

Feniton Neighbourhood Plan

2016–2031

Basic Conditions Statement

Feniton Parish Council

October 2017

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1 Legal requirements

1.1 This statement has been prepared by the Feniton Neighbourhood Plan Steering Group on behalf of Feniton Parish Council (FPC). The statement will accompany the submission by FPC to East Devon District Council of the Feniton Neighbourhood Development Plan under section 15 of the Neighbourhood Planning Regulations 2012 ('the Regulations').

1.2 The Neighbourhood Plan – 'the Plan' – has been prepared by FPC, a qualifying body, for the area covering Feniton Parish, as designated by East Devon District Council on 3 September 2014.

1.3 The Plan proposal relates to planning matters (the use and development of land) in the designated neighbourhood area, and covers the period from 2014 to 2031. It does not contain policies relating to excluded development as laid out in the Regulations.

1.4 The following statement addresses each of the four 'basic conditions' required of the Regulations, and explains how the Neighbourhood Plan meets the requirement of paragraph 8 of schedule 4B to the 1990 Town and Country Planning Act.

1.5 The Regulations state that a Neighbourhood Plan will have met the basic conditions if it:

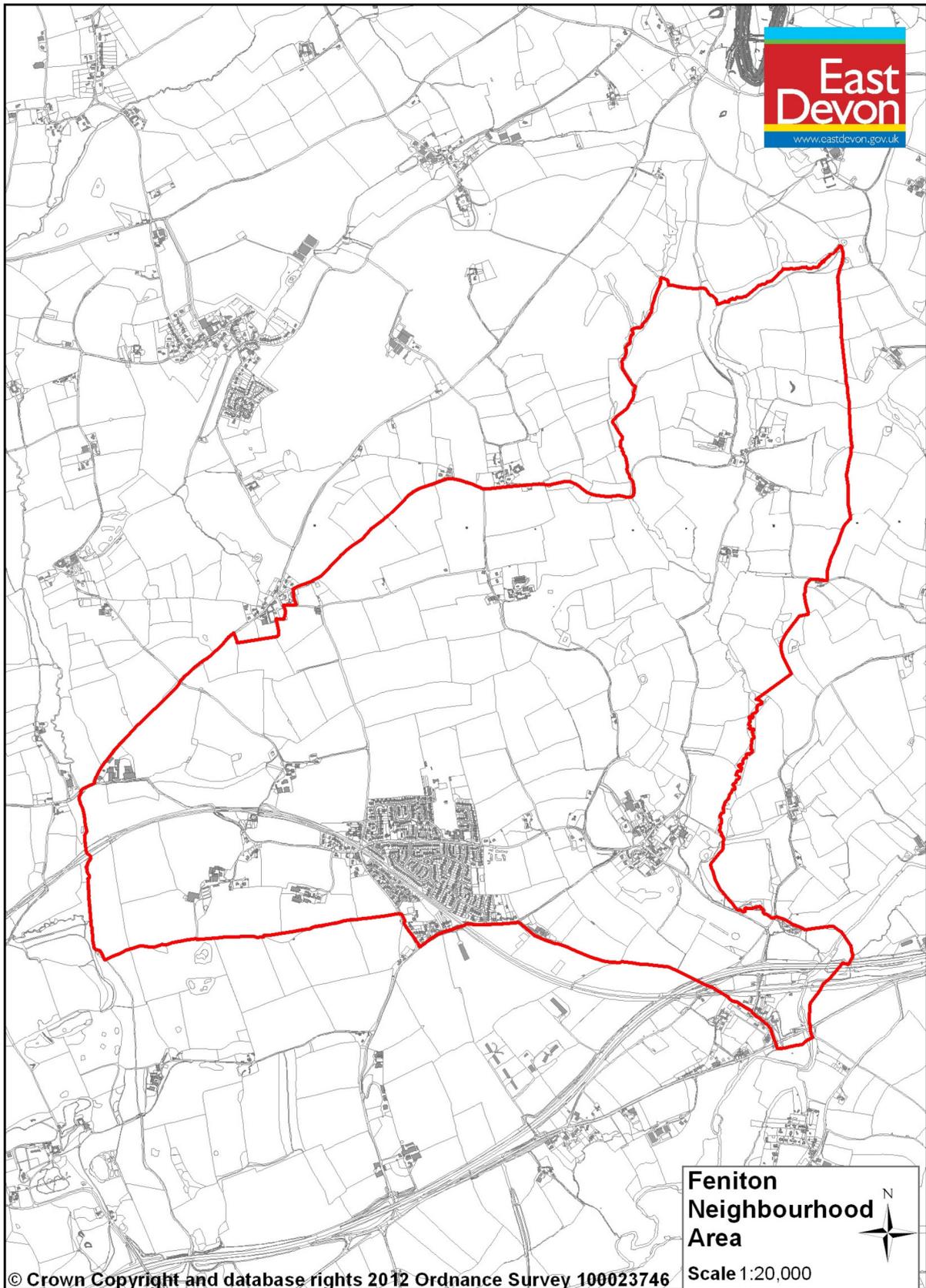
- has regard to national policies and advice contained in guidance issued by the Secretary of State;
- contributes to the achievement of sustainable development;
- is in general conformity with the strategic policies of the development plan for the area;
- is compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations.

2 Introduction and background

- 2.1 In the recent past two major issues have dominated Feniton and its parish: the constant threat of flooding caused by runoff from the neighbouring fields, and proposed mass housing development of a scale disproportionate to the size of the village and its community. A £1.6M flood defence scheme is currently underway, but as Policy F1 sets out, any proposal for mass housing development in Feniton should first ensure that the scheme is operational and proven to be effective.
- 2.2 In 2013 Feniton faced proposals from three developers to construct over 200 new houses, proposals which, had they been implemented on top of an estate of 50 houses previously approved, would have seen the village expand in size by over 40%. A joint inquiry was held by the Planning Inspectorate in January and February of 2014: while a new development of 32 houses was accepted, the remaining proposals were rejected. The decision by the Planning Inspectorate of 7 April 2014 is significant in that it has informed much of the climate in which the Neighbourhood Plan has been discussed. For example, the Planning Inspectorate drew attention to the damage that would be caused to the local landscape were mass development to go ahead (#41, #48), while Feniton's poor public transport and lack of opportunities for sustainable transport were highlighted (#76, #78, #125). Significantly, the Inspectorate addressed the matter of Feniton as a 'sustainable' community, rejecting claims by the developers that Feniton was capable of absorbing substantial increases in its population (#87, #92).¹
- 2.3 These concerns served as catalysts for the development of a Neighbourhood Plan for Feniton, the Parish Council for many years having been heavily engaged in discussions with the community about flood mitigation and appropriate housing development. As a result the Parish Council embarked on a thorough, careful and painstaking approach to the formation of a Neighbourhood Plan. The Council decided in May 2014 that it wished to create a Neighbourhood Plan for the parish. Following designation of the area in September the same year, an extensive period of consultation with local and national stakeholders, local organisations, businesses, landowners, and residents was undertaken, finally concluding in November 2016. As well as written and email consultations, face-to-face meetings were arranged, and a number of public consultation events were staged, e.g. a Neighbourhood Plan stall at Feniton's annual fair ('Feniton Fun Day') in 2015 and 2016. The Parish magazine, noticeboards and the Council website were all used to publicise the various stages of the process. A large banner was also used to raise the profile of the Plan. The consultation arrangements for the Plan are all fully recorded within the submitted Consultation Statement. During the later stages of this period, the draft plan was developed by the Neighbourhood Plan Steering Group and approved by the Parish Council on an ongoing basis. The accompanying Consultation Statement provides a timeline of meetings held and examples of public consultation.

Appeal decision of 7 April 2014 (reference nos Refs APP/U1105/A/13/2191905, APP/U1105/A/13/2197001, APP/U1105/A/13/2197002 and APP/U1105/A/13/2200204). Available on line at: <http://planningapps.eastdevon.gov.uk/Planning/lg/GFPlanningDocuments.page>

Figure 1: Approved Neighbourhood Plan Area



3 Having regard to National Planning Policy

3.1 The Neighbourhood Plan has been prepared in conformity with the policies set out in the National Planning Policy Framework (NPPF) of April 2012. It also gives regard to the 12 core planning principles contained in paragraph 17 of the NPPF, alongside the National Planning Practice Guidance (NPPG) published by the Government in April 2014 in relation to the formation of Neighbourhood Plans.

3.2 Table 1 sets out a summary of how the Plan relates to the NPPF. The paragraphs concerned are considered the most relevant to the Plan, and are not intended to be a comprehensive list of every possible relevant paragraph.

Table 1 How the NP policies conform to the NPPF

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>Community responses to the Neighbourhood Plan have demonstrated considerable concern about poor public transport, and the need for future development to take this into consideration as part of a more sustainable vision.</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 accordingly that these policies can be used effectively as a practical framework in the planning system’s decision-making process. As part of its methodical and considered approach, FPC’s Neighbourhood Plan Steering Group also commissioned advice from Chartered Town Planner Stuart Todd, of Stuart Todd Associates, and the independent charity Devon Communities Together.</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>Our Plan supports sustainable local economic development, 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>Main policies that refer are: H1 Affordable housing percentage H2 and H3 General development criteria H4 Relieving traffic congestion</p>
<p>Paragraphs 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; • promote the development and diversification of agricultural and other land-based rural businesses; • 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>It was recognised that the community needs to better promote opportunities for young people, and that one way to do that is to maintain and enhance the existing facilities, which in turn will support a strong rural economy. A working group is being set up to look into improving facilities for the younger population.</p> <p>Main policy that refers is: C1 Protect, maintain and enhance existing community facilities.</p>
<p>Paragraph 17, NPPF (Core Principles of planning) “Planning should always seek to secure high quality design and a good standard of amenity for 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>The consultation exercise recognised that there should be high quality design which will enhance the visual appeal of the village, and respect the rural nature of the community.</p> <p>Main policy that refers is: H3 (i), (ii), (iii)</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 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; 	<p>One of the themes that came through during the extensive consultation was that residents valued the rural nature of the Parish, with its inherent beauty and character which gave them a clear sense of place. Therefore any development should protect that sense, enhancing the already thriving community.</p> <p>Because there are only limited areas of green space within the BUAB, the consultation exercises showed there is a real need to promote what exists, as well as recognise the importance of the footpath network giving access to areas of rural tranquillity and offering recreational value.</p> <p>Main policies that refer are: E1 Preserving and enhancing the rural character and historic environment. O1 Promoting Local Green Spaces.</p>

<ul style="list-style-type: none"> ● 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>H3 (iii) Designs to minimise impact on visual amenity of the landscape and the natural environment.</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 through policies which seek to protect the natural environment, and by not supporting development at a scale which would compromise sustainability objectives.</p> <p>Main policies that refer are: F1 and H3</p>
<p>Paragraph 17, NPPF (Core Principles of planning) “Planning should encourage the effective use of land ...”</p>	<p>Given the centrality of farming to the local community, it is important that, where possible, greenfield sites should continue to be used effectively for the local economy and the preservation of Feniton’s rural character.</p> <p>Main policy that refers is: E1.</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 reflects the very high levels of concern in the community as far as flooding is concerned, particularly the impact of housing development, and the risk of inadequate measures to replace natural infiltration that takes place on open fields. Failure by a developer in Feniton to implement in a timely fashion agreed attenuation tanks as part of a housing development have added to these concerns.</p> <p>Main policy that refers is: F1.</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 the heritage and traditional 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 have also recognised that there are other local heritage assets not nationally recognised that should be protected.</p> <p>Main policies that refer are: E1</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 scale and pattern of growth, which is limited in our rural parish, focusing on small scale sites.</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-today 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 community; and ● ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.” 	<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 as local community assets.</p> <p>We have provided a clear focus on the protection and improvement of these local assets to ensure the continued vitality and sustainability of our small rural community.</p> <p>Main policies that refer are: C1, C2 and C3</p>
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<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>The Parish Council has long been mindful of local housing needs, and commissioned a report in 2012 from Devon Communities Together on behalf of the Devon Rural Housing Partnership. We have recognised the continuing need in our parish to respond to local housing needs, which were identified through local consultation, and our Neighbourhood Plan survey. The Parish Council will commission a further housing needs survey in the future to ensure that those needs are addressed. Consultation has supported that a very limited number of new dwellings should be delivered in the parish.</p> <p>Main policy that refers is: H1, H2 and H3</p>
<p>Paragraph 35, NPPF</p> <p>“Plans should protect and exploit opportunities for the use of sustainable 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>Feniton has an over-dependency on car use due to the limited nature of public transport in the village. Consultation has led our Plan to identify the need for increased safety and ease of accessibility given our narrow country lanes in a rural setting.</p> <p>Main policy that refers is: T1</p>

4. General conformity with the strategic policies of the development plan

4.1 The Neighbourhood Plan has been prepared to ensure that it is in general conformity with the development plan for the area (Table 2).

4.2 The current development plan for the area is the adopted East Devon Local Plan 2013–2031.

Table 2 General conformity with East Devon Local Plan, 2013–2031

NP Policy Number and Title	Relevant local plan policy	Comment on conformity
<p>Policy T1 Proposals for housing development will only be supported where they demonstrate that they will, in proportion to the scale of development proposed:</p> <ul style="list-style-type: none"> i) minimise any adverse impact of additional traffic, such as increased volume of traffic at peak times which could lead to congestion, increased levels of pollution or increased speeds which may compromise pedestrian and cyclist safety; ii) improve accessibility to and safe use of pedestrian and cycle routes through enhancement of existing or provision of new routes; iii) not lead to an unacceptable increase in HGV movements in and around the village; and, iv) not exacerbate existing parking problems in the village. 	<p>Policy TC2, TC4, TC5, TC7 Transportation and Communications Strategy 27 Smaller Towns, Villages and Countryside</p>	<p>Consultation has led our Plan to identify the need for increased safety and ease of accessibility given our narrow country lanes in a rural setting.</p>

<p>Policy F1 Proposals for development will be supported where they:</p> <p>i) Are of a design and construction which seeks to minimise adverse impact on existing flooding (including, but not limited to measures such as permeable driveways and dedicated parking spaces, use of soakaways and planting to minimise run-off);</p> <p>ii) Demonstrate that they have taken full account of and recognise the impact of flood risk, both in terms of fluvial and localised surface water flooding;</p> <p>iii) Minimise and do not exacerbate existing surface water flooding issues beyond the development site; and,</p> <p>iv) Ensure no adverse impact on existing flooding and satisfactorily mitigate / accommodate surface water run-off arising from the development through the use of Sustainable Drainage Systems (SuDS) where appropriate.</p> <p>In cases where mass housing development is proposed for the village, construction should be conditional upon proof that the £1.6M flood alleviation scheme, currently in progress, has been proven to work over a number of years.</p>	<p>EN22 Surface Run-Off Implications of New Development</p>	<p>Our policies are in conformity with Policy EN22. Feniton has a long and well-documented history of flooding which is a direct result of poor planning decisions made in the 1970s.</p>
<p>Policy H1 Affordable housing shall be provided at a rate of at least 50% of total yield on sites, within the BUAB, subject to viability in accordance with current Government policy and Strategy 34 of the Local Plan. Outside the BUAB, on exception sites, at least 66% affordable housing should be provided, in accordance with Strategy 35.</p>	<p>Strategy 34 – District-Wide Affordable Housing Provision Targets</p>	<p>Our policies are in direct conformity with Strategy 34 whereby communities which fall under Strategy 27 are allocated 50% affordable housing of any new development.</p>
<p>Policy H2 Proposals for small-scale housing – i.e. comprising up to 10 dwellings – within the proposed BUAB will usually be supported subject to the following criteria:</p> <ul style="list-style-type: none"> • the proposals contribute towards affordable housing in accordance with Policy H1; and • the affordable housing element of the development, comprised of social-rented dwellings, will be restricted to a person(s) who does not have access to general market housing and is in housing need and 	<p>Strategy 6 – Development within Built-Up Area Boundaries Strategy 7 – Development in the Countryside Strategy 27 – Development at the Small Towns and Larger Villages</p>	<p>Our policies are in complete conformity with Strategies 6, 7 and 27.</p> <p>For example:</p> <p><u>Strategy 6</u> permits development within BUABs provided that such development is in keeping “with the character of the site and its surroundings and in villages with the</p>

<p>is a resident of the Parish, or has a local connection with the Parish because of family ties or a need to be near their workplace according to Local Plan Strategy 35.</p> <p>Proposals for more than 10 dwellings will be determined in accordance with the policies of the East Devon Local Plan.</p>		<p>rural character of the settlement ... [and] ... would not adversely affect risk of flooding”;</p> <p><u>Strategy 7</u> permits development in countryside outside BUABs “where it is in accordance with a specific Local or Neighbourhood Plan policy ... and where it would not harm the distinctive landscape”;</p> <p><u>Strategy 27</u> recognises the District-wide need for affordable housing in the context of 15 small towns and villages, of which Feniton is one: “in rural areas and beyond our villages the policy approach is one of development constraint and countryside conservation whilst recognising the needs of those who live or work here”.</p> <p>Policy H2’s reference to the long-term prioritisation of affordable housing for local people is in keeping with #15.22 of Strategy 27, and recognises the risk that communities like Feniton may be transformed into ‘dormitory’ suburbs of a greater Exeter.</p>
<p>Policy H3 Housing developments within Feniton’s BUAB will usually be supported where they include a range of house types, and where they have demonstrated through a Design and Access Statement or Planning Statement that they:</p> <ul style="list-style-type: none"> i) are of high quality design, complementing the local vernacular, and will enhance visual amenity and minimise any adverse impacts on the built environment; ii) ensure that the size, height, density, scale and location of the development respects its setting and the character of the area; 	<p>Strategy 1 – Spatial Strategy for Development in East Devon Strategy 4 – Balanced Communities Strategy 6 – Development within Built-Up Area Boundaries Strategy 27 – Development at the Small Towns and Larger Villages</p>	<p>As a community listed under Strategy 27, our policies are in complete conformity with this and other relevant strategies.</p> <p>For example:</p> <p><u>Strategy 4</u> promotes the achievement of balanced communities. An important factor in achieving a balance is to encourage a range of house types suitable for different age</p>

<p>iii) ensure that materials and design of the development are sympathetic and complementary to its setting and the character of the area;</p> <p>iv) ensure that it is designed in such a way as to minimise its impact on the visual amenity of the surrounding landscape, on views of the proposed development and on the natural environment and mitigating any adverse impact using landscaping where necessary;</p> <p>v) maximise opportunities to provide habitats for wildlife and nesting birds;</p> <p>vi) maximise opportunities for 'greening' the built environment through natural planting of shrubbery and trees local to the biodiversity of the surrounding area;</p> <p>vii) preserve or enhance the heritage assets in the parish.</p>		<p>groups. Work undertaken by FPC in the past, and in the course of developing the Plan, recognises the need for such balance, which our policy promotes;</p> <p><u>Strategy 6</u> states that development should be compatible with the character of the settlement, protect the landscape, support promotion of wildlife and protect historic interests. All these important criteria are reflected in our policy;</p> <p><u>Strategy 27</u> identifies Feniton as having a range of accessible services and facilities to warrant the designation of a BUAB, and this is reflected in our policy.</p>
<p>Policy H4 The Neighbourhood Plan will look favourably upon developments which recognise the unique pressures faced by Feniton with respect to traffic congestion and on-road parking, i.e. by proactively providing more parking spaces per dwelling than the minimum set out in the Local Plan.</p>	<p>Policy TC9 Parking provision in new development</p>	<p>Policy H4 of Feniton's Neighbourhood Plan complies with EDDC's Local Plan Policy TC9. Parking in Feniton has long been an issue of concern and any new development must not exacerbate existing parking problems.</p>
<p>Policy C1 Existing community facilities – identified in Appendix 3 – will be protected, maintained and enhanced, with community support.</p>	<p>Strategy 32 Resisting loss of employment, retail and community sites and buildings Policy RC1 Retention of land for sport and recreation Policy RC5 Community buildings</p>	<p>Our Neighbourhood Plan policies seek to retain our existing community facilities as vital assets to our rural community.</p>
<p>Policy C2 Developer contributions generated from Section 106 planning obligations or the Community Infrastructure Levy (CIL), where relevant and feasible, should contribute towards the local priority amenity and facility projects identified to East Devon District Council by Feniton Parish Council.</p>	<p>Strategy 50 Infrastructure delivery</p>	<p>Our policy is in complete conformity with Strategy 50.</p>

<p>Policy C3. Development proposals that result in the loss of community facilities will only be supported where:</p> <ul style="list-style-type: none"> i) it can be demonstrated: <ul style="list-style-type: none"> a) through an up-to-date assessment of community need, that the facilities are no longer needed; or b) through an up-to-date assessment of local economic demand, that the facility is no longer commercially viable. Evidence will be required to show that the facility has been actively marketed for at least 12 months at a realistic and viable price for the existing or similar uses. Marketing should include an offer to the local community for its acquisition or operation; or ii) it can be demonstrated, through an assessment of local community facilities offer and role, that suitable alternative provision (in terms of size, capacity and type) exists in Feniton to serve the community; and, iii) where there remains a need or demand, that suitable alternative replacement provision is included as part of the development proposal on or off-site within Feniton. <p>Development proposals for new and/or improved community facilities will be supported where:</p> <ul style="list-style-type: none"> i) the proposal would not have significant harmful impact on the amenity of surrounding residents; ii) the proposal would not have significant harmful impacts on the surrounding local environment (with regard to biodiversity, wildlife habitat and landscape character); iii) the proposal would not have unacceptable impacts on the local road network (with regard to additional traffic volume / congestion, demand for parking, and pollution levels); and, iv) the proposal would adequately address surface water run-off issues (for example, through the use of Sustainable Drainage Systems (SuDS)). 	<p>Strategy 4 – Balanced communities Policy RC6 – Local community facilities</p>	<p>Our policies are in complete conformity with the Local Plan policies which seek to maintain community facilities to improve sustainability of our rural settlements.</p>
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<p>Policy E1 Feniton’s unique topography, its status as a rural farming settlement of long standing, and a setting that conveys a sense of ‘remoteness’ (to quote the Planning Inspectorate’s report following the Joint Inquiry) all contribute to making Feniton the unique place that it is.</p> <p>Accordingly, development proposals which change the characteristics and essential qualities of the natural environment (including biodiversity, habitats, built heritage and landscape) will only be supported where they:</p> <ul style="list-style-type: none"> i) demonstrate no adverse impact on those characteristics or that any adverse impacts are satisfactorily mitigated (for example, through appropriate landscaping, habitat creation or replacement and natural planting consistent with local biodiversity and species); ii) enhance the natural environment where there is the opportunity to do so. 	<p>Policies: D1 – Design and Local Distinctiveness D2 – Landscape Requirements D3 – Trees and Development Sites Strategy 3 – Sustainable Development Strategy 5 – Environment</p>	<p>Our policies are in conformity with Local Plan policies.</p> <p>For example:</p> <p><u>D1</u> stresses the need for proposed new build to ensure that the “scale, massing, density ... and ... height” of new build should be appropriate. D1 also insists that new build should not adversely affect “important landscape characteristics, prominent topographical features and important ecological features”. Contravention of all these constraints featured heavily in the Planning Inspectorate’s joint inquiry decision of 4 April 2013;</p> <p><u>D2/D3</u> notes a number of criteria designed to respect and enhance landscape schemes;</p> <p><u>Strategies 3 and 5</u> take into consideration the need to conserve and enhance the environment and to make use of and protect from development “areas that are vulnerable to surface water runoff and flooding”.</p>
<p>Policy O1 Development proposals on or likely to impact the Local Green Space sites will only be supported where they:</p> <ul style="list-style-type: none"> i) maintain or enhance the existing use and amenity value of the site; ii) enhance the access to and use of the site where used for recreational purposes; and, iii) have no adverse impact on the landscape, habitats or biodiversity of the site or (where unavoidable) satisfactorily mitigate such impact 	<p>Strategy 5 – Environment Strategy 46 – Landscape conservation Policy EN1 Land of local amenity importance</p>	<p>Our policy is in alignment with those of the Local Plan and seeks to help implement improved accessibility to the countryside, thus improving green infrastructure and support improvements in general to health and wellbeing.</p>

<p>Policy O2 New development will include or contribute to the provision of recreational open space in line with standards set out by East Devon District Council’s Local Plan, and in keeping with paragraph 58 of the NPPF.</p>	<p>Strategy 5 – Environment Strategy 46 – Landscape conservation Policy EN1 Land of local amenity importance</p>	<p>Our policy is in alignment with those of the Local Plan and seeks to help implement improved accessibility to the countryside, thus improving green infrastructure and support improvements in general to health and wellbeing.</p>
<p>Policy O3. Proposals for development will only be supported where they provide safe, convenient and pleasant pedestrian and cycling routes to the village centre and to principal facilities including the school, including safe and convenient crossings, where practical and the location of the proposal suggests a need for such routes.</p>	<p>Strategy 5 – Environment Strategy 46 – Landscape conservation Policy EN1 Land of local amenity importance</p>	<p>Our policy is in alignment with those of the Local Plan and seeks to help implement improved accessibility to the countryside, thus improving green infrastructure and support improvements in general to health and wellbeing.</p>
<p>Policy M1 Proposals for the development of local medical facilities will be supported where they:</p> <ul style="list-style-type: none"> i) are located close to existing community facilities such as the school or shops to help ensure good accessibility to residents without their own private transport (given the inadequate public transport facilities); and, ii) provide the appropriate medical facilities for the community’s needs. 	<p>Strategy 3 4 Key Issues and Objectives 15 Smaller Towns, Villages and Countryside, para 15.18: The Council recognise the need to promote and encourage public transport provision whilst also encouraging community transport services and links. There is also scope for mobile services, such as Doctors and grocers, to visit rural residents without transport. This will be encouraged but, due to the dispersed nature of rural residents, may not prove financially viable. 16 Thriving Communities</p>	<p>Access to medical care is an aspiration under the Local Plan’s Key Issues and Objectives, Balanced Communities. Responses to the Neighbourhood Plan questionnaire indicated support by residents in Feniton for the reinstatement of a satellite medical surgery in the village. While this is unlikely to be financially viable, provision of mobile medical services (see para 15.18 of the Local Plan) should be considered.</p>

5. Contribution to the achievement of sustainable development

- 5.1 A Neighbourhood Plan must take into account the need to contribute to the achievement of sustainable development. This involves working to address three separate strands of sustainability, i.e. economic, social, and environmental.
- 5.2 Within the Feniton Neighbourhood Plan, economic and social sustainability is supported through the promotion of policies regarding affordable housing, improvement of pedestrian/cyclist safety, and local community facilities. Nonetheless, it is important to bear in mind the rural nature of Feniton (in particular the importance of farming to the local economy), and consequently the necessarily limited opportunities for sustainable development in certain areas. For example, the 2013 Ward profile published by the Local Futures Group found that the self-employment rate in the ward was very high by national standards (top 20% of wards in the country), while its industrial structure was very low (7,478 of 7,677 wards nationally, putting the ward in the bottom 20% of wards nationally). Aspects of village life inevitably will act as partial brakes on sustainable development: for example the present risk of flooding and our narrow lanes and current congestion caused by cars and through traffic impact on all three strands of sustainability. Such constraints were recognised in the joint Inquiry held by the Planning Inspectorate in early 2014, which drew attention to the extent to which Feniton could be regarded as ‘sustainable’ in the future.²

² “The question of whether or not a particular proposal constitutes “sustainable development” is not simply a matter of location; it involves, as evidenced by the length and complexity of this decision letter, a wide variety of other considerations” (#92).

6. Feniton Neighbourhood Plan: Vision and Objectives

6.1 Vision

Feniton will continue to be a thriving and vibrant village community which protects and enhances its distinctive character, rich heritage and its rural setting, and will grow to be an even better place for young and old in which to live.

6.2 Objectives

Objective	Intended outcome
<p>Objective 1. Promote efficiencies and improvements to the strategic transport network to improve currently poor connectivity between Feniton and the major centres of Ottery St Mary, Honiton and Exeter. Development only to be supported when it is proposed in conjunction with sustainable transport solutions and does not have an adverse impact on traffic.</p>	<p>This objective will help and improve the economic and social value of the village by ensuring easier access to employment, education and medical facilities, both within and outside Feniton.</p>
<p>Objective 2. Secure and maintain effective flood alleviation for both the old and new parts of the village, whilst also minimising and managing flood risk, including taking into account the impact of any new housing.</p>	<p>This objective will address possibly the most serious concern voiced by residents in the Neighbourhood Plan consultation process. The confidence and reassurance resulting from a flood mitigation scheme will, once proven, protect and enhance the quality of life for residents of Feniton. Embedding that confidence and reassurance in a sustainable manner will require several years of proven flood mitigation before new development projects are introduced.</p>
<p>Objective 3. Promote only small developments within the BUAB which allow a range of houses, broadening the choice to include from affordable housing and larger family homes for local people.</p>	<p>This will allow a more inclusive social mix, thus strengthening the sustainability of the community.</p>
<p>Objective 4. Promote opportunities for young people to access education, community facilities and leisure within the village, thus helping support a diverse and sustainable community.</p>	<p>A working group is to be set up to explore the issue of greater opportunities for the younger population.</p>
<p>Objective 5. Protect, maintain and enhance the rural character and historic environment of the village and the wider landscape.</p>	<p>Protecting and enhancing the rural and historic setting of Feniton will contribute to the sustainability of the environment, e.g. by preserving and supporting the very character of the village that makes it a popular place in which to live, while supporting the local farm-based economy.</p>

Objective 6. Promote the provision of an open green space for use by the village.	This will contribute to both the social and environment of the community, improving its sustainability.
Objective 7. Support the provision of local medical facilities .	This objective will contribute to the quality of life in the village, although the pressures facing the recruitment nationwide of GPs to surgeries is recognised and the financial implications of providing a satellite surgery are recognised.

6.3 Impact of policies on sustainability

Table 3 below sets out an assessment of each policy of the Plan and how it would potentially impact on each of the three strands of sustainability, i.e. economic, social and environmental. Impact has been quantified as follows:

- **One tick:** adoption of policy likely to have *significant impact*. For example, implementation of Policy F1, ‘mitigation of surface water run-off’, would have a favourable impact upon the economic sustainability of the village, e.g. by restricting the impact of flood damage on existing businesses, and providing reassurance to employers and employees that Feniton is a suitable place in which to do business.
- **Two ticks:** adoption of policy likely to have a *very significant impact*. For example, implementation of Policy H1, ‘Percentage of affordable housing’, would have a favourable impact upon the social sustainability of the village were a greater number and range of houses to become available.
- **Three ticks:** adoption of policy likely to have an *extremely significant impact*. For example, implementation of Policy F1, ‘Traffic’, would have a highly favourable impact upon the environmental sustainability of the village, e.g. through greater provision of public transport services, improved traffic calming measures, increased confidence on the part of pedestrians and cyclists.

Table 3 Policy assessment against the three strands of sustainability

NP Policy Number and Title	Economic	Social	Environmental	Comments
Policy T1 Transport	✓	✓✓	✓✓✓	Full policy above
Policy F1 Minimising flood risk	✓	✓✓	✓✓✓	Full policy above
Policy H1 Percentage of affordable housing	✓✓	✓✓	✓	Full policy above
Policy H2 Housing developments within BUAB	✓✓	✓✓	✓✓✓	Full policy above
Policy H3 Design of development	✓✓	✓✓	✓✓	Full policy above
Policy H4 Minimising traffic congestion	✓✓✓	✓✓✓	✓	Full policy above
Policy C1 Existing community facilities	✓✓	✓✓✓	✓	Full policy above
Policy C2 Developer contributions	✓✓	✓✓	✓✓	Full policy above
Policy C3 Loss of community facilities	✓✓	✓✓	✓✓	Full policy above

Policy E1 Natural environment	✓ ✓	✓ ✓ ✓	✓ ✓ ✓	Full policy above
Policy O1 Local Green Spaces	✓	✓ ✓ ✓	✓ ✓ ✓	Full policy above
Policy M1 Proposals for the development of local medical facilities	✓ ✓ ✓	✓ ✓ ✓	✓	Full policy above

7 Compatibility with EU obligations and legislation

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

Considerable emphasis has been placed throughout the consultation process to ensure that no sections of the community have been isolated or excluded.

7.2 A screening process was carried out by East Devon District Council which determined that the Neighbourhood Plan did not require a Strategic Environmental Assessment.

7.3 It was also determined that the Plan did not require a Habitats Regulations Assessment.