

## Clyst Honiton Neighbourhood Plan Steering Group – Comments on Regulation 16 Consultees Responses

Discussed and agreed with Clyst Honiton Parish Council at minuted joint meeting held 4<sup>th</sup> June 2024

Source	NPSG Response
<p>1.</p> <ul style="list-style-type: none"> <li>• National Highways</li> <li>• Sport England</li> <li>• Bloor Homes &amp; SPL</li> <li>• Mc Murdo SPL</li> </ul>	<p>None required.</p>
<p>2. Historic England</p>	<p>To note:</p> <ul style="list-style-type: none"> <li>• This response repeats comments made by HE at Reg 14 in which the NP Steering Group made a detailed reply. (Appendix 3 p173 and 178)</li> <li>• In the Character Assessment (App 7A) there is a list of heritage assets and recognition of heritage assets within specific character areas.</li> <li>• In the AECOM Site Options assessment (App 9) heritage assets were considered in the sites allocated.</li> <li>• DCC and EDDC have not raised concerns about historic assets not being adequately protected in the policies proposed in the NP.</li> <li>• The NPPF and the NP design policies ensure that historic assets are suitably respected and protected.</li> </ul>
<p>3. C Rudge Landowner of site allocated in Policy</p>	<p>To note:</p> <ul style="list-style-type: none"> <li>• In support of small housing schemes in the Village. (Policy SA1)</li> <li>• Comments made evidence the effect of the road closure scheme to the feel and nature of the village.</li> </ul>

Source	NPSG Response
	<ul style="list-style-type: none"> <li>The comment on the old antiques centre (Site in Policy E3) on not been suitable as a commercial site has been overruled by successful planning applications (20/0191/FUL and 24/0836/DOC) for commercial development.</li> </ul>
<p>4. Devon Countryside Access Forum 3 separate responses</p>	<p>NPSG agree to all proposed changes in wording.</p>
<p>5. Natural England</p>	<p>To note: SA1: The payment for this mitigation is compulsory legislation for all such development sites in EDDC and therefore does not need to be written within the Policy. The viability of the site (App 11) took into consideration such mitigation requirements, which proves understanding of such mitigation costs. Such wording can go into another section within the Chapter.</p>
<p>6. Church Commissioners Lichfields</p>	<p>To note: There are references to the deleted NDO site which are not relevant to the Reg 16 process of the NP. (e.g. comment about BDNG for Site SA3)</p> <p>Policy NE3: The LPA are in support of this policy (see EDDC reg 16 response). The land safeguarded sits within the Clyst Valley Regional Park. EDLP Strategy 10</p> <p>The NPSG want the policy to remain within the NP and are happy for alterations to the policy to facilitate this (see points 1-7 below).</p> <p>The community are being swallowed by strategic development and use of a green space on its doorstep is much needed and supported. The message is to alter the policy and not for it to be deleted.</p>

Source	NPSG Response
	<p>The CCE as a registered Charity with a diverse portfolio of provision (See Introduction and Context) to include “<b>new areas of open space, which benefit not only new residents but also neighbouring communities</b>” This policy is providing such provision.</p> <p>Comments on points raised:</p> <ol style="list-style-type: none"> <li>1. Airport noise legislation does not require off site noise mitigation for Site SA1, it is seen as a bonus for residents if there is open space within a 5-minute walk, but it is not a requirement. This noise mitigation content can therefore be deleted.</li> <li>2. The 106 (2018) legislation has not been implemented by the landowners after 6 years so there is no PRow in place, the purpose of this policy was to add a level of safeguard and support for the provision of public access at a minimum within the Policy site with the hope that the full PRow beyond the Policy site, would also be delivered in the future.</li> <li>3. The comment about seasonal use should remain as use of this a flood plain and the PRow will be seasonal.</li> <li>4. The use of the term community can be changed and use of a more inclusive term to include all the neighbouring communities rather than just the Clyst Honiton community. There is an understanding that Clyst Honiton residents are likely to be the largest daily users as it is opposite the village being less than 100m away. Such a change will comply with the specification found in the CCE Introduction and Content section of the Reg 16 response.</li> <li>5. There is support for the policy to encompass public access to include wildlife and livestock sensitivities. Such sensitivities are locally common where extensive swathes of other land beside local rivers have similar public access sensitivities. (Eg Exe, Otter, Clyst all share the land with wildlife and livestock (cows and sheep))</li> </ol>

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	<p data-bbox="707 240 1962 347">6. The NPSG are happy for the PRoW map provided in Figure 1 to be included in the NP. This would show the yellow path routes within NE3 and to provide clarity as to the larger 106 provision.</p> <p data-bbox="707 395 2018 584">7. The inclusion of community facilities within the policy can be deleted as C3 supports the development for such community structures and would include joint funding projects with the Clyst Valley Regional Park. The policy could take out the examples 1 – 4 and put them into the justification section. The policy wording could be altered to: Proposals related to the enhancement of the River Clyst Park for neighbouring communities will be supported.</p> <p data-bbox="663 632 797 663">Policy C2:</p> <p data-bbox="663 671 775 703">To note:</p> <p data-bbox="663 711 1984 818">CCE has raised issues on the delivery of community facilities. Although the information in the second paragraph is informative for the PC, such delivery is deliberately not covered within the Policy, because each community facility coming forward will have different delivery requirements.</p> <p data-bbox="663 866 1984 938">Policy C3: NPSG happy for first sentence of the policy regarding Clyst Valley Park NE3 to be taken out and for the second paragraph to be altered.</p>
7. Exeter and Devon Airport Limited Response	<p data-bbox="663 987 2018 1094">Section 2.3 the NPSG disagree that the context of Zone A of the NP is unaffected by local large scale strategic development and that only Zone B is sustainable. NPSG agree for the Examiner to decide on this matter.</p> <p data-bbox="663 1142 2007 1249">Policy wording changes are provided for DS1, DS2, DS3, DS5, DS8 and NE1. In support for these to be implemented OR to be included within Policy DS1 as a specific airport design item, rather than the same details being repeated across a number of policies. Examiner to decide.</p> <p data-bbox="663 1297 797 1329">Policy C2:</p> <p data-bbox="663 1337 1267 1369">NPSG in agreement that this policy remains.</p>

Source	NPSG Response
	<p>Happy for it to be rewritten for clarity and to strengthen the policy.  Response shows a lack of understanding as to what a NDO is.  To note:  Clyst Honiton does have an identified housing need, and as there is no guarantee that SA1 will be delivered.  Policy C2 part b) was included so that any new housing sites in Clyst Honiton Village would provide the identified housing need.  Happy for the policy to be written so that part a) <b>and</b> b) are a requirement.</p> <p>Policy E3:  Disagree with objection.  NPSG decision is for policy to remain.  Happy for the policy to be adjusted to ensure airport and noise mitigation is strengthened.</p> <p>This policy is a new policy which was an amalgamation of 2 policies from the Reg 14 draft. It was a deliberate decision to withdraw specific employment class uses from Site 1,2,3 to allow noise airport legislation to determine the acceptable commercial class use for these sites.  To note:  That despite restrictive guidance provided in the response by EDAL for the three sites (Site <b>1 would be exposed to noise levels of 69dB, Site 2 sits between the 63 and 66dB contours, and Site 3 between the 66 and 69dB contours. Moreover, the majority of Site 1 and part of Site 3 lie within the Airport PSZ.</b>) this goes against recent successful planning applications:</p> <ul style="list-style-type: none"> <li>• Site 1 within the PSZ has recently had a planning application granted for commercial use in 20/0191/ FUL and 24/0836/DOC,</li> <li>• Site 3 in the 66 and 69db and close to the PSZ, a planning application 21/1125/OUT and 22/0942/RES for residential development (which requires greater mitigation than employment class use) was accepted with most noise mitigation requirements being met except for outside amenity mitigations as see in the Clarke Saunders Noise Assessment provided.</li> </ul>

Source	NPSG Response
	<p data-bbox="658 280 725 304">SA1:</p> <p data-bbox="658 320 1048 344">Disagree with the Objection.</p> <p data-bbox="658 360 1323 384">Policy to remain, happy for it to be strengthened.</p> <p data-bbox="658 400 1234 424">Below is information to support the policy.</p> <ol data-bbox="707 480 2033 1369" style="list-style-type: none"> <li data-bbox="707 480 2033 823">1. App 12 provides monitored readings of 57Dcb day and nighttime less than 54Dcb close to this site which provide a much lower noise level than the airport noise contour bands. NPSG are happy for a noise assessment to be included within the policy requirements similar to those in Point 3: flooding. The strengthening of this part of the policy will ensure that a noise assessment targeting the guideline internal noise levels detailed in the <i>Professional Practice Guidance: Planning and Noise – New Residential Development</i> (May 2017) (ProPG) are carried out to demonstrate how the scheme can minimise noise impacts for occupants. Similar to the Clarke Saunders Noise assessment commissioned for 20/0191/ FUL and 24/0836/DOC,</li> <li data-bbox="707 871 2033 1094">2. Site Layout: The site is quarried out creating a back wall. There are also houses on the land beyond the site, both of these feature’s act as barriers for airport noise. This factor has not been acknowledged. A detailed Noise Assessment on the site would determine what level of airport noise protection these features provide. There will still be noise generated from the road fronting the site. In the 2020 Noise Assessment the dominant source of noise picked up by monitor S2 was traffic on York Terrace.</li> <li data-bbox="707 1142 2033 1369">3. The site Viability (App 11) included all costs for mitigating noise for site SA1 and this would have included those highlighted in <i>Professional Practice Guidance: Planning and Noise – New Residential Development</i> (May 2017) (ProPG) was developed by the IoA, the Chartered Institute of Environmental Health and the Association of Noise Consultants. Such mitigation requirements encourage better acoustic design for new residential development, with the aim of protecting people from the potentially ill health effects of excessive noise levels in and</li> </ol>

Source	NPSG Response
	<p>around the site. The inclusion of mitigation costs evidences an understanding of the need for the houses on this site to be designed to mitigate for noise.</p> <p>4. A recent planning application in Clyst Honiton Village next to the PSZ and in the 63 -65 noise contour had no outdoor amenity mitigation provision provided but the development still went ahead. It is acknowledged that the area in Policy NE3 sits within the 60-63 noise contour but there is access to land beyond this noise contour available for residents within a 5-minute walking distance. ProPG encourages a more holistic consideration of amenity rather than simply rating the level of noise outside. The Noise Assessment App 12 records that noise levels in the gardens will not be particularly desirable but that they are not unacceptable.</p> <p>5. The 2020 Noise Assessment has provided nighttime data and App 12 states that nighttime noise effects are significant and will require mitigation but that it is possible to mitigate this effect. App 12 summary and the App 12 BAP addendum confirmed that noise mitigation will be required to comply with national and local policies and that such mitigation will provide and enable suitable environmental conditions for future residents and users of the site with regards to noise. Site SA1 is therefore in general conformity with EDLP Strategy 17.</p> <p>Extra Information: The ProPG encourages a more holistic consideration of amenity rather than simply rating the level of noise outside. ProPG states the following regarding the consideration and assessment of noise in amenity spaces:</p> <p>“3(i) “If external amenity spaces are an intrinsic part of the overall design, the acoustic environment of those spaces should be considered so that they can be enjoyed as intended”.</p> <p>3(ii) “The acoustic environment of external amenity areas that are an intrinsic part of the overall design should always be assessed and noise levels should ideally not be above the <b>range 50 – 55 dB LAeq,16hr.</b>”</p>

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	<p>3(iii) “These guideline values may not be achievable in all circumstances where development might be desirable. In such a situation, development should be designed to achieve the lowest practicable noise levels in these external amenity spaces.”</p> <p>3(iv) Whether or not external amenity spaces are an intrinsic part of the overall design, consideration of the need to provide access to a quiet or relatively quiet external amenity space forms part of a good acoustic design process.</p> <p>3(v) Where, despite following a good acoustic design process, significant adverse noise impacts remain on any private external amenity space (e.g. garden or balcony) then that impact may be partially off-set if the residents are provided, through the design of the development a relatively quiet facade (containing openable windows to habitable rooms) or a relatively quiet externally ventilated space (i.e. an enclosed balcony) as part of their dwelling; and/or</p> <ul style="list-style-type: none"> <li>• a relatively quiet alternative or additional external amenity space for sole use by a household, (e.g. a garden, roof garden or large open balcony in a different, protected location); and/or</li> <li>• a relatively quiet, protected, nearby, external amenity space for sole use by a limited group of residents as part of the amenity of their dwellings; and/or a relatively quiet, protected, publicly accessible, external amenity space (e.g. a public park or a local green space designated because of its tranquillity) that is nearby (e.g. within a 5 minute walking distance).”</li> </ul>
8. EDDC	<p>Policy Section:</p> <p><b>Community Facilities</b></p> <p>C1: NPSG happy for suggested changes / comments.</p> <p>C2: NPSG agree with suggestions, except the need for a specific reference to engage with the LPA as they are already covered under the term stakeholders.</p> <p>C3: NPSG happy for Examiner to amalgamate policies C2 and C3 if the separate aspects remain.</p> <p><b>Design</b></p>

Source	NPSG Response
	<p>DS1: NPSG happy for suggested changes / comments but request the correction of Design Code Point 1 from 1-4 to 1-6</p> <p>NPSG happy for suggested changes / comments to: DS2, DS3 DS4, DS5, DS6, DS7,</p> <p>Policy DS8: The NPSG agree that DS2 and DS8 could be combined but would like the title to reflect this amalgamation and support the strong community requests for renewable energy. Possible title: <b>Sustainable design and the provision and use of renewable energy.</b></p> <p>If combined the second part of DS8 points 1 and 2 are to be to remain as separate points in the policy but can be strengthened.</p> <p>DS9: NPSG happy for the Examiner to make changes.</p> <p><b>Economy</b></p> <p>E1 and E2:</p> <p>The NPSG disagree with EDDC about the scale of development coming through Policies E1 and E2: The evidence provided shows that there are a limited number of existing buildings (6) in the rural area (Zone B) and limited brownfield sites. The NPSG are adamant that the policies are to remain but are happy for adjustments to be made by the Examiner to ensure these policies are robust and effective and stay in the NP.</p> <p>E3: NPSG are in support of changes suggested in bullet 1 &amp;2.</p> <ul style="list-style-type: none"> <li>• Bullet 3 Criteria (v) is in place to facilitate and safeguard commercial development as part of the NDO. The Policy therefore needs a criterion that specifically addresses that need. Happy for Examiner to rewrite this.</li> <li>• Bullet 4 Happy for Design Code to be added.</li> </ul> <p>Note: Policy deliberately does not cover existing Business Parks with the knowledge that development of these is embedded in the emerging plan within the strategic policies.</p>

Source	NPSG Response
	<p><b>Housing</b></p> <p>SA1:</p> <ul style="list-style-type: none"> <li>• Bullet 1: NPSG Agree with changes/ suggestions.</li> <li>• Bullet 2: NPSG happy for policy to be worded more precisely (as indicated in the EDAL response). Agree that internal noise standards and external space standards in BS8233 can be referenced in the policy but to add a clause to allow for more recent legislation, as this was set twenty years ago in 2014.</li> <li>• Bullet 3: This site brings forward houses that will balance the housing stock of the village. The Viability (App 11) work revealed that affordable houses can be delivered on the site. The housing needs survey revealed the need for three affordable houses. NPSG in support of affordable housing specifics to be included in the policy.</li> <li>• Bullet 4: NPSG agree that it is important that “meeting space standards” is added to Point 1 of the policy.</li> </ul> <p>H1: Self build and custom build is seen locally as a good source for affordable houses. Despite the descriptions of the type of buildings this has been misleading as some structures are built in brick and have tiled roofs. PDR applications have not been successful in regenerating such buildings as they have had limited agricultural use for 20 years. The policy was deliberately designed to allow redevelopment of such sites. The NPSG would like the Policy to remain with the understanding that some of the content might be lost. NPSG are happy for the Examiner to adjust the policy.</p> <p><b>Natural Environment</b></p> <p>NPSG happy for suggested changes / comments NE1 -4  To note that EDDC are in support of Policy NE3  Last sentence of NE3 to read as, “<b><i>Development proposals will not be allowed in the Clyst Valley Regional Park, unless it conforms with Local Plan Policy relating to development in the designated area.</i></b>“</p> <p><b>Access</b></p>

Source	NPSG Response
	<p data-bbox="663 242 1420 274">NPSG happy for suggested changes / comments AC1 -3</p> <p data-bbox="663 322 987 354"><b>Non-Policy Comments</b></p> <p data-bbox="663 360 1330 392">NPSG are happy for examiner to decide on these.</p> <p data-bbox="663 440 1003 472"><b>NPSG text observations</b></p> <p data-bbox="663 478 1839 510">An error was detected on page 35 where it referenced Policy NE4 which should be NE3</p> <p data-bbox="663 517 1644 549">An error was detected in DS1 where Design Codes should be 1-6 not 1-4</p>