

## ***Appendix I: Consultation Statement***

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### **1. Introduction**

The Lympstone Neighbourhood Plan ('The Plan') is being produced by Lympstone Parish Council under the Government's Localism Act. This Act has a set of regulations which Lympstone Parish Council must follow. Regulation 14 requires that Lympstone Parish Council carries out a minimum period of six weeks formal public consultation on the draft Plan before finalising it and submitting it to East Devon District Council. Once submitted to EDDC, The Plan begins the process of being adopted as a planning policy document.

The Regulation 14 consultation on the Lympstone Neighbourhood Plan was carried out between 27<sup>th</sup> June and 31<sup>st</sup> July 2013. This report sets out:

- ❖ An explanation of what consultation was undertaken in formulating the draft plan
- ❖ An explanation of what consultation was undertaken under Regulation 14
- ❖ The outcome of the consultation
  - An overview of the consultation responses received
  - A detailed list of the responses received along with replies and any explanation of how The Plan was changed in response to these comments.

#### **"The Lack of Consultation"**

During the formal consultation process and indeed in the lead up to the formal process comments have been made from a number of quarters about "the lack of consultation". Whilst discharging our responsibilities under Regulation 14 it is also the objective of this report to demonstrate the lengths the Steering Group and Lympstone Parish Council have gone to in order to involve the Lympstone Community as a whole in the production of the draft plan and then The Plan.

Section 2 details the forms of communication used – perhaps of most importance is The Lympstone Herald – described below – with its widespread distribution across the Parish.

Attachment 1 details the articles in the Lympstone Herald since the public announcement of the Neighbourhood Plan project in February 2012 – it is noteworthy that of the 17 monthly editions from February 2012 to July 2013 in only 5 was there no article on the progress of the Neighbourhood Plan. This is in addition to Parish Council minutes, Village Meetings and other communications listed below.

### **2. Instruments of communication**

In this document reference is made to the communication process to the community, where listed the following have the respective meanings:-

**Parish Council** – Meets on the first and third Mondays of each month (except August) – meetings are open to the public and include a "Public Session" where any member of the community may raise a topic(s) for the Chairman, or a designated councillor, to respond to. Queries about the Neighbourhood Plan have figured prominently at these sessions. All meeting agendas and minutes are posted on the **Parish Council Notice Boards**. At all Parish Council meetings an agenda item of "Neighbourhood Plan" has been posted – the Steering Group Chairman has reported progress/events to the meeting and answered questions.

**Parish Council Notice Boards** – There are 5 Parish Council Notice Boards situated under the railway bridge in The Strand, bottom of School Hill, Longmeadow Road, Exe View/Wotton Lane junction, Longbrook Lane/Courtlands Lane junction. All Council Agendas, Minutes, and special meetings are posted.

**Lympstone Herald** – The Lympstone Herald is a free parish information booklet that is distributed free of charge to every home in the parish and is available in the Lympstone Post Office at nominal charge. Each copy carries a synopsis of the Parish Council Meetings for that period and articles of parish importance along with activities and adverts on events within the parish.

**Lympstone Web Site** – www.lympstone.org – the Parish Council sponsors the parish web site along with a small amount of advertising. There is free access for any parish society or club to publicise their events and all Parish Council Agendas/Minutes and important events are promoted.

**Lamp Posts** – Whilst fly-posting is illegal there has been a long tradition of Lympstone residents, clubs and societies posting their events on the village lamp posts. The Parish Council has decreed a protocol on items displayed and their duration. It is workable, acceptable, effective and supported by the community.

### **3. Consultation undertaken in formulating the draft**

#### **February 2012**

The Inspectors decision on Strategic Land Partnership's proposal to develop land at Courtlands Cross, Lympstone. Well-co-ordinated local opposition lead by Parish Councillor Rob Longhurst meant that this opportunistic development was rejected by the Inspector after a five day hearing at Exmouth Town Hall.

Realising the crucial role the Parish Plan played in the Inspectors decision, the Parish Council decided to become one of the first Parishes in East Devon (and the country) to produce a Neighbourhood Plan under the Government's new Communities Act (2012).

The Parish Council set up a Working Party to ensure the involvement of the wider community in producing the plan. Membership of the Working Party was:

Councillor Rob Longhurst (Chair and 'Champion' for Housing and Development)

Councillor Tony Garrett ('Champion' for Infrastructure) – since resigned due to family commitments  
Don Mildenhall ('Champion' for Community)

Helen Dimond ('Champion' for Environment)

Councillor Pete Acca ('Champion' for Economy)

Councillor Richard Eastley (Representing Lympstone Landowners Association)

EDDC Councillor Ben Ingham

Hwyl Parry-Jones (Local resident)

Jenny Clark - (Local resident) – now a Parish Councillor

Linda Lyon – Resident

Malcolm Lyon – Resident

The Parish Council also appointed Mark Robertson, Diamond Facilitation, to facilitate a village wide meeting and a series of Focus Groups to get community input into the Plan.

#### **Communication**

Reported in Parish Council Minutes, Lympstone Herald and Lympstone.org

#### **April 2012**

Launch meeting held in the Village Hall attended by over 70 people. There was a lively question and answer session following which there was consensus that the Parish should develop a Neighbourhood Plan. Residents were then encouraged to contribute their initial ideas on a series of display boards linked around some of the key themes. At the meeting the Working Party asked for volunteers to help with the further development of the Plan through a series of Focus Groups.

#### **Communication**

Advertised in Parish Council Minutes, Lympstone Herald, Lympstone.org, Parish Notice Boards, Lamp Posts and Exmouth Journal.

### June – September 2012

Four Focus Groups were run around the themes of Environment, Infrastructure, Housing and Community (membership below). A comprehensive report from each Focus Group was discussed by the Working Party. Much of the content of the Plan was informed by the discussion of the Focus Groups.

A survey of local businesses was carried out to get their views.

### List of Focus Group Members\*

Rebecca Abrahams	Ben Ingham	Mona Moudry
Peter Acca	Diana Letcher	Steve Parks
Ross Albon	Deborah Lovell	Becks Pearson
Andrea Bower	Brian Mather	Kathy Rogers
Alan Burton (written comments only)	Jackie Michelmore	Pat Squire
Judith Carter	Jenny Moon	Bryan Stewart
Tom Clow	Nick Moore	Ian Stratford
Tony Day	Jim Morris	Sophie Thompson
Helen Dimond	Lucy Morris	Michael Weathrall King
Liz Griffiths	Ki Moudry	Clive Wilson

\* Each group was facilitated by Mark Robertson and attended by the respective 'Champion'.

### November 2012

In creating the East Devon Local Plan the District Council launched a "Village Boundary Line Exercise" which allowed parishes with a BuAB to consider the BuAB and put forward their list of development sites in order to meet the specified targets. This exercise carried out under EDDC regulations is documented fully in Appendix A of the Neighbourhood Plan. As a requirement of this process the Working Party organised an Exhibition in the Village Hall to consult with the community. This covered:

- Any revision of the building boundary line
- Priority sites for new housing development
- Suggestions for infrastructure development from new development
- The roles in this of EDDC and the Parish Council

This also provided an opportunity to explain the progress made towards the Neighbourhood Plan and get further views about what should be included.

122 people attended the Exhibition over two days, and 94 completed feedback forms (a requirement of the Village Boundary Line Exercise).

The Working Party reviewed all the information received for the draft Neighbourhood Plan.

This exercise was performed within EDDC guidelines and was the process to produce the preferred location for the required 40 new houses/homes in Lympstone in line with the EDDC Local Plan requirements.

The required return was agreed by Lympstone Parish Council and returned to EDDC on 3<sup>rd</sup> December 2012 for the preferred list of development sites within the parish.

### Communication

Advertised in Parish Council Minutes, Lympstone Herald, Lympstone.org, Parish Notice Boards, Lamp Posts and Exmouth Journal.

### **January – May 2013**

Armed with all the information from the Village Meetings, Focus Groups, and Feedback Forms, the Working Party wrote the Consultation Draft of the Neighbourhood Plan. This involved close collaboration with EDDC Planning Officers to ensure the Plan met the emerging EDDC Local Plan, and the statutory requirements as laid down in the 2012 Act.

The Draft Plan was approved by the Parish Council for Publication on 22<sup>nd</sup> May 2013.

## **4. Consultation undertaken under Regulation 14**

### **June- July 2013**

The Draft Plan was published and the six week consultation period commenced on 17<sup>th</sup> June. In total 250 hard copies of The Plan were printed and distributed.

A total of 104 “Organisations” were contacted and asked for their views/comments on The Plan. The list is contained in Attachment 2 – for privacy only the contact name for the group is given – full details are held. They were advised of the Village Exhibition and welcomed to attend.

An Exhibition was organised at the Village Hall on 6-7<sup>th</sup> July in order to inform and consult with local residents and businesses about the Neighbourhood Plan. Copies of The Plan were available along with members of the Working Group to answer any questions. The Exhibition was open from 5pm to 8.30 pm on the Friday and from 9.00 to 11.00 am on the Saturday. 72 people attended.

The Lympstone website contained full details of The Plan along with all attachments and also all past documentation.

### **Communication**

The exhibition was extensively advertised in the Lympstone Herald and Exmouth Journal along with Lympstone.org, Parish Notice Boards, Lamp Posts and Parish Council Minutes. Immediately following the meeting (around the 15<sup>th</sup> July) a flyer was widely distributed in the Parish to encourage responses to The Plan.

## **5. The consultation responses**

### **August 2013**

Following the end of the Consultation Exercise on 31<sup>st</sup> July the Steering Group employed Mr Mark Roberson to undertake an independent review of all the responses. This was a detailing of all the responses and then a consolidation of the main features into a report for the Steering Group. This was considered by the Steering Group at meetings on 12<sup>th</sup> and 22<sup>nd</sup> August 2013.

- A Summary Report was made to Lympstone Parish Council on Monday 2<sup>nd</sup> September – this is to found on the Lympstone.org website.
- A summary of all independent and group respondees, and where appropriate, the action taken in amending The Plan, is also to be found on the web site. All responses have been scanned but these amount to over 150 individual documents and it was not felt productive to either upload these or spend time amalgamating them.
- A hard copy of all individual responses (on forms, written and e-mail) is held by The Clerk to Lympstone Parish Council and can be viewed by prior arrangement.

In total 127 responses were received – 110 from individuals and 17 from agents, groups and representative bodies.

In addition to these there were responses from:  
EDDC – an informal response from EDDC Officers  
DCC – a consolidated response from DCC Officers

Contemporaneous with the Consultation Process a Mr Tim Horwood BA MRTPI was appointed by Planning Aid to review the Lympstone Neighbourhood Plan. His report is attached as Attachment 3 and is also available on the web site.

On the 2<sup>nd</sup> of September 2013 a small group of cllr R Longhurst, Don Mildenhall and Mark Robertson met with EDDC and DCC to clarify a number of issues and update on progress.

The Working Party made all Consultation Responses public on 3<sup>rd</sup> September 2013 by publication on the parish web site.

The Working Party reported back to the Parish Council on the Consultation Exercise on 2<sup>nd</sup> September and a special council meeting was convened for 9<sup>th</sup> September to consider questions on the responses and to agree the new version of the Lympstone Neighbourhood Plan page by page.

A public exhibition of the Final Lympstone Neighbourhood Plan was agreed for 20<sup>th</sup>/21<sup>st</sup> September in the Village Hall.

These details were all published in the September Lympstone Herald (there being no issue in August).

## **6. Post Consultation**

### **Parish Council Meeting 9<sup>th</sup> September**

A special meeting of the Lympstone Parish Council was called for Monday 9<sup>th</sup> September. The purpose of the meeting was:-

- a) To review all responses to the Consultation Exercise
- b) To review The Plan
- c) To adopt the Lympstone Neighbourhood Plan

A full minute of the meeting was recorded by the Clerk, was posted on the Parish Notice Boards, signed off at the following meeting on 16<sup>th</sup> September and recorded on the web site.

The Lympstone Neighbourhood Plan was adopted by Lympstone Parish Council by a vote with 6 votes in favour and 3 against the resolution – *“that the draft Neighbourhood Plan as now presented and subject to the inclusion of the points agreed above and rectifying any typing or grammatical errors, be approved and adopted for submission to EDDC to continue the adoption process”*

#### **For**

Cllr Acca (Steering Group)  
Cllr Beaty  
Cllr Carter (Vice Chair)  
Cllr Clark (Steering Group)  
Cllr Longhurst (Champion  
Planning and Chair of SG)  
Cllr Scott

#### **Against**

Cllr Bailey  
Cllr Eastley (Chair and SG)  
Cllr Rogers

#### **Absent**

Cllr Atkins

Following the meeting the 3 councillors who voted against the adoption were invited by e-mail and reminded at the Council Meeting of 19<sup>th</sup> September to submit their reasons for voting against the adoption.

#### **Council Meeting 16<sup>th</sup> September**

At the Parish Council Meeting of 16<sup>th</sup> September Cllr Longhurst reported on progress to the Parish Council and the fact that he had written to the three councillors inviting their comments on why they had voted against adoption of the Neighbourhood Plan. He was particularly concerned that the Chairman of the Council Cllr Eastley was one of those voting against as he felt that if the Neighbourhood Plan was to carry full weight then it should have the active support of the whole council and in particular the Chairman.

Cllr Bailey sent the following response:-

*"You requested my reasons for voting against the adoption of the Lympstone Neighbourhood Plan, these are as follows:-*

- 1. The Plan is dividing the Parish, putting people against people. The Parish Council election will take place next year and it is restricting what it and future Councils will be able to do. There is little flexibility and will make the Parish Council less democratic.*
- 2. Residents from the Goodmores area attended the meeting on the 9th September and were told they were too late to make representation although the vote had not taken place.*

*Cllr Jim Bailey"*

The responses from councillors Rogers and Eastley are still awaited as at 1<sup>st</sup> October.

#### **Additional Work**

Following the Consultation Exercise two members of the Steering Group carried out a mapping exercise to diagrammatically demonstrate how The Plan changed from the pre-consultation draft to the Final Plan.

This produced in full in Attachment 4.

#### **Public Exhibition 20<sup>th</sup> & 21<sup>st</sup> September**

A public exhibition of the Lympstone Neighbourhood Plan was held in the Function Room of the Village Hall on 20<sup>th</sup> September from 4 to 8pm and on the 21<sup>st</sup> September from 9 to 11am. 66 people attended the exhibition.

The Consultation Draft and the Final Plan were displayed in A2 format – the Final above the Draft. This enabled visitors to see the changes made as a result of the consultation. A register of visitors was compiled.

## **7. Consultation - Conclusion**

Since the closure of The Consultation only one further statement was received from our Community, this being from the Parochial Church Council. They were advised that this could not be included in the formal responses since it had been received after the deadline. The main thrust of their comments was to do with parking (or lack of) at the church for major services such as weddings and funerals. The PCC were further advised that their comments were noted by the Parish Council and would be factored into consideration when the Design Brief for the Lympstone Nursery Site was produced.

The Working Party believe that in producing this Neighbourhood Plan we have consulted widely and thoroughly and in this statement describe the process and evolution of The Plan. Every opportunity

has been given to individuals and groups within our Community to expose their views, desires and intentions to the Community for comment, debate and eventual inclusion within the Neighbourhood Plan.

The Working Party would like to express their gratitude to the Community Development Foundation for their financial support in this project.

*CLLr Rob Longhurst*

Planning Champion – Lympstone Parish Council  
Chairman – Neighbourhood Plan Working Party  
1<sup>st</sup> October 2013

## Attachment 1

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### Coverage of the Neighbourhood Plan in The Lympstone Herald

Date	Article
<b>January 2012</b>	//
<b>February</b>	One Page (front) – article launches the Lympstone Neighbourhood Plan
<b>March</b>	One Page (front) – article puts The Plan in context with the Courtlands Appeal
<b>April</b>	//
<b>May</b>	//
<b>June</b>	Page and a half article - "Can you help to shape the Lympstone Neighbourhood Plan? Full details and request for input from the community. Also "What's On"
<b>July</b>	Third page article - EDDC changes and the role of the Development Management Committee
<b>August</b>	No Herald published
<b>September</b>	Half Page article – developments on the NP. Also "What's On"
<b>October</b>	Half Page article – developments on the NP plus notification of Village Hall meeting to discuss Village Boundary exercise on 23 <sup>rd</sup> November. Also "What's On"
<b>November</b>	Half Page (front page article) re 23 <sup>rd</sup> and 24 <sup>th</sup> meeting in Village Hall Full Page – Outline of the Village Boundary Line Exercise/Neighbourhood Plan and details of the 23 <sup>rd</sup> /24 <sup>th</sup> Meeting – "If you want to have a say on the future of Lympstone now is your chance to get involved". Also "What's On"
<b>December</b>	Half Page article – reporting on the outcome of the Village Boundary Line Exercise Meeting and results of the exercise.
<b>January 2013</b>	Half Page – update
<b>February</b>	Six Pages – two lengthy reports – one from The Clerk and one from Cllr Longhurst (Planning) on developments all related to the need for and development of the Neighbourhood Plan
<b>March</b>	//
<b>April</b>	//
<b>May</b>	//
<b>June</b>	One Page (front) plus ¾ inside – update plus advance notice of Consultation exercise and how to comment. Also notification of two day Exhibition and a special council meeting on 8 <sup>th</sup> July on The Plan. Also "What's On"
<b>July</b>	Half Page (front) – Village Hall exhibition and request for responses. Also "What's On".
<b>August</b>	No Herald published
<b>September</b>	

## Attachment 2

List of groups/organisations/individuals who were specifically contacted for the consultation exercise

Group	Who
Age Concern	Graham Martin
Allotments	Diana de la Rue
Art Group	Judith Carter
Avocet Line Community Rail Forum	Don Mildenhall
Avocet RUG	Tony Day
Baby and Toddler Group	Debbie Foxon
Badger Homes	
Bell-ringers	John Newton
Blue Cedar Homes	
Boxing	Neil Parsons
Brixington	CLIs Mr & Mrs Chapman
Broadband	
Brownies	Mrs Rosie Jones
CPRE	George Truell
CPRE	
Cricket Club	John Goss-Custard
CTCRM - Camp	
Devon County Council	Mr Dave Black
Devon County Council	Mr B Grubb,
EDDC Planning Department	Claire Rodway
EDDC Ward Councillors	Obligatory
English Heritage	Mr R Simmonds,
Environment Agency	Mr Shaun Pritchard
Excaliber Homes	
Exeter City Council	Mr R Short,
Exmouth & Lympstone Hospiscare	
Exmouth Town Council	Miss L Elson
Exmouth Town Council	Colin Poole, Town Clerk
Fire Service	
Fishery and Harbour Assoc	Neil Downes
Football Club	George Webster
Friends of Underhill Surgery	
Furry Dance	Graham Wills
Garden Club	Viv Day

Gas	
GL Hearn	
Globe Inn	Heavitree
Gulliford Farm	Mr Steve Parkes
Harefield Estate	Mike Townsend
Health Centre	Dr.Tom Debenham
Highways	
Historic Houses Group	Helen Dimond
Homes and Communities	
Horse riding fraternity – Wotton Farm stables?; others?	Jenny Moxon
Household Waste	EDDC
Kings Garden Centre	Richard King
Landowner	Mr J T Avery
Landowner	Mr J Lupton
Landowner	Dicesan Property Services
Landowner	Andy Dyer
Language School	Ray & Claudia Forbes
Lifeboats (RNLI)	Alan Burton
Londis	
Lympstone Entertainments	Harland Walshaw
Lympstone Film Society	Don Mildenhall
Lympstone Herald	Chris Carter
Lympstone History Society	Angela Coles
Lympstone Landowners Society	Obligatory
Lympstone Nurseries	Julie Russell
Lympstone Players	Mrs Shirley Wilkes
Lympstone SW Comms Band	Robert Steel (Sec.)
Marine Management Organisation	Marine Area Manager,
Methodist Church & Hall	Gillian Hipkiss
Mono Consultants	
National Trust	
National Trust	
Natural England	
Network Rail	Mr Colin Field,
NG Property	
Owners of holiday homes and letting accommodation ?	
Parish Church	Rev. James Hutchings 263681
Parochial Church Council	Secretary: Jill Wilson 264753

Police	PCSO Sarah Trayhurn
Post Office	Peter and Debbie Chisman
Pre-school	Vicki Drinkwater
Primary School	Headmaster
Primary School	Chair Board of Governors - Victoria Laney-Hubbard
Redwing Inn	Robert Pallace
Residents other side of A376	
Ring & Ride	Jim Bailey
Royal British Legion	George Truell
RSPB	Mabel Harris
Saddlers Arms	
Sailing Club	Charles McClellan-Wiggins
Sea Scouts	Mike Goom
Shop Supporters c\lub	Chris Carter
St Peters School	(Headmaster)
Stagecoach	Thomas Spencer
Strategic Land Partnerships	Gerry Kaey
SW Water	Mr M Dunn,
Swan Inn	Bob and Sue Mc Cann, Matt and Amy Craven
Teignbridge DC	
Tennis Club	Jill Dixon
The Ramblers Assn - E Devon	Ted Swan
Third Age Project	Diana Winford-Young
Twinning Association	Terri Scott
USPG (now new name)	Mrs Vanessa Simpson
Village Hall Management Committee	Don Mildenhall
Wednesday Lunch Club	Mary Blair
Western Power	
WI	Ann Frampton (but ill) Diana de la Rue is acting contact
Woodbury Parish Council	Chairman
Woodbury Parish Council	Belinda (Clerk)
Youth Club	Eddie Mingo

## Attachment 3

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LYMPSTONE NEIGHBOURHOOD PLAN  
REVIEW BY PLANNING AID  
AUTHOR TIM HORWOOD BA MRTPI

Planning Aid have been asked to review the draft Lympstone Neighbourhood Plan. This report looks at all aspects of the plan but focuses particularly on whether the plan in its current form is likely to meet the “basic conditions” if submitted for independent examination. The report also takes the opportunity to make suggestions as where changes might be considered to improve clarity and content.

### 1. Background and context

The NP area covers the parish of Lympstone in which the main settlement is Lympstone village lying close to the town of Exmouth in East Devon District. The Parish includes part of a proposed expansion to the urban area of Exmouth. It also includes accommodation of military personnel at the Commando Training Centre Royal Marines – CTCRM.

The plan was published for public consultation on June 17<sup>th</sup> with a consultation period finishing on July 31<sup>st</sup>. A number of supporting documents, including the Consultation Statement, are in the course of preparation. It had been anticipated that a final version of the plan would be submitted later this year. This timetable may need adjustment however as the District Council consider a Strategic Environmental Assessment will be needed.

The plan has been initiated by the Parish Council with detailed preparation undertaken by a Working Group led by the Council’s “planning Champion”.

#### The East Devon Local Plan

The East Devon local plan is under preparation and the expected timetable is expected to be  
Submission July 2013

Examination November 2013

Adoption Spring /Summer 2014

The respective timetables of the NP and Local Plan are therefore overlapping and although the NP has been prepared in the context of the new local plan it nonetheless currently anticipates approval prior to the adoption of the new local plan. This raises a number of issues in respect of the test of conformity. As things stand conformity of the NP will need to be with the existing East Devon local plan and the National Planning Policy Framework whilst also reflecting the emerging local plan.

Comments on policy conformity set out below take into account the need to consider the existing local plan. This situation in itself is not necessarily a reason to consider a delay in the NP but there are a number of other matters to consider that may affect this decision

- The requirement by the District Council for SEA in respect of housing allocations (discussed further below)
- The usual risks of going immediately ahead of a higher order plan that could supersede some policies/proposals of the neighbourhood plan or diminish their relevance.

In practice the SEA requirement seems likely in the circumstances to have the greatest bearing on the existing timetable. The good news for the Neighbourhood Plan is that it is understood that the District Council have appointed consultants to assist the SEA process. Nonetheless this process will push the timetable back – the consultation required and the need to incorporate the findings into the submitted plan. Further issues do arise from the potential overlap of policies in the NP and the new Local Plan. The latter proposes a set of detailed “local” development management policies with the intention that NPs could add a further more detailed “neighbourhood “ perspective where this is warranted and justified.

This is a perfectly rational and helpful approach if the local plan is adopted prior to the NP. Where this is not the case the situation becomes less straightforward and particularly so when policies proposed in the NP overlap quite significantly with the emerging local plan. The NP could draft its policies in the context of the emerging local plan to find that those policies are subsequently changed. In theory it could take on board much more of the content of the proposed local plan and national policy (para 185) states that local planning authorities should avoid duplicating planning processes for non-strategic policies where a NP is in preparation. This could mean that the development management policies (or at least some of them) in the local plan would need to specifically exclude Lympstone and indeed any other area where a NP was sufficiently well advanced. Those NPs would then have to cover those policy areas themselves. Given that the Lympstone Plan has been prepared against the emerging local plan this would be a difficult situation to untangle at this stage and the additional policy coverage that would probably be required would lengthen the NP preparation in any event. More likely in practice is for the NP to make clear the particular “local” policy aspects that it has assumed will be covered in the local plan.

Certainly the timetabling situation now needs careful consideration to ensure that the objectives of the NP are most effectively achieved.

### **The strategic local plan policies**

A referred to above the emerging local plan helpfully distinguishes between strategic policies and more local development management policies.

The overall spatial strategy sets out provision of around 15000 homes of which about 10% will be in smaller towns, villages and rural areas where development is geared towards meeting local needs.

The plan’s vision for smaller towns, villages and the countryside is for modest development that supports and complements rural areas whilst helping sustain their intrinsic qualities and appeal. Strategy 27 assigns housing numbers to these smaller settlements and Lympstone is expected to accommodate 40 dwellings in the plan period although it is recognised that through NPs development may be increased with local support to reflect the size of settlements, local needs, local aspirations for growth and potential development site characteristics.

Strategy 34 deals with district wide affordable housing targets and outside the main towns listed a 50% target for affordable housing will apply to all development where there is a net gain of 1 dwelling.

Strategy 35 provides for further exceptions for affordable housing where there is a proven local need; for the purposes of assessing such needs Lympstone is combined with its neighbouring parish of Woodbury.

Other strategic policies in the plan which provide the context for the NP are strategy 3 (sustainable development) 4 (balanced communities) 5 (environment) 5b (sustainable transport) 6 (development within built up boundaries) 7 (development in the countryside) 8 (development in green wedges).

The latter policy is of particular relevance to Lympstone falling within one of the defined “green wedges” to the north and north east of Exmouth. In these areas development will not be permitted if it would add to existing sporadic or isolated development or damage the individual identity of a settlement or could lead to or encourage settlement coalescence.

Further strategic policies are strategy 38 (sustainable design and construction) 39 (renewable and low carbon energy projects) 40 (decentralised energy networks) 41 (allowable solutions) 42 (green infrastructure provision and strategy) 43 (open space standards) 44 (undeveloped coast and coastal preservation area) 45 (coastal erosion) 46 (landscape conservation) 47 (nature conservation and geology) 48 (local distinctiveness and built environment) 49 (the built heritage and building conservation).

Of these Lympstone falls within the designated Coastal Preservation Area which is defined on the basis of visual openness and views to and fro the sea. Development will not allowed if it would damage the undeveloped /open status of the area.

Of particular importance to Lympstone is the proximity to the Exe Estuary SAC and the Pebbled Heaths SPA. The Council has taken the view that there is a risk that residential development (and occupant/pet) in this part of the district could impact on East Devon Heaths SPA or the Exe Estuary SPA boundary. A particular concern raised by Natural England is that new housing development may have an adverse effect on the SPAs;

for example an increase in recreational activity and dog walking may disturb the ground nesting birds on the Heaths or roosting or feeding birds on the Exe Estuary.

### **The current local plan**

The current local plan was adopted in 2006. Outside the Exeter Principal Urban Area it provides for around 6700 dwellings which is focussed on defined Area and Local centres. In the villages and rural communities the plan allows for limited housing development where villages offer a sustainable range of community facilities and public transport and development would be environmentally acceptable.

To this end the Plan defined Built up area boundaries for villages, including Lympstone, which are considered to offer a sufficient range of services and facilities sufficient to accommodate a limited scale of future development.

The principles of the policies in the current plan are largely carried forward in the new local plan. Key policies of particular relevance to Lympstone – “green wedges” and “coastal preservation areas” are common to both existing and new plans although the latter in the existing plan is covered by a designation of the areas in relation to a former Devon Structure Policy. Sustainability principles are ingrained in both. Other than changes to the quantum of development and the definition of Built up area definition it is reasonable to conclude that policies conforming to the new local plan would also conform with the existing plan.

As for the quantum of development it is within the remit of the NP to plan for additional development where locally justified and supported – it can clearly do this with the support of the emerging local plan proposals. It can be concluded that for the purposes of general conformity of the NP that changes from the current to the newly emerging plan are unlikely to make material differences. Nonetheless the NP will need to demonstrate in its “Basic Conditions” statement that general conformity is achieved with the existing Local Plan if its proceeds ahead of the new local plan.

## **2. Public Consultation and community engagement**

Prior to the publication of the NP a number of meetings and consultation activities have been undertaken and a full consultation report is under preparation. This currently contains a list of stakeholders and consultees with, it is assumed, assigned members of the Steering Group to take particular responsibility for contact.

The requirement for SEA (see below) will require additional consultation to be undertaken.

It would be extremely helpful if the consultation report can pull together the various strands (summarised below) to clarify key stages in the development of the plan and why particular courses of action were taken. There appears to be a strong record of consultation/discussion to draw from.

Looking at the information on the website it would appear that the process was initiated by a village meeting held on 18<sup>th</sup> April 2012.

Discussion was centred on 5 topics and a detailed note of the points raised has been summarised.

A number of focus groups were organised around three themes

Community

Infrastructure

The environment

The main points arising from different meetings of these groups is recorded along with a Focus Groups summary report.

Following this the outcome of a further village meeting is recorded on the 23/24<sup>th</sup> November 2012 to consider the Neighbourhood Plan and the Lympstone Built up Area Boundary Line.

The final stage is the current consultation on the draft plan which included an exhibition and discussion event on July 5<sup>th</sup> and 6<sup>th</sup>.

### 3. SEA and the housing allocations

It is understood that in the view of the District Council the housing allocations in the NP trigger the need for Strategic Environmental Assessment because of the close proximity to the Pebbled Heaths and Exe Estuary sites – described above.

Ideally this would have been incorporated at an earlier stage. However given that it has been identified as a requirement undertaking a SEA will be necessary for the plan to meet the basic conditions test – in other respects also the SEA process can help improve the quality of the Plan. This may be particular so in demonstrating the plan’s sustainability credentials and help demonstrate more clearly why particular sites have been brought forward. In particular it may give opportunity to show what options have been considered in the plan to more robustly justify the allocations made.

### 4. Policy wording and conformity

Detailed comments on the policies are attached as appendix a.

In general terms the policy follow objectives that are considered to be consistent with national and local policy. The policy wording however needs some attention to give clarity and make them more effective. In a number of cases they are phrased more as a statement of intent rather than a clear indication of a how a decision maker should react to a development proposal (*the test in national policy for local plan content*) The allocations referred seem to require a specific policy/proposal to clearly establish them as part of the plan. This would usually take the form of a fairly simple statement along the lines of  
THE FOLLOWING SITES WILL BE PROVIDE ABOUT A FURTHER 40 DWELLINGS IN THE VILLAGE OVER THE PERIOD OF THE PLAN

*List of sites .....*

THESE HOUSING SITES ARE IDENTIFIED ON THE PROPOSALS MAP/OR INSET PLAN

The justification for the site selection would incorporate the conclusions and any changes resulting from the SEA. It would also be helpful to clarify in the plan itself the exercises that were undertaken to identify the preferred sites. The references to the methodologies are a little difficult to follow and there seem to have been two separate assessments, one following the NPs own criteria the other incorporating that used by the District Council.

As a general observation on the layout of the planning policies these are all within the housing chapter of the plan with one exception relating to car parking. Other chapters in the plan contain supporting Community Action Policies (CAPs). Whilst the plan clearly identifies the different policies through different coloured boxes it may be worth considering two parts of the Plan – the first dealing with the planning policies ie those in the existing housing chapter plus car parking (could be called “development policies” for example) and then a second part with the supporting CAP policies sub divided into the existing chapters.

### 5. Overall style and content

The plan has an attractive style and presentation and the various policy statements are clearly identified. A schedule of detailed comments on the content of the plan (apart from the policies) is attached as appendix B.

### 6. Meeting the Basic Conditions

#### Must have regard to national policy

As currently worded the policies may be too vague and imprecise to conform with national policy but this can be overcome with revised drafting – importantly the aims of the policies appear to be in line with the NPPF.

#### Contribute to the achievement of sustainable development

The achievement of sustainable development certainly seems a strong ambition of the Plan but it would benefit from a clearer narrative as to how this has been followed through in its development. A Sustainability Appraisal is referred in section 11 but it is not clear where this supporting document can be found.

The satisfactory completion of the SEA is also of course necessary.

### **General conformity with the strategic policies in the development plan for the local area**

The aims of the policies are in general conformity with the emerging local plan and given the similar policy principles with the existing East Devon Local Plan should this be appropriate.

### **Compatible with human rights requirements**

The policy content does not suggest any issues.

### **Compatible with EU obligations**

This can be achieved with the completion of the SEA process

## **Appendix A**

### **Detailed comments on policies**

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#### **HP 1 and HP2**

These policies seek to provide for development within the defined built up area of the village allowing for certain exceptions elsewhere.

There are a number of matters that require consideration. Is the policy needed? The new local plan proposes a fairly comprehensive suite of development management policies and the question is whether these policies add anything further for Lympstone. At the moment it is not clear as to what additional local guidance is intended. In fact the policy may have the unintended consequence of slightly confusing the policy approach in those areas outside the built up area but not within the green wedge or coastal preservation area where specified exceptions are referred to. Presumably at least the same exceptions would be expected elsewhere as the greatest restraint is likely in the designated areas.

It may be that much of this policy is better left as a summary of the objectives of policy which are/are expected to feature in the local plan and that the policy content is left to what may be particular to the community eg guidance on the types of community facility or development related to a recreation route or more detail on what would be justified on sustainability grounds in the local context.

#### **Policy HP3**

This policy is designed to encourage a range of housing provision giving particular priority to affordable housing and other particular housing needs of the local community.

In principle the policy objective is in line with national and local policy. In particular policy H2 of the new local plan seeks to ensure a range and mix of new housing development. The NP can reasonably seek to amplify this – in practice applying this to smaller scale of development. However, the policy as currently worded is unlikely to achieve this with a general statement that planning applications should have regard to the broad objective.

A revamped version of policy H2 would be more effective but the plan would need to support this with a stronger justification to apply a policy like H2 to much smaller scale developments.

#### **Policies HP4/5/6**

These policies seek to achieve a density and scale of development that reflects the character of the existing housing grain

The current wording seems overly generalised to make effective policies. It may be better to consider the site allocations that have been made to achieve the ambition of small scale developments and if need be to amplify the particular requirements related to each site. Policy H/P6 seems to be an explanatory statement rather than a policy in itself.

### **Policy H/P7**

Sets out detailed guidance for the design of new development

This is quite a long and detailed policy. It may be worth considering some of the phrasing which seems to be descriptive and not adding to the policy itself eg. “there is room for imaginative design “and “a large part of the character of the village is due to the close and informal juxtaposition of buildings “

Reference to “new estates” seems a bit at odds with other comments in the plan but in any event doesn’t seem to add to the policy and could be deleted.

The key relationship is with policy D1 of the new local plan and as elsewhere it would greatly improve clarity of the overall approach if the NP could identify the local aspects it was seeking to add to this policy and avoid too much repetition (that said it has to be recognised that the NP may well be proceeding prior to the new local plan adoption)

### **Policy H/P8**

Seeks to ensure development proposals meet at least level 4 of the Code for Sustainable Homes

Again there is potential overlap here with strategy 38 of the new local plan – if the neighbourhood plan seeks to apply this to all developments (as opposed to 10 or more in strategy 28) it probably needs to draw attention as to why this would be viable for Lympstone.

### **Policy GA/P1/P2**

Seeks to increase car parking capacity

This policy seems intended to dovetail with TC9 of the new local plan – the intention seems to be to encourage more than the requirement in TC9 but as presently worded may not achieve this.

## **Appendix b**

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### **Detailed comments on non-policy content.**

#### **General**

It would be helpful if paragraph numbering continued throughout the document

1.3 the summary of consultation referred to appears to have been omitted.

1.10 para will need revision if plan proceeds on current timetable

2.1 map reference not clear

2.6 need to take into account the issues arising if proceeding in advance of the local plan

#### **4. the vision**

The opening paragraph sounds like a slightly different version of the strands of sustainable development – if this is intended more explanation is needed otherwise better to follow and hook into national/local plan definitions and descriptions.

The vision statement is always quite difficult but the first para is difficult to translate into what the Plan wants the village to look like.

5.2 in the event of conflict between policies in plans the most recent will take precedence

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6 1<sup>st</sup> para would be helpful to explain why particular levels of development are sustainable and why more or less would not

6 2<sup>nd</sup> para there may well be data to show increasing young families but questionable that a 10% increase in household size does this ?

## **6 location**

Reference is made to the vision for a “greener Community” – should this be included in the vision statement.

7 2<sup>nd</sup> para would be helpful to indicate how the plan will seek to retain/provide local employment opportunities

CAP 5 seems to have a strong planning policy component and is not clear how changes of use are to be promoted

CAP 6 again reference is made to supporting development proposals presumably through the planning process

CAP 7 mention is made here of seeking additional car parking – should this be part of the Plan’s proposals?

## Attachment 4

### Lympstone Neighbourhood Plan: Changes Map

This summarises the changes made following consultation under the Neighbourhood Planning Regulations 2012. It is designed to help interested parties map the changes made in response to consultation and should be read in conjunction with the Consultation Statement (and the supporting documents referred to therein) and both Drafts of the Neighbourhood Plan.

Overall changes:

- (a) Maps reduced in number and improved in quality; now numbered by section they are in. Some reduction of illustrations to text
- (b) Editorial refinement throughout
- (c) Certain information (eg consultation statement) updated to show current status
- (d) Development Management Policies now numbered sequentially as DMP x and the Policies as Px
- (e) Community Action Policies now numbered sequentially as CAP x (Actions d and e in response to comment)

The following table shows changes to policies and objectives and provides a series of linking references from the June 2013 consultation draft to the final draft.

Lympstone Neighbourhood Plan Consultation Draft (June 2013)	Lympstone Neighbourhood Plan Final Draft (September 9 <sup>th</sup> 2013)
	<p><i>New Objective added</i></p> <p>DMP1– Housing Allocations: - Future development up to 2026 will be allocated four sites</p> <p>This reflects:</p> <ul style="list-style-type: none"> <li>(a) the grant of planning permissions by EDDC for 2 sites</li> <li>(b) Comments from EDDC that the Old rectory site may not be suitable</li> <li>(c) Views expressed during the consultation</li> <li>(d) A setting of a revised priority order to meet the outstanding balance of the EDDC parish target for new dwellings</li> </ul>
	<p><i>New Objective added</i></p> <p>DMP 2 – Goodmores Farm : - To ensure that disruption to the local Lympstone residents is minimised and that the local and wider Lympstone Community benefits appropriately from the development.</p>
H1 Location – The community will retain its rural identity and resist coalescence with Exmouth	<i>Now DMP 3</i>
H2 Need – New housing will, first and foremost, be required to meet the needs of the Parish Community	<i>Now DMP 4</i>

H3 Density & Scale: - To retain the community identity, developments must respect the character of the existing housing grain.	<i>Now DMP 5 Policy H/P6 deleted (this related to windfall sites)</i>
H4 Design:- Development should be of high quality design and should be sympathetic to the character of the village	<i>Now DMP 6</i>
CAP 1 : —Design; Existing design principles will not be corrupted by new building design	<i>No change</i>
H5 – Sustainability: - New development must contribute to the community objective of a greener and more sustainable existence.	<i>Now DMP 7 New Policy H/P14 added relating to parish council requirement to consider sustainability when it comments on planning applications</i>
CAP 2: - Sustainability; New development must contribute to the community objective of a greener and more sustainable existence	<i>CAP2 deleted. It is now included in Policy DMP 7</i>
CAP 3 : —Technology: - Ensure that Lympstone is not compromised by the lack of technology infrastructure	<i>Now CAP2 Additions to actions and responsibility</i>
CAP 4 : —Rural Land Use: - Adapt local farming to the 21st Century in order to provide work opportunities	<i>Now CAP3 New objective added and changes to the actions Also changes to the supporting text (p18)</i>
	<i>New objective added  DMP 8 – Business Premises - Through the planning process encourage provision of small workshops and storage facilities for small businesses.</i>
CAP 5 – Business Premises - Through the planning process encourage provision of small workshops and storage facilities for small businesses.	<i>Now CAP 4 Policy related to small business units at Goodmores Farm deleted following consultation Policy related to change of business use now included in E2 to ensure it is taken into account in the planning process Action amended to strengthen</i>
	<i>New Objective added to safeguard retail premises  DMP 9 – Retail Sector - Through the planning process encourage the retention and expansion of the retail sector of the community businesses.</i>
CAP 6 : — Traffic: - Traffic through the Parish must be managed to reduce speeds and increase public safety	<i>Now CAP 5 Change of wording to the second action</i>

GA1 – Parking: - Increase parking capacity within the village	<i>Now DMP 10 altered P22 added (Enabling of parking in Lynchfield)</i>
CAP 7 : —Parking:- Increase parking capacity within the village	<i>Now CAP6</i>
CAP8:- Exe Estuary Trail – Improve the safe use of the trail through Lympstone	<i>Now CAP 7 Changed to read: Exe Estuary Trail: - Ensure the long term sustainability of the Trail through Lympstone  Policies, actions and responsibilities all substantially changed. Strong support given for provision of route off-highway Changes to the supporting text (p22)</i>
CAP 9 : — Footpaths; the existing series of footpaths within the Parish will be maintained and where necessary increased.	<i>Now CAP 8 New fourth action added (footpath and bridleway near Goodmores Farm) Changes to the supporting text (p 23)</i>
CAP 10: — Dinan Way Extension: - Minimise the detrimental effects to the Environment and Character of the local landscape	<i>Now CAP 9 New objective added with actions and responsibility (provision of footpath and bridleway)</i>
CAP 11 : — Railway: -Improve the frequency and quality of service on the Avocet Line	<i>Now CAP 10 Change to wording of second action to be more specific</i>
CAPS 12-19	<i>Now CAPS 11-18</i>
CAP 20 : — Climate Change; New development is designed in such a way that it aspires to be carbon neutral and does not increase the risk of flooding.	<i>Now CAP 19 'cycle parking provision' added to the objective DMP 11 Introduced</i>
CAPS 21-23	<i>Now CAPS 20-22</i>
	<i>New Objective</i>  DMP 12 — Natural Environment; Protect the open character of the land within the Parish, and maintain the “special designation” areas that enforce this objective
	<i>New Objective</i>  DMP 13 – Open Space; retain all current public open space and seek to extend it where possible.
Section 11 Delivery & Monitoring	<i>Replaced with 5.8 Delivery, Monitoring &amp; Review on p10</i>

	<i>Appendix I - new - Consultation Statement added to comply with legislation (this cannot be finalised at this point)</i>
	<i>Appendix J Delivery and Monitoring Strategy rewritten to clarify responsibilities.</i>
	<i>Appendix N – new – background and parish council position statement on Goodmores Farm</i>
	<i>Appendix O– new – background and parish council position statement on Exe Estuary Trail</i>