

Dunkeswell Neighbourhood Plan

Basic Conditions Statement

Dunkeswell Parish Council

February, 2017

Contents

	Page
Introduction	2
Our Neighbourhood Area	4
Why do we need a Neighbourhood Plan?	6
Summary of Compliance with Legislation	9
Content of Our Neighbourhood Plan Proposal	13
How our Neighbourhood Plan meets the Basic Conditions	14
Appendices	
1. Neighbourhood Area Application	37
2. Neighbourhood Area Decision Notice	40
3. Strategic Environmental Assessment / Habitats Regulation	
Assessment Screening Opinion	41

Introduction

Our Neighbourhood Plan has been produced by Dunkeswell Parish Council, as the “qualifying body” with overall responsibility for the preparation, consultation and submission of the Neighbourhood Plan. The development of the plan and management of the process has been marshalled by a Neighbourhood Plan Steering Group comprised of members of our community, Parish Councillors and the Parish Clerk.

What are the Basic Conditions and why do we need this Statement?

The “Basic Conditions” are a set of conditions that the neighbourhood plan must pass in order for it to proceed to referendum. The Basic Conditions are:

- having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan;
- the making of the plan contributes to the achievement of sustainable development;
- 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);
- the making of the plan does not breach, and is otherwise compatible with, EU obligations; and,
- prescribed conditions are met in relation to the plan order and prescribed matters have been complied with in connection with the proposal for the plan.

These requirements (and those for neighbourhood development orders) are formally set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 Act. (as amended by the Localism Act 2011)¹.

This Basic Conditions Statement is submitted alongside our neighbourhood plan. In submitting the Statement, and through its content, we have demonstrated how our plan meets the Basic Conditions and have satisfied one of the requirements of Regulation 15 (1) of the Neighbourhood Planning (General) Regulations 2012. This Regulation sets out what the Parish Council, as the “qualifying body”

¹ See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/10/enacted> They are also set out in the National Planning Practice Guidance at <http://planningguidance.planningportal.gov.uk/blog/guidance/neighbourhood-planning/the-basic-conditions-that-a-draft-neighbourhood-plan-or-order-must-meet-if-it-is-to-proceed-to-referendum/>

responsible for producing the plan, must submit as part of the neighbourhood plan proposal. These are submitted, alongside this Statement. Regulation 15 (1) states² that:

- “(1) Where a qualifying body submits a plan proposal to the local planning authority, it must include—
- (a) a map or statement which identifies the area to which the proposed neighbourhood development plan relates;
 - (b) a consultation statement;
 - (c) the proposed neighbourhood development plan; and
 - (d) *a statement explaining how the proposed neighbourhood development plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Act.*” (i.e. this Statement).

In addition, in February 2015, the Government introduced a requirement for one of the following documents to be provided alongside other submission documents³.

1. a statement of reasons for a determination under regulation 9(1) of the Environmental Assessment of Plans and Programmes Regulations 2004 that the proposal is unlikely to have significant environmental effects; or,
2. an environmental report prepared in accordance with paragraphs (2) and (3) of regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004.

Following this introduction, the Statement sets out:

- where our Neighbourhood Area is and how this was established;
- a summary of why we need our Neighbourhood Plan;
- how we have complied with relevant legislation;
- a summary of the content of our Neighbourhood Plan proposal; and,
- an explanation of how our Neighbourhood Plan meets the Basic Conditions.

² See <http://www.legislation.gov.uk/uksi/2012/637/regulation/15/made>

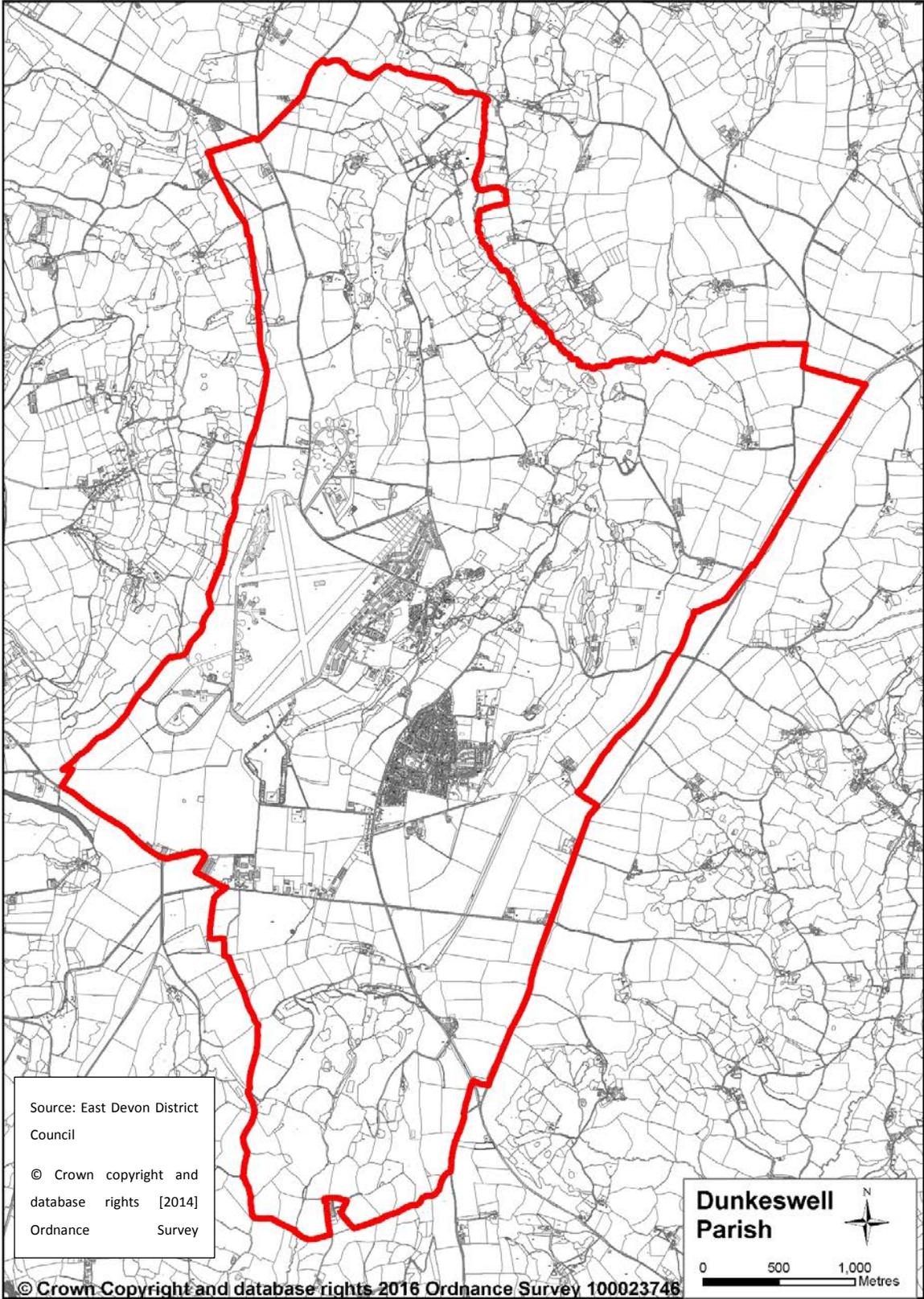
³ See National Planning Practice Guidance Paragraph: 031 Reference ID: 11-031-20150209 for further details - <http://planningguidance.planningportal.gov.uk/blog/guidance/strategic-environmental-assessment-and-sustainability-appraisal/sustainability-appraisal-requirements-for-neighbourhood-plans/>.

Our Neighbourhood Area

The first formal part of the process of developing our Neighbourhood Plan was the confirmation of our Neighbourhood Area, or the area for which the Parish Council, as the “qualifying body” for neighbourhood planning activity will have the right to produce a plan. Our application to designate the Neighbourhood Area was submitted, as required by Regulation 5 of the Neighbourhood Planning (General) Regulations 2012, to East Devon District Council as the local planning authority on 5th April 2012. This application is reproduced in Appendix 1 to this Statement⁴. Following a 6 week public consultation, our Neighbourhood Area was formally approved by East Devon District Council in October 2012. The approval / decision notice is reproduced as Appendix 2 to this Statement. Our approved Neighbourhood Area is the same as the parish boundary and is set out in Figure 1.

⁴ It is also available to view, at the time that this Statement has been prepared, at the following weblink - <http://eastdevon.gov.uk/media/181864/Dunkeswell-application-form-and-map.pdf>

Figure 1 - Approved Neighbourhood Area



Why do we need a Neighbourhood Plan?

Dunkeswell is a rural Devon Parish to the north of Honiton and situated in the south western part of the Blackdown Hills Area of Outstanding Natural Beauty (AONB) on a high plateau 240 metres above sea level that falls steeply on its northern edges and slopes more gently on its south side down to valleys, dotted with dwellings and smallholdings, carved by rivers and streams. The Parish has a long agricultural history and the charming field patterns that can be seen today are the result of centuries of management. The distinctive



‘Blackdowns’ hedgerows (also known as Devon banks) are a fundamental feature of the local landscape as well as being vital for wildlife.

The main parts of Dunkeswell can be said to be the ‘old’ village centred around the church of St Nicholas, the Methodist Chapel and the Village Hall; Highfield Estate located at the southern end of the village; and, the historic World War II airfield (which remains in use today for light aircraft) and industrial estate where the wartime airfield was sited. The population grew significantly in the mid to late 1980s with a 550 dwelling development taking place in the village and the population of the Parish as a whole was 1,584 in 2011 across 764 households⁵. The outlying areas of Dunkeswell are a series of ‘units’ which consist of large farms and significant historical developments such as Stentwood, built by Victorian squire John Eccles in 1881/2, the Wolford area – home to the Simcoe family and their workers and servants for many years – and Dunkeswell Abbey, originally the home of the Cistercian abbey built in 1201.

⁵ According to the 2011 Census – see the Office for National Statistics (ONS) Neighbourhood Statistics website, www.neighbourhood.statistics.gov.uk/

Our justification for producing the plan is set out in the introductory sections of the plan itself culminating in the vision, aims and objectives which have been developed and shaped from evidence and community consultation. However, our motivations for producing the plan can be summarised as follows:

- We wanted to develop a plan which gives greater weight to environmental and landscape issues and policies in the Area of Outstanding Natural Beauty;
- We wanted to have a say in shaping the future of our parish including how our valued assets are protected, maintained and enhanced and how we can help to ensure that our services and facilities are sustained into the future;
- Our community wanted to develop its own local planning policies so that we can have an influence over the type, scale, design and form of development which may come forward in the parish between now and 2031;
- We wanted to have some control over local planning matters and decisions; and,
- We wanted to maintain the special character of our rural landscape and environment.

Having explored the issues and identified the key messages and things of importance to the community, our plan has set out the following vision and aims:

Dunkeswell Neighbourhood Plan Vision Statement

A vibrant, resilient and sustainable community that enables all generations to flourish in work and leisure, committed to conserve and enhance the special qualities of the Blackdown Hills Area of Outstanding Natural Beauty.

Natural Environment

- Aim 1 Protect and enhance our unique and special landscape.
- Aim 2 Recognize we are a living working landscape.
- Aim 3 Development should be in character and scale.

Built Environment

- Aim 4 Preserve the overall character of our settlements within the AONB and ensure the conservation and enhancement of the historic environment.
- Aim 5 Value the assets of the historic airfield while avoiding significant increases in noise or congestion.

Housing

- Aim 6 Limit housing developments in appropriate location to meet proven local need.
- Aim 7 Improve flexibility of local supply to meet the needs of local community.
- Aim 8 Housing developments should meet standard in terms of space and parking whilst not conflicting with local environment.

Community Facilities and Services

- Aim 9 Protect and develop community facilities and services.
- Aim 10 Develop local infrastructure that promotes sustainability and community wellbeing.

Transport and Accessibility

- Aim 11 Maximize accessibility and encourage low carbon options.
- Aim 12 Improve road safety and minimize intrusion.

Local Economy

- Aim 13 Promote a sustainable diverse and vibrant local economy.
- Aim 14 Improve broadband and connectivity.
- Aim 15 Encourage and support local enterprise.

Energy and Low Carbon

- Aim 16 Actively encourage a low carbon community.

Waste

- Aim 17 Increase recycling levels.

Our Objectives (how we are going to achieve the Aims) are set out in each topic section in the Plan and it is from these Objectives that our policies and community actions have been developed. After these topics based policies, we also set out in the Plan a policy which focuses on delivery of projects identified through community actions in our separate community actions document.

Summary of Compliance with Legislation

This section sets out how our Neighbourhood Plan and process has complied with the requirements set out in the Neighbourhood Plan regulations.

Qualifying Body

A “qualifying body” is defined by Section 38A(12) of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act⁶ as “a Parish Council, or an organisation or body designated as a neighbourhood forum, authorised for the purposes of a neighbourhood development plan to act in relation to a neighbourhood area...”.

Section 38A(1) of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act⁷ sets out the qualifying body’s entitlement to prepare a Neighbourhood Plan. It states that:

“(1) Any qualifying body is entitled to initiate a process for the purpose of requiring a local planning authority in England to make a neighbourhood development plan.”

We confirm that the Neighbourhood Plan has been prepared by Dunkeswell Parish Council as the “qualifying body” for the purposes of Neighbourhood Planning.

⁶ See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

⁷ See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

Neighbourhood Area

The Neighbourhood Area (as shown in Figure 1 above) was applied for and approved through the process set out in the Neighbourhood Planning (General) Regulations 2012 (Regulations 5 to 7)⁸. Both the application and the approval / decision notice are appended to this Statement (Appendices 1 and 2).

What a Neighbourhood Plan is and the Content of the Neighbourhood Plan

Section 38A(2) of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act⁹ sets out the meaning of “neighbourhood development plan”. It states that:

“(2) A “neighbourhood development plan” is a plan which sets out policies (however expressed) in relation to the development and use of land in the whole or any part of a particular neighbourhood area specified in the plan.”

Section 38B(1) of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act¹⁰ sets out what the Plan may include. It states that:

“(1) A neighbourhood development plan—

- (a) must specify the period for which it is to have effect,
- (b) may not include provision about development that is excluded development, and
- (c) may not relate to more than one neighbourhood area.”

“Excluded development” is defined in Section 68K of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act¹¹ as:

“(a) development that consists of a county matter within paragraph 1(1)(a) to (h) of Schedule 1,

⁸ See <http://www.legislation.gov.uk/uksi/2012/637/regulation/5/made>

⁹ See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

¹⁰ See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

¹¹ See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

(b) development that consists of the carrying out of any operation, or class of operation, prescribed under paragraph 1(j) of that Schedule (waste development) but that does not consist of development of a prescribed description,

(c) development that falls within Annex 1 to Council Directive [85/337/EEC](#) on the assessment of the effects of certain public and private projects on the environment (as amended from time to time),

(d) development that consists (whether wholly or partly) of a nationally significant infrastructure project (within the meaning of the Planning Act 2008),

(e) prescribed development or development of a prescribed description, and

(f) development in a prescribed area or an area of a prescribed description.”

Section 38B(2)¹² states that:

“(2) Only one neighbourhood development plan may be made for each neighbourhood area.”

In response to these requirements, we confirm that:

- our Neighbourhood Plan covers the period 2016 to 2031, aligning with the plan period end date of the Local Plan;
- our Neighbourhood Plan is the only Neighbourhood Plan for the parish of Dunkeswell;
- our Neighbourhood Plan does not contain policies relating to “excluded development”, confirmed by East Devon District Council;
- our Neighbourhood Plan relates only to the defined Neighbourhood Area set out in Figure 1 above; and,
- our Neighbourhood Plan sets out policies in relation to the development and use of land.

Submission Documents

As referred to earlier in this Statement, all the documents required for submission by Regulation 15(1) of the Neighbourhood Planning (General) Regulations are included in the submission package for the Neighbourhood Plan.

¹² See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

Basic Conditions

As referred to earlier in this Statement, we consider that all of the Basic Conditions (set out in of paragraph 8(2) of Schedule 4B to the 1990 Act (as amended) by the Localism Act 2011.¹³) have been met, as demonstrated in this Statement.

¹³ See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/10/enacted> They are also set out in the National Planning Practice Guidance at <http://planningguidance.planningportal.gov.uk/blog/guidance/neighbourhood-planning/the-basic-conditions-that-a-draft-neighbourhood-plan-or-order-must-meet-if-it-is-to-proceed-to-referendum/>

Content of Our Neighbourhood Plan Proposal

To comply with the requirements of Regulation 15 (1) of the Neighbourhood Planning (General) Regulations 2012¹⁴, and to provide sufficient material to help demonstrate that the Basic Conditions have been met, the following documents have been submitted to the local authority.

- The Neighbourhood Plan (which includes a map and statement which identifies the area to which our plan relates);
- Our Consultation Statement;
- Our Sustainability Appraisal;
- A statement of reasons that the proposal (our neighbourhood plan) is unlikely to have significant environmental effects; and,
- Our Basic Conditions Statement (this document).

Our supporting evidence base documents are available online on the Parish Council website at <https://dunkeswell.net/>.

¹⁴ See <http://www.legislation.gov.uk/uksi/2012/637/regulation/15/made>

How our Neighbourhood Plan meets the Basic Conditions

Having regard to national policies and advice contained in guidance issued by the Secretary of State

We have had close regard to the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG) throughout the development of our neighbourhood plan.

As well as checking our policies for compliance with the NPPF at the drafting stage, the NPPF was considered at an earlier stage in the plan's development as we compiled and analysed our written evidence base, with summaries of key policies and paragraphs included in our Written Evidence Base Report, available on our website.

We have identified the key links between our policies and national policies (as well as Local Plan policies) in the plan itself, helping to set out a "chain of general conformity" and helping the Parish Council, Steering Group and our community better understand the links and relationship between the national, district and local tiers of planning policy.

The NPPG was useful in guiding us through the process and requirements during our plan's development.

Details of how the content of the plan has had regard to the NPPF and NPPG are set out in the following pages. Clearly, it is not the role of the neighbourhood plan to have a policy in response to every principle or policy in national guidance and we cannot respond to every paragraph in the NPPG or NPPF. Our analysis seeks to identify and respond to key paragraphs and policies in national guidance:

- i) Which relate to principles and process of neighbourhood planning; or,
- ii) Where our policies respond to their content; or,
- iii) Which support and are linked to specific policies in our plan.

National Planning Policy Framework and National Planning Practice Guidance	How has the Neighbourhood Plan had regard to national policies and advice?
<p>NPPG, ID 41 “Provides advice on the neighbourhood planning system introduced by the Localism Act including key stages and decisions (e.g. deciding neighbourhood areas, the legal tests for neighbourhood plans, and the process of independent examination and referendum).” (http://planningguidance.planningportal.gov.uk/blog/guidance/neighbourhood-planning/)</p>	<p>The NPPG section on “Neighbourhood Planning” was utilised to ensure that we followed due process and requirements set out in legislation and the NPPF.</p>
<p>Paragraph 16, NPPF “The application of the presumption [in favour of sustainable development] will have implications for how communities engage in neighbourhood planning. Critically, it will mean that neighbourhoods should:</p> <ul style="list-style-type: none"> ● develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development; ● plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan; and ● identify opportunities to use Neighbourhood Development Orders to enable developments that are consistent with their neighbourhood plan to proceed.” <p>Paragraph 184, NPPF “Neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community. The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date Local Plan is in place as quickly as possible. Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood plans and orders should not promote less development than set out in the Local Plan or undermine its strategic policies.”</p>	<p>We have developed our plan taking into account the now adopted new Local Plan (as it was emerging) to ensure that the ‘direction of travel’ of spatial strategy in East Devon, as it affects Dunkeswell, is understood and forms the context for our consultations and policies. We have ensured that officers at East Devon District Council have seen key outputs and drafts of the plan and process with general conformity with the strategic policies in mind. A section later in this statement sets out how our policies and plan are in general conformity with the strategic policies of the adopted Local Plan.</p> <p>We have planned positively to support local development within the context of:</p> <ul style="list-style-type: none"> ● national policies which provide the overall planning policy framework for our plan; ● the strategic policy framework set by the Local Plan; ● written evidence (other policies, data, studies, research, etc.); ● local consultation and the desires of our community; and, ● recognising the highly valued high quality natural environment. <p>There has been no desire or need to identify Neighbourhood Development Orders at this stage, in the parish.</p>

National Planning Policy Framework and National Planning Practice Guidance	How has the Neighbourhood Plan had regard to national policies and advice?
<p>Paragraph 185, NPPF “Outside these strategic elements, neighbourhood plans will be able to shape and direct sustainable development in their area.”</p>	
<p>Paragraph 17, NPPF (Core Principles of planning) “Planning should be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up-to-date, and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency”</p>	<p>A positive vision has been developed through consultation, derived from the aims, which in turn were identified through local consultation and analysis of written evidence. Our local consultation has provided local people with the opportunity to engage with the process of developing the plan, from its inception through to the drafting of the policies and plan itself. We have drafted our policies in a way which provides positive criteria to aid the practical consideration of planning applications whilst also setting out a clear framework of how our high quality and valued environment should be respected and enhanced now and in the future.</p> <p>The wording of our policies has been ‘tested’ by planning officers at East Devon District Council, and we anticipate therefore, that they can be used effectively as a practical framework in the planning system’s decision making process.</p>
<p>Paragraph 17, NPPF (Core Principles of planning) “Planning should not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives”</p>	<p>Our Consultation Statement sets out how we have been creative and inclusive in our approach to the development of the plan and how we have explored ways to enhance and improve our parish for the benefit of the local community.</p>
<p>Paragraph 17, NPPF (Core Principles of planning) “Planning should proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.”</p> <p>Paragraph 28, NPPF “Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:</p> <ul style="list-style-type: none"> ● support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings; 	<p>Our plan supports sustainable local economic development and our need to retain local services and community facilities,, set firmly within the context of what our parish is like to live and work in, whilst recognising the need to retain our high quality environment.</p> <p>In relation to our local rural economy, we have recognised the particular importance of, for example:</p> <ul style="list-style-type: none"> ● support for the development of live-work units to support rural sustainable economic growth at the small scale without compromising the rural and local amenity enjoyed by residents through LE1; ● support for the conversion of agricultural buildings for farm diversification and business use through policy LE3; ● support for rural tourism at a scale appropriate to our parish and the

National Planning Policy Framework and National Planning Practice Guidance	How has the Neighbourhood Plan had regard to national policies and advice?
<ul style="list-style-type: none"> ● promote the development and diversification of agricultural and other land-based rural businesses; ● support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres; and ● promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.” <p>Paragraph 367, NPPF “Planning policies should aim for a balance of land uses within their area so that people can be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities.”</p> <p>Paragraph 42, NPPF “Advanced, high quality communications infrastructure is essential for sustainable economic growth. The development of high speed broadband technology and other communications networks also plays a vital role in enhancing the provision of local community facilities and services.”</p>	<p>AONB through policy LE4;</p> <ul style="list-style-type: none"> ● super-fast broadband connectivity through policy LE5, which supports improvements to connectivity (which require planning permission) subject to the protection of our valued local environment; and, ● support for improvements to our industrial estate to help ensure sustained economic growth and quality of business units through LE2. <p>Main relevant policies: LE1 – Live-work Workspace, LE2 – Industrial Estate, LE3 – Conversion of Agricultural Buildings, LE4 – Small Scale Camping Sites, LE5 – Superfast Connectivity, CFS1 – Preventing the Loss of Local Community Facilities, Services and Open Spaces used for Recreation, NE2 – Development on Farmland for Agricultural Purposes</p>
<p>Paragraph 17, NPPF (Core Principles of planning) “Planning should always seek to secure high quality design and a good standard of amenity or all existing and future occupants of land and buildings.”</p> <p>Paragraph 58, NPPF “Local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics...”</p>	<p>One of the key areas of focus for our local policies has been to ensure that high quality design is central to any new development which takes place in the parish. We have addressed this through policy BE1 and set out specific criteria that development should comply with to ensure proposals are of high quality design in the Dunkeswell context, while also signposting the AONB Design Guide for Houses as guidance which should be followed for dwelling proposals.</p> <p>Main relevant policies: BE1 – Maintaining the Built Character through High Quality Design</p>
<p>Paragraph 17, NPPF (Core Principles of planning) “Planning should take account of the different roles and character of different areas....recognising the intrinsic character and beauty of the countryside and</p>	<p>Our plan recognises the different roles and character of different areas and the importance of our rural countryside and natural environment. Consultation with our local community demonstrated a significant desire to</p>

National Planning Policy Framework and National Planning Practice Guidance	How has the Neighbourhood Plan had regard to national policies and advice?
<p>supporting thriving rural communities within it”</p> <p>Paragraph 109, NPPF “The planning system should contribute to and enhance the natural and local environment by:</p> <ul style="list-style-type: none"> ● protecting and enhancing valued landscapes, geological conservation interests and soils; ● recognising the wider benefits of ecosystem services; ● minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures; ● preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and ● remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.” <p>Paragraphs 123 and 125, NPPF “Planning policies and decisions should aim to:</p> <ul style="list-style-type: none"> ● avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development; ● mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions; ● recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established; and ● identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.” <p>“By encouraging good design, planning policies and decisions should limit the</p>	<p>protect and maintain the high quality of our local natural environment, of tranquillity, aligning with the recognised status of the parish within the Blackdown Hills Area of Outstanding Natural Beauty (AONB). Development of our plan took into account written evidence and policies of the Blackdown Hills AONB and AONB officers have provided input into the plan during its development. We have had a particular focus during the plan’s development on the value of our local environmental assets both because our parish is within the Blackdown Hills AONB and because our local community value the high quality of our living environment, receiving protection through policy NE1. We have set out, in policy NE2, that, whilst we support agricultural development to support the local rural economy (recognising its importance as part of the integral fabric of the parish), we will not support all agricultural development which requires planning permission where it compromises the high quality of our environment.</p> <p>Our policies LE1 and LE2 are important in that they set a framework for additional employment space to be developed and improved. We are conscious, however, that there needs to be a balance between actively supporting such provision and appropriate scale, form amenity and noise and the policies seek to set criteria which are reasonable to expect proposals to fulfil in the context of development for economic use in the parish.</p> <p>Main relevant policies: NE1 – Retaining, Conserving and Enhancing the Natural Beauty of Our Parish, NE2 – Development on Farmland for Agricultural Purposes, BE1 – Maintaining the Built Character through High Quality Design, LE1 – Live-work Workspace, LE2 – Industrial Estate.</p>

National Planning Policy Framework and National Planning Practice Guidance	How has the Neighbourhood Plan had regard to national policies and advice?
<p>impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.”</p> <p>Paragraph 17, NPPF (Core Principles of planning) “Planning should support the transition to a low carbon future in a changing climate...”</p> <p>Paragraph 97, NPPF “To help increase the use and supply of renewable and low carbon energy, local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources. They should:</p> <ul style="list-style-type: none"> ● have a positive strategy to promote energy from renewable and low carbon sources; ● design their policies to maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts; ● consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources; ● support community-led initiatives for renewable and low carbon energy, including developments outside such areas being taken forward through neighbourhood planning; and ● identify opportunities where development can draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.” 	<p>We have recognised the importance of transition to a low carbon future through our policy on renewables which seeks a balance between acceptability of proposals and sensitivity in relation to our high quality natural environment and countryside.</p> <p>Main relevant policies: ELC1- Renewable and Low Carbon Energy Schemes</p>
<p>Paragraph 17, NPPF (Core Principles of planning) “Planning should contribute to conserving and enhancing the natural environment and reducing pollution...”</p>	<p>Our plan recognises planning’s important role in conserving and enhancing the natural environment and reducing pollution both through policies which seek to protect the natural environment and by not supporting development at a scale which would compromise sustainability objectives. Many policies in our Plan set criteria to ensure that the valued high quality landscape and environment are protected from any negative impact of development.</p> <p>Main relevant policies: NE1 – Retaining, Conserving and Enhancing the Natural Beauty of Our Parish, NE2 – Development on Farmland for</p>

National Planning Policy Framework and National Planning Practice Guidance	How has the Neighbourhood Plan had regard to national policies and advice?
	Agricultural Purposes, BE1 – Maintaining the Built Character through High Quality Design, LE1 – Live-work Workspace, LE2 – Industrial Estate, CFS1 – Preventing the Loss of Local Community Facilities, Services and Open Spaces used for Recreation, LE4 – Small Scale Camping Sites, W1 – Minimising Waste in Dunkeswell
<p>Paragraph 17, NPPF (Core Principles of planning) “Planning should encourage the effective use of land...”</p>	<p>Outside of the policies at national and local authority level which provide very clear direction in relation to the effective use of land and permitted development rights, our plan focuses on ensuring that where development does take place, it has to satisfy criteria to ensure the appropriateness of the proposal in the location in which it is proposed. Our Plan is supportive of development in the parish where it is appropriate in the rural landscape and fits with built character. We are keen to ensure that opportunities for developing small scale housing and employment space have a positive policy framework within which proposals which “fit” in the village and wider parish and support enhancing rural sustainability. Our policies focus on development proposals using land effectively and at an appropriate scale.</p> <p>Main relevant policies: HP1 - Meeting Demonstrable Local Housing Need, HP2 – Making Best Use of Existing Buildings for Housing, LE1 – Live-work Workspace, LE2 – Industrial Estate, LE3 – Conversion of Agricultural Buildings</p>
<p>Paragraph 17, NPPF (Core Principles of planning) “Planning should... [recognise] that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production)”</p>	<p>Our plan recognises the roles and functions of open land in our parish. Our written evidence base has set out land use designations and constraints, and the plan itself also makes these points where they are required to help justify our policies.</p> <p>Main relevant policies: NE1 – Retaining, Conserving and Enhancing the Natural Beauty of Our Parish</p>
<p>Paragraph 17, NPPF (Core Principles of planning) “Planning should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations”</p> <p>Section 12, “Conserving and Enhancing the Historic Environment”, NPPF</p>	<p>Our plan recognises that heritage and the built character of our parish is very important and should be protected as part of the fabric of our area. Our evidence base has identified and clearly recognised the importance of our heritage assets in the parish. We place particular importance on the heritage assets in Dunkeswell village and the value to our community and others of the historic airfield. We have also set out how new development</p>

National Planning Policy Framework and National Planning Practice Guidance	How has the Neighbourhood Plan had regard to national policies and advice?
	<p>can best fit in with our built environment and surrounding landscape through endorsement of the Blackdown Hills Design Guide for Houses.</p> <p>Main relevant policies: BE1 – Maintaining the Built Character through High Quality Design, BE2 – Protecting Our Valued Historic and Heritage Assets in Dunkeswell Parish, BE3 – Supporting the Use of the Historic Airfield</p>
<p>Paragraph 17, NPPF (Core Principles of planning) “Planning should actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.”</p>	<p>We have followed the lead of the strategic policies in the Local Plan to provide the policy context at the local level for the appropriate scale and pattern of change, which is very limited in our rural parish, focusing on support for small scale sites in sustainable locations appropriate for the role, size and function of Dunkeswell village and wider parish and making best use of existing disused structures.</p> <p>Main relevant policies: HP1 - Meeting Demonstrable Local Housing Need, HP2 – Making Best Use of Existing Buildings for Housing, LE1 – Live-work Workspace, LE2 – Industrial Estate, LE3 – Conversion of Agricultural Buildings</p>
<p>Paragraph 17, NPPF (Core Principles of planning) “Planning should take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.”</p> <p>Paragraph 70, NPPF “To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:</p> <ul style="list-style-type: none"> ● plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments; ● guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs; ● ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the 	<p>We have examined written evidence which encompasses local strategies related to health, social and cultural wellbeing and, importantly, identified locally (through consultation) what is valued locally as community assets.</p> <p>We have provided a clear focus on the protection, improvement of our local community assets to ensure the continued vitality and sustainability of our rural community.</p> <p>Main relevant policies: TA1 – Rights of Way, TA2 – New Walking and Cycle Route Links in Dunkeswell, CFS1 – Preventing the Loss of Local Community Facilities, Services and Open Spaces used for Recreation, CFS2 – Access to Play and Recreation facilities</p>

National Planning Policy Framework and National Planning Practice Guidance	How has the Neighbourhood Plan had regard to national policies and advice?
<p>community; and</p> <ul style="list-style-type: none"> ● ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.” 	
<p>Paragraphs 54 and 55, NPPF</p> <p>“In rural areas, exercising the duty to cooperate with neighbouring authorities, local planning authorities should be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing, including through rural exception sites where appropriate. Local planning authorities should in particular consider whether allowing some market housing would facilitate the provision of significant additional affordable housing to meet local needs.”</p> <p>“To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:</p> <ul style="list-style-type: none"> ● the essential need for a rural worker to live permanently at or near their place of work in the countryside; or ● where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or ● where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or ● the exceptional quality or innovative nature of the design of the dwelling. <p>Such a design should:</p> <ul style="list-style-type: none"> – be truly outstanding or innovative, helping to raise standards of design more generally in rural areas; – reflect the highest standards in architecture; – significantly enhance its immediate setting; and – be sensitive to the defining characteristics of the local area.” 	<p>We have recognised the need in our parish to respond to local housing needs, which were identified through local consultation, our neighbourhood plan survey and Shared Ownership Housing Assessment report (2014). Consultation has supported a very limited number of new dwellings could be delivered in the parish (focused on Dunkeswell village) and that use of the exceptions policy is appropriate in this context. We are clear in our policies that small organic change in the number of dwellings in the parish is acceptable to us to continue to support the sustainability and vitality of the village of Dunkeswell and wider parish and that any new development will need to carefully demonstrate that it fits within the overall Local Plan Strategy. However, we are keen to ensure that our policies and Plan overall support the aim of the Local Plan set out in chapter 15 (of the Local Plan) for a vibrant rural community and believe that our policies help to move that aim forward in our local rural context.</p> <p>With heritage and built character being such as important issue locally, we have developed policies relating to the appropriate design and character of new development and the need for sensitivity in relation to historic buildings.</p> <p>Main relevant policies: HP1 - Meeting Demonstrable Local Housing Need, HP2 – Making Best Use of Existing Buildings for Housing, LE1 – Live-work Workspace, LE2 – Industrial Estate, LE3 – Conversion of Agricultural Buildings, BE1 – Maintaining the Built Character through High Quality Design, BE2 – Protecting Our Valued Historic and Heritage Assets in Dunkeswell Parish, BE3 – Supporting the Use of the Historic Airfield</p>
<p>Paragraph 35, NPPF</p> <p>“Plans should protect and exploit opportunities for the use of sustainable</p>	<p>Consultation has led our plan to focus on improving safe and ease of accessibility in the rural context; through our narrow country lanes and</p>

National Planning Policy Framework and National Planning Practice Guidance	How has the Neighbourhood Plan had regard to national policies and advice?
<p>transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to:</p> <ul style="list-style-type: none"> ● accommodate the efficient delivery of goods and supplies; ● give priority to pedestrian and cycle movements, and have access to high quality public transport facilities; ● create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones; ● incorporate facilities for charging plug-in and other ultra-low emission vehicles; and ● consider the needs of people with disabilities by all modes of transport.” <p>Paragraph 29, NPPF “Transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. Smarter use of technologies can reduce the need to travel. The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. However, the Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas.”</p> <p>Paragraph 75, NPPF “Planning policies should protect and enhance public rights of way and access. Local authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.”</p>	<p>accessibility to the surrounding countryside and helping to ensure that the existing road network can accommodate the appropriate level of traffic movements and volume during the plan period and relevant for Dunkeswell’s position in the rural countryside. Any changes need to ensure that they do not damage the high quality landscape in the parish.</p> <p>Main relevant policies: TA1 – Rights of Way, TA2 – New Walking and Cycle Route Links in Dunkeswell, TA3 – Off-road Parking, TA4 – Vehicular Access and Egress Arrangements, TA5 – Reducing Traffic Impact</p>

The making of the plan contributes to the achievement of sustainable development

The Neighbourhood Plan has been developed within the context of the definition of sustainable development in the National Planning Policy Framework and that in the East Devon Local Plan. The table which follows sets out how we feel that our Neighbourhood Plan deals with the achievement of sustainable development against the key relevant parts of the NPPF and East Devon Local Plan.

Our Neighbourhood Plan has been the subject of a Sustainability Appraisal which has assessed the potential impacts of social, economic and environmental position and characteristics of our parish. The Sustainability Appraisal has been submitted as part of the submission document package.

Our Plan has not been required to undertake a Strategic Environmental Assessment (SEA) and / or Habitats Regulations Assessment (HRA). This is set out in further detail later in this Statement.

National Planning Policy Framework Sustainable Development Paragraph	How we believe our plan contributes towards this
<p>Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people’s quality of life, including (but not limited to):</p> <ul style="list-style-type: none"> ● making it easier for jobs to be created in cities, towns and villages; ● moving from a net loss of bio-diversity to achieving net gains for nature; ● replacing poor design with better design; ● improving the conditions in which people live, work, travel and take leisure; and ● widening the choice of high quality homes. <p>(Paragraph 9)</p>	<p>Our Plan is very clearly focused (through its policy content) on the delivery and support of Dunkeswell continuing to be a vibrant sustainable rural community. The following policies in our plan are relevant to meeting the delivery of sustainable development as outlined in this NPPF paragraph:</p> <p>HP1 - Meeting Demonstrable Local Housing Need, HP2 – Making Best Use of Existing Buildings for Housing, LE1 – Live-work Workspace, LE2 – Industrial Estate, LE3 – Conversion of Agricultural Buildings, BE1 – Maintaining the Built Character through High Quality Design, TA1 – Rights of Way, TA2 – New Walking and Cycle Route Links in Dunkeswell, CFS1 – Preventing the Loss of Local Community Facilities, Services and Open Spaces used for Recreation, CFS2 – Access to Play and Recreation facilities</p>
<p>Plans and decisions need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas.</p> <p>(Paragraph 10)</p>	<p>As our Consultation Statement demonstrates, we have proactively consulted with our local community to ensure that the plan reflects their priorities and helps to deliver sustainable development both in that context and in the context of the parish’s rural setting.</p> <p>In order to achieve general conformity with the Local Plan’s strategic policies, we have explored opportunities for sustainable development within our parish’s rural context. Without a built-up area boundary, Dunkeswell village is restricted to “exceptions” housing development which may enable our village to see small scale affordable housing for local needs being provided should an appropriate site and planning application come forward.</p> <p>However, Dunkeswell is a village which already provides a somewhat unique offer in the AONB with an industrial estate located on the site of the operational and historic airfield. Our plan sets out policies which we consider present opportunities to enable continued rural</p>

National Planning Policy Framework Sustainable Development Paragraph	How we believe our plan contributes towards this
	sustainability but at the same time allow future changes to occur to the site which embrace its current uses, maintain and enhance the historic value and help to upgrade the quality of the employment offer in our rural location.
<p>The application of the presumption (in favour of sustainable development) will have implications for how communities engage in neighbourhood planning. Critically, it will mean that neighbourhoods should:</p> <ul style="list-style-type: none"> ● develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development; ● plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan; and ● identify opportunities to use Neighbourhood Development Orders to enable developments that are consistent with their neighbourhood plan to proceed. <p>(Paragraph 16)</p>	<p>As already noted above, we have developed our plan tracking the progress of the new, now adopted, Local Plan. We have ensured that officers at East Devon District Council have seen key outputs and drafts of the plan and process with general conformity with the strategic policies in mind. A section later in this Statement sets out how our policies and plan are in general conformity with the Local Plan and therefore support the strategic development needs in the Local Plan.</p> <p>We have planned positively to support local development within the context of national and strategic policies which provide the planning policy framework for our plan, but which also fits with the desires of our community (understood through consultation) and in recognition of the highly valued high quality natural environment. Our policies set positive criteria to help ensure that any development which does come forward does so within the appropriate local context.</p> <p>There has been no desire or need to identify Neighbourhood Development Orders at this stage, in the parish.</p>
<p>Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:</p> <ul style="list-style-type: none"> ● support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings; ● promote the development and diversification of agricultural and other land-based rural businesses; 	<p>As we have stated above, our plan supports sustainable local economic development, within the context of what our parish is like to live and work in and our need to retain local services and community facilities, whilst recognising the need to protect our high quality environment.</p> <p>The following policies in our Plan are relevant to meeting the delivery of sustainable development as outlined in this NPPF paragraph: CFS1 – Preventing the Loss of Local Community Facilities, Services and Open Spaces used for Recreation, LE1 – Live-work Workspace, LE2 –</p>

National Planning Policy Framework Sustainable Development Paragraph	How we believe our plan contributes towards this
<ul style="list-style-type: none"> ● support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres; and ● promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship. (Paragraph 28) 	<p>Industrial Estate, LE3 – Conversion of Agricultural Buildings, LE4 – Small Scale Camping Sites, NE2 – Development on Farmland for Agricultural Purposes, BE1 – Maintaining the Built Character through High Quality Design, BE2 – Protecting Our Valued Historic and Heritage Assets in Dunkeswell Parish, BE3 – Supporting the Use of the Historic Airfield, LE4 – Small Scale Camping Sites</p>
<p>“To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby.” (Paragraph 55, in part)</p>	<p>The following policies in our plan are particularly relevant to meeting the delivery of sustainable development as outlined in this NPPF paragraph: HP1 - Meeting Demonstrable Local Housing Need, HP2 – Making Best Use of Existing Buildings for Housing</p> <p>Our ability to promote sustainable development is relative to our parish’s rurality, Dunkeswell village’s size, role and function, the availability of local services and facilities and the need to protect our valued environment. Notwithstanding this, the Local Plan’s strategy has a significant role to play in identifying appropriate sustainable development in our parish. As we have noted above, in order to achieve general conformity with the Local Plan’s strategic policies, we have explored opportunities for sustainable development within our parish’s rural context. Without a built-up area boundary, Dunkeswell village is restricted to “exceptions” housing development which may enable our village to see small scale affordable housing for local needs being provided should an appropriate site and planning application come forward.</p>

East Devon Local Plan Policy Sustainable Development Policy	How we believe our plan contributes towards this
<p>Strategy 3 - Sustainable Development</p> <p>“The objective of ensuring sustainable development is central to our thinking. We interpret sustainable development in East Devon to mean that the following issues and their inter-relationships are taken fully into account when considering development:</p> <p>a) Conserving and Enhancing the Environment - which includes ensuring development is undertaken in a way that minimises harm and enhances biodiversity and the quality and character of the landscape. This includes reducing the risk of flooding by incorporating measures such as sustainable drainage systems. Developers should maximise the proportion of their developments that take place on previously developed land</p> <p>b) Prudent natural resource use - which includes minimising fossil fuel use therefore reducing carbon dioxide emissions. It also includes minimising resource consumption, reusing materials and recycling. Renewable energy development will be encouraged</p> <p>c) Promoting social wellbeing - which includes providing facilities to meet people's needs such as health care, affordable housing, recreation space and village halls.</p> <p>d) Encouraging sustainable economic development - which includes securing jobs.</p> <p>e) Taking a long term view of our actions - Ensuring that future generations live in a high quality environment where jobs, facilities, education and training are readily available.”</p>	<p>Our plan aligns with the East Devon policy concerning sustainable development. The following policies of our plan help to respond positively to and provide a local policy framework for the requirements:</p> <p>a) NE1 – Retaining, Conserving and Enhancing the Natural Beauty of Our Parish, NE2 – Development on Farmland for Agricultural Purposes, BE1 – Maintaining the Built Character through High Quality Design, TA3 – Off-road Parking, TA4- Vehicular Access and Egress Arrangements, HP2 – Making Best Use of Existing Buildings for Housing</p> <p>b) W1 – Minimising Waste in Dunkeswell, ELC1- Renewable and Low Carbon Energy Schemes</p> <p>c) HP1 - Meeting Demonstrable Local Housing Need, HP2 – Making Best Use of Existing Buildings for Housing, TA1 – Rights of Way, TA2 – New Walking and Cycle Route Links in Dunkeswell, CFS1 – Preventing the Loss of Local Community Facilities, Services and Open Spaces used for Recreation, CFS2 – Access to Play and Recreation facilities</p> <p>d) LE1 – Live-work Workspace, LE2 – Industrial Estate, LE3 – Conversion of Agricultural Buildings, LE4 – Small Scale Camping</p> <p>e) NE1 – Retaining, Conserving and Enhancing the Natural Beauty of Our Parish, NE2 – Development on Farmland for Agricultural Purposes, BE1 – Maintaining the Built Character through High Quality Design, CFS1 – Preventing the Loss of Local Community Facilities, Services and Open Spaces used for Recreation, CFS2 – Access to Play and Recreation facilities, BE2 – Protecting Our Valued Historic and Heritage Assets in Dunkeswell Parish, BE3 – Supporting the Use of the Historic Airfield, W1 – Minimising Waste in Dunkeswell, LE5 – Superfast Connectivity, ELC1 – Renewable and Low Carbon Energy Schemes</p>

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)

The meaning of “general conformity” is explained in National Planning Practice Guidance. It states: “When considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority, should consider the following:

- whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with;
- the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy;
- whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy;
- the rationale for the approach taken in the draft neighbourhood plan or Order and the evidence to justify that approach.”¹⁵

We consider that our neighbourhood plan is in general conformity with the strategic policies in the Local Plan. Indeed, we consider all of our policies to be complementary to those in the newly adopted Local Plan and adding a local layer of policy specificity which does not exist elsewhere. This is important as there is not always a policy in the adopted Local Plan which is specific enough to relate closely to our detailed local neighbourhood plan policy.

The neighbourhood plan sets out the rationale for the development of policies and directly references the links and relationship between our policies and those in the adopted Local Plan. It also sets out a ‘chain of general conformity’ by setting out the key elements of evidence, in addition to the justification section for each policy, which have led to the development of the policy itself. All of our

¹⁵ Paragraph 074, Reference ID: 41-074-20140306, National Planning Practice Guidance, DCLG (<http://planningguidance.planningportal.gov.uk/blog/guidance/neighbourhood-planning/the-basic-conditions-that-a-draft-neighbourhood-plan-or-order-must-meet-if-it-is-to-proceed-to-referendum/general-conformity-with-the-strategic-policies-contained-in-the-development-plan/>)

policies were developed following the same process of establishing local and written evidence, to inform our vision, aims and objectives, which in turn provided a focus for policy development. This process is captured in the diagram below which sets out the key steps in the plan making process that we followed.



During the plan’s development we have maintained an ongoing dialogue with planning officers at East Devon District Council to ensure that our plan and its policies are in general conformity with the strategic policies of the Local Plan. This has involved ensuring that the policies of our plan are in general conformity with those in the newly adopted Local Plan. We tracked the progress of our plan alongside the new Local Plan as it was developed as well as the then (old) adopted Local Plan on the working assumption that the new emerging Local Plan may become adopted in advance of our neighbourhood plan being made. This has proven to be the case and our approach has ensured that we have a neighbourhood plan up-to-date and in general conformity with the strategic policies of the newly adopted Local Plan. Given that there were changes during the Local Plan Examination process which had an impact on the content of our Plan, we took the decision to pause the development of our Plan until the results of the Examination were known. This helped to ensure that our Plan is aligned with the most up-to-date and appropriate strategic policy context.

We have also sought to ensure that our local policies work alongside rather than in conflict with or over-write those set for development management purposes in Part 2 of the adopted Local Plan. Therefore, the table which follows sets out our policies also against policies of relevance in Part 2 of the Local Plan. Policy NP1 of the Local Plan sets the context for neighbourhood plans in this regard. It states that “East Devon District Council will support and encourage Parish and Town Councils, and if accepted in law local community groups (Neighbourhood Forums), to produce Neighbourhood Plans for their Parishes and/or defined neighbourhoods. Neighbourhood Plans must show how they implement the strategic policies (Part One) of this Local Plan but can choose to supersede or over-write all or any of the Development Management Policies (Part Two) of this plan.”

The following table “maps” each of our policies alongside the relevant strategic policy of the Local plan (and Part 2 policy where relevant). We have suggested how we consider the neighbourhood plan policy is in general conformity with the strategic policies to which it relates.

Neighbourhood Plan Policies	Relevant Strategic Policies of the adopted East Devon Local Plan (January 2016) (Part 2 policies are in brackets)	How does the Neighbourhood Plan demonstrate that it is in general conformity with the strategic policies?
NE1 – Retaining and Enhancing the Natural Beauty of Our Countryside	Strategy 3, Strategy 5, Strategy 7, Strategy 46, Strategy 47 (Part 2 - D2, EN5,)	Our policies follow the direction of travel set by the policies at District level to conserve and enhance the beauty and value of our countryside. They support and localise elements of the District policies, reflecting what is of particular importance to us in Dunkeswell and adding local specificity where necessary (for example, through reference to protecting Devon banks and hedgerows and the AONB).
NE2 – Development on Farmland for Agricultural Purposes	Strategy 7 (Part 2 – D2, D7, EN13)	
BE1 – Maintaining the Built Character of Our Parish through High Quality Design	Strategy 48 (Part 2 – D1, H10, H11, S4, S5, EN1, EN9-12)	Our policies follow the direction of travel set by the policies at District level to ensure that local distinctiveness and local design standards are central to development proposals. They adopt local design standards and guidance developed by the Blackdown Hills AONB for housing and set criteria for other development proposals to adhere to.
BE2 – Protecting Our Valued Historic and Heritage Assets in Dunkeswell Parish	Strategy 49 (Part 2 – EN1, EN8, EN9, EN10)	Our policies follow the direction of travel set by the policies at District level to conserve and enhance the physical and cultural heritage of the District and the contribution heritage assets make to economic and social wellbeing. They support and localise elements of the District policies, reflecting what is of particular importance to us in Dunkeswell and adding local specificity where necessary (for example in relation to Dunkeswell’s airfield).
BE3 –Supporting the Use of the Historic Dunkeswell Airfield	Strategy 49 (Part 2 – EN1, EN8, EN9)	
HP1- Responding to Demonstrable Local Housing Need	Strategy 4, Strategy 34, Strategy 35, Strategy 36	Our policy follows the spatial strategy set by the Local Plan, reflecting a desire for limited development in rural / countryside areas. We have responded to a desire locally to support only very limited development and that the best mechanism to deliver this, in the context of the Local Plan policies, is through an Exceptions sites route and making best use of redundant structures in the parish. Our policies complement the strategy for development set out in the Local Plan without compromising restrictions placed on development in the countryside or AONB. We are committed to protecting our landscape but within the context of enabling small scale sustainable development to support our rural vitality.
HP2 – Making Best Use of Existing Buildings for Housing	Strategy 4, Strategy 38 (Part 2 – D8, H3, E8)	
CFS1 – Preventing the Loss of Loss of Local Community Facilities, Services and Open Spaces used for Recreation	Strategy 3, Strategy 4, Strategy 32, Strategy 27, Strategy 43 (Part 2 - E14, RC1-2, RC4-RC7)	In line with Local Plan policies, our policies seek to retain essential services and facilities as assets to our rural community. They are essential if we are to ensure that the long-term sustainability and balance of our parish is maintained and concerns about loss of such services and facilities are not exacerbated. However, our policies recognise the importance of sustainable development

Neighbourhood Plan Policies	Relevant Strategic Policies of the adopted East Devon Local Plan (January 2016) (Part 2 policies are in brackets)	How does the Neighbourhood Plan demonstrate that it is in general conformity with the strategic policies?
CFS2 – Access to Play and Recreation Facilities		enshrined in national and Local Plan policy, setting conditions which would make change to such assets acceptable.
TA1 – Rights of Way (Public Footpaths, Pavements, Bridleways and Other Cycleways	Strategy 3, Strategy 4, Strategy 5 (Part 2 - TC4)	Our policy is in alignment with those of the Local Plan and seeks to help implement improved accessibility to the countryside, improving green infrastructure and to support improvements in general health and wellbeing.
TA2 – New Walking and Cycle Route Links in Dunkeswell	(Part 2 - TC4)	
TA3 – Off-road Parking	Strategy 7 (Part 2- TC7, TC9)	Our policies are in general conformity with those of the Local Plan. They build upon our desire to see safe and easy access around our rural narrow lanes, where the setting of the proposal is not compromised, in built character and landscape terms. Our policy is in alignment with Local Plan policies on parking and we are seeking to protect the character of our parish by ensuring that new development which reduces parking spaces provides additional spaces to compensate and not reduce the net provision but at the same time not doing so at the cost of our environment. The policies strengthen our policy NE1 which strongly reinforces the principles established by Local Plan Strategy 7.
TA4 – Vehicular Access and Egress Arrangements	Strategy 7 (Part 2 - TC9)	
TA5 – Reducing Traffic Impact	Strategy 5B (Part2 – TC7)	Our policy is in alignment with those of the Local Plan and responds to local concerns about the impact of HGVs and increasing levels of traffic. We have sought to recognise the balance needed between our village acting as a rural employment centre and the need to retain the amenity expected in a rural area enjoyed by residents.
LE1 – Live-work Workspace	Strategy 28 (Part 2 – E4, E5)	Our policy is in alignment with the principles set by the strategic policies of the Local plan. Dunkeswell village presents a unique opportunity in the AONB – a high quality rural environment and landscape coupled with being a local rural employment centre. We wish to support our local economy without compromising the quality of our environment and to nurture small business and small scale economic growth to support the wider rural area. Importantly, our policies help to realise and provide policies to support the vision set out in the Local Plan (chapter 15) for vibrant rural areas.
LE2 – Industrial Estate		
LE3 – Conversion of Agricultural Buildings	Strategy 3, Strategy 4, Strategy 7, Strategy 28 (Part 2 - D8, E16)	Our policy is in alignment with the strategic policies of the Local Plan. We support, through our policy, the conversion of farm buildings for sustainable rural employment uses subject to criteria making the development proposed acceptable.
LE4 – Small Scale Camping	Strategy 33	Our policy is in alignment with the Local Plan and supports small scale tourism which does not

Neighbourhood Plan Policies	Relevant Strategic Policies of the adopted East Devon Local Plan (January 2016) (Part 2 policies are in brackets)	How does the Neighbourhood Plan demonstrate that it is in general conformity with the strategic policies?
Sites		compromise the character of the landscape or rural nature of the parish as a whole.
LE5 – Super-fast Connectivity	Strategy 27 (Part 2 - RC6)	Our policy is in alignment with that of the Local Plan and supports improved connectivity in development within the context of protecting our locally valued environment.
ELC1- Renewable and Low Carbon Energy Schemes	Strategy 39	Our policies follow the direction of travel set by the policies at District level to ensure that renewable energy and low carbon proposals are acceptable in principle, but on the basis that they are appropriate to certain criteria, including sensitivity in the landscape and natural environment. Our policy sets criteria which tests proposals to ensure that they will be appropriate to their setting in terms of size, scale and impact whilst identifying the need for any proposals to be cognisant of the continued safe use of the active airfield.
W1 – Minimising Waste in Dunkeswell	Strategy 3	Our policies follow the direction of travel set by the policies at District level to support growth and change where it complies with one of the core principles of sustainable development. Our parish will play its part in supporting proposals which help to contribute to greener waste disposal and recycling but only where this does not compromise the special quality of the AONB.
DP1 – Delivering Priorities	Strategy 50 (Part 2 – RC policies)	Our policy is in alignment with the policies of the Local Plan and seeks to ensure that any developer contributions and / or Community Infrastructure Levy funds is channelled to appropriate locally identified priorities.

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

A screening process was carried out by East Devon District Council to determine whether a Strategic Environment Assessment (SEA) and / or a Habitats Regulation Assessment (HRA) would be required as the Neighbourhood Plan was developed. Through consultation with the statutory environmental agencies, it was determined that our Neighbourhood Plan will not have significant negative environmental impacts and that protected European “Natura 2000” sites such as Special Protection Areas (SPA) or Special Areas of Conservation (SAC) will not be affected as a result of its policies.

Therefore, neither an SEA nor HRA was required for our Neighbourhood Plan and the basic conditions concerning Habits and Environmental Impact Assessment as described in Schedules 2 and 3 of the Regulations have been accounted for.

The formal written screening opinion of East Devon District Council is appended to this Statement as Appendix 3.

The Neighbourhood Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and comply with the Human Rights Act 1998.

The prescribed conditions are met in relation to the plan and prescribed matters complied with in connection with the proposal for the plan

Section 38A(12) of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act¹⁶ sets out the definition of “prescribed”. It means conditions prescribed by regulations made by the Secretary of State. Currently there are no additional relevant prescribed conditions of which we are aware which the Neighbourhood Plan needs to meet.

¹⁶ See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

Appendices

Appendix 1.

Neighbourhood Area Application

The Neighbourhood Planning (General) Regulations 2012
Application for Designation of a Neighbourhood Area



This information is intended to assist the Local Planning Authority in making a decision but please note that further information may be required.

Which Town or Parish Council is applying to designate a neighbourhood area? DUNKESWELL

contact details –

John Barrow j.barrow001@btinternet.com Geoffrey Sworder g.n.sworder@googlemail.com Tracey Bell info@theoldkennels.co.uk

Please confirm that all the parishes listed above agree to the application

Please confirm that the organisation/s or body/ies making the area application is a relevant body for the purposes of section 61G of the 1990 Act.

Please advise what, if any, discussion has taken place with neighbouring Parishes with a view to partnership working?

We have consulted with Sheldon, Combe Raleigh and Luppitt. It was concluded that Luppitt and Combe Raleigh might have a better affinity; Sheldon's inclusion remains a possibility, but is undecided.

Please append a map identifying the area to which the area application relates. Parish boundary of Dunkeswell (map not included)

Please explain why this area is considered appropriate to be designated as a neighbourhood area

Parish is a suitable area and population with a diversity of residential and commercial development; we have recently completed our third Parish Plan and wish to produce a neighbourhood plan to reinforce the contents in a legal manner.

Signed **Tracey Bell** Date: **5th April 2012**

Position **clerk** Organisation: **Dunkeswell Parish Council**

The Neighbourhood Planning Regulations can be downloaded at: <http://www.legislation.gov.uk/ukSI/2012/637/made>

A summary of the next steps is provided below

Publicising an area application

Once we have received your neighbourhood area application we must, as local planning authority, publicise the following on our website and in any other manner that we consider is likely to bring the application to the attention of people who live, work or carry out business in the area to which it relates -

(a) a copy of the area application; (b) details of how to make representations; and (c) the date by which those representations must be received, being not less than 6 weeks from the date on which the area application is first publicised.

To help us meet these requirements: Are we able to publicise the application in any widely available local newsletters/magazines? If so, please give contact details and advise how often the newsletter/magazine is published.

Do you have Parish Noticeboards? If so, please give contact details of the person responsible for their content. CLERK Tracey Bell Are there any other means of communication which could be used to advertise the proposals eg local website, social media, local interest groups? Please provide contact details. Website CLERK Tracey Bell as above Parish Magazine Tina Churchill parishmagazine@msn.com

Publicising designation of a neighbourhood area

As soon as possible **after designating a neighbourhood area**, we must publish the following on our website and in any other manner that we consider is likely to bring the application to the attention of people who live, work or carry out business in the area:

(a) the name of the neighbourhood area; DUNKESWELL PARISH (b) a map which identifies the area; and (c) the name of the relevant body who applied for the designation. DUNKESWELL PARISH COUNCIL

If we **refuse to designate a neighbourhood area**, we must publish the following on our website and in any other manner that we consider is likely to bring the application to the attention of people who live, work or carry out business in the area

(a) a document setting out the decision and a statement of our reasons for making that decision ("the decision document"); and (b) details of where and when the decision document may be inspected.

Further information is available from:

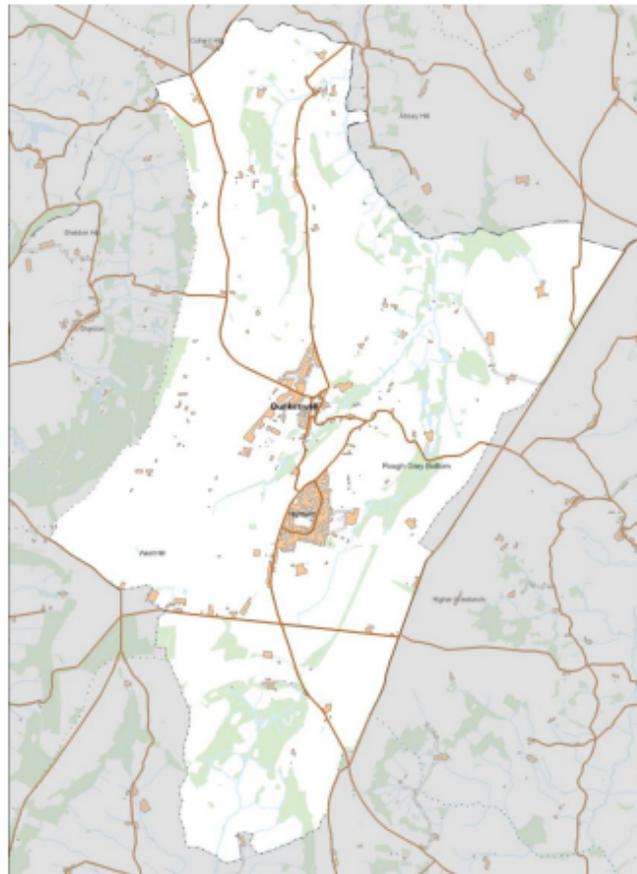
Planning Policy, Economy Directorate, East Devon District Council, Knowle, Station Road, Sidmouth, Devon, EX10 8HL 01395 571533

**The Neighbourhood Planning (General) Regulations
2012**

Application for Designation of a Neighbourhood Area



We have received an application from Dunkeswell Parish Council for the designation of the Parish of Dunkeswell as a Neighbourhood Area.



You can view the proposal on our website at:

www.eastdevon.gov.uk/planning-neighbourhood_plans

or by appointment with Dunkeswell Parish Council

You can also view or make comments on this proposal by writing to us at Planning Policy, East Devon District Council, Knowle, Station Road, Sidmouth, Devon, EX10 8HL (8.30-5pm Mon-Fri). If you write to us your comments will be kept on a public file and they may be reproduced in writing or on our website.

THE CLOSING DATE FOR COMMENTS IS 4 JULY 2012

Appendix 2.

Neighbourhood Area Decision Notice

Extract from Minutes of East Devon District Council Development Management Committee Minutes of the Meeting held in October 2012

***31 Proposed designation of Dunkeswell Neighbourhood Area**

At their meeting in May, prior to delegated authority being given to Head of Economy to accept and publicise applications, the Committee had agreed that the application from Dunkeswell Parish Council to designate the Parish as a Neighbourhood Area be advertised in accordance with the Neighbourhood Planning regulations. The proposal had been advertised on the District and Parish Council websites, on the Parish notice board and locally for eight weeks. During this consultation period no objections to the designation had been received.

The Committee noted that once the Parish was designated it must be advertised on the EDDC website and locally. The Parish Council could then commence production of their Neighbourhood Plan.

RESOLVED: that Dunkeswell Parish be designated as a Neighbourhood Area.

See <http://eastdevon.gov.uk/media/1167552/combined-dmc-agenda-201112.pdf> for full set of minutes of the meeting.

Appendix 3.

Strategic Environmental Assessment / Habitats Regulation Assessment Screening Opinion

**Dunkeswell Neighbourhood Development Plan
Strategic Environmental Assessment and Habitat
Regulations Assessment**

Screening Report

Prepared by East Devon District Council

March 2015



1.0 Introduction

- 1.1 The purpose of this report is to assess the policies contained within the draft Dunkeswell Neighbourhood Development Plan (hereafter referred to as DNP) to determine whether it requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004. An SEA is required under this legislation for all plans which may have a significant effect on the environment.
- 1.2 This report will also screen to determine whether or not the DNP requires a Habitats Regulations Assessment (HRA) in accordance with Article 6(3) of the EU Habitats Directive and with Regulation 61 of the Conservation of Habitats and Species Regulations 2010. An HRA is required when it is deemed that the implementation of the plan is likely to cause negative significant effects on protected European Sites (Natura 2000 sites).
- 1.3 The conclusion of the assessment is that the DNP is unlikely to have a significant effect on the environment so an SEA is not required to accompany the Plan. It is also unlikely to have a negative impact on any Natura 2000 sites so should not be subject to HRA.
- 1.4 This report has been sent to the three statutory consultees designated in the Regulations (English Heritage, Environment Agency and Natural England) to elicit their views on the findings. Responses have been received from Natural England and English Heritage, and both agreed with the findings of the screening.

2.0 Initial SEA screening

- 2.1 The basis for Strategic Environmental Assessments and Sustainability Appraisal legislation is European Directive 2001/42/EC and was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, or SEA Regulations. Detailed Guidance of these regulations can be found in the Government publication 'A Practical Guide to the Strategic Environmental Assessment Directive' (ODPM 2005).
- 2.2 The objective of SEA is *'to provide for a high level of protection of the environment and contribute to the integration of environmental considerations into the preparation and adoption of development plans.... with a view to promoting sustainable development'* EU Directive 2001/42/EC (Article 1).
- 2.3 Although there is no requirement for Neighbourhood Plan will require an SEA, Local Authorities are legally obliged to advise the plan producers as to whether an SEA is required.
- 2.4 To ascertain if SEA is required, a "screening" exercise will be undertaken by East Devon District Council evaluating the draft DNP against the criteria set out in the SEA Directive. This criterion is set out in the SEA Directive and can be found in Figure 1.
- 2.5 Should the screening report reach the conclusion that that plan will have a significant impact on the environment; a full SEA should be undertaken.
- 2.6 If the conclusion is that a full SEA is not required, any significant variations or additions to the DNP will be subject to a further screening.
- 2.7 The plan does not identify or propose the allocation of specific development sites.
- 2.8 SEAs have previously been undertaken as part of the adopted East Devon Local Plan 1995 to 2011 and emerging East Devon Local Plan 2013-2031 and have been taken into account whilst undertaking this screening assessment.

Figure 1: Application of the SEA Directive to plans and programmes

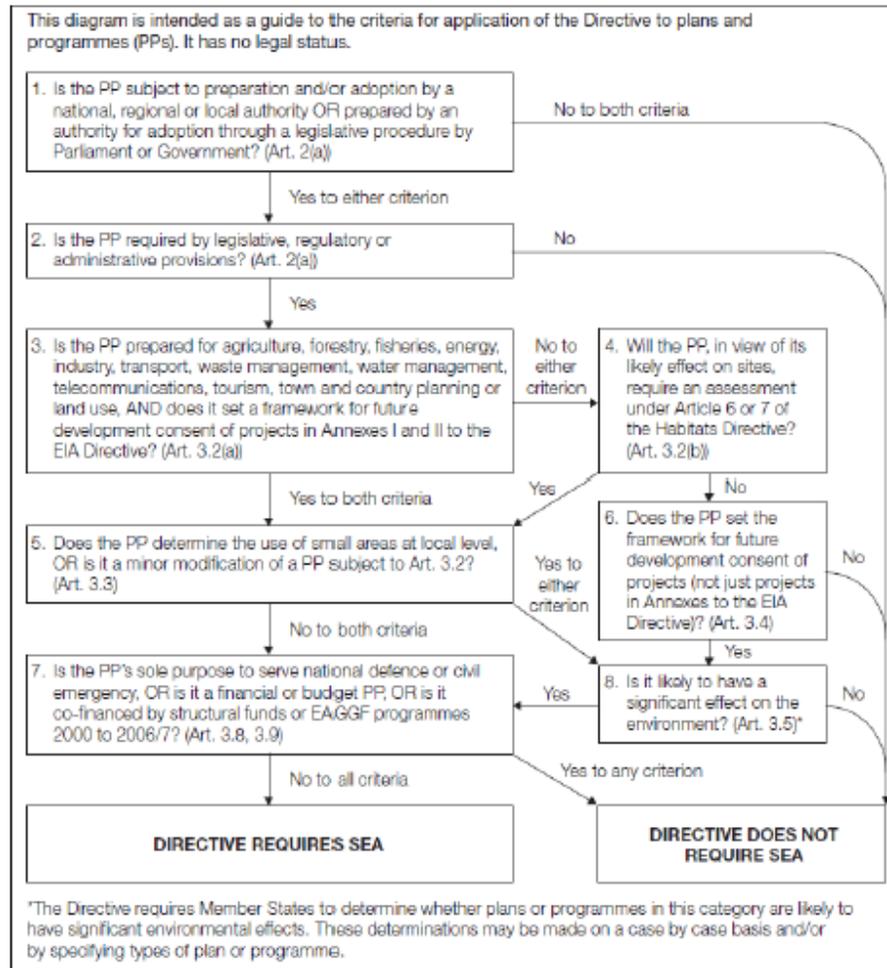
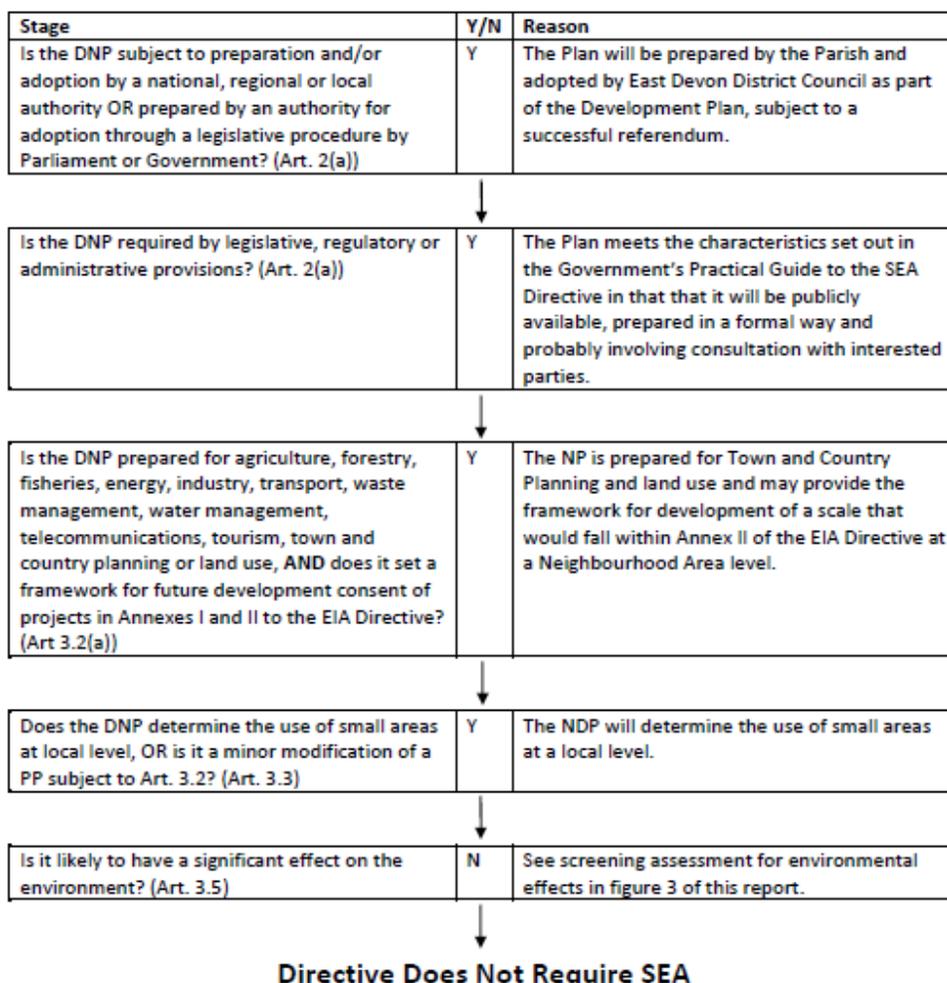


Figure 2: Screening assessment against the criteria for whether the DNP requires n SEA.



2.9 Screening Assessment for Environmental effects

2.10 Under step 8 of the Application of the SEA directive (Figure 1), in order to establish whether a plan requires an SEA, it was necessary to conduct a thorough assessment of whether the plan is likely to have a significant effect on the environment.

2.11 Dunkeswell is situated within the Blackdown Hills Area of Outstanding Natural Beauty (AONB). As such, its outstanding landscape value and setting are of national importance and is offered considerable protection under the planning system. Special weight will be given to the protection of the AONB when assessing whether the DNP will have a significant effect on the environment.

2.12 The table below sets out the criteria on which the impact of the DNP will be judged, as outlined in Article 3.5 of the SEA Directive.

Figure 3: Environmental impact screening assesment

Criteria for determining the likely significance of effects (Schedule 1 of SEA regulations)	Is the DNP likely to have a significant environmental effect?	Justification for Screening Assessment
The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.	N	The DNP sets a framework for developments within the neighbourhood area but does not allocate specific sites for development. It will be conformity with the policies already within the adopted and emerging East Devon Local Plans, both of which have been subject to SEA.
The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	N	The DNP must be in general conformity with the adopted East Devon Local Plan and have regard to national policies. It must also be compatible with EU law and the ECHR obligations. It is not considered to have an influence on other plans.
The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.	N	The plan will contribute towards the achievement of sustainable development, as required by the "basic conditions" on which the plan will be judged by at examination. The plan producers are also planning to prepare a sustainability appraisal, in which the objective of sustainable development will be considered throughout.
Environmental problems relevant to the plan or	N	The plan is not intending to propose sites for development so there will be

programme.		<p>no environmental impact related to the allocation of land.</p> <p>An emphasis has been placed on providing sufficient off-street parking spaces. However, the related policy TA3 is in line with and has regard to Local Plan provision for off-street parking which has already been subject to SEA.</p> <p>A considerable focus has been made on the continued protection and enhancement of the parish and its setting within the Blackdown Hills AONB. This is illustrated in particular through Policy NE1 which states that development proposals will only be supported where they have demonstrated that there will be no adverse impacts on the natural environment. The Plan makers also intend to produce a sustainability appraisal, where environmental matters will be considered.</p>
The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection).	N	These community legislation types are not relevant to the DNP and will not need to be considered.
The probability, duration, frequency and reversibility of the effects.	N	Although the DNP does not allocate sites, it is probable that the parameters set in the plan will result in development within the plan's lifespan. However, this will only be in the form of limited development in appropriate locations in order to meet a local need and will be assessed via the standard application process. The policies on the whole promote sustainable development and are not expected to have a significant environmental impact.
The cumulative nature of the effects.	N	The cumulative effects of the DNP are not considered to have a significant effect on the environment.

The trans-boundary nature of the effects.	N	The DNP will set a framework for development within the Neighbourhood Area. The scale of development it will impact upon is unlikely to have an effect on neighbouring areas.
The risks to human health or the environment (e.g. due to accidents).	N	There are no risks to human health identified.
The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).	N	The DNP is concerned only with development within the Parish of Dunkeswell, which has a resident population of 1,584. If there are any effects they are not considered to be wide ranging.
The value and vulnerability of the area likely to be affected due to: special natural characteristics or cultural heritage; exceeded environmental quality standards or limit values; intensive land-use; the effects on areas or landscapes which have a recognised national, Community or international protection status.	N	Dunkeswell is situated within the Blackdown Hills Area of Outstanding Natural Beauty. Listed buildings are scattered across the Parish, a large concentration of them being situated within the conservation area in the centre of Dunkeswell village. The DNP is unlikely to adversely affect these and there is a considerable focus on the protection of the unique and special landscape of the area, including the appropriate use of materials, protection of archaeological sites, protecting biodiversity and encouraging tree planting.

2.13 Conclusion

2.14 Dunkeswell Neighbourhood Plan does not require a Strategic Environmental Assessment.

2.15 Taking the above assessment into consideration, The Dunkeswell Neighbourhood Plan is unlikely to have a significant environmental impact. It does not allocate sites for development and the policies are in accordance with the adopted and emerging local plans (which were themselves subject to SEA).

3.0 Habitat Regulations Screening Assessment

- 3.1 The draft version of the plan has been used to undertake this initial screening assessment. As the conclusion is that a full Habitat regulations screening is not required, any significant variations or additions to Plan will be subject to a further screening. A draft screening report was produced as part of the production of the emerging Local Plan and has been taken into account in undertaking this screening assessment.
- 3.2 The Conservation (Natural Habitats &c.) Regulations 1994 (The Habitats Regulations) transpose the requirements of the European Habitats Directive 92/43/EEC into UK law. The Habitats Directive and Regulations afford protection to plants, animals and habitats that are rare and vulnerable in a European context.
- 3.3 Habitats Regulations Assessment (HRA) is a systematic process through which the performance of a plan or project can be assessed for its likely impact on the integrity of a European Site. European Sites, also referred to as Natura 2000 sites, consist of Special Protection Areas (SPA), Special Areas of Conservation (SAC); Potential Special Protection Areas and candidate Special Areas of Conservation (pSPA and cSAC); and listed or proposed Ramsar sites.
- 3.4 Article 6(3) of the Habitats Directive states:
- ‘Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans and projects, shall be subject to appropriate assessment of its implications for the site in view of the site’s conservation objectives’.
- 3.5 There are no Sites which are potentially relevant to the Dunkeswell Neighbourhood Plan.
- 3.6 Natural England will be consulted on this document by the District Council.

Screening Criteria Questions

1. Is the Neighbourhood Plan directly connected with, or necessary to the management of a European site for nature conservation?

No

2. Does the Neighbourhood Plan propose new development or allocate sites for development?

The Neighbourhood Plan does not allocate sites, although the objectives indicate that small scale development to meet local needs will be supported.

Dunkeswell does not have a Built-up Area Boundary in the adopted or emerging East Devon Local Plans, so there is a presumption against new residential development unless it is very small-scale and is permitted to meet a specific need (eg affordable housing or an agricultural workers

dwelling) or to achieve the retention of an historic building. A detailed assessment of potential impacts will be carried out when specific proposals come forward through the planning system.

The existing, adopted Local Plan was not subject to an HRA (it pre-dated the requirement) but, as the type of small scale housing referred to in the Dunkswell objectives accords with Local Plan policy, re/development has already been found to be acceptable in principle.

The objectives in the Neighbourhood Plan do also accord with the emerging Local Plan for the District which is subject to an HRA. A screening opinion was provided by Land Use Consultants early in the Plan production process and an HRA was completed by Footprint Ecology before, and informed, the submission version of the Local Plan. It indicated that the Local Plan will have sufficient policy provisions to enable the subsequent delivery of necessary measures to avoid and mitigate adverse effects on the integrity of European Sites.

3. Are there any other projects or plans that together with the Neighbourhood Plan could impact on the integrity of a European Site?

No

3.7 Conclusion

3.8 The Dunkswell Neighbourhood Plan does not require a Habitat Regulation Assessment.

3.9 The Dunkswell Neighbourhood Plan is unlikely to have an adverse effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010 (d), alone or in combination with other plans and projects. It does not propose a level of development significantly over and above that in the adopted Local Plan and is in accordance with the emerging Local Plan (which was itself subject to HRA).

Appendix A: Consultation Responses

Responses to the consultation agreed with the conclusions of the above screening exercise. The responses from the three statutory bodies of Natural England and English Heritage are shown below.

English Heritage

From: Stuart, David [David.Stuart@english-heritage.org.uk]
Sent: 30 March 2015 15:20
To: Timothy Spurway
Subject: RE: Dunkeswell NP SEA HRA consultation - UNCLASSIFIED:

Follow Up Flag: Follow up
Flag Status: Completed

Dear Tim

I can confirm that we have no objection to the conclusion that an SEA is not required for the Dunkeswell NP.

Kind regards

David

David Stuart | Historic Places Adviser
Direct line: 0117 975 0680
Mobile phone: 0797 924 0316
English Heritage | 29 Queen Square
Bristol | BS1 4ND
www.english-heritage.org.uk

Natural England

Date: 30 March 2015
Our ref: 144995
Your ref:



Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

Tim Spurway
Neighbourhood Planning Officer
East Devon District Council

BY EMAIL ONLY

Dear Tim,

Planning consultation: Habitat Regulation Assessment (HRA) and Strategic Environmental Assessment (SEA) screening opinion- Dunkeswell Neighbourhood Plan

Thank you for your consultation on the above dated February 2015 which we were consulted upon on 16 February 2015

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Strategic Environmental Assessment Screening

We welcome the objectives and policies of this Plan which have full regard to the importance of conserving and enhancing the characteristics of this sensitive area which lies within the AONB.

We note that the Plan does not allocate additional development than that proposed in the Local Plan's Draft East Devon Village Development Plan Document. We previously advised in our response dated 10 March 2014 that *"The village is located in the Blackdown Hills AONB however we note from the Landscape Appraisal that the two allocated sites would relate well to existing development or be screened by an existing tree belt and therefore would result in minimal harm to the landscape. The design of any development at this site will be crucial and should be informed by further and landscape and visual impact assessment to ensure any harm is mitigated."*

We consider that by referencing *The Design Guide for Houses* which was developed by the Blackdown Hills AONB as well as its inclusion in policy BE1, and by not allocating further sites the change to landscape will not be significant.

We therefore agree with the SEA screening assessment that the Plan does not give rise to significant environmental effects.

Habitat Regulation Assessment Screening

We agree that *"The Dunkeswell Neighbourhood Plan is unlikely to have an adverse effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010 (d), alone or in combination with other plans and projects."* We also note that *"It does not propose a level of development significantly over and above that in the adopted Local Plan and is in accordance with*

Page 1 of 2



Natural England is accredited to the Cabinet Office Service Excellence Standard

the emerging Local Plan (which was itself subject to HRA)".

We therefore also agree with the HRA screening assessment that the Plan

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter only please contact Laura Horner on 0777 589 2929. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

Mrs Laura Horner
Lead Advisor Plans Devon, Cornwall and Isles of Scilly Area Team

