

Clyst St George Parish Neighbourhood Plan

Basic Conditions Statement



Clyst St George Parish Council

March 2018

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Introduction

Our Neighbourhood Plan has been produced by Clyst St George Parish Council, as the “qualifying body” with overall responsibility for the preparation, consultation and submission of the Neighbourhood Plan. The development of the plan and management of the process being marshalled by a Neighbourhood Plan Steering Group comprised of members of our community and parish councillors.

What are the Basic Conditions and why do we need this Statement?

The “Basic Conditions” are a set of conditions that a Neighbourhood Plan must pass, in order for it to proceed to referendum. In relation to neighbourhood plans, the plan will pass the basic conditions if:

- A. having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan
- B. the making of the plan contributes to the achievement of sustainable development
- C. the making of the plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)
- D. the making of the plan does not breach, and is otherwise compatible with, EU obligations
- E. prescribed conditions are met in relation to the plan order and prescribed matters have been complied with in connection with the proposal for the plan

These requirements (and those for neighbourhood development orders) are formally set out in of paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 Act (as amended by the Localism Act 2011)¹.

This Basic Conditions Statement for Clyst St George is submitted alongside our Neighbourhood Plan. In submitting the Statement and, through its content demonstrate how our Plan meets the Basic Conditions, we have satisfied one of the requirements of Regulation 15 (1) of the Neighbourhood Planning (General) Regulations 2012. This Regulation sets out what the Parish Council, as the “qualifying body” responsible for producing the Plan, must submit as part of the neighbourhood plan proposal. Regulation 15 (1) states² that:

- “(1) Where a qualifying body submits a plan proposal to the local planning authority, it must include—
- a) a map or statement which identifies the area to which the proposed neighbourhood development plan relates;
 - b) a consultation statement;
 - c) the proposed neighbourhood development plan; and
 - d) *a statement explaining how the proposed neighbourhood development plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Act.*” (i.e. this Statement).

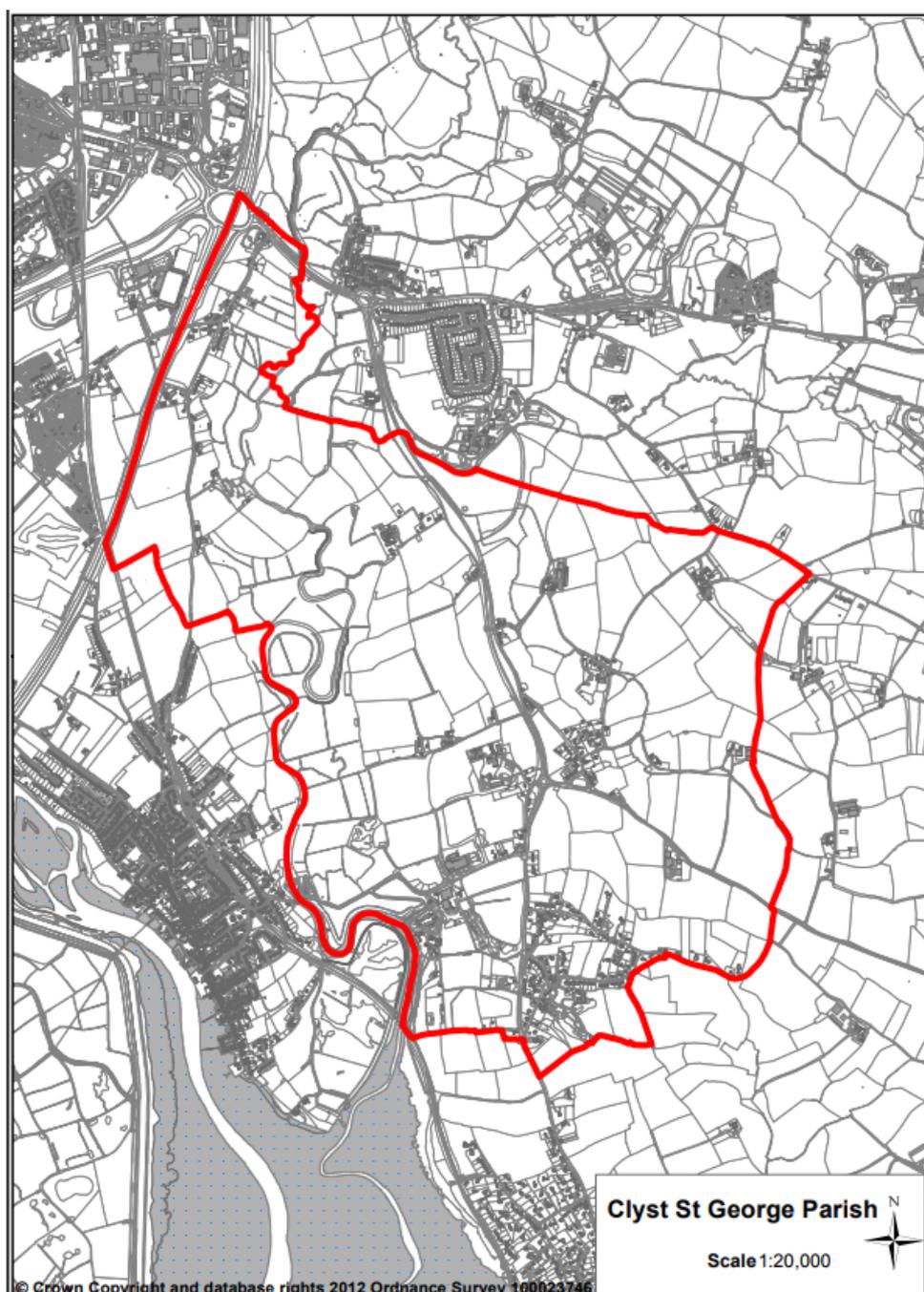
¹ See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/10/enacted> They are also set out in the National Planning Practice Guidance at <http://planningguidance.planningportal.gov.uk/blog/guidance/neighbourhood-planning/the-basic-conditions-that-a-draft-neighbourhood-plan-or-order-must-meet-if-it-is-to-proceed-to-referendum/>

² See <http://www.legislation.gov.uk/uksi/2012/637/regulation/15/made>

Our Neighbourhood Area

The first formal part of the process of developing our Neighbourhood Plan was the confirmation of our Neighbourhood Area, or the area for which the Parish Council, as the “qualifying body” for neighbourhood planning has the right to produce a plan for. Our application to designate the Neighbourhood Area was submitted, as required by Regulation 5 of the Neighbourhood Planning (General) Regulations 2012, to East Devon District Council as the local planning authority in December 2014. This application, using East Devon District Council’s standard pro forma, is reproduced in Appendix 1 to this Statement. Following a 6-week public consultation, our Neighbourhood Area was formally approved by East Devon District Council on 11th March 2015³. Our approved Neighbourhood Area is the parish boundary for Clyst St George and is indicated by the red boundary below in Figure 1.

Figure 1 – Approved Clyst St George Neighbourhood Area



³ <http://eastdevon.gov.uk/planning/neighbourhood-and-community-plans/neighbourhood-plans/neighbourhood-plans-being-produced-in-east-devon/clyst-st-george/>

Why do we need a Neighbourhood Plan?

Clyst St George parish is an area close to the city of Exeter that still manages to retain a sense of rurality. It has been regularly under pressure from developers in recent years. The new East Devon Local Plan has provided a strategic framework that designates our parish as countryside and puts in place strategic policies, some of which, recognise the special character of our rural landscape and environment and address its vulnerability to development pressures.

Our reason for producing the Clyst St George Neighbourhood Plan are:

- we wanted to develop local planning policies so that influence the type, scale, design and form of development which may come forward in the area between now and 2031;
- We wanted to have a say in shaping the future of our neighbourhood area including how our valued assets are protected, maintained and enhanced and how we can help to ensure that our services and facilities are sustained into the future;
- We wanted to have some control over local planning matters and decisions;
- We wanted to ensure that new development had a positive effect.

The Neighbourhood Plan has been developed with the full participation of the local people as members of task and working groups and through a process of regular community consultation. This process is summarised in the introductory sections of the Neighbourhood Plan and set out in detail in the Consultation Statement that also accompanies the Plan.

Having explored the issues and identified the key messages and things of importance to the community, our Plan has been framed around the following aims and objectives:

Clyst St George Neighbourhood Development Strategy – Aims and Objectives

Sustainable Development
Aims
<ul style="list-style-type: none"> • Provide better links between our communities • Protect green spaces • Ensure adequate infrastructure is in place • Reduce the impact of the private motor car
Objectives
<ol style="list-style-type: none"> 1. <i>Ensure development furthers equality and diversity</i> 2. <i>Ensure infrastructure improvements serve future needs and demands</i> 3. <i>Protect valuable green spaces, hedgerows and trees from development</i> 4. <i>Address flooding issues and minimise future flood risk</i> 5. <i>Maximise the use of alternative transport modes</i> 6. <i>Minimise any adverse impact of renewable energy</i>
Natural Environment
Aims
<ul style="list-style-type: none"> • Protect wildlife and environmentally sensitive sites • Protect our rural setting
Objectives
<ol style="list-style-type: none"> 1. <i>Require impact and mitigation strategy for new development</i> 2. <i>Minimise light and noise pollution from development</i> 3. <i>Define and protect key areas of landscape, countryside and agriculture</i> 4. <i>Protect trees and hedgerows</i>
Built Environment
Aims
<ul style="list-style-type: none"> • Maintain and protect our heritage assets • Ensure that development is appropriate • Protect and enhance the diverse character and separate identity of settlements • Ensure that housing meets local need

<ul style="list-style-type: none"> • Ensure that housing growth is justified in terms of numbers, type, scale of development, design and location
Objectives
<ol style="list-style-type: none"> 1. <i>Identify heritage assets and areas to protect</i> 2. <i>Develop and recognise a design statement</i> 3. <i>Establish acceptable scale for development</i> 4. <i>Define built-up areas</i> 5. <i>Carry out review of brownfield sites</i> 6. <i>The design new buildings to be sympathetic to surroundings</i> 7. <i>Prevent over-development of garden sites</i> 8. <i>Carry out a local housing need assessment and understand nature of local housing need</i> 9. <i>Give priority to small scale development that meets a local need</i> 10. <i>Influence the location and phasing of housing development</i> 11. <i>Ensure suitable infrastructure is in place</i>
Community Spaces and Recreation
Aims
<ul style="list-style-type: none"> • Encourage and support community self-help • Sustain the role of our community buildings and spaces • Improve local recreation opportunities • Encourage walking and cycling
Objectives
<ol style="list-style-type: none"> 1. <i>Support proposals intended to ensure community buildings and spaces remain valuable community assets</i> 2. <i>Resist loss of recreation space</i> 3. <i>Provide new recreation space that meets local need</i> 4. <i>Extend the cycle/footpaths network</i>
Traffic and Parking
Aims
<ul style="list-style-type: none"> • Improve and extend cycleways • Improve pedestrian safety • Encourage increased public transport use • Reduce traffic impact • Address parking issues
Objectives
<ol style="list-style-type: none"> 1. <i>Support the development of safe pedestrian and cycle routes around the Parish</i> 2. <i>Enable measures that reduce the negative impact of the motor vehicle, which have the support of the community</i> 3. <i>Provide more off-road parking space</i> 4. <i>Provision of off road parking on new developments.</i> 5. <i>Support measures to alleviate traffic and parking problems on Clyst Road</i>
Business and Jobs
Aims
<ul style="list-style-type: none"> • Support employment initiatives on existing business sites • Develop digital infrastructure to support 21st century working
Objectives
<ol style="list-style-type: none"> 1. <i>Encourage small scale development on existing sites of appropriate business uses</i> 2. <i>Encourage and facilitate the best electronic connectivity available in the region</i>

Summary of Compliance with Legislation

This section sets out how our Neighbourhood Plan and process has complied with the requirements set out in the Neighbourhood Plan regulations.

Qualifying Body

A “qualifying body” is defined by Section 38A(12) of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act⁴ as *“a parish council, or an organisation or body designated as a neighbourhood forum, authorised for the purposes of a neighbourhood development plan to act in relation to a neighbourhood area...”*.

Section 38A(1) of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act⁵ sets out the qualifying body’s entitlement to prepare a Neighbourhood Plan. It states that:

“(1) Any qualifying body is entitled to initiate a process for the purpose of requiring a local planning authority in England to make a neighbourhood development plan.”

We confirm that the Neighbourhood Plan has been prepared by Clyst St George Parish Council as the ‘qualifying body’ for the purposes of Neighbourhood Planning.

Neighbourhood Area

The Neighbourhood Area (as shown in Figure 1) was applied for and approved through the process set out in the Neighbourhood Planning (General) Regulations 2012 (Regulations 5 to 7)⁶. Both the application and the approval / decision notice are appended to this Statement (Appendices 1 and 2).

What a Neighbourhood Plan is and the Content of the Neighbourhood Plan

Section 38A(2) of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act⁷ sets out the meaning of ‘neighbourhood development plan’. It states that:

“(2) A “neighbourhood development plan” is a plan which sets out policies (however expressed) in relation to the development and use of land in the whole or any part of a particular neighbourhood area specified in the plan.”

Section 38B(1) of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act⁸ sets out what the Plan may include. It states that:

“(1) A neighbourhood development plan—
(a) must specify the period for which it is to have effect,
(b) may not include provision about development that is excluded development, and
(c) may not relate to more than one neighbourhood area.”

‘Excluded development’ is defined in Section 68K of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act⁹ as:

“(a) development that consists of a county matter within paragraph 1(1)(a) to (h) of Schedule 1,
(b) development that consists of the carrying out of any operation, or class of operation, prescribed under paragraph 1(j) of that Schedule (waste development) but that does not consist of development of a prescribed description,
(c) development that falls within Annex 1 to Council Directive [85/337/EEC](#) on the assessment of the effects of certain public and private projects on the environment (as amended from time to time),
(d) development that consists (whether wholly or partly) of a nationally significant infrastructure project (within the meaning of the Planning Act 2008),

⁴ See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

⁵ See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

⁶ See <http://www.legislation.gov.uk/uksi/2012/637/regulation/5/made>

⁷ See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

⁸ See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

⁹ See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

*(e) prescribed development or development of a prescribed description, and
(f) development in a prescribed area or an area of a prescribed description.”*

Section 38B(2)¹⁰ states that:

“(2) Only one neighbourhood development plan may be made for each neighbourhood area.”

In response to these requirements, we confirm that:

- Our Neighbourhood Plan covers the period up until 2031, aligning with the plan period of the East Devon Local Plan
- Our Neighbourhood Plan is the only Neighbourhood Plan for the parish of Clyst St George
- Our Neighbourhood Plan does not contain policies relating to ‘excluded development’¹¹
- Our Neighbourhood Plan relates only to the defined Neighbourhood Area set out in Figure 1 of this report
- Our Neighbourhood Plan sets out policies in relation to the development and use of land

Given the importance of some of the issues and non-planning matters expressed by our community and the cross-cutting nature of some of these issues with planning and land-use matters, our Neighbourhood Plan makes reference to ‘Community Actions’ which are signposted as actions that will be addressed outside of the remit of the Neighbourhood Plan. This, importantly, joins up and links actions required by the community which, while not dealt with by the planning system, are nevertheless important issues which relate to people, services, projects or how we live in our community.

Submission Documents

As referred to earlier in this Statement, all the documents required for submission by Regulation 15(1) of the Neighbourhood Planning (General) Regulations are included in the submission package for the Neighbourhood Plan.

Basic Conditions

As referred to earlier in this Statement, we consider that all of the Basic Conditions (set out in of paragraph 8(2) of Schedule 4B to the 1990 Act (as amended) by the Localism Act 2011.¹²) have been met, as demonstrated in this Statement.

¹⁰ See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

¹¹ No policy in the Neighbourhood Plan relates to county matters (mineral extraction and waste development) or to any Nationally Significant Infrastructure Projects

¹² See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/10/enacted> They are also set out in the National Planning Practice Guidance at <http://planningguidance.planningportal.gov.uk/blog/guidance/neighbourhood-planning/the-basic-conditions-that-a-draft-neighbourhood-plan-or-order-must-meet-if-it-is-to-proceed-to-referendum/>

Content of Our Neighbourhood Plan Proposal

To comply with the requirements of Regulation 15 (1) of the Neighbourhood Planning (General) Regulations 2012¹³, and to provide sufficient material to help demonstrate that the Basic Conditions have been met, the following documents have been submitted to the local authority:

- The Neighbourhood Plan (which includes a map and statement which identifies the area to which our Plan relates)
- Supporting Evidence Base Documents
- Our Consultation Statement
- Our Basic Conditions Statement (this document)

¹³ See <http://www.legislation.gov.uk/uksi/2012/637/regulation/15/made>

How our Neighbourhood Plan meets the Basic Conditions

A. Having Regard to National Policies and Advice Contained in Guidance Issued by the Secretary of State

Neighbourhood Plan Policies	National Planning Policy Framework and National Planning Practice Guidance	How has the Neighbourhood Plan had regard to national policies and advice?
Policy No. CSG1 Sustainable Development	<i>NPPF Paras. 15-16 – presumption in favour of sustainable development NPPG Paras. 001-002 – neighbourhood planning</i>	Whilst acknowledging that the Local Plan has determined that neither Clyst St George or Ebford are sustainable settlements and the area is unable to accommodate major development, policy CSG1 recognises that development may need to take place. It sets out the principles with which development proposals should conform, in the interests of ensuring that development has a positive impact on the sustainability the parish.
Policy No. CSG2 Local Green Space	<i>NPPF Paras. 76-77 – designation of local green space NPPG Paras. 013-019 – local green space designation</i>	Policy CSG2 identifies those local green areas in the Parish that meet the criteria of the NPPF and protects them from development.
Policy No. CSG3 Flood Risk	<i>NPPF Para. 103 – flood resilience and resistance NPPG Paras. 061, 063 – take account of flood risk and what should be considered</i>	A good proportion of the Parish is a flood plain and flooding is common on low-lying land. Policy CSG3 ensures that development proposals take account of flood risk.
Policy No. CSG4 Areas of Ecological Significance	<i>NPPF Paras. 109, 118 – enhance the natural and local environment and bio-diversity NPPG Paras. 008-009 – bio-diversity and eco-systems</i>	Policy CSG4 promotes the preservation of local ecological networks.
Policy No. CSG5 Development Outside the Settlement Areas	<i>NPPF Para. 113 – protect landscape areas NPPG Para. 001 – character of landscapes</i>	Policy CSG5 sets criteria and limits on development outside of the settlement areas in order to safeguard local landscape character
Policy No. CSG6 Protection of Trees and Woodlands	<i>NPPF Para. 118 – protect wildlife sites and irreplaceable habitats NPPG Paras. 027-028 – green infrastructure</i>	Local woodlands are regarded as important landscape features and wildlife habitats. Policy CSG6 identifies existing woodlands, which we want to protect from the effects of development
Policy No. CSG7 Protection of Hedgerows	<i>NPPF Para. 118 – protect wildlife sites and irreplaceable habitats NPPG Paras. 027-028 – green infrastructure</i>	Hedgerows are an important feature of the Parish for native plants and habitat for animals. Policy CSG7 promotes the preservation, restoration and re-creation of these priority habitats, ecological networks.
Policy No. CSG8 Local Heritage Assets	<i>NPPF Paras. 126-136 – conserving and enhancing the historic environment NPPG Paras. 039-042 – non-designated heritage assets</i>	Policy CSG8 recognises that the Parish has a rich heritage, including several non-designated heritage assets that should be adequately safeguarded.
Policy No. CSG9 Design Matters	<i>NPPF Paras. 58-61, 64, 126 – achieving high quality design,</i>	Policy CSG9 recognises the importance of good design and the need for

Neighbourhood Plan Policies	National Planning Policy Framework and National Planning Practice Guidance	How has the Neighbourhood Plan had regard to national policies and advice?
	<i>conserving historic environment NPPG Paras. 007-028 – design, what planning objectives good design can achieve</i>	development proposals to respond positively to local character and history.
Policy No. CSG10 Existing Community Facilities	<i>NPPF Paras. 28, 70 - promote the retention and development of local services and community facilities; guard against the unnecessary loss of valued facilities and services NPPG Para. 005 – health and well-being, what is a healthy community?</i>	There is a limited number of community facilities in the Parish. These are protected by policy CSG10 from unnecessary loss.
Policy No. CSG11 Existing Sports and Recreation Facilities	<i>NPPF Para.74 - existing open space, sports and recreational buildings and land, including playing fields, should not be built on. NPPG Paras. 001-003 – open space, sports and recreation facilities</i>	There is only one outdoor sports and recreation space in the Parish. Policy CSG11 protects it from unnecessary loss.
Policy No. CSG12 New Recreation and Play Spaces	<i>NPPF Para. 73 - access to high quality open spaces and opportunities for sport and recreation NPPG Para. 009 – promote a network of green spaces (including parks) and public places</i>	Policy CSG12 supports the provision of further recreation and play space in the Parish if it contributes to the health and well-being of the community.
Policy No. CSG13 Local Footpaths, Bridleways and Cycleways	<i>NPPF Para. 75 - protect and enhance public rights of way and access NPPG Para. 004 – public rights of way and national trails</i>	Policy CSG13 supports improvements to the network of public rights of way in the interest of making it more accessible to everybody.
Policy No. CSG14 Safer Travel	<i>NPPF Para. 35 - protect and exploit opportunities for the use of sustainable transport modes; NPPG Paras. 042 – transport corridors</i>	Development specifically to make travel on foot cycles safer and a more appealing option for local people is supported by policy CSG14.
Policy No. CSG15 Traffic Management	<i>NPPF Para. 35 - give priority to pedestrian and cycle movements NPPG Para. 008 – promote safe, connected and efficient streets</i>	Development specifically to make our roads safer for all users is supported by policy CSG15.
Policy No. CSG16 Off-Road Parking Areas	<i>NPPF Para. 35 - give priority to pedestrian and cycle movements NPPG Para. 008 – promote safe, connected and efficient streets</i>	The provision of off-road parking in the interests of creating safer and less congested roads is supported by policy CSG16.

Neighbourhood Plan Policies	National Planning Policy Framework and National Planning Practice Guidance	How has the Neighbourhood Plan had regard to national policies and advice?
Policy No. CSG17 Parking Standards for New Development	<i>NPPF Para. 39 - setting local parking standards NPPG Para. 008, 040 - promote safe, connected and efficient streets; housing design issues</i>	Policy CSG17 sets local parking standards that reflect the capacity of local roads and the levels of local car ownership.
Policy No. CSG18 Match-Day Parking	<i>NPPF Para. 35 - create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians</i>	Policy CSG18 supports development measures that will reduce a specific traffic and parking problem associated with major sporting events that impact on the Parish.
Policy No. CSG19 Business Development	<i>NPPF Para. 28 - support the sustainable growth and expansion of all types of business and enterprise in rural areas</i>	Policy identifies the areas where business development could be accommodated without an adverse impact on the landscape.
Policy No. CSG20 Digital Communication	<i>NPPF Para. 42 - advanced, high quality communications infrastructure is essential</i>	Policy CSG20 recognises that local business and the community at large are as entitled to an advanced, high quality communications infrastructure, as other parts of the UK.

B. The Making of the Plan Contributes to the Achievement of Sustainable Development

The Neighbourhood Plan has been developed within the context of the definition of sustainable development in the National Planning Policy Framework and that in the East Devon Local Plan. The tables below set out how we feel that our Neighbourhood Plan has dealt with the achievement of sustainable development against the key relevant parts of the NPPF and East Devon Local Plan.

National Planning Policy Framework Paragraph	How our Plan contributes towards this
<p><i>There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:</i></p> <ul style="list-style-type: none"> <i>an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;</i> <i>a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being; and</i> 	<p>The Clyst St George Neighbourhood Plan has embraced all three dimensions to sustainable development.</p> <p>The following policies of our Plan address the economic dimension of sustainable development: Policy CSG19 – supports business development in appropriate locations Policy CSG20 – supports improvements to the communications infrastructure</p> <p>The following policies of our Plan address the social dimension of sustainable development: Policy CSG1 – supports development that improves our sustainability Policy CSG10 – protects existing community facilities Policy CSG11 – protects existing recreation facilities Policy CSG12 - supports development of new recreation facilities</p>

National Planning Policy Framework Paragraph	How our Plan contributes towards this
<ul style="list-style-type: none"> <i>an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.</i> (Paragraph 7)	The following policies of our Plan address the environmental dimension of sustainable development: Policy CSG2 – identifies local green space to be protected Policy CSG3 – seeks to avoid increasing flood risk Policy CSG4 – protects areas of ecological significance Policy CSG5 – restricts but supports specific types of development in the countryside Policy CSG6 – protects trees and woodlands Policy CSG7 – protects hedgerows Policy CSG8 – recognises and safeguards local heritage assets
<p><i>Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people’s quality of life, including (but not limited to):</i></p> <ul style="list-style-type: none"> <i>making it easier for jobs to be created in cities, towns and villages;</i> <i>moving from a net loss of bio-diversity to achieving net gains for nature;</i> <i>replacing poor design with better design;</i> <i>improving the conditions in which people live, work, travel and take leisure; and</i> <i>widening the choice of high quality homes.</i> (Paragraph 9)	The following policies in our Plan are relevant to meeting the delivery of sustainable development as outlined in this NPPF paragraph: Policy CSG1 – supports development that improves our sustainability Policy CSG4 – protects areas of ecological significance Policy CSG9 - setting appropriate design criteria Policy CSG12 - supports development of new recreation facilities Policy CSG19 – supports business development in appropriate locations
<p><i>Plans and decisions need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas.</i></p> (Paragraph 10)	As our Consultation Statement demonstrates we have carried out consultations with our community to ensure that the emerging Plan reflects their priorities and considered the options to deliver the development we need in a sustainable manner.
<p><i>The application of the presumption (in favour of sustainable development) will have implications for how communities engage in neighbourhood planning. Critically, it will mean that neighbourhoods should:</i></p> <ul style="list-style-type: none"> <i>develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development;</i> <i>plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan; and....</i> (Paragraph 16)	We have developed the Neighbourhood Plan taking into account the strategic policies of the Local Plan to ensure that our Plan conforms to the overall development strategy for East Devon.
<p><i>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:</i></p> <ul style="list-style-type: none"> <i>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;</i> 	The following policies in our Plan are relevant to supporting economic growth and promoting a strong rural economy: Policy CSG5 – restricts but supports specific types of development in the countryside Policy CSG10 – protects existing community facilities Policy CSG19 – supports business development in appropriate locations

National Planning Policy Framework Paragraph	How our Plan contributes towards this
<ul style="list-style-type: none"> ● promote the development and diversification of agricultural and other land-based rural businesses; ● support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres; and ● 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. (Paragraph 28)	Policy CSG20 – supports improvements to the communications infrastructure
<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. (Paragraph 35)	The following policies in our Plan are relevant to facilitating more sustainable transport habits: Policy CSG13 – making the footpath network more accessible Policy CSG14 – making walking and cycling safer and easier Policy CSG15 – improving road safety for all users Policy CSG16 – taking parked cars off the narrow roads of the Parish Policy CSG17 – setting appropriate local parking standards Policy CSG18 – improving match-day parking
<p>Advanced, high quality communications infrastructure is essential for sustainable economic growth. The development of high speed broadband technology and other communications networks also plays a vital role in enhancing the provision of local community facilities and services.</p> (Paragraph 42)	Policy CSG20 – supports improvements to the communications infrastructure
<p>The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.</p> (Paragraph 56)	Policy CSG9 places emphasis on well-designed development that enhances the built environment of Ide village
<p>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) 	The Neighbourhood Plan aims to ensure that we maintain a range of local recreation facilities that are flexible enough to accommodate a range of community activities and help ensure our community remains sustainable. This includes protecting the recreation areas we have, as long as they are needed (policy CSG10) and adding to

National Planning Policy Framework Paragraph	How our Plan contributes towards this
<p><i>and other local services to enhance the sustainability of communities and residential environments;</i></p> <ul style="list-style-type: none"> • <i>guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs;</i> • <i>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</i> • <i>ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.</i> <p>(Paragraph 70)</p>	<p>local recreation space and opportunities if required, when the opportunity arises (policy CSG11).</p>
<p><i>Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need.</i></p> <p>(Paragraph 183)</p>	<p>The neighbourhood planning process has brought the community closer together and enabled a positive dialogue to take place about what development is required and how it can be best accommodated and facilitated. Part of the process has been to agree what is important to us and how this can be protected and enhanced by development to realise our vision for the future.</p>

East Devon Local Plan Policy	How our plan contributes towards this
<p>Strategy 3 - Sustainable Development: <i>The objective of ensuring sustainable development is central to our thinking. We interpret sustainable development in East Devon to mean that the following issues and their inter-relationships are taken fully into account when considering development:</i></p> <p><i>a) Conserving and Enhancing the Environment - which includes ensuring development is undertaken in a way that minimises harm and enhances biodiversity and the quality and character of the landscape. This includes reducing the risk of flooding by incorporating measures such as sustainable drainage systems. Developers should maximise the proportion of their developments that take place on previously developed land</i></p> <p><i>b) Prudent natural resource use - which includes minimising fossil fuel use therefore reducing carbon dioxide emissions. It also includes minimising resource consumption, reusing materials and recycling. Renewable energy development will be encouraged</i></p> <p><i>c) Promoting social wellbeing - which includes providing facilities to meet people’s needs such as health care, affordable housing, recreation space and village halls.</i></p> <p><i>d) Encouraging sustainable economic development - which includes securing jobs.</i></p>	<p>The following policies provide example of how the Neighbourhood Plan reflects and complements the sustainability strategy of the Local Plan:</p> <p>Policy CSG1 – supports development that improves our sustainability</p> <p>Policy CSG3 – seeks to avoid increasing flood risk</p> <p>Policy CSG4 – protects areas of ecological significance</p> <p>Policy CSG10 – protects existing community facilities</p> <p>Policy CSG11 – protects existing recreation facilities</p> <p>Policy CSG12 - supports development of new recreation facilities</p> <p>Policy CSG19 – supports business development in appropriate locations</p>

East Devon Local Plan Policy	How our plan contributes towards this
<p><i>e) Taking a long-term view of our actions - Ensuring that future generations live in a high quality environment where jobs, facilities, education and training are readily available.</i></p>	
<p>Strategy 5 – Environment: <i>All development proposals will contribute to the delivery of sustainable development, ensure conservation and enhancement of natural historic and built environmental assets, promote eco-system services and green infrastructure and geodiversity. Open spaces and areas of biodiversity importance and interest (including internationally, nationally and locally designated sites and also areas otherwise of value) will be protected from damage, and the restoration, enhancement, expansion and linking of these areas to create green networks will be encouraged through a combination of measures to include.....</i></p>	<p>The following policies provide example of how the Neighbourhood Plan address the environmental preservation and enhancement agenda of the Local Plan: Policy CSG2 – identifies local green space to be protected Policy CSG6 – protects trees and woodlands Policy CSG7 – protects hedgerows Policy CSG8 – recognises and safeguards local heritage assets</p>
<p>Strategy 5B – Sustainable Transport <i>Development proposals should contribute to the objectives of promoting and securing sustainable modes of travel and transport. Development will need to be of a form, incorporate proposals for and be at locations where it will encourage and allow for efficient, safe and accessible means of transport with overall low impact on the environment, including walking and cycling, low and ultra-low emission vehicles, car sharing and public transport.</i></p>	<p>The following policies provide example of how the Neighbourhood Plan address the sustainable transport agenda of the Local Plan: Policy CSG13 – making the footpath network more accessible Policy CSG14 – making walking and cycling safer and easier Policy CSG15 – improving road safety for all users</p>

Our Plan has not been required to undertake a Strategic Environmental Assessment (SEA) or Habitats Regulations Assessment (HRA). The explanation is set out in greater detail in Section D of this Report.

C. The Making of the Plan is in General Conformity with the Strategic Policies Contained in the Development Plan for the Area of the Authority (Or Any Part of That Area)

Neighbourhood Plan Paragraphs and/or Policies	East Devon Local Plan Strategic Policies	How does the Neighbourhood Plan demonstrate that it is in general conformity with the strategic policies?
Policy No. CSG1 Sustainable Development	<i>S3 - Sustainable Development</i>	Policy CSG1 supports sustainable development when and where appropriate
Policy No. CSG2 Local Green Space	<i>S6 - Development within Built-Up Area Boundaries</i>	Policy CSG2 protects important amenity and recreation space from loss
Policy No. CSG3 Flood Risk	<i>S5 – Environment</i>	Policy CSG3 protects areas that are vulnerable to flooding
Policy No. CSG4 Areas of Ecological Significance	<i>S47 – Nature Conservation and Geology</i>	Policy CSG4 seeks to protect areas of ecological significance
Policy No. CSG5 Development Outside the Settlement Areas	<i>S7 - Development in the Countryside</i>	Policy CSG5 sets local criteria to ensure that development in the countryside will not cause harm
Policy No. CSG6 Protection of Trees and Woodlands	<i>S5 – Environment</i>	Policy CSG6 seeks to protect existing woodlands to preserve character and the green network
Policy No. CSG7 Protection of Hedgerows	<i>S5 – Environment</i>	Policy CSG7 seeks to protect hedgerows to minimise the fragmentation of habitats
Policy No. CSG8 Local Heritage Assets	<i>S49 – The Historic Environment</i>	Policy CSG8 seeks to conserve and enhance the heritage of the area
Policy No. CSG9 Design Matters	<i>S48 – Local Distinctiveness in the Built Environment</i>	Policy CSG9 recognises the significance of local distinctiveness and the importance of a design-led approach to development
Policy No. CSG10 Existing Community Facilities	<i>S3 - Sustainable Development</i>	Policy CSG10 seeks to protect and promote social wellbeing by recognising the importance of existing community facilities
Policy No. CSG11 Existing Sports and Recreation Facilities	<i>S6 - Development within Built-Up Area Boundaries:</i>	Policy CSG11 protects existing recreation facilities from loss
Policy No. CSG12 New Recreation and Play Spaces	<i>S43 – Open Space Standards</i>	Policy CSG12 recognises the value of public open space
Policy No. CSG13 Local Footpaths, Bridleways and Cycleways	<i>S5 – Environment</i>	Policy CSG13 encourages public access to the countryside
Policy No. CSG14 Safer Travel	<i>S5B – Sustainable Transport</i>	Policy CSG14 encourages development that promotes sustainable travel
Policy No. CSG15 Traffic Management	<i>S5B – Sustainable Transport</i>	Policy CSG15 supports development that will create safer use of roads
Policy No. CSG16 Off-Road Parking Areas	<i>S5B – Sustainable Transport</i>	Policy CSG16 supports development that will create safer use of roads and reduces the impact of motor vehicles on the environment
Policy No. CSG17 Parking Standards for New Development	<i>S6 - Development within Built-Up Area Boundaries</i>	Policy CSG17 seeks to ensure that development will not impair highway safety or traffic flows
Policy No. CSG18 Match-Day Parking	<i>S5B – Sustainable Transport</i>	Policy CSG18 supports development at locations where it will

		encourage and allow for efficient, safe and accessible means of transport with overall low impact on the environment
Policy No. CSG19 Business Development	<i>Strategy 3 - Sustainable Development</i>	Policy CSG19 seeks to ensure that the Parish will continue to offer local job opportunities
Policy No. CSG20 Digital Communication	<i>S30 – Inward Investment, Communication Links and Local Benefits</i>	Policy CSG20 seeks to facilitate investment in the interests of improving electronic media links

D. The Making of the Plan Does Not Breach, and is Otherwise Compatible with, EU Obligations

A screening process was carried out by East Devon District Council to determine whether a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004; and / or a Habitats Regulation Assessment (HRA) in accordance with Article 6(3) of the EU Habitats Directive and with Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended). Through consultation with the statutory environmental agencies, East Devon District Council has advised that the Clyst St George Neighbourhood Plan *“Neighbourhood Plan is unlikely to have a significant environmental impact. It does not propose a level of development over and above that in the adopted Local Plan and is in accordance with the adopted Local Plan (which was itself subject to SEA).”*

Neither does *“the Clyst St George Neighbourhood Plan does not require a Habitat Regulation Assessment.”*

This Opinion was re-affirmed by East Devon District Council by email on 23rd February 2018 when given sight of the proposed Submission Version of the Plan. *“I’ve read through and can confirm that our previous indication that the Plan does not require an SEA or HRA still stands”*.¹⁴

The basic conditions concerning Habits and Environmental Impact Assessment as described in Schedules 2 and 3 of the Regulations have been accounted for.

Neighbourhood Plans are also required to take account of European Human rights requirements. The Clyst St George Neighbourhood Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and comply with the Human Rights Act 1998.

The principal parts of the European Convention on Human Rights that can be relevant to neighbourhood plans are: Article 8 (privacy); Article 14 (discrimination); and Article 1 of the first Protocol (property). In preparing the draft Neighbourhood Plan, Clyst St George Parish Council, through its Steering Group, has acted in an open way, but always respecting the privacy of those participating. The interests of all sectors of the community have been taken into account, especially in ensuring that the Plan would take account of the needs and aspirations of the more vulnerable members of our community including the elderly and disabled, and younger people – thus ensuring no unfair discrimination.

The consultation process included all locally resident people in these groups as well as some organisations outside the plan area but with responsibilities or interests extending over some or all of the area of the draft Plan. The Parish Council also believes that its policies will not affect property rights beyond the legitimate role of the town and country planning system in operation where policies are properly explained and justified.

¹⁴ Email from Neighbourhood Planning Officer, East Devon District Council, 23rd February 2018

E. The Prescribed Conditions Are Met In Relation to the Plan and Prescribed Matters Complied With In Connection With the Proposal for the Plan

Section 38A(12) of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act¹⁵ sets out the definition of “prescribed”. It means conditions prescribed by regulations made by the Secretary of State.

Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) set out one basic condition in addition to those set out in the primary legislation. This is:

- *the making of the neighbourhood plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007) (either alone or in combination with other plans or projects)*

The following European Designated Sites are within 10km of Clyst St George:

- Exe Estuary Special Protection Area (SPA) – extends into the Parish
- East Devon Pebblebed Heaths Special Area of Conservation (SAC) - at approx. 6km

It is the view of East Devon District Council that:

“The Clyst St George Neighbourhood Plan is unlikely to have an adverse effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010 (d), alone or in combination with other plans and projects. It does not propose a level of development significantly over and above that in the adopted Local Plan (which was itself subject to HRA).”

Natural England was consulted as part of the SEA screening process.

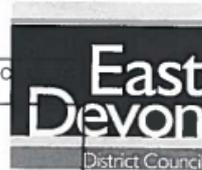
¹⁵ See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

Appendix 1.

Neighbourhood Area Application

The Neighbourhood Planning (General) Regulations 2012

Application for Designation of a Neighbourhood Area



17 DEC 2014
 BACK CIRC SEEN FILE

This information is intended to assist the Local Planning Authority in making a decision but please note that further information may be required.

Which Town or Parish Council is applying to designate a neighbourhood area?

Clyst St. George Parish Council

If more than one Town or Parish Council are working in partnership, please give details of all parties

contact details – None

contact details –

contact details –

contact details –

Please confirm that all the parishes listed above agree to the application

Please confirm that the organisation/s or body/ies making the area application is a relevant body for the purposes of section 61G of the 1990 Act. YES

Please advise what, if any, discussion has taken place with neighbouring Parishes with a view to partnership working? Where applications include sites in adjoining Parishes their agreement should be sought.

Please append a map identifying the area to which the area application relates.

Please explain why this area is considered appropriate to be designated as a neighbourhood area

Clyst St. George and Ebford hamlets have been administered as one since 1974 and as communities work closely together with one Church, Village hall and Public House. Outside of the built up area residents do come together in the Hall or Church for festivals and family events.

Signed



Date

13/12/14

Position

Clerk

Organisation

CSS April Council
 Clerk at Sando

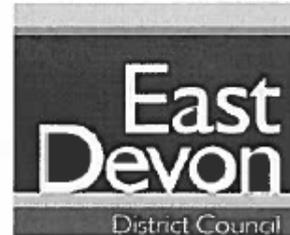
Appendix 2.

East Devon Delegated Decision Notice

The Neighbourhood Planning (General) Regulations 2012

Delegated Authority request:

To designate Clyst St George Parish as a Neighbourhood Area

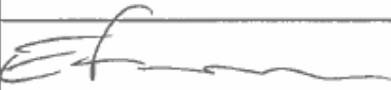


An application was received on 18.12.14 from Clyst St George Parish Council to designate the Parish of Clyst St George as a Neighbourhood Area. Delegated authority being is sought to designate the neighbourhood area as requested in the application.

The application has been publicised for 6 weeks on the District website and on the Parish noticeboards as required by the regulations. The proposal has been discussed at Parish meetings and the Environment Agency, English Heritage and Natural England, neighbouring Councils and the County Council have been consulted. In this way it is considered to have been brought to the attention of those living, working and carrying out business in the area. The publicity notice is attached for information. At the time of writing the report, no objections have been received and English Heritage, Natural England and the Environment Agency have responded offering general advice only. No reason to amend the area applied for has been put forward and the area is appropriate in terms of planning Policy, therefore it is recommended that the Neighbourhood Area be approved as per the application.

If the area is designated, the Parish Council can commence production of a Neighbourhood Plan. If the area is not designated then reasons for refusal must be given.

Upon designation EDDC can apply for £5,000 grant funding from DCLG per Neighbourhood Area. Upon receipt of this money £2,000 is usually granted on to the Parish Council to assist with their costs, whilst the remaining £3,000 is retained towards District Council costs. Further stages of Neighbourhood Plan making will qualify for an additional £25,000 from DCLG to help EDDC meet referendum and examination costs.

Ward Member Comments:	Cllr Mike Howe has commented in favour of the proposal	
	Signature	Date
Service Lead- Planning Strategy and Development Management		11/02/15

Date of this report 25.02.15

Appendix 3

SEA Screening Opinion by East Devon District Council¹⁶ - Extracts

Clyst St George Neighbourhood Plan

The Neighbourhood Plan has been in production for approximately two years. It has undergone significant consultation and they are currently at a stage of drawing up draft proposals.

East Devon District Council has been kept abreast of progress and has offered support and guidance to the Neighbourhood Plan group throughout and therefore can be fairly confident in the Plan's direction of travel.

The key point of the Neighbourhood Plan is the group's desire to protect the existing character of the parish and resist large-scale development. Whilst the plan will include a range of policies, they are fairly general in nature and are considered very unlikely to have a significant environmental effect. Should this circumstance change it will be important to rescreen the plan to take any changes into account.

Clyst St George lost its Built-up Area Boundary in the recently adopted Local Plan and is generally not considered suitable for open market housing, unless otherwise promoted through a Neighbourhood Plan.

Conclusion

The Clyst St George Neighbourhood Plan does not require a Strategic Environmental Assessment

The Neighbourhood Plan is unlikely to have a significant environmental impact. It does not propose a level of development over and above that in the adopted Local Plan and is in accordance with the adopted Local Plan (which was itself subject to SEA).

The Clyst St George Neighbourhood Plan does not require a Habitat Regulation Assessment.

The Clyst St George Neighbourhood Plan is unlikely to have an adverse effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010 (d), alone or in combination with other plans and projects. It does not propose a level of development significantly over and above that in the adopted Local Plan (which was itself subject to HRA).

¹⁶ <http://www.csgnp.org.uk/wp-content/uploads/2017/09/Clyst-St-GeorgeSEA-HRA-screening.pdf>