

**Feniton Parish Council**  
**Chair: Martyn Smith**

6 July 2017

Dear Sir/Madam,

**Parish of Feniton Neighbourhood Plan: Pre-submission Consultation Draft – Regulation 14 of the Neighbourhood Planning (General) Regulations 2012**

Feniton Parish Council and the Neighbourhood Plan Steering Group, in close consultation and engagement with the local community, have prepared a draft Neighbourhood Plan for the designated area for Feniton.

The Plan has now reached the stage where formal 'Regulation 14' consultation is being undertaken with a wide range of statutory authorities, as well as further consultation with the public and local community.

A copy of the Draft Plan is on the Parish Council website (<https://fenitonparishcouncil.wordpress.com/>) under the Neighbourhood Plan tab. Alternatively, reference copies of the Draft Plan can be viewed throughout the Consultation period at the **Spar shop, 14 Winchester Close, Feniton, Honiton EX14 3EX**.

The pre-submission consultation period runs for 6 weeks starting on Saturday, 8 July. We would therefore be pleased to receive your comments by Saturday, 19 August 2017. A proforma response form is on the reverse of this letter for this purpose.

Feniton Parish Council and Feniton Neighbourhood Plan Steering Group welcome your comments on the plan. Representations can either be sent by email to [nplanfeniton@gmail.com](mailto:nplanfeniton@gmail.com) or by post to:

Feniton Neighbourhood Plan Steering Group  
c/o 14 Salisbury Close  
Feniton  
EX14 3DX  
Tel: [REDACTED]

**As part of the consultation exercise, Feniton Parish Council proposes setting up a working group to review and explore leisure opportunities for young people in the Parish. If you are interested in being part of such a group, please email [nplanfeniton@gmail.com](mailto:nplanfeniton@gmail.com), headed 'Youth Opportunities Working Group', or write to the address above.**

Yours faithfully

*Martyn Smith*

Martyn Smith  
Chairman, Feniton Parish Council

## Feniton Parish Neighbourhood Plan: Regulation 14 Pre-submission Consultation

Name: Alister King-smith

Contact details: [REDACTED] [REDACTED]

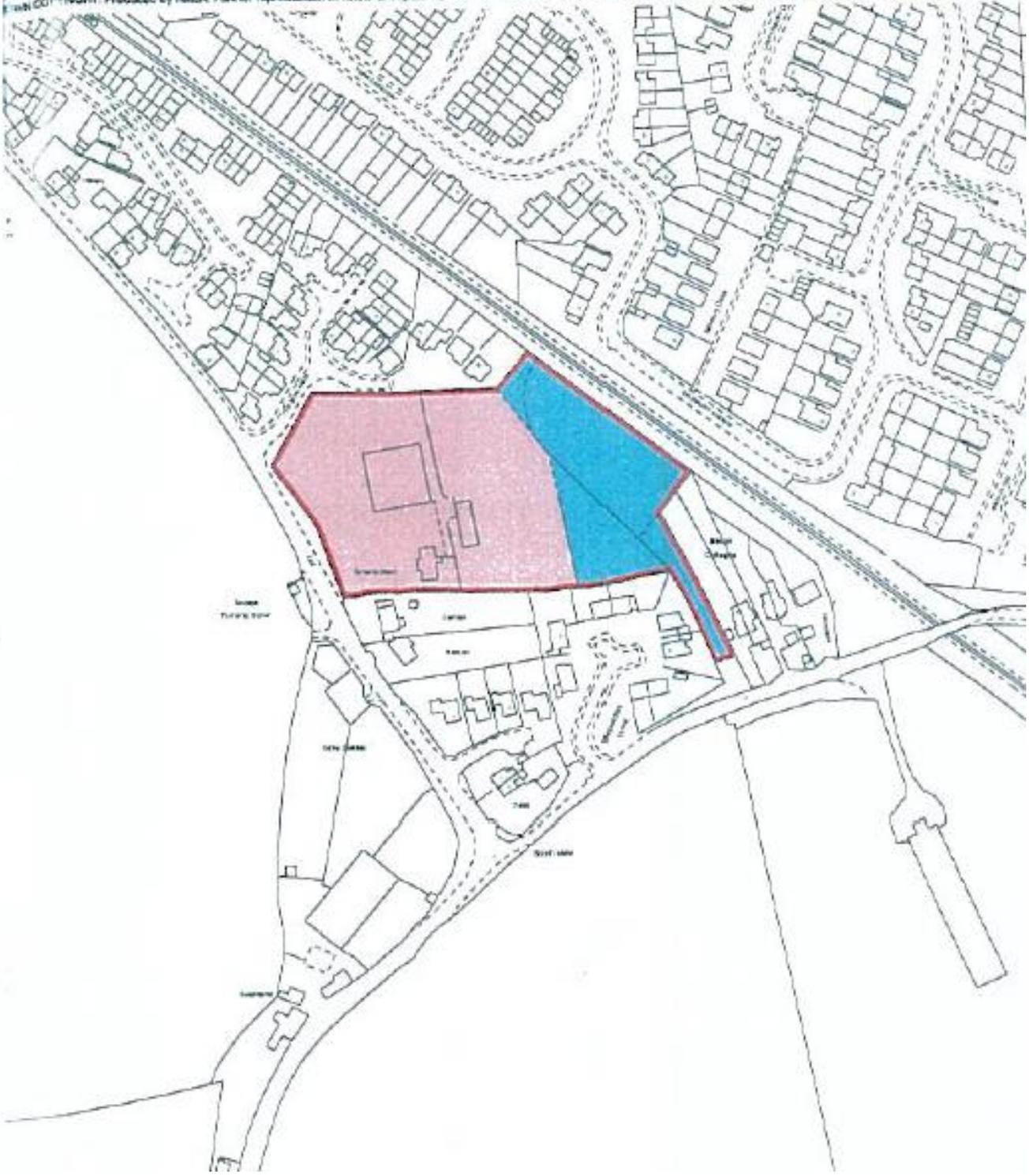
(Your name and contact details will not be published. You will only be contacted to clarify any comments you have submitted.)

*In order to help provide consistency in feedback, please use the following proforma for any comments you may have on the draft Neighbourhood Plan for Feniton. You may continue on additional sheets as necessary.*

<i>Page or Section number</i>	<i>Support/object/comment</i>	<i>Comment</i>
Please see attached letter		

Please return this form by 19 August 2017:

- by email to [REDACTED],
- or by post to Feniton Neighbourhood Plan Steering Group, c/o 14 Salisbury Close, Feniton, EX14 3DX.



for.

Date: 14<sup>th</sup> August 2017  
Our Ref: GH/AKS

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Feniton Neighbourhood Plan Steering Group  
c/o 14 Salisbury Close  
Feniton  
EX14 3DX

By Email to [REDACTED]

Dear Sir/Madam,

**Feniton Parish Draft Neighbourhood Plan Representations  
The Executors of the Late Alison Gardiner (Claire Veness and Richard Simon Walford) and  
The Beneficiaries of the Estate of the Late Alison Gardiner being Hospiscare, Force, Guide Dogs For the  
Blind and the RSPCA**

We have been instructed by the Executors of the Late Alison Gardiner and the Beneficiaries of the Estate of the Late Alison Gardiner, who act in respect of Land at Burlands Mead, Feniton, to represent them in the consultation process for the Feniton Parish Draft Neighbourhood Plan (NP).

The Feniton Parish NP is an opportunity for the community to shape development in their area through defining aims, strategies and methods of delivery of development through a proactive document that, if adopted, will become part of the Development Plan. Whilst we commend the Parish for engaging with the Neighbourhood Plan process, at present we have a number of concerns with the current draft.

The East Devon Local Plan states an objective to deliver 17,100 homes in East Devon over the plan period. Of this number 1,123 are expected to be delivered by 'Villages & Rural Areas'. Feniton is categorised as being one of the "Small Towns and Large Villages", under Strategy 27 of the Local Plan. As a large village, with generally good service provision and reasonable transport linkages at the 'West End' of the District, it is not unreasonable to think the village will need to be one of the larger contributors to the 'Villages & Rural Areas' target.

As the NP Steering Group will be aware, the Draft East Devon Villages DPD proposes to draw the BUAB tightly around the village, actually removing the Burlands Mead site from the BUAB defined in the previous Local Plan. Therefore, it is clear that only very limited development will occur within the BUAB, should the Villages Plan be found sound as proposed.

As the NP states, the vision in the Local Plan for the small towns and larger villages such as Feniton is:

**Planning Services**  
21 Southernhay West  
Exeter  
Devon EX1 1PR

Telephone [REDACTED]  
Email: [REDACTED]

*“Seeking to accommodate modest development that supports and complements rural areas whilst helping to sustain their intrinsic qualities and appeal”.*

Policy C1 of the NP states that existing community facilities will be protected, maintained and enhanced, where there is community support. However, without growth these facilities will not be sustained or improved, as without direct funding through S106 or CIL, or through increased demand from new residents, there will simply be no mechanism by which this will occur.

It is noted that the NP indicates consideration will be given to allocating a site/s at a five year review stage. However, this provides no certainty and is not sufficiently proactive and does not reflect the status of the village in the Development Plan. It is also noted that one trigger for considering whether to allocate one or more sites at this point will be whether EDDC require growth at the locations outlined in Strategy 27. It is clear from the most recent Housing Monitoring Update (March 2017) that delivery at the Strategy 27 settlements has been limited to date and therefore active steps need to be taken to ensure sufficient growth occurs at these locations. This is particularly pertinent as the Districts 5 year housing land supply relies heavily on delivery at larger strategic growth points which, whilst having been sufficient in the past, may well slow. In fact, the Housing Monitoring Update already shows a lower number of dwellings per year being delivered over the next five years than anticipated for the same period in the Development Plan.

It is our contention that by failing to allocate a suitable site in the NP the risk that EDDC will be unable to demonstrate a five year housing land supply going forward is increased. In particular, given the sustainability credentials of the village, should this occur and no allocation be made within the NP then as before it would appear that Feniton would be at risk of more opportunistic development, which may deliver less benefits than growth which has been actively planned for.

The Local Plan points out that house prices across East Devon are high but in many rural areas are particularly expensive and well beyond the affordability of many residents and families. The Local Plan states that a “key thrust of future policy will be towards local needs provision”. However, the NP is not deemed to facilitate the delivery of affordable homes. Objective 3 of the NP states that it seeks to “Promote only small developments within the BUAB”, however given the limited available land within the BUAB, it is unclear how small sites of low numbers of units will result in affordable housing delivery, especially bearing in mind the implications of the ‘*Small Sites Exemption*’.

The ‘*Key Issues*’ are stated by the NP as the reasons for it being inappropriate to allocate sites for development, these are: education; employment; environment; health and care; transport; social, leisure and communications. Many of these issues would be dealt with at the application stage and would either result in refusal or steps being taken to mitigate the impact of them. Other issues have already been considered at a District level and the village has been categorised as a location where some growth can occur.

As part of the application process the County Council would be consulted about the capacity of the local school and based on the likely increase in demand, either a contribution would be requested from the developer in order to increase capacity or else if there is sufficient capacity no contribution will be sought. Therefore, concerns over school capacity should not prejudice future growth.

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Under the employment heading it states that employment is *"inextricably linked to transport and the weaknesses of the public transport provision serving the village"*, therefore, it is considered here in relation to transport. Objective 1 of the draft NP is to *"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."* This is an important objective in order to facilitate the natural progression of Feniton and improve the standard of living for the community, however, without new development, the means and demand for transport improvements will not be realised.

The key issues highlighted under social, leisure and communications appear to constitute somewhat of a 'wish list' but the NP does not address the issue of how these benefit will be achieved. It is clear the community would like to see more public facilities being provided, however, in order to secure them it is considered a necessity that the NP allows for growth and allocates a site or sites for development.

The environment is the major reason given for why it is currently considered not appropriate to allocate a site or sites for development. In particular, the residents of Feniton are very concerned about flood risk and this is understandable given past issues. Nonetheless, this is not considered to be a valid reason for not allocating one or more sites for development. Statutory 'Technical Consultees' are consulted as part of the process of deciding every planning application and if they state that there is an unacceptable risk of flooding that cannot be mitigated against, then any application would be refused. Furthermore, it is noted that a programme of flood alleviation work is part way through completion and that it is likely this would be completed before any allocation came forward.

Whilst we would not advocate tying the delivery of any site to the provision of the flood alleviation scheme unless there were sound reasons to do so, such a wording could be included in any allocation policy if appropriate. In our view this would be a far more proactive approach than simply relying on a review process in five years' time which has no certainty of even occurring.

Whilst many of the NP policies may be sound, the overall objectives of the NP are currently not deemed to be deliverable and it is worth bearing in mind paragraph 005 of the Planning Practice Guidance on Neighbourhood Planning which states:

*"If the policies and proposals are to be implemented as the community intended a neighbourhood plan needs to be deliverable."*

### **Possible Site**

As we have outlined we believe there are compelling reasons to allocate one or more sites for development. Whilst there may be a number of suitable sites with potential, we believe the Land at Burlands Mead (as shown on the attached plan) would be able to deliver the greatest range of benefits whilst generating the least impacts. Whilst at present EDDC plans to exclude the land from the BUAB, our view is that there are no compelling reasons to do so and, even if this does occur, the characteristics of the site make it suitable for development and growth at this location would not extend development into the open countryside.

We would be happy to engage with the Parish Council further on the points made.

Yours faithfully,

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*Alister King-Smith*

Planning Consultant – Head of Planning Services

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