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### Response to the submission of the Yarcombe & Marsh Neighbourhood Plan

Having considered the plan in detail, please find herewith East Devon District Council’s response to the submission consultation of the Yarcombe & Marsh Neighbourhood Plan. We wish also to congratulate and commend the hard work and dedication of the plan producers on reaching this stage of the process.

| EDDC Cmnt No | Issue / Policy In Plan    | Comment   |
|--------------|---------------------------|---|
| 1.           | Policy NE1                | Consideration should be given to including an additional criterion to ensure that development proposals take into account the Landscape Character Assessment.   |
| 2.           | Policy BHE1: Criterion i) | A recent examination undertaken for the Stockland Neighbourhood Plan commented on a criterion for a similar policy stating that <i>‘the Policy sets out a requirement for development to comply with guidance outside the control of the Neighbourhood Plan. I also note that design guidance is simply that. Notwithstanding this, I recognise that the Blackdown Hills Area of Outstanding Natural Beauty Design Guide for Houses provides helpful and locally distinctive guidance.’</i> And subsequently recommended changes to the plan so that the guidance should be ‘taken into account’ rather than requiring strict compliance. |
| 3.           | Policy PH1                | The use of the term exception sites could be clarified to indicate whether specifically it is referring to sites brought forward through strategy 35 of the Local Plan.   |
| 4.           | Policy PH1                | The term ‘will be considered for support’ does not provide a decision maker with a clear indication how to react to a development proposal. This should be amended to ‘will be supported’.  |
| 5.           | Policy PH1: Criterion b   | As with our comments on Policy BH1, consideration should be given to the Examiner’s comments for the Stockland who indicated  |

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Chief Executive: Mark R Williams Deputy Chief Executive: Richard Cohen



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|--------------|-----------------------------|--|
|              |                             | that you cannot require strict compliance with design guidance outside of the Neighbourhood Plan's control.  |
| 6.           | Policy TRA1: criterion iii) | This criterion doesn't make it clear what motorised vehicles should be prevented from doing. A small amendment to read 'from using public rights of way' should be included.   |
| 7.           | Policy EE1                  | It should be noted that the Bishops Clyst Neighbourhood Plan included an identical policy (BiC18) within their Neighbourhood Plan which was suggested for amendment on the basis that the word 'unacceptable' was undefined and consequently imprecise. Consideration should be given to included an amended policy using the wording promoted by the Examiner in that instance.   |
| 8.           | Policy ELC2                 | <p>It should be noted that the Stockland Neighbourhood Plan included an identical policy in their plan (ELC2) which the Examiner recommended removal of on the basis that <i>'it comprises a negative Policy and, in conflict with Planning Practice Guidance, is based on vague and imprecise terms.'</i></p> <p><i>For example, no indication is provided as to when a scheme might be "likely to have" an adverse impact and consequently, this phrase does not provide clarity. Furthermore, no indication is provided with regards how "the enjoyment of the natural and built environment" can be measured, who by and on what basis.</i></p> <p><i>The Policy does not provide a decision maker with a clear indication of how to react to a development proposal.</i></p> <p><i>Taken as a whole, the Policy does not have regard to national policy, which requires:</i><br/> <i>"...a positive strategy to promote energy from renewable and low carbon sources"</i><br/> <i>(Paragraph 97, the Framework).'</i></p> |

Yours sincerely,

Tim Spurway  
Neighbourhood Planning Officer