

20 October 2020  
Farringdon NDP Reps - October 2020



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Dear Secretary

### **Farringdon Neighbourhood Development Plan 2018 - 2031: Submission Version**

We previously submitted representations on behalf of our clients, *Crealy Theme Park and Resort* and *FWS Carter and Sons*, to the pre-submission draft of the Farringdon Parish Neighbourhood Development Plan (NDP) in summer 2020.

We note that the Submission Version and associated evidence base has not been updated to reflect the most recent National Planning Policy Framework (NPPF), and in a number of places the paragraph references are therefore incorrect. We suggest these revisions are made, and that the document explicitly states at the start that it is based upon the NPPF 2019 given the potential that a new NPPF will be published in response to the Planning White Paper (PWP).

Since the Pre-Submission consultation, there has been significant local change in regard to the emerging strategic planning context. The Greater Exeter Strategic Plan (GESP) has been halted, and the future of any sub-regional plan looks likely to exclude East Devon.

In accordance with the NPPF, East Devon have undertaken a review of the adopted Local Plan, and concluded it requires a review; with a number of strategic policies due to become out of date on the 28 January 2021 (five years post adoption of the Local Plan), and significantly, East Devon concluded that a number of the adopted policies are not compliant with the NPPF (see papers to Strategic Planning Committee (20<sup>th</sup> October)).

The timelines associated with the NDP indicate that it will therefore be examined, and subsequently made, in the context of the strategic policies which are acknowledged as being out of date. This is important, as the Planning Practice Guidance (PPG) clearly states that where a NDP is brought forward before an up to date local plan, it will be necessary to *“discuss and aim to agree the relationship between.... policies in the emerging local plan”* (PPG: 41-009-20190509).

As drafted, the NDP is firmly predicated on the basis of conformity with the adopted, and soon to be out of date, Local Plan, and makes no reference to wider emerging strategic policies. This fails to accord with the NPPF, PPG and indeed the basic conditions.

We consider that there are two options available to the NDP:

1. Pause the NDP to allow for the up to date strategic policy context to be accounted for within the NDP;  
or
2. Edit the NDP to ensure that it is not unduly seeking to influence or constrain the emerging strategic policies which, as per the NPPF, is not within the scope of a NDP.

If the second option is pursued, a number of edits are required to the NDP to ensure that it conforms with the basic conditions (notably contributing to the achievement of sustainable development) and more broadly that it has had regard to national policy and guidance in both its scope and consideration of emerging strategic policies. This would constitute a range of necessary changes, for example removal of the references to preventing development, resisting growth, and addressing the current failure of the document to accurately reflect the nature and character of the parish – for example, the quoted text from the Landscape Character Assessment has selectively quoted the document (not including the text on the influence of existing settlement and Cranbrook New Town on the local character area), and the failure of the document to recognise that the parish is not wholly ‘rural’ with two major roads, significant employment and tourism uses and bordering a major international airport.

We would suggest that the NDP can not progress to independent Examination in its current form.

### Crealy and Greendale

We support the reference to the benefits Greendale Farm Shop brings to the local community, and the explicit recognition that Crealy has a strategic role, and is therefore beyond the scope of the NDP to include policies seeking to influence its development.

However, we would note a general concern in regard to the tone of the NDP. For example paragraphs 7.6 and 9.7 take a broadly negative tone to rural enterprise, and the ‘harm’ it causes to the local area. It fails to reflect the role of rural enterprise in supporting the local economy, and providing local jobs. We object to the level of explanatory text with no associated policy, which essentially seeks to outline localised objection to business. This is not within the role or scope of a NDP.

### **Policy Farr1**

The NPPF test is clear that the threshold for harm is “significant” not “unacceptable” (see paragraph 175). Further, there is no test for ‘community benefit’ as set out at paragraph 7.12 of the NDP.

Bullet a) of the policies seeks to apply an ‘exceptional circumstances’ test to habitats of only local importance – the NPPF is clear that protection should be proportionate, and it only provides this test for habitats of national importance and those which are irreplaceable. The policy does not comply with national policy or guidance.

### **Policy Farr2**

The policy as drafted fails to reflect the diversity of the parish, and is not considered to meet the basic condition of ‘contributing to sustainable development’. Sustainable development comprises environmental, economic and social facets. The parish is not exclusively rural in character; it includes significant ‘urban’ areas including Crealy and Hill Barton, in addition to being dissected by two major local roads and immediately bordering Exeter City Airport. The LCA explicitly recognises this, but as per above, this element of the LCA has been removed when quoted within the NDP.

As drafted the policy would significantly constrain the growth of these significant local businesses, and further, would appear to be seeking a level of blanket protection against further development within the parish.

In accordance with national policy, guidance and best practice, any major development would be required to undertake a landscape and visual assessment, which would include an assessment of local character and the potential impacts upon it. This provides the appropriate basis through which to consider the impact of development on local character, and the policy should be amended to ensure that it is reflective of national policy and guidance.

### **Policy Farr3**

There is no definition as to what constitutes a 'large', 'medium', or 'small' tree for the purposes of D). The operation of this policy would benefit from further clarity.

### **Policy Farr4**

The NDP incorrectly states that the Housing Need Assessment is based upon the Government's Standard Methodology. We have reviewed the HNA, and note that it incorrectly applies the methodology in its calculation of the district-wide LHN (giving a figure of 682dpa when the figure is 928dpa – and this error is then applied in the next stage of the calculation) and secondly, the report was finalised in January 2020, at which point the most up to date SHMA was not the 2014 one referenced in the assessment at Section 5.3, but those published as part of the Greater Exeter Strategic Plan.

We have set out above our comments in regard to the adopted Local Plan being out of date, and do not repeat these.

### **Policy Farr5**

See comment above in relation to errors within the HNA.

### **Policy Farr6**

The draft policy fails to accord with national planning policy and the need to support sustainable growth. The delivery of new strategic employment, whether as a new site or expansion of existing facilities, is not a matter for a NDP.

### **Policy Farr7**

We support the recognition that Crealy comprises a major tourism business, and is clearly a matter for the strategic policies of the Local Plan, as opposed to the NDP. The policy as drafted appears to only exclude Crealy from one of the criteria but later states that it is entirely excluded (at 9.22).

Within the policy text, a sentence should be added to confirm that the policy does not apply to Crealy, and the text at paragraph 9.1 and 9.17-9.18 should be removed, as this does not pertain to the policy or fall within the scope of a NDP.

### **Conclusion**

The Submission draft of the NDP fails to accord with the basic conditions, and its evidence base does not currently provide an accurate basis upon which to proceed to Independent Examination.

Yours sincerely,



**Nick Matthews MA MTCP MRTPI**  
**Director**