

Colyton Parish Neighbourhood Plan

Summary of the Representations Submitted to the Independent Examination

Use of this Document

This document sets out a summary of the representations (comments) received on the Submission Version of the Neighbourhood Plan, which were passed to the independent examiner for consideration. Please note that the full wording of all representations is available on the Colyton Neighbourhood Plan page of the District Council website:

<https://eastdevon.gov.uk/planning/planning-policy/neighbourhood-and-community-plans/neighbourhood-plans/neighbourhood-plans-being-produced-in-east-devon/Colyton/>

The Examiner's Final Report is also available on this webpage and forms part of the documentation for the referendum. Correspondence that took place during the examination and documentation for every previous stage in the development of the neighbourhood plan is also available on the website.

Please note that the Submission Version of the Plan has been updated to the Referendum Version, following consideration of the Examiner's final report by East Devon District Council. The District Council Decision Notice sets out the changes agreed between the versions. The Decision Notice and the Referendum Version of the Plan are also part of the referendum documentation and available on the website.

Summary of Representations

1. Avison Young on behalf of National Grid

To confirm they have reviewed the Plan and have no comments.

2. Coal Authority

No comment. Advised that as the area is outside the coalfield, there is no requirement for the Coal Authority to be consulted.

3. Collier Planning on behalf of Baker Estates Ltd

Baker Estates Ltd has an option on various parcels of land within the Neighbourhood Plan area. A map is provided to show the extent of this land. Advises that these sites have been submitted in the 2021 'call for sites' for the new Local Plan for East Devon. Concerned that East Devon District Council must not be prevented from identifying sites as potential sites for allocation in the new Local Plan because of neighbourhood plan policies which it considers seek to 'unduly protect such land'. Notes that the Neighbourhood Plan does not set its own housing requirement for the plan area or allocate any sites and raises concerns about the future relationship with the emerging Local Plan, including longevity of the neighbourhood plan itself. Specifically, the representation objects to Policy Coly4 (Green Wedge), which seeks to reinforce the 'green wedge' designation as contained in the current Local Plan, and Policy Coly8, which sets out criteria for 'exception site' housing development. It seeks revision to policy Coly4 to 'ensure that development did not result in the coalescence of the settlements but would not prevent otherwise suitable development on the edges of such areas.' It sets out various reasons including a view that with a tightly drawn Built-up Area Boundary, Colyton will be prevented from achieving 'appropriate growth', and because the green wedge designation is due for review as part of the work on the new Local Plan. It also puts forward revised wording for Policy Coly8 which it considers necessary to ensure conformity with national planning policy. General support is expressed for the proposed policy objectives of the other policies in the plan.

4. Colyton Grammar School

The representation seeks to highlight the Transport and Travel aims and objectives in the Plan and the related issues regarding arrangements for school transport/parking and road safety. It expresses concern about a lack of solutions in the Plan and that the only solution the school would anticipate would resolve the issue (some kind of parking or specific space) is not being supported (due to loss of countryside). It also comments on Policy Coly 18 (Sports and Recreational Areas) in relation to a need for the school to replace current all-weather pitches and lighting. It seeks acknowledgement within the plan text (at paragraph 11.5) that it is not possible to accommodate public use of the sports hall and facilities on the school site when in use by students.

5. 'Concerned Members of Colyton Parish' (Anonymous response)

This representation was submitted by an anonymous source described within it as a 'group of local families from Colyton and Colyford'. As an anonymous representation, it was not automatically passed to the examiner, but it was agreed at the discretion of East Devon District Council officers, in liaison with the independent examiner, that it would be considered as part of the examination. The representation expresses support for the neighbourhood plan generally but expresses significant concern about the implications of revised wording of Policy Coly8 relating to exception site housing development made since the previous version of the plan. In particular, the concerns related to the scale of development that could be supported by this policy, taking the view that the newly inserted reference to 'up to 15 dwellings' would not constitute a 'small scale' development, and questioning the robustness of the criteria for assessing impact of proposals. The representation expresses concerns and preferences about the future delivery of affordable housing to meet local needs in the neighbourhood plan area. Reference is made to elevated land in the green wedge in particular which it opposes development of, and it seeks 'proper protection' of the green wedge landscape.

6. Devon and Cornwall Police

Satisfied that previous comments regarding designing out crime have been incorporated into this version of the plan. No further comments to make.

7. East Devon Area of Outstanding Natural Beauty

No further comments to make on this plan.

8. East Devon District Council

Congratulates the producers of the plan on their dedicated hard work and commitment in producing the document, and makes a range of suggests for amendments to policy wording throughout the plan, primarily to seek strengthen the requirements, as follows:

- **Policy Coly1 (Protecting the Natural Environment)** – suggests strengthening wording to reflect Government’s intention to make 10% biodiversity net gain mandatory on all development
- **Policy Coly2 (Trees, Woodlands and Hedgerows)** – suggests amendments to parts A, B and D of the policy to strengthen the wording
- **Policy Coly3 (Public Rights of Way)** – suggests this could be broadened to allow for other paths and cyclepaths used by the public to be covered as well as formal Public Rights of Way.
- **Policy Coly4 (Green Wedge)** – suggests it would be preferable to incorporate wording from the adopted Local Plan policy (Strategy 8) on green wedge rather than cross refer to it given the work to replace the Local Plan.
- **Policy Coly6 (Sustainable Development)** – suggests amendments to strengthen the policy, including through additional measures for supporting biodiversity. Also, seeks to ensure correct use of terminology in respect of heritage.
- **Policy Coly7 (Housing Development within the Built-up Area Boundary)** – suggests removing the phrase ‘generally’ from criteria (i) to better reflect the expectation that design and layout should be in keeping with local character.
- **Policy Coly8 (Exception Site Housing Development)** – Notes the changes made further to the previous version to seek to define scale, in response to comments made by EDDC. Suggests further amendments for clarity to align to the affordable housing requirement that would apply as set out in policy to Strategy 35 of the Local Plan, and to consider introducing some further control by encompassing locational preferences expressed within the supporting text into the policy itself.
- **Policy Coly9 (Parking Provision for New Housing Development)** – to further strengthen the policy, suggests ‘should’ could be replaced with ‘must’ throughout the wording.
- **Policy Coly10 (Employment Uses)** – Suggests that the minimum marketing period in the policy criteria could be extended from 12 to 24 months. Also that 2 further criteria could be added – one specific to live-work units to ‘ensure that the residential use is secondary to the primary employment use’, and one to require provision of ‘off-road parking commensurate to the location, size and scale of the proposal’.
- **Coly11 (Tourism Development)** – suggests that it would be helpful to indicate scale, for example by stating, “the scale of development is in keeping with, or subordinate to, the pre-existing scale of development in the neighbourhood plan area

generally, and serves primarily a local market.” In addition, request the examiner comments on definition of scale in respect of this policy and others throughout this Plan.

- **Policy Coly13 (Connectivity)** – suggests further amends to this policy for clarity so that the final point of the policy would read, “provision for high-speed, reliable connection to communication networks for internet and mobile connectivity, including provision of suitable ducting to accommodate FTTP broadband.”
- **Policy Coly14 (Public Transport)** - suggest this policy may have greater application if re-framed from “Development proposals specifically to maintain and enhance existing public transport provision, within the area will be supported provided...” to “Measures to retain and enhance existing public transport provision in the area through development proposals will be supported provided...”
- **Policy Coly15 (Walking and Cycling Routes)** – suggests that the identified ‘safeguarded routes’ could be added to the supporting map 5, and that the expectations regarding widths of these routes to promote use by all be included within the policy wording.
- **Policy Coly16 (Public Car Parking)** - Suggest that electric vehicle charging points could now be ‘required’ and that as elsewhere in the plan, a requirement be added for use of permeable materials for surface parking areas.
- **Policy Coly17 (Community Horticulture)** – Suggests an addition to the first sentence of the policy to say ‘and provision of this nature will be sought in connection with major developments as appropriate’, to reflect stated aims within the supporting text.

In addition, a request was made that the Plan document be made as accessible as possible, with reference to the latest Government standards.

9. Highways England

Satisfied that the plan’s proposed policies are unlikely to result in development which would adversely affect the Strategic Road Network for which Highways England is responsible (identified as the A35 which runs approximately 400m north of the plan area) and therefore has no comments to make on the Plan.

10. Historic England

Advises there no issues associated with the Plan upon which Historic England wish to comment.

11. J Carthy

Objects to the Plan as submitted on the basis that it, 'does nothing for the sustainability of Colyton and Colyford or to meet the needs of most local people' and that it, 'identifies many problems but has not addressed any of them adequately.' The previous comments supplied at the Regulation 14 were also re-submitted and considered not to have been adequately addressed at that stage. Main concerns raised relate to the reliance in the plan strategy and policy on exception sites in the green wedge for delivering affordable housing rather than planning for this growth. The re-submitted representation puts forward a suggested list of major problems affecting Colyton and Colyford it considers require urgent solutions, and a number of suggestions for the approach in the neighbourhood plan, including adjustment to the Built-up Area Boundary and inclusion of needs-based allocations for a variety of types of development.

12. J Zealley

Comments in support of policies Coly4 (Green Wedge), Coly8 (Exception Site Housing Development) and Coly15 (Walking and Cycling Routes). Seeks amendments to the supporting text for each policy as follows:

- **Policy Coly4** – additional wording to be added at plan paragraph 7.23 to state, 'Proposals for new development in the Green Wedges must be supported by evidence that alternative sites within the built up area boundary are not feasible.'
- **Policy Coly8** – strengthening of plan paragraph 8.21 to read, 'Colyton Parish Council has long resisted development above the 200-foot contour to protect the skyline and the visual impact of development on the setting of the town of Colyton. It will continue to do so. This plan explicitly endorses this position and introduces a firm limit with no development being allowed above the 200' contour.'
- **Policy Coly15** – widen the scope of plan paragraph 10.12 to include that enhancing connectivity between Colyford and Colyton could also be achieved by improved pedestrian provision along Fairview Lane and Hillhead, a route which would most directly connect the centres of both settlements and the residents and amenities.

13. L and C Anholt

Objects to the revision to Policy Coly8 Exception Site Housing Development made since the previous version of the plan due to the insertion of 'up to 15 dwellings' to describe the scale of development that could be supported by this policy. Expresses the view that taking this would not constitute a small site as set out in the original wording, and questions the basis for adding this figure. Expresses support for delivery of affordable housing in the parish as small clusters within the built-up area but raises concerns that this policy will allow

inappropriate development in the area to be supported. Seeks the relevant clauses of Policy Coly8 to be revised in order to prevents, rather than encourage, developments of this kind outside the building boundary.

Also, seeks addition of a clause to the Neighbourhood Plan to make it mandatory that all new buildings outside the built-up area should be 100% Carbon Neutral and incorporate the 'very highest environmental standards'.

14. Marine Management Organisation

Standard response provided. No comments made on the plan itself.

15. Natural England

Comments on four policies within the plan as follows:

- **Policy Coly1 (Protecting the Natural Environment)** - recommends removing the 'wherever possible' wording from criterion iv for longevity of the policy longevity and to better reflect national planning policy and government ambition for biodiversity net gain.
- **Policy Coly6 (Sustainable Development)** - welcomes the addition of the habitat features (in criterion vii), but recommends that it is noted that this list is not exhaustive.
- **Policy Coly7 (Housing Development within the Built-up Area Boundary)** - recommends that reference is made within the policy to protecting the natural environment. Suggests adding wording to achieve this to cross-reference the policy with the requirements of Policy Coly1.
- **Policy Coly18 (Sports and Recreational Areas)** - welcomes the reference to nature conservation and biodiversity. Recommends added working in the supporting text to further support this, to advise of the need to consider any impacts from development on Beer Quarry and Caves Special Area of Conservation (SAC), particularly highlighting that potential impacts from lighting and from changes to hedgerows/trees will need to be considered at the application stage.

In addition, suggests it might be advisable to include a clause in Policy Coly7, or provide a cross-reference to Policy EN19 in the adopted East Devon Local Plan, which seeks to ensure water quality issues relating to phosphorus discharges in the River Axe Special Area of Conservation (SAC) are addressed. Suggested wording is to state that permission can only be granted for new developments where the sewage treatment can be proven adequate.

16. NHS Property Services

Considers that the Neighbourhood Plan requires some modification in order to be a more robust and sound document. Expresses support for the plan objective to ensure adequate infrastructure is in place, but seeks express consideration for health infrastructure to be given. Suggests how this could be accommodated and achieved through the plan, including through the introduction of policy wording that would set out criteria for the allocation of health infrastructure monies that come through both S106 and Community Infrastructure Levy (CIL) funding routes. Furthermore, that this should be at a level to support investment in all forms of healthcare provision to meet the demands of housing growth across the Colyton Parish area (including primary, secondary, and mental health services), and that developers must be encouraged to consider the health impacts of their proposed developments from the outset. Specifically, suggests an additional criteria be added to Policy Coly7 (Housing Development within the Built-up Area Boundary) to read, “new development help tackle health inequality, as far as practicable, and maximise its positive contribution to health and wellbeing, whilst avoiding any potential negative impacts of new development”.

17. Royal Society for the Protection of Birds (RSPB)

Fully supports the aims and objectives that relate to the more rural areas of the Parish and seeks provision within new buildings to support the many species that live in the built environment, including through bird (swift) boxes, bat tubes, bee bricks and hedgehog highways. Provides links to various sources /standards (current and emerging) which could be used / referenced in the plan.

18. Woodland Trust

Expresses overall support for the Plan and the policies in respect of trees, woodlands and green spaces, including Policy Coly1, Coly2 (with revision), Coly4, Coly5 and Coly6. Suggests the Plan includes a definition of what it is referring to as ‘natural woodland’, and makes specific suggestion for additional wording to Policy Coly2 Trees, Woodlands and Hedgerows as follows:

- Part A. recommend that this section is strengthened by replacing the word ‘resisted’ with ‘refused’ as ancient woods are irreplaceable, unique and distinctive of their locality.
- Parts B and C. seeks strengthening of this section to include an additional to part B to state, “Woodland in the vicinity of new developments should be protected by the creation of an appropriate buffer zone. As a precautionary principle, a minimum 50 metre buffer should be maintained between a development and ancient woodland, including through the construction phase, unless the applicant can demonstrate very clearly how a smaller buffer would suffice.”

Note

This document seeks to set out a factual summary of the key points made in each representation in order to give an overview. However, to view further detail and the original wording of the representations as submitted in full, please go to our [website](#).