non-material)
Section 4	Revisions to the text, in particular paragraph 4.18	To introduce the Design Codes prepared in line with the NPPF to complement the new NP	Material, but does not change nature of Plan
Section 5	New paragraphs 5.10 to 5.12	To explain the requirement for and purpose of an SEA	Minor (non-material)
Objectives	Changes and additions (see table D) to reflect the community's current agenda	Revised following community consultation and feedback on the focus of the Neighbourhood Plan	Minor (non-material)
Policy Chapter Introductions	Minor amendments	To update information and context since Plan was drafted in 2015/16	Minor (non-material)
Glossary	Updated	To reflect changes in the rest of the document.	Minor (non-material)

Table B – Existing Policies

Policy in Made NP	New Policy Number/Number	Purpose of Change	Nature of Change
BiC01 <i>Protecting and Enhancing Geodiversity, Biodiversity and Wildlife</i>	Now Policy BisC01 <i>Protecting and Enhancing Geodiversity, Biodiversity and Wildlife</i>	Up-dated to recognise legislative changes regarding biodiversity net gain	Minor (non-material)
BiC02 <i>Protecting Trees and Woodlands</i>	Now Policy BisC02 <i>Protecting Trees and Woodlands</i>	To align with similar policies in other nearby (East Devon) NPs and address suggestions from EDDC	Material, but does not change nature of Plan
BiC03 <i>Improving Flood Defences</i>	Now part of Policy BisC03 <i>Minimising Flood Risk</i>	Merged policy with BiC04	Minor (non-material)
BiC04 <i>Minimising Flood Risk</i>	Now part of Policy BisC03 <i>Minimising Flood Risk</i>	Merged policy with BiC03	Minor (non-material)
BiC05 <i>Maintaining Local Character</i>	Now Policy BisC07 <i>Maintaining Local Character</i>	Extends policy to emphasise design aspects and include reference to the newly-produced Bishops Clyst Design Code	Material, but does not change nature of Plan

BiC06 <i>Meeting Demand for Smaller Dwellings</i>	Now part of Policy BisC12 <i>Residential Development</i>	Requirement to meet identified local demands and needs is included in land allocation policy with criteria	<b>Material changing the nature of the Plan</b>
BiC07 <i>Providing Space for New Dwellings</i>	Now part of Policy BisC09 <i>Sustainable Development</i>	Replaced by policy that broadens scope of the policy which addresses sustainability	Material, but does not change nature of Plan
BiC08 <i>Safeguarding Community Facilities</i>	Now part of Policy BisC13 <i>Community Facilities</i>	Extends policy to include proposals for new community facilities and incorporates up-dated approach to BiC10	Material, but does not change nature of Plan
BiC09 <i>Increasing Connectivity</i>	Now part of Policy BisC09 <i>Sustainable Development</i>	Replaced by policy that broadens scope of the policy which addresses sustainability and merges it with BiC07	Minor (non-material)
BiC10 <i>Provision of Local Health Services</i>	Now part of Policy BisC13 <i>Community Facilities</i>	Broadens policy to include proposals for new community facilities and merges it with BiC08	Material, but does not change nature of Plan
BiC11 <i>Existing Business Space</i>	Now Policy BisC15 <i>Existing Business Space</i>	Sets a period of 12 months to the policy	Minor (non-material)
BiC12 <i>Farm Diversification</i>	Now part of Policy BisC04 <i>Development Outside the Clyst St Mary Settlement Boundary</i>	Farm diversification included in a broader new policy that reinforces protection of the countryside and supports the BUAB	Material, but does not change nature of Plan
BiC13 <i>Business Development</i>	Now covered by two policies, Policy BisC16 <i>Business Areas</i> Policy BisC17 <i>Business Development</i>	Changes the scope of the business area policy and adds sustainability criteria Provides criteria relevant to small-scale business development outside the major business areas	Material, but does not change nature of Plan
BiC14 <i>Off-Road Parking Spaces for Existing Premises</i>	Now part of Policy BisC19 <i>Parking Provision</i>	Merged with BiC15 and adds clause about electric vehicle charging points in public car parks	Minor (non-material)
BiC15 <i>Off-Road Parking for New Development</i>	Now part of Policy BisC19 <i>Parking Provision</i>	Merged with BiC14 and adds, residential parking standards including cycles, and a clause about electric vehicle charging points in public car parks	Minor (non-material)
BiC16 <i>Improving Footpaths and Links</i>	Now part of Policy BisC18 <i>Footpaths and Cycleways</i>	Merged with BiC17 and BiC18	Minor
BiC17 <i>Improving Cycle Routes and Facilities</i>	Now part of Policy BisC18 <i>Footpaths and Cycleways</i>	Merged with BiC16 and BiC18	(non-material)
BiC18 <i>Pedestrian Links to and from New Housing Development</i>	Now part of Policy BisC18 <i>Footpaths and Cycleways</i>	Merged with BiC16 and BiC17	Minor (non-material)
BiC19 <i>Local Green Space</i>	Now Policy BisC08 <i>Local Green Space</i>	After review, removes LGS designation from two site listed in BiC19, which are cited and made subject to a policy specifically for sports and recreation sites	Material, but does not change nature of Plan
BiC20 <i>Protecting Existing Sport Facilities</i>	Now part of Policy BisC21 <i>Sports and Recreation Facilities</i>	Merged with BiC21 and names sports and recreation sites covered by policy	Minor (non-material)
BiC21 <i>Increasing Sports and Recreation Opportunities</i>	Now part of Policy BisC21 <i>Sports and Recreation Facilities</i>	Merged with BiC20 and names sports and recreation sites covered by policy	Material, but does not change nature of Plan

Table C New Policies

<b>Additional Policies:</b>	<b>Title</b>	<b>Purpose</b>	<b>Nature of Change</b>
Policy BisC05	<i>Green Wedge</i>	Recognise the concept of the green wedge and the Local Plan designated area	Minor (non-material)
Policy BisC06	<i>Heritage Assets</i>	Ensures value of heritage assets is recognised and safeguarded appropriately	Material, but does not change nature of Plan
Policy BisC10	<i>Infrastructure</i>	Emphasises the importance of adequate local infrastructure provision	Material, but does not change nature of Plan
Policy BisC11	<i>Clyst St Mary Settlement Boundary</i>	Recognises and updates the development boundary for Clyst St Mary in the Villages Plan, by using established criteria. Uses the new term (previously built-up area boundary)	Material, but does not change nature of Plan
Policy BisC12	<i>Land East of Clyst St Mary</i>	Allocates land for residential development, sufficient to meet the expected requirements of the new Local Plan	<b>Material changing the nature of the Plan</b>
Policy BisC14	<i>Primary School Provision</i>	Facilitates improvements and additions to primary school provision to cope with future demands	Material, but does not change nature of Plan
Policy BisC20	<i>Vehicular Access to Sowton Village</i>	Supports improved vehicular access to Sowton village	Material, but does not change nature of Plan

Table D Planning Objectives

Neighbourhood Plan Objectives ( <b>Made Version</b> )	<b>Revised</b> Neighbourhood Planning Objectives
<b><i>Natural Environment</i></b>	
<p>Aim: To protect and maintain our unique natural environment and diverse habitats, to adequately prepare to prevent flooding and to maintain and enhance the rural nature of the Parish</p> <p>Planning Objectives:</p> <ul style="list-style-type: none"> <li>• <i>Protect existing habitat areas and protect and enhance biodiversity</i></li> <li>• <i>Protect agricultural land</i></li> <li>• <i>Protect old trees</i></li> <li>• <i>Improve river management to reduce impact of flooding in the Clyst Valley</i></li> <li>• <i>Improve standards of flood protection for built-up area</i></li> <li>• <i>Improve surface water drainage to prevent flooding on village street, Clyst St Mary</i></li> <li>• <i>Improve drainage to prevent flooding at the bottom of Winslade Park Avenue</i></li> <li>• <i>Plant more trees</i></li> <li>• <i>Resist development in the countryside</i></li> </ul>	<p>Aim: To protect and maintain our unique natural environment and diverse habitats, prevent flooding' increase resilience to climate change, and maintain the rural nature of the Parish</p> <p>Objectives:</p> <ul style="list-style-type: none"> <li>• <i>Protect existing habitat areas</i></li> <li>• <i>Take every opportunity to enhance biodiversity</i></li> <li>• <i>Protect agricultural land</i></li> <li>• <i>Restrict development in the countryside</i></li> <li>• <i>Protect trees and woodlands</i></li> <li>• <i>Plant more trees</i></li> <li>• <i>Improve standards of flood protection for property in vulnerable locations in the Parish</i></li> <li>• <i>Improve surface water drainage to prevent flooding throughout the Parish</i></li> </ul>
<b><i>Built Environment</i></b>	
<p>Aim: To protect our heritage and the historic character of our villages, to determine the limits of development and to reinforce the links between the settlement areas in the Parish</p> <p>Planning Objectives:</p> <ul style="list-style-type: none"> <li>• <i>Protect historic buildings and character of villages</i></li> <li>• <i>Prevent inappropriate development</i></li> </ul>	<p>Aim: To protect our heritage and the historic character of our villages, determine the acceptable limits of development, and set appropriate development standards</p> <p>Objectives:</p> <ul style="list-style-type: none"> <li>• <i>Protect historic buildings, character and identity of the villages and other settlement areas</i></li> <li>• <i>Ensure development is appropriate to its locality and setting</i></li> </ul>

<ul style="list-style-type: none"> <li>• Influence planning and design of new developments</li> <li>• Identify areas suitable for development and limit development to designated development land</li> <li>• Ensure development is sustainable and in accordance with current housing strategy</li> <li>• Reinforce sense of local character and rural locality across the Parish</li> </ul>	<ul style="list-style-type: none"> <li>• Influence the layout and design of new developments</li> <li>• Reinforce sense of local character and rurality of the area</li> <li>• Identify sites acceptable for development</li> <li>• Require developers to set out sustainability measures of development</li> <li>• Ensure adequate infrastructure is in place before development takes place</li> </ul>
<b>Housing</b>	
<p>Aim: Controlled slow growth in number of dwellings, to prioritise housing that is affordable to local people and to ensure new housing development is sustainable and in keeping with its surroundings</p> <p>Planning Objectives:</p> <ul style="list-style-type: none"> <li>• Ensure there is a supply of affordable housing to meet local needs</li> <li>• Provide design guidance and sustainability standards for developers</li> <li>• Ensure adequate off-street parking provision for new development by setting minimum standards</li> <li>• Ensure garden space is provided commensurate with the type and size of new dwelling</li> </ul>	<p>Aim: To ensure new housing development is sustainable, beneficial to the housing needs of the area, and in keeping with its surroundings</p> <p>Objectives:</p> <ul style="list-style-type: none"> <li>• Require new housing development to help maintain a locally relevant mix of housing types and tenures</li> <li>• Set site-specific access and layout criteria for housing development sites</li> <li>• Support sustainability standards for housing development</li> <li>• Provide design guidance for developers</li> <li>• Require adequate off-street parking and service provision for new development</li> <li>• Require private outdoor space to be provided commensurate with the type and size of new dwellings</li> <li>• Require adequate amenity and public open space for residential areas</li> <li>• Promote self-build initiatives that meet local need</li> </ul>
<b>Community Facilities and Services</b>	
<p>Aim: To protect and enhance local facilities and services to ensure they continue to meet local needs, to ensure new facilities and services can be accommodated and to improve access and accessibility to local facilities and services</p> <p>Planning Objectives:</p> <ul style="list-style-type: none"> <li>• Support existing facilities and establishments</li> <li>• Ensure primary school is able to meet local demand</li> <li>• Enable health services to be delivered locally</li> <li>• Support provision of a local social club</li> <li>• Improve public parking facilities in Cyst St Mary</li> <li>• Enable high speed broadband availability across the whole Parish</li> </ul>	<p>Aim: To protect and enhance local facilities to ensure they continue to meet local needs, and improve access and accessibility to local facilities and services</p> <p>Objectives:</p> <ul style="list-style-type: none"> <li>• Support improvements to existing facilities and establishments to remain fit for purpose</li> <li>• Ensure primary school provision can continue to meet local demand</li> <li>• Require public parking facilities to be provided in appropriate developments</li> <li>• Require all new residential, educational, and business premises development to make provision for high-speed broadband</li> </ul>
<b>Business and Jobs</b>	
<p>Aim: To support existing businesses including farming, to protect existing business and commercial sites and premises and to restrict new business development to suitable locations and sites</p> <p>Planning Objectives:</p> <ul style="list-style-type: none"> <li>• Support diversification of farm buildings where necessary for survival of existing farm business</li> <li>• Improve communication network and local connectivity to highest standard possible</li> <li>• Resist conversion of commercial sites and premises to residential use unless it brings substantial community benefits</li> <li>• Direct new business to existing business parks or brownfield sites</li> <li>• Resist development on agricultural land</li> </ul>	<p>Aim: To protect existing business and commercial premises and sites, support homeworking, and restrict new business development to suitable locations and sites</p> <p>Objectives:</p> <ul style="list-style-type: none"> <li>• Direct new business to existing business areas</li> <li>• Resist commercial development on agricultural land</li> </ul>

<b>Transport and Travel</b>	
<p>Aim: To improve public and community transport links and services, to improve parking in the Parish for local people, to improve traffic flows in the Parish and to improve road safety</p> <p>Planning Objectives:</p> <ul style="list-style-type: none"> <li>• <i>Provide more off-street parking</i></li> <li>• <i>Support measures that help reduce 'rat-running' and have local residents' support</i></li> <li>• <i>Provide pavements in built-up area where none exist at present</i></li> <li>• <i>Provide a safety barrier at White Lodge</i></li> <li>• <i>Widen the pavement between Cat &amp; Fiddle and the village to mobility standard</i></li> </ul>	<p>Aim: Facilitate sustainable transport modes, improve parking in the Parish for local people, improve road safety for all users</p> <p>Objectives:</p> <ul style="list-style-type: none"> <li>• <i>Support the provision of additional more off-street parking</i></li> <li>• <i>Support the provision of EV charging points in appropriate locations</i></li> <li>• <i>Support provision of more and better pavements</i></li> <li>• <i>Improve and maintain existing footpaths</i></li> <li>• <i>Facilitate a new footpath link to Cat &amp; Fiddle that avoids A3052</i></li> <li>• <i>Support the extension of the network of footpaths and safe cycleways and to improve public access to the countryside</i></li> <li>• <i>Support the creation of traffic-free linkages between the Parish and nearby settlements</i></li> <li>• <i>Support improved safe cycle links between residential areas and local business and community locations</i></li> <li>• <i>Support the provision of an alternative vehicular access Sowton</i></li> </ul>
<b>Cycleways and Footpaths</b>	
<p>Aim: To increase network of footpaths and safe cycleways and to improve public access to the countryside</p> <p>Planning Objectives:</p> <ul style="list-style-type: none"> <li>• <i>Create traffic-free linkages between the Parish and nearby settlements</i></li> <li>• <i>Provide a cycle/footpath linking Clyst St Mary to Clyst St George, Topsham and the Exe Estuary Trail</i></li> <li>• <i>Link local cycleways to national area and national network</i></li> <li>• <i>Create new footpaths</i></li> <li>• <i>Improve signage and accessibility</i></li> </ul>	
<b>Sports and Recreation</b>	
<p>Aim: To maintain and improve existing recreation facilities, to provide additional community spaces for recreation, to increase sporting options for all and to encourage healthy lifestyles</p> <p>Planning Objectives:</p> <ul style="list-style-type: none"> <li>• <i>Protect and enhance existing community spaces and current facilities</i></li> <li>• <i>Retain existing recreational grounds at Friends Life</i></li> <li>• <i>Ensure local facilities can meet changing demands</i></li> <li>• <i>Provide adequate community spaces within any new housing development</i></li> <li>• <i>Assist disabled people to access sport locally</i></li> <li>• <i>Provide for a wide range of outdoor and indoor sports</i></li> </ul>	<p>Aim: To maintain and improve existing recreation facilities, provide sufficient community spaces for recreation, increase sporting options for all</p> <p>Objectives:</p> <ul style="list-style-type: none"> <li>• <i>Protect existing community spaces and current facilities and support enhancements that meet local needs</i></li> <li>• <i>Encourage provision of a wide range of outdoor and indoor sports</i></li> <li>• <i>Ensure there is adequate play space close to residential areas</i></li> </ul>