

# **The Sid Valley Neighbourhood Plan**

## **Basic Conditions Statement**

**November 2018**

# 1. Legal Requirements

## 1.1. Qualifying Body

The Neighbourhood Plan has been prepared by Sidmouth Town Council, which is a qualifying body for the preparation of a Neighbourhood Plan.

## 1.2. The Neighbourhood Area

The Neighbourhood Plan relates to a designated Neighbourhood Area, which is identical to the Town boundaries of Sidmouth Town Council. The application to designate the Neighbourhood Area was approved by East Devon District Council on 1st April 2016 under the Neighbourhood Planning Regulations 2012 (part2 S6). A map of the area is attached at the end of the document

The Sid Valley Draft Neighbourhood Plan relates only to the town council area encompassed by Sidmouth Town Council. It does not relate to more than one neighbourhood area. There are no other neighbourhood development plans in place within the neighbourhood area covered by the plan.

## 1.3. Period of the Plan

The Sid Valley Neighbourhood Plan covers the period from 2018 to 2033.

## 1.4. Conformity with National and Local Planning Policy

The Plan contains policies relating to the development and use of land within the neighbourhood area. Proposals relating to planning matters (the use and development of land) have been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.

In July 2018 the Ministry of Housing, Communities and Local Government published the Government's revised planning policies for England. The revised National Planning Policy Framework (NPPF) 2018 provides for transitional arrangements as follows: "214. The policies in the previous Framework will apply for the purpose of examining plans, where those plans are submitted (69) on or before 24 January 2019. Where such plans are withdrawn or otherwise do not proceed to become part of the development plan, the policies contained in this Framework will apply to any subsequent plan produced for the area concerned.

The draft Plan does not deal with county matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990.

The Neighbourhood Plan has to comply with five basic conditions. The Regulations state that the Neighbourhood plan will have met these 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 Right (ECHR) obligations or similar up dated obligations in the event of the UK leaving the EU and the ECHR
- prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.

## 2. Background to Developing the Plan

### 2.1. Our reasons for producing the Sid Valley Neighbourhood Plan are:

- Our community wanted to develop its own local planning policies so that we can have an influence over the type, scale, design and form of any potential development which may be planned in the area between now and 2033;
- There is limited housing growth for the Sid Valley within the Local Plan and any new housing on Exception Sites should be compatible with the existing special character of Sidmouth and the Sid Valley or its AONB setting and its important position as part of the Jurassic coast.
- We wanted to have a say in shaping the future of our Neighbourhood area including how our historic heritage assets and conservation area are protected, maintained and enhanced and how our services and facilities are sustained into the future;
- We wanted to have some control over local planning matters and decisions;
- We wanted to maintain the special character of our rural landscape and environment and our villages of Sidford, Sidbury and Salcombe Regis.
- We wanted to ensure that any new development had a positive effect specifically in addressing the age in-balance currently weighted in favour of the older generation which exists in Sidmouth and the Sid Valley

2.2. The Neighbourhood Plan has been developed with the full participation of the local people both as members of the Steering Group and through a process of extensive community consultation. The principle of sustainable development, which includes meeting the needs of the community, with specific regard to a re-balancing of the community now and in the future, is an important theme within the Plan. Our unique position within an East Devon AONB and as part of the World Heritage Jurassic Coast is of paramount importance in sustaining and growing our economic viability. Our research has shown us that residents of the Sid Valley are only too aware of a demographic bias towards the elderly retired section of the community and wish to see a re-balancing of the current trend. We specifically support all the following; homes, employment, essential community services, environmentally friendly tourism and leisure opportunities for all residents but specifically having regard to the needs of the younger generation of residents

2.3. Three principle themes evolved during our extensive research and community engagement - **Natural and Built Environment, Access, Housing and Economy** and **Community** (reflecting the three strands of sustainable development). Through this thematic analytical approach, 26 policy objectives have emerged. These policies are set out for reference in Appendix 1. These identify the key issues that the Neighbourhood Plan addresses as it seeks to secure the Vision for the period up to 2033.

### 3. Summary of the National Planning Policy Framework Guiding Neighbourhood Plans

3.1. The Neighbourhood plan has been prepared having regard to the policies set out in the National Planning Policy Framework (NPPF) of April 2012 . Whilst the plan was in the final stages of its preparation the new NPPF 2018 was published on 24<sup>th</sup> July. It is the intention that the plan will be examined against the provisions of the 2012 Framework as set out in paragraph 214 of the 2018 Framework although where it is relevant reference may be made to the new provisions. It also gives regard to the 12 core planning principles contained in paragraph 17 of the National Planning Policy Framework 2012, alongside the National Planning Practice Guidance (NPPG) published by the Government in April 2014 in relation to the formation of Neighbourhood Plans.

#### 3.2. Guiding Polices for Neighbourhood Plans

The NPPF in sections 183-185 refers to Neighbourhood Development Plans and seeks that those plans have regard to the policies in the NPPF and to be in 'general conformity' with the strategic policies of the Local Plan. This phrasing is explained more clearly by the Localism Act 2011 which refers to the 'adopted Development Plan'.

In overall terms, there are four NPPF paragraphs that provide general guidance on neighbourhood planning, to which the Neighbourhood Plan has directly responded:

- **Paragraph 16** states that “neighbourhoods should”:
  - *develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development*
  - *plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan;*
  - *and identify opportunities to use Neighbourhood Development Orders to enable developments that are consistent with their neighbourhood plan to proceed”.*

The Town Council believes the Sid Valley Neighbourhood Plan is planning positively to support the strategic development needs of the district by developing policies to promote sustainable economic and residential development. The latter policies seek to sustain the character of the Town and Sid valley area to meet identified local needs. It also seeks to protect and enhance open spaces and valued community facilities that benefit the area.

- **Paragraph 183**  
*Paragraph 183 of the NPPF states that “Parishes and neighbourhood forums can use neighbourhood planning to:*
  - *Set planning policies through neighbourhood plans to determine decisions on planning applications; and*
  - *Grant planning permission through Neighbourhood Development Orders and Community Right to Build Orders for specific development which complies with the order”.*

The Town Council believes the Neighbourhood Plan establishes a shared community vision for the Sid Valley that reflects the views of the majority of the local community. It makes the

output of these activities real by translating them into objectives and planning policies to determine future planning applications as part of the development plan.

- **Paragraph 184**

*Paragraph 184 of the NPPF states that “The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the local area. Neighbourhood Plans must be in general conformity with the strategic policies of the local plan.”*

The Neighbourhood Plan has been drafted with regard to the relevant strategic planning policies for East Devon and is in conformity with the Development Plan for the area and the comprehensive evidence base that supports these policies. The SVNP sets out under each policy area where it is in conformity with the EDDC local plan.

*Paragraph 184 also states that Neighbourhood Plans should “not promote less development than set out in the Local Plan or undermine its strategic policies”.*

The Sid Valley Neighbourhood Plan does not undermine the strategic policies of the Adopted East Devon Local Plan and does not promote less development than outlined in this Plan. The Local Plan does refer to a figure of 150 units for Sidmouth. The Plan will ensure that this quantum will be delivered and in addition supports small scale community led exception schemes that meet identified housing needs in the Parish and reflects the significant environmental – both natural and heritage – constraints within and surrounding the village.

- **Paragraph 185**

*Para 185 of the NPPF states “Outside these strategic elements, neighbourhood plans will be able to shape and direct sustainable development in their area. Once a neighbourhood plan has demonstrated its general conformity with the strategic policies of the Local Plan and is brought into force, the policies it contains take precedence over existing non-strategic policies in the Local Plan for that neighbourhood, where they are in conflict.*

Local planning authorities should avoid duplicating planning processes for nonstrategic policies where a neighbourhood plan is in preparation”. The Neighbourhood Plan avoids duplicating development plan policies by focusing on site-specific policies that translate the general requirements of the development plan into a Sid Valley context. Once made, the Neighbourhood Plan should be easily considered alongside the Local Plan and any other material considerations in determining planning applications.

#### **4. Sid Valley neighbourhood Plan Contribution to the Achievement of Sustainable Development.**

4.1. This is a core requirement of a Neighbourhood Plan. The relevant goals, required to deliver sustainable development as defined in the NPPF, are as follows:-

- Building a strong, competitive economy
- Supporting a prosperous rural economy
- Promoting sustainable transport

- Supporting high quality communications infrastructure
- Delivering a wide choice of high quality homes
- Requiring good design
- Promoting healthy communities
- Meeting the challenge of climate change, flooding and coastal change
- Conserving and enhancing the natural environment
- Conserving and enhancing the historic environment

Table 1 below summarises how the Sid valley neighbourhood plan contributes to the delivery of Sustainable development.

**Table 1:- Summary of how each main policy grouping in the Sid Valley Neighbourhood Development Plan conforms to the NPPF sustainable delivery goals**

Sid Valley Neighbourhood Plan area of consideration	Relevant NPPF Goal
<p><b>Sid Valley Development Policy 1</b> supports the requirements of the EDDC Local Plan Strategy 26 (Development of Sidmouth) by providing the guiding principles that will ensure the Sid Valley’s contribution in providing new homes, jobs, town centre functions, social and community facilities, infrastructure, the environment and allocated sites. Planning applications which accord with the policies in the SVNP will be approved, unless material considerations dictate otherwise. The SVNP brings environmental concerns to the forefront, to ensure that our high quality environment is protected and maintained to meet community and visitor expectations. In so doing this overarching Development policy supports all of the goals of the NPPF to deliver sustainable development.</p> <p>As such Policy 1 supports the balancing of sensitive development to support housing and economic needs while conserving the historic and natural environment.</p>	<p>Building a strong, competitive economy  Supporting a prosperous rural economy  Promoting sustainable transport  Supporting high quality communications infrastructure  Delivering a wide choice of high quality homes  Requiring good design  Promoting healthy communities  Meeting the challenge of climate change, flooding and coastal change  Conserving and enhancing the natural environment  Conserving and enhancing the historic environment</p>
<p><b>Built and Natural Environment</b> – a suite of policies seek to protect and enhance the local areas distinctiveness green spaces and biodiversity are included in the Neighbourhood plan to ensure sustainable development preserves the distinctiveness of the area, its</p>	<p>Conserving and enhancing the natural environment.  Conserving and enhancing the historic environment  Requiring good design  Promoting healthy communities</p>

<p>natural beauty and history. The titles of the policies are self-explanatory in the way they are designed to protect the natural environment, green spaces, biodiversity and the local distinctiveness of the area.</p> <p><b>Policies:</b>  <b>Protection of Key Views</b>  <b>Settlement Coalescence Sidford to Sidbury</b>  <b>Green Corridors</b>  <b>Local Green Space Designation</b>  <b>Protected Open Space</b>  <b>Infill Development and Extensions</b>  <b>Local Distinctiveness</b>  <b>Light Pollution</b></p>	<p>Meeting the challenge of climate change, flooding and coastal change</p>
<p><b>Housing</b> – a suite of policies to encourage sustainable development in the town that meets the needs of and reflects the wishes of the residents and delivering a choice of high quality homes affordable for local people. Conserving and enhancing the natural environment.</p> <p><b>Policies:</b>  <b>Residential Development</b>  <b>Exception Sites</b>  <b>Affordable Housing</b>  <b>Housing by Number of Bedrooms</b>  <b>Local Connection</b>  <b>Principal Residency</b></p>	<p>Delivering a wide choice of high quality homes.  Conserving and enhancing the natural environment.  Conserving and enhancing the historic environment  Requiring good design  Meeting the challenge of climate change, flooding and coastal change</p>
<p><b>Access and Connectivity</b> - The SVNP policies aims to provide a variety of travel choices, for the benefit of health, the natural environment and air quality. Over the plan period, the aims is to ensure pedestrian friendly town and village centres, improved and reasonably charged parking, better managed HGVs and better cycling facilities.</p> <p><b>Policies:</b>  <b>Park &amp; Ride</b>  <b>Shared Use Paths</b></p>	<p>Promoting sustainable transport  Promoting healthy communities  Conserving and enhancing the natural environment  Building a strong, competitive economy  Meeting the challenge of climate change, flooding and coastal change  Supporting a prosperous rural economy</p>
<p><b>Economic Resilience</b> – SVNP policies support the Visitor Economy: promote existing and new festival events: preserve and promote our distinctive shopping environment: promote our strong work-life balance: flexible business infrastructure, employment and encourage self-sufficiency. Commercial development policies conform to the approved Local Plan which seeks</p>	<p>Building a strong, competitive economy</p>

<p>to balance opportunities for new commercial activities with the sensitivities required for this area.</p> <p><b>Policies:</b>  <a href="#">New Retail and Commercial Development</a>  <a href="#">Facilitation of Home Working</a>  <a href="#">Employment Land</a>  <a href="#">Renewable Energy and Low Carbon Energy Projects</a></p>	
<p><b>Eastern town Development</b> – SNVP policies seek to ensure development is appropriated, in line with the historic context, protects community assets and allows development that will support a thriving community and commercial and retail offer within Sidmouth Town centre.</p> <p><b>Policies</b>  <a href="#">Eastern Town Redevelopment</a>  <a href="#">Eastern Town Access</a>  <a href="#">Eastern Town Maritime Heritage</a>  <a href="#">Eastern Town Community Assets</a></p>	<p>Building a strong, competitive economy  Requiring good design  Promoting healthy communities  Meeting the challenge of climate change, flooding and coastal change  Conserving and enhancing the natural environment  Conserving and enhancing the historic environment</p>

## 5. Conformity to National planning policy

5.1. Table 2 below is a brief summary of how each Policy in the Neighbourhood Development Plan conforms to the NPPF and NPPG. The particular paragraphs referred to in the table are those considered the most relevant to each Policy but are not intended to be an exhaustive list of all possible relevant paragraphs. A brief summary of how the SVNP conforms to the main relevant aspects of the NPPF is set out below.

### 5.2. Achieving sustainable Development

As set out in para 4, the SVNP contains a mix of policies that support the economic, social and environmental objectives of the plan. As for our Local Plan, the presumption is in favour of development unless it conflicts with the importance of preserving the natural and historic environment of the area. These conditions are clearly set out in our policies.

### 5.3. Delivering a sufficient supply of homes

The local plan has clearly taken account of the distinctiveness and capacity of the Sid Valley in making its housing Allocations. These policies allocate 150 homes to Sidmouth and this figure will be surpassed and in addition the Neighbourhood Plan is making specific provisions for addressing local housing need for local people, on top of the Local Plan allocations.

### 5.4. Building a Strong and competitive Economy

The SVNP contains policies to promote the continued vibrancy of the tourist economy and allow development where that is appropriate in accordance with the Local Plan.

### 5.5. Ensuring the Vitality of Town Centres



The SVNPN contains policies for the comprehensive management of the eastern End of Sidmouth and policies to promote retail and tourist industries that are vital to community wellbeing as well as economic resilience.

**5.6. Promoting healthy and safe communities**

The SVNPN contains policies to protect and enhance the environment and green spaces for healthy living and recreation. It also contains designation of green spaces and community assets to promote healthy communities. It contains a policy with regard to planning in safety to development and also encourages active forms of travel.

**5.7. Promoting sustainable transport.**

The SVNPN contains two policies which support this.

**5.8. Supporting high quality communications**

is part of the Community Actions

**5.9. Achieving well designed places**

The SVNPN polices support conditions on development that promote high quality design and reference to and protection of local distinctiveness.

**5.10. Meeting the Challenge of climate Change, flooding and coastal change**

Policies with respect to the eastern town development in Sidmouth address this.

**5.11. Conserving and enhancing the natural environment.**

A suite of SVNPN policies do this in respect of the extremely strong feelings about this expressed during the consultation phases of preparing the plan.

**5.12. Conserving and enhancing the historic environment**

As above, the protection of the historic environment features strongly in the SVNPN policies.

As such it is believed that the Sid Valley neighbourhood plan has had regard to the Secretary of State's policies set out in both in respect of the NPPF 2012 and the NPPF 2018.

The table below makes the direct link between NPPF and neighbourhood plan policies evidencing the conformity of the plan to NPPF 2012 and 2018.

**Table 2: Summary of how each policy in the Sid Valley Neighbourhood Plan conforms to the NPPF.**

**Policy**

Policy Number in SVNP	Policy Title	NPPF reference paras	Commentary
Policy 1	Sid Valley Development Principles	<p>NPPF 2012 7-11 p 5-6</p> <p>NPPF 2018 Para 7-11 p 5-6</p>	<p>Policy 1 is in conformity with NPPF and is in conformity with the requirements of the East Devon Local Plan particularly Strategy 26 and Strategy 27 by providing the guiding principles that will ensure the Sid Valley’s contribution in providing new homes, jobs, town centre functions, social and community facilities, infrastructure, the environment and allocated sites. The SVNP brings environmental concerns to the forefront, to ensure that our high- quality environment is protected and maintained to meet community and visitor expectations whilst still meeting the housing and employment needs of those who live and work in the area.</p> <p>NPPF 2012 and NPPF 2018 promote sustainable development whereby the social, economic and environmental needs are considered as a whole with the presumption of development subject to well justified conditions that protect the environmental and historic distinctiveness of the area. Policy 1 clearly supports this principle in stating “Planning applications which accord with the policies in the SVNP will be approved, unless material considerations dictate otherwise.”</p> <p>Policy 1 also states “Planning permission will also be granted where relevant policies in the Neighbourhood Plan are out of date or silent unless:</p> <ul style="list-style-type: none"> <li>• Other relevant polices in the East Devon Local Plan indicate otherwise</li> <li>• Or any adverse impacts of the development would significantly and demonstrably outweigh its benefits when assessed against the policies in the National Planning Policy Framework taken as a whole</li> <li>• Or specific policies in the framework or other material considerations indicate that development should be resisted</li> </ul>
Policy 2	Protection of Key Views	<p>NPPF 2012 17 p 5</p> <p>109 p 25</p>	<p>This policy recognises that it is the topography of the plan area that provides the distinctiveness of the Sid Valley and its relationship between the settlements and the surrounding hills. It is vital that the ten key public viewpoints identified as particularly</p>

		<p>115 p 26 113 p 26 170 p 41</p> <p>NPPF 2018 170-173 p 49-50 and 185 p 54</p>	<p>special by the local community are protected. This is in conformity with the NPPF in the following ways: NPPF2012 “Conserving and enhancing the natural environment” para 170 “The planning system should contribute to and enhance the natural and local environment” para 109 “Local planning authorities should set criteria-based policies against which proposals for any development on or affecting protected wildlife or geodiversity sites or landscape areas will be judged” etc. para 113.</p> <p>Para.115 Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.</p>
Policy 3	Settlement Coalescence in relation to Sidford to Sidbury	<p>NPPF 2012 77 p 21 78,p 21</p> <p>NPPF 2018 72 p 20 170 p 49</p>	<p>This policy states there will be a presumption against any built development within the area shown in the ‘Green Wedges’ map of the area of undeveloped land between Sidford and Sidbury. This policy is in conformity with the NPPF which sets out policies for Rural Housing.</p>
Policy 4	Green Corridors	<p>NPPF 2012 117 p 27</p> <p>NPPF 2018 170- 173 p 49-50 185 p 54</p>	<p>Policy 4 conforms to NPPF 2012 Para 117 which says it is appropriate to identify and map site of importance for bio diversity and wildlife corridors. This policy is in conformity with the NPPF in that it sets out that there will be a presumption against any built development within the areas shown on the Green Corridor Map other than alterations and extensions to existing buildings within the green corridors and development that would be ancillary to the green corridor e.g. equipment sheds.</p> <p>Policy 4 is also in conformity with the NPPF objectives of 1) conserving and enhancing the natural environment 2) promoting healthy communities.</p> <p>Policy 4 is in conformity with paragraphs 7, 69, 75 and 109 by seeking to enhance and create green infrastructure of value to the community in terms of the corridor’s biodiversity, recreational role and importance to the well-being of residents in the Parish</p> <p>NPPF 2018 Para 174</p>

Policy 5	Local Green Space Designation	<p>NPPF 2012 Para 76-78, p 18 Paras 73,74 p 18</p> <p>NPPF 2018 8bp 5 91 p27 96 p28 97 p 28 150 p 44 171 p 49 181 p 52</p>	<p>Policy 5 is in conformity with the NPPF 2012 objectives of 1) conserving and enhancing the natural environment 2) promoting healthy communities.</p> <p>Areas are identified in the plan which are designated as Local Green Space where there will be a general presumption against all development except in very special circumstances. This is in conformity with the NPPF2012and the 2018.</p> <p>Policy 5 is in conformity with the NPPF paragraphs 76-78 which protect green areas that are special to the local community from the threat of development and makes use of the provision for making a designation in the NPPF.</p> <p>NPPF 2012 - It is for local planning authorities to assess the need for open space and opportunities for new provision in their areas. In carrying out this work, they should have regard to the duty to cooperate where open space serves a wider area. See guidance on Local Green Space designation, which may form part of the overall open space network within an area. NPPF paragraphs 73 ,74 “Open space should be taken into account in planning for new development and considering proposals that may affect existing open space”</p> <p>NPPF 18 supports the same principles.</p>
Policy 6	Protected Open Space	<p>NPPF 2012 17 p 5 76-78, p 18 Paras 73,74 p 18</p> <p>NPPF 2018 8b p 5 91 p 27 96 p 28 97p 28 150 p 44 171 p 49 181 p52</p>	<p>This policy sets out that development will not normally be allowed on the areas shown on the Protected Open Spaces Map unless new and appropriate alternative provision can be demonstrated to compensate for localised loss of the Public Amenity OR It can be demonstrated that there will be no damage to the Local Amenity as a result of the development or where an enhancement can be achieved. Policy 6 is in conformity with NPPF 2012 paragraphs 70 and 72-77 “Open Space should be taken into account in planning for new development and considering proposals that may affect existing open space”</p> <p>This policy is in conformity with NPPF which states It is for local planning authorities to assess the need for open space and opportunities for new provision in their areas. In carrying out this work, they should have regard to the duty to cooperate where open space serves a wider area. NPPF paragraphs “Open space should be taken into account in planning for new development and considering proposals that may affect existing open space”</p> <p>Policy 6 is compatible with the NPPF objective of conserving and enhancing the natural environment in particular paragraphs 7, 17, 58,109,113,115,116 and 118 by seeking to</p>

			protect and enhance the AONB landscape and existing biodiversity, geodiversity assets in the Parish. It has a strong emphasis on protecting a particularly valued landscape from inappropriate development.
Policy 7	Infill Development and Extensions	<p>NPPF 2012 17, 53,p14 56,p14, 57p 15 and 58 p 15</p> <p>NPPF 2018 70 p 19 122 d p 36</p>	<p>This policy relates to development not being designed so as not to adversely impact on the amenities of its neighbours and seeking to protect any existing trees that contribute to the overall amenity of the area as well as being appropriately landscaped.</p> <p>This is in conformity with the NPPF2012 which states “Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.”</p> <p>It is also compatible with the NPPF objectives of requiring good design and in conformity with the NPPF paragraphs 17, 53, 56, 57, and 58 in seeking to ensure secure high quality design. It resists inappropriate infill development where this would have an unacceptable impact on the character of the natural and built environment and on residential amenity for all existing and future occupants of land and buildings.</p> <p>The Policy sets out criteria to ensure proposals are well designed, resist inappropriate development of residential gardens, protect the surrounding valued landscape and reflect the distinctive character of the area</p>
Policy 8	Local Distinctiveness	<p>NPPF 2012 17 p 5 56 p 15 57 p 15 58 p 15 126 - 141 p 30 185 p 44 141 p 31</p> <p>NPPF 2018 70 p 19 122d p 36</p>	<p>The policy states development proposals will be expected to have regard to character of the immediate area as set out in the Place Analysis. All new development, including innovative designs, should be designed to complement and enhance the local distinctiveness of the character of its immediate locality, reflecting the height, scale, massing, fenestration, materials, landscaping and density of buildings as described in the Place Analysis. Building heights should not normally be higher than neighbouring properties.</p> <p>The following paragraphs of the NPPF 2012 describe the Government’s approach to good design: The following reference in the NPPF 2018 are also relevant; Paras 126,127,185</p> <p>“Para 56. The Government attaches great importance to the design of the built</p>

		<p>126 p 38 127 p 38 185 p 54 192 p56</p>	<p>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> <p>“Para 57. It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.</p> <p>“Para 58. 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. Planning policies and decisions should aim to ensure that developments:</p> <p>a. will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;</p> <p>b. Connections between people and places and the integration of new development into the natural, built and historic environment.”</p> <p>NPPF 2018 Paras 70 and 122 These policies seek to follow the guidance in the NPPF 2012 and the up dated NPPF 2018 and build on Development Management Policies in the East Devon Local Plan. However, the entire Sid Valley and notably Sidmouth itself has a special character which merits a specific design policy to protect and maintain its historic features. For this reason, we chose to submit an extensive professionally produced Place Analysis</p> <p>This policy is in conformity with the NPPF2012 objective of conserving and enhancing the historic environment.</p> <p>Policy 8 is also in conformity with the NPPF paragraphs 17,126- 141 by seeking to conserve and enhance heritage assets and their settings so they can be enjoyed for their contribution to the quality of life of this and future generations.</p>
Policy 9	Light Pollution	NPPF 2012 125 p29	The policy states there will be a general presumption against all outdoor lighting (both ambient and floodlight) outside the settlement areas, unless there is overwhelming operational requirement and the illumination has been designed to minimise light

		NPPF 2018 180	<p>spillage and is restricted as to hours of usage.</p> <p>This is in conformity with the specific reference to limiting the impact of light pollution in the NPPF and the new NPPF</p>
Policy 10 A	Residential Development	<p>NPPF 2012 47 p 12 50 p13 53 p14 55 p14</p> <p>NPPF 2018 71, 77, 78 and 145</p>	<p>The NPPF, in paragraph 47, requires local planning authorities to boost significantly the supply of housing.</p> <p>The Neighbourhood Plan, encourages residential development within the built-up area, subject to appropriate design policies as required by para 58 of the Framework.</p> <p>Paragraph 53 of the NPPF 2012 states: “Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.”</p> <p>Paragraph 55 of the NPPF2012 states: “To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. It then sets out special circumstances which will allow isolated houses in the countryside”</p> <p>Paragraph 50 of the NPPF 2012 requires planning policy to “deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities”.</p>
Policy 10 B	Exception Sites	<p>NPPF 2012 50 p13 54 p14</p> <p>NEW NPPF</p>	<p>The NPPF provide the national planning context for design policy in Neighbourhood Plans. In particular, Para 50 states: “To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should: where they have identified that affordable housing is needed, set policies for meeting this need on site.”</p> <p>Para 54 requires plans to be responsive to local circumstances and plan housing developments to reflect local needs, particularly for affordable housing, including rural exception sites, where appropriate”</p> <p>The new NPPF cites Rural exception sites DEFINITION: Annex 2: Glossary: Rural</p>

		71p 19 77p 21 78p 21 145 42	exception sites Paras 71, 77, 78 and 145 Outside of the BUAB Paras 10, 11, 71, 172 and 173
Policy 11	Affordable Housing	NPPF 2012 47,50 NEW NPPF DEFINITION : Annex 2: Glossary Paras 59, 60, 61 and 62	<p>This policy is in line with the PPG advice re affordable housing thresholds which are now replicated in the new NPPF</p> <p>Para 50 refers to achieving a mix of housing to meet current and future demographic trends and the needs of different groups in the community plus identifying the tenure of housing required.</p> <p>NPPF states: “To boost significantly the supply of housing, local planning authorities should: use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area.” (para 47 of Delivering a wide choice of high quality homes)</p> <p>“To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should: where they have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified.” (para 50)</p> <p>NPPF 2018 Definition; Annex 2 Glossary Para 59,60, 61 and 62</p>
Policy 12	Housing by Number of Bedrooms	NPPF 2012 17 p 5  NPPF 2018 8b p 5 61p 17 68p19	<p>NPPF 2018 Paras 8, 61 and 68</p> <p>Para 50 seek to deliver a wide choice of high quality homes, inclusive and mixed communities, plans should aim to provide the mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as but not limited to families and children, older people, people with disabilities and also identify the size, type and range of houses that are required reflecting local demand.</p>



Policy 13	Local Connection	<p>NPPF 2012 7 P2 50 p13</p> <p>Definition: Annex 2: Glossary)</p> <p>NPPF 2018 60p 17 77p 21 78p 21</p>	<p>The basis of this policy is to meet the social role of sustainable development as set out in para 7 of the Framework, namely to “ support strong, vibrant and healthy communities, by providing a supply of housing required to meet the needs of present and future generations”. This is to ensure that the new housing built is to meet the needs of the existing community as required by Para 50</p> <p>Glossary to NPPF defines affordable housing As “Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices.”</p> <p>Paras 60, 77 and 78 of NPPF 2018 support this approach</p>
Policy 14	Principal Residency	<p>Not specifically within NPPF policies</p>	<p>This policy states any new open market housing, excluding replacement dwellings will only be supported when it is restricted to being used as a Principal Residence and not as a ‘second home’, in that the occupier uses it as their main residence regardless of who owns the Freehold.</p> <p>The basis of this policy is to meet the social role of sustainable development as set out in para 7 of the Framework, namely to “ support strong, vibrant and healthy communities, by providing a supply of housing required to meet the needs of present and future generations”. This is to ensure that the new housing built is to meet the needs of the existing community as required by Para 50</p>
Policy 15	Park & Ride	<p>NPPF 2012 29 p 9 30 p 9 34 p 10 35 p 10 38, 40</p>	<p>This policy states that a scheme for a park &amp; ride including park and change on the outskirts of Sidmouth will be supported under certain specified conditions.</p> <p>Promoting sustainable transport is supported in the NPPF and this policy is in conformity with the relevant NPPF paragraphs below.</p>

		<p>NPPF 2018 102 -106 Ps 30-31 108 p 31 110 p 31 148 p 44</p>	<p>Paragraph 35 of the NPPF 2012 states: “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"> <li>• give priority to pedestrian and cycle movements, and have access to high quality public transport facilities;</li> <li>• create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones...”</li> </ul> <p>Paragraph 29 of the NPPF 2012 states: “Transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. However, the Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas.”</p> <p>Paragraph 30 of the NPPF2012 states: “...local planning authorities should therefore support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport.”</p> <p>Paragraph 34 of the NPPF 2012 states: “Plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. However, this needs to take account of policies set out elsewhere in this Framework, particularly in rural areas.”</p> <p>NPPF 2018 reinforces these policies in the paras quoted.</p>
Policy 16	Shared Use Paths	<p>NPPF 2012 29 p 9 30 p 9 35 p 10</p> <p>NPPF 2018</p>	<p>This policy states Where possible, any new housing developments shall be designed to incorporate shared use paths for pedestrians and cyclists. Where appropriate these shared use paths should link with existing shared use paths or pavements, dependent on highway standards. Designs where cyclists can be separated from pedestrians or shared surfaces where cars are integrated will be supported.</p> <p>This policy is in conformity with the NPPF2012 which supports such policies - Paragraph</p>

		102 -104 p 31 110 p 31	<p>35 of the NPPF 2012 states: “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"> <li>• give priority to pedestrian and cycle movements, and have access to high quality public transport facilities;</li> <li>• create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones...”</li> </ul>
Policy 17	New Retail and Commercial Development	<p>NPPF 2012 19 p 6 21 p 6 22 p 7 23 p 7</p> <p>NPPF 2018 102 – 105 p p 30-31 108 p 31 110 p 31 182</p>	<p>Policy 17 is in conformity with The NPPF as it allows new retail and commercial development without over burdensome planning conditions.</p> <p>The NPPF April 2012 states in paragraph 19 that “Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore, significant weight should be placed on the need to support economic growth through the planning system.”</p> <p>The NPPF April 2012 states in paragraph 21 that “Investment in business should not be over-burdened by the combined requirements of planning policy expectations. Planning policies should recognise and seek to address potential barriers to investment, including a poor environment or any lack of infrastructure, services or housing. In drawing up Local Plans, local planning authorities should:</p> <ul style="list-style-type: none"> <li>• support existing business sectors</li> <li>• identify priority areas for economic regeneration, infrastructure provision and environmental enhancement; and</li> <li>• facilitate flexible working practices such as the integration of residential and commercial uses within the same unit.”</li> </ul> <p>The NPPF 2012 states in paragraph 22 that: “Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits and the relative need for different land uses to support local communities. “Proposals for new retail and commercial</p>

			<p>facilities, extensions and/ or alterations to existing facilities will be supported on sites within the BUAB provided they meet the following specified criteria.</p> <p>Policy 17 is also in conformity with Paragraph 23 of the NPPF states: “Planning policies should be positive, promote competitive town centre environments and set out policies for the management, growth of centres over the plan period local planning authorities should:</p>
Policy 18	Facilitation of Home Working	<p>NPPF 2012 17 p 5 23 – 27 p 7 28 p 9</p> <p>NPPF 2018 84- 192 p 54-55</p>	<p>Proposals for house extensions and/or conversions of existing domestic buildings and new garden buildings for home-working will be supported provided specified conditions are met in full.</p> <p>This is in conformity with the NPPF’s Core Planning Principles para 17, Ensuring the Vitality of Town Centres 23 onwards, Supporting a Prosperous Rural Economy, 28</p>
Policy 19	Employment Land	<p>NPPF 2012 17 bullet 3 p 5 22 p 7 160-161 p 39</p> <p>NPPF 2018 84 p 54 117p 32 118p 33</p>	<p>This conforms with NPPF Core Planning Principles, para 17, bullet 3; P7, para 22, P39, Business, paras 160-161</p> <p>The criteria based approach for alternative uses is in line with Para 22 of the Framework This says ” planning policies should avoid the long-term protection of sites allocated to you employment use where there is no reasonable prospect of a site being used for that purpose... where there is no reasonable prospect of the site being used in the allocated employment uses, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative needful different land uses to support sustainable local communities”</p>
Policy 20	Renewable Energy and Low Carbon Energy Projects	<p>NPPF 2012 6-10 p 2 97-98 p 22</p> <p>NPPF 2018 148p 44 151- 152 p 44 -45</p>	<p>This policy supports NPPF policies para 6-10 definition of “sustainable development”. Planning Practice Guidance for renewable and low carbon energy by supporting land diversification in small-scale low-carbon energy projects, and by supporting home working, so long as the character of the countryside is protected.</p> <p>Policy 20 supports NPPF2012 Paras 97 – 98 regarding the supply of renewable and low carbon energy sources</p>

			<p>NPPF 2018</p> <p>Paras 148, 151 and 152</p> <p>The section from the Planning Practice Guidance for Renewable and Low Carbon Energy still stands</p> <p>“Planning practice guidance for renewable and low carbon energy”</p> <p>Paras 5, 17, 18 and 19</p> <p><a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/225689/Planning_Practice_Guidance_for_Renewable_and_Low_Carbon_Energy.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/225689/Planning_Practice_Guidance_for_Renewable_and_Low_Carbon_Energy.pdf</a></p>
Policy 21	Protection and Enhancement of Community Facilities and Assets	<p>NPPF 2012</p> <p>28 p 9</p> <p>70 p 17</p> <p>73 p 18</p> <p>74 p 18</p> <p>NPPF 2018</p> <p>83p 23</p> <p>92p27</p> <p>96, 97 p 28</p>	<p>This policy protects specific community facilities.</p> <p>This conforms with NPPF2012 which states</p> <p>“To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should 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 and 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” (NPPF: para, 28, 70,73, 74)</p> <p>NPPF 2018 also supports these policies in the paras referenced.</p>
Policy 22	A Safe Town	<p>NPPF 2012</p> <p>58 p15</p> <p>New NPPF</p> <p>91-97 p 27-</p>	<p>This policy states all new developments should conform to the ‘Secured by Design’ principles and the Neighbourhood Plan will support development proposals aimed at improving community safety. The fifth bullet point of Para 58 states that planning policies should aim that new developments “create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life and community cohesion”</p>

		28	<p>It conforms with NEW NPPF</p> <p>Section 8: “Promoting healthy and safe communities”</p>
Policy 23	Eastern Town Redevelopment	<p>NPPF 2012 032 23 p 7 NPPF 2012 70 p 17 99 p 23</p>	<p>This policy states development should be in line with SVNP relevant policies and have regard to its location as one that is within the Environment Agency’s Flood Zone 3a and is therefore at risk of flooding in the 1-in-100-year flood event.</p> <p>This is in conformity with the following NPPF2012 Policies</p> <p>NPPF Design Guidance para 032 Master Planning</p> <p>“Local Plans should take account of climate change over the longer term, including factors such as flood risk, coastal change, water supply and changes to biodiversity and landscape. New development should be planned to avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure.” (para 99)</p> <p>Policy 23 is also in conformity with Paragraph 23 of the NPPF which states: “Planning policies should be positive, promote competitive town centre environments and set out policies for the management, growth of centres over the plan period. “To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: 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-to-day needs” (3.29 Para 70 )</p> <p>Paragraph 70 of the NPPF2012 states:</p> <p>“To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:</p> <ol style="list-style-type: none"> <li>a. plan positively for the provision and use of shared space, community facilities</li> </ol>

			<p>(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;</p> <p>b. 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;</p> <p>c. ensure that established shops, facilities and services can 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>
Policy 24	Eastern Town Access	<p>NPPF 2012 23 p 7 40 p 11</p> <p>NPPF 2018 85p 25 92 p 27 185 p 54</p>	<p>This policy relates to eastern Town Access.</p> <p>It is in conformity with NPPF Policies</p> <p>“Planning policies should be positive, promote competitive town centre environments and set out policies for the management, growth of centres over the plan period” (3.7 Para 23)</p> <p>“To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public house s 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,</p> <p>Paragraph 40 of the NPPF 2012 states: “Local authorities should seek to improve the quality of parking in town centres so that it is convenient, safe and secure, including appropriate provision for motorcycles...</p>
Policy 25	Eastern Town Maritime Heritage	<p>NPPF 2012 70 p 17 23 p 7</p> <p>NPPF 2018 85 p 25 92p 27</p>	<p>The development of Eastern Town will be expected to either retain or replace with alternative facilities the current sea-based facilities including those related to the site’s fishing heritage including the Sailing Club, the Fishermen’s shed and fish retail area, lifeboat Station and fishing facility with safe access to the sea.</p> <p>This is in conformity with NPPF Policies</p>

		185 p 54	<p>“Planning policies should be positive, promote competitive town centre environments and set out policies for the management, growth of centres over the plan period” (3.7 Para 23)</p> <p>“To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: 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 facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs” (3.29 Para 70 )</p>
Policy 26	Eastern Town Community Assets	<p>NPPF 2012 28 p 9 70 p 17 73 p 18 74 p 18</p> <p>NPPF 2018 85 p 25 92 p 27 96 – 97 p 28</p>	<p>This policy protects the retention of community assets in eastern town.</p> <p>This is in conformity with NPPF Policies para, 28, 70, 73, 74</p> <p>“To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should” para 70</p> <p>And NPPF 2012 “Planning policies should be positive, promote competitive town centre environments and set out policies for the management, growth of centres over the plan period” (3.7 Para 23)</p> <p>“To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: 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-to-day needs” (3.29 Para 70 )</p> <p>NPPF 2018-10-05 Paras 85, 92 and 185</p>





## 6. Conformity with the East Devon Council Local Plan 2012

### LOCAL PLANNING CONTEXT

The Neighbourhood Plan is tested against the strategic policies in the adopted Development Plan and must be in general conformity.

The Neighbourhood Plan has been prepared to ensure its general conformity with the Development Plan for East Devon. It includes a specific Development Plan conformity reference for each policy, and, where relevant further reference(s) in the supporting text. Table 4 provides a summary how each Policy is in general conformity with the appropriate strategic policies in the Development plan.

The strategic policies for the Development Plan are found in the East Devon Local Plan 2013-2031. This plan was adopted on 26th January 2016. It has two sections:-

Part 1:- Strategic approach and policies: - This part of the Local Plan sets out strategic policies. These policies set the strategy for the rest of the plan and are of key relevance in the determination of planning applications

Part 2:- Development Management Policies: - This part of the New Local Plan is specifically concerned with the local or development management policies. These policies provide more detail on the implementation and application of the strategic policies in the plan. Any planning application that is to be assessed will be done so under the strategic policies in Part One of the Plan and also these development management policies of Part 2 of the Plan.

Part 1 of the Adopted East Devon Local Plan states “If a Neighbourhood Plan is produced it will be in accordance with and apply these strategic policies but it can supersede or overwrite the development management policies in Part Two of the Plan”.

On 26<sup>th</sup> July 2018 EDDC also adopted the East Devon Villages Plan which established a built-up area boundary for Sidbury in accordance with Strategy 27 of the Local Plan. The development plan also includes the Devon Mineral Plan and the Devon Waste Plan . The latter two documents are not relevant to the neighbourhood plan.

The following table sets out the conformity with the local plan for each policy area within the SVNP.

**Table 4: Relevant policies in the Adopted East Devon Local Plan**

Policy Number	Policy Title	Adopted East Devon Local Plan Reference	Commentary
Policy 1	Sid Valley Development Principles	Strategy 26 p 87 Strategy 27 p 94 15.22,15.23	Conforms to Strategy 26 – Development in Sidmouth - and the Local Plans for limited housing development within the existing BUAB, commercial development complementing the high quality town and tourism. It also conforms to Strategy 27 in respect of Sidbury, designated in the small town and larger villages section of the plan. Para 15.22, 15.23 are supported in the SVNP.
Policy 2	Protection of Key Views	EDLP Sidmouth 14 Strategy p 87 - 26.6 EN 10 Conservation areas, p 175.	Conforms to East Devon Local Plan 14 Sidmouth - Strategy 26.6 Development at Sidmouth. EN 10 Conservation Areas, in that it seeks to protect key views.
Policy 3	Settlement Coalescence Sidford to Sidbury	<b>Strategy 7,p 41, 7.1-7.3 para 6.24. Sidmouth Plan 14,p 87</b>	<b>Conforms to strategy 7 in protecting the environment and biodiversity. Policy 3 is in general conformity with local Plan Sidmouth 14 and Strategy 27 of the Local Plan, which seek to designate built-up area boundaries (BUAB) to towns across East Devon where development is considered to be acceptable.</b>
Policy 4	Green Corridors	Strategy 3,p 36 3a, Strategy 5,p 38 5.1 5.2, and 5.4 46,47,	Policy 4 is in general conformity with Strategies 3, 3a 5, 5,46 and 47 which seek to deliver sustainable development by conserving and enhancing the natural environment including its biodiversity, geodiversity and the character of the AONB landscape.
Policy 5	Local Green Space Designation	Strategy 3, p 36 and 5, p 38 and strategy 46, p 138 P 169 protection of the Byes	Policy 5 is in conformity with Strategy 46 – Landscape Conservation and Enhancement and AONBs, Important Local Open Spaces p169 sections 22.1-22.2 in that it designates important green spaces where there will be a presumption against development. It is also in general conformity with Strategies 3, and 5 which seek to secure and protect open spaces for the benefit of the local community. Policy 6 protects these small areas of local green space which are of historic, recreational or biodiversity value from harmful development.
Policy 6	Protected Open Space	Strategies 3 p 36 3a - 3E, strategy 5, p 38	Policy 6 is in general conformity with Strategies 3, and 5 which seek to secure and protect open spaces for the benefit of the local community. Policy 6

			protects these small areas of local green space which are of historic, recreational or biodiversity value from harmful development.
Policy 7	Infill Development and Extensions	Strategy 6,p 40 6.22, 22.15, EN10,p175 RC4, p 209, RC6, p 210. Strategy 6,p 40, strategy 7,p 41, Strategy 8,p 41 and Strategy 48,p148and strategy 49,p 148 and Policy TC9,p 220 and D1, p 161.	Policy 7 is in general conformity with Strategy 6 and adds more detail to the requirements of Strategy 6 regarding infill, backland and residential garden development, and is consistent with the text in paragraph 6.22 regarding inappropriate backland development. Also in conformity with 22.15, EN10, RC4, RC6, Strategies 6, 7, 8, 38, 48, 49 of the local plan, which seeks high quality design to reinforce local distinctiveness. Local Plan Policy D1 also seeks to protect the amenity of existing residents. Policy 7 supports the local plan in protecting local distinctiveness and historic and environments.
Policy 8	Local Distinctiveness	Strategies 46,p138, Strategy 48, p 148 and strategy 49, p 148. Development Management Policies D1,p161 3.11 (p16), 18.33 (a) (p136), 18.55 (p147), 18.58 (p147) EN8,p 173 EN9, p 174 and EN10,p 175	Policy 8 is in general conformity with Strategies 48 and 49 of the local plan, which seeks to protect the physical and cultural heritage of the district and reinforce local distinctiveness. Local Plan Policies say “Development will need to be undertaken in a manner that is sympathetic to and helps conserve and enhance the quality and local distinctiveness of the natural and historic landscape character of East Devon, in particular in AONBs.” (Strategy 46 Landscape Conservation and Enhancement and AONBs) “Local distinctiveness and the importance of local design standards in the development process will be of critical importance to ensure that East Devon's towns and villages retain their intrinsic physical built qualities.” (Strategy 48 and 49 Local Distinctiveness in the Built Environment) Development Management Policy D1, 3.11, 18.33 (a), 18.55 18.58 It is also in general conformity with Development Management Policies EN8, EN9, EN10 which lay down more detailed guidance on development impacting on designated heritage assets and their setting. Policy H2 extends this protection to non-designated historic assets that make a contribution to the character of the area.
Policy 9	Light Pollution	Pollution 22.8 p 177	Policy 9 is in conformity with East Devon Local Plan Policies Environmental Pollution 22.18 p177 in that it seeks to protect areas from light pollution.

Policy 10	Residential Development	Strategies 1,p 30 4,p 26, 34, 35, 38, 3a, Policy TC2	Policies 10A, 10B,11,12,13 and 14 are in general conformity with Strategy 1 of the local plan, which states that housing in smaller towns should be geared towards meeting local needs. It also conforms with Strategy 4, which promotes and encourages residential development suitable for younger people and younger families to promote more age-balanced communities across the district. Policy D3 is seeking to ensure any new residential development in the Parish meets current and future demand and demographic trends. Strategy 26 dealing with Sidmouth refers to “ limited housing development within the existing BUAB as does Strategy 6
Policy 10A	Exception Sites	Strategies 1,4,21, 34, 35, 38, 3a, Policy TC2	Strategy 36 deals explicitly with exception sites falling outside the BUAB
Policy 11	Affordable Housing	Strategies 1,4,21, 34, 35, 38, 3a, Policy TC2	Strategy 35 sets a 50% affordable threshold in teh plan area§
Policy 12	Housing by Number of Bedrooms	Strategies 1,4,21, 34, 35, 38, 3a, Policy TC2	This policy draws on Policy H2 which requires on larger sites a mix of dwellings or comprise predominantly smaller dwellings
Policy 13	Local Connection	Strategies 1,4,21, 34, 35, 38, 3a, Policy TC2	This policy draws on Strategy 3 – Sustainable development and in particular Promoting Social Wellbeing including meeting people’s needs for affordable housing
Policy 14	Principal Residency	Strategies 1,4,21, 34, 35, 38, 3a, Policy TC2	This policy draws on Strategy 3 – Sustainable development and in particular Promoting Social Wellbeing including meeting people’s needs for affordable housing
Policy 15	Park & Ride	Strategy 5B, p 39 TC6, p 218	In conformity with strategy East Devon Local Plan 5B which promotes sustainable means of transport and TC6-Park and Ride and Park and Share/Change
Policy 16	Shared Use Paths	Strategy 5B, p39 TC2,3,4 (pages 215-217)	In conformity with strategy East Devon Local Plan Policies 5B which promotes sustainable means of transport and TC2, 3, 4 Sustrans Study 2017
Policy 17	New Retail and Commercial Development	P21,p38, Strategy 3, p 36,	Policy 17 is in conformity with in allowing sustainable development under appropriate conditions. East Devon Local Plan Policies: 2013 -31 P21 4 Key Issues and Objectives: 1. Jobs and Economic Growth P.38 Strategy 3 -

		P196, 24, P201, E11,P202, E12, P204, E15	Sustainable Development, d) P 195, 24 Employment, Economic Development, Retail and Tourism P201 E11; P202 E12. P204 E15
Policy 18	Facilitation of Home Working	Section 16 Thriving Communities, P97	East Devon Local Plan Policies 2013 -31 Section 16 – Thriving Communities. Policy 18 seeks to facilitate new ways of working that support the local community.
Policy 19	Employment Land	Strategy 31, p 100 14 Sidmouth p85,p86,p99, 16.p100, 16.2,p100, 16.2,p101, 16.14/5 Strategy 32, p 101	This policy is in conformity with East Devon Local Plan Policies 14 Sidmouth Vision and Strategy 32 in that it seeks to ensure development of employment land is suitable and sympathetic to the historic character of Sidmouth and also recognises the importance of safeguarding community assets and not damaging the historic or distinctive environment.
Policy 20	Renewable Energy and Low Carbon Energy Projects	Chapter 17 p 117-17.1, 17.5, p 124 17.7, Strategy 39, 40.(pages 121-123)	Policy 20 conforms with East Devon Local Plan Policies chapter 17: Climate Change and Renewable Energy: Climate Change and Low Carbon Development: 17.1, (“generation of energy from renewable sources”), 17.5 (Low Carbon Economy). 17.27 (“decentralised energy networks, or renewable energy schemes”) Strategy 39: Renewable Energy and Low Carbon Energy Projects Strategy 40: Decentralised Energy Networks in that Policy 20 seeks to supported and encourage the provision of small/domestic scale renewable energy projects subject to appropriate safeguards as also set out in the local Plan.
<b>Policy 21</b>	Protection and Enhancement of Community Facilities and Assets	Strategies 3 p 36, strategy 4 p 36,Strategy 32p 101 Policies RC1 p,207, RC2p 208	Policy 21 is in conformity with East Devon Local Plan Policies 2013 -31 Strategy 3, 4, 32 and Policies RC1, RC2 in that it seeks to protect valued community facilities and assets for the benefit of community well-being and promote sustainable development.
Policy 22	A Safe Town	Strategy 37, p 115	Policy 22 conforms to East Devon Local Plan Policies 2013-31 Strategy 37 - Community Safety in that it promotes safety by design.
Policy 23	Eastern Town Redevelopment	Strategy 26, p 90 EN19 Page 180 EN21 Page 181	Policy 23 supports sustainable redevelopment of this important areas in conformity and enhancement of East Devon Local Plan Policies - Development at Port Royal Eastern Town site to include housing, community, commercial recreation and other uses. (Strategy 26). it also seeks to support adequacy of treatment of coastal areas liable to flooding.

			Adequacy of Foul Sewers and Adequacy of Sewage Treatment Systems Policy EN19 River & Coastal Flooding Policy EN21
Policy 24	Eastern Town Access	TC2 page 215 TC4 P217	Policy 24 conforms to East Devon Local Plan Policies 2013 -31 Accessibility of New Developments TC2 - Footpaths, Bridleways and Cycle ways TC4 in supporting access and accessibility.
Policy 25	Eastern Town Maritime Heritage	RC1,p 207 RC2,p 208, RC4,p 209 RC5p,209	Policy 25 conforms to East Devon Local Plan Policies 2013 -31 Refer to policies RC1, RC2, RC4, and RC5 in that it seeks to retain an important heritage.
Policy 26	Eastern Town Community Assets	RC1,p 207 RC2,p 208, RC4,p 209 RC5p,209	Policy 26 conforms with East Devon Local Plan Policies RC1, RC2, RC4, RC5 In that it seeks to retain important community assets.

## **7. Compatibility with EU Obligations and Legislation**

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 on the consultation process to ensure that no sections of the community have been excluded or isolated.

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

It was also determined that the plan did not require a Habitats Regulation Assessment.  
MAKE SURE THAT IT CONFIRMS THAT THE NP DOES NOT HAVE ANY EFFECTS ON ANY PROTECTED EUROPEAN MARINE SITES

The Final Screening Report prepared by East Devon District Council is in the Appendix

## **8. Conclusions**

It is considered that the Sid Valley Neighbourhood Plan 2018-2031 meets the legal tests and basic conditions. The policies in the Sid Valley Neighbourhood Plan 2018-2031 are aligned to various paragraphs of the NPPF., both the 2012 version and the 2018 versions. The policies in the Sid Valley Neighbourhood Plan 2018-2031 contribute towards delivering sustainable development. The policies in the Sid Valley Neighbourhood Plan 2018 - 2031 are in general conformity with the strategic policies of the East Devon Local Plan 2013-2031 covering the designated Neighbourhood Plan area.



**EDDC designated the Sid Valley as a Neighbourhood Plan area in March 2016**

# **Strategic Environmental Assessment and Habitat Regulations Assessment**

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## **Final Screening Report**

Prepared by Officers of East Devon District Council

**NB. A copy of the screening report is included as a separate appendix**

## **Appendix 1 the local Plan policies set out for ease of reference**

### **Policy 1. Sid Valley Development principles.**

Planning applications which accord with the policies in the SVNP will be approved, unless material considerations dictate otherwise. Design and architectural quality will be expected to meet the highest standards and will be considered against the supporting evidence provided by the Place Analysis the context provided by the defined character areas.

All development will be expected to protect or enhance the environmental quality of the Sid Valley and the setting of the Built-Up Area (BUA) in the East Devon AONB and the Jurassic Coastline

Planning permission will also be granted where relevant policies in the Neighbourhood Plan are out of date or silent unless:

- Other relevant policies in the East Devon Local Plan indicate otherwise
- Or any adverse impacts of the development would significantly and demonstrably outweigh its benefits when assessed against the policies in the National Planning Policy Framework taken as a whole
- Or specific policies in the framework or other material considerations indicate that development should be resisted

Sidmouth Town Council will take a positive approach to its consideration of development in its role as a consultee to ensure that it will balance housing, employment, retail, community, access and leisure development to ensure that the Sid Valley remains an attractive and vibrant place for those that visit or live here. The Town Council and the Local Planning Authority will seek to work with applicants and other stakeholders to encourage the formulation of development proposals

### **POLICY 2 PROTECTION OF KEY VIEWS**

Any development must not cause a significant adverse impact on the current valued views as shown in the Key Views Map 1. The relationship of settlements in the valley surrounded by hills should be protected, building heights should not normally be higher than neighbouring properties. Except when development will not be visible from the viewpoints, proposals must demonstrate that they will have a low or negligible impact on the views, assessing:

- a) the key views from outside the BUAB which are 1, 2, 8 and 9
- b) the key views from within the settlements to the surrounding AONB or the Coastal Protection Areas (CPA) which are 3,4,5,6,7 and 10;

### **Policy 3 Settlement Coalescence in relation to Sidford to Sidbury**

There will be a presumption against any built development within the area shown in the 'Green Wedges' map of the area of undeveloped land between Sidford and Sidbury provided in the Place Analysis.

### **POLICY 4 GREEN CORRIDORS**

There will be a presumption against any built development within the areas shown on the Green Corridor Map other than

- Alterations and extensions to existing buildings within the green corridors  
Development that would be ancillary to the green corridor e.g. equipment sheds
- The following are designated as green corridors and are shown on the Green Corridor Maps (note: The Green Corridors are defined by the Environment Agency's Flood Zones River Sid from Port Royal to The Byes. River Sid through The Byes to Sidford
- River Sid and tributaries from Sidford to Cotford, Sidbury
- Green Goyle and Woolbrook stream

To encourage and maintain the biodiversity and uninterrupted passage of wildlife, any development must not cause a detrimental impact on these areas and especially their continuity

#### **POLICY 5 LOCAL GREEN SPACE DESIGNATION**

The following areas which are designated as Local Green Space as shown on the Sidmouth Green Spaces map (map 4) below where there will be a general presumption against all development except in very special circumstances.

#### **POLICY 6 – PROTECTED OPEN SPACE**

Development will not normally be allowed on the areas shown on the Protected Open Spaces Map unless new and appropriate alternative provision can be demonstrated to compensate for localised loss of the open space OR It can be demonstrated that there will be no damage to the open space as a result of the development or where an enhancement can be achieved.

#### **POLICY 7 INFILL DEVELOPMENT, EXTENSIONS AND TREES**

Development should be designed so as not to adversely impact on the amenities of its neighbours and should seek to protect any existing trees that contribute to the overall amenity of the area, as well as being appropriately landscaped.

#### **POLICY 8 LOCAL DISTINCTIVENESS**

Development proposals will be expected to have regard to character of the immediate area as set out in the Place Analysis

All new development, including innovative designs, should be designed to complement and enhance the local distinctiveness of the character of its immediate locality, reflecting the height, scale, massing, fenestration, materials, landscaping and density of buildings as described in the Place Analysis

Building heights should not normally be higher than neighbouring properties. (See map).

#### **POLICY 9 LIGHT POLLUTION**

There will be a general presumption against all outdoor lighting (both ambient and floodlight) outside the settlement areas, unless there is overwhelming operational requirement and the illumination has been designed to minimise light spillage and the hours of usage are restricted by planning condition.

## **POLICY 10 A RESIDENTIAL DEVELOPMENT**

There is a presumption in favour of residential development on land within the BUAB, as shown on map X to insert subject to the scale and design of the development being compatible with the characteristics of the character area as described in the Place Analysis and subject to compliance with other policies in this neighbourhood plan. Outside of the BUAB there will be a general presumption against new residential development apart from replacement dwellings, new houses required for employed persons in rural businesses, or through the conversion of redundant or disused buildings or as allowed under

## **POLICY 10 B EXCEPTION SITES**

The residential development of land which lies immediately adjacent to the built-up area boundary and is well related to the pattern of adjacent developments in the vicinity will be allowed if it provides for the specific housing needs of persons resident of or connected to the settlements within the plan area. Such developments will be required to include at least 66% affordable housing and all the housing whether market or affordable must be of a type and size required to meet local housing need as set out in SVNP Housing Policy 12 and must be accompanied by a Planning Obligation requiring that occupants must meet the local connection criteria set out in SVNP Housing Policy 13. Such development will only be allowed where it is demonstrated that the development will not detrimentally impact on the setting of the town or the landscape quality of the AONB, it meets all other relevant policies in the development plan and its design and layout will be expected to follow the characteristics of the adjacent Character areas, as set out in the Place Analysis.

## **POLICY 11 AFFORDABLE HOUSING**

On schemes of 11 units or more, (apart from exception sites as allowed by Policy 10 B) a minimum of 50% of homes must be affordable which will include:

- a) 70% social or affordable rented accommodation, all of which is to be tenure blind and “pepper potted” throughout the development
- b) 30% intermediate or other affordable housing, for example shared ownership or shared equity, all of which is to be tenure blind and “pepper potted” throughout the development.

On sites in the AONB schemes of between 6 and 10 units a financial contribution equivalent to a 50% site affordable housing provision will be expected to be made in lieu of on-site provision of affordable housing

## **POLICY 12 HOUSING BY NUMBER OF BEDROOMS**

All new developments of 11 or more homes must meet the following requirements:  
The percentage of one, two and three/four bedrooms homes on any development shall be as follows:

Market housing:

- 1 and 2-bedroom homes = 60%
- 3 and 4-bedroom homes = 40%

Intermediate housing for sale:

- 1-bedroom = 50%
- 2-bedroom = 40%

- 3-bedroom homes = 10%

Social and affordable rented housing:

- 1-bedroom = 50%
- 2-bedroom = 30%
- 3-bedroom homes = 20%

### **POLICY 13 LOCAL CONNECTION**

Apart from sites promoted under SVNP Housing Policy 10 B, the eligibility for affordable housing will be administered by EDDC as the Housing Authority. The definition of local need is therefore laid down by the Council's Allocation Framework. However, priority will be given to people who can demonstrate a local connection to the parish of the Sid Valley in the first place.

In this policy, local connection means one or more of the following connections in respect of the Sidmouth Town Council area 1. Persons who have been permanently resident for a continuous period of three years out of five years, immediately prior to their occupation of the new dwelling

2. Have been formerly permanently resident therein for a continuous period of five years at some time in the past
3. Having his or her permanent place of work (normally regarded as 16 hours or more a week and not including seasonal employment) within the Sidmouth Town Council area for a continuous period of at least 12 months immediately prior to the occupation of the new dwelling.
4. Persons who can demonstrate a close family connection to the Town Council area in that the person's mother, father, son, daughter or sibling has been permanently resident there for a continuous period of five years immediately prior to the occupation of the new dwelling and where there is independent evidence of a caring dependency relationship.

### **POLICY 14 PRINCIPAL RESIDENCY**

Any new open market housing, excluding replacement dwellings, will only be supported when it is restricted to being used as a Principal Residence and not as a 'second home', in that the occupier uses it as their main residence, regardless of who owns the Freehold.

### **POLICY 15 PARK & RIDE**

A scheme for a park & ride including park and change on the outskirts of Sidmouth will be supported provided that it meets the following conditions in full:

- It does not have an adverse impact on the landscape of the AONB
- It does not have an adverse impact on residential amenity
- It provides travel interchange opportunities for bus, car, cycling
- it provides a safe access and layout
- Sustainable urban drainage is provided
- A lighting scheme which minimises any impact on dark skies is provided

### **POLICY 16 SHARED USE PATHS**

Where possible, any new housing developments shall be designed to incorporate shared use paths for pedestrians and cyclists. Where appropriate these shared use paths should link with existing shared use paths or pavements, dependent on highway standards.

Designs where cyclists can be separated from pedestrians or shared surfaces where cars are integrated will be supported.

#### **POLICY 17: NEW RETAIL AND COMMERCIAL DEVELOPMENT**

Proposals for new retail and commercial facilities, extensions and/ or alterations to existing facilities will be supported on sites within the BUAB provided they meet the following criteria:

- a. The development of a new building should not have an adverse impact on the character of the area and
- b. The site is accessible by a variety of types of transport, including walking and cycling and the amount of traffic generated by the proposal could be accommodated on the local highway network without detriment to road safety and
- c. The proposal would not be significantly detrimental to the amenity of any neighbouring residents

#### **POLICY 18 FACILITATION OF HOME WORKING**

Proposals for house extensions and/or conversions of existing domestic buildings and new garden buildings for home-working will be supported provided that the following conditions are met in full:

- a. the property will continue to be used as the main private residence with the area allocated for home working ancillary to the primary residential use of the property
- b. the impact on the amenity of adjoining properties is acceptable in terms of siting, scale and design
- c. that it respects the character of the surrounding area, including any historic and natural assets
- d. the proposal would not be detrimental to the amenity of neighbouring residents by reason of increase in traffic, numbers of people visiting or activities unusual in a residential area

Conditions to prevent the subsequent conversion of such accommodation to separate residential use will be applied if necessary.

#### **POLICY 19 EMPLOYMENT LAND**

Change of use of properties used for employment purposes and premises allocated for business in the Local Plan, such as the Alexandria Road Industrial Estate will not be approved unless the new use provides or creates employment, except

- a) where no occupier has been found for vacant premises which have been marketed for at least 12 months for its current use or similar uses and without success, and conforms with EDDC's conditions of use guidance (<http://eastdevon.gov.uk/planning/planning-services/planning-developmentmanagement/viability-guidance-notes/marketing-strategy-statementguidance/>)
- b) it excludes change of use to retail, unless required for ancillary use to serve the business needs of the community, or residential uses, even where these provide or create employment
- c) where the land is allocated for residential development in the Local Plan

## **POLICY 20 RENEWABLE ENERGY AND LOW CARBON ENERGY PROJECTS**

Renewable energy and green employment initiatives will be supported and encouraged. The provision of small/domestic scale renewable energy projects within the SVNP area or associated schemes for renewable energy facilities will be supported subject to the requirements in the Local Plan, compliance with any relevant policies in this Neighbourhood Plan – and provided that any such initiatives:

- a) Would not adversely affect areas which are of nature conservation importance.
- b) Would not adversely affect the quality and character of the landscape.
- c) Would not result in irreversible loss of the best and most versatile agricultural land.
- d) Would not affect the safety of residents or other users of the countryside.
- e) Would not cause significant nuisance to neighbours or any neighbouring amenity.
- F) Could be satisfactorily accommodated on or close to the existing rural road network without the need for significant changes, which would affect the character of the surrounding area.

## **POLICY 21 PROTECTION AND ENHANCEMENT OF COMMUNITY FACILITIES AND ASSETS**

Proposals that would result in the loss of the following community facilities will not be permitted unless;

- a) there is no reasonable prospect of viable continued community use of the existing building or facility which will benefit the local area and that such a need is evidenced for the proposed change
- b) they do not have an adverse impact on the special character of the area's natural and built environment and any Assets of Community Value which are registered in the future, would have the same protection
- c) Proposals that seek to enhance or improve the Sid Valley's existing Community Facilities will be supported where:
  - I. they do not have an adverse impact on the special character of the area's natural and built environments; and,
  - II. any increased use of the amenity does not lead to significant increases of traffic volumes and impact on neighbours' amenities.

## **POLICY 22 A SAFE TOWN**

All new developments should conform to the 'Secured by Design' principles and the Neighbourhood Plan will support development proposals aimed at improving community safety.



### **POLICY 23 EASTERN TOWN REDEVELOPMENT**

Eastern Town includes the Ham Lane car parks, the swimming pool, the Ham recreation ground, Port Royal and the eastern end of the esplanade, as shown on the map (Fig 1). Any development in Eastern Town will be expected to comply with all relevant policies within the SVNP subject to viability considerations. Any development will need to have regard to its location as one that is within the Environment Agency's Flood Zone 3a and is therefore at risk of flooding in the 1-in-100-year flood event.

### **POLICY 24 EASTERN TOWN ACCESS**

Any development of Eastern Town will be expected to demonstrate via an access strategy how the scheme will improve the cycle pathway linkages with the town centre and the wider area. The existing levels of car parking spaces will be retained unless alternative parking is provided elsewhere in the plan area. The development will be expected to provide high quality environmental and public realm enhancements to the immediate area. Vehicular access to and from the Esplanade turning circle should be restricted to service vehicles, coaches and boat trailers.

### **POLICY 25 EASTERN TOWN DEVELOPMENT**

The development of Eastern Town will be expected to either retain or replace with alternative facilities the current sea-based activities including those related to the site's fishing heritage such as the Fishermen's huts and fish retail service and angling facility, Lifeboat Station and The Sailing Club with safe access to the sea.

### **POLICY 26 EASTERN TOWN COMMUNITY ASSETS**

Any development of the Eastern Town site will be expected to retain and/or replace all current community assets, including: The Ham recreation ground, is listed as Local Green Space, swimming pool and the public toilets. Any such redevelopment will be expected to include a flexible multi-use area capable of acting as a community events space, and/or a flexible cultural /performance space, with catering (bar/restaurant).

Developments which enhance the above buildings and/or uses will be supported.