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Via email to: localplan@eastdevon.gov.uk

Dear Sirs,

BISHOPS CLYST NEIGHBOURHOOD DEVELOPMENT PLAN

On behalf of Mr and Mrs C Bayliss we write to provide representations in relation to the above.

PCL Planning Ltd has already provided representations to the consultations of the East Devon Local Plan. This letter should be read alongside our responses to these earlier consultations, as well as to the Draft Villages DPD (January 2014).

The Neighbourhood Planning (General) Regulations 2012 provide for neighbourhood plans to be subject to an examination by an Independent Examiner appointed by the local planning authority. Unlike Local Plans which have to be tested for 'soundness', neighbourhood plans must meet a number of basic conditions before they can be put to community referendum.

The basic conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990, and state that a neighbourhood plan is required to:

- a) Have regard to national planning policies and advice contained in guidance issued by the Secretary of State;
- b) Contribute to the achievement of sustainable development;
- c) Be in general conformity with strategic policies contained in the Development Plan for the area; and
- d) Not breach, and is otherwise compatible with, EU obligations and human rights requirements.

National planning policies are set out in the Framework and supporting Planning Practice Guidance.

The Development Plan for the area comprises the adopted East Devon Local Plan (January 2016).

We would encourage the Parish Council to carefully consider the comments made in this representation in order to meet the basic conditions and general conformity with the above Development Plan policies.

Our particular concern with the plan is its failure to reflect the true built-up area boundary within the Parish. It should be made clear that the focus of the plan is to guide development at Bishops Clyst and not to restrict and or prohibit development within the Parish.

The housing figures set out in the Local Plan are expressed as the minimum level to meet the objectively assessed housing need of the District. As set out in our previous representations to the East Devon Local Plan, a flexible and broad based approach is required to housing delivery in the District across the plan period, to ensure that a range of sites are brought forward in sustainable locations.

I set out below some further comments in relation to particular sections of the plan in the order that they appear in the document.

1. Introduction

The Plan Area

In the description of the Parish and in particular the village of Clyst St Mary (paragraph 1.4 to 1.11) greater emphasis should be given to sustainability credentials including proximity of the Parish to Exeter; the availability of direct bus services to Exeter and other surrounding settlements (Exmouth, Seaton, Sidmouth and Honiton) and local employment opportunities.

Both the National Planning Policy Framework and the supporting Planning Practice Guidance state the need for neighbourhood plans to plan positively to support local development and help deliver their vision or grant planning permission for development the community wants to see.

Paragraph 1.11 of the plan states that the District Council has until recently sought to “*restrict development within a building line drawn fairly tight around the existing built-up area*” of Clyst St Mary, but goes on to recognise that new development has been permitted on land outside that line. Irrespective of this,

the paragraph goes on to state that the Parish has "*in effect, re-instated the built up area boundary (BUAB) contained in the previous Local Plan until such time as it is replaced by an agreed new BUAB*". This provides a confused picture, is not conducive to setting a positive approach to development and as we will go on to explain, the BUAB shown does not reflect the extent of the built up area of the village having regard to the extent of existing and proposed development.

4. Sustainable Development

We support the Parish's recognition in this section of the document for the need to '*enable, not prevent, development*' (paragraph 4.1), to reflect Local Plan policies, positively support them and to shape and direct sustainable development in the NP area.

We would suggest that reference should be made to the need to conform with the strategic policies of the Local Plan, as specified in criteria c) of basic conditions, rather than the current wording which states that the Plan should not undermine these policies (paragraph 4.3).

9. Built Environment

Control Development

We would suggest that this section is re-named 'Managing Development' to reflect more positive planning terminology.

Paragraph 9.13 states:

"Controlling further housing development will be helped by the existence of a built-up area boundary that establishes the locations and limits to local development. The local planning authority is committed to designating a Built-up Area Boundary for Clyst St Mary in an East Devon Villages DPD... Until that time and to avoid any uncertainties, we believe it prudent to maintain the BUAB that existed until the new Local Plan was adopted in January 2016 and one that has been recognised by residents and land-owners alike."

This approach lacks objectivity. The Built-up Area Boundary for the village (Map 5) does not reflect the physical extent of the built up area of the village and should include:

- St Bridget Nurseries Garden Centre, to the south of the A3052

- Clyst St Mary Village Hall, to the north of the A3052
- Land at Winslade House (allocated for development under Strategy 26B of the Local Plan) and to the east of the Village Hall (development under construction)
- The existing residential properties of Mill Down and Halland, which are contiguous with the built-up area

A revised built-up area boundary should therefore be included in the Plan to reflect the above comments which would ensure that it reflects the true extent of the built-up area of the village.

We would also suggest that the Parish look to include some form of “trigger” in the document to allow for additional land to be brought forward for development in the plan period. It is suggested that the Parish Council consider identifying a ‘fringe zone’, or similar, for land adjoining the built up area where residential development may be considered appropriate in order to account for deliverability uncertainties and changing circumstances.

16. How we will monitor and review the Plan

We welcome the commitment to a review of the plan. However, further explanation should be provided as to how/ whether this will coincide with the monitoring of housing completions by the District Council set out in the Local Plan and any review of Local Plan policies.

Thank you for the opportunity to comment.

Kind regards,



David Seaton, BA (Hons) MRTPI
For PCL Planning Ltd

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