

# Newton Poppleford and Harpford Parish Neighbourhood Plan

**2020 – 2031**

[Referendum Version]

Newton Poppleford and Harpford Parish Council

Version 6.2



## Revision History

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## Foreword

Newton Poppleford and Harpford's Neighbourhood Plan outlines the vision of the people of Newton Poppleford, Harpford, Venn Ottery and Southerton in terms of planning for its future. Neighbourhood Development Plans were introduced by the 2011 Localism Act to give local people more say about the scale and nature of development in their area,

recognising the current Government planning laws encapsulated in the National Planning Policy Framework (NPPF) of 2019, and the adopted East Devon Local Plan 2013–2031.

The Newton Poppleford and Harpford Neighbourhood Plan – ‘the Plan’ – covers the following topics: Transport, Future Development, Environment, Health and Care, Education, Employment, and Social Leisure and Communications.

The Plan will run to 2031 to coincide with the end date of the Local Plan, but will need to be reviewed at five-year intervals to ensure that it continues to reflect the views of the current residents and responds to their needs in terms of housing provision.

The Plan has been drafted by members of the Newton Poppleford and Harpford Neighbourhood Plan Steering Group and is the result of extensive community consultation and engagement over a period of five years. This is the final version of the Plan for formal submission to East Devon District Council and eventual referendum, before being finally ‘made’. A summary timeline of the progress of the Neighbourhood Plan through its various stages is provided as Appendix 5.

We believe this Plan represents a broad consensus of local opinion, based on what we have been told to date, and is submitted to East Devon District Council for consideration.

## Acknowledgements

Newton Poppleford and Harpford Parish Council would like to express its gratitude to the many volunteers who have worked selflessly on the Neighbourhood Plan and in particular members of the Steering Group (Dr Emma Taylor, Gill Cameron Webb and Councillors Val Ranger, Lorna Dalton, Anita Kemp and Matt Coppell), to East Devon District council officers (in particular, Angela King, Tim Spurway, Claire Rodway and Phil Twamley) for their advice and input; to Martin Parkes of Devon Communities Together; and to those whose photographs are included in this document. The Parish Council also wishes to acknowledge the very many local residents whose opinions were given so passionately and who helped to formulate the Plan.

Chairman, Newton Poppleford and Harpford Parish Council, June 2019

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## 1 Introduction

### 1.1 Planning law in England

The main National Planning Acts in force at present include the Town and Country Planning Act 1990, the Planning and Compensation Act 2004, the Planning Act 2008, the Localism Act 2011, and the Housing and Planning Act 2016. The concept of Neighbourhood Plans was introduced in the Localism Act 2011. Neighbourhood Plans need to meet what are termed 'Basic Conditions', i.e. they must:

- generally conform with the strategic policies of the formally adopted Development Plan for the area;
- have regard to national policies and advice contained in guidance provided by the Secretary of State;
- contribute to achieving sustainable development;
- be compatible with European Union (EU) law and human rights obligations.

In addition to the Acts referred to above, the main policy guidance provided by government is embodied within the National Planning Policy Framework (NPPF) of February 2019. This sets out guidance to local planning authorities, planning applicants and local communities on how the government expects the planning system to be delivered, in support of both economic regeneration and environmental protection.

### 1.2 Local and neighbourhood planning policy

Like all neighbourhood plans, the Newton Poppleford and Harpford Neighbourhood Plan must be in general conformity with the strategic policies in the statutory Local Plan for its area. The adopted East Devon Local Plan 2013–2031 ('the Local Plan'), prepared by East Devon District Council (EDDC) which sets out policies and proposals for the future development of the whole district for the next fourteen years. The Local Plan was formally adopted in January 2016, having been found 'sound' following examination by an independent Planning Inspector. In addition, the East Devon Villages Plan was prepared by EDDC and, following examination, found sound and adopted on 26 July 2018. The Neighbourhood Plan adds more local detail and policies than would be appropriate for inclusion in the district-wide local plan and villages' plan.

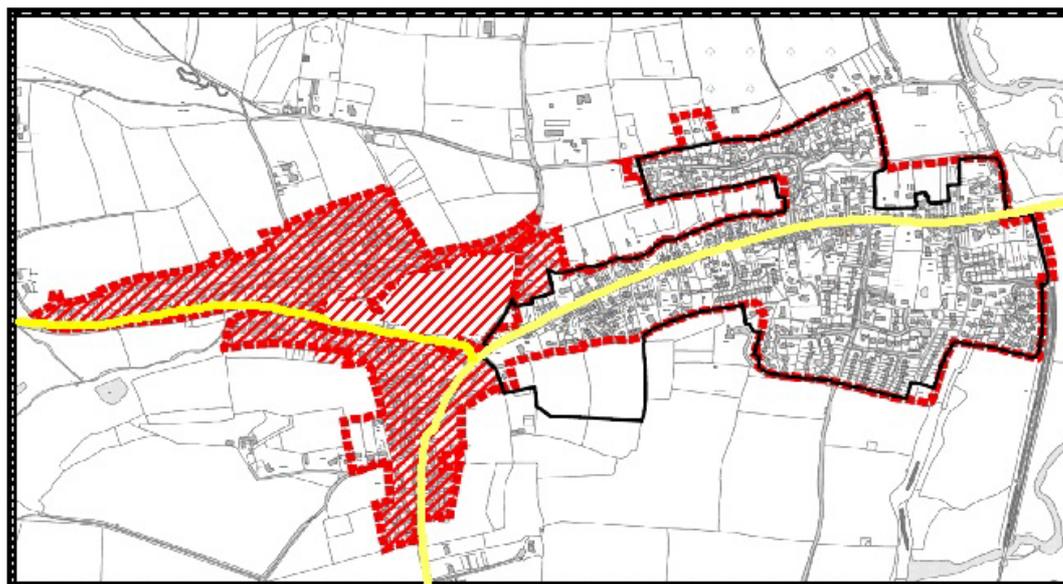
Within the context of the Local Plan, Newton Poppleford and Harpford sits in Strategy 27 (Development at the Small Towns and Larger Villages). The Local Plan's vision for smaller towns, villages and the countryside is one of "seeking to accommodate modest development that supports and complements rural areas whilst helping to sustain their intrinsic qualities and appeal. This will need to be achieved in the context of planning for development in the highest quality of built and natural environmental settings whilst supporting communities' social well-being and respecting the intrinsic features that help define the character of rural East Devon. But all the time recognising that rural East Devon has been designed and shaped by farming and rural practices and these will need to remain an intrinsic part of the future". This vision, as witnessed by responses and concerns raised as part of the Neighbourhood Plan consultation process, is shared passionately by the people of Newton Poppleford and Harpford. The decision to draw up a Neighbourhood Plan has been directly informed by these values and the desire of the community for Newton Poppleford and Harpford to grow in a sustainable and appropriate manner.

An end date of 2031 for the Plan has been chosen in order to coincide with the end date for the Local Plan, and Newton Poppleford and Harpford Parish Council commits to undertaking 5 yearly reviews of the Plan to ensure that it remains fit for purpose. (Assuming the Plan is approved in 2020, this would mean formal reviews in 2025 and a final review in 2030.)

## 2 The Neighbourhood Plan Area

The Neighbourhood Plan area consists of Newton Poppleford and the outlying villages of Harpford, Venn Ottery and Southerton. (Appendix 6 – Map 1a).

The Built-up Area Boundary was designated on 26 July 2018 when the East Devon villages Local Plan was adopted. The difficulties of accessing the village ‘centre’ from the western part of the village led to consideration of an approach that took account of walking distances, prevented ribbon development and limited car movements in and out of the village. This approach resulted in the exclusion of part of the western section of the village from the Built-up Area Boundary. It is the preferred option for Newton Poppleford (as judged against the National Planning Policy Framework and the adopted local plan policies) Source: <http://eastdevon.gov.uk/media/1821562/villages-plan-draft-july-2016-final.pdf>



On the above plan, the Built-up Area Boundary shows with a black line. The red hatching shows areas excluded from the latest Built-up Area Boundary. The yellow lines indicate the A3052 which runs through the length of the village and the B3178 road to Exmouth.

Land within Built-up Area Boundaries is considered by the Local Plan to be appropriate to accommodate growth and development (Strategy 6). Areas of the Parish outside the Built-up Area Boundary, including the villages of Harpford, Venn Ottery and Southerton are not considered sustainable and thus development there is treated as development in the open countryside with an assumption that development will not be supported (Strategy 7).

## 3 Newton Poppleford and Harpford within its wider context

### 3.1 The general pattern of settlement

The whole parish is within the East Devon Area of Outstanding Natural Beauty (AONB).

Newton Poppleford extends for around 1.8 km (1.1 miles) from east to west and is 8 miles east of Exeter, 3 miles from Sidmouth, and 5 miles from Ottery St Mary. The Parish has 3 outlying smaller villages, Harpford, Venn Ottery and Southerton.

Newton Poppleford is dissected by the heavily trafficked A3052 which meets the B3178 from Budleigh Salterton at a small roundabout in the west of the village; other villages in the parish are reached by narrow roads and lanes. There is an extensive network of footpaths within the parish.

The majority of services and facilities are located to the east of Newton Poppleford and are not easily accessible to those living to the west of the A3052/ B3178 junction due to poor pedestrian access. Map 10 in Appendix 6 shows the location of the principal community facilities and services.

### 3.2 Short History of the Parish

The older part of the village can trace its history back to at least the time of the Norman Conquest while the much larger 'new Newton Poppleford and Harpford', separated by open countryside, owes its existence to the coming of the railway.

Newton was previously a hamlet controlled in all aspects by Aylesbeare while Harpford has always been a parish. The boundary between the two follows just north of Back Brook.

Newton Poppleford is probably a very old settlement as traces can still be seen today of an old track way from south Devon passing close to Woodbury Castle along to Hawkerland, through the village and on to Colyton. It is thought that tin traders coming from Cornwall used it as they used paths further up the coast.

Harpford was first mentioned around 1120 when Geoffrey Lord Dinan was granted the manor by Henry I. In 1252 Henry II thought Newton Poppleford important enough to be

a borough and to hold a three day fair for the festival of St Luke (18<sup>th</sup> October). In later years there was a holy Thursday Fair which seems to have been transferred from Aylesbeare.

Famous people include Percy Kendall who bred the famous King Alfred Daffodil and the Reverend Augustus Toplady who wrote the hymn 'Rock of Ages' and became the incumbent of Harpford and Venn Ottery, in May 1766.



*Harpford Church, Court House and Church School*

### 3.3 Overview of the Parish

The Parish includes the main village of Newton Poppleford and the smaller villages of Harpford, Venn Ottery and Southerton.



*St Luke's Church, Newton Poppleford*

The parish has a reasonable number of facilities and amenities including 3 parish churches, a village hall, a community owned hall in Harpford, a sports pavilion with playing fields, a part-time GP out-reach surgery, a new primary school, a famous tea room, a takeaway, a public house, 2 hairdressing salons, several health therapists, a convenience store and post office, 3 farm shops and 2 garages.

Local organisations include clubs for gardening, local history, art and bridge. There are various sports and leisure clubs including, cricket, football, table tennis and tennis, short mat bowls, tap dancing and a lunch club.

The East Devon Way crosses the parish as shown on Map 4 in Appendix 6, and is a popular draw to the area for ramblers, dog walkers and horse riders. The River Otter runs through the villages of Harpford and Newton Poppleford and this, along with its smaller tributaries, brings challenges of flooding to the area.

The community may be characterised as having a relatively high proportion of those in older age groups, with relatively poor access to local services in outlying villages.



*River Otter flowing through Harpford*

The Parish is surrounded by farms although increasingly agricultural land is being used for leisure purposes such as equestrian use. Agriculture should continue to shape Newton Poppleford and Harpford's environment.

The general picture that emerges is that of a small rural community, located in the East Devon AONB.

### 3.4 Facts and figures

In the 2011 census the usually resident population of Newton Poppleford was recorded as 2095 in 928 households. The census also records that 51 dwellings were empty properties, second homes or holiday lets. Since that time there have been numerous planning applications and the population has grown to reflect that. Since 2013 alone when EDDC were unable to show a 5 year land supply there have been 67 houses in the parish under construction or with planning permission, a growth of 7% which is substantial for a community of this size.

## 4 Key issues

### 4.1 Consultation Process

The key issues to be addressed in Newton Poppleford and Harpford's Neighbourhood Plan were established during extensive public consultation exercises. A whole parish plan consultation was the starting point when a whole parish survey was conducted in 2011 called "Filling In the Picture". This resulted in the document called the "Newton Poppleford and Harpford Parish Plan" which was published in 2012 and followed by consultation events held:

- Built-up Area Boundary (2015);
- the village fair 'Newton Poppleford and Harpford Fun Day' (Sept 2015);
- the Queen's 90<sup>th</sup> birthday celebration in the Pavilion and Playing Fields (June 2016);
- Popstock event September (2017);
- three open days in the pavilion (October 2014) and
- smaller events such as coffee mornings in Newton Poppleford Village Hall and Harpford Village Hall (2015).

Community Survey - From these public discussions a questionnaire was distributed in October 2016 to every resident (over the age of 18) in the Neighbourhood Plan area. 1,730 questionnaires were distributed with a response rate of 43% (744). Statements were posed and the respondents were asked to give their views with space allowed for free text, so that the Neighbourhood Plan Steering Group could be completely appraised of the concerns of those who responded. In June 2017, the responses were analysed and an analysis report written.

This was followed by further surveys to provide more detail for the Neighbourhood Plan:

- Housing Needs (2017) to find the needs for affordable housing and housing for over 55s;
- School Consultation (2017);
- Housing Styles to discover which housing styles and features were acceptable and unacceptable to residents (2017/18);
- All businesses resident in the parish received the whole parish questionnaire and subsequently all businesses with an interest in the parish also received a Business Consultation questionnaire (2017);
- A Medical Facilities Survey (2019)
- Youth Consultation (2020).

Please see Appendix 5 for the overall timeline for the Plan.

## 4.2 Education

Education is an important topic for the majority of the village, and there is a strong view that the school offers an excellent provision for the village and needs protecting. The new school, which replaced the Victorian building so loved by the community, can only take the standard 210 primary aged pupils and this is an important issue when considering future growth. The new school is at capacity and encompasses Little Popples Preschool within the main building.



*New school*

## 4.3 Employment

There are a high proportion of self-employed people within the parish. Although most areas of the village have good broadband speed some said that poor broadband capacity was their greatest inhibitor.

Otherwise Newton Poppleford and Harpford residents tend to travel to work outside the parish as there are limited employment opportunities within the parish but weaknesses of the public transport provision serving the village make it difficult to travel sustainably.

Many respondents are dependent on the car to get to work but complained about the road infrastructure and its ability to safely absorb additional demand following new commercial and housing developments both within the parish and outside the parish along the A3052 and B3178.

## 4.4 Environment

Government policy states that the Area of Outstanding Natural Beauty should be given the highest protection but there is a strong view that this is not always the case.

There were also clear concerns about flooding in village areas. This is not at all surprising given the increasing frequency of flooding events, the historic misery caused by flooding and projections of increased flooding given by the Environment Agency. Many residents voiced concerns that future development could exacerbate existing flooding problems.

Residents expressed a clear wish for the village to retain its rural character. For example at planning applications for Land south of King Alfred Way (Alfred's Gate), concerns were raised that more development would destroy what makes Newton Poppleford and Harpford unique.

During the Down Close appeal (Appendix 8) the Inspector commented "The development would erode the characteristic landscape setting of the village and would not conserve the landscape and natural beauty of the East Devon AONB, a national and local policy objective which carries great weight. Despite mitigation measures, the proposed

development would not conserve the orchard as a priority habitat, undermining the ecological value of the site and diminishing its nature conservation value”.

#### 4.5 Future development

The vast majority of respondents wanted any new development to be situated within the Built-up Area Boundary where any new development should include 50% affordable housing in line with the Local Plan.

The majority of parishioners wanted to see fewer than 20 new homes within the life of the plan yet the 67 houses approved since 2013 already represents a 7% growth. As there has been no improvement in infrastructure it would be inappropriate at this stage to allocate sites for development. 53 houses have been built in Newton Poppleford in 2019 alone.

However, looking to the future, residents of Newton Poppleford and Harpford are mindful of the national drive for development and the needs of future generations to live independently. Many comments on the Neighbourhood Plan Community Survey referred to the need for the village to grow incrementally in small developments and not be swamped by large-scale developments.

At each 5-year review of Newton Poppleford and Harpford’s Neighbourhood Plan, the effect of any new housing requirement figures for East Devon District Council on Newton Poppleford and Harpford will be assessed. If, at this time, East Devon District Council is looking towards the Strategy 27 communities to take some level of development, the wishes of the people of Newton Poppleford and Harpford will be a major force for the choice of site(s) put forward.

#### 4.6 Health and care

There are limited medical facilities within the community and some thought needs to be given as to how that may be improved. Medical facilities also need to be easily accessed on foot. There is strong support for appropriate housing for those with mobility issues.

#### 4.7 Transport

Whilst considered to be a ‘sustainable’ village by EDDC, and there are bus services through the village to Exeter to the west, and Sidmouth to the south east, there are limited services to Budleigh Salterton and Exmouth, Honiton and very infrequently to Ottery St Mary (a journey that can take up to two hours each way by bus via Exeter). At the west end of the village there is a dangerous pinch-point and at the east end of the village is the River Otter Bridge which has no footpath and Four Elms Hill which is a notorious accident hot-spot with no footpath and being 1:12 not easy for any but the most hardened cyclists. As a result the car is the main form of transport in and out of the village. Therefore within the villages, footpaths are valued but many of these are unpaved and unlit. There is strong support for improved walking provision throughout the village, and for a cycle path to Ottery St Mary and Sidmouth to improve health and safety.

#### 4.8 Social leisure and communications



*Newton Poppleford Village Hall*

The parish benefits from many community buildings which are well used and greatly treasured by all age groups so these must be protected. There is a need to protect and increase community-owned green space in the future for the benefit of all. Any new development must ensure that the infrastructure is sustainable and enhances the Parish as a prime place to live and thrive.

### 5 Vision and Objectives

#### 5.1 Vision

To ensure Newton Poppleford and Harpford will continue to be a thriving and vibrant village community which protects and enhances its distinctive character, rich heritage and its East Devon AONB setting, and should become an even better place for residents of all ages to live in.

#### 5.2 Objectives

Objective 1 - Improve all aspects of traffic and pedestrian movement to make the Parish a more pleasant place to live. To limit air pollution, reduce volume of traffic and increase safety, sustainability and access within the Parish and to the main centres of Ottery St Mary, Sidmouth, Exeter and Exmouth.

Objective 2 - Protect and enhance the natural environment of the parish, and reduce vulnerability to impacts of climate change including minimising and managing flood risk.

Objective 3 - Make sure future development delivers the demonstrable needs and requirements of the Parish, in particular smaller affordable homes within the Built-up Area Boundary, that protect the East Devon Area of Outstanding Natural Beauty and those elements of the Parish which are valuable to its character and history, through high quality design.

Objective 4 - Promote opportunities for residents of all ages to access education, community facilities and leisure within the village.

Objective 5 - Protect and enhance the provision of Local Green Spaces, including its green infrastructure and wildlife habitats, for the benefit of parishioners and the ecosystem.

Objective 6 - Support the provision of local medical facilities.

Objective 7 - Support the local economy through its existing businesses, and by encouraging new enterprises and facilities that enhance commercial effectiveness and employment opportunities.



*The Old Toll House*



*Harpford - Thatched Cottages*

## 6 Strategic planning issues

### 6.1 Development principles

#### **National Planning Policy Framework**

The NPPF has a presumption in favour of sustainable development, but also emphasises the importance of the Development Plan which should be the basis of decisions on planning applications. Once approved, this includes the Neighbourhood Plan. The NPPF highlights the need to reflect strategic policies in the Local Plan and to provide a local framework for development in Neighbourhood Plans.

#### **East Devon Local Plan**

Newton Popleford and Harpford is one of the communities listed in Strategy 27 'Development in small towns and villages' of the Local Plan. The strategy recognises that communities incorporated under this policy '... vary in size and character but all offer a range of accessible services and facilities to meet many of the everyday needs of local residents and they have reasonable public transport. They will have a Built-up Area Boundary that will be designated in the East Devon Villages Plan though they will not have land specifically allocated for development'. The Villages Plan was adopted in July 2018 and the BUAB for Newton Popleford is shown on Map 1a in Appendix 6 to this Plan.

#### **East Devon Area of Outstanding Natural Beauty Partnership Plan 2019-2024**

The Parish of Newton Popleford and Harpford lies wholly in the East Devon Area of Outstanding Natural Beauty. Part IV of the Countryside and Rights of Way Act 2000 consolidates earlier legislation regarding the designation and purposes of Areas of Outstanding Natural Beauty's. Natural England is responsible for advising on Area of Outstanding Natural Beauty designation and in line with their policy statement on Areas of Outstanding Natural Beauty the Partnership Plan 2019-2024 focuses primarily on conserving and enhancing the quality of the Area of Outstanding Natural Beauty landscape, in particular its natural beauty.

## **Newton Poppleford and Harpford Neighbourhood Plan**

The Neighbourhood plan represents the most detailed and local level of planning in respect of parish requirements but the policies in the plan are set within the context of and broadly conform to the national NPPF and the ED Local Plan. The NHP also takes account of policies in the East Devon AONB (Area of Outstanding Natural Beauty) Partnership Plan.

## **7 Neighbourhood Plan Policies**

This section details Newton Poppleford and Harpford’s Neighbourhood Plan policies and should be read in conjunction with the Basic Conditions Statement, which outlines how these policies conform with the adopted Local Plan and national planning guidance (NPPF). Where local and Neighbourhood Plan policies relate to the same issue, the Neighbourhood Plan policies should be read in conjunction with those policies contained within the Local Plan.

### **7.1 Strategic transport network**

Objective 1 - To improve all aspects of traffic and pedestrian movement to make the Parish a more pleasant place to live. To limit air pollution, reduce volume of traffic and increase safety, sustainability and access within the Parish and to the main centres of Ottery St Mary, Sidmouth, Exeter and Exmouth.

Newton Poppleford and Harpford Parish has many narrow country lanes, high roadside hedges, road obstructions and dangerous junctions which, combined with a lack of footpaths, means that traffic and problems associated with parking are long-standing major issues for residents.

The A3052 is a major route used to access many other villages and towns so traffic along the A3052 is significant especially at rush hour and during the summer months.

Many villagers are especially reliant upon the use of a private car to reach the shops, services and facilities that cannot be found in Newton Poppleford and Harpford. Even where there is a shop, service or facility the majority go outside the Parish to make their purchases. Many others are reliant on the use of a car to commute to work. Any further housing or business development in the Parish, or along the A3052 outside the Parish, would inevitably increase such usage and further aggravate parking.

Also the permitted development of 67 houses in the Parish since 2013 has unsurprisingly led to further concern about the increased impact of traffic congestion and on-street parking.

Appendix 6:

Map 3a - the main roads through the neighbourhood

Map 3b shows parking and junction problems

Map 3c shows lack of pavements and crossings on the A3052 and

Map 4 shows Public Rights of Way.

### **Policy T1 - Adequate Parking**

All developments must provide adequate off-road parking. This means that:

- a) for each residential development, parking spaces should exceed that given in the Local Plan in that one parking space should be allocated per bedroom (i.e. at least one car parking space should be provided for one bedroom homes, at least two car parking spaces should be provided for two bedroom homes etc.). At least one secure bicycle parking space should be provided per bedroom;
- b) for other development sufficient provision should be made for car and bicycle parking appropriate to the needs of the development;
- c) provision should be made for charging plug-in and other ultra-low emission vehicles.

The Neighbourhood Plan will look favourably upon developments which recognise the considerable pressures faced by Newton Poppleford with respect to traffic congestion and on-road parking and highway safety.

Charges for parking in car parks will not be supported.

#### *NPPF – Para 105*

*East Devon Local Plan TC9 says “Parking Provision in New Development Spaces will need to be provided for parking of cars and bicycles in new developments. As a guide at least 1 car parking space should be provided for one bedroom homes and 2 car parking spaces per home with two or more bedrooms. At least 1 bicycle parking space should be provided per home”. However, the strong view of the Parish Council and others is that these guidelines fall short of what is required for Newton Poppleford and Harpford, and that for new homes with 3 or more bedrooms, 3 parking spaces would be more appropriate. Also, no development should depend on parking in public areas such as the road or village car park. This is because:*

*(a) the bus times do not allow people to get to work in Exmouth before 9am*

*(b) expensive bus fares prevent people from using the bus*

*(c) the bus service is so limited that bus users still need a car to get to places where the bus doesn't go.*

*Government Guidance*

*[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/7728/pavingfrontgardens.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/7728/pavingfrontgardens.pdf)*

### T1 – Policy Overview

Newton Poppleford and Harpford have many country lanes too narrow to allow parking, high hedges which obstruct views and dangerous junctions which prohibit parking.

Many properties have no private parking space especially the older properties which means the number of cars parking on the roads is an increasing problem, particularly on the A3052.

As many villagers are reliant upon the use of a private car any further housing or business development would inevitably increase car use and further aggravate parking.



*Congested parking on corner of Capper Close*

There is a dangerous lack of parking near the school. Future development should only be allowed if solutions are provided such as a drop off point and railings near the school.

## **Policy T2 – Traffic Calming**

Proposals for new development will only be supported where they demonstrate that they will, once built and in proportion to the scale of development proposed:

- a) road safety will be a priority in design terms in particular taking into account satisfactory road access points and blind corners;
- b) take into account the pinch points on the A3052 (at Toll House, River Otter Bridge and Four Elms Hill);
- c) not generate new HGV movements through the village;
- d) not exacerbate existing parking problems in and around Newton Poppleford and the surrounding villages;
- e) provide safe, convenient and pleasant pedestrian and cycling routes to the village centre and to principal facilities including the school, including safe and convenient crossings, where practical and the location of the proposal makes such routes necessary.;
- f) minimise any adverse impact of additional traffic, such as increased volume of traffic at peak times which could lead to congestion, increased levels of pollution and noise or increased speeds which may compromise pedestrian and cyclist safety;
- g) take the safety of pedestrians and other road users fully into account;

Developments of 10+ houses and employment sites that will generate new traffic will only be acceptable when accompanied by a Transport Statement or Assessment, that demonstrates how the adverse impact on the transport network and infrastructure will be mitigated, including a Travel Plan designed to encourage more sustainable travel behaviour, including all up to date bus timetables and fares.

The introduction of a 20mph speed limit along the A3052 through Newton Poppleford would be supported.

*East Devon AONB Partnership Plan – T1 & 2*

*NPPF- Promoting Sustainable Transport, in particular paragraphs 102, 108, 109, 110 and 111 and page. 2, "Achieving sustainable development";  
East Devon Local Plan – Strategy 5b), para 19.9, TC2 and TC7*

## T2 – Policy Overview

Newton Poppleford is a large village dissected by the A3052 with steep hills to the east and west. It meets the B3178 from Budleigh Salterton at a small roundabout in the west of the village. Close to the roundabout is a narrow, busy junction where every large vehicle blocks the road.

Harpford, Venn Ottery and Southerton are small villages approached by country lanes which tend to be narrow with hedge banks and limited passing spaces. Throughout the Parish there are blind corners and dangerous corners. As a result transport is a key issue for all residents. Public transport is considered by local people to be insufficient and car ownership and car usage levels are high.



*Bus on A3052 fills the western pinch point*

Congestion - Newton Popleford suffers from traffic congestion especially during the summer months and at peak times of day, including at each end of the school day. A continual flow of traffic at these times means that exiting from all junctions onto the A3052 is difficult and dangerous. In July 2014, 12,000 vehicles a day were recorded moving through the village centre. This has continually increased in recent years to 16,000 a day in 2018 bringing increased concerns about pollution and noise. Movement of cars and HGVs through the smaller villages when Four Elms Hill is blocked due to accidents regularly causes major disruption on local roads.

Although the road is 1.8 km (1.1 miles) long from east to west with a lack of pavements, 16,000 vehicles a day and a 30mph speed limit which is often exceeded, there is only one safe road crossing and none where there are no pavements (e.g. Toll House pinch point, A3052 bridge, eastern and western bus stops, village hall, etc.). There are two crossing islands with collapsible bollards which are unsafe given the size and speed of vehicles. This makes crossing the road challenging for everyone and almost impossible for some (e.g. those with mobility issues, pushchairs, etc.).

Health and Safety – Residents have complained about loud vehicles and speeding through the villages for many years. There are grave concerns about the dangers of walking and cycling because of the lack of pavements, especially in Newton Popleford and Harpford (e.g. along roadsides, over the Otter bridge, at bus stops, etc.)



*Two large vehicles passing on Four Elms Hill*

Sustainability - Whilst Newton Popleford and Harpford benefit from some bus services, the timetable is considered constrained and expensive. The bus service is rarely used by those travelling to work and there is no direct bus service to Ottery St Mary where the main doctor's surgery is based. Community Survey responses demonstrated a genuine appetite for cycling and walking.

Reduced car usage reduces greenhouse gas emissions and air pollution which is harmful to health as well as helping to reduce traffic congestion, so support would be given to measures to improve the provision of public transport services in Newton Poppleford and Harpford in preference to the private car. However the increasing costs of bus fares and lack of safe walking and cycling routes makes this challenging.

When a Transport Statement or Assessment is submitted and/or a Travel Plan put forward with a development proposal, the Parish Council would wish to be consulted on its content and delivery.

### **Policy T3 – Rights of Way**

Development proposals which adversely affect existing public rights of way (e.g. closure or rerouting) will not be supported.

The improvement and enhancement of existing public rights of way (footpaths and bridleways) the National Cycleway and pavements will be supported.

Pedestrian links to and from all new housing developments must provide safe pedestrian access to link up with existing or proposed footpaths, ensuring that residents can walk safely to bus stops, schools and other village facilities.

To enable safe walking and cycling, roads on new developments must be well-designed to allow convenient vehicle access, movement and parking, without mounting pavements. In addition, developments of 10+ houses and employment sites must have roads sufficiently wide to allow two vehicles to pass.

Proposals to improve and extend existing national and local cycle routes and facilities with particular reference to routes from Harpford to Newton Poppleford, Sidmouth, Ottery St Mary and Budleigh Salterton will be supported.

*East Devon AONB Partnership Plan - ART 1 & 2  
East Devon Local Plan – Strategy 5, Strategy 5b, TC4, TC5 and TC8 e)  
NPPF - Chapter 8 - Promoting healthy and safe communities para 91c and  
Chapter 9 Promoting Sustainable Transport para 102 c) and para 104 d).*

### T3 - Policy Overview

Devon County Council defines a public right of way as follows: “A public right of way is a right by which the public can pass along linear routes over land at all times. Although the land may be owned by a private individual, the public have a legal right across that land on a specified route”. The Parish Council will seek to work positively with landowners to ensure that access for all users is encouraged where practically possible.

The Parish of Newton Poppleford and Harpford is located in the East Devon AONB and as a result there are many beautiful paths around the countryside, including the East Devon Way, which are used by locals and visitors.



*Aylesbeare Common*

There is an extensive network within the built areas of the parish but walking and cycling is considered very dangerous due to the volume of fast traffic, narrow lanes, large vehicles, blind corners, poor lighting and a lack of pavements.

Other concerns include the lack of a path on the A3052 River Otter road bridge, disrepair of the pedestrian Red Bridge which links Newton Poppleford to Harpford and the dangers caused by the inappropriate siting of the roundabout and Harpford bus stops. Although there is a 'safe' footpath to the south of the A3052 it is also in a state of disrepair. There is an urgent need to address parking around the school as a lack of safe routes makes walking difficult and cycling inadvisable. Also, due to its position, the pinch point near the school increases the likelihood of accidents.

The majority of services and facilities are located in the east but the lack of footways on the A3052 near its junction with the B3178 and the limited alternatives for pedestrian access from that part of the village to the west of this point limit the appeal to pedestrians of accessing the facilities on foot. This was just one of the critical issues in an appeal for new housing at Down Close (appeal reference APP/U1105/A/14/2229080 Appendix 8), the Inspector concluding that 'the narrow road and lack of pavements on the High Street, east of its junction with the 3178, make it an unattractive and substandard route for pedestrians and, since it is the busy A3052 Exeter-South Coast road, for cyclists too'.

Maps 3b – Parking & Problem Junctions and 3c – Lack of Pavements and Crossings on A3052, in Appendix 6 illustrate these difficulties.

Some roads on recently built new housing developments have been too narrow to allow two vehicles to pass without mounting the pavement. This creates risk for pedestrian safety and must be avoided in the layout and design of future developments.

#### Future Parish Walking and Cycling Strategy:

As a result of these deficiencies, safe walkways and cycleways are an important requirement for the parish. A Walking and Cycling Strategy would be supported to include:

- to ensure that people are able to walk and cycle safely between villages including retention of Red Bridge in its current location;
- repairs to Red Bridge;
- replacement of kissing gates with gates that allow access to those with limited mobility (e.g. pushchairs);
- new footpath alongside the River Otter bridge;
- provision of safe and continuous footpaths and cycleways such as reopening of the railway line between Newton Poppleford and Otterton and beyond;
- full pedestrian access to be re-established from Northmostown Lane along Calm Lane, Houghton Lane, Halse's Lane and Hillway Lane to Mutters Moor;
- dog walking path behind Alfred's Gate; and
- new footpath in front of the Toll House.

Improvements should allow for the maximum number of different users and, wherever possible, should be multi-use (walkers, cyclists and horse-riders), and take into account the needs of disabled users.

Consultation with landowners and land managers will be carried out at an early stage of planning and discussion.

## 7.2 Environmental protection

Objective 2 - Protect and enhance the natural environment of the parish, and reduce vulnerability to impacts of climate change including minimising and managing flood risk.

### **Policy EP1 - Conservation and enhancement of the East Devon AONB and Natural Environment**

The AONB and natural environment is very important to residents so conservation must be a primary planning consideration. This includes the protection and enhancement of the East Devon AONB, areas classed as SSSI, SPA and SAC, the biodiversity, existing habitats, protected and priority species, ancient or species rich hedgerows, grasslands and the landscape and the rural character of the village.

All developments, including for agriculture and extensions to existing buildings, should:

- a) give great weight to conservation and enhancement of the natural environment;
- b) not encroach upon, interfere with, or lead to the deterioration of existing rare or important habitats or watercourses, or degrade the visual quality, natural beauty, wildlife and cultural heritage of the rural landscape;
- c) not include the netting of trees and hedges;
- d) contribute towards the ecological network of the area with appropriate measures to enhance bio-diversity;
- e) safeguard open countryside and cherished public views from inside and outside the parish as identified on Map 9;
- f) not protrude above, or appear dominant when viewed against skylines or significant lines or groups of large, mature trees;
- g) maintain and where appropriate, extend tree cover;
- h) avoid causing damage from leisure use (e.g. equestrian, motorbikes, etc.).

Proposals to facilitate the RSPB taking over management of the Old Quarry in Venn Ottery will be supported, subject to compliance with other policies.

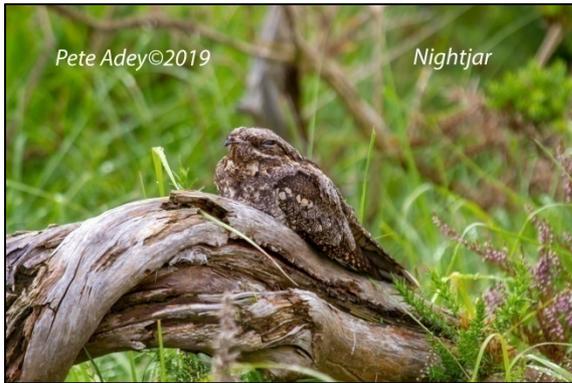
*Any future development should have regard to the existing policies for the safeguarding of the area's protected status within the East Devon AONB Partnership Plan including the Equestrian Development Guidelines.*

*East Devon Local Plan – Strategies 46 and 47 are predominant. Others are Strategy 3 a) and b); Strategy 4 6.17 and 6.18; Strategy 5; Strategy 6 6.23; Strategy 7; RC4 25.7 and Key Issues and Objectives 8. EN4, EN6, EN7, EN8 and EN9 also apply.*

*NPPF - Para's 172 and 174 to 177 are predominant. Also para's 118 and 171 are relevant.*

### EP1 - Policy Overview

In England, Wales and Northern Ireland, the finest landscapes are conserved through designation as National Parks, Areas of Outstanding Natural Beauty (AONBs), SSSIs (Sites of Special Scientific Interest), SACs (Special Areas of Conservation) and SPAs (Special Protection Area). These are shown on Map 2 in Appendix 6.



*Nightjar on Aylesbeare Common*

The whole Parish of Newton Poppleford and Harpford lies within the East Devon AONB and close to the East Devon Pebble Beds which are the largest single block of lowland heathland west of the New Forest and classified as an SPA.

Within the Parish Boundaries lie Aylesbeare, Harpford and Venn Ottery Commons which are all classified as SSSI, SPA and SAC, East Devon Pebblebeds is

SPA and SAC and Venn Ottery Hill which is listed as a County Wildlife Site and has a Scheduled Monument to the East. The whole area has species-rich hedgerows, woodlands and an amazing diversity of wildlife habitats such as the River Otter, wet heathy grazing pasture, and unimproved grassland with green lanes and hedges.

Recreational, cultural and spiritual qualities abound, with the East Devon Way running through the Parish and open access land, most notably on the Pebblebed Heaths and Aylesbeare and Harpford Commons, providing extensive opportunities for open air recreation, healthy exercise, uninterrupted views and an escape to tranquillity and relative isolation.

Wildlife which thrives in this part of the East Devon AONB includes dormice, nightjars, dartford warblers, ring ouzels, wheatears, southern damselflies, badgers, foxes, hare, deer, barn owls and a range of bat species. Evidence of beaver occupation has recently been found close by.



*Beaver on the River Otter*

The East Devon AONB Partnership Plan includes the following as special qualities and features of significance:

- distinctive, unspoilt, wooded skyline;
- outstanding views across East Devon to west and east and also south to the coast;
- landscape character of the parish;
- sense of isolation, tranquillity and remoteness, enhanced by natural qualities of the heath, woodland and commons;
- rarity value as one of Devon's few areas of remaining lowland heath;
- varied wildlife habitats valued for endangered species;
- ancient semi-natural and broadleaved woodland;



This Parish lies in a valley surrounded by hills with expansive views in all directions so great care must be taken to prevent development from destroying views within the East Devon AONB, especially from the East Devon Way. Map 4 in Appendix 6 shows the extent of the East Devon Way.

*View over Newton Poppleford from East Devon Way*

The primary focus of future development should be to preserve, restore and re-create all natural environments, habitats and priority species, including distinctive landscape and ecology, as precious assets for the present and future. Even relatively minor development on existing sites, therefore, has to be seen in the context not only of the demands it places on infrastructure and the quality of life of present and future residents but also of the stewardship of those assets.

The Landscapes Review by Julian Glover reported to Government in 2019 and identified two AONBS that were strong candidates to become new National Parks. One of these was the combined Dorset and East Devon AONB. At its special meeting on 25 February 2020 EDDC agreed that further investigation of the benefits and drawbacks of becoming a new National Park should be pursued, with all meetings open to the public. Residents have indicated how much they wish to preserve the AONB, and uniqueness of our area, and the aspiration of National Park status would be to put more emphasis on rural employment and local housing for families who wish to remain in the area. The creation of a new National Park which covers the parish would be supported. The photographs and Map 9 in Appendix 6 show “Cherished Public Views” and illustrate the beauty of the AONB within the Parish.

### **Policy EP2 – Minimising damage to existing properties**

Proposals for development will only be supported where:

- a) they are of a design and construction which seeks to minimise adverse impact on existing buildings and flooding (including, but not limited to measures such as permeable driveways and dedicated parking spaces, use of soakaways and planting to minimise run-off);
- b) they demonstrate that they have taken full account of and recognise the impact of flood risk, both in terms of fluvial and localised surface water flooding;
- c) they minimise and do not exacerbate existing surface water flooding issues beyond the development site; and,
- d) they ensure no adverse impact on existing flooding and satisfactorily mitigate / accommodate surface water run-off arising from the development through the use of Sustainable Drainage Systems (SuDS) where appropriate.

Policy EP5 should also be applied.

### **Policy EP3 - Flood Risk**

A sequential approach will be taken to the location of development.

Residential developments within flood risk zones 2 & 3 and in Flood Zone 1 (over 1 hectare in size), or in areas affected by other sources of flooding (for example surface water flooding), identified at risk of flooding in the Strategic Flood Risk Assessment for the area, or other more recent information, should be subject to a site-specific Flood Risk Assessment that establishes whether the development will be safe, without increasing flood risk elsewhere and whether it is possible for flood risk overall to be reduced. The Flood Risk Assessment will be required to fully demonstrate that the Exception Test can be satisfied. The Exception Test also requires development to provide wider sustainability benefits to the community that outweigh the flood risk.

### **Policy EP4 - Surface Water Run-off**

The impact from any additional surface run-off resulting from any major development should be controlled and satisfactorily mitigated and should not cause any adverse impact to neighbouring properties or the surrounding environment/ wildlife habitat/water quality.

A Drainage Impact Assessment will be required for all new major development with potential surface run off implications.

### **Policy EP5 - SuDS Design & Management**

Development proposals creating new drainage requirements must incorporate Sustainable Urban Drainage Systems (SuDS), following the SuDS hierarchy. New drainage systems must demonstrate they will be effective in allowing for above surface water management on site and improvement of water quality. A management plan must be put in place for future maintenance of the drainage system. SuDS systems maintained by South West Water would be preferred.

### EP2, 3, 4 and 5 – Policy Overview

Newton Poppleford and Harpford have been badly affected by flooding, for example in 1997, 2000, 2001, 2008, 2012 and 2014. Probably the worst case of flooding was in 2008 when many homes were flooded. Appendix 6, Map 6 shows the flood zones.

There is increasing evidence that the climate is changing as a consequence of past and on-going greenhouse gas emissions. The outcome is predicted to be hotter summers and warmer, wetter winters. The extended periods of rainfall in recent years together with the repeated flooding in recent years shows that flooding problems in Newton Poppleford and Harpford are likely to become more serious if no action is taken.

As the Built-up Area Boundary leaves little room for further development, dwellings have been authorised on land which might otherwise be considered at risk. For instance recent hillside developments had to incorporate SUDs systems to prevent flooding lower down (e.g. at Alfred's Gate).



The proximity of the River Otter and topography of the land mean that parts of the Parish are defined as floodplain and recent developments on known floodplains have been built on elevated ramps, raising concern that flooding will be diverted elsewhere. There is understandably deep concern about the impact of inappropriate new builds and assurances will be sought that any new development will not exacerbate the current situation.

*Flood plains within the Parish*

*Policies EP2, 3, 4 and 5:*

*East Devon Local Plan - Strategies 3 a), Strategy 5 para 7 and Strategy 6 para 2. Also policies EN14 (para 2), EN18, EN21 and EN22.*

*NPPF - Section 14 – Planning and Flood Risk. Also para's 148 and 149.*

### **Policy EP6 – Local Amenity**

Development proposals that adversely impact on residential amenity will not be supported.

There will be a presumption against proposals that detrimentally affect the tranquillity of the area including through unnecessary lighting that further impacts the night time dark skies or through the generation of noise.

Development proposals should demonstrate that:

- a) they will have no adverse effect on the tranquillity, through increasing levels and frequency of noise, of the parish:
- b) they will have no adverse effect, through light pollution (during any part of the year), on our valued dark skies observable from the parish; and
- c) arrangements will be put in place to control noise, air, water and light pollution.

*East Devon Local Plan – EN14 Control of Pollution Section 4 Control of Pollution  
NPPF – 170 e) and 180*

## EP6 – Policy Overview

Dark skies enhance the rural and peaceful environment, avoid nuisance to neighbours and are particularly important for rare bat species such as long eared bats which are known to live in the area.

Properties along the A3052 and B3178 already experience noise and night light so development should not be allowed to cause further detriment. Large areas of Newton Poppleford and all of Harpford, Venn Ottery and Southerton currently benefit from low noise and night light levels and this should be protected from development.

### **Policy EP7 - Development on Farmland for Agricultural Purposes**

Where existing buildings cannot be used or adapted, proposals for development of new agricultural buildings excluding residential uses, on working farmland which require planning permission should be of a scale and form:

- a) which do not compromise or have adverse impacts on the quality of the environment and the special landscape character of the East Devon AONB;
- b) that does not cause soil compaction and increase run-off into watercourses;
- c) which do not result in the loss of and help to retain and reinforce local agricultural practices traditional to the Parish and the East Devon AONB, such as:
  - i. the protection of Devon banks and hedgerows, small areas of coppice and wildlife corridors;
  - ii. the provision of buildings to support livestock principally to be kept outside;
- d) which retain the integrity of historic farm buildings; and
- e) where any increase in traffic movement including HGVs can be safely accommodated on the rural road network and, provide solutions to mitigate increases in traffic caused by the development.

A Landscape and visual impact assessment, proportionate to the scale of development, will be required to demonstrate that the siting and design of the new development is appropriate and that any landscape and visual impacts are appropriately mitigated.

Farmers, land owners and developers are encouraged to engage with the local community and Parish Council at the earliest opportunity.

*East Devon AONB Partnership Plan – EQC1, 2 and 3, FLM1 and 2, RES 1, 2 and 3.  
East Devon Local Plan - Strategy 6, D7 and Strategy 28 para 15.27.  
NPPF - 83 b) and 84*

## EP7 – Policy Overview

Planning permission will be refused for development on the best and most versatile agricultural land, meaning land in grades 1, 2 and 3a of the Agricultural Land Classification, unless it involves development for the purposes of agriculture and forestry. East Devon Local Plan Strategy 6 and Policy EN13 will be applied to safeguard the best and most versatile land. The Parish of Newton Poppleford and Harpford contains much agricultural land which gives it much of its character. Unfortunately this land can be considered by developers as prime land for development so every effort must be made to

ensure the agricultural category of the land is not downgraded in order to make development permissible.

Appendix 6, Map 7 shows the agricultural land classifications for the Parish. This map is based on the provisional agricultural land classification data held by Natural England. The NPPF Annex 2: Glossary defines best and most versatile agricultural land.

The Parish wishes to prevent the abuse of PDR (Permitted Development Rights) on agricultural farmland.

The parish is entirely within the East Devon AONB and as such many PDRs are not applicable (e.g. PDRs for Class Q conversions from Agricultural to Residential are removed in AONBs).

Objections have historically been submitted to agricultural farmland being used for equestrian purposes without change of use being applied for or authorised.

### 7.3 Housing, Heritage and Design

Objective 3. Make sure future development delivers the demonstrable needs and requirements of the Parish, in particular smaller affordable homes within the Built-up Area Boundary, that protect the East Devon AONB and those elements of the Parish which are valuable to its character and history, through high quality design.

#### Housing, Heritage and Design - Policy Overview

At the time of the 2011 census the resident population of the Parish was 2095 in 928 households. There were also 51 dwellings which were empty, second homes or holiday lets.

The whole parish lies inside the East Devon AONB so further development should not be allowed unless it conserves and enhances the East Devon AONB or demonstrates an exceptional need. Despite this 67 new houses have been authorised in the parish since 2013, with further applications expected, and 53 houses have been built in Newton Poppleford in 2019 alone.

The current built up area is tightly circled by the Built-up Area Boundary and flanked by flood plains leaving little scope for further expansion. As a result any further development is likely to be infill which leaves residents concerned that the village will feel increasingly cramped. To mitigate this, minimum garden sizes and distances between houses should be applied, all existing trees and shrubs should be kept and whenever possible additional greenery should be planted.

Any new housing will be required to meet the needs of the Parish. The Local Housing Need to allow people with a local connection to live or to continue living in the Parish is for affordable housing predominantly smaller houses especially 1 bedroom, either for starter homes or to allow older residents to downsize, and for single storey houses adapted for the disabled and elderly. Despite this a disproportionate number of the new 67 houses

authorised since 2013 are large, executive style houses with only 16 being affordable, of these only 2 have 1 bedroom.

During the Community Survey, residents overwhelmingly voted for no more than 20 houses within the lifetime of this plan, which should be small in scale (no more than 10 houses per development) and consisting of smaller, affordable houses for people with a local connection.

For all the above reasons, and others stated within other parts of the NHP (e.g. ‘Strategic Transport Network’) it would be inappropriate at this stage to allocate sites for further development.



Listed phone box, now a Community Library

If further housing is permitted within the Parish then this should meet residents’ requirements in terms of housing styles and impact on infrastructure. During a Housing Styles Consultation, residents identified the style of housing and housing features which would be supported in the Parish, together with those which would not. They also require any new development to address its impact on the over-burdened roads infrastructure, in particular adequate, off-road parking. Community-built affordable houses by a Community Land Trust would be desirable.

There are 57 Grade II listed buildings in the Parish which would need to be protected from any future development together with the two Community Assets and the Heritage Sites listed in Appendix 2.

*Key Supportive Policies: which apply to the whole of section 7.3:*

*East Devon Local Plan – Strategies 3, 5, 6, 27, 34, 35, 36 (para’s 16.31 – 16.33), 48 and 49*

*NPPF – Strategy 2 – Achieving Sustainable Development. Para’s 28, 29, 60, 61 and 127*

### **Policy H1 - Meeting Demand for Smaller Dwellings**

Residential development will be supported within the Built-up Area Boundary providing that dwellings are small, defined as a maximum 93 square metres\* internal space (Gross Internal Area), and have no more than three bedrooms. All dwellings should provide a high standard of amenity for the occupants.

*East Devon Local Plan – H2*

*Space Standard for Homes - <https://www.architecture.com/-/media/gathercontent/space-standards-for-homes/additional-documents/homewisereport2015pdf.pdf>*

\*The Department for Communities and Local Government’s Technical housing standards nationally described space standard sets out requirements for the minimum floor space required for different housing configurations. However the Royal Institute of Architects recommend a size of 93sq.m. Therefore, to ensure that new development delivers the smaller size housing required, their recommended size has been included within the policy as a limit to ensure new housing is of an appropriate scale.

### **Policy H2 - Housing which caters for those with mobility issues**

Any development which caters for those with mobility issues must feature predominantly single-storey accommodation on a flat site to account for mobility issues.

There is a need for predominantly one bedroomed homes that are capable of being adapted to suit an aging population, without these homes being 'for the elderly'.

Housing with level access which facilitates wheelchair access will be prioritised.

*East Devon Local Plan – H2, Strategy 36*

*East Devon Villages Plan Chapter 34*

### **Policy H3 - Outside the Built-up area boundary**

Any residential development outside the BUAB:

- a) must be adjacent to the BUAB;
- b) must be able to demonstrate that the development conserves and enhances the East Devon AONB and demonstrates an exceptional need for affordable housing which could not be accommodated outside the AONB;
- c) must provide a minimum of 66% affordable homes as per Strategy 35 of the East Devon Local Plan;
- d) must meet the needs of the Parish as demonstrated by a Housing Needs Survey.

Subject to the criteria above and the other policies of this Plan, proposals that help meet the following particular needs will be more favourably considered:

- a) affordable housing
- b) one, two and three bedroom family homes
- c) single storey homes adapted for the elderly.

Developments on exception sites will only be permitted where they meet demonstrable local affordable housing needs, that is, of appropriate type, tenure and scale according to an up to date housing needs survey minus any built since the survey was undertaken. The demonstration will be via a whole parish survey.

*East Devon Local Plan – Strategy 3 c), Strategy 6 para 6.21 (subject to Guidance Note 1) and Strategy 35*

### **Guidance Note 1 – Affordable Housing**

The affordable housing element of a development, comprising housing for sale or rent, for those whose needs are not met by the market and which complies with one or more of the NPPF categories:

- a) Affordable housing for rent;
- b) Starter homes;
- c) Discounted market sales housing;
- d) Other affordable routes to home ownership.

Affordable housing within this parish will additionally be restricted to a person(s) who is in housing need and is a resident of the parish of Newton Poppleford and Harpford or has a local connection with the parish because of family ties or a need to be near their workplace, according to Local Plan Strategy 35.

### 7.3.3 Type of Development

#### **Policy TD1 - Infill and garden developments and extensions within the Built-up area boundary**

Development on previously developed land and infill sites within the Built-up Area Boundary will usually be supported subject to meeting the following criteria in full:

- a) the effect of infill and garden developments and extensions should not be detrimental to the character of the village;
- b) development should be sensitively designed to reflect the character of the site and that of its neighbours, however where the surrounding area has been despoiled, qualities should be reinstated through good design, in line with Local Plan strategy 48, which states that where an area has been despoiled it can be improved by good housing design;
- c) local materials such as cob, thatch, and walls made from pebbles, flint, stone and old red brick should be conserved and enhanced.

*East Devon Local Plan – EN16 22.21, 37, Strategy 48  
NPPF – 38, 117, 118, 122, 137 a)*

#### TD1 – Policy Overview

The use of previously developed land is recognised as a core planning principle. The Neighbourhood Plan supports the regeneration of brownfield land.

Brownfield and infill development within the Built-up Area Boundary can lead to developments being squeezed in. Proposals are often within gardens, with inappropriate densities, inappropriate layouts and an expectation for on-road parking, all of which can result in the village feeling cramped. New houses which are out of keeping with their neighbours can negatively affect the overall character of the village.

Such developments can also have a detrimental impact on existing residents:

- loss of amenity, overshadowing, overlooking;
- loss of sunlight/daylight;
- noise;
- loss of green links/trees/hedges/vegetation;
- lack of visual cohesiveness;
- loss of space between buildings;
- loss of parking.

To avoid these negative impacts, all developments must be designed so they sit appropriately within their surroundings by meeting all other relevant policies in this Neighbourhood Plan.

**Policy TD2 – Affordable homes to meet Local Need through a Community Land Trust**

In suitable locations within the Built-up Area Boundary and outside, but adjacent to the Built-up Area Boundary, Community Land Trusts may be supported to bring forward small schemes of up to 5 affordable and/or self-build dwellings for people who meet the local connection criteria set out in Strategy 35 of the Local Plan.

Such schemes must comply with other policies in this plan including those relating to flood risk, protection of the East Devon AONB and dwelling size.

To assist in ensuring that these dwellings remain affordable in perpetuity planning conditions will be imposed to restrict future extensions and outbuildings.

*East Devon Local Plan - Self Build Housing Schemes para 16.30*

TD2 – Policy Overview

Self-building is currently a popular option and is encouraged by local and central government. Self-build plots are recognised as contributing to the supply of new housing.

Newton Poppleford does not currently have a Community Land Trust but the creation of such a Trust would be supported as a vehicle for providing affordable homes for local people, where dwellings can be safeguarded in perpetuity for people with local connections and where they can be justified by meeting a proven local need.

**7.3.4 High Quality Design**

High Quality Design - Policy Overview

Residents gave high priority to protecting the countryside setting. Wildlife is as important to the countryside as trees and hedges so it should be given the same level of protection, especially as relatively small steps can make a big difference. Wildlife organisations, such as the RSPB, recognise that development often reduces and isolates wildlife habitats and modern properties rarely provide new habitats due to their insulation and inconsiderate design. Therefore as part of the ethos of living within the countryside local residents would be keen for local developers to emulate those such as The Duchy of Cornwall who promote wildlife welfare and actively build wildlife habitats and corridors into their developments and Barratt Homes who now provide bird nesting bricks in all houses.

There are 57 Grade II listed buildings and many traditional cob and thatch houses within the Parish, but there are also a variety of later housing styles. This means there is no single house style which characterises the village to be used as an absolute blueprint for future development.

However, clearly evident within the Parish are local materials such as cob, thatch, and walls made from pebbles, flint, stone and old red brick, and the villages within the Parish are characterised by their rural setting within the East Devon AONB. These local features should be conserved and enhanced in any future development.



*Cemetery, Victorian brick walls*

To find out what specific house styles and features are acceptable and unacceptable for future developments, a Housing Styles Consultation was carried out. Residents were provided with 16 photos showing a variety of house styles ranging from traditional to modern and asked to choose the most acceptable and none-acceptable house styles and individual features.

Based on the results of the Housing Styles Consultation a ‘High Quality Design Statement’ policy has been defined to be implemented during any future development, in parallel with ‘Building for Life 12’ which is the current industry standard for the design of new housing developments. (<http://www.designcouncil.org.uk/knowledge-resources/buildinglife-12>)

The Guide (BfL 12) is published by the Building for Life Partnership. New development should accord with the twelve principles which are:

<u>Integrating into the Neighbourhood</u>	<u>Creating a Place</u>	<u>Street and Home</u>
1. Connections - Does the scheme integrate into its surroundings by reinforcing existing connections and creating new ones, while also respecting existing buildings and land uses around the development site	5. Character - Does the scheme create a place with locally inspired or otherwise distinctive character?	9. Streets for all - Are streets designed in a way to encourage low vehicle speeds and allow them to function as social spaces?
2. Facilities and Services - Does the development provide (or is it close to) community facilities, such as shops, schools, workplaces, parks, play areas, pubs or cafes?	6. Working with the site and its context - Does the scheme take advantage of existing topography, landscape features (including water courses), wildlife habitats, existing buildings, site orientation and microclimates?	10. Car Parking - Is resident and visitor parking sufficient and well integrated so that it does not dominate the street?

3. Public Transport - Does the scheme have good access to public transport to help reduce car dependency?	7. Creating well defined streets and spaces - Are buildings designed and positioned with landscaping to define and enhance streets and spaces and are buildings designed to turn street corners well?	11. Public and private spaces - Will public and private spaces be clearly defined and designed to be attractive, well managed and safe?
4. Meeting Local Housing Requirements - Does the development have a mix of housing types and tenures that suit local requirements?	8. Easy to find your way around - Is the scheme designed to make it easy to find your way around?	12. External storage and amenity space - Is there adequate external storage space for bins and recycling as well as vehicles and cycles?

**Policy HQD1 – Maintain the built character of our parish through High Quality Design.**

Developments within Newton Poppleford’s Built-up Area Boundary will usually be supported where they have demonstrated that:

- a) they are of high quality design, in line with the results of the Housing Styles Consultation Survey for house design, and will enhance visual amenity and minimise any adverse impacts on the built environment;
- b) they mitigate fuel poverty;
- c) new houses would benefit from a satisfactory degree of privacy and daylight and all new developments would be suitably positioned to ensure they do not have an adverse impact on the privacy and daylight of existing houses. (Guidance Note 2 – Distances Between Dwellings);
- d) all new houses would be given private garden space (e.g. for children's play, pets, drying clothes, quiet enjoyment, etc.). Front gardens do not constitute private garden space. (Guidance Note 3 – Private Garden Space);
- e) they incorporate a ‘sense of place’ into the designs /reinforces local distinctiveness by ensuring the proposals have been informed by the character of the area in which they are located. This should include matters such as size, density, scale, street/building line, building height, plot widths, windows and features and boundary treatments. Ridge heights should be in keeping with neighbouring properties;
- f) they ensure it is designed in such a way as to minimise its impact on the visual amenity of the surrounding landscape, on views of the proposed development especially viewed from footpaths within the East Devon AONB and on the natural environment and mitigates any adverse impact using landscaping where necessary;
- g) services, such as power and telephone land lines, would be underground;

- h) they maximise opportunities to protect and enhance existing wildlife and habitats replacing lost habitats where this is not possible:
  - i. an average rate of one integral swift brick (Guidance Note 4) per unit/residential dwelling, more for larger buildings;
  - ii. permeable and ideally planted boundaries, e.g. hedges, or fences with small gaps at the base in each garden, that permit movement of hedgehogs
  - iii. solitary bee boxes, bee bricks and 'insect houses' should also be included
  - iv. green walls and living roofs would be supported;
  - v. no glass panelling where it causes a danger to birds (e.g. in front of hedges);
  - vi. retain existing and plant new native trees, shrubs and hedges to create green corridors for wildlife to move through the development to adjacent habitats;
- i) they respect and enhance the natural environment through retention of existing natural features maintaining and providing green linkages within and around development sites and delivering an overall improvement to biodiversity value;
- j) schemes for more than 5 dwellings include variation in design detail in order to maintain the variety of building that is characteristic of Newton Poppleford;
- k) roofs are pitched and symmetrical unless there is an exceptional reason not to do so;
- l) they conserve or enhance heritage assets in the parish, having regard for their status as designated or non-designated assets and their settings (see appendix 2 for list of heritage assets);
- m) they conserve or enhance local distinctiveness such as stone and cob walls and other historic features such as water troughs (see appendix 2 for list of heritage assets);
- n) boundaries adjoining roads or public footpaths are defined in a traditional manner using stone or brick walls or native hedging, rather than close boarded fencing;
- o) street-lighting and furniture is limited and unobtrusive;
- p) the development would not contribute to, or suffer from, adverse impacts arising from noise, light or air contamination, land instability or cause ground water pollution;
- q) the development would utilise sustainable construction methods, minimises the use of non-renewable resources and maximises the use of recycled and sustainably sourced materials where compatible with other policies in this document;
- r) they provide easy access and adaptable living for all members of the community;
- s) they protect the amenity of neighbouring properties;
- t) they provide adequate, well designed off-road parking spaces with regard for the parking standards of the Neighbourhood Plan, except where these conflict with neighbourhood design objectives, with carports preferred to garages;

- u) principles of designing-out crime have been incorporated such as suitable layout, window placement and boundary treatments;
- v) designs can be easily adapted to accommodate changing lifestyles and technologies;
- w) sustainable measures such as rain water capture and carbon reduction measures (e.g. solar panels or water heating panels) have been incorporated but should be sited discreetly;
- x) materials used would be sympathetic to the localised area;
- y) Modern design will be supported provided the local character is respected or enhanced.

Development proposals that exceed current technical standards for sustainable construction will be encouraged.

All major developments within the Neighbourhood Development Plan Area should be of a high standard of design reflecting the principles set out in BfL(12) (Building for Life 12).

*East Devon AONB Partnership Plan - BG1, P1 & 2. "villages with cottages and houses built of local stone, pebbles, thatch and cob, Chert (flint) and pebblebed stone ('popple') can be found in many churches, local buildings and walls".*

*East Devon Local Plan – D1, Strategy 5 4), Strategy 37, Strategy 38, a),b) and d), Strategy 8 and Strategy 48*

*NPPF –Section 12 - Achieving well-designed places and 122 d), Chapter 8 - Promoting healthy and safe communities para 91 b) and para 175d – biodiversity improvements*

*Natural Environment and Rural Communities (NERC) Act 2006 Section 40 - public bodies have a duty to protect and enhance all biodiversity*

### Guidance Note 2 – Distances between dwellings

New houses should benefit from a satisfactory degree of privacy and daylight. The residents of existing houses should also not be unduly affected by the development.

To achieve the above, minimum separation distances should be maintained between houses, and in particular, between windows lighting habitable rooms. Habitable rooms include living rooms, bedrooms, studies and kitchens. They do not include halls, stair landings, passageways and utility rooms

- Where two habitable rooms face each other such that direct overlooking is physically possible, the windows should be 22 metres apart.
- Where a window in a habitable room faces a blank wall, the height of which exceeds the top of that window, there should be a distance measuring a minimum of 13 metres between them.
- In the case of a kitchen window, these standards may be relaxed provided suitable screening is in place.

These standards apply on flat ground.

Where the ground slopes, an increased distance will be required, so that for every half metre difference in height, the distance in the standard is increased by one metre.

#### Separation Distances on Sloping Ground:

In the case of three or more storey developments adjacent to single or two storey development, the 13m/22m standard shall be increased by 2 metres for each additional storey (in addition to any increase due to differences in ground levels).

Developers will be required to indicate on their plans the finished floor level(s) of their building(s) in relation to a fixed datum point and, where there are windows on adjacent existing properties, the levels of these properties.

*(Source – Wrexham Neighbourhood Plan)*

#### Guidance Note 3 – Private Garden Space

The following standards should be followed to ensure private garden space reflects the size and function of the proposed house:

- for dwellings designed to accommodate 3 or more people, the minimum private garden area is 50sq.m;
- for dwellings designed to accommodate up to 2 people, the minimum private garden area is 30sq.m;
- for flats/maisonettes, a balcony or private space at ground level is desirable, adequately screened and measuring a minimum of 10sq.m in area;
- appropriate screening with hedges, walls or fencing may be necessary to ensure that the garden space is not overlooked from surrounding houses or gardens;
- Private spaces must be designed so that residents have a reasonable amount of sun/daylight. They should not be closely bounded by high wall or buildings.

The above are minimum standards. Larger garden plots will be encouraged, as they can support sustainable development by enabling residents to grow some of their own food and to compost domestic waste.

*(Source – Wrexham Neighbourhood Plan)*

#### Guidance Note 4 – Swift Bricks

Rather than 'bird' boxes, swift boxes are recommended as experience shows that they will be used by most species that nest/roost in the cavities found in older properties and mature trees.

A national standard for the design of swift boxes is currently under discussion and should be available Summer 2020. Once it's been agreed this standard should be used for all developments.

*(Source – Stephen Fitt - RSPB)*

## Housing Consultation

This survey was used to discover what building designs and building features were acceptable and unacceptable to residents for use in any future development. Although the rate of response was quite low (57 responses) they showed clear favourites and dislikes.

### a) Preferred housing styles

Sixteen house styles representing a range of established and recently-built properties from around Devon were shown to respondents, who were asked to choose their most and least favourite styles.

The two most popular house styles were numbers 1 and 3. These reflect local features such as cob and thatch, red brick traditionally used for farmers cottages and hipped roofs.



Number 3. Popular features of this house style were: traditional yet individual design, trees, railings, space between house and road, large bay windows and garage/parking space at side.



Number 1. Respondents liked the traditional style in keeping with East Devon area, cob & thatch, leaded windows, countryside/scenic views.

Other popular housing styles were numbers 12, 13 & 14:



Popular features of house style 13: open/grassed frontage, dormer/leaded windows, porches, roof, brick (and brick around window), traditional style suitable for country village, terraced.



12. Popular features were: interesting curve, terraced houses, sympathetic look and size for village, brick walls, large leaded windows, porches, quiet setting.



14. Popular features: traditional design, look & feel, brick wall, large leaded windows & bay windows, space between house and road, railings.

b) Unacceptable housing styles



Least popular was house style 6. Disliked features were: over-modern suitable only for towns or cities, overbearing, too large and expensive-looking, too much glass, roof angles, parking in front and too much hard surfacing.

House style 7 was unpopular because: modern design not in keeping with a village, too large & expensive executive-style housing, flat roof, angular, mirrored windows.



House style 16 was unpopular because: small windows, colour of brick, bland, soulless, boring, too urban.



c) Respondents were asked for the most acceptable and unacceptable for the following features:

Feature	Acceptable Options	Unacceptable Options
Materials for walls	Favourites were reclaimed and new red brick and stone and cob effect	Plastic/uPVC cladding and modern/glass and metal.
Materials for roof	Favourites were slate tiles, clay and thatch.	Least popular was metal roofs, followed by plastic tiles.
Materials for hard standing	Greencore, brick and gravel were all similarly popular.	Concrete was the most unacceptable. Some people thought gravel was unacceptable.
House frontage	Open lawns, stone walls and brick walls were most popular. Some support for privet hedging, wooden fencing, railings, shrubs; wild hedgerows and mixed hedge.	Gabions, conifer hedging, rendered walls and metal fencing.
Street aspect	Features most welcomed were wild hedgerows and Devon banks. Some support for tarmac footpaths, street lighting and cycle paths.	Least popular were bollards and shared car/foot spaces
Distance from neighbours	80% said it was very important to implement current guidance on the minimum distance between houses.	Only 1 person thought it was unimportant.

#### 7.4 Education, community facilities and leisure

Objective 4. Promote opportunities for residents of all ages to access education, community facilities and leisure within the village.

##### Education, community facilities and Leisure - Policy Overview

New development will include or contribute to the provision of recreational open space in line with standards set out by East Devon District Council's Local Plan, and in keeping with paragraph 92 of the NPPF.

Community facilities are at the heart of the parish and support many of the health, wellbeing, social, educational, spiritual, recreational, leisure and cultural needs of residents.

A host of activities take place within the community halls and churches including regular craft classes, dance and exercise classes, bowls, lunches, dinners and teas, stage plays,

etc. The playing fields are well used for a variety of sporting activities including football and cricket. For some, especially the elderly, young and those without cars, they are an essential lifeline.

The consultation process confirmed the high value placed by residents on community and recreational facilities. They have shown a strong desire to retain and improve existing facilities together with requests for the provision of additional facilities.



Harpford Hall

The importance of community facilities has been demonstrated by significant improvements which have taken place since the consultation began:

- refurbishment of Newton Poppleford and Harpford Village Halls;
- kitchen extension to the pavilion;
- firm plans to rebuild the Church Hall are now in place;
- the Playing Fields are now designated as a landing spot for the Devon Air Ambulance.

Whilst the Parish benefits from many amenities it is deficient in key areas, in particular there are few play areas for children especially to the west.

In the 2020 Youth Consultation young people requested that any funding available to the parish should be spent on improving the multi-use games area (MUGA), improved play/sports facilities such as a skate park and improving play equipment to suit a wider age range than currently provided. (e.g. an artificial, astro turfed, all weather, flat and fenced surface, lined for different sports and having flexibly positioned goals and nets for a variety of sports such as football, hockey, basketball, netball and tennis).

Existing community facilities are listed in Appendix 2.

**Policy CF1 – Protect and improve existing local community facilities, amenities and assets.**

Proposals which would result in the loss of existing community facilities, amenities and assets, including the loss of any existing sports facility to a non-sports use, will not be supported.

Proposals which seek to enhance or improve NPH parish's existing local community facilities, amenities or assets will be supported where:

- a) there is a demonstrable need for them; and
- b) they do not have an adverse impact on the special character of the area's natural and built environments.

*East Devon AONB Partnership Plan CC1 and 2  
East Devon Local Plan RC1, RC6 and RC7  
NPPF para 20 d), para 83 d), para 91 c), 92, 97 and 182*



*Children's playground near Pavilion*



*Newton Poppleford Sports Pavilion*

### **Policy CF2 - Increasing Sports and Recreation Opportunities**

Improvements and extensions to existing sports and recreation facilities that meet a proven need and increase opportunities for local people to participate in leisure, recreation, play and associated social activities will be supported provided that:

- a) they do not create unacceptable disturbance to neighbouring residential properties by way of unsociable hours and should meet Policy EP6 – “Local Amenity”;
- b) the use of any floodlighting has mitigation measures in place to protect nearby residential property and areas of nature conservation and
- c) new sites are easily accessible by sustainable means, including by public transport, bicycle, horse, on foot, by wheelchair, etc.

*East Devon Local Plan - Strategy 3 c) and RC2 25.2  
NPPF para 20 c), 83 d), para 91 c) para 92*

### **Policy CF3 – Play Facilities**

Additional play facilities for children of all ages across the parish will be supported.

## 7.5 Local Green Space

Objective 5 - Protect and enhance the provision of Local Green Spaces, including its green infrastructure and wild-life habitats, for the benefit of parishioners and the ecosystem.

### 7.5.1 Green Spaces

#### **Policy GS1 – Protection of Local Green Spaces**

The following Local Green Spaces include local amenity spaces identified by EDDC and are designated in accordance with paragraphs 99 and 100 of the NPPF:

Amenity space Category (area in hectares)

1. St Gregory's Church Churchyard and Cemetery (0.14)
2. Venn Ottery Green (0.33)
3. Turner's Close Park and Play Area (1.04)
4. Chestnut Way Park (0.25)
5. Burrow Village Green (0.10)
6. Back Lane Recreation Ground including Sports Pitches, Cricket Pitch, Tennis Courts and Children's Play Area (2.35)
7. Alfred's Gate Children's Play Area and Community Orchard
8. Badger Close Play Area (0.03)
9. Green Bank, High Street (0.03)
10. Shrubbery, Station Road, opposite Oak Tree Villas (0.01)
11. Allotments (1.28)
12. St Luke's Church Churchyard and Cemetery (0.31)
13. Venn Ottery Road Cemetery (0.11)
14. St Gregory the Great Church Churchyard (0.08)
15. Webbers Meadow (2.50)

These areas are to be retained as undeveloped land which physically links important landscape and/or open areas; the areas will be protected for their landscape, recreational and/or amenity value, as well as for benefits to wildlife.

Increased allotment provision, with improved access, would be supported.

Proposals for development of green spaces will be resisted unless they are ancillary to the use of the land as a Local Green Space (e.g. provision of toilets for green space users, sheds for allotments)

*East Devon Local Plan – EN1 (Land of Local Amenity Importance), RC3 (protection of allotments) and para's 6.17 and 18.3 to 18.7  
NPPF - 91 c), 99 and 100*

### GS1 – Policy Overview

Enjoyment of Local Green Space is nationally recognised as having health benefits for all age groups.

Newton Poppleford currently has many green spaces but many are small, few are suitable for children's play and some areas are not suitable for those with disabilities. Also our precious green spaces feel increasingly threatened by future development, especially by infill.

Development must respect the need to provide open space and links to the established footpath network around the village; what currently exists needs to be secured, maintained and enhanced wherever possible.

Green space also provide benefits in terms of flood risk management and water quality as well as improved resilience to climate change.

Appendix 4 shows how named Green Spaces meet the criteria and Appendix 6 Maps 5a and 5b show the location of Green Spaces

#### 7.5.2 Trees and Hedgerows

##### **Policy TH1 – Trees and Hedgerows**

Trees and hedgerows are valued for their habitat for wildlife, biodiversity, air purification and amenity value and should not be removed, unless there is a sound ecological or community benefit for doing so.

1. Ancient Woodland, Veteran Trees and Development:
  - a) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are exceptional reasons; and
  - b) as ancient woodland and ancient or veteran trees are irreplaceable, discussions over possible compensation should not form part of the assessment to determine whether the exceptional benefits of the development proposal outweigh the loss.
2. The woodland in the field above Down Close is regarded as an important natural feature. Any development proposals that would result in the loss, damage or deterioration of this woodland will not be supported.
3. Proposals for any development:
  - a) should include measures for the protection of existing trees/hedgerows of landscape, amenity, historic or conservation value;
  - b) where trees/hedgerows do not meet the above criteria and are proposed for removal they should be replaced by an equal or greater quantity of trees and hedgerows. Such measures should include the use of appropriate planting which can enrich the biodiversity of the area such as native fruit and nut trees and hedges;

- c) that would adversely affect existing traditional Devon hedges should demonstrate that all other options are impractical and that it is the least damaging option to the hedge, its setting in the landscape, biodiversity, geodiversity habitats and they have taken into account the most up-to-date Highways Authority standards and guidance relating to changes to hedgerows;
  - d) which adversely affect Devon banks, small areas of coppice and wildlife corridors will not be supported;
  - e) should maximise opportunities for 'greening' the built environment through planting of trees and shrubs appropriate to the local area and prevailing site conditions.
4. Proposals for major developments should incorporate the planting of additional trees and shrubs appropriate to the local area and prevailing site conditions.

*East Devon Local Plan – 17.12; D1 3d); D2 in particular 21.5 and bullet point 5; D3 and Strategy 46  
NPPF - 127 e), 150, 170 b), 171, 172, 175 c) and 181.*

## TH1 – Policy Overview

Retention of individual trees, woodlands, and hedges is a priority for the Parish along property boundaries or where they have high public amenity or ecological value.

All trees and hedges are beneficial to wildlife and help to counter the effects of greenhouse gases and carbon emissions created by the built up area. They can also help to soften the visual impact of new development and help maintain privacy.



*Turkish Oak in Harpford Village*

The narrow, winding and often sunken roads that radiate from the villages are defined by substantial hedges and banks. These extensive hedges and banks add significantly to the distinctive character of the villages and their surrounding area, and need to be protected, properly maintained, and extended where necessary.

Mature trees, substantial hedges and banks border the four village settlements and help to tie them into the East Devon AONB. These soft edges are an important part of the rural quality that characterises the perimeter of the village.

In particular Harpford Woods is a significant area of ancient woodland made up of Ancient & Semi-natural Woodland (ASNW) and Plantations on Ancient Woodland Sites (PAWS) and is specifically protected by the NPPF. (see Appendix 6 Maps 2a, 2b, 2c and 2d).

## 7.6 Local medical facilities

Objective 6. Support the provision of local medical facilities.

### **Policy M1 – Medical Facilities**

Proposals for the development of local medical facilities within the BUAB will be supported especially where they:

- a) are located close to existing community facilities such as the school or shops to help ensure good accessibility to residents without the need for a car given the inadequate transport facilities;
- b) have level access;
- c) provide the appropriate medical facilities for the community's needs.

Proposals for change of use of an existing building to deliver a health service facility that serves the needs of Newton Poppleford and Harpford parish area will be supported providing the proposals can demonstrate the site is suited to this purpose in terms of location, access, car parking and will not lead to a loss of amenity for local residents.

An upgrade of the existing surgery building would be supported.

*East Devon Local Plan – Strategy 3 c) and RC5  
NPPF para 20 c)*

### M1 - Policy Overview

Although the Parish population of approximately 2000 is set to increase with the building of 67 new houses, there is no full time medical centre in the Parish.

The Ottery St Mary Coleridge Surgery operates a satellite hub in Newton Poppleford which opens only twice a week for 3 hours a day. However, the future of this satellite hub is currently in doubt after developers withdrew their promise to build a new surgery in Alfred's Gate (applications 13/0316/MOUT and 18/2608/OUT).

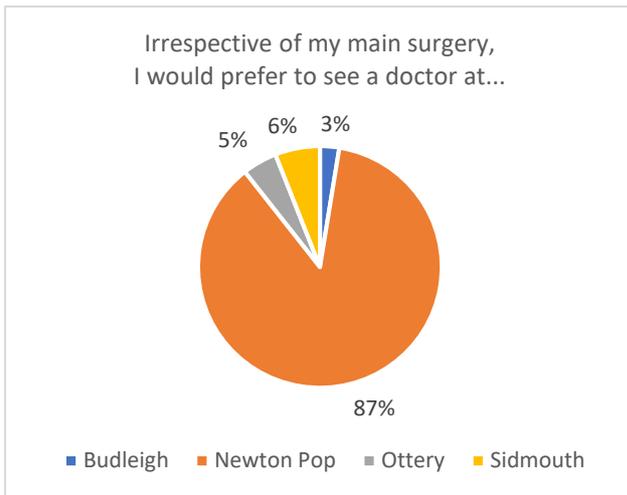
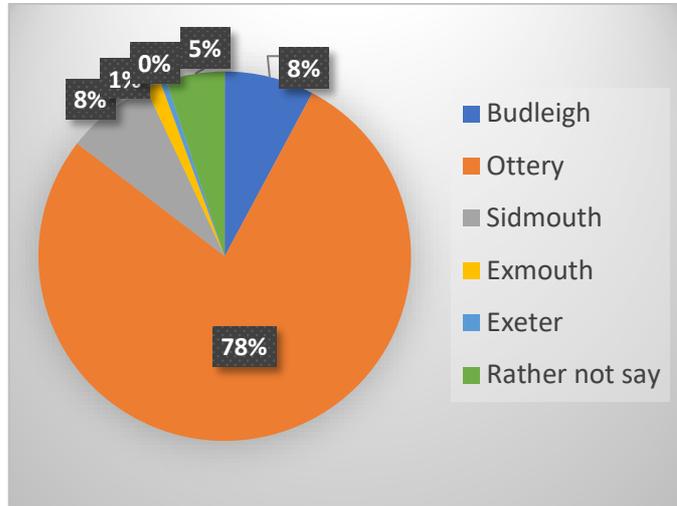
Residents currently attend either:

- a) Coleridge Surgery in Ottery St Mary – residents can get to this surgery in ½ hour if driving or cycling. However there is no direct bus so for those who must take public transport the return journey takes 3 hours and costs £13.80 for one adult and child;
- b) Sidmouth Stowford Surgery - the nearest surgery which takes only 5 minutes by car or 10 minutes by direct bus. However that surgery has currently confirmed it will not take any more patients from this Parish;
- c) Budleigh Salterton Surgery - attending this surgery takes 20 minutes by car and ½ hour by direct bus.

A survey was carried out in 2019 to gather more information about the requirement for medical facilities. 591 households (representing 1319 residents) responded; a 66% response rate.

The key findings were:

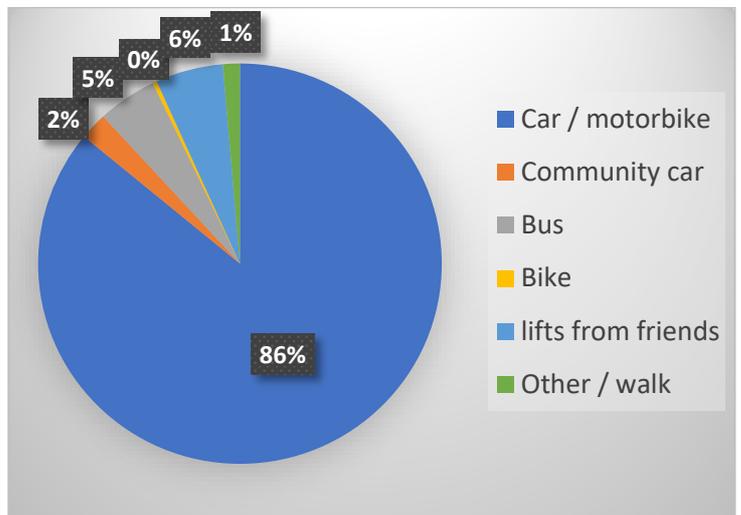
Of 591 households responding, 459 (78%) currently go to Coleridge Surgery in Ottery St Mary, with only 8% going to Budleigh Salterton and Sidmouth.



Newton Popleford is by far the most popular surgery with 510 of 587 households nominating it as their preferred first choice.

553 (of 591) households use a car to get to their surgery. It's highly likely this traffic would be taken off the road if there was a surgery in Newton Popleford.

Only 28 households use the bus. This is likely to be because the return bus fare is costly and the return bus journey to Ottery St Mary is 3 hours.



## 7.7 Employment and Business

Objective 7. To support the local economy through its existing businesses, and by encouraging new enterprises and facilities that enhance commercial effectiveness and employment opportunities.

### Employment and Business - Policy Overview

All villages in the Parish are largely dormitory in nature i.e. most of the working residents travel outside the Parish for their work.

The principal centre of work is likely to be Exeter. However, with modern communications, the trend in work location may increase the number of local and home businesses in the future.

At the time of the Community Survey, 38 responses said that they ran a business from within the Parish, including from their home. However since that time some important businesses have been lost in particular two local restaurants have closed.

The infrastructure serving villages is often poor in comparison with urban areas. Although the A3052 provides Newton Poppleford with a good road link, public transport is limited which can make it difficult for residents without a car to access work outside the parish.

Broadband and communications in villages and rural areas are often poor in terms of capacity but a recent upgrade means this is currently not a problem for much of the Parish.

Local businesses should be supported and encouraged as they help to improve the economic health of the community, and if providing employment to local people they will help to keep traffic down. The Plan will seek opportunities for those who now work locally to continue to do so.

Any business developments should be sustainable, using environmentally-favourable methods including heat recovery and ground or air source heating, sustainable urban drainage systems, solar PV and hot water, grey water recycling, and green roofs.

Appendix 6, Map 8 shows the location of Industrial Units.

### **Policy EM1 - Conversion from residential use**

The change of use of existing residential buildings, or part there-of, to small scale employment-generating uses: including E(g) (i) (offices); E(g) (ii) (research and development); and E(g) (iii) (industrial process), will be supported, provided proposals ensure that they do not have a significant adverse impact on the character and appearance of the area and are not detrimental to the amenity of neighbouring residents.

In addition, consideration should be given to additional parking requirements due to the change of use. Anticipated parking requirements and sufficient off-street parking space should be identified within any change of use application.

## EM1 – Policy Overview

Small businesses are an appropriate way to provide employment in a rural parish, which also reduces the need to commute.

Small businesses which dominate the economy of the parish do not require large numbers of people but there is limited scope to create new business premises. Therefore the change of use from residential properties to allow small businesses to set up will be supported for isolated developments where they provide additional work opportunities and do not compromise the rural setting.

### **Policy EM2 – Development of Small Business Enterprises**

New business development and uses will be supported within the Built-up Area Boundary subject to fulfilling all the following criteria:

- a) the development is in an accessible and sustainable location;
- b) the scale of development is small and proportionate to existing activity and the immediate locality;
- c) the scale and nature of the proposals would not have adverse impacts on the amenities of adjoining businesses and householders;
- d) the scale and nature of the proposals would be compatible with other land-use activities;

Developments which use sustainable forms of construction and provide energy conservation measures and renewable energy will be encouraged.

Opportunities to secure the provision of new employment locally will be supported, providing all other criteria can be met.

*East Devon AONB Partnership Plan – EQC1, 2 and 3, FLM1 and 2, RES 1, 2 and 3.  
East Devon Local Plan – Strategy 3 d), Strategy 30 and TC1  
NPPF - strategy 6, in particular para's 83 and 84.*

## EM2 – Policy Overview

There are already a high proportion of self-employed people within the parish and many businesses already exist. However there is a desire for more small businesses as these could provide local employment and are suited to a village environment.

There is a need to provide the infrastructure and start-up facilities to encourage budding entrepreneurs and small businesses, and small industrial units could boost employment.

There are many services available close by in Sidmouth and the small parish population makes some services unviable (e.g. pharmacy, leisure centre, petrol station). The logistics of other types of employment such as a call centre are also unlikely to be practical and trading estate or large rise in industrial units would not be desirable as they would increase traffic and air pollution.

### **Policy EM3 - Superfast Connectivity**

Future improvements to mobile phone reception and superfast broadband infrastructure serving the Parish will be supported where it is sensitively sited and sympathetically designed.

Suitable ducting to accommodate FTTP broadband should be provided in all new development.

Where practical, all new residential, educational and business premises will be required to make provision for the latest high-speed broadband and other communication networks.

*NPPF –Section 10 Supporting High Quality Communications;  
East Devon Local Plan Strategy 27 15.17 and Policy TC1*

### EM3 – Policy Overview

Broadband and communications in villages and rural areas are often poor in terms of capacity and coverage and this was highlighted by some local businesses as their main inhibitor during the Community Survey. However a local upgrade subsequently enabled almost all Newton Poppleford and many of the smaller surrounding villages for fibre broadband offering speeds up to 80mbps so this policy applies to future upgrades.

Although these issues are not necessary related to strategic land-use planning they can have implications e.g. mast installations.

## Appendix 1: Newton Poppleford and Harpford Neighbourhood Plan Steering Group

Membership of the Steering Group:

Cllr Val Ranger (District Councillor, Newton Poppleford and Harpford ward; Councillor, Newton Poppleford and Harpford Parish Council)

Cllr Lorna Dalton (Councillor, Newton Poppleford and Harpford Parish Council)

Cllr Matt Coppel (Councillor, Newton Poppleford and Harpford Parish Council)

Cllr Anita Kemp (Councillor, Newton Poppleford and Harpford Parish Council)

Gill Cameron Webb and Dr Emma Taylor (Steering Group co-ordination and document production).

The Steering Group was assisted throughout the process by other Parish Councillors, the Parish Clerk and many other volunteers from the parish.

In the course of its meetings, the Steering Group has also hosted a number of guest advisors to assist with creation of the Neighbourhood Plan, including Rob Longhurst, Tim Spurway, Claire Rodway, Philip Twamley (EDDC), Martin Parkes, Dawn Eckhart (Devon Communities Together).

## Appendix 2: List of community facilities and Heritage Assets

Heritage Assets are the structures or features of the historic environment which are identified as having a degree of significance meriting consideration in planning decisions (NPPF Annex 2).

### 1. Already registered as Community Assets

Asset	NEWTON POPPLEFORD	HARPFORD	VENN OTTERY
Pub (The Cannon Inn)	X		
Harpford Village Hall		X	

### 2. Grade II listed buildings

57 buildings in the Parish are protected by Grade II listing. The following were specifically identified by residents for protection.

Asset	NEWTON POPPLEFORD	HARPFORD	VENN OTTERY
Toll House	X		
St Luke's Church	X		
St Gregory's Church			X
St Gregory the Great Church		X	
Telephone Kiosk	X		
Eastern bridge over the River Otter	X		
Venn Ottery Barton			X
Elliott Farm			X
Minors			X

### 3. Non-designated heritage assets

Asset	NEWTON POPPLEFORD	HARPFORD	VENN OTTERY
Pebbled Walls	X	X	X
Victorian brick walls	X	X	X
All Trough and Pumps (e.g. 1 by Hayman's and 1 on Green Bank)	X		
All red Post Boxes, especially the Victorian one	X	X	X
Western bridge over the brook			
Red Bridge		X	
Circular brick bridge on Venn Ottery Road	X		

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War Memorials	X	X	
Milestone (by Riverside cottage").	X		
Flag Poles on Green Bank	X		
Oak Tree Garage petrol pump	X		
Public seats	X	X	X
Brick built bus shelters	X		
The wooden railings at the eastern end of Station Rd on either side of the river	X		

4. Community facilities

Asset	NEWTON POPPLEFORD	HARPFORD	VENN OTTERY
Newton Poppleford Village Hall	X		
Newton Poppleford and Harpford Primary School	X		
The Sports Pavilion	X		
The Recreation Field	X		
Webbers Meadow	X		
Flood Plain Fields	X	X	
Fields along Back Lane	X		
Allotments	X		
Harpford, Aylesbeare and Venn Ottery and Venn Ottery Hill Commons		X	X
Play Areas	X		
School Playground	X		
Southern Cross Tea Rooms	X		
Chinese Takeaway	X		
The Shop/Post Office	X		
Health – Doctors Satellite Surgery	X		
Village Car Park and toilets	X		
Public Car Parks and Toilets	X		
Village Green	X		X
Ancient Orchards	X	X	
Green Spaces	X	X	X

## Appendix 3 Natural Features to be Protected

The following table presents all the natural features that respondents suggest should be protected in the parish (re: Community Survey Question 4.6)

Access to the Orchard form Back Lane
Ancient orchard land adjacent to Down Close currently protected by TPO. The apple trees have been recognised as an important wildlife habitat
Although not 'natural habitat' the old pebble wall in seniors farm which houses many wild birds, animals, including collared doves.
Try to protect hedgerows
See my answer to 4.1. There are trees and an orchard behind Down Close which need protecting. Orchards behind Back Lane. Woods/copse behind Badger Close. Any trees along the River Otter + Back Brook.
Land above Down Close. Old orchard and natural habitat
The two wonderful oak trees outside 2and 3 'Sunnyside', Back Lane. Natural wooded open space on old railway station land
There's a lovely area at the side of the footpath - looks like an orchard/picnic area. Great for families. Don't know what it's called as I've only lived here since July.
There are two sets of trees in the land opposite Browning's farm in Southerton they have been planted on such a way that they form an impressive Skyline vista when seen from a distance away - all the same height and type.
The Orchards/Aylesbeare Common/Harpford Woods, Flood Plain Meadows along Back Brook and streams coming off Woodbury Common - valuable habitats. Providing both shelter and protection for varied species but also have amenity and practical value for us e.g. flood plains prevent flooding further downstream.
Trees along foot path behind Capper Close from School Lane to the Toll House. All trees in the area to be built on up from King Alfred's Way. Really all trees and hedgerows need a preservation order on them. More trees need planting especially along the edge of playing fields.
The problem of Himalayan Balsam is the whole parish needs tackling urgently; Back river (also known as Back Brook) particularly.
Area either side of footpath from Back Lane up to orchards.
Oak on church green.
All mature trees in and around village be they private area or not.
Copse on left hand side of Littledown lane and trees on Neighbouring land and

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surrounding Back Lane recreation area
Webbers meadow the fields in the middle of high street and back lane. Leave them alone - no more building on our green spaces.
Tree in front of Luttrell House, Harpford
All existing countryside.
Large oak tree on the path from King Alfred Way round the back, leading to school lane.
Walks from Little Down Lane heading to Woodbury Common.
Land at rear of Down Close
land at rear of Badger Close
All existing hedgerows should be protected. Orchards below Glebelands beside footpath.
Brook Venn Ottery Road.
People need protection from cattle and horses on common
Would be happy to see T.P.O's on all trees/hedgerows/orchards in and around all fields neighbouring the village boundaries
The Orchards behind back lane. The Orchard behind Down close. All the trees and hedge rows are important to the A.O.N.B.
All existing hedgerows, orchards, natural habitats should be protected
We should try to preserve what we can
All footpaths should be protected, together with the views that they afford. This would impact upon local planning applications where there might be a risk of imposing structures overlooking such footpaths. This is important in the designated AONB
Oak tree end of Burrow Close (dead end)
Think all the trees and hedgerows in the parish should be kept as they keep the village looking rural. any developments must retain these (e.g. no hedges to be taken down to install garden fencing)
It is vital that all native trees and hedgerows are protected
Harpford area including all trees on common
TPO trees outside the church - historic value
The wood on the hill west of Littledown Farm is slowly being cut down - caravans are being left in the wood. This is an AONB area and it is being spoilt as a lovely feature on the skyline

The line of poplar trees going through the orchard. The trees on the green next to the brook on the path that goes alongside the playing field. The big oak tree by the Church
The fields at the back of King Alfred Way NP
The big willow at the bottom of Back Land – TPO
Turkish Oak in the front garden of Luttrell House
NP War Memorial tree
Along footpaths, riverbanks, generally AONB e.g. Hunger Hill Common
All of them there are not enough buildings
Orchards as well as trees, on both sides of Otter Valley should be preserved and protected as part of AONB
Everywhere by default and then decide on a case by case basis
Trees, land, hedgerows, habitats (from Bowhayes Farm) from the land opposite Bowhayes Farm along the valley down to Tipton St John
Oak trees on Venn Ottery road, particularly the large one near cemetery - it is an ancient tree
The trees on the church green
Orchard to left of footpath beyond Millmoor Vale, which I understand is joint owned by several people, but would like to see taken into community ownership if ever considered for development and therefore needing protection
Cotmaton
Harpford woods - areas of ancient woodland with bio diversity that cannot be replaced
Former orchard at rear of Dawn Close; proven valuable habitat for variety of wildlife, insects etc. TPO's already in existence. Area needs to be protected
All the hedgerows within areas of AONB
The tree on the green near the church
All orchards
Mature oak tree in Webbers Meadow, all trees in green separating Lark Rise & Beach Brook. all nature trees (including trees (including dead areas) in field north of Red Bridge
Everything we can
the public right of way at the top of the lane accessed from Otter Reach. This leads to a lovely walk through fields to Otterton

King Alfred Way fields, hedgerows, trees given planning permission. Clash of interests as Clinton Estate Forestry Manager John Wilding is also Chairman of the AONB Partnership.
The willows along the A3052 near Station Road that form the most wonderful colour in the spring and all the other trees and hedgerows in and around Webbers Meadow
Harpford Woods - protecting the natural woods and keeping the path clear and walkable. Cleaning out the stream/river through Harpford Woods to prevent flooding lower down (Harpford), We would like to see a preservation order on the Red Oak at Lutterell House/Boughfield. This is a magnificent tree specimen and well worth preserving for future generations
Oak tree outside Luttrell House on Higher Way, Harpford
Large tree in front of NP Church on small green triangle of land
The government was trying to retain old orchards but if houses need to be built they are destroyed with absolutely no comeback

Appendix 4: Green Space Validation

Name of Green Space	(a) accessible by foot for the residents it serves	*(a) community amenity, accessible by foot for most and short car journey for others	(b) Special to community/local Significance	(c) size in hectares	(c) Local in Character
St Gregory's Church Churchyard and Cemetery	Yes		Natural green space. Historic significance, tranquillity and wildlife	0.14	Local burial ground for all parishioners
Venn Ottery Green	Yes		Peaceful, natural shared open space. Recreational value for residents	0.33	Area is close to the residents it serves
Turner's Close Play Area and Park	Yes		Open space with beautiful views. Recreational value for children's play. Park for resident's relaxation.	0.14	Area is close to the residents it serves
Chestnut Way Green	Yes		Open natural space with recreational value for residents and tranquil stream	0.25	Area is close to the residents it serves

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Burrow Green	Yes		Open space, recreational value for residents with wonderful views	0.10	Area is close to the residents it serves
Back Lane Recreation Ground including Cricket Pitch, Tennis Courts and Children's Play Area		Yes	Recreational value for numerous outdoor sports, children's play and village events such as fetes. Open green space bordered by stream with magnificent views.	2.35	Used by local people for playing all manner of outdoor sports (e.g. cricket and football) and for children's play and resident seating
Alfred's Gate Children's Play Area and Community Orchard. Note that this space will be completed in 2020	Yes		Recreational value for children's play and for all residents for fruit growing	Yet to be built	Area is close to the residents it serves
Badger Close Play Area	Yes		Recreational value for children's play. Pleasant views.	0.03	Area is close to the residents it serves
Green Bank, High Street	Yes	Yes	Grass bank with flowers	0.03	Enhances the street scene for locals and visitors
Shrubbery, Station Road, opposite Oak Tree Villas	Yes	Yes	Shrub and flower bed	0.01	Enhances the street scene for locals and visitors

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Allotments		Yes	Growing food. Tranquillity and wildlife with superb views	1.28	Allotments used only by local people
St Luke's Church Churchyard and Cemetery			Open green space. Historic significance, tranquil area	0.31	Local burial ground for all parishioners of many faiths
Venn Ottery Road Cemetery	Yes		Tranquillity	0.11	Local burial ground for all parishioners of many faiths
St Gregory the Great Church Churchyard	Yes		Historic significance, tranquillity and wildlife. Natural green space with delightful views over river valley.	0.08	Local burial ground for all parishioners
Webbers Meadow fields		Yes	Natural/Semi-Natural Open Space bordering river otter. Recreational value for walking, dog walking, picnics and play. Rich wildlife with breath taking views	2.50	Community fields used by local people for dog walking, playing and picnics

*\* Newton Popleford is 1.8km long therefore some green spaces which serve the whole community (e.g. cricket pitch) will inevitably be closer to some residents than others*

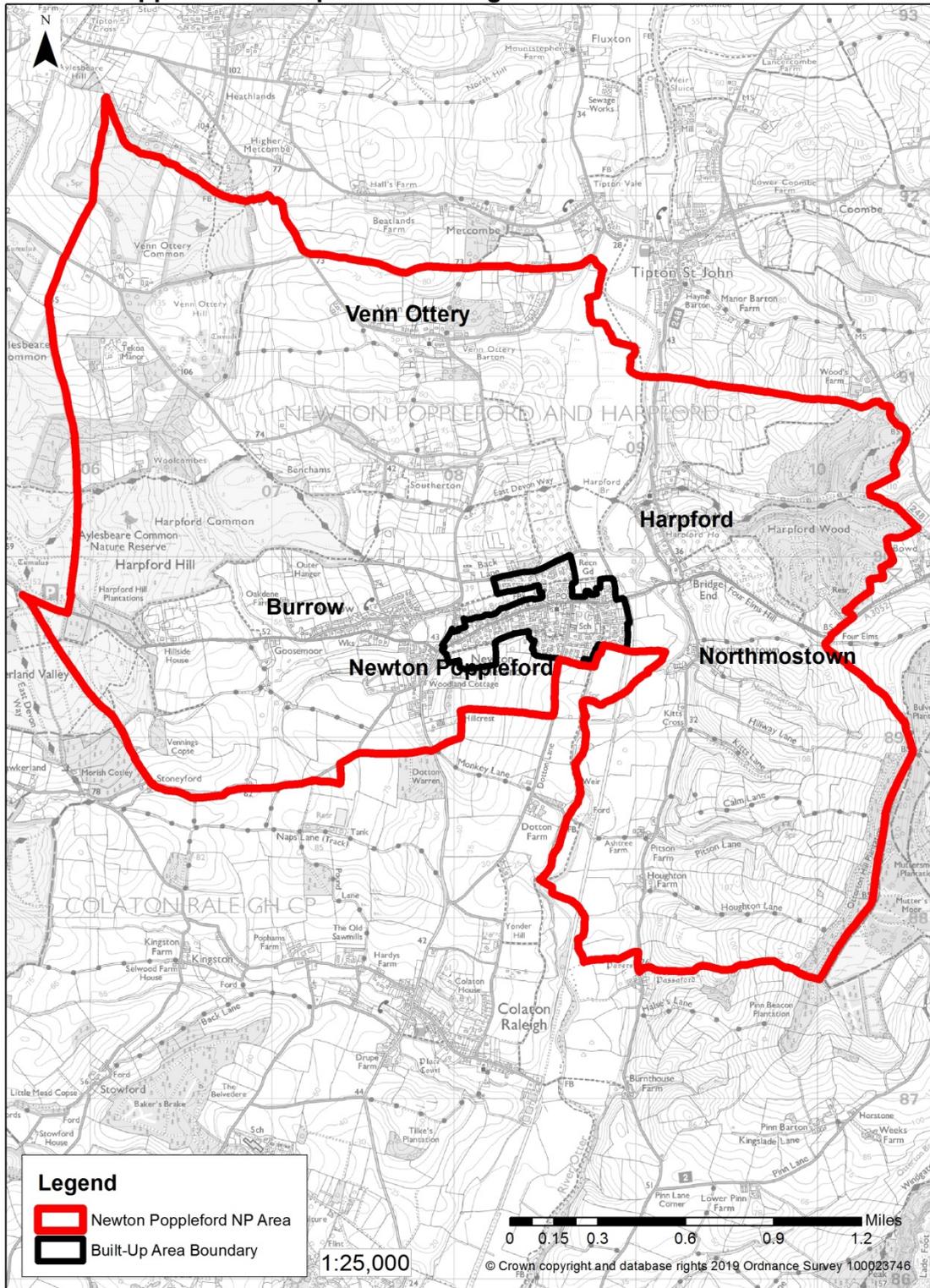
## Appendix 5: Timeline of Neighbourhood Plan

Consultation has been a vital aspect of Newton Poppleford and Harpford’s Neighbourhood Plan to ensure that all relevant parties have had the opportunity to provide their views during the preparation of the Plan. The following table is a summary of the key events which have been undertaken by the Neighbourhood Plan Steering Group, including a look forward to the eventual adoption of the Neighbourhood Plan.

Task	Date
Parish Survey (Filling in the Picture)	November 2011
Parish Plan	2012
<b>Community Consultation</b>	
Pavilion Open Days	2014
Built-up Area Boundary Consultation	2015
Village Fair/Fun Day	September 2015
Coffee Mornings and club events	2015
Queen’s Birthday Celebration	June 2016
Popstock	2017
<b>Community Survey</b>	
Create Questionnaire	September 2016
Issue Questionnaire to Parish	October/November 2016
Analysis of Final Report	June 2017
<b>Further Surveys</b>	
Housing Needs	January 2017
School	July 2017
Business	August – September 2017
Housing Styles	August 2017 - February 2018
Medical Facilities	April 2019
Youth Consultation	January 2020
<b>Create NHP</b>	
Define Policies	September – December 2018
Draft Plan	March - May 2019
NHP Reviewed & Revised by Parish Council	June 2019
NHP Reviewed & Revised by EDDC	July - September 2019
Basic Conditions and Consultation Document	September 2019
Updated NHP Reviewed and Revised by EDDC	October 2019
Pre-submission Consultations by Steering Group (6 weeks) and EDDC (6 weeks). Public and Statutory bodies consultation	October 2019 - April 2020
Cabinet agreement	July 2020
NHP Reviewed and Revised by the Inspector	August/ September 2020
Public Referendum	May 2021
Final NHP issued to Parish	May 2021

Appendix 6: Maps  
Map 1a

**Newton Poppleford & Harpford NP - Neighbourhood Area**



## Map 1b Newton Poppleford and Harpford's Built-Up Area Boundary

Newton Poppleford and Harpford falls within Strategy 27 of EDDCs Local Plan and the Built-up Area Boundaries of the Strategy 27 communities were the subject of a Villages DPD examined by a Planning Inspector in November 2017.

The Built-up Area Boundary was based on a detailed assessment and supporting evidence and was subject to a Planning Inquiry, following which it was adopted in 2018. Given the topography and layout of the village, as well as considering the built-form, character and setting of Newton Poppleford, an assessment was also undertaken of walking distance and ease of walking, especially in respect of access for the disabled/those with limited mobility and for parents/carers looking after children (for example pushing a buggy). This information was used to inform land areas recommended for exclusion from the Built-up Area Boundary on the basis of constrained pedestrian accessibility.

The village extends for around 1.8 km (1.1 miles) from east to west and the majority of services and facilities are located in the east. The lack of footways on the A3052 near its junction with the B3178 and the limited alternatives for pedestrian access from that part of the village to the west of this point limit the appeal to pedestrians of accessing the facilities on foot. This was a critical issue in an appeal for new housing off Down Close, the Inspector concluding that 'the narrow road and lack of pavements on the High Street, east of its junction with Exmouth Road, make it an unattractive and substandard route for pedestrians and, since it is the busy A3052 Exeter-South Coast road, for cyclists too'. The appeal for Badger Close also cited this reasoning in addition to the adverse effect on the AONB.

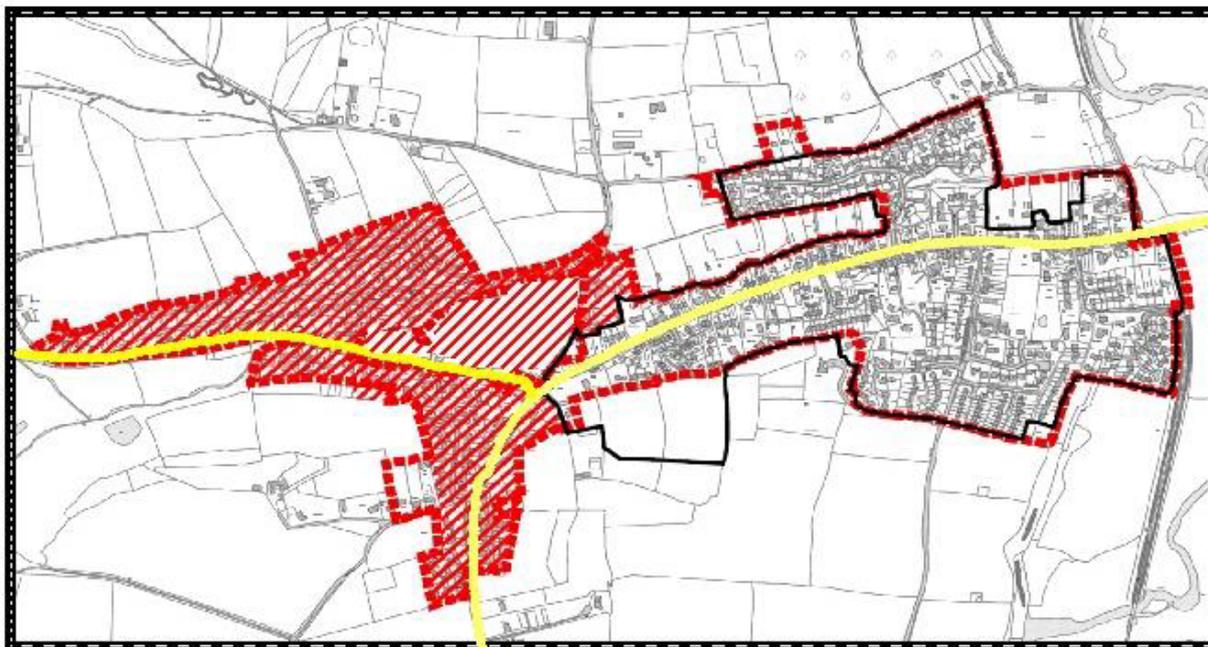
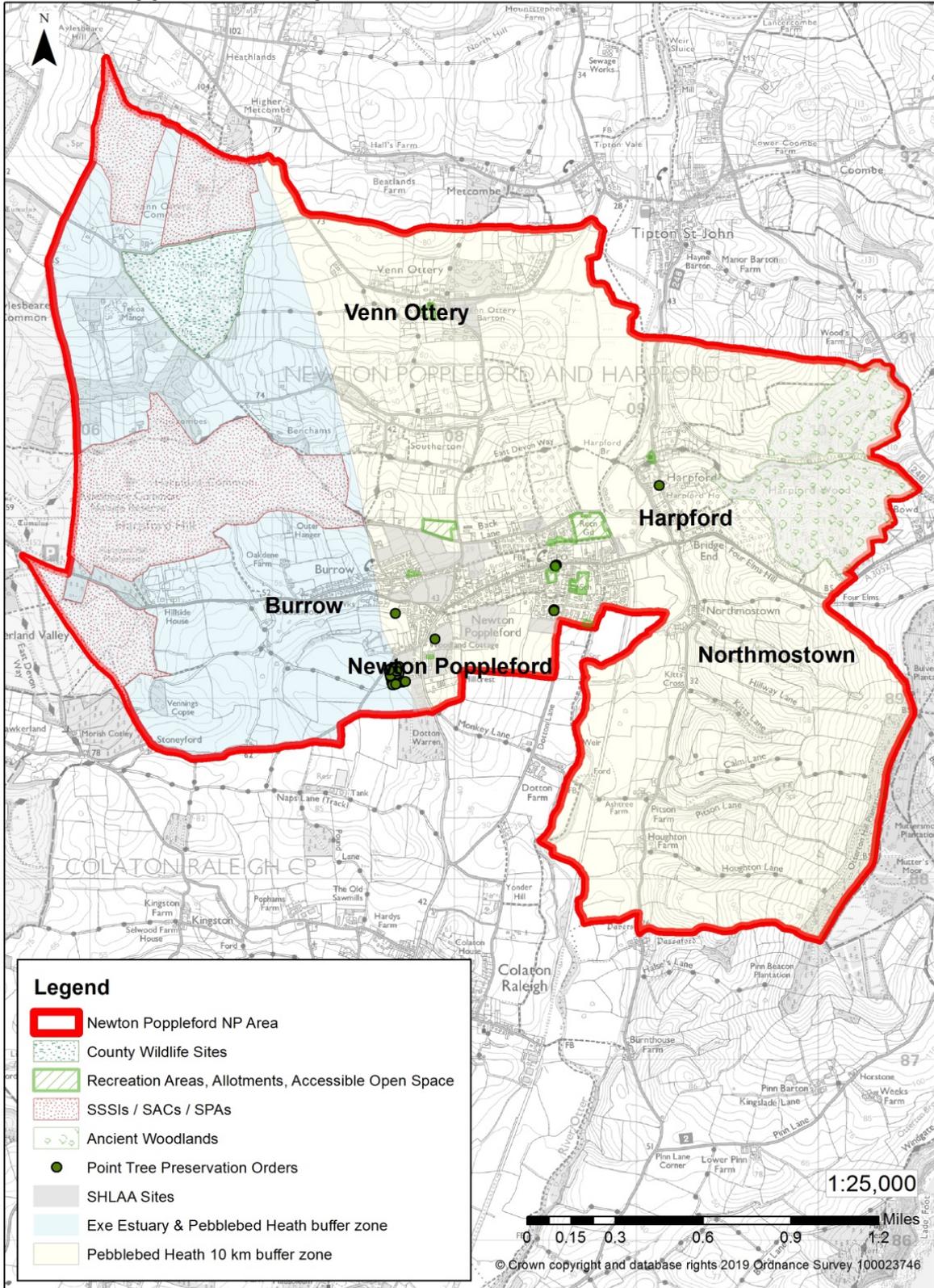


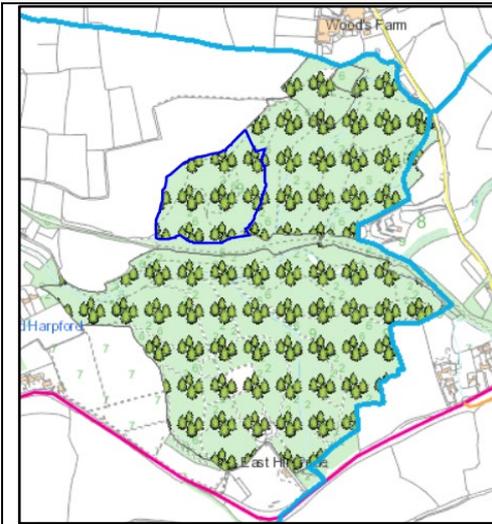
Figure 1 The solid black line shows the new Built-up Area Boundary approved in the July 2018 EDDC Villages DPD. The red hatched areas show the area newly excluded from the Built-Up Area Boundary.

Map 2

Newton Poppleford & Harpford NP - Environment



## Maps 2a, 2b, 2c and 2d – Harpford Woods, Ancient Woodland



Map 2a



Map 2b



Map 2c



Map 2d

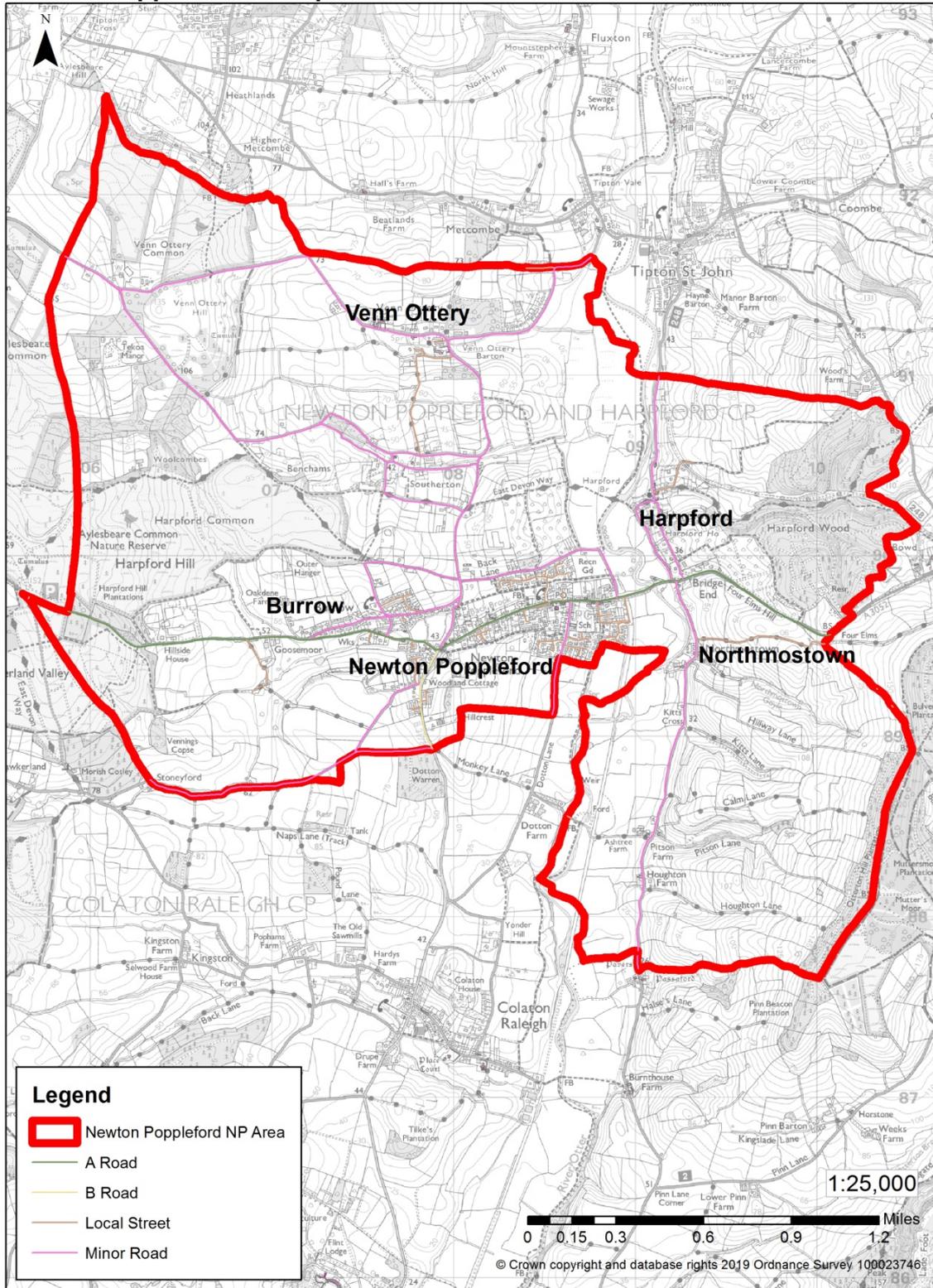
— Ancient Woodland to be protected. Maps 2a&2b show Ancient and Semi Natural Woodland, maps 2c&2d show Ancient Replanted Woodland

— Parish Boundary

— A3052

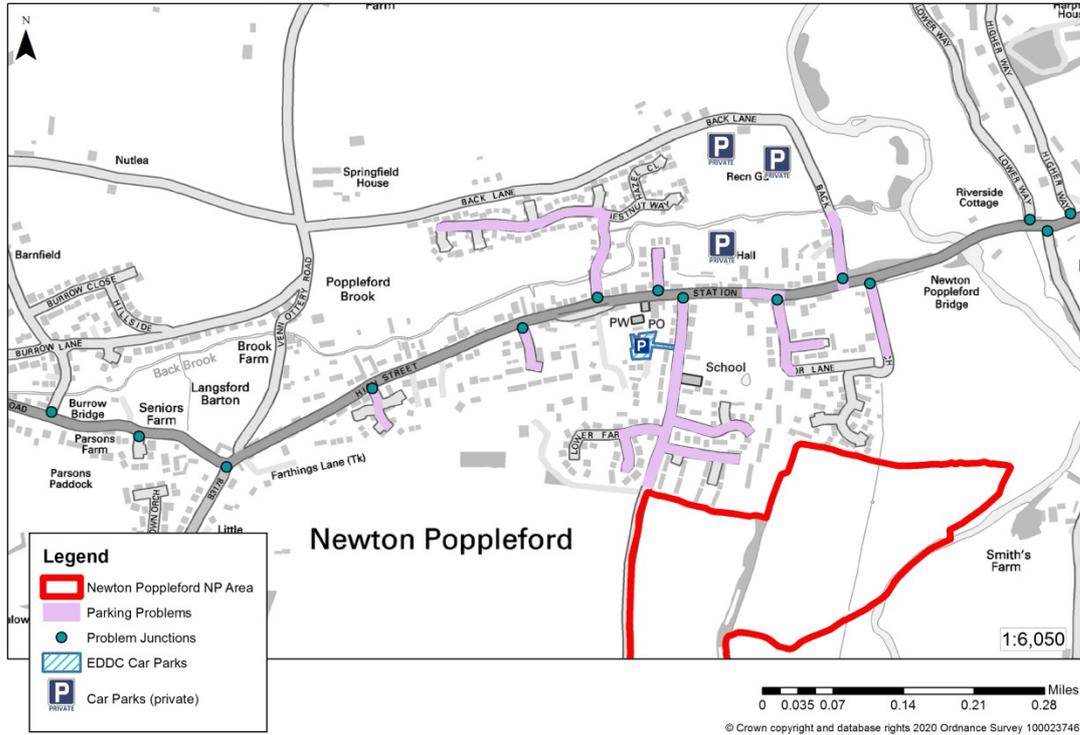
# Map 3a

## Newton Poppleford & Harford NP - Traffic



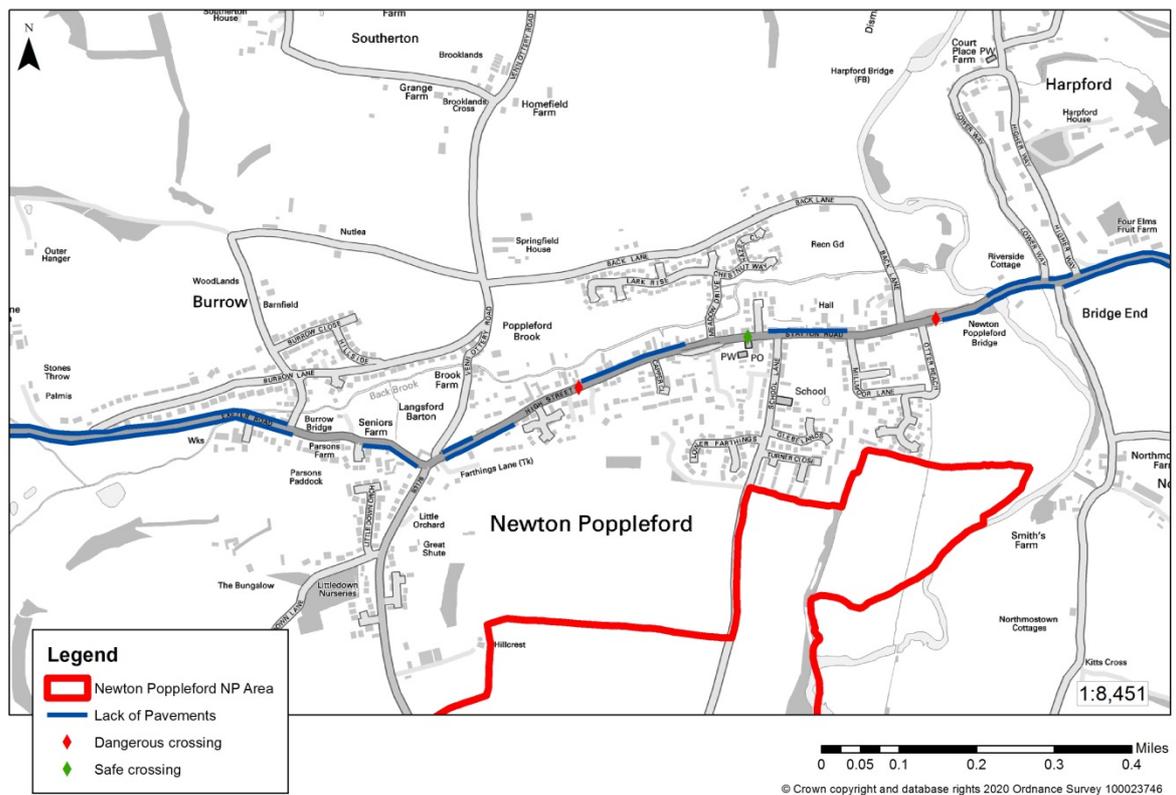
### Map 3b

Newton Popleford & Harpford NP - Parking & Problem Junctions



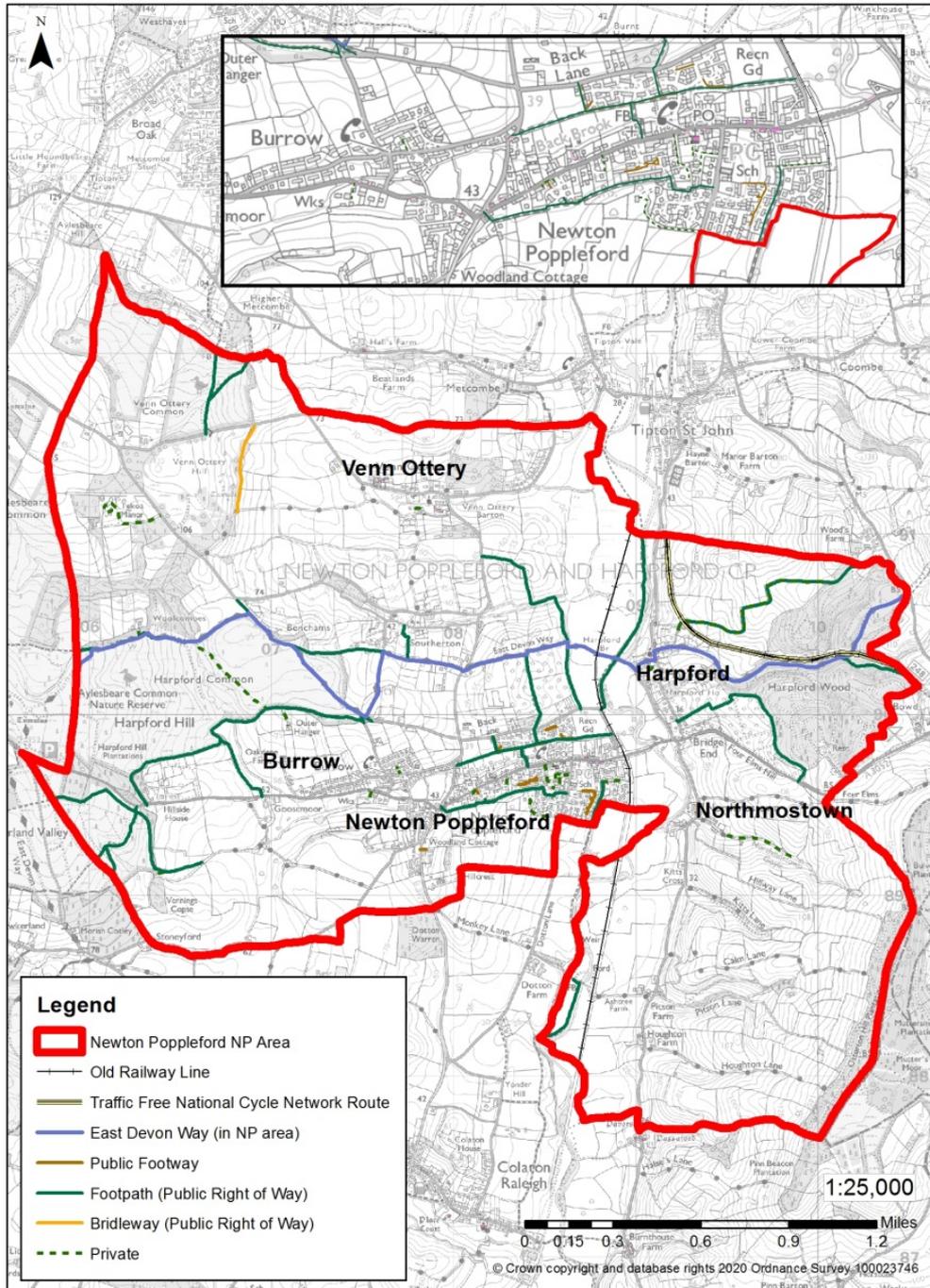
### Map 3c – Lack of Pavements and Crossings on A3052

Newton Popleford & Harpford NP - Lack of Pavements in Dangerous Areas and Crossings



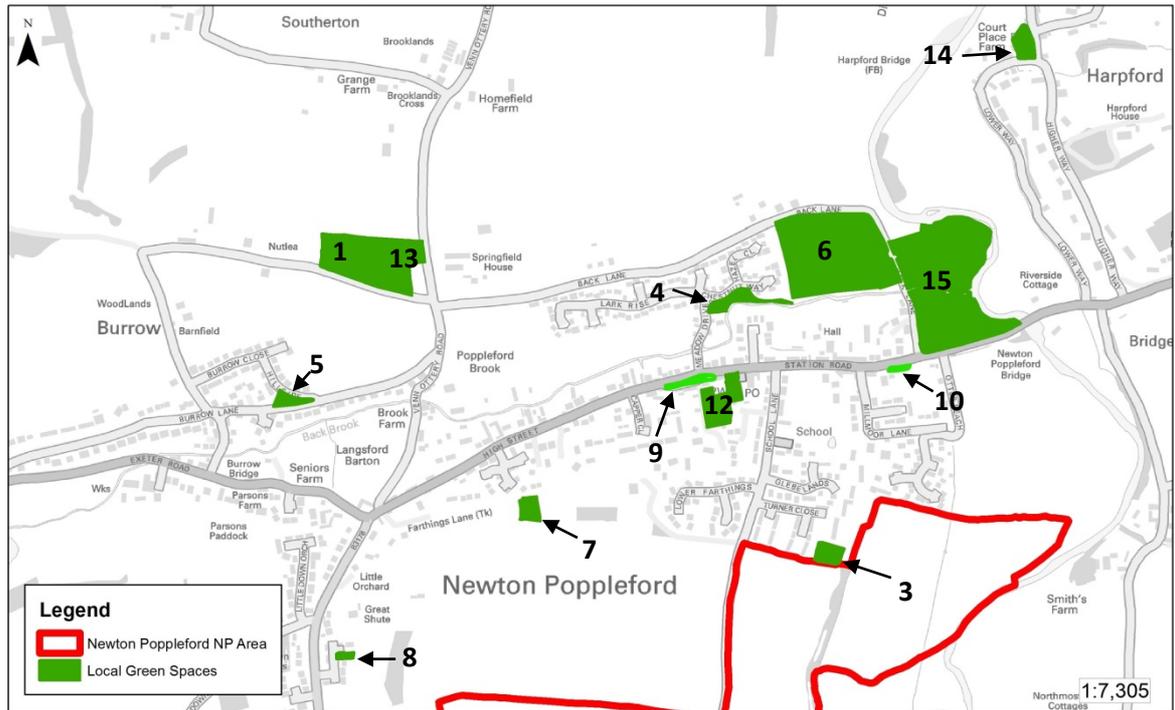
Map 4

Newton Poppleford & Harford NP - Footpath Infrastructure including old railway line

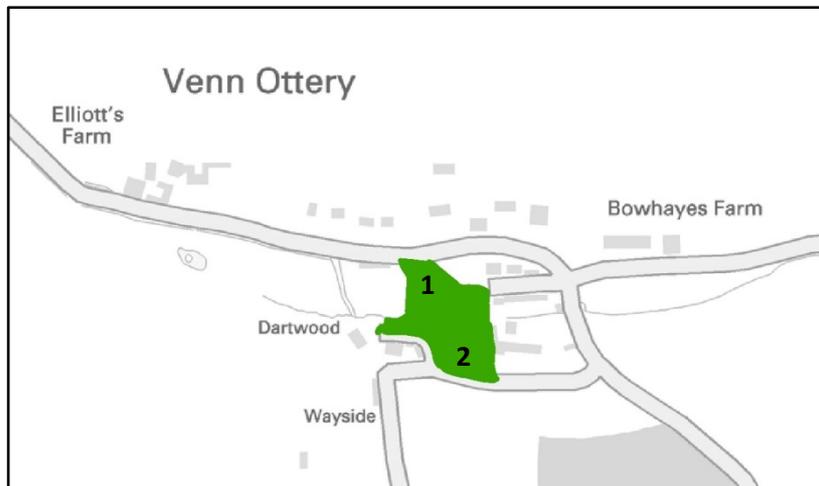


## Map 5a – Newton Poppleford and Harpford Green Spaces

### Newton Poppleford & Harpford Local Green Spaces



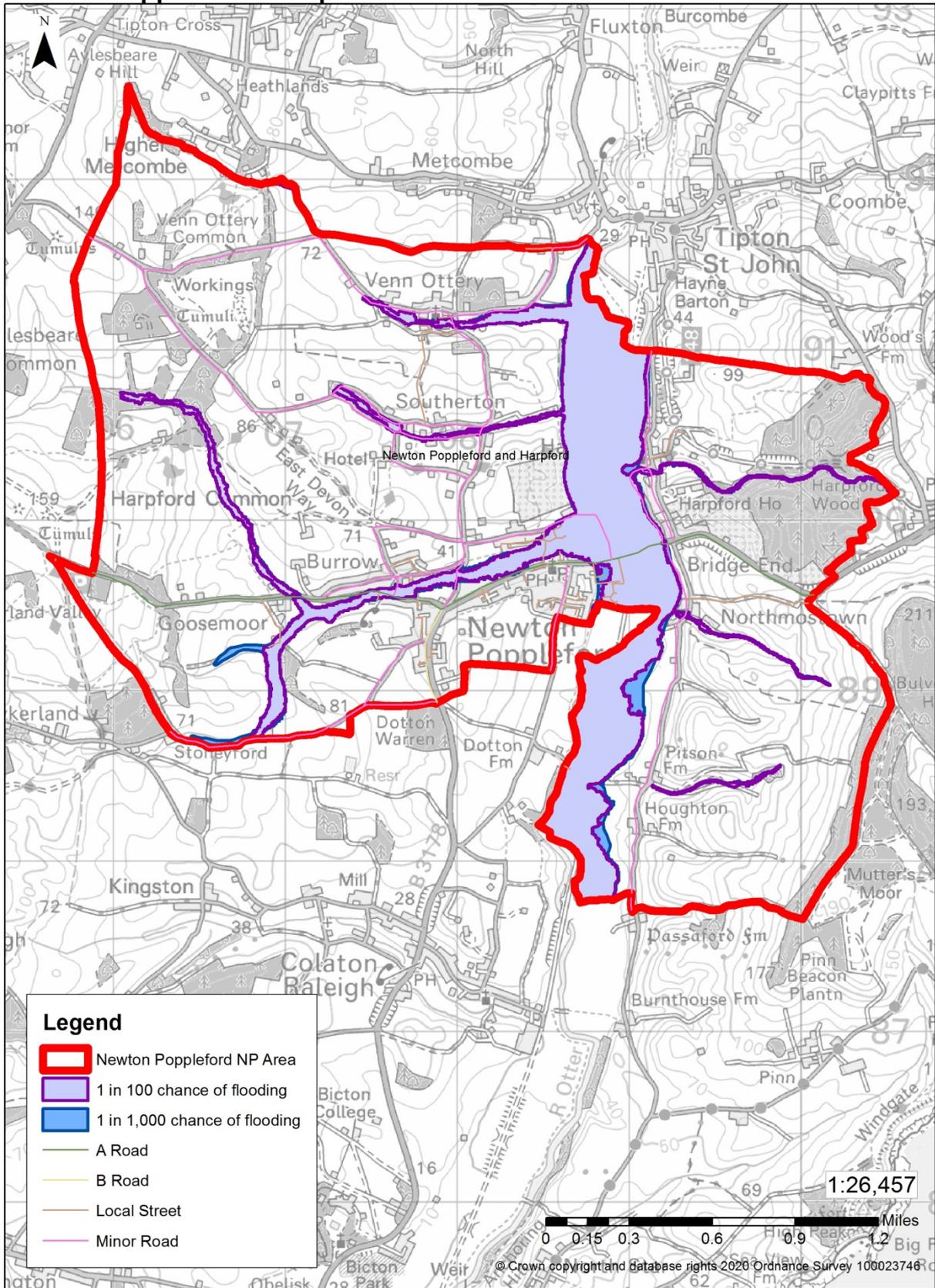
## Map 5b – Venn Ottery Green Spaces



1. St Gregory's Church Churchyard and Cemetery	6. Back Lane Recreation Ground including Sports Pitches, Cricket Pitch, Tennis Courts and Children's, Play Area	11. Allotments
2. Venn Ottery Green	7. Alfred's Gate Children's Play Area and Community Orchard	12. St Luke's Church Churchyard and Cemetery
3. Turner's Close Park and Play Area	8. Badger Close Play Area	13. Venn Ottery Road Cemetery
4. Chestnut Way Park	9. Green Bank, High Street	14. St Gregory the Great Church Churchyard
5. Burrow Village Green	10. Shrubbery, Station Road, opposite Oak Tree Villas	15. Webbers Meadow

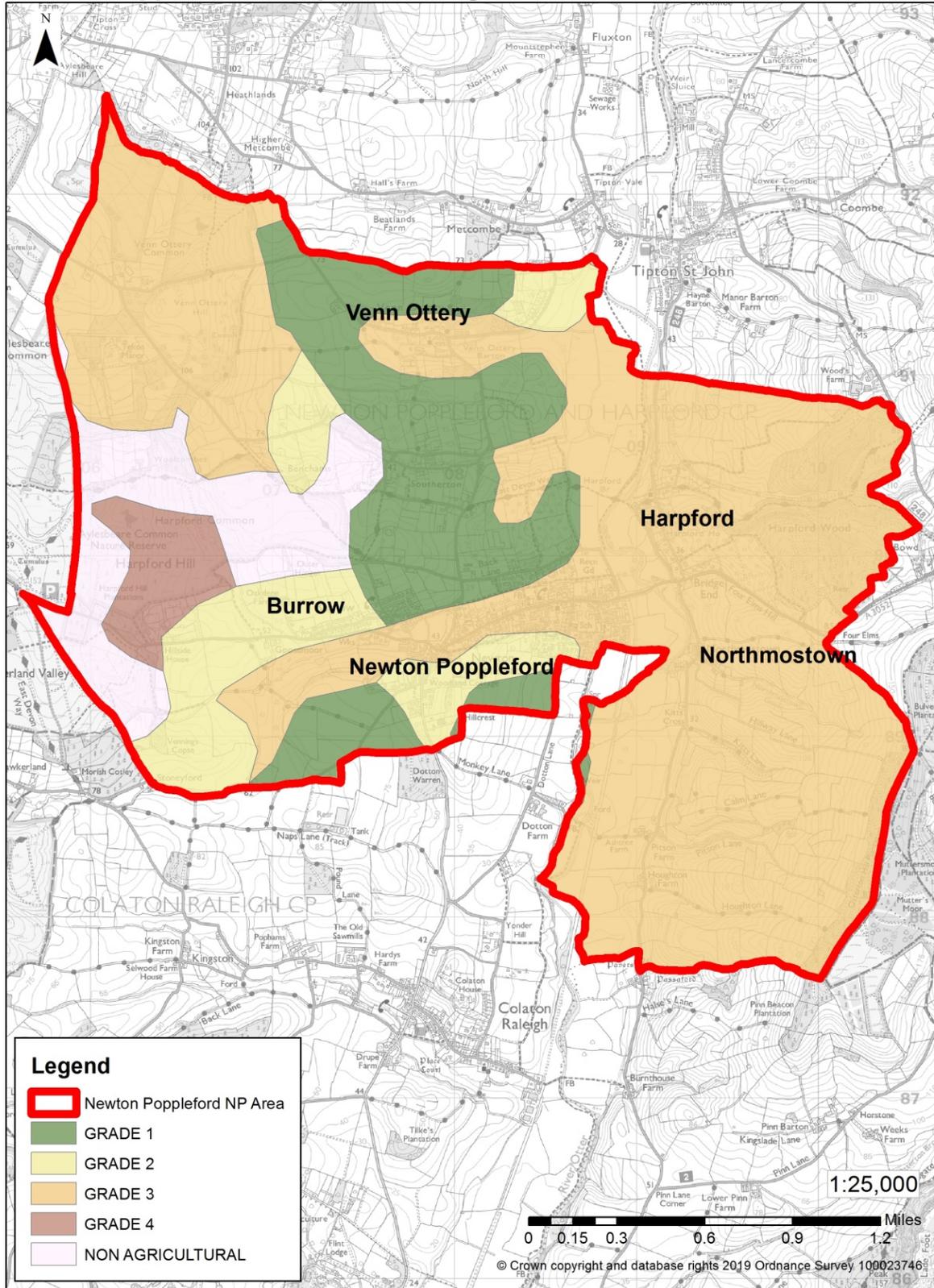
# Map 6

## Newton Popleford & Harford NP - Flood Zones



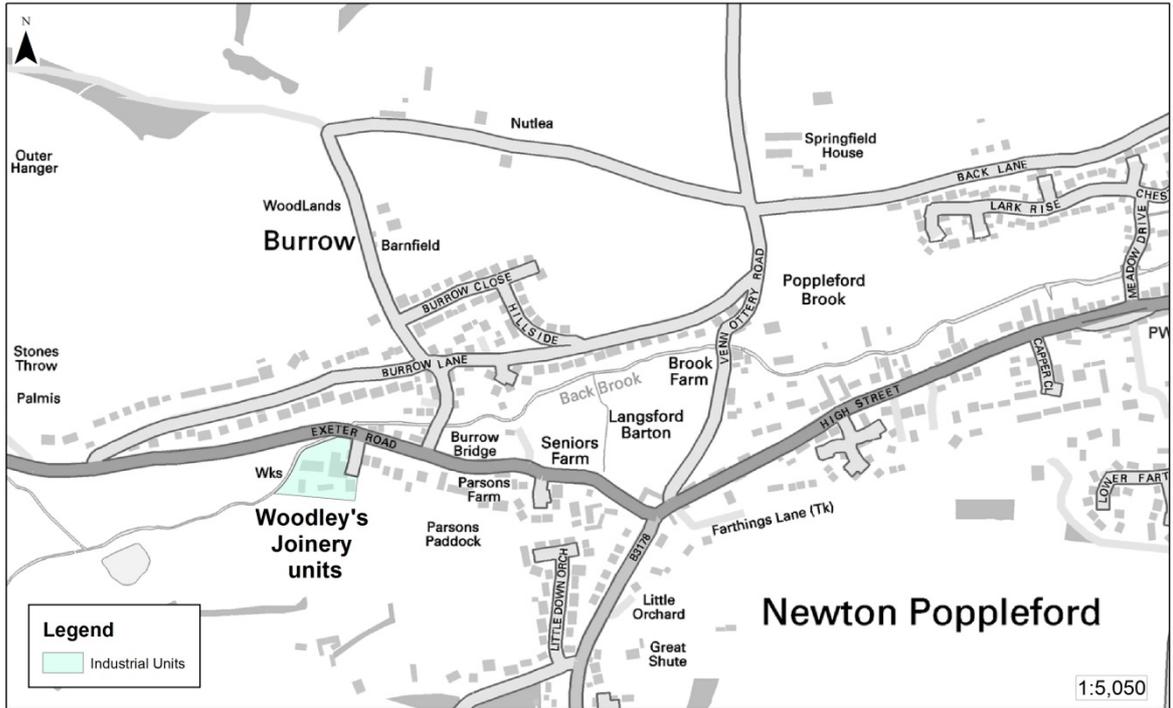
# Map 7

## Newton Popleford & Harpford NP - Agricultural Land Classification



# Map 8

## Newton Poppleford & Harford NP - Industrial Units

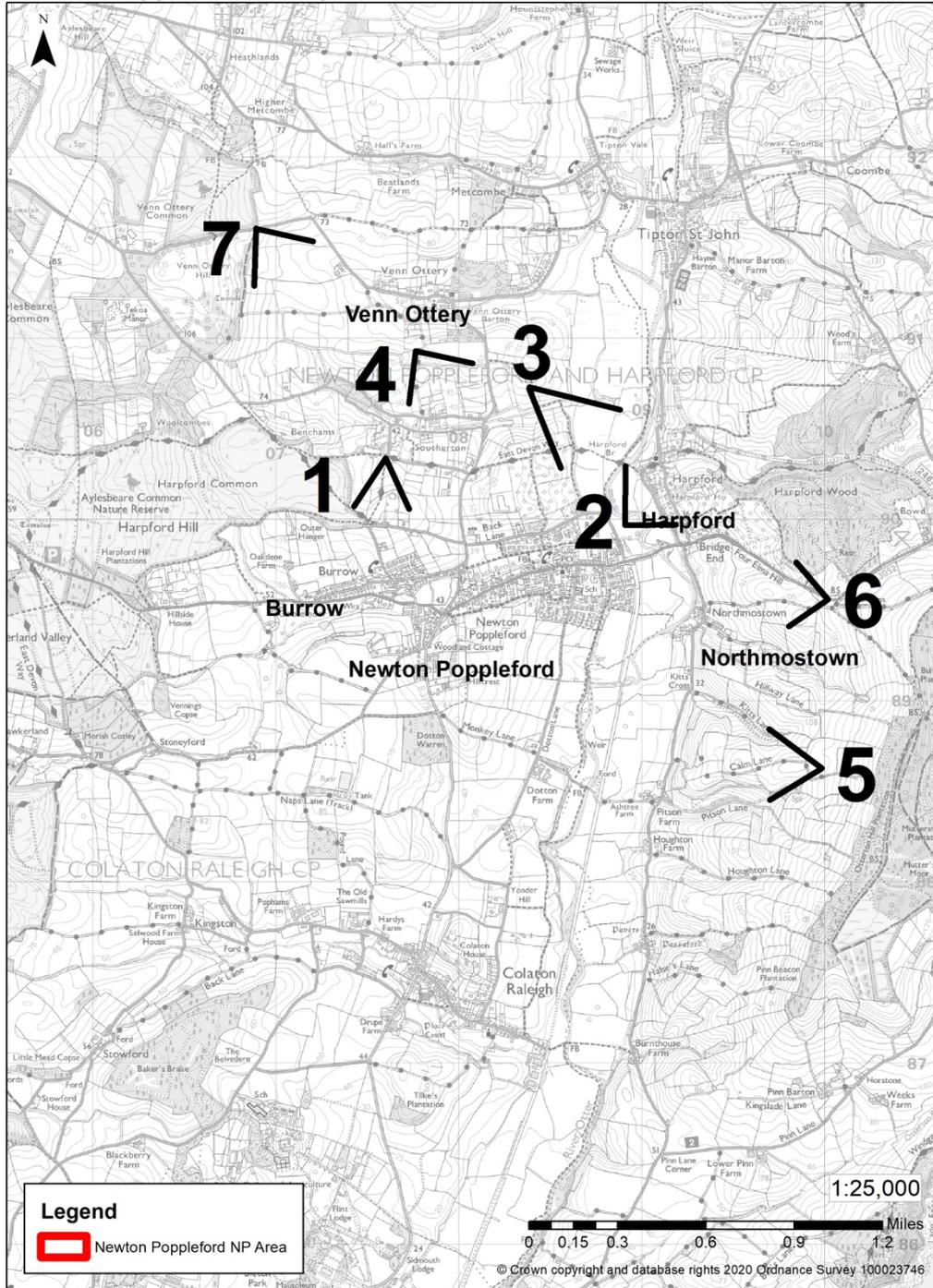


0 0.03 0.06 0.12 0.18 0.24 Miles  
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## Map 9

Seven sample views are illustrated in this appendix but because the Parish lies in the East Devon AONB, in a valley surrounded by hills, there are expansive views in all directions from almost everywhere in the parish.

### Newton Poppleford & Harford NP - Cherished Public Views



1. View south from East Devon Way



2. View east from Webbers Meadow



3. View south from orchards to Harpford



4. View east from Venn Ottery Road



5. View west from Bulverton Hill



6. View west from A3052

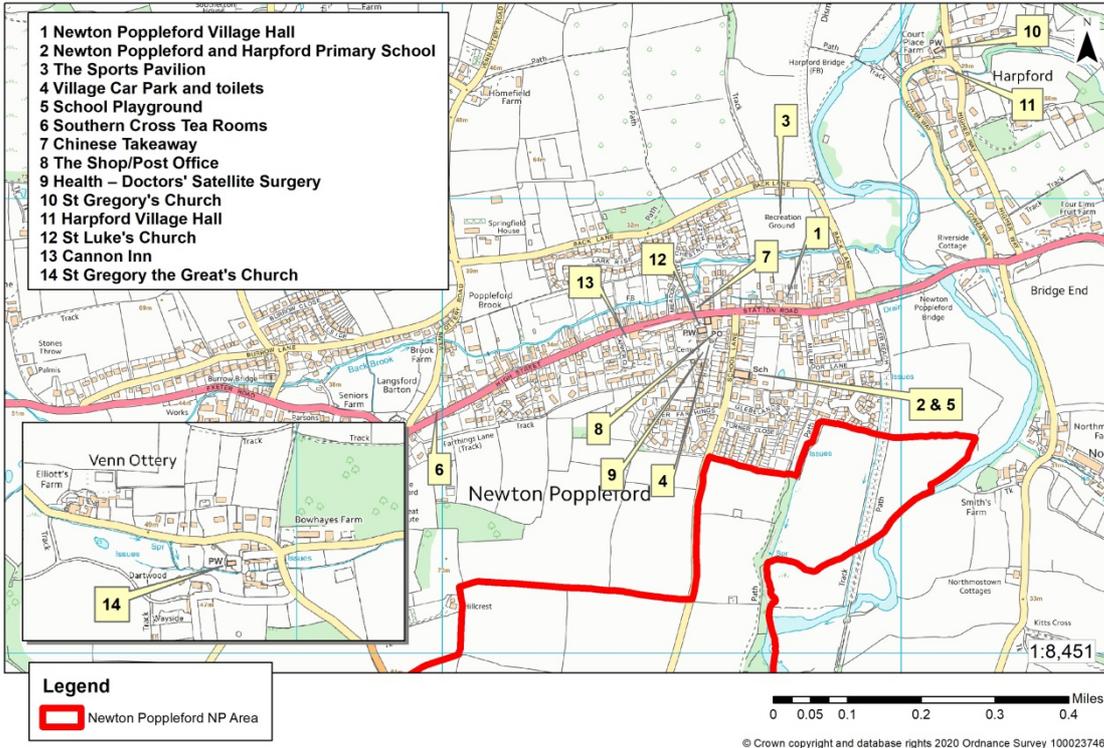


7. View east from Venn Ottery Common



# Map 10

## Newton Popleford & Harford NP - Principal Facilities and Services



Appendix 7: [Community Policy Justifications](#)

Pre Submission Regulation 14 of the Neighbourhood Planning Regulations 2012 - Comments received from Statutory Bodies and the Community during Pre Submission are contained within the Consultation Statement

Policy	Justification
<a href="#">Strategic transport network</a>	
T1	<p>Community Survey:</p> <ul style="list-style-type: none"> <li>- 86% (329 of 381) of responses to the Community Survey agreed that parking was an issue in the village;</li> <li>- 18% (64 of 356) households use on-road parking;</li> <li>- additional public car parking is favoured by 123 people (30% of 376), especially behind the church, by the school and by the playing field;</li> <li>- 272 (72% of 378) support more car parking for visitors to use services and shops that do exist in the parish (e.g. laybys).</li> <li>- 37 (10% of 346) have some form of mobility issue in relation to parking.</li> </ul> <p>Housing Style Analysis:</p> <p>When asked for parking solutions:</p> <ul style="list-style-type: none"> <li>- the most popular option was for driveways followed by garages and car ports;</li> <li>- on-street parking was unacceptable to the largest number of respondents and was the first choice option of 'no' respondents;</li> <li>- if parking for a group of properties is to be clustered, respondents preferred allocated parking spaces rather than a shared car park;</li> <li>- the most common responses were for a minimum of 1 and 2 car parking spaces for 1-bed, 2-bed and 3-bed houses respectively. For 4+ bed houses, the most common response was 2 spaces, but the middle value was 3 spaces;</li> <li>• responses ranged from 1-3 spaces for 1-bed and 2-bed houses, 2-4 spaces for 3-bed /houses and 2-5 spaces for 4+-bed houses.</li> </ul>

	<p>There were many objections to application 18/2016FUL (2 houses at Highlands, Capper Close) concerned about the provision of insufficient new parking and the loss of existing parking. Objections to 18/1688/FUL (1 Hillside) also concerned insufficient new parking.</p>
<p>T 2</p>	<p>School Consultation - traffic calming is an essential requirement to encourage children to walk to school and more pelican crossings are needed, especially near Pride Hairdressers/King Alfred Way.</p> <p>Business Consultation – maintaining a good and safe flow of traffic through the village is essential to help business; traffic flow should not be restricted.</p> <p>Community Survey:</p> <p>A) Of 381 who responded, 329 (86%) agreed with a list of conclusions drawn from the research prior to the community survey:</p> <ul style="list-style-type: none"> <li>• roads are dangerous (speeding, footways) – retain and maintain existing pedestrian footways and improve where possible</li> <li>• improved consideration of pedestrian and cycle safety is essential</li> <li>• traffic control through Newton Poppleford and the wider parish is needed</li> <li>• accessibility to amenities, particularly for disabled users, should be improved</li> <li>• car parking issues should be addressed</li> <li>• public transport should be cheaper and serve more destinations</li> <li>• links between the parish villages must be maintained</li> <li>• positioning of bus stops should be reviewed (note - Harpford Bus Stop now moved);</li> <li>• road safety around the school in particular must be addressed</li> </ul> <p>120 comments were received on additional concerns:</p> <ul style="list-style-type: none"> <li>• the mini roundabout and pinch-point at the western entrance to Newton Poppleford village suffers from speeding traffic, limited visibility, and no safe pedestrian crossing or access to the bus stop;</li> <li>• need to restore the old red foot-bridge or construct a new walk/cycle way over the river at the eastern end of Newton Poppleford;</li> <li>• hedges and verges should be better maintained to improve traffic visibility and to prevent obstruction to pedestrians;</li> <li>• a by-pass for Newton Poppleford main road is needed, or a one-way system for when the road is blocked;</li> <li>• the bus service to the GP practise in Ottery St Mary is not frequent enough and is too expensive.</li> </ul>

B) 277 people provided comments specific to Newton Poppleford village:

- High speed of traffic approaching roundabout from Exeter side.
- Speed and traffic volume on main road;
- School Lane and Meadow Drive junction with high street are hazardous;
- Lack of crossings and footpaths along High Street.
- No footpath/pavement over the River Otter
- Back Lane used as rat-run and lack of passing places

D) 59 people provided comments specific to Harpford village:

- joining the A3052 from Higher Way, Lower Way, Northmostown Lane, and from the fruit farm onto Four Elms Hill is dangerous due to poor visibility and the speed of vehicles on the A3052;
- pedestrian access from Harpford to Newton Poppleford to reach bus-stops, services etc. No walk-ways particularly on the road bridge, and disrepair of the Red Bridge footpath route;
- lack of passing places on Northmostown Lane and the road alongside St Gregory's church.

E) 4.8% of 165 people who responded experience traffic problems in the locality of Southerton. E.G. dangerously high traffic speed; HGVs and large agricultural vehicles damaging road surfaces and hedge-banks, and insufficient passing places for the safety of pedestrians and cyclists.

F) 315 (82% of 382) believe that Traffic impacts on people's ability to enjoy the amenities in the area;

G) Solutions proposed to the more frequently specified issues included:

- the bus stops on the mini roundabout and at Harpford causes blockages, are dangerous for pedestrians and should be re-located;
- a speed indicator is needed on approaches to Newton Poppleford (20-30mph);
- create a footpath/cycle way to the south side of A3052 behind houses;
- double yellow lines to stop vehicles parking near road junctions at King Alfred Way, School Lane, Millmoor lane and Meadow close;
- more traffic control needed on A3052, 20mph on lanes, 30 mph on other roads;
- Back Lane and Dotton Lane to be one way so they can be used when A3052 is blocked;
- Fewer, and slower, heavy vehicles.

T3

School Consultation – There is an urgent need to address parking around the school. A lack of safe routes makes walking difficult and cycling inadvisable. Also, due to its position, the pinch point near the school increases the likelihood of accidents.

Business Consultation - Cycling out of the village is dangerous and work could be done to improve this.

Community Survey:

- 307 (80% of 384) agreed "walking paths should be retained";
- 329 (86% of 381) agreed "improved consideration of pedestrian and cycle safety is essential";
- restoring the old red foot-bridge or construction of a new walk/cycle way over the River Otter is a clearly expressed priority for many people;
- pedestrian crossings, one-way/single priority lanes and other traffic calming measures to be introduced as a matter of urgency;
- opening a cycle route along the disused railway from Newton Poppleford and Harpford to Sidmouth, and on to Budleigh Salterton;
- more people would be encouraged to walk or cycle for leisure, shopping, travelling to school and GP etc. if improved foot/cycle ways and traffic calming made it safer;
- create a footpath/cycle way to the south side of A3052 behind houses;
- more cycle paths and bike trails to be provided;
- better cycle paths, footpaths and a gym are a priority to increase healthy lifestyle opportunities for residents;
- 25 (66% of 38 who answered the question) state that they walk their children to school, one third travels by car and very few cycle to school. The following are needed to walk children to school:
  - a) the entire route needs pavements and safe road crossings;
  - b) need to be traffic calming measures;
  - c) an off-road back route for cycles, pushchair and wheelchairs;
  - d) a safe route across the river.

<b>Environmental protection</b>	
<b>EP1</b>	<p>Community Survey:</p> <ul style="list-style-type: none"> <li>- 314 (83% of 378) said the AONB designation and its preservation is important. Only 3 responders disagreed;</li> <li>- 315 (83% of 378) said The AONB should be protected and respected. Only 2 responders disagreed;</li> <li>- 312 (80% of 392) fully agreed that "issues that cause most concern and have a major impact on existing residents to householders in new developments are ....Destruction of the AONB".</li> <li>- 307 (80% of 384) agreed 'Don't .....destroy AONB.... Etc.);</li> <li>- 64 participants listed specific trees, hedgerows, orchards or other natural habitats in the parish that should be protected (see appendix 3):               <ul style="list-style-type: none"> <li>• 29 people specified trees that should have Tree Preservation Orders (TPOs)</li> <li>• 15 people referred to orchards that should be protected</li> <li>• 12 people referred to hedgerows that should be protected</li> <li>• 10 people referred to miscellaneous natural features that should be protected</li> <li>• 8 people referred to specific woods that should be protected, in particular Harpford Wood</li> <li>• 5 people referred to the flood plain meadows and their feeder streams as important habitats to protect</li> </ul> </li> </ul> <p>National Park – the Glover Review Landscapes Review final report 2019 "We received submissions on the case for several other AONBs to become National Parks too. The two that stand out as leading candidates are the Cotswolds AONB and the combined Dorset and East Devon AONBs (page 121).</p>
<b><u>EP2,</u> <u>EP3,</u> <u>EP4&amp;</u> <u>EP5</u></b>	<p>Community Survey: 312 (80% of 392) fully agreed that "issues that cause most concern and have a major impact on existing residents to householders in new developments are .... Flooding, etc".</p>
<b>EP6</b>	<p>On application 16/2702/MFUL (Construction of new school) the Parish Council asked for conditions to be set to mitigate and minimise noise and light nuisance to neighbours, and this was upheld by EDDC who applied EN14 (Control of Pollution)</p>
<b>EP7</b>	<p>19/0153/AGR - agricultural land used without permission for equestrian use)</p> <p>Community Survey:</p> <ul style="list-style-type: none"> <li>• 312 (80% of 392) agreed that Newton Poppleford should be kept as a village in an agricultural rural setting.</li> </ul>

<p>Housing, Heritage and Design</p>	
<p>H1, H2 &amp; H3</p>	<p>Community Survey: 312 respondents (80% of 392) to the Community Survey agreed with a list of conclusions drawn from the research prior to the community survey:</p> <ul style="list-style-type: none"> <li>• Sheltered housing is needed</li> <li>• Truly affordable housing is needed, particularly for local people based on proven need</li> <li>• Smaller homes are preferred to large executive homes</li> <li>• Large estates should be discouraged</li> <li>• Brownfield and infill sites should be prioritised</li> <li>• Newton Poppleford should be kept as a village in an agricultural rural setting</li> <li>• Dog walking areas, recreation areas and playing fields should be retained</li> <li>• The issues that cause most concern and have a major impact on existing residents to householders in new developments are ridge height, flooding, impact of additional traffic and destruction of the AONB.</li> </ul>
<p>H1</p>	<p>Community Survey: Residents were asked what house sizes are needed: 1 bedroom - 103 people (35% of 289) 2 bedrooms - 211 people (65% of 326) 3 bedrooms - 157 people (50% of 314) 4 bedrooms – 34 people (12% of 282) 5 bedrooms – 8 people (3% of 281)</p> <p>Housing Needs Analysis - moving to a smaller more manageable home was the most popular reason for over 55's if they move.</p>
<p>H2</p>	<p>Housing Needs Report - Part 2 Over 55s:  Part 2 of the housing needs survey was specifically for households where at least one person was over the age of 55. 434 households with at least one person over the age of 55 responded to the survey.</p> <ul style="list-style-type: none"> <li>• 34 households plan to move within the next five years. Of these, 10 would like to remain in Newton</li> </ul>

	<p>Poppleford. Two of these would need affordable housing.</p> <p>When asked for the views and aspirations of people aged over 55 267 households responded:</p> <ul style="list-style-type: none"> <li>• the majority requirement (73 respondents) was for homes better suited to needs of, but not specifically designed for older people.</li> <li>• the majority of households (73%) have no plans to move home. However, the parish does have some older households who wish to downsize to smaller accommodation that is easier to maintain, has lower running costs and is close to amenities and support.</li> <li>• The main reason given for moving was struggling to afford current home followed by health/mobility.</li> </ul> <p>Note - The Office for National Statistics shows that the percentage of people over the age of 55 will increase by 22% in East Devon over the next 20 years</p> <p>Business Consultation - warden controlled accommodation in the village for the elderly or disabled is likely to be well used.</p> <p>Community Survey:</p> <ul style="list-style-type: none"> <li>• 312 (80% of 392) agreed that 'Sheltered housing is needed';</li> <li>• 27 (7% of 379) said a member of their household is likely to need affordable housing and/or housing adapted for older people in the next five years. Comments stated a need for single-storey living, on the level.</li> </ul> <p>Housing Needs survey 2016 confirms figures from Devon Homes Choice 2013 that there is a need for one bedroomed dwellings in this parish and across East Devon.</p>
<p>H3</p>	<p>Community Survey:</p> <ul style="list-style-type: none"> <li>- 204 respondents (57% of 356) opposed any building outside the Built-up Area Boundary (BUAB), however</li> <li>- 96 respondents (27% of 356) agree to building outside the BUAB but for affordable housing only.</li> <li>- only 56 (16% of 356) agreed to building outside the BUAB.</li> </ul>

<b>Type of Development</b>	
<b>TD1</b>	<p>Community Survey:</p> <ul style="list-style-type: none"> <li>• 312 (80% of 392) fully agreed that “Brownfield (previously developed) and infill (gaps between existing development) sites should be prioritised”.</li> <li>• however 18% of comments want no further development at all and some residents highlighted concerns that infill will cause the village to feel cramped.</li> </ul> <p>Objections to recent NP planning applications 18/2016/FUL (Highlands, Capper Close) and 16/1688/FUL (1 Hillside) raised concerns about privacy, loss of daylight and inadequate private garden space.</p>
<b>TD2</b>	<p>Community Survey: 29 people showed an interest in forming a CLT.</p> <p>Housing Needs Survey:</p> <ul style="list-style-type: none"> <li>• 2 households were interested in an individual self-build</li> <li>• 1 household was interested in a group self-build</li> </ul>
<b>High Quality Design</b>	
<b>HQD1</b>	<p>HQD1 is primarily based on public responses to the Housing Styles Survey. A summary of the findings is incorporated in this document, a detailed analysis can be found in the Housing Styles Survey Analysis document held in the NHP library.</p> <p>Comments made on previous applications:</p> <ul style="list-style-type: none"> <li>• a ‘Neutral’ comment to application 18/2608/OUT (2 more houses at land south of King Alfred Way (Alfred’s Gate)) requested many wildlife mitigations;</li> <li>• objections to application 18/2016/FUL (Highlands, Capper Close) concerned loss of wildlife corridors, loss of daylight and insufficient private garden space;</li> <li>• an objection to 18/1688/FUL (1 Hillside) was concerned about privacy.</li> </ul> <p>Bulletin of the Chartered Institute of Ecology and Environmental Management (CIEEM) – June 2019</p> <p>‘Building for Life 12’ which is the current industry standard for the design of new housing developments.</p>

Education, community facilities and leisure	
CF1	<p>Community Survey:</p> <ul style="list-style-type: none"> <li>• 320 (83% of 384) agreed that existing amenities should be protected (e.g. sports facilities, pavilion) or improved (e.g. better access to the Village Hall, more meeting places)</li> <li>• 307 (80% of 384) agreed "community places need to be better maintained";</li> <li>• Some residents felt that some facilities (e.g. Newton Poppleford village hall, the sports facilities and pavilion, pitch and play facilities etc.) are in a poor state or repair or not adequate to meet modern standards;</li> <li>• Residents asked for many facilities to be protected as community assets (see appendix 2 for list of Heritage Assets);</li> <li>• People were given a list of community spaces and asked them what changes if any they would like to see happen to each. Highest responses were to rebuild the Church Hall, improve access to the Village Hall, and to extend the allotments. Requests to refurbish the Village Hall and Harpford Hall and to extend the Pavilion have already been progressed.</li> <li>• Several people commented that more amenities for older children such as sports pitches and a youth club should be provided.</li> </ul>
CF2	<p>Community Survey:</p> <ul style="list-style-type: none"> <li>- 64% of 363 people felt the current amenity spaces are adequate for the parish.</li> <li>- Of those that disagreed, the most common suggestion was for more children's play areas, particularly in the west of Newton Poppleford village</li> </ul>
Local Green Space	
GS1	<p>Community Survey:</p> <p>232 (64% of 363) people agreed that the current (green) amenity spaces are adequate for the parish. Only 5% disagreed.</p>

Trees and Hedgerows	
TH1	<p>Community Survey:</p> <ul style="list-style-type: none"> <li>• 307 (80% of 384) agreed “Trees and hedgerows are valued and mature trees that provide a canopy in particular should be retained” although 5 people suggested there is sometimes a good rationale for removing of specific mature trees and over-grown hedges</li> <li>• 64 of 67 responses identified specific trees and hedgerows that should be protected;</li> </ul>
Local Medical Facilities	
M1	<p>Medical Survey - A survey carried out in 2019 gathered information about the requirement for medical facilities. 591 households (representing 1319 residents) responded (66% response rate). The key findings were:</p> <ul style="list-style-type: none"> <li>- 78% of 591 households (459) currently go to Coleridge Surgery in Ottery St Mary, with only 8% going to Budleigh Salterton and Sidmouth;</li> <li>- 86% of 587 households (510) nominated a Newton Poppleford surgery as their most popular;</li> <li>- 93% of 591 households (553) use a car to get to their surgery. Fewer than ½% households (28) use the bus.</li> </ul> <p>Community Survey:</p> <ul style="list-style-type: none"> <li>• 45% of 358 people said the current GP facilities in Newton Poppleford are not sufficient for their needs, only 23% consider them to be sufficient;</li> <li>• 182 suggested improvements for the current GP facility in Newton Poppleford: <ul style="list-style-type: none"> <li>- 45% requested more frequent surgery slots, preferably full time availability;</li> <li>- 38% stated that the current service is poorly equipped (e.g. lack of procedures such as blood tests, inoculations and dressings being administered on site;</li> <li>- 13% felt that the current premises should be enlarged</li> </ul> </li> <li>• 65% of 367 people who responded would support a change from residential to healthcare with only 14% opposing.</li> </ul>

Employment and Business	
<b>EM1</b>	<p>Community Survey:</p> <p>The greatest level of support is for change to shops or healthcare facilities:</p> <ul style="list-style-type: none"> <li>• Healthcare (65% of 367 people supported);</li> <li>• Shop (57% of 364 supported);</li> </ul> <p>The strongest areas of opposition are for conversions to:</p> <ul style="list-style-type: none"> <li>• manufacturing (12% of 358 supported, 56% opposed);</li> <li>• storage/distribution uses (9% of 354 supported, 62% opposed).</li> </ul> <p>Small businesses are already a significant employer within the Parish, with in excess of 60 small and home businesses in existence.</p>
<b>EM2</b>	<p>Community Survey:</p> <p>a) Residents were asked what additional businesses/services they would like to see in the parish. Of 143 people:</p> <ul style="list-style-type: none"> <li>• 43 (30%) suggested convenience store</li> <li>• 43 (30%) suggested a pharmacy</li> <li>• 21 (15%) suggested a café/bistro/meeting place</li> <li>• Fewer than 13 (10%) suggested library, small trading estate, petrol station, social/leisure centre, another public house, dentist, another restaurant, care agency, vets, bank and cash machine.</li> </ul> <p>b) Of 378 who responded, 272 (72%) agreed with a list of conclusions drawn from the research prior to the community survey, whilst 91 (24%) agreed with some:</p> <ul style="list-style-type: none"> <li>• require better Wi-Fi, mobile phone signals and improved broadband required;</li> <li>• need support for small businesses;</li> <li>• need assistance to find work for unemployed people, including local people and young people. (e.g. manned Help Centre);</li> <li>• make more jobs in the village for local people to avoid travel;</li> <li>• existing shops and businesses are valued, but need more shops and services (e.g. pharmacy, library);</li> </ul>

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	<ul style="list-style-type: none"> <li>• need to have wheelchair access to shops, restaurants, services;</li> <li>• more parking for visitors to use local services and local shops (e.g. laybys);</li> <li>• still getting burst water mains even though the water pipes were replaced;</li> <li>• frustration over lack of co-ordination with repair and maintenance of mains services and highways etc.</li> </ul> <p>50 people provided comments. Of these:</p> <ul style="list-style-type: none"> <li>• 23 felt more businesses are not appropriate for a village;</li> <li>• 5 felt more shops, businesses and employment should not be encouraged unless the infrastructure is improved;</li> <li>• 11 felt that new services are either unrealistic or not needed.</li> </ul> <p>Business Consultation – these issues may be relevant to businesses who operate from a fixed premises like the garage, shop, restaurant, but don't affect businesses who do not rely on people coming to them. NP has a high proportion of businesses that operate from home which do not require specialist premises.</p>
EM3	<p>Of 378 who responded, 272 (72%) agreed with a list of conclusions drawn from the research prior to the community survey, whilst 91 (24%) agreed with some, including:</p> <ul style="list-style-type: none"> <li>• require better Wi-Fi, mobile phone signals and improved broadband required;</li> </ul> <p>The majority of comments re-iterated agreement that Wi-Fi signal and broadband speed were poor and negatively impacting on local business.</p> <p>However:</p> <p>Business Consultation – since the Community Survey, “two mobile networks offer 4G coverage to the village with speeds in excess of 40Mbps. Almost all the village and many smaller surrounding hamlets are enabled for fibre broadband offering speeds up to 80Mbps”. This makes the need for new superfast connectivity less urgent.</p>

## Appendix 8: Appeals

# Appeal Decision

Site visit made on 9 November 2015 by Jonathan Hockley BA(Hons) DipTP MRTPI

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 23 December 2015**

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Appeal Ref: [APP/U1105/W/15/3032502 Land adjacent to Badger Close, Newton Poppleford, Devon EX10 0BE](#)

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Mr David White against the decision of East Devon District Council.
- The application Ref 14/2174/MOUT, dated 5 September 2014, was refused by notice dated 11 December 2014.
- The development proposed is revised outline application for the development of up to 26 houses and associated infrastructure, including access and landscaping (all matters except access reserved).

### Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was made in outline, with only access to be decided at this stage. I have dealt with the appeal in the same manner and have treated plans as indicative except where otherwise indicated.

### Main Issue

3. The main issue in this case is whether the proposal would constitute a suitable site for housing, having regard to the principles of sustainable development and the character and appearance of the surrounding area, including any effect upon the East Devon Area of Outstanding Natural Beauty (AONB).

### Reasons

4. Newton Poppleford is a reasonable sized village, largely strung along two roads; A3052 and 3178, which meet in a roundabout junction towards the west side of the village. The majority of the village's services are located towards the east end of the village, on and off Station Road. The appeal site lies off the 3178 on the south west side of the village. The proposal would utilise an existing access and construct up to 26 houses on a field. The western edge of the site adjacent to the access has an extant consent for 3 dwellings. All of the village lies within the East Devon AONB.
5. There is a bus stop close to the site which has a reasonable level of provision. However, walking to the centre of the village to access services and the school is problematic; from the roundabout towards the east of the village the road narrows considerably and there is no footway. The roads are fairly busy and walking on the road is not advisable. A footpath, Farthings Way, is sited close to the roundabout and runs parallel to Station Road to allow pedestrian access to and

from the east end of the village and the school. I walked this footpath on my site visit. The western end was of a reasonable condition, although towards the east the path becomes narrower and has limited public surveillance and lighting. I also noted on my site visit that access could be made down KAW to re-join Station Road when heading east, as the road has a full footpath from this junction.

6. Outline planning permission was granted in May 2014 for a development of 40 houses to the rear of King Alfred Way (KAW). I have been made aware of the view of the County Highways Authority that Farthings Way should be incorporated into the detailed design of this development. The appellant has also submitted an unilateral undertaking for a contribution towards the upgrade of the footpath. A previous appeal<sup>1</sup> for a wider site, including the field to the south, was dismissed in June 2014. One of the reasons for the dismissal was based upon the condition and uncertainty over the quality of this footpath link.
7. Details have also been submitted of the Market and Coastal Towns Rural 'Foundation' Programme which includes a provision towards the 'surfacing of PROW on Farthings Lane and provision of street lighting to provide pedestrians with an alternative route to the A3052'. However, this is dated March 2014 and the works seemingly programmed for 2014/15. I have no further details of the extent of these works.
8. In terms of the KAW scheme, it is also clear that discussions are on-going and that the Local Planning Authority may not necessarily agree with the views of the Highways Authority. I acknowledge that the future condition of the footpath is considerably further forward than that advanced during the previous appeal, and that the proposal in this case is smaller than the previous appeal site, and thus pedestrian movements are likely to be fewer. However, at the present time I am of the opinion that sufficient uncertainty remains over the future condition of the footpath to guarantee that the path will provide a suitable walking link for those residents of the proposal to the main area of the village, particularly in the winter months, and as such many future residents would likely use private vehicles to access services and facilities. I place some weight upon this issue and consider that, as yet, it has not been fully demonstrated that the site can be made sustainable.
9. The appeal site rises reasonably steeply towards the east, with the south east corner of the site being the highest point. The indicative plans show that the houses could be located so as to site the rear gardens of properties at this highest point. This would minimise visual effects from further afield, although such views would still be affected somewhat by garden boundary treatments and the overall domestication of this corner of the site, as evidenced by photos 1, 2 & 3 of Appendix 4 of the Council's evidence.
10. The previous Inspector considered that views of the site from around the proposed access would have a moderate-adverse effect in the short and medium term, reducing to a slight adverse impact in the longer term, and that the views would not be more materially harmful than that likely from the approved housing

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<sup>1</sup> APP/U1105/A/14/2211701, 11 June 2014.

scheme. However, I have no information on how the 3 unit scheme would appear from the road or if views would be retained through the

site to the wider countryside beyond. I consider that views from adjacent to the site on the B3178 and from the rising Littledown Lane would be adversely altered by the northern part of the site, where the plans submitted show that the extent of the rising site to the north and the east would be more significant than the land given to these 3 houses. On the basis of the evidence provided to me I am not convinced that screening would reduce the effects of such a view in the longer term, particularly from Littledown Lane. The effect of the proposal upon such views, when combined with the domestication of the land to the south east, whilst less of an effect than the previous proposal, would still have a negative effect on the AONB. The statutory purpose of AONBs is to conserve and enhance the natural beauty of the area.

11. The Council accept that they cannot fully demonstrate a five year supply of housing. In such cases, the National Planning Policy Framework (the Framework) states that relevant policies for the supply of housing should not be considered up to date. Paragraph 14 of the Framework states that where relevant policies are out of date, permission for sustainable development should be granted unless any adverse impacts significantly and demonstrably outweigh the benefits, or specific policies in the Framework indicate that development should be restricted. The Framework confirms that such specific policies include those relating to AONBs.
12. Paragraph 116 of the Framework states that permission should be refused for major developments in an AONB except in exceptional circumstances and where it can be demonstrated that they are in the public interest. Planning Policy Guidance states that whether a proposal in an AONB should be treated as major development will be a matter for the relevant decision taker, taking into account the proposal in question and the local context. The appellant considers that the significantly reduced quantum of development combined with the reduction in landscape concerns over the previous proposal would mean that the development would no longer qualify as a major development. However, a development covering some 1.36 hectares and delivering 26 dwellings in a village the size of Newton Poppleford still constitutes a major development in my opinion.
13. The proposal would generate economic and social benefits through the construction of 26 houses and the impact of the future residents on local services and facilities. The proposal would also have benefits in terms of the provision of 26 houses, including 10 affordable houses in an area with an acknowledged lack of housing supply. This weighs in favour of the scheme. However, I am not convinced that the site could be considered as being in a sustainable location, given the uncertainties over delivery, precise form and timing of planned improvements to Farthings Way, and, although diminished from the previous scheme, the proposal would still have an adverse effect on the character and appearance of the countryside. The Framework states that great weight should be given to conserving landscape and scenic beauty in AONBs.
14. Furthermore, the proposal would still constitute a major development in an AONB, and guidance is clear that permission should only be granted in exceptional circumstances. There is a demonstrated need for more housing in the Council area; however I have no substantive evidence over whether such housing could be

provided in those parts of the Council area which do not lie within the AONB. The affordable units also weigh in favour of the scheme, particularly in the light of the uncertainties regarding local affordable housing provision post 2016. However, when taken together, I do not consider that the benefits of the scheme would reach the high bar required to constitute exceptional circumstances. The Framework indicates that such development should be restricted and the proposal would not therefore accord with paragraph 14 of the framework.

15. I conclude therefore that the proposal would not constitute a suitable site for housing, having regard to the principles of sustainable development and the character and appearance of the surrounding area, including any effect upon the East Devon Area of Outstanding Natural Beauty (AONB). The proposal would be contrary to the Framework and to policies EN1, D1 and TA1 of the East Devon Local Plan 2006 which together state that proposals will only be permitted where the key characteristics and special qualities of the area are reinforced, that in AONBs the conservation and enhancement of their natural beauty will be given priority, and that new development should be located so as to be accessible by pedestrians and well related to compatible land uses so as to minimise the need to travel by car.

#### **Other matters**

16. The application was refused for 4 reasons, 2 of which related to required mitigation measures for the proposal concerning the effects upon the East Devon Pebblebed Heaths Special Area of Conservation (SAC) and the East Devon Heaths Special Protection Area (SPA), as well as education and public open space. An appeal decision from Pinn Court Farm, Devon, was also submitted in this regard. A completed Section 106 agreement was submitted during the course of the appeal to address such matters. However, as I have dismissing the appeal for other reasons, I have not considered this matter further.
17. The appellant notes that the KAW site, referred to above, is also within the AONB and would constitute a major development. I have not been provided with the full details of that case or the decision making process. However, that was clearly a matter for the council themselves and I note that each case must be dealt with on its own merits.
18. The appellant refers to the guidance contained within the PPG concerning rural housing. This states that all settlements can play a role in delivering sustainable development in rural areas. I have taken such guidance into account in my decision; however, I have concluded above that the proposal would conflict with paragraph 14 of the Framework by virtue of being contrary to paragraphs 115 and 116 of the Framework. As such, the proposal would not constitute sustainable development.

#### **Conclusion**

19. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

*Jon Hockley* INSPECTOR



## Appeal Decision

Site visit made on 9 February 2016 by **Joanne Jones BSc MA MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 2 March 2016**

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Appeal Ref: [APP/U1105/W/15/3134519 King Alfred Way, Newton Poppleford, Devon EX10 0DG](#)

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant consent, agreement or approval to details required by a condition of a planning permission.
- The appeal is made by Cavanna Homes (Devon) Ltd and Pencleave 2 against the decision of East Devon District Council.
- The application Ref 15/0642/MRES, dated 16 March 2015, sought approval of details pursuant to condition No 1 of a planning permission, granted on 16 May 2014.
- The application was refused by notice dated 13 August 2015.
- The development proposed is 40 houses, doctors surgery, associated infrastructure, open space and landscaping. Outline application was not EIA development.
- The details for which approval is sought are: Appearance, landscaping, layout and scale.

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### Decision

1. The appeal is dismissed.

### Application for costs

2. An application for costs was made by Cavanna Homes (Devon) Ltd and Pencleave 2 against East Devon District Council. This application is the subject of a separate Decision.

### Procedural Matter

3. The Council formally adopted the New East Devon Local Plan on 28 January 2016 (the Local Plan) and the policies contained in the adopted plan are the ones against which this appeal is determined and they carry full weight. The Council and the appellant have referred in their submissions to the policies contained in the now superseded East Devon Local Plan 1995 to 2011 and also to policies in the new plan as it was emerging. The parties have been given the opportunity to respond to the relevant policies in the newly adopted plan so far as it relates to the proposed development and I have had regard to these in my reasons below.
4. The appellants have submitted a Deed of Variation dated 16 February 2016 pursuant to Section 106 of the Town and Country Planning Act 1990. This is a material consideration which I shall take into account in my decision.

## **Main Issues**

5. Outline planning permission for the construction of 40 dwellings on this site has already been granted, so it is not the principle of residential development that lies at the heart of this appeal, but rather the acceptability or otherwise of the details now put forward. From all that I have seen and read I consider the main issues to be whether or not:

- the proposed layout and mix of the affordable housing is acceptable, having due regard to Development Plan Policies and other material considerations; and
- the proposed landscaping would mitigate the visual impact of the scheme within the local area and wider East Devon Area of Outstanding Natural Beauty (AONB).

## **Reasons**

6. The appeal site comprises two fields, currently set to grass, bounded by mature hedgerows, situated within the extensive East Devon AONB. A Public Right of Way (PRoW) runs in an east-west direction adjacent to the northern boundary of the site. To the north are the residential properties associated with King Alfred Way.

## **Affordable housing mix and layout**

7. The appeal site would be accessed from King Alfred Way and would provide forty dwellings including sixteen affordable units. The affordable units would be located within the north western end of the site.
8. The affordable housing mix would be 10 two bed and 6 three bed dwellings. 11 of these would be available for rent and the remaining 5 to be part purchased on a shared ownership basis.
9. The Council contend that whilst figures extrapolated from 'Devon Home Choice' in May 2015 identified a local need for 22 affordable homes, only 1 respondent required a three-bedroom property and 1 respondent a four-bedroom property. This mirrored a housing need survey undertaken in May 2011, which highlighted a local need for smaller houses<sup>2</sup>. Therefore, the Council states that the overwhelming local need is for one and two bedroom accommodation, rather than the mix proposed.
10. Although the affordable housing mix would only partially reflect the various housing surveys, an element of judgement is necessary given that the requirements of the Devon Home Choice database are indicative of these people registered with it, rather than local need as a whole and the May 2011 survey is somewhat dated. In any event, the proposal would go some way to meeting the needs of such housing in this area. Moreover, I am mindful that there is no specific policy requirement regarding affordable housing mix and I note the support of the proposals from three Registered Providers. On this basis, I find the housing mix to be acceptable.

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<sup>2</sup> For single people and couples alongside small family homes and units providing ground floor living and sleeping accommodation.

11. Turning to the scheme layout: The appellant states that there are practical reasons for grouping the affordable housing at the north western end of the site. It is stated that registered social providers prefer the units to be provided in blocks, as shown on the layout, since more widespread 'pepper-potting' adds to the costs and problems of maintenance and management. The appellant is also concerned that should the affordable dwellings be dispersed across the site it would reduce the viability and therefore the delivery of the number of affordable homes proposed.
12. Notwithstanding the viability assessment (dated 18 July 2013) which in summary stated that the scheme with 35% affordable housing would be financially viable, I have no up-to-date evidence before me to establish that the 'pepper-potting' of affordable homes throughout this compact site would be financially unviable. Furthermore, the requirement for 40% affordable housing was established at outline stage and set out in a S106 agreement.
13. I have considered the appellant's comments that the development would be 'tenure blind'. However, the affordable housing would be different in design and layout to the open market housing and therefore would appear somewhat marginalised. In any event, given the palette of external materials to be used, the affordable units could be dispersed throughout the site without material harm to the character and appearance of the area.
14. Section 70(2) of the Town and Country Planning Act 1990 provides that in dealing with planning applications the planning authority shall have regard to the provisions of the development plan, so far as material to the application, and to other material considerations. This is reflected in section 38(6) of the Planning and Compulsory Purchase Act 2004, which provides that determination must be made in accordance with the development plan unless material considerations indicate otherwise.
15. The objective should be to achieve the creation of inclusive and mixed communities<sup>3</sup> and the Planning Practice Guidance<sup>3</sup> refers to the achievement of greater social integration. The layout would not achieve a high level of integration. Local Plan Strategy 34 states that 'affordable housing should be pepper-potted or dispersed throughout the scheme'. I do not interpret 'dispersed' as meaning situated in only one location on the site and therefore the requirements of Local Plan Strategy 34 would not be met.
16. I note the appellant's argument that Strategy 34 states 'should' rather than '*must*', '*will*' or '*shall*' in terms of 'pepper-potting'. However, the Local Plan has a clear expectation for affordable housing integration and I am not satisfied that material circumstances prevail in this case to indicate that this development, whose layout would be clearly contrary to the newly adopted development plan, should be permitted.
17. To conclude on this first main issue, I acknowledge that there is a need for affordable housing in the local area. However, among the principles of the Framework and the Local Plan is the creation of inclusive and mixed communities.

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<sup>3</sup> Paragraph 50 of the National Planning Policy Framework (the Framework) <sup>3</sup>  
Paragraph 017 under Design

This principle has not been satisfactorily embodied in the proposal before me. Therefore the development is contrary to Local Plan Strategy 34 and the Framework.

### **Landscaping**

18. The appeal site is located within the AONB. The Framework confirms that great weight should be given to conserving landscape and scenic beauty in the AONB<sup>4</sup>, which has the highest status of protection in this regard.
19. The Council are concerned that the landscaping fails to provide tree planting along the length of the estate road, which would soften the impact of the development and to assimilate it into the AONB.
20. Nevertheless, the submitted landscaping details includes hedges to the front of many of the properties which would compensate, to some extent, for the lack of tree planting and would help to 'soften' the hard edges of the street scene. Furthermore, tree planting along the wider site boundaries would reflect the character of the surrounding village and assist in integrating the site within the AONB.
21. To conclude on this main issue, the proposed landscaping details are suitable for the site and its context. The development would therefore comply with Local Plan Strategy 46 and Feniton Policy D2, which require developments to, amongst other matters: conserve and enhance the landscape character of the area; provide for the planting of trees and hedgerows and make a positive contribution to the street scene.

### **Other matters**

22. A Deed of Variation dated 16 February 2016 has been provided to confirm the composition of affordable housing units. The Deed of Variation achieves the purely administrative task of varying the original S106 Agreement were I to allow the appeal.
23. Several appeal decision letters<sup>5</sup> have been brought to my attention by the appellant. However, these relate to decisions made prior to the adoption of the Local Plan and the associated lack of a 5 year housing land supply. Therefore the Inspectors' comments relating to the weight to be apportioned to emerging policies and issues surrounding 5 year land supply are not relevant to this case. In any event, every planning appeal must be determined on its own merits as I have done here.

### **Conclusion**

24. Whilst I have found no material harm to landscape character of the AONB or the surrounding village, and I have found the mix of affordable housing provided to be acceptable, such factors would not outweigh the clear Policy conflict, which requires affordable housing to be pepper-potted or dispersed throughout the scheme.

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<sup>4</sup> Paragraph 115

<sup>5</sup> APP/U1105/A/13/2208393; APP/U1105/W/15/3003548; APP/U1105/A/14/2223944; and APP/F1230/W/14/3002790

25. For the reasons stated above and taking into account all other matters raised, I conclude that the appeal should be dismissed.

**Joanne Jones**

**INSPECTOR**

## Appeal Decision

Site visit made on 19 May 2015

**by C J Ball** DArch DCons RIBA IHBCan Inspector appointed by the Secretary of State

for Communities and Local Government

Decision date: 29 May 2015

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[Appeal Ref: APP/U1105/A/14/2229080 Land at Down Close, Newton Poppleford EX10](#)

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Strongvox Homes, Robert Compton, Susan Stephenson, Christine Sanders and Valerie Olliff against the decision of East Devon District Council.
  - The application Ref 14/1303/MFUL, dated 27 May 2014, was refused by notice dated 27 October 2014.
  - The development proposed is the residential development of 15 dwellings.
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### Decision

1. The appeal is dismissed.

### Planning Obligation

2. The appellants submitted a unilateral undertaking as a deed of planning obligation under s106 of the Act. This would effectively secure contributions of £9,390 towards the mitigation of the recreational impact of the development on the nearby Pebblebed Heaths Special Protection Area (SPA) and Special Area of Conservation (SAC) and £23,060.40 towards the future maintenance of Public Open Space within the vicinity. The undertaking would also require the provision of 6 affordable housing units as part of the development. This would ensure that the proposal complies with the Council's relevant development plan policy objectives, overcoming the 4<sup>th</sup> reason for refusal, so I take these matters no further.
3. The appellants also offer up to £10,000 towards improving the Farthing Lane footpath between Exmouth Road and King Alfred Way and off-site biodiversity mitigation measures to mitigate the ecological impact of the development, intended to address the 3<sup>rd</sup> reason for refusal. I consider these matters later.

### Main issues

4. The main issues to consider are:

- whether the Council can demonstrate a 5 year supply of deliverable housing sites;
- whether the site is in a sustainable location for residential development;
- the impact of the proposed development on the rural character and appearance of the area, which lies within the East Devon AONB; and the ecological impact of the proposed development.

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## Policy background

5. The East Devon Local Plan (EDLP), adopted in 2006, had a plan period to 2011 so is now out of date. The saved policies relied on by the Council include policy TA1 (accessibility of new development), policy S5 (countryside protection), policy D1 (design and local distinctiveness), policy EN1 (Development affecting AONBs) and policy EN6 (Wildlife habitats and features). These policies are all essentially consistent with National Planning Policy Framework policy objectives so, in accordance with Framework 215, I give them great weight. The successor policies in the emerging New East Devon Local Plan (NEDLP) include policy TC2 (accessibility of new development), policy D1 (design and local distinctiveness), Strategy 7 (Development in the countryside), Strategy 46 (Landscape conservation and enhancement and AONBs) and policy EN5 (Wildlife habitats and features). These policies are similarly consistent so, in accordance with Framework 216, I also give them great weight.
6. For clarification, in the light of the judgement in *Cheshire East Council v SSCLG and Richborough Estates Partnership*<sup>6</sup>I consider EDLP policy S5 and NEDLP policy Strategy 7 not to be policies which make provision for housing; while they might have an indirect effect of restricting housing development, these are not relevant policies for the supply of housing which fall to be considered under Framework 49.

## Reasons

### Whether the Council can demonstrate a 5 year supply of deliverable housing sites

7. At the time of considering the application the Council acknowledged that it could not meet the Framework requirement to demonstrate an up-to-date 5 year supply of deliverable housing sites. Just before my site visit the Council submitted a housing monitoring update purporting to show that it can now demonstrate a 5.45 year supply, including a 20% buffer due to previous under-supply.
8. I have reservations about this. Following significant objections by the Local Plan Inspector, proposed modifications to the NEDLP are currently out to consultation; the new objective assessment of housing need has not been fully tested; and the appellants raise serious concerns about the development timescales of several major sites relied on by the Council, throwing doubt on their deliverability within the 5 year period. These are matters to be tested and resolved by the Local Plan Inspector. For this appeal, as things stand, I do not consider that it is possible to

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<sup>6</sup> [2015] EWHC 410 (Admin)

conclude with any confidence that the Council can demonstrate a 5-year supply of deliverable housing sites.

9. As a result, as indicated in Framework 49, current policies for the supply of housing should not be considered up to date. The Council is clearly taking steps to address the housing shortfall but, in accordance with Framework 14, the current policy position means that permission should be granted for this scheme unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole or specific policies in the Framework indicate development should be restricted.
10. Framework 49 makes it clear that housing applications should be considered in the context of the presumption in favour of sustainable development; with that in mind I go on to consider the matters at issue before coming to a balanced overall conclusion.

### **Whether the site is in a sustainable location for residential development**

11. The site is a small field on the south-western edge of Newton Poppleford. It lies immediately behind Down Close, a development of 10 houses and bungalows. Access would be through the estate road, off Exmouth Road. The site rises fairly steeply to the west and the proposed 15 houses and bungalows would be located around the perimeter of the site, off a central access road. There would be a mix of small affordable family homes and larger 2 and 3 bedroom bungalows aimed particularly at older people.
12. The site is fairly remote from the village High Street, which has a reasonable range of local facilities and services. There are bus stops within reasonable walking distance on High Street and Exmouth Road, which link the village to the main towns. The hourly frequency of bus services makes short intra-village bus journeys possible, but not particularly convenient.
13. The important facilities of Post Office and convenience store are an almost 1250 metre walk from the site, while the primary school and medical centre are a nearly 1450 metre walk, at the other end of the village. The preferred maximum walk distance indicated in the CIHT guidelines *Providing for Journeys on Foot* is 1200 metres. For the older people and families with young children likely to be living on the site, all these facilities would be at the very limit of, or beyond, a reasonable walking distance.
14. The narrow road and lack of pavements on the High Street, east of its junction with Exmouth Road, make it an unattractive and substandard route for pedestrians and, since it is the busy A3052 Exeter-South Coast road, for cyclists too. There is a potentially safer pedestrian route, the public footpath to the south of the High Street. This varies in quality but parts of it have been, or will soon be, improved in association with other developments taking place in the village. These improvements do not include all of the section between Farthings Lane and King Alfred Way, which would be used by pedestrians approaching from Down Close.
15. However, some improvement works have taken place and the s106 contribution offered by the appellants could be used to further improve this section, so that there would effectively be a paved footpath from the bottom of Exmouth Road to School Lane. That would be a significant benefit. Nonetheless, the footpath would

not be lit, for environmental reasons, and parts of it would have no passive surveillance. These factors mean that it is unlikely to be attractive to some users. In any event it would not shorten the distances and would not be available to cyclists. For these reasons I do not consider the footpath to be an entirely satisfactory alternative route.

16. I consider that, because of its fairly remote location on the edge of the village, the site is not well related to local facilities. Some residents on occasion may decide to walk to the post office and shop, or even to the school or medical centre but, realistically, because of the distances involved and the nature of the pedestrian routes, the majority of residents would be likely to choose to travel within the village by car. The development would not therefore properly minimise the need to travel by car, in conflict with the aims of EDLP policy TA1 and the emerging NEDLP policy TC2. The proposal would not be consistent with the Framework objective of providing a realistic choice of sustainable means of transport and so I conclude that the site is not in a particularly sustainable location for residential development.

**The impact of the proposed development on the rural character and appearance of the area, which lies within the East Devon AONB**

17. The site, on the edge of the village, is in the countryside and, because of its topography and natural beauty, makes a key contribution to the rural setting of the village. It lies within the area designated as an AONB. A core principle of the Framework is the recognition of the intrinsic character and beauty of the countryside, while Framework 115 confirms that great weight should be given to conserving landscape and natural beauty in the AONB which, in that regard, has the highest status of protection. While this is not an absolute prohibition of development, it is a restriction so that Framework 14 is not engaged.
18. The proposed development is not of a type explicitly permitted in the countryside by a specific policy so it conflicts with EDLP policy S5 and emerging NEDLP Strategy 7. While the mature hedgerow trees on the perimeter would provide an attractive backdrop, the new development would be visible on rising ground behind Down Close from Exmouth Road, one of the principle routes into the village. There would be a very apparent erosion of the character and beauty of its rural setting.
19. This part of the village is separate from the historic core and, because of the topography and intervening development, the site would be largely screened in middle distance views from within the village. However, from higher land to the east, the developed site would be seen rising above the undulating landscape as an isolated pocket of development, divorced from the village, and undermining the landscape quality of the East Devon AONB, to the detriment of its natural beauty.
20. The appellants argue that much of the new housing in the district will have to be sited within the AONB. However, that would be decided on a balance of considerations as part of the Local Plan process. New development is already taking place in the village and, while some additional housing would be welcome, I find nothing to show that the development of this particular site is so necessary that it outweighs the highest level of protection given to the countryside of the AONB. I find that the proposal would not be consistent with the countryside protection objectives of the Framework and would conflict with the aims of EDLP

policy EN1 and emerging NEDLP Strategy 46. I consider that the proposed development would have an unacceptably harmful impact on the rural character and appearance of the area.

### **The ecological impact of the proposed development**

21. Framework 115 says that, in the AONB, the conservation of wildlife is an important consideration while Framework 118 makes it clear that the aim should be to conserve and enhance biodiversity. The appellants' habitat survey shows that habitats within the site support (or have the potential to support) a range of protected species including bats, dormice, birds, reptiles and badgers. The site, with its boundary trees and overgrown hedgerows, is considered to be of medium to high ecological importance. The grassland on the site, which supports a range of invertebrates, is of medium ecological importance. A traditional orchard in the north-western quadrant of the site contains aging fruit trees, many of which are decaying. The orchard is a priority habitat under s41 of the Natural Environment and Rural Communities (NERC) Act and is of high ecological importance due to its range of habitats and its mature, unmanaged state. The NERC Act entails a duty to conserve biodiversity. The site clearly has a high ecological value.
22. A Tree Preservation Order (TPO) proposed for the site, encompassing the orchard and the boundary trees, was challenged by the appellants and appears to have not been confirmed. While 'green' boundary corridors would remain, development of the site would mean the loss of several important wildlife habitats, including the orchard, reducing biodiversity and severely diminishing the nature conservation value of the site. The proposed development would have a significantly harmful ecological impact, entirely in conflict with Framework biodiversity conservation objectives, with the NERC Act duty and with the aims of EDLP policy EN6 and emerging NEDLP policy EN5.
23. The appellants offer mitigation and compensation for the significant harm by providing a new orchard of local apple trees on an adjoining site to provide a replacement habitat. This would be secured by the s106 undertaking. Other measures would include a suitable habitat for the translocation of reptiles, including a log pile, and the provision of roosting boxes for bats and nesting boxes for birds. These measures are assessed as having a neutral effect on wildlife, although the bat and bird boxes would provide a slight positive gain.
24. This seems to me to underestimate the high ecological value of the orchard on the site. The mature and decaying trees are likely to provide a rich and diverse habitat and food source for birds, insects, invertebrates and fungi. There has been no detailed assessment of their particular value, but it is unlikely that the orchard could be replaced in any meaningful way by new planting, which would take decades to mature. I recognise that the existing orchard trees are in some cases over-mature and will in the fairly short term decay and die, but that in itself will provide a useful ecological feature. I am not convinced that a log pile, using the old trees, would replace that. The new orchard would not provide an equivalent habitat so I do not consider that the appellants' Biodiversity and Mitigation Strategy would be entirely successful.

### **Conclusions**

25. There is no doubt that the provision of a mixed development of 15 open market bungalows and affordable dwellings would make a small but significant contribution to the district's shortfall in housing supply and to meeting a pressing need for affordable dwellings. New development would also bring social and economic benefits for the village. However, the site is on the limits of what could be called a sustainable location, so that residents would be likely to rely on the use of their cars for most journeys. The development would erode the characteristic landscape setting of the village and would not conserve the landscape and natural beauty of the AONB, a national and local policy objective which carries great weight. Despite mitigation measures, the proposed development would not conserve the orchard as a priority habitat, undermining the ecological value of the site and diminishing its nature conservation value. The proposal would not achieve all 3 dimensions of sustainable development. It would conflict with key EDLP and NEDLP policies and, assessed against the policies in the Framework taken as a whole, including the specific policies intended to protect the AONB, I consider that the adverse effects of the proposed development of this site would significantly and demonstrably outweigh the benefits it would bring. For the reasons given above I conclude that the appeal should be dismissed.

*Colin Ball* Inspector



## The Planning Inspectorate

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### Appeal Decision

Site visit made on 9 October 2019 by Benjamin Webb BA(Hons) MA MA  
MSc PGDip(UD) MRTPI IHBC

**an Inspector appointed by the Secretary of State**

**Decision date: 31 October 2019**

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### Appeal Ref: APP/U1105/W/19/3233791 Highlands, Capper Close, Newton Popleford EX10 0HD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr and Mrs Mark and Amanda Maynard against the decision of East Devon District Council.
  - The application Ref 18/2016/FUL, dated 21 August 2018, was refused by notice dated 10 June 2019.
  - The development proposed is construction of dwelling and formation of new access, driveway and parking area.
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### Decision

1. The appeal is dismissed.

### Procedural Matters

2. As originally submitted, the planning application was for 2 dwellings. One of these dwellings was deleted during the course of the Council's determination of the planning application, and the Council made its decision on the basis of revised plans. I have therefore used the Council's description of the development in the banner heading above, as it reflects the amended scheme.

### Main Issue

3. The main issue is the effect of the development on the character and appearance of the area.

### Reasons

4. The site is located at the junction of High Street with Capper Close, and currently forms part of the front garden of a detached dwelling. The site, as too most of the plot of which it forms part, stands elevated well above the level of High Street and Capper Close. This provides both the site and the existing dwelling with a significant degree of visual prominence within the streetscene, which is further

accentuated by reasonably open views towards it across the adjacent pub car park.

5. The proposed dwelling would be located within the front garden of the existing dwelling. Though many dwellings along High Street lack front gardens, and other dwellings can occasionally be seen to the rear of the main street frontage, the arrangement proposed would appear wholly exceptional. Indeed, the proposed dwelling would appear to directly encroach upon the setting of the existing dwelling, compromising both its outlook and its relationship with

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High Street. The perception of such conflict would not be obscured by the lowering of site levels, orientation of the proposed dwelling towards the existing, or its lesser scale and mass.

6. Though the north elevation is described by the appellant as the 'side', taking into account the location of the front door, the shape of the dwelling, and fact that the east and west gables are blank, the north elevation would, in effect, be the rear. As such the proposed dwelling would be orientated with its rear elevation facing High Street. The prevailing pattern along High Street is for dwellings to face front, or, less frequently, to be orientated side-on. Again, given the visual prominence of the site, the atypical arrangement proposed would be clearly appreciable within the streetscene, and given that it would be obviously at odds with the layout of existing development, would appear obtrusive.
7. Along High Street many dwellings are positioned close to, if not on their front boundaries. As such the proposed dwelling would not be located unusually close to its front boundary. Proximity to the boundary, combined with the height of the dwelling above pavement level would, however, act to accentuate the atypical aspects of the scheme design outlined above. In this regard the visual harm caused would be increased.
8. I acknowledge that an attempt has been made to achieve integration through the specification of a palette of materials which are similar to those used in older buildings along High Street. This would not however diminish in any significant way the harm caused by other aspects of the scheme design.
9. My attention has been drawn to buildings which stand adjacent to the junction of High Street with School Lane, and of High Street with King Alfred's Road. However, whilst these buildings are also elevated above street level, in neither case are the orientations, layouts and relationships formed with other buildings substantially similar to those which would be created by the appeal scheme.
10. My attention has also been drawn to the fact that dwellings in Capper Close are positioned on higher ground than the appeal site, that the adjacent pub is large building, and that the ridge heights of other buildings in the vicinity are greater than that of the proposed dwelling. None of these points would however have any meaningful bearing on perception of the harm caused by the proposed development outlined above.

11. The site is located within the East Devon Area of Outstanding Natural Beauty (the AONB). I have therefore had regard to the statutory purposes of the AONB's designation, most particularly to conserve and enhance the natural beauty of the area, and paragraph 172 of the National Planning Policy Framework (the Framework), which states that great weight should be given to conserving and enhancing landscape and scenic beauty within ANOBs. As the site is located within a built-up area, and is not exposed to the broader landscape, the development would not have any obvious adverse effect on the landscape or scenic beauty of the AONB.
12. For the reasons outlined above I conclude that the development would have an unacceptably adverse effect on the character and appearance of the area. It would therefore conflict with Policy D1 of the East Devon Local Plan 2013 – 2031 Adopted 28 January 2016 (the LP), which amongst other things requires development to respect the key characteristics and special qualities of the area in which it is proposed; Strategy 6 of the LP, which amongst other things requires development to be compatible with the character of the site and its surroundings; and provisions relating to design quality set out within the Framework.

### Other Matters

13. The Council states that as a result of increased recreational pressure the development would have a likely significant in-combination effect on the integrity of the East Devon Pebblebed Heaths Special Area of Conservation (the SAC. It states that this can be mitigated through payment of CIL and other financial contributions which are used to fund the provision of SANGs, and site access, management and monitoring measures. To this end a Section 111 Agreement recording payment of a contribution by the appellant has been provided. Had I been minded to allow the appeal, and thus circumstances existed in which planning permission could be granted, it would have been necessary for me to consider this matter in greater detail. As I am dismissing the appeal for other reasons however, further consideration is unnecessary.

### Conclusion

14. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

*Benjamin Webb*

INSPECTOR

## Appendix 9: Glossary

Abbreviation	Definition
AONB	Area Of Outstanding Natural Beauty
ASNW	Ancient & Semi-natural Woodland
BfL 12	Building for Life Partnership 12
EDDC	East Devon District Council
EU	European Union
MUGA	Multi-use Games Area
NHP	Neighbourhood Plan
NPPF	National Planning Policy Framework
PAWS	Plantations on Ancient Woodland Sites
PDR	Permitted Development Rights
SAC	Special Area of Conservation
SPA	Special Protection Area
SSSI	Site of Special Scientific Interest
SuDS	Sustainable Drainage System