



# Payhembury Neighbourhood Plan – Submission Version Representation Form

The Payhembury Neighbourhood Plan has been prepared by Payhembury Parish Council. It has now been formally submitted to East Devon District Council who are legally required to undertake public consultation.

**Please return this form to East Devon District Council by Friday 30 November 2018. Representations received after this time will not be accepted.**

**Part A – Personal Details** Please note we cannot accept anonymous responses.

Personal Details		Agent's Details (if applicable)*	
Title	██████	Title	
First Name	██████████	First Name	
Last Name	██████	Last Name	
Job Title (where relevant)		Job Title (where relevant)	
Organisation (where relevant)		Organisation (where relevant)	
Address		Address	

Postcode		Postcode	
Tel. No.		Tel. No.	
Email Address		Email Address	

\*If an agent is appointed, please fill in your title, name and organisation and the full contact details of the agent. Where an agent is used the agent will be the point of contact for correspondence.

Name/Organisation Please complete for each sheet	N/A
---	-----

Please indicate whether you wish to be notified of any of the following (delete as appropriate):

The publication of the recommendations of any person appointed to carry out an independent examination of the Payhembury Neighbourhood Plan. **Yes**

The adoption of the Payhembury Neighbourhood Plan. **Yes**

## Representation details

Please use a separate form for each representation

1. To which section of the Neighbourhood Plan does this representation relate?

### BUILT UP AREA BOUNDARY AND THE SETTLEMENT BOUNDARY MAP - FIG 2

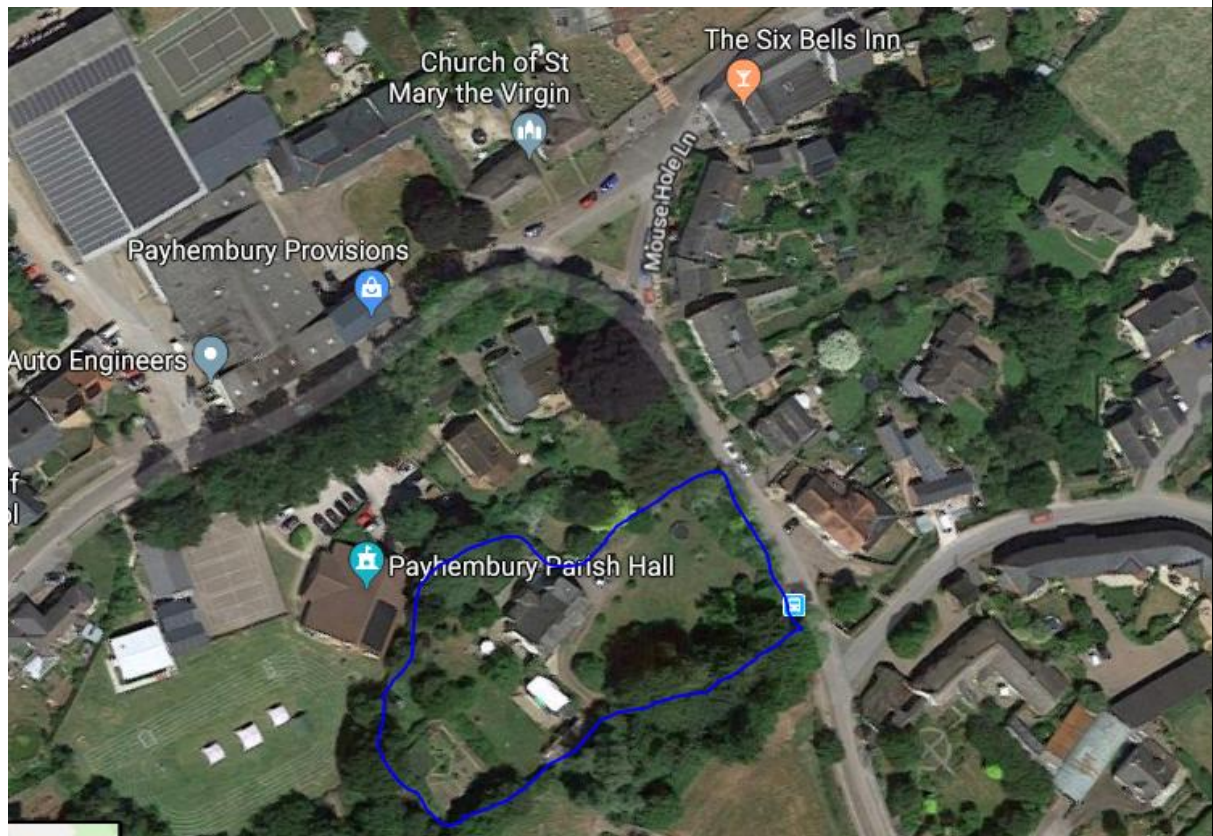
Policy Number (Include policy, paragraph or other reference no. if appropriate)	PNP1
--	------

2. Please use the box below to set out why you are supporting or objecting to this part of the plan. If your comment relates to a specific area of land or site if possible please identify it on a map. Continue on a separate sheet if necessary

My wife and I are [REDACTED] Payhembury, situated in the centre of Payhembury village. We have lived at [REDACTED] our children attended the

local primary school and we participate fully in village life. We have been keen participants in the various consultations and questionnaires that informed the Pre-Submission Version of Payhembury Village Neighbourhood Plan and agree with its stated aims and overarching principles regarding sustainable development and protecting the unique character of the village.

Our property's boundary is outlined in blue on the map below. The parish hall, school car park and playing fields border the north west boundary. Neighbouring houses are situated close to the north and east boundaries and the main road through the village, leading to the pub and church less than 75m away, runs adjacent to the property. Three houses that parallel the road overlook our front garden. Therefore our property is unequivocally situated in the "centre of the village" and is within the main Built Form of the Settlement of Payhembury.



**Policy PNP 1** of the Payhembury Neighbourhood Plan states clearly that any future housing development in the village will only be supported if the development land is within the depicted Settlement Boundary.

**POLICY PNP1, PAYHEMBURY VILLAGE SETTLEMENT BOUNDARY**

Housing development will be supported within the Settlement Boundary indicated on Figure 2 providing that:

- Properties are small, defined as a maximum 93m<sup>2</sup> internal space; one, two or three bedroom homes; and
- There is provision for sufficient off-street parking. A minimum of one car parking space for one bedroom properties and a minimum of two car parking spaces for two or three bedroom properties; and
- Development should be in keeping with surrounding properties and the character of the village.

Residential development of brownfield sites adjacent to this boundary will be supported provided they are in conformity with Strategy 35 of East Devon District Council's Local Plan.

In addition, small scale infill housing is a stated aim of the Neighbourhood Plan provided it meets stated criteria and is close to the village centre. This aim is on page 14 of the EDDC Submission Version of the Payhembury Neighbourhood Plan (page 14) and shown below:

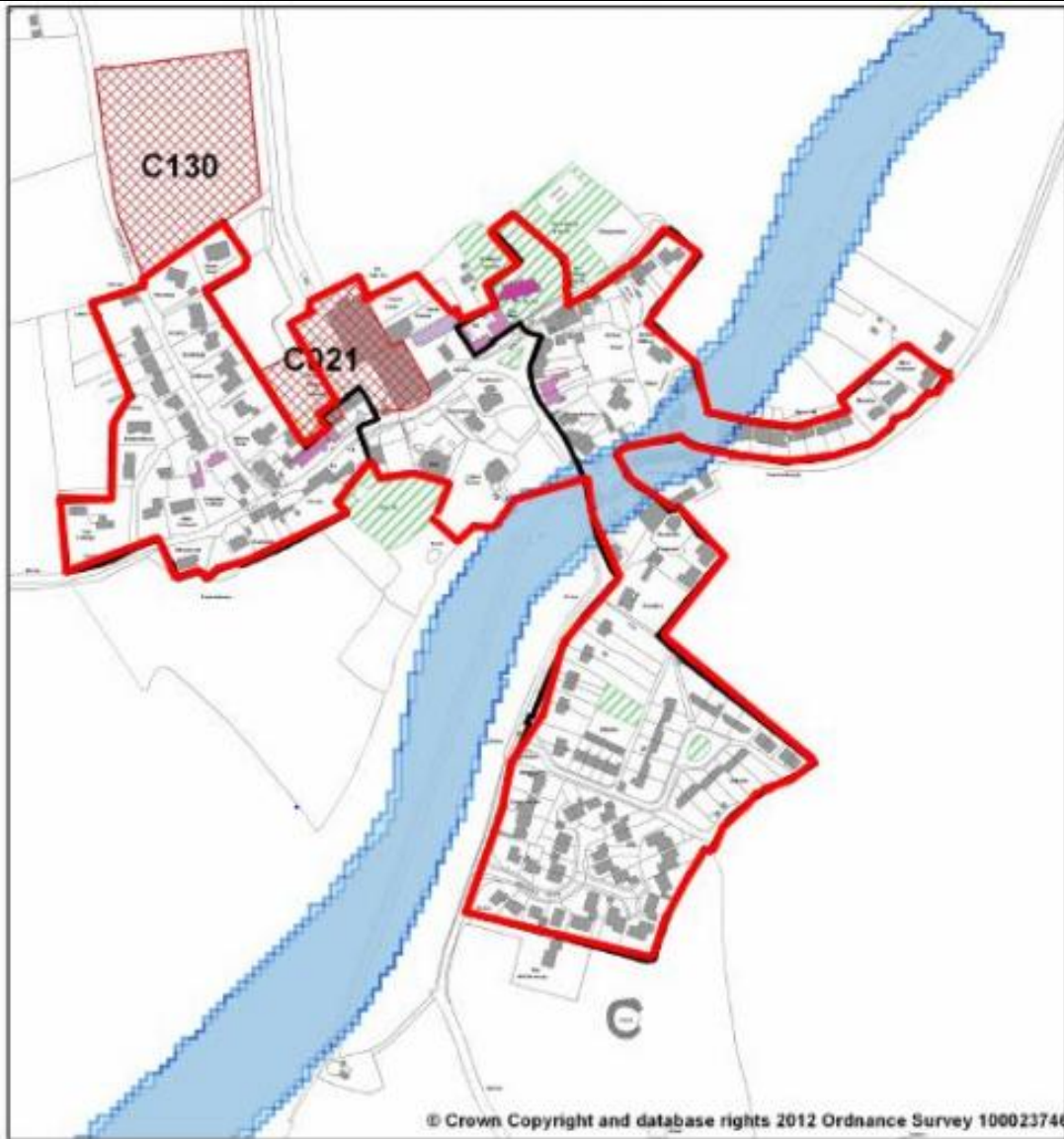
**HOUSING**

<b>Aims</b>	<b>Objectives</b>
<i>Support some small-scale housing close to the village centre and near existing services and facilities.</i>	<i>Permit 'in fill' housing within the former village boundary and brown field sites near the centre of the village.</i>
<i>Ensure new development meets local community needs and aspiration by being affordable.</i>	<i>Ensure that new development is focused on promoting smaller and more affordable properties.</i>
<i>Ensure new development is sympathetic to the surrounding area.</i>	<i>Ensure that the size, scale, form and materials used for any new development minimises impact on the character of the village and surrounding properties. Ensure that any future plans for new development have adequate provision for off-street parking.</i>

Therefore, reference is clearly made in the Neighbourhood plan to permitting infill housing as long as it is within the "village boundary", which in the context of the Neighbourhood Plan, will be defined by the Settlement Boundary.

**The Pre-Submission Version** of the Payhembury Neighbourhood Plan shows Culver House well inside the originally proposed Settlement Boundary red lines, and is consistent with it being in the centre of the village and the Built Form of the Settlement.

**Pre Submission Version of Settlement Boundary Fig 2 is shown below**



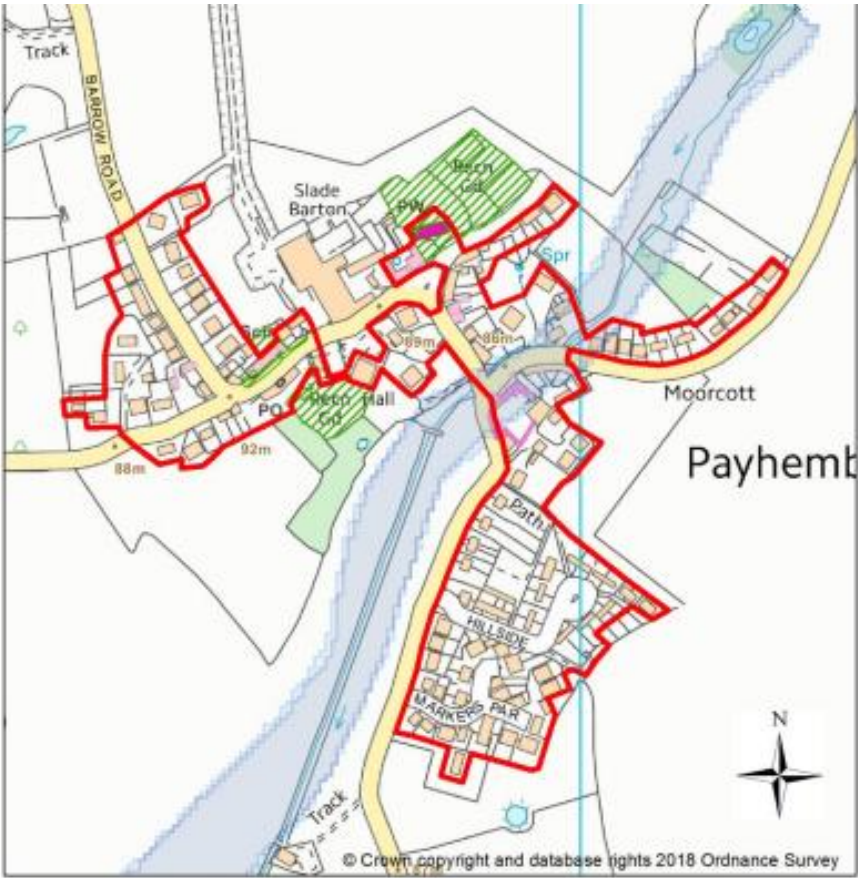
Red Line = Settlement Boundary

Figure 2

Close up of Culver House in pre-submission version is shown below:



Submission Version showing amended Settlement Boundary (SB)



Below is a close up of Culver House in amended submitted version



We have researched the EDDC East Devon Local Plan 2013-2031, and the East Devon Villages Plan - Proposed Built-up Area Boundary Criteria – Revised February 2016 to confirm the criteria for the establishment of Built Up Area Boundaries (which are also the criteria to be met by the Village Neighbourhood Plan "Settlement Boundaries"). Paragraph 6.22 of the East Devon Local Plan states that **"In a number of cases, BUAB cut across rear gardens of properties rather than follow defined garden areas or property boundaries. This is to ensure that inappropriate "backland" development does not occur and lead to urban sprawl on the edge of settlements"**

Strategy 6 of the East Devon Local Plan below confirms the huge significance placed on where the property boundaries are in relation to BUAB and by definition, village plan Settlement Boundaries, for planning application purposes. This is why the positioning of the proposed Payhembury Settlement Boundary is so important to us.

### **Strategy 6 - Development within Built-Up Area Boundaries**

Built-up Area Boundaries are defined on the Proposals Map around the settlements of East Devon that are considered appropriate through strategic policy to accommodate growth and development. Within the boundaries development will be permitted if:

1. It would be compatible with the character of the site and its surroundings and in villages with the rural character of the settlement.
2. It would not lead to unacceptable pressure on services and would not adversely affect risk of flooding or coastal erosion.
3. It would not damage, and where practical, it will support promotion of wildlife, landscape, townscape or historic interests.
4. It would not involve the loss of land of local amenity importance or of recreational value;
5. It would not impair highway safety or traffic flows.
6. It would not prejudice the development potential of an adjacent site.

### **Reason for this representation**

The Settlement Boundary as depicted in the Submission Version of the Payhembury Neighbourhood Plan clearly shows that an amendment from the Pre-Submission version (both shown above) has been made. The amended Settlement Boundary no longer uses our property boundary, which runs along a treelined stream, established walls and fencing between neighbouring houses. Instead, it now cuts off most of the garden.

**We believe this inconsistent with Para 6.22 of the East Devon Villages Plan which expressly states the BUAB cutting across gardens is to prevent "urban sprawl" on the edges of villages. In addition, the criteria laid down for establishment of BUAB do not stipulate all gardens must be removed from Settlement Boundaries as appears to have been done in the case of Payhembury.**

We do understand the concern that has been expressed by EDDC to the Payhembury Neighbourhood Plan Steering Group that the original Settlement Boundary could have permitted significant development within the area of the Payhembury brown field site that was originally included within the Settlement Boundary. We also understand that redrawing the Settlement Boundary to exclude this brown field site is consistent with current EDDC policy to prevent significant development in rural villages.

However, this representation to EDDC is based on our strongly held view that the redrawing of the Settlement Boundary around Culver House thereby cutting off the garden has been done with the overall aim of preventing inappropriate development in Payhembury in the future. However, we do not accept that there is any risk of a major development and certainly not an urban sprawl occurring within our property boundary. EDDC planning would not look favourably on a large development application within in the garden of Culver House for a number of reasons we believe, such as residential amenity of our neighbours, the number of established trees on the property, and the fact that Culver House is situated in the centre of the village and any such development would clearly alter the important character of Payhembury.

Therefore, the movement of the red line Settlement Boundary to cut off most of our property is not justified we believe. We understand and support the aims of EDDC to prevent significant development in rural villages of East Devon. However, by removing nearly all of the garden area of Culver House from the Submission Version Settlement Boundary, we are effectively being denied any realistic possibility in the future of applying for planning permission for a sustainable, *single unit* infill house that meets all the criteria contained in the Neighbourhood plan as well as meeting the more general development aims for rural villages set out in the East Devon Local Plan.

We would very much welcome the opportunity for EDDC to visit our property to discuss our concerns and the reasons behind this strongly felt representation.

### **In summary:**

- **The EDDC amended Settlement Boundary red lines, as currently depicted in the Submission Version of the Payhembury Neighbourhood Plan, have been changed from the Pre Submission Neighbourhood Plan Settlement Boundary**
- **We strongly believe this is unjustified in the case of Culver House because there is a negligible chance of a development within our property boundary being approved by EDDC that would put at risk the character of the village and certainly not one that would lead to an "urban sprawl on the edge of the**



settlement"

- We fully support the stated housing aims of the Neighbourhood Plan and the more general aims laid out in the East Devon Local Plan and would not consider making such an application
- We believe that reverting to the original Settlement Boundary red lines shown in Fig 2 of the Pre-Submission Version of the Payhembury Neighbourhood Plan would retain our ability to apply for planning permission for a sustainable single unit infill that meets the criteria laid down in the Neighbourhood Plan, should we decide to do so in the future, and one that would not compromise the policy aims of the East Devon Local Plan and in turn not impact the established character of Payhembury Village

=====

Name/Organisation

Please complete for each sheet

**3. What changes would you suggest should be made to the plan?**

It will be helpful if you are able to put forward your suggested revised wording of any policy or text or suggested alternative policy boundary. Please be as precise as possible.

**For Culver House, revert to the Pre-Submission Version of the Settlement Boundary red line that follows the southern and western property boundaries of Culver House as depicted in Fig 2 of the Pre-Submission Version of the Payhembury Neighbourhood Plan.**



Continue on a separate sheet if necessary

**4. If your representation is seeking a change, do you consider it necessary to speak at the examination?**

Please note this will not be regarded as a binding decision but will help us in our planning.

If you select No your representation(s) will still be fully considered by the independent examiner by way of written representations.

I wish to speak at the examination: **Yes**

Name/Organisation


Please complete for each sheet

5. If you wish to speak at the examination, please outline why you consider this to be necessary:

**To ensure that our strongly held views, based on detailed research and a full understanding of extant EDDC development policy and criteria for Built Up Area Boundaries are communicated accurately for this strongly felt representation.**

*Please note the examiner will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in the examination. If the examiner does not consider it necessary to hold a public examination consideration will be given by way of written representations.*

**Data Protection-** Any personal information which you provide will be held and used by East Devon District Council for the purpose of producing the neighbourhood plan and may inform other Planning Policy work. Your information may also be shared within East Devon District Council for the purposes of carrying out our lawful functions. Otherwise your personal information will not be disclosed to anybody outside East Devon District Council without your permission, unless there is a lawful reason to do so, for example disclosure is necessary for crime prevention or detection purposes. Your information will be held securely and will not be retained for any longer than is necessary. There are a number of rights available to you in relation to our use of your personal information, depending on the reason for processing. Further detail about our use of your personal information can be found in the relevant Privacy Notice which can be accessed at <http://eastdevon.gov.uk/privacy>.

Signed	
Date	20 November 2018

A signature is required by the Planning Inspectorate. If filling in the form electronically it can be an 'electronic signature' by typing in your name in the box. If you provide a handwritten signature we will ensure that it is not published on-line but it will be visible on the paper copies available at our offices and sent to the examiner.

**Please e-mail the completed form(s) and any additional information to [planningpolicy@eastdevon.gov.uk](mailto:planningpolicy@eastdevon.gov.uk) or send to Phil Twamley, Planning Policy Section, East Devon District Council, The Knowle, Sidmouth, EX10 8HL**