

# **Kilmington Neighbourhood Plan**

**2020-2031**

## **Basic Conditions Statement**

**Kilmington Parish Council**

**December 2021**

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## 1. Introduction

Our Neighbourhood Plan has been produced by Kilmington Parish Council, as the “qualifying body” with overall responsibility for the preparation, consultation and submission of the Neighbourhood Plan. The development of the plan and management of the process has been marshalled by a Neighbourhood Plan Steering Group comprised of members of our community and Parish Councillors, advised by planning consultants Stuart Todd Associates Ltd and supported by our local planning authority (East Devon District Council).

The Parish of Kilmington is situated in East Devon District, near Axminster, with the A35 running through it. At the Parish’s heart is the village of Kilmington. The Parish occupies an area of around 1,760 acres (712 hectares) within which there are currently around 400 properties occupied by around 800 parishioners. Kilmington has many attractions including its location, its rural setting, its character and its community. The Parish lies within two Areas of Outstanding Natural Beauty.

## 2. What are the Basic Conditions and why do we need this Statement?

The “Basic Conditions” are a set of conditions that the Neighbourhood Plan must pass in order for it to proceed to referendum. In relation to Neighbourhood Plans, the Plan will pass the basic conditions if:

- having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan;
- the making of the plan contributes to the achievement of sustainable development;
- the making of the plan is in general conformity<sup>1</sup> with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
- the making of the plan does not breach, and is otherwise compatible with, EU obligations<sup>2</sup>; and,

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<sup>1</sup> See <https://www.gov.uk/guidance/neighbourhood-planning--2#General-conformity-with-strategic-policies> “General conformity” is defined there (in National Planning Practice Guidance, paragraph 74, reference ID 41-074-20140306, revision date 06-03-14) as “When considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority, should consider the following:

whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with;

the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy;

whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy; and,

the rationale for the approach taken in the draft neighbourhood plan or Order and the evidence to justify that approach.”

<sup>2</sup> According to the Government website (<https://www.gov.uk/guidance/neighbourhood-planning--2#EU-obligations-neighbourhood-planning>), “A neighbourhood plan or Order must be compatible with European Union obligations, as incorporated into UK law, in order to be legally compliant. There are 4 directives that may be of particular relevance to neighbourhood planning:

Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (often referred to as the Strategic Environmental Assessment (SEA) Directive). This seeks to provide a high level of protection of the environment by integrating environmental considerations into the process of preparing plans and programmes. It may be of relevance to neighbourhood plans.

Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (often referred to as the Environmental Impact Assessment (EIA) Directive). Environmental Impact Assessment is a procedure to be followed for certain types of proposed development. This is to ensure that decisions are made in full knowledge of any likely significant effects on the environment and that the public are given early and effective opportunities to participate in the decision making procedures. It may be of relevance to Neighbourhood Development Orders.

- prescribed conditions are met in relation to the plan order and prescribed matters have been complied with in connection with the proposal for the plan.

These requirements (and those for neighbourhood development orders) are formally set out in of paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 Act. (as amended by the Localism Act 2011)<sup>3</sup>.

This Basic Conditions Statement is submitted alongside our draft Neighbourhood Plan. In submitting the Statement, and through its content demonstrated how our plan meets the Basic Conditions, we have satisfied one of the requirements of Regulation 15 (1) of the Neighbourhood Planning (General) Regulations 2012. This Regulation sets out what the Parish Council, as the “qualifying body” responsible for producing the plan, must submit as part of the Neighbourhood Plan proposal. These are submitted, alongside this Statement. Regulation 15 (1) states<sup>4</sup> that:

“(1) Where a qualifying body submits a plan proposal to the local planning authority, it must include—

- (a) a map or statement which identifies the area to which the proposed neighbourhood development plan relates;
- (b) a consultation statement;
- (c) the proposed neighbourhood development plan; and
- (d) *a statement explaining how the proposed neighbourhood development plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Act.*” (i.e. this Statement).

Following this introduction, the Statement sets out:

- where our Neighbourhood Area is and how this was established;
- a summary of why we need our Neighbourhood Plan;
- how we have complied with relevant legislation;
- a summary of the content of our Neighbourhood Plan proposal; and,
- an explanation of how our Neighbourhood Plan meets the Basic Conditions.

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Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora and Directive 2009/147/EC on the conservation of wild birds (often referred to as the Habitats and Wild Birds Directives respectively). These aim to protect and improve Europe’s most important habitats and species. They may be of relevance to both neighbourhood plans or Orders. Other European directives, such as the Waste Framework Directive (2008/98/EC), Air Quality Directive (2008/50/EC) or the Water Framework Directive (2000/60/EC) may apply to the particular circumstances of a draft neighbourhood plan or Order.

We understand that this remains the case until such obligations have been replaced in UK law and Government guidance updated.

<sup>3</sup> See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/10/enacted> They are also set out in the National Planning Practice Guidance at <http://planningguidance.planningportal.gov.uk/blog/guidance/neighbourhood-planning/the-basic-conditions-that-a-draft-neighbourhood-plan-or-order-must-meet-if-it-is-to-proceed-to-referendum/>

<sup>4</sup> See <http://www.legislation.gov.uk/uksi/2012/637/regulation/15/made>

### 3. Our Neighbourhood Area

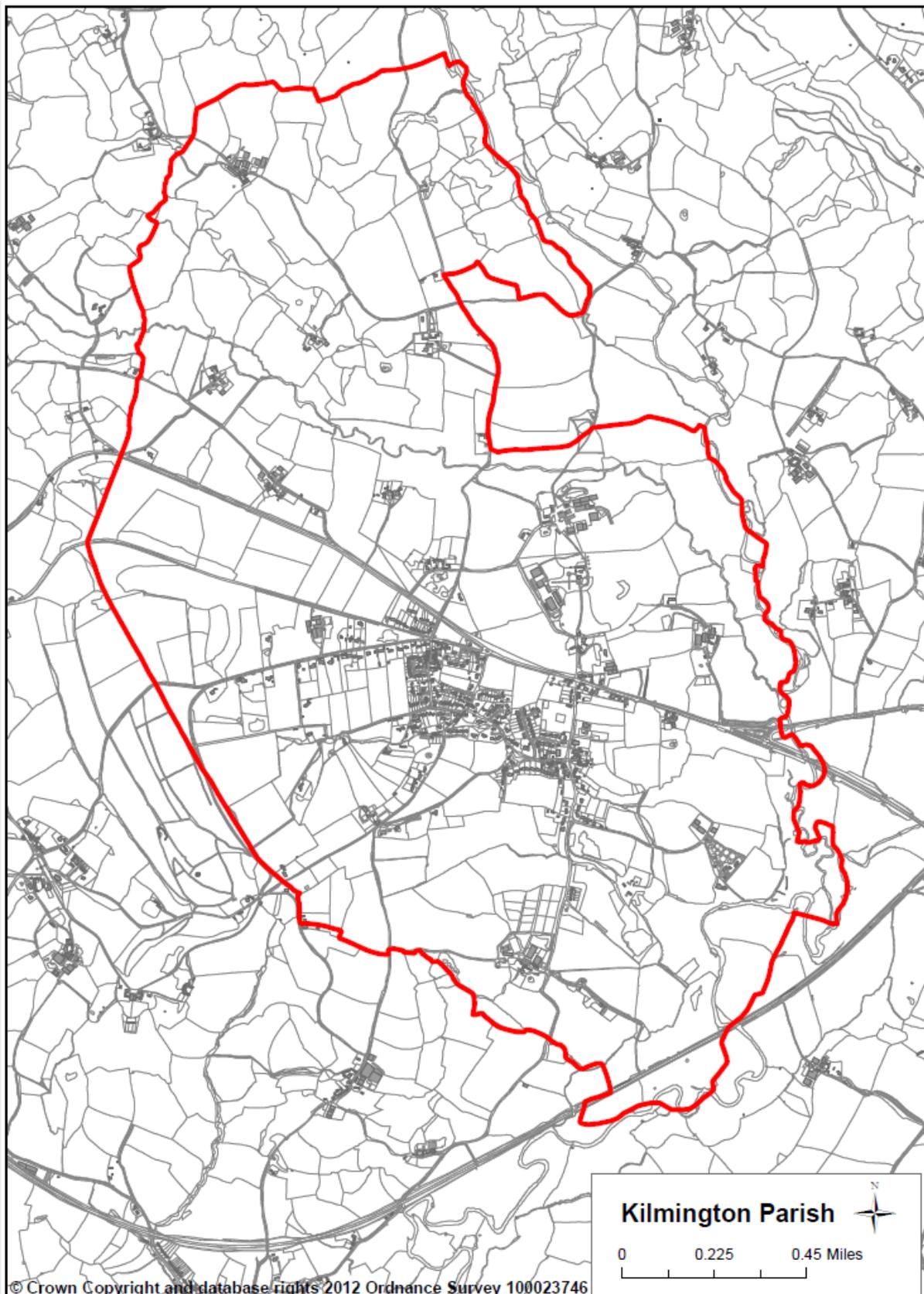
The first formal part of the process of developing our Neighbourhood Plan was the confirmation of our Neighbourhood Area, or the area for which the Parish Council, as the “qualifying body” for Neighbourhood Planning activity will have the right to produce a plan for. Our application to designate the Neighbourhood Area was submitted, as required by Regulation 5 of the Neighbourhood Planning (General) Regulations 2012, to the local planning authority in November 2015. This application is reproduced in Appendix 1 to this Statement.

Following a public consultation, our Neighbourhood Area was formally approved by the local planning authority on 15<sup>th</sup> January 2016<sup>5</sup>. Our approved Neighbourhood Area is set out below in Figure 1.

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<sup>5</sup> Reference: <https://eastdevon.gov.uk/planning/planning-policy/neighbourhood-and-community-plans/neighbourhood-plans/neighbourhood-plans-being-produced-in-east-devon/kilmington/#article-content>

Figure 1 – Approved Neighbourhood Area



#### 4. Why do we need a Neighbourhood Plan?

Our justification for producing the plan is set out in the introductory sections of the Plan itself culminating in the Vision and Objectives which have been developed and shaped from evidence and community consultation. In summary, the main reasons for producing a Neighbourhood Plan were as follows:

- We wanted to have some control over local planning matters and decisions and our community wanted particularly to develop its own local planning policies so that we can have an influence over the location, type, scale, design and form of development which may come forward in the Parish during the Plan period;
- We wanted to preserve the character, cultural and heritage of the parish;
- We wanted to develop a plan which protects and enhances our countryside and natural environment in order to maintain the character of our surrounding landscape;
- We wanted to have a say in shaping the future of our Parish including how our valued assets are protected, maintained and enhanced and how we can help to ensure that our local services and facilities are sustained into the future; and,
- We wanted to respond to issues, concerns and challenges identified by the local community.

Having explored the issues and identified the key messages and things of importance to the community, our Plan has set out a clear Vision and Objectives, reproduced below.

#### **Vision**

##### **Vision Statement**

“We recognise that Kilmington village and its surrounding Parish is a special place to live, lying within two Areas of Outstanding Natural Beauty. While recognising the need for evolution and development within the Parish, the community wishes the Parish to retain its unique and intimate character. We aim to maintain these qualities, whilst enhancing the rural and built environment by allowing limited incremental development to meet the needs of local people until 2031, in a way that will not compromise future generations and will encourage the maintenance of a sustainable and balanced rural community.”

## Objectives

<b>Theme: Housing Development and Community Facilities</b>
i) To support housing development which meets the identified needs of the local community across types and tenures, whilst meeting changing demographic and social requirements.
ii) To ensure housing growth is of a scale that is appropriate to the village's role, function and does not adversely impact upon the ability to accommodate demand on facilities and infrastructure.
iii) To protect, maintain and enhance existing community facilities and support the provision of new facilities where required.
iv) Promote and support lifelong learning in the Parish to instruct, teach, train and enlighten people of all ages and abilities to help them achieve their full potential.
v) To encourage and support opportunities for sustainable and local food production.
<b>Theme: Getting Around: Transport and Traffic</b>
vi) To manage and address traffic and parking and to encourage pedestrian movement.
<b>Theme: Employment and Business</b>
vii) To support the local economy through existing businesses, and enhance employment opportunities by supporting new enterprises and premises of an appropriate type, location and scale.
<b>Theme: Heritage and Design</b>
viii) To keep all development to a scale, mass and character which respects and responds to principles of high-quality design, reflecting and enhancing local built and landscape character and distinctiveness of the Parish.
<b>Theme: Countryside and Green Spaces</b>
ix) To protect and enhance the AONB designated landscapes, rural identity, biodiversity, geodiversity, and wildlife habitats and corridors (including streams).
x) To protect and enhance green spaces and sports facilities which are of recreational value to the community. Create a healthy living environment and facilitate physical activity to promote the health and wellbeing of the community.
<b>Theme: Small Scale Renewable &amp; Low Carbon Energy Generation</b>
xi) To support small scale renewable and low carbon energy generation to help reduce emissions in the Parish and help contribute positively to adaptation to and mitigation of climate change at the local level.

## 5. Summary of Compliance with Legislation

This section sets out how our Neighbourhood Plan and process has complied with the requirements set out in the Neighbourhood Plan regulations.

### ***Qualifying Body***

A “qualifying body” is defined by Section 38A(12) of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act<sup>6</sup> as “a parish council, or an organisation or body designated as a neighbourhood forum, authorised for the purposes of a neighbourhood development plan to act in relation to a neighbourhood area...”.

Section 38A(1) of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act<sup>7</sup> sets out the qualifying body’s entitlement to prepare a Neighbourhood Plan. It states that:

“(1) Any qualifying body is entitled to initiate a process for the purpose of requiring a local planning authority in England to make a neighbourhood development plan.”

We confirm that the Neighbourhood Plan has been prepared by Kilmington Parish Council as the “qualifying body” for the purposes of Neighbourhood Planning.

### ***Neighbourhood Area***

The Neighbourhood Area (as shown in Figure 1 above) was applied for and approved through the process set out in the Neighbourhood Planning (General) Regulations 2012 (Regulations 5 to 7)<sup>8</sup>. Both the application and the approval / decision notice are appended to this Statement.

### ***What a Neighbourhood Plan is and the Content of the Neighbourhood Plan***

Section 38A(2) of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act<sup>9</sup> sets out the meaning of “neighbourhood development plan”. It states that:

“(2) A “neighbourhood development plan” is a plan which sets out policies (however expressed) in relation to the development and use of land in the whole or any part of a particular neighbourhood area specified in the plan.”

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<sup>6</sup> See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

<sup>7</sup> See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

<sup>8</sup> See <http://www.legislation.gov.uk/uksi/2012/637/regulation/5/made>

<sup>9</sup> See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

Section 38B(1) of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act<sup>10</sup> sets out what the Plan may include. It states that:

“(1) A neighbourhood development plan—

- (a) must specify the period for which it is to have effect,
- (b) may not include provision about development that is excluded development, and
- (c) may not relate to more than one neighbourhood area.”

“Excluded development” is defined in Section 68K of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act<sup>11</sup> as:

- “(a) development that consists of a county matter within paragraph 1(1)(a) to (h) of Schedule 1,
- (b) development that consists of the carrying out of any operation, or class of operation, prescribed under paragraph 1(j) of that Schedule (waste development) but that does not consist of development of a prescribed description,
- (c) development that falls within Annex 1 to Council Directive [85/337/EEC](#) on the assessment of the effects of certain public and private projects on the environment (as amended from time to time),
- (d) development that consists (whether wholly or partly) of a nationally significant infrastructure project (within the meaning of the Planning Act 2008),
- (e) prescribed development or development of a prescribed description, and
- (f) development in a prescribed area or an area of a prescribed description.”

Section 38B(2)<sup>12</sup> states that:

“(2) Only one neighbourhood development plan may be made for each neighbourhood area.”

In response to these requirements, we confirm that:

- our Neighbourhood Plan covers the period 2020 to 2031 aligning with the plan period of the adopted Local Plan;
- our Neighbourhood Plan is the only Neighbourhood Plan for the Parish of Kilmington;
- our Neighbourhood Plan does not contain policies relating to “excluded development”;
- our Neighbourhood Plan relates only to the defined Neighbourhood Area set out in Figure 1 above; and,
- our Neighbourhood Plan sets out policies in relation to the development and use of land.

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<sup>10</sup> See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

<sup>11</sup> See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

<sup>12</sup> See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

## ***Submission Documents***

As referred to earlier in this Statement, all the documents required for submission by Regulation 15(1) of the Neighbourhood Planning (General) Regulations are included in the submission package for the Neighbourhood Plan.

## ***Basic Conditions***

As referred to earlier in this Statement, we consider that all of the Basic Conditions (set out in of paragraph 8(2) of Schedule 4B to the 1990 Act (as amended) by the Localism Act 2011.<sup>13</sup>) have been met, as demonstrated in this Statement.

## **6. Content of Our Neighbourhood Plan Proposal**

To comply with the requirements of Regulation 15 (1) of the Neighbourhood Planning (General) Regulations 2012<sup>14</sup>, and to provide sufficient material to help demonstrate that the Basic Conditions have been met, the following documents have been submitted to the local authority:

- The Neighbourhood Plan (which includes a map and statement which identifies the area to which our plan relates);
- Our Consultation Statement;
- Our Basic Conditions Statement (this document); and,
- Strategic Environmental Assessment / Habitats Regulation Assessment Screening Opinion.

The Neighbourhood Plan includes a set of appendices which elaborate and support our policy justification and content. Other evidence base documents are available to view on the Neighbourhood Plan webpages here <https://www.kilmingtonvillage.com/neighbourhood-plan.html>.

## **7. How our Neighbourhood Plan meets the Basic Conditions**

The following section sets out how we believe the Plan meets the Basic Conditions.

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<sup>13</sup> See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/10/enacted> They are also set out in the National Planning Practice Guidance at <http://planningguidance.planningportal.gov.uk/blog/guidance/neighbourhood-planning/the-basic-conditions-that-a-draft-neighbourhood-plan-or-order-must-meet-if-it-is-to-proceed-to-referendum/>

<sup>14</sup> See <http://www.legislation.gov.uk/uksi/2012/637/regulation/15/made>

## A. Having regard to national policies and advice contained in guidance issued by the Secretary of State

We have undertaken the Plan's development in a way consistent with good practice:

- considering other made Plans in the local planning authority area;
- receiving advice from the local planning authority;
- receiving advice from our planning consultant's experience supporting other groups and of the planning system;
- considering various Locality produced guidance notes (such as the Roadmap<sup>15</sup>); and,
- also following the guidance on process and legal requirements set out in the Government's National Planning Practice Guidance<sup>16</sup>.

In developing our evidence base we have sought to:

- i) understand the planning policy framework within which we have had to work; and,
- ii) find or develop evidence to support the Aims and Objectives identified through local community consultation.

This has then been applied to the development of our policies, which were in turn, scrutinised by the local planning authority officers to provide comments on alignment with the policies in the adopted Local Plan prior to finalising the draft Plan.

Our consultation process fulfils the requirements set out in Neighbourhood Planning Regulations (as detailed in our Consultation Statement).

We believe that our Plan meets the requirements and objectives of the National Planning Policy Framework (NPPF), has had regard to national policy and advice and, in alignment with paragraph 15 in the NPPF is a "succinct and up-to-date" Plan which provides "...a positive vision for the future of...[our]...area; a framework for addressing housing needs and other economic, social and environmental priorities; and a platform for local people to shape their surroundings."

A positive vision has been developed through consultation, derived from the objectives, which in turn were identified through local consultation and analysis of written evidence. Our consultation has provided local people with the opportunity to engage with the process of developing the Plan, from its inception through to the drafting of the policies and Plan itself. We have drafted our policies in a way which provides positive criteria to aid the practical consideration of planning applications whilst also setting out a clear framework of how our high quality and valued environment should be respected and enhanced now and in the future.

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<sup>15</sup> See <http://locality.org.uk/resources/neighbourhood-planning-roadmap-guide/>

<sup>16</sup> See <https://www.gov.uk/guidance/neighbourhood-planning--2>

The wording of our policies has been ‘tested’ by planning officers at the local planning authority, and we anticipate therefore, that they can be used effectively as a practical framework in the planning system’s decision making process.

The following table sets out how we consider the Plan has had regard to national policies by setting out the key paragraphs from the NPPF (wording abridged) which relate to what our policies are seeking to achieve.

For ease of reference, a composite of our Plan policies is appended to this Statement.

Neighbourhood Plan Policies	Relevant Key NPPF Para(s)	Summary of key NPPF paragraphs which are responded to by the Neighbourhood Plan policies (emphasis added)
Policy HD1: Community Engagement	126	<p>The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is <b>effective engagement</b> between applicants, communities, local planning authorities and other interests throughout the process.</p>
<p>Policy HD1: Community Engagement</p> <p>Policy HD2: Housing Development within the Built-up Area Boundary</p> <p>Policy HD3: Land off George Lane (adjacent to Dares Field)</p> <p>Policy HD4: Land off Whitford Road (north of The Beacon)</p> <p>Policy HD5: Self-build (and custom build) Housing</p> <p>Policy HD6: Retaining Affordable Housing in Perpetuity</p>	8b, 8c, 11a, 62, 78, 119, 120c, 174	<p>Support <b>strong, vibrant and healthy communities</b>, by ensuring that a sufficient <b>number and range of homes</b> can be provided to meet the needs of present and future generations...</p> <p>Protect and enhance our <b>natural, built and historic environment</b>; including making <b>effective use of land</b>...</p> <p>Positively seek opportunities to <b>meet the development needs</b> of their area...</p> <p>The <b>size, type and tenure of housing</b> needed for different groups in the community should be assessed and reflected in planning policies...</p> <p>In <b>rural areas</b>, planning policies and decisions should be responsive to local circumstances and support housing <b>developments that reflect local needs</b>.</p> <p>Planning policies and decisions should <b>promote an effective use of land</b> in meeting the need for homes and other uses...</p> <p>Give substantial weight to the value of using suitable <b>brownfield land within settlements</b> for homes and other identified needs...</p> <p>Planning policies and decisions should <b>contribute to and enhance the natural and local environment</b>...</p>

Neighbourhood Plan Policies	Relevant Key NPPF Para(s)	Summary of key NPPF paragraphs which are responded to by the Neighbourhood Plan policies (emphasis added)
<p>Policy HD7: Retaining Community Facilities, Amenities and Assets</p> <p>Policy HD8: Maintaining and Enhancing Community Facilities, Amenities and Assets</p> <p>Policy HD9: Education and Learning Facilities</p>	<p>8b, 28, 83d, 92, 93c, 93d, 99</p>	<p><b>Accessible services and open spaces</b> that reflect current and future needs and support <b>communities' health, social and cultural well-being...</b></p> <p>Non-strategic policies...can include allocating sites, the <i>provision of infrastructure and community facilities</i> at a local level, establishing design principles, conserving and enhancing the natural and historic environment and setting out other development management policies.</p> <p>Planning policies and decisions should enable: d) the retention and development of <b>accessible local services and community facilities</b>, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.</p> <p>Planning policies and decisions should aim to achieve <b>healthy, inclusive and safe places...</b></p> <p>Guard against the unnecessary <b>loss of valued facilities and services</b>, particularly where this would reduce the community's ability to meet its day-to-day needs...</p> <p>Ensure that established <b>shops, facilities and services</b> are able to develop and modernise, and are retained for the benefit of the community...</p> <p>Existing <b>open space, sports and recreational buildings and land</b>, including playing fields, should not be built on unless...</p>
<p>Policy TT1: Impact on the Local Highway, Cycleway and Footpath Network</p> <p>Policy TT2: Protecting Devon</p>	<p>92b, 104, 107, 100</p>	<p>...achieve healthy, inclusive and safe places which...are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of <b>attractive, well-designed, clear and legible pedestrian and cycle routes</b>, and high quality public space, which encourage the active and continual use of public areas</p>

Neighbourhood Plan Policies	Relevant Key NPPF Para(s)	Summary of key NPPF paragraphs which are responded to by the Neighbourhood Plan policies (emphasis added)
<p>Banks, Hedgerows and Trees from New and Widened Access Points</p> <p>Policy TT3: Traffic arising from Major Development</p> <p>Policy TT4: Protecting the Footpath, Bridleway and Cycleway Network</p>		<p><b>Transport issues</b> should be considered from the earliest stages of plan-making and development proposals...</p> <p>Planning policies and decisions should protect and enhance <b>public rights of way and access...</b></p>
<p>Policy TT1: Impact on the Local Highway, Cycleway and Footpath Network</p> <p>Policy TT4: Protecting the Footpath, Bridleway and Cycleway Network</p> <p>Policy DE1: High Quality Design</p>	92b	<p>...achieve healthy, inclusive and safe places which...are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of <b>attractive, well-designed, clear and legible pedestrian and cycle routes</b>, and high quality public space, which encourage the active and continual use of public areas</p>
<p>Policy CGS1: Locally Valued Landscapes and Views</p> <p>Policy CGS2: Locally Valued Areas of Biodiversity, Geodiversity and Habitat</p>	8c, 174, 179	<p>Protect and enhance our <b>natural, built and historic environment...</b></p> <p>Improve <b>biodiversity...</b></p> <p>Planning policies and decisions should contribute to and enhance the <b>natural and local environment...</b></p> <p>Protect and enhance <b>biodiversity and geodiversity...</b></p>

Neighbourhood Plan Policies	Relevant Key NPPF Para(s)	Summary of key NPPF paragraphs which are responded to by the Neighbourhood Plan policies (emphasis added)
<p>Policy CGS4: Protecting the Stream Corridor</p> <p>Policy TT2: Protecting Devon Banks, Hedgerows and Trees from New and Widened Access Points</p>		
Policy CGS3: Local Green Space	101	The designation of land as <b>Local Green Space</b> through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them.
Policy DE1: High Quality Design	8b, 8c, 28, 92,104e, 124, 125, 126, 129, 153	<p>Support strong, vibrant and healthy communities... fostering <b>well-designed, beautiful and safe places...</b></p> <p>Protect and enhance our <b>natural, built and historic environment...</b></p> <p>Non-strategic policies...can include allocating sites, the provision of infrastructure and community facilities at a local level, <b>establishing design principles</b>, conserving and enhancing the natural and historic environment and setting out other development management policies.</p> <p>Planning policies and decisions should aim to achieve <b>healthy, inclusive and safe places...</b></p> <p>Transport issues should be considered from the earliest stages of plan-making and development proposals, so that... patterns of movement, streets, parking and other transport considerations are <b>integral to the design of schemes, and contribute to making high quality places.</b></p> <p>The creation of <b>high-quality buildings and places</b> is fundamental to what the planning and development process should achieve...</p> <p>Area-based character assessments, <b>design guides and codes</b> and masterplans can be used to help ensure that</p>

Neighbourhood Plan Policies	Relevant Key NPPF Para(s)	Summary of key NPPF paragraphs which are responded to by the Neighbourhood Plan policies (emphasis added)
		<p>land is used efficiently while also creating beautiful and sustainable places.</p> <p>The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. <b>Good design</b> is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.</p> <p><b>Design guides and codes</b> can be prepared at an area-wide, neighbourhood or site specific scale, and to carry weight in decision-making should be produced either as part of a plan or as supplementary planning documents.</p> <p>Plans should take a <b>proactive approach to mitigating and adapting to climate change</b>, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures...</p>
<p>Policy DE1: High Quality Design</p> <p>Policy CGS4: Protecting the Stream Corridor</p>	8c, 185	<p>Protect and enhance our <b>natural, built and historic environment</b>...</p> <p>Plans should set out a positive strategy for the <b>conservation and enjoyment of the historic environment</b>, including heritage assets most at risk through neglect, decay or other threats.</p>
Policy DE2: Flood Risk	153	Plans should take a <b>proactive approach to mitigating and adapting to climate change</b> , taking into account the long-term implications for <b>flood risk</b> , coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures...
Policy EB1: Local Employment in	8a, 84a	Help build a <b>strong, responsive and competitive economy</b> ...

Neighbourhood Plan Policies	Relevant Key NPPF Para(s)	Summary of key NPPF paragraphs which are responded to by the Neighbourhood Plan policies (emphasis added)
<p>Agriculture and Forestry</p> <p>Policy EB2: Local Tourism and Leisure Opportunities</p> <p>Policy EB3: Change of Use of Agricultural Buildings Development</p> <p>Policy EB4: Change of Use from Agricultural to Woodland / Forestry Use</p> <p>Policy EB5: Telecommunications</p>		<p>Planning policies and decisions should enable: a) the sustainable growth and expansion of all types of <b>business in rural areas</b>, both through conversion of existing buildings and well-designed new buildings...</p>
<p>Policy EB5: Telecommunications</p>	<p>114, 115</p>	<p>Planning policies and decisions should support the expansion of <b>electronic communications networks...</b></p> <p>Where new sites are required (such as for new 5G networks, or for connected transport and smart city applications), equipment should be <b>sympathetically designed and camouflaged</b> where appropriate.</p>
<p>Policy RLC1: Small Scale Renewable and Low Carbon Energy Generation</p>	<p>8c, 152, 153</p>	<p>Mitigating and adapting to <b>climate change</b>, including moving to a low carbon economy...</p> <p>The planning system should support the transition to a <b>low carbon future</b> in a changing climate...</p> <p>Plans should take a <b>proactive approach to mitigating and adapting to climate change</b>, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures...</p>

## B. The making of the Plan contributes to the achievement of sustainable development

The Neighbourhood Plan has been developed within the context of the definition of sustainable development in the National Planning Policy Framework and that in the Local Plan. The NPPF sets three overarching objectives which set the direction of travel of the delivery of sustainable development in the planning system. These are reproduced below from paragraph 8.

8. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):
- a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
  - b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and
  - c) **an environmental objective** – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

We have produced a sustainability matrix which tests the policies of the Plan against the broad social, economic and environmental sustainability objectives of the NPPF set out in paragraph 8.

Consideration and testing of the Plan in this way helps us demonstrate that we have paid close attention to the achievement of sustainable development, particularly as we were not required to undertake a Strategic Environmental Assessment (SEA). The assessment uses a traffic light system to indicate the degree of contribution to the objectives of sustainable development. It is important to note that any testing done in this way will have a degree of subjectivity attached and the traffic light system presents a “direction of travel”. The key is as follows.

++	Strongly supports the objective
+	Supports the objective
N	Is neutral in effect
-	Potentially works against the objective
--	Strongly works against the objective
+/-	Effects uncertain

Policy	Objective			Reasoning: how the policy contributes to the achievement of sustainable development
	Social	Environmental	Economic	
<b>Policy HD1: Community Engagement</b>				<p>The policy strongly supports the social objective of supporting strong, vibrant and healthy communities by seeking to ensure that housing development fits with the objectives of the Plan.</p> <p>The policy supports the environmental objective by enabling check and challenge of proposals by the community in line with the environmental policies in the Plan.</p> <p>The policy is neutral in effect in relation to the economic objective as it neither clearly supports nor clearly works against it.</p>
<b>Policy HD2: Housing Development within the Built-up Area Boundary</b>				<p>The policy supports the social objective of supporting strong, vibrant and healthy communities by encouraging housing development within the built-up area boundary within the existing main village community of the parish.</p> <p>The policy supports the environmental objective by encouraging the focus of windfall development within the built-up area boundary.</p> <p>The policy supports the economic objective by supporting some “organic” growth of housing within the village, providing the opportunity for additional population to spend and earn money in the local economy.</p>
<b>Policy HD3: Land off George Lane (adjacent to Dares Field)</b>				<p>The policy strongly supports the social objective of supporting strong, vibrant and healthy communities by positively allocating a housing site.</p> <p>The policy potentially works against the environmental objective as it allocates housing on a green field site, although the policy and others are designed to successfully mitigate adverse impact and so delivery may result in a neutral impact overall.</p> <p>The policy supports the economic objective by ensuring that development comes forward in the village which could support the local economy through local employment and spend of money.</p>

Policy	Objective			Reasoning: how the policy contributes to the achievement of sustainable development
	Social	Environmental	Economic	
<b>Policy HD4: Land off Whitford Road (north of The Beacon)</b>				<p>The policy strongly supports the social objective of supporting strong, vibrant and healthy communities by positively allocating a housing site. The policy potentially works against the environmental objective as it allocates housing on a green field site, although the policy and others are designed to successfully mitigate adverse impact and so delivery may result in a neutral impact overall.</p> <p>The policy supports the economic objective by ensuring that development comes forward in the village which could support the local economy through local employment and spend of money.</p>
<b>Policy HD5: Self-build (and custom build) Housing</b>				<p>The policy supports the social objective of supporting strong, vibrant and healthy communities by supporting additional housing delivery with a particular focus on local needs.</p> <p>The policy is neutral in effect in relation to the environmental objective as it neither clearly supports nor clearly works against it.</p> <p>The policy supports the economic objective by encouraging development which could support the local economy through local employment and spend of money.</p>
<b>Policy HD6: Retaining Affordable Housing in Perpetuity</b>				<p>The policy supports the social objective of supporting strong, vibrant and healthy communities by supporting additional housing delivery with a particular focus on local needs.</p> <p>The policy is neutral in effect in relation to the environmental objective as it neither clearly supports nor clearly works against it.</p> <p>The policy is neutral in effect in relation to the economic objective as it neither clearly supports nor clearly works against it.</p>
<b>Policy HD7: Retaining Community Facilities, Amenities and Assets</b>				<p>The policy supports the social objective of supporting strong, vibrant and healthy communities by seeking to retain community assets which provide local facilities and services for residents.</p> <p>The policy is neutral in effect in relation to the environmental objective as it neither clearly supports nor clearly works against it.</p>

Policy	Objective			Reasoning: how the policy contributes to the achievement of sustainable development
	Social	Environmental	Economic	
				The policy supports the economic objective by seeking to protect assets which will have a positive economic impact on the local economy, even if only small.
<b>Policy HD8: Maintaining and Enhancing Community Facilities, Amenities and Assets</b>				<p>The policy supports the social objective of supporting strong, vibrant and healthy communities by providing policy support in principle for improved and new community assets.</p> <p>The policy supports the environmental objective by introducing mitigation requirements to protect and enhance the environment as a result of proposals.</p> <p>The policy supports the economic objective as improved and new additional facilities and services are likely to help sustain and improve the local economy.</p>
<b>Policy HD9: Education and Learning Facilities</b>				<p>The policy supports the social objective of supporting strong, vibrant and healthy communities by supporting provision for education in principle.</p> <p>The policy supports the environmental objective by introducing mitigation requirements to protect and enhance the environment as a result of proposals.</p> <p>The policy supports the economic objective by providing a policy which supports learning opportunities.</p>
<b>Policy TT1: Impact on the Local Highway, Cycleway and Footpath Network</b>				<p>The policy supports the social objective of supporting strong, vibrant and healthy communities by supporting proposals which improve local infrastructure and accessibility for residents.</p> <p>The policy supports the environmental objective by seeking to require that all development proposals for dwellings and employment premises have EV charging points installed.</p> <p>The policy is neutral in effect in relation to the economic objective as it neither clearly supports nor clearly works against it.</p>
<b>Policy TT2: Protecting Devon Banks,</b>				The policy is neutral in effect in relation to the social objective as it neither clearly supports nor clearly works against it.

Policy	Objective			Reasoning: how the policy contributes to the achievement of sustainable development
	Social	Environmental	Economic	
<b>Hedgerows and Trees from New and Widened Access Points</b>				The policy strongly supports the environmental objective by seeking to protect key elements of green infrastructure as essential parts of the habitat and biodiversity network and historic character of the parish. The policy is neutral in effect in relation to the economic objective as it neither clearly supports nor clearly works against it.
<b>Policy TT3: Traffic arising from Major Development</b>				The policy is neutral in effect in relation to the social objective as it neither clearly supports nor clearly works against it. The policy is neutral in effect in relation to the environmental objective as it neither clearly supports nor clearly works against it. The policy is neutral in effect in relation to the economic objective as it neither clearly supports nor clearly works against it.
<b>Policy TT4: Protecting the Footpath, Bridleway and Cycleway Network</b>				The policy supports the social objective of supporting strong, vibrant and healthy communities by helping to protect health, social and cultural wellbeing through protection of key pedestrian and cycle routes in the parish. The policy supports the environmental objective by requiring that any proposals for improved or new pathways have no adverse impact on the environment. The policy is neutral in effect in relation to the economic objective as it neither clearly supports nor clearly works against it.
<b>Policy EB1: Local Employment in Agriculture and Forestry</b>				The policy is neutral in effect in relation to the social objective as it neither clearly supports nor clearly works against it. The policy supports the environmental objective by introducing mitigation requirements to protect and enhance the environment as a result of proposals. The policy supports the economic objective by providing policy support for proposals which enhance agricultural and forestry employment opportunities in the parish.

Policy	Objective			Reasoning: how the policy contributes to the achievement of sustainable development
	Social	Environmental	Economic	
<b>Policy EB2: Local Tourism and Leisure Opportunities</b>				<p>The policy is neutral in effect in relation to the social objective as it neither clearly supports nor clearly works against it.</p> <p>The policy supports the environmental objective by introducing mitigation requirements to protect and enhance the environment as a result of proposals.</p> <p>The policy supports the economic objective by supporting local tourism opportunities in the parish.</p>
<b>Policy EB3: Change of Use of Agricultural Buildings Development</b>				<p>The policy is neutral in effect in relation to the social objective as it neither clearly supports nor clearly works against it.</p> <p>The policy supports the environmental objective by introducing mitigation requirements to protect and enhance the environment as a result of proposals.</p> <p>The policy supports the economic objective by supporting farm diversification opportunities in the parish.</p>
<b>Policy EB4: Change of Use from Agricultural to Woodland / Forestry Use</b>				<p>The policy is neutral in effect in relation to the social objective as it neither clearly supports nor clearly works against it.</p> <p>The policy supports the environmental objective by introducing mitigation requirements to protect and enhance the environment as a result of proposals. The policy could also help to increase biodiversity and habitat creation.</p> <p>The policy supports the economic objective by supporting local opportunities for woodland / forestry employment.</p>
<b>Policy EB5: Telecommunications</b>				<p>The policy is neutral in effect in relation to the social objective as it neither clearly supports nor clearly works against it.</p> <p>The policy supports the environmental objective by introducing mitigation requirements to protect and enhance the environment as a result of proposals.</p> <p>The policy is neutral in effect in relation to the economic objective as it neither clearly supports nor clearly works against it.</p>

Policy	Objective			Reasoning: how the policy contributes to the achievement of sustainable development
	Social	Environmental	Economic	
<b>Policy DE1: High Quality Design</b>				<p>The policy strongly supports the social objective of supporting strong, vibrant and healthy communities by supporting well-designed buildings.</p> <p>The policy supports the environmental objective by helping to protect the character of the environment</p> <p>The policy is neutral in effect in relation to the economic objective as it neither clearly supports nor clearly works against it.</p>
<b>Policy DE2: Flood Risk</b>				<p>The policy is neutral in effect in relation to the social objective as it neither clearly supports nor clearly works against it.</p> <p>The policy supports the environmental objective by introducing mitigation requirements to protect proposals and their setting against flood risk.</p> <p>The policy is neutral in effect in relation to the economic objective as it neither clearly supports nor clearly works against it.</p>
<b>Policy CGS1: Locally Valued Landscapes and Views</b>				<p>The policy supports the social objective of supporting strong, vibrant and healthy communities by protecting the highly valued character of the rural environment for the benefit of local residents.</p> <p>The policy strongly supports the environmental objective by protecting the highly valued character of the rural environment for its own sake and that of flora and fauna.</p> <p>The policy is neutral in effect in relation to the economic objective as it neither clearly supports nor clearly works against it.</p>
<b>Policy CGS2: Locally Valued Areas of Biodiversity, Geodiversity and Habitat</b>				<p>The policy supports the social objective of supporting strong, vibrant and healthy communities by protecting the highly valued character of the rural environment for the benefit of local residents.</p> <p>The policy strongly supports the environmental objective by protecting the highly valued character of the rural environment for its own sake and that of flora and fauna.</p> <p>The policy is neutral in effect in relation to the economic objective as it neither clearly supports nor clearly works against it.</p>

Policy	Objective			Reasoning: how the policy contributes to the achievement of sustainable development
	Social	Environmental	Economic	
<b>Policy CGS3: Local Green Space</b>				<p>The policy strongly supports the social objective of supporting strong, vibrant and healthy communities by protecting the highly valued character of the environment for the benefit of local residents, particularly those areas used for recreational purposes.</p> <p>The policy supports the environmental objective by protecting the highly valued character of the rural environment for its own sake and that of flora and fauna.</p> <p>The policy is neutral in effect in relation to the economic objective as it neither clearly supports nor clearly works against it.</p>
<b>Policy CGS4: Protecting the Stream Corridor</b>				<p>The policy supports the social objective of supporting strong, vibrant and healthy communities by protecting the highly valued character of the rural environment for the benefit of local residents.</p> <p>The policy strongly supports the environmental objective by protecting the highly valued character of the rural environment for its own sake and that of flora and fauna along the river corridor.</p> <p>The policy is neutral in effect in relation to the economic objective as it neither clearly supports nor clearly works against it.</p>
<b>Policy RLC1: Small Scale Renewable and Low Carbon Energy Generation</b>				<p>The policy is neutral in effect in relation to the social objective as it neither clearly supports nor clearly works against it.</p> <p>The policy supports the environmental objective by supporting proposals for small scale renewable and low carbon energy generation proposals, where they do not compromise the highly valued environment.</p> <p>The policy is neutral in effect in relation to the economic objective as it neither clearly supports nor clearly works against it.</p>

The table below sets out how we feel that our Neighbourhood Plan has dealt with the achievement of sustainable development against the key relevant policy of the Local Plan.

Local Plan Sustainable Development Policy	How we believe our Plan contributes towards this												
<p><b>Strategy 3 - Sustainable Development</b></p> <p>The objective of ensuring sustainable development is central to our thinking. We interpret sustainable development in East Devon to mean that the following issues and their inter-relationships are taken fully into account when considering development:</p> <ul style="list-style-type: none"> <li>a) <b>Conserving and Enhancing the Environment</b> - which includes ensuring development is undertaken in a way that minimises harm and enhances biodiversity and the quality and character of the landscape. This includes reducing the risk of flooding by incorporating measures such as sustainable drainage systems. Developers should maximise the proportion of their developments that take place on previously developed land</li> <li>b) <b>Prudent natural resource use</b> - which includes minimising fossil fuel use therefore reducing carbon dioxide emissions. It also includes minimising resource consumption, reusing materials and recycling. Renewable energy development will be encouraged</li> <li>c) <b>Promoting social wellbeing</b> - which includes providing facilities to meet people's needs such as health care, affordable housing, recreation space and village halls.</li> <li>d) <b>Encouraging sustainable economic development</b> - which includes securing jobs.</li> <li>e) <b>Taking a long term view of our actions</b> - Ensuring that future generations live in a high quality environment where jobs, facilities, education and training are readily available.</li> </ul>	<p>All of the Neighbourhood Plan's policies contribute positively across all five of the sustainability issues identified in Strategy 3. The matrix below identifies the key parts of the Plan which have a direct relationship to the five issues identified in Strategy 3.</p> <table border="1" data-bbox="1021 323 2134 994"> <thead> <tr> <th data-bbox="1021 323 1408 395"><i>Strategy 3</i></th> <th data-bbox="1415 323 2134 395"><i>Neighbourhood Plan Themes</i></th> </tr> </thead> <tbody> <tr> <td data-bbox="1021 395 1408 499">Conserving and enhancing the environment</td> <td data-bbox="1415 395 2134 499">Countryside and Green Spaces; Housing and Development; Heritage and Design</td> </tr> <tr> <td data-bbox="1021 499 1408 643">Prudent natural resource use</td> <td data-bbox="1415 499 2134 643">Small Scale Renewable and Low Carbon Energy Generation; Housing and Development; Getting Around: Transport and Traffic</td> </tr> <tr> <td data-bbox="1021 643 1408 715">Promoting social wellbeing</td> <td data-bbox="1415 643 2134 715">Countryside and Green Spaces; Housing and Development</td> </tr> <tr> <td data-bbox="1021 715 1408 818">Encouraging sustainable economic development</td> <td data-bbox="1415 715 2134 818">Employment and Business</td> </tr> <tr> <td data-bbox="1021 818 1408 994">Taking a long-term view of our actions</td> <td data-bbox="1415 818 2134 994">Housing and Development; Employment and Business; Countryside and Green Spaces; Heritage and Design; Getting Around: Transport and Traffic; Small Scale Renewable and Low Carbon Energy Generation</td> </tr> </tbody> </table> <p>The Neighbourhood Plan provides a positive planning policy framework at the local level to aid decision making and the delivery of sustainable development. The Plan provides policies locally relevant to the Parish based on local consultation and views of the community and other objective written evidence base material. This provides the "granularity" or local layer of detail required by national policy guidance.</p> <p>The Plan is, in our view, in general conformity with the strategic policies of the adopted Local Plan, as this Statement demonstrates. Liaison with officers at East Devon District Council has helped us to shape the policies to ensure that this is the case and we have taken fully into account comments made by the Council submitted during the Regulation 14 consultation.</p>	<i>Strategy 3</i>	<i>Neighbourhood Plan Themes</i>	Conserving and enhancing the environment	Countryside and Green Spaces; Housing and Development; Heritage and Design	Prudent natural resource use	Small Scale Renewable and Low Carbon Energy Generation; Housing and Development; Getting Around: Transport and Traffic	Promoting social wellbeing	Countryside and Green Spaces; Housing and Development	Encouraging sustainable economic development	Employment and Business	Taking a long-term view of our actions	Housing and Development; Employment and Business; Countryside and Green Spaces; Heritage and Design; Getting Around: Transport and Traffic; Small Scale Renewable and Low Carbon Energy Generation
<i>Strategy 3</i>	<i>Neighbourhood Plan Themes</i>												
Conserving and enhancing the environment	Countryside and Green Spaces; Housing and Development; Heritage and Design												
Prudent natural resource use	Small Scale Renewable and Low Carbon Energy Generation; Housing and Development; Getting Around: Transport and Traffic												
Promoting social wellbeing	Countryside and Green Spaces; Housing and Development												
Encouraging sustainable economic development	Employment and Business												
Taking a long-term view of our actions	Housing and Development; Employment and Business; Countryside and Green Spaces; Heritage and Design; Getting Around: Transport and Traffic; Small Scale Renewable and Low Carbon Energy Generation												

### **C. The making of the plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)**

This section sets out our interpretation of how our policies are in general conformity<sup>17</sup> with the strategic policies of the Local Plan.

Our Plan's policies uphold and support the general principle of the strategic Local Plan policies identified below, demonstrate no conflict with the Local Plan policies to which they relate, provide added value and local specificity. Our Plan clearly sets out the rationale behind our evidence-based policies (our evidence base comprising local studies, written data and research and local and strategic consultation responses).

Throughout the process of Plan and policy development we have kept close liaison with officers at the local planning authority to help ensure that our policies are in general conformity with the strategic policies of the Local Plan.

The following table "maps" each of our policies alongside the relevant strategic policy of the Local Plan. We have suggested how we consider the neighbourhood plan policy is in general conformity with the strategic policies to which it relates.

We consider, therefore, that all of our policies are in general conformity with the strategic policies of the Local Plan. The third column below supplements and tries not simply to repeat the supporting text for the policies in the Neighbourhood Plan which provide the detailed justification and rationale behind the policies.

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<sup>17</sup> See <https://www.gov.uk/guidance/neighbourhood-planning--2#General-conformity-with-strategic-policies> "General conformity" is defined there (in National Planning Practice Guidance, paragraph 74, reference ID 41-074-20140306, revision date 06-03-14) as "When considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority, should consider the following:  
whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with;  
the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy;  
whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy; and,  
the rationale for the approach taken in the draft neighbourhood plan or Order and the evidence to justify that approach."

Strategic Policies of the Local Plan (relevant to the Parish)	Neighbourhood Plan Policies (those of relevance or none)	How does the Neighbourhood Plan demonstrate that it is in general conformity with the strategic policies?		
		<i>Policy supports and upholds the general principle that the strategic policy is concerned with?</i>	<i>Degree, if any, of conflict between the neighbourhood plan policy and the strategic policy?</i>	<i>Whether the neighbourhood plan policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy?</i>
Strategy 3 - Sustainable Development	See Section B above			
Strategy 1 - Spatial Strategy for Development in East Devon	Policy HD1: Community Engagement	Yes.	None.	Yes. The policies add specificity and “granularity” reflecting local issues identified through consultation and the evidence base. This is done through local housing site allocations, and by specifying the types of local needs to which proposals should respond.
Strategy 2 - Scale and Distribution of Residential Development	Policy HD2: Housing Development within the Built-up Area Boundary			
	Policy HD3: Land off George Lane (adjacent to Dares Field)			
Strategy 4 - Balanced Communities	Policy HD4: Land off Whitford Road (north of The Beacon)			
	Policy HD5: Self-build (and custom build) Housing			
	Policy HD6: Retaining Affordable Housing in Perpetuity			
Strategy 5 – Environment	Policy CGS1: Locally Valued Landscapes and Views	Yes.	None.	Yes. The policy adds specificity and “granularity” reflecting local issues identified through consultation and the evidence base. It does this by identifying local features and areas of land which require protection.
	Policy CGS2: Locally Valued Areas of Biodiversity, Geodiversity and Habitat			
	Policy CGS4: Protecting the Stream Corridor			

Strategic Policies of the Local Plan (relevant to the Parish)	Neighbourhood Plan Policies (those of relevance or none)	How does the Neighbourhood Plan demonstrate that it is in general conformity with the strategic policies?		
		<i>Policy supports and upholds the general principle that the strategic policy is concerned with?</i>	<i>Degree, if any, of conflict between the neighbourhood plan policy and the strategic policy?</i>	<i>Whether the neighbourhood plan policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy?</i>
Strategy 5B - Sustainable Transport	Policy DE1: High Quality Design Policy TT1: Impact on the Local Highway, Cycleway and Footpath Network Policy TT4: Protecting the Footpath, Bridleway and Cycleway Network	Yes.	None.	Yes. The policies add specificity and “granularity” reflecting local issues identified through consultation and the evidence base. It does this by being clear about the issues and aspects of transport and accessibility which matter locally and require local policy additionality.
Strategy 6 - Development within Built-Up Area Boundaries	Policy HD2: Housing Development within the Built-up Area Boundary	Yes.	None.	Yes. The policy adds specificity and “granularity” reflecting local issues identified through consultation and the evidence base. It does this by setting out local preferences for the types and locations within the boundary which are appropriate in the Kilmington context.
Strategy 7 - Development in the Countryside	Policy HD2: Housing Development within the Built-up Area Boundary	Yes.	None.	Yes. The policy adds specificity and “granularity” reflecting local issues identified through consultation and the evidence base. It does this by allocating land just outside the boundary, which Strategy 7 allows where such sites are supported by evidence.
Strategy 27 - Development at the Small Towns and Larger Villages	Policy HD3: Land off George Lane (adjacent to Dares Field) Policy HD4: Land off Whitford Road (north of The Beacon)			
Strategy 28 - Sustaining and Diversifying Rural	Policy EB1: Local Employment in	Yes.	None.	Yes. The policies add specificity and “granularity” reflecting local issues

Strategic Policies of the Local Plan (relevant to the Parish)	Neighbourhood Plan Policies (those of relevance or none)	How does the Neighbourhood Plan demonstrate that it is in general conformity with the strategic policies?		
		<i>Policy supports and upholds the general principle that the strategic policy is concerned with?</i>	<i>Degree, if any, of conflict between the neighbourhood plan policy and the strategic policy?</i>	<i>Whether the neighbourhood plan policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy?</i>
Enterprises	Agriculture and Forestry			identified through consultation and the evidence base. It does this by identifying a policy response to specific locally important issues derived from local consultation.
Strategy 31 - Future Job and Employment Land Provision	Policy EB2: Local Tourism and Leisure Opportunities Policy EB3: Change of Use of Agricultural Buildings Development Policy EB4: Change of Use from Agricultural to Woodland / Forestry Use			
Strategy 32 - Resisting Loss of Employment, Retail and Community Sites and Buildings	Policy HD8: Maintaining and Enhancing Community Facilities, Amenities and Assets	Yes.	None.	Yes. The policy adds specificity and “granularity” reflecting local issues identified through consultation and the evidence base. It does this by introducing criteria which provide a set of important local parameters against which proposals should be tested.
Strategy 33 - Promotion of Tourism in East Devon	Policy EB2: Local Tourism and Leisure Opportunities	Yes.	None.	Yes. The policy adds specificity and “granularity” reflecting local issues identified through consultation and the evidence base. It does this by introducing criteria which provide a set of important local parameters against which proposals should be tested.
Strategy 34 - District Wide Affordable Housing	Policy HD3: Land off George Lane	Yes.	None.	Yes. The policies add specificity and “granularity” reflecting local issues

Strategic Policies of the Local Plan (relevant to the Parish)	Neighbourhood Plan Policies (those of relevance or none)	How does the Neighbourhood Plan demonstrate that it is in general conformity with the strategic policies?		
		<i>Policy supports and upholds the general principle that the strategic policy is concerned with?</i>	<i>Degree, if any, of conflict between the neighbourhood plan policy and the strategic policy?</i>	<i>Whether the neighbourhood plan policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy?</i>
Provision Targets	(adjacent to Dares Field)			identified through consultation and the evidence base. It does this by having policies which respond specifically to local housing issues and local needs identified through evidence and local consultation.
Strategy 35 – Exception Mixed Market and Affordable Housing At Villages, Small Towns and Outside Built-up Area Boundaries	Policy HD4: Land off Whitford Road (north of The Beacon) Policy HD5: Self-build (and custom build) Housing Policy HD6: Retaining Affordable Housing in Perpetuity			
Strategy 36 - Accessible and Adaptable Homes and Care/Extra Care Homes				
Strategy 38 - Sustainable Design and Construction	Policy DE1: High Quality Design Policy DE2: Flood Risk	Yes.	None.	Yes. The policies add specificity and “granularity” reflecting local issues identified through consultation and the evidence base. They do this by clearly identifying the matters of particular importance to the local community and signposting the Kilmington Design Guide in policy.
Strategy 39 - Renewable and Low Carbon Energy Projects	Policy RLC1: Small Scale Renewable and Low Carbon Energy Generation	Yes.	None.	Yes. The policy adds specificity and “granularity” reflecting local issues identified through consultation and the evidence base. It does this by articulating what scale and types of renewable and low carbon energy generation proposals will be supported

Strategic Policies of the Local Plan (relevant to the Parish)	Neighbourhood Plan Policies (those of relevance or none)	How does the Neighbourhood Plan demonstrate that it is in general conformity with the strategic policies?		
		<i>Policy supports and upholds the general principle that the strategic policy is concerned with?</i>	<i>Degree, if any, of conflict between the neighbourhood plan policy and the strategic policy?</i>	<i>Whether the neighbourhood plan policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy?</i>
				within the context of other issues which are important in the parish.
Strategy 46 - Landscape Conservation and Enhancement and AONBs	Policy CGS1: Locally Valued Landscapes and Views	Yes.	None.	Yes. The policy adds specificity and “granularity” reflecting local issues identified through consultation and the evidence base. It does this by identifying specific local views and landscapes which should be protected.
Strategy 47 - Nature Conservation and Geology	Policy CGS2: Locally Valued Areas of Biodiversity, Geodiversity and Habitat Policy CGS4: Protecting the Stream Corridor	Yes.	None.	Yes. The policies add specificity and “granularity” reflecting local issues identified through consultation and the evidence base. They do this by identifying specific local areas of biodiversity, geodiversity and habitat which should be protected.
Strategy 48 - Local Distinctiveness in the Built Environment	Policy DE1: High Quality Design	Yes.	None.	Yes. The policy adds specificity and “granularity” reflecting local issues identified through consultation and the evidence base. It does this by clearly identifying the matters of particular importance to the local community and signposting the Kilmington Design Guide in policy
Strategy 49 – The Historic Environment				

### ***Rationale for the approach taken and the evidence to justify that approach***

The fourth question regarding general conformity is a question of justifying the approach and setting out the rationale behind Neighbourhood Plan policies. The response is the same in relation to all of our policies. The Plan and its policies have been developed following due process, good practice and legislative requirements. Between this Statement, the Consultation Statement and the supporting / justification text in the Plan itself, we have clearly set out the rationale behind the policies and the approach taken and the evidence we have gathered to justify them.

Our Vision and objectives were based on identification of the key issues of concern for residents in the Parish and informed by the evidence base material we gathered on planning policies, constraints and designations and our understanding, as a Parish Council, of the key planning issues facing us in recent years and the challenges posed for the future. We have paid close attention to the Local Plan and been advised on conformity of the Neighbourhood Plan policies with the Local Plan's strategic policies, and alignment with national policies, by consultants and officers at the Council.

### **D. The making of the plan does not breach, and is otherwise compatible with, EU obligations**

It is our understanding that the EU obligations specified have been transposed into UK law and until replaced specifically by a UK Act of Parliament, still apply as set out in the EU obligations.

The local planning authority was formally asked for its opinion of whether the Plan required a Strategic Environmental Assessment (SEA) and / or Habitats Regulation Assessment (HRA).

A screening process was carried out by the local planning authority to determine whether a Strategic Environmental Assessment (SEA) and / or a Habitats Regulation Assessment (HRA) would be required.

### **Statement of Reasons for not Undertaking a Strategic Environmental Assessment**

Based on the policies in the draft Plan, the local planning authority concluded, following consultation with the statutory environmental agencies that our Plan did not require SEA.

The screening opinion (report) is appended to the Consultation Statement.

### **Habitats Regulation Assessment**

In screening the draft Plan for HRA, the local planning authority concluded that that our Plan did not require HRA.

The screening opinion (report) is appended to the Consultation Statement.

### **European Convention on Human Rights**

The Neighbourhood Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and comply with the Human Rights Act 1998.

#### **E. The prescribed conditions are met in relation to the plan and prescribed matters complied with in connection with the proposal for the plan**

Section 38A(12) of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act<sup>18</sup> sets out the definition of “prescribed”. It means conditions prescribed by regulations made by the Secretary of State. We understand that, currently, there are no additional relevant prescribed conditions which the Neighbourhood Plan needs to meet.

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<sup>18</sup> See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

## Appendices

## **Appendix 1: Neighbourhood Area Application and Consultation Responses**

The application for designation of the Neighbourhood Area and comments received during consultation by East Devon District Council are available to see here

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

The application is reproduced in this appendix for ease of reference.

## Application for Designation of a Neighbourhood Area



This information is intended to assist the Local Planning Authority in making a decision but please note that further information may be required.

**Which Town or Parish Council is applying to designate a neighbourhood area?**

KILMINGTON

If more than one Town or Parish Council are working in partnership, please give details of all parties

MISS H. KIRKCALDIE      contact details -

HUNTHAY CLOSE  
AXMINSTER      contact details -

DEVON  
EX13 5RJ      contact details -

TEL 01297 33462      contact details -

email kilmington pc @ bt connect. com

Please confirm that all the parishes listed above agree to the application

Please confirm that the organisation/s or body/ies-making the area application is a relevant body for the purposes of section 61G of the 1990 Act.

**Please advise what, if any, discussion has taken place with neighbouring Parishes with a view to partnership working? Where applications include sites in adjoining Parishes their agreement should be sought.**

NONE

**Please append a map identifying the area to which the area application relates.**

**Please explain why this area is considered appropriate to be designated as a neighbourhood area**

REFLECTS AREA WHOSE RESIDENTS ELECT KILMINGTON  
PARISH COUNCIL

<b>Signed</b>		<b>Date</b>	10.11.2015
<b>Position</b>	PARISH CLERK	<b>Organisation</b>	KILMINGTON PARISH COUNCIL

The Neighbourhood Planning Regulations can be downloaded at:  
<http://www.legislation.gov.uk/ukSI/2012/637/made>

A summary of the next steps is provided below

#### Publicising an area application

Once we have received your neighbourhood area application we must, as local planning authority, publicise the following on our website and in any other manner that we consider is likely to bring the application to the attention of people who live, work or carry out business in the area to which it relates -

- (a) a copy of the area application;
- (b) details of how to make representations; and
- (c) the date by which those representations must be received, being not less than 6 weeks from the date on which the area application is first publicised.

To help us meet these requirements:

Are we able to publicise the application in any widely available local newsletters/magazines? If so, please give contact details and advise how often the newsletter/magazine is published.

PULMANS VIEW FROM AXMINSTER AND THE MIDWEEK HERALD (BOTH WEEKLY)

Do you have Parish Noticeboards? If so, please give contact details of the person responsible for their content.

PARISH CLERK

Are there any other means of communication which could be used to advertise the proposals eg local website, social media, local interest groups? Please provide contact details.

LOCAL WEBSITE - VIA PARISH CLERK

#### Publicising designation of a neighbourhood area

As soon as possible after designating a neighbourhood area, we must publish the following on our website and in any other manner that we consider is likely to bring the application to the attention of people who live, work or carry out business in the area:

- (a) the name of the neighbourhood area;
- (b) a map which identifies the area; and
- (c) the name of the relevant body who applied for the designation.

If we refuse to designate a neighbourhood area, we must publish the following on our website and in any other manner that we consider is likely to bring the application to the attention of people who live, work or carry out business in the area

- (a) a document setting out the decision and a statement of our reasons for making that decision ("the decision document"); and
- (b) details of where and when the decision document may be inspected.

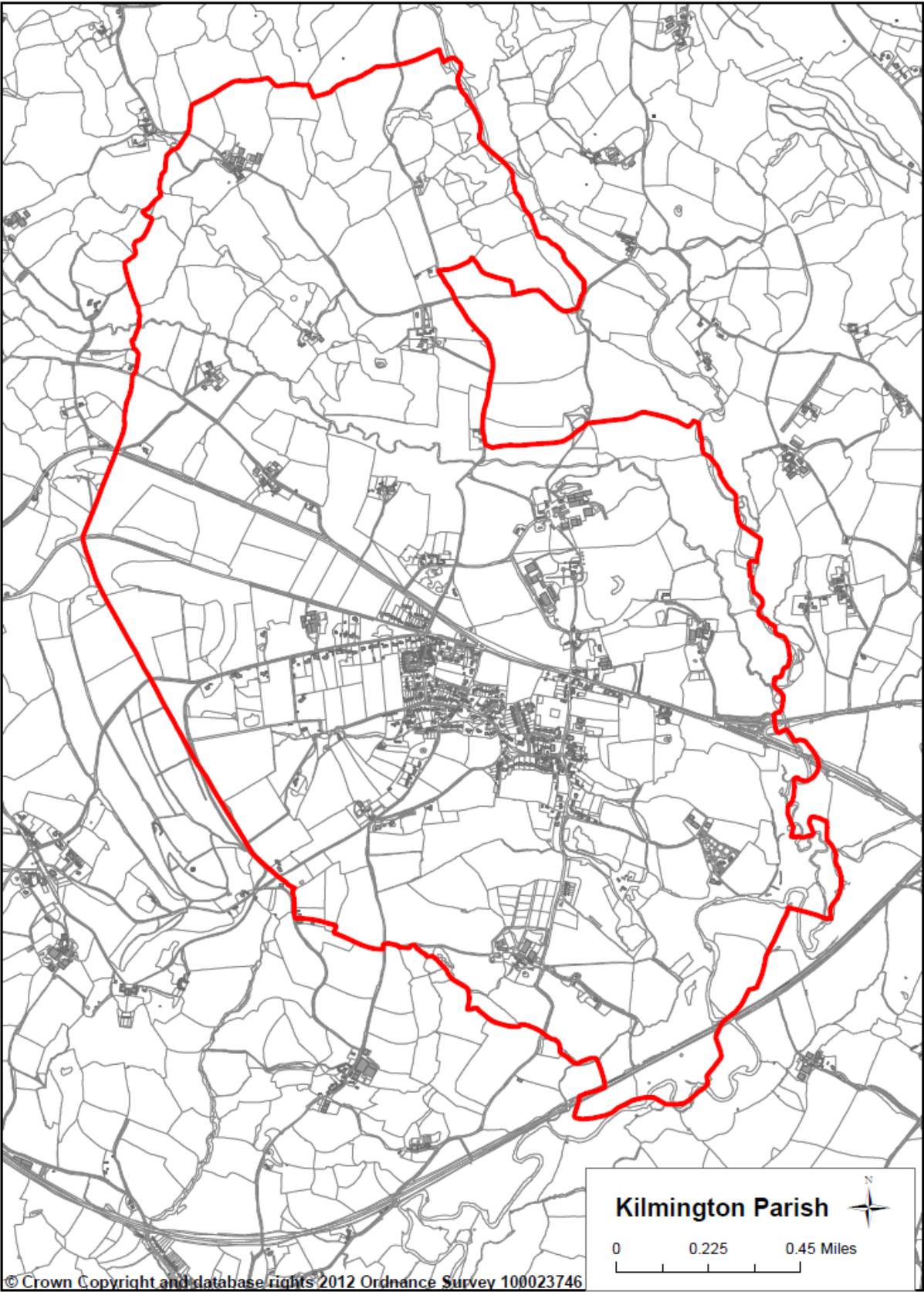
Further information is available from:

Planning Policy, Economy Directorate

East Devon District Council

Knowle, Station Road, Sidmouth, Devon, EX10 8HL

01395 571533



## **Appendix 2: Strategic Environmental Assessment / Habitats Regulation Assessment Screening Opinion**

The Screening Opinion is appended to the Consultation Statement.

## Appendix 3: Composite of Neighbourhood Plan Policies

### **Policy HD1: Community Engagement**

**1. Applications for developments will be expected to clearly demonstrate how proposals meet the aims and objectives of the Neighbourhood Plan. Accordingly, proposers of development (other than for minor domestic proposals), are strongly encouraged to engage with the Parish Council and the local community at the earliest opportunity prior to submission of a planning application stage to ensure local views and the aims and objectives of the Neighbourhood Plan are understood and taken account of.**

**2. Where major development is proposed (10 or more dwellings or for other uses, 1000sq metres or 1ha or more), the applicant must consult the local community prior to submitting the planning application and demonstrate how the issues raised through the consultation have been addressed. As a minimum, proposals should be sent to Kilmington Parish Council, available to view online, a staffed public exhibition should be held and the local community should be notified in writing and by public notice.**

**3. Where other applications are likely to result in a significant local impact, pre-application consultation may be required. Accordingly, proposers of development (other than for minor domestic proposals), are strongly encouraged to engage with the Parish Council and the local community at the earliest opportunity prior to submission of a planning application stage to ensure local views and the aims and objectives of the Neighbourhood Plan are understood and taken account of.**

### **Policy HD2: Housing Development within the Built-up Area Boundary**

**1. The preferred location for new housing development is within the defined Kilmington Built-Up Area Boundary. This is reproduced in Figure 6 and is consistent with that in the adopted East Devon Villages Plan 2018. Proposals for new dwellings outside the BUAB, other than those allowed for in the allocations and policies of this Plan, will not normally be supported.**

**2. Preferred sites will be:**

- i) On previously developed land; or,**
- ii) On an infill site in line with, and between, existing built properties; or,**
- iii) For “annexes” to be used by family or other household members as ancillary accommodation, which will remain tied to, and part of, the original property in perpetuity. Annexes will be supported where they are physically attached or closely related and subservient to the main dwelling, and can be accessed without the addition of a separate driveway.**

**3. Proposals for new dwellings should demonstrate that they will not adversely impact the road network and safe movement of traffic; do not exacerbate transport constraints identified in Policy TT1 and will provide sufficient additional off-road parking for the new dwelling.**

**4. Proposals should demonstrate they will be of a density, scale and massing appropriate to the character, built-form and setting of the site and its surroundings.**

**5. 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.**

**Policy HD3: Land off George Lane (adjacent to Dares Field)**

**1. Land off George Lane (adjacent to Dares Field) defined in Figure 7 is allocated for around 14 dwellings to meet the housing demands and needs of the local community during the term of this plan.**

**2. Proposers of development should engage with the local community and Parish Council, prior to submission of a planning application to the local planning authority, to ensure that proposals take into account both this plan’s aims and objectives and the views of the local community.**

**3. A development brief will be prepared for the site and development on the site will be expected to:**

- i) subject to viability, deliver a mix of dwelling types and sizes which meet demonstrable up-to-date local needs to help maintain a balanced and thriving local community.**
- ii) provide at least 50% ‘affordable’ housing (a mix of low cost, shared ownership, and subsidised rent) and an element of ‘self-build’ subject to meeting the requirements in Policy HD5. Local evidence at present suggests 7 affordable 2-3 bedroom houses, 3 self-build 3-4 bedroom houses and 4 open market 3-4 bedroom houses; the self-build element is in addition to and not part of the required affordable housing provision for this site.**
- iii) the initial and subsequent occupancy of the affordable housing is restricted to a person(s) who:**
  - a. Does not have access to general market housing and is in housing need; and**
  - b. Is a resident of that parish group (as defined in The Local Plan), or has a local connection with that parish group because of family ties or a need to be near their workplace.**

**In the event that an occupier who fulfils both criterion (a) or (b) cannot be found within a reasonable period of time, then the criterion will be widened firstly to a person(s) with a local connection to the parish group because of family ties or a need to be near their**

workplace, and subsequently to a person(s) with an East Devon connection (Reference: EDDC Local Plan Strategy 35 or equivalent replacement policy);

- iv) provide an adequate connection to the public sewer before the development can commence;
- v) minimise loss of existing hedges and trees. Where loss is unavoidable, development proposals must provide for appropriate replacement planting with native trees and hedgerow on the site to improve landscape structure, screening and bio-diversity value;
- vi) provide (at least) a 10-metre buffer on the northern edge of the site between new development and the A35 which will be landscaped and planted before first occupation of the houses, in order to:
  - a. minimise particulate and other pollution levels on the new site
  - b. minimise noise from the A35
  - c. enhance the boundary with the A35 to make a positive contribution to the “A35 green corridor” (see Transport Plan)
  - d. retain and enhance biodiversity and habitat on the site
- vii) provide strategic planting and landscaping to reinforce the existing field boundary on the eastern edge of the site to act as a buffer;
- viii) consider some orchard planting on the site;
- ix) consider advance planting where possible;
- x) provide a management plan for the ongoing care and maintenance of trees and hedgerows on the site;
- xi) retain and enhance biodiversity and habitat on the site, including installing a minimum of one integral nesting brick or bird box into each new build residential unit. Wherever possible and practicable, this minimum requirement should be exceeded through other appropriate measures including, but not limited to, external nest cups for house martins and swallows.
- xii) provide safe pedestrian and cycle access on-site to help enable good access to community facilities and local services;
- xiii) not adversely impact the local road network, to provide adequate parking and options for sustainable travel (Policy TT1); and,
- xiv) agree with the Parish Council a route for, and then provide a foot and cycle path at the southern end of the site to act as a west-east link from land north of The Orchard to the land to the east of the development site, together with a link to Meadowbank residential area.

**4. The dwellings should:**

- i) be limited to two storeys;
- ii) be of a design, form, scale and density appropriate to and in keeping with the character of this part of the village, relating positively to the existing development on the adjacent site;
- iii) follow the guidance in the Blackdown Hills AONB Design Guide for Houses and the requirements set out in the Kilmington Village Design Statement;
- iv) use appropriate materials, particularly stone elevations to properties adjacent to A35 and George Lane with slate roofs; and,
- v) avoid conspicuous gables and large window openings particularly to elevations facing open countryside.

**5. The development will be expected to satisfy the requirements of the other policies in this plan.**

#### **Policy HD4: Land off Whitford Road (north of The Beacon)**

- 1. Land off Whitford Road (north of The Beacon) defined in Figure 7 is allocated for up to 10 small bungalows to meet the housing demands and needs of the local community with a focus on housing for local older people as defined in the NPPF.**
- 2. Proposers of development should engage with the local community and Parish Council, prior to submission of a planning application to the local planning authority, to ensure that proposals take into account both this plan's aims and objectives and the views of the local community;**
- 3. A development brief will be prepared for the site and dwellings and will include:**
- 4. Development on the site will be expected to:**
  - i) deliver a mix of accommodation suitable for older people by design that meets the needs of a range of downsizers and promotes independent living;**
  - ii) include a mix of market, sheltered and self-build\* plots based on an up-to-date assessment of local need;**
  - iii) be of a design and density appropriate to and in-keeping with the character of this part of the village and pay particular regard to the requirements set out in the Kilmington Village Design Statement;**
  - iv) respond positively to the needs of older people which should include inside or outside communal space and a 'dementia friendly' design and layout;**
  - v) incorporate the principles of 'secure by design' which may incorporate CCTV, secure access and mutual overlooking of shared space;**
  - vi) where relevant, meet the requirements of Local Plan Strategy 35 and Strategy 36 or equivalent replacement policy;**
  - vii) provide an adequate connection to the public sewer before the development can commence;**
  - viii) provide a 10m set-back from Whitford Road and consider orchard planting in this area between Whitford Road and the proposed building line.**
  - ix) consider advance planting where possible;**
  - x) retain and enhance biodiversity and habitat on the site, including installing a minimum of one integral nesting brick or bird box into each new build residential unit. Wherever possible and practicable, this minimum requirement should be exceeded through other appropriate measures including, but not limited to, external nest cups for house martins and swallows.**
  - xi) provide safe pedestrian and cycle access on-site to help enable good access to community facilities and local services; and,**
- 5. The Dwellings should:**
  - i) be single storey;**
  - ii) have a maximum 96m<sup>2</sup> gross internal area (as defined by RICS);**
  - iii) not exceed 3 bedrooms; and,**
  - iv) meet accessible and adaptable standards set out in the Building Regulations and, ideally, is also suitable for wheelchair users.**
- 6. Permitted development rights will be withdrawn to ensure reasonable controls exist over future extensions, increase in height and modification of dwellings in perpetuity. This is necessary**

**in order to protect the character of the area and to ensure the size and layout of the dwelling continues to meet the identified need.**

**7. The development will be expected to satisfy the requirements of the other policies in this plan.**

*\*Self and Custom House Building - The building or completion by individuals; associations of individuals; or persons working with or for individuals or associations of individuals, of houses to be occupied as homes by those individuals. But it does not include the building of a house on a plot acquired from a person who builds the house wholly or mainly to plans or specifications decided or offered by that person (as defined in the 2015 (amended) Self-Build Act*

#### **Policy HD5: Self-build (and custom build) Housing**

**1. Proposals for self-build (and custom build) dwellings will be supported where:**

- i) the proposed development is located within or immediately adjacent to the Kilmington built-up area boundary;**
- ii) they do not have an adverse impact on the special character of the area's natural and built environments;**
- iii) the dwelling is self-built by someone who either lives in the parish of Kilmington or who has a local connection to it as defined in Strategy 35 of the Local Plan (or equivalent replacement policy) ;**
- iv) the dwelling is to be occupied by the person who builds it (i.e. the first occupant has the primary input into the design of the home). They shall occupy it as their main residence for a minimum period of 3 years after completion unless exceptional circumstances prevent this as agreed in writing by the local planning authority;**
- v) the application be described as a self-build and will be conditioned as such;**
- vi) the number of dwellings granted permission as a result of this policy does not exceed 10 during the neighbourhood plan period;**
- vii) each plot has at least water, foul drainage and electricity supply available at the plot boundary;**
- viii) the plot has suitable access, with minimal disruption to local communities, for construction vehicles necessary for the completion of the dwelling; and,**
- ix) they satisfy the requirements of the other relevant policies in this plan.**

**2. Support will not normally be given for replacement dwellings unless accompanied by a robust condition survey which demonstrates the case for demolition. In this case, the existing foundations should be re-used unless the application clearly demonstrates why this is not practically possible.**

**3. Where appropriate, the above criteria will be enforced through legal obligations.**

#### **Policy HD6: Retaining Affordable Housing in Perpetuity**

**Affordable or low cost housing should be provided in perpetuity, (in accordance with the most up-to-date Government policy), for example, through a Community Land Trust, section 106 agreements, other community housing scheme or Registered Provider which retains stock for the**

**benefit of the local community at an accessible cost. Community housing schemes which provide and retain local affordable housing for the benefit of local people in need will be supported.**

#### **Policy HD7: Retaining Community Facilities, Amenities and Assets**

**1. Existing community facilities and amenities (as identified on Figure 8 and listed below) are locally valued and will be protected for community use. Their loss will not normally be supported:**

- i) Primary School**
- ii) Village Hall,**
- iii) Churches, two**
- iv) Pubs, two**
- v) Recreation Field, including cricket oval, tennis court, children's play park with equipment and multi-use pavilion.**

**Foot note [Appendix 2 Amenities list together with details of the groups and activities they support]**

**2. Proposals which result in the loss (redevelopment or change of use) of these facilities and amenities will only be supported where:**

- i) there is no reasonable prospect of viable continued use of the existing building or facility which will benefit the local community and they demonstrate a need for their proposed change; and,**
- ii) they do not have an adverse impact on the special character of the area's natural and built environments.**

#### **Policy HD8: Maintaining and Enhancing Community Facilities, Amenities and Assets**

**1. Development proposals for new, replacement, extended and/or improved community facilities and amenities will be supported where:**

- i) the proposal would not have significant adverse impact on the amenity of nearby residents;**
- ii) the proposal would not have significant adverse impacts on the surrounding local environment (with regard to biodiversity, wildlife habitat and landscape character);**
- iii) the proposal would not have unacceptable impacts on the local road network (with regard to additional traffic volume / congestion, demand for parking, and pollution levels);**
- iv) the proposed use will be dedicated to community use in perpetuity, and,**
- v) they are easily accessible by residents and users, including, where possible, by sustainable modes of transport.**

#### **Policy HD9: Education and Learning Facilities**

Development proposals for new or improved facilities which support education and learning will be supported where:

- i) they do not increase fluvial or surface water flood risk;
- ii) they will have no adverse effect on residential amenity (such as noise, operating hours, light pollution, anti-social behaviour and so on) in nearby areas; and,
- iii) there will be no adverse impact on the natural environment (landscape, biodiversity and habitats) or that negative impacts will be satisfactorily mitigated and where possible, enhancement secured.

#### **Policy TT1: Impact on the Local Highway, Cycleway and Footpath Network**

1. Proposals must provide sufficient off road parking to serve the development commensurate to the size and nature of the use, and ensure no adverse impact on highway safety.
2. Proposals which would significantly increase traffic flow on the local road network, particularly through The Hill, The Street and George Lane will not be supported.
3. Proposals that improve pedestrian and cycle access to facilities will be supported.
4. Proposals for new residential dwellings, employment development or community/recreation facilities must include secure storage facilities for cycles.
5. Proposals for new residential dwellings or employment development should include charging points for electric vehicles.

#### **Policy TT2: Protecting Devon Banks, Hedgerows and Trees from New and Widened Access Points**

Proposals for development including new and widened access points which negatively affect traditional Devon banks, established hedgerows and trees should demonstrate that:

- i) Alternative options are impractical and the proposal is the least damaging option (to the hedgerow / bank / tree(s), setting in the landscape, biodiversity and habitats), and,
- ii) They have taken into account the most up-to-date Highways Authority standards and guidance relating to changes to hedgerows.

### **Policy TT3: Traffic arising from Major Development**

Proposals for all new housing developments, major employment or retail proposals and expansion of existing employment and retail premises which are likely to generate significant additional vehicle movements into and out of the site should demonstrate, as part of a Transport Assessment, how vehicular access into and out of the site and circulation within the site will mitigate impacts of additional traffic onto the A35 and (where relevant) through Kilmington village (including with regards to safety, journey time, congestion, air quality and noise).

### **Policy TT4: Protecting the Footpath, Bridleway and Cycleway Network**

1. Development proposals which result in the loss of public footpaths, bridleways and cyclepaths will not normally be supported unless an appropriate replacement route can be provided.

2. Proposals for new rights of way and other public non-vehicular routes and development affecting existing rights of way and other public non-vehicular routes should, where relevant:

- i) help to increase opportunities for recreational access to and within the countryside;
- ii) better link existing areas of green infrastructure and Local Green Space used for recreational purposes;
- iii) help to retain and enhance safe and easy pedestrian and cycle access to local amenities including the school, community facilities and services;
- iv) not adversely impact upon local amenity;
- v) have no adverse impact on landscape or built character or such impacts are satisfactorily mitigated;
- vi) meet the most up-to-date standards of design and use surface materials that do not exacerbate flooding.

3. New and improved walking and cycle routes in the following locations, to improve accessibility within and around Kilmington village, will be supported:

- i) connecting George Lane and Whitford Road; and,
- ii) connecting Meadowbank and the proposed development HD3
- iii) connecting The Hill and Newtons Orchard/George Lane

### **Policy EB1: Local Employment in Agriculture and Forestry**

**Development proposals which provide additional opportunities for agricultural and forestry employment will be supported where they:**

- i) do not increase flood risk;**
- ii) have no adverse impact on locally valued landscapes and views or built character or such impacts are satisfactorily mitigated;**
- iii) have no adverse impact on biodiversity or impacts can be satisfactorily mitigated. Net gains in biodiversity will be sought wherever possible;**
- iv) do not adversely impact upon local amenity; and, do not adversely affect traffic within the village.**

### **Policy EB2: Local Tourism and Leisure Opportunities**

**1. Development proposals for tourism facilities and attractions which provide additional opportunities to support the local economy will normally be supported where they:**

- i) are of a small scale appropriate to their landscape setting;**
- ii) serve a local rather than strategic tourism need and /or demand;**
- iii) have no adverse impact on highway safety or traffic flow on the local road network;**
- iv) do not increase fluvial or surface water flood risk;**
- v) have no adverse impact on locally valued landscapes and views, or built character or such impacts are satisfactorily mitigated;**
- vi) have no adverse impact on biodiversity or impacts can be satisfactorily mitigated to ensure net gains in biodiversity; and,**
- vii) do not adversely impact upon local amenity.**

**2. The development of new permanent dwellings of any type to support such developments will not be supported. The conversion of existing buildings to provide support to the facility will be considered on an individual basis.**

### **Policy EB3: Change of Use of Agricultural Buildings Development**

**Proposals for conversion of agricultural buildings will be supported where:**

- i) they support the diversification of farm businesses and it can be shown that it will make a difference to the viability of the main business as a working farm;**
- ii) they have no adverse impact on highway safety, on road parking or traffic flow on the local**

- road network;
- iii) they will have no adverse effect on residential amenity (such as resulting from noise, hours of operation, light pollution, anti-social behaviour and so on) in nearby areas;
- iv) there will be no adverse impact on the natural environment (landscape, biodiversity and habitats) or that any adverse impacts will be satisfactorily mitigated. Net gains in biodiversity will be sought wherever possible;
- v) they do not result in disproportionate extension of the existing structure or building.

#### **Policy EB4: Change of Use from Agricultural to Woodland / Forestry Use**

Development proposals associated with a change from agricultural use to woodland/ forestry for commercial purposes which require planning permission will be supported where:

- i) they help to increase opportunities for public access to and education within the countryside;
- ii) they have no detrimental impact on the neighbouring developments or landscape designations or such impacts can be satisfactorily mitigated;
- iii) access to and from the site for trimming, felling and distribution does not exacerbate existing transport problems experienced in Kilmington village;
- iv) they demonstrate that there is no adverse impact on the landscape from buildings required for operational uses of the site or such impacts can be satisfactorily mitigated;
- v) they utilise species natural to the region across the site to enhance habitats and achieve a net gain in biodiversity and avoiding monoculture; and,
- vi) they demonstrate that there is a plan in place for the management of the woodland, especially where it is being used as a crop.
- vii) they demonstrate that there is a plan in place for the management of the woodland, especially where it is being used as a crop.

#### **Policy EB5: Telecommunications**

1. The development of infrastructure to support improvements in telecommunications which serve the Parish will be supported where sympathetically incorporated and sensitively sited within the landscape.

2. Masts will only be supported where they are located outside of the Locally Valued Landscape Areas and Views as shown in Figure 19 and it can be proven that:

- i) there is a need for a mast at that specific location;
- ii) there are no opportunities to share an existing mast.

3. Wherever practical, all new residential, educational and business premises will be required to make provision for the latest high-speed internet and mobile connectivity.

## **Policy DE1: High Quality Design**

**1. All new development should be of high-quality design, complementing the local vernacular, enhancing visual amenity, minimising any adverse impacts on the built environment, neighbouring amenity and landscape.**

**2. For proposals to be considered high quality, they should meet the requirements of the *Kilmington Village Character Assessment* (Appendix 4) and have particular regard to the following considerations, wherever applicable and practical:**

- i) application of the most up-to-date accessibility standards which are applicable to the type and location of development (and exceed those standards where possible);**
- ii) be well-related to scale, form and character of the existing village built-up area and of its setting, sitting and fitting well with neighbouring properties including residential dwellings providing private rear amenity space (gardens) appropriate to dwelling type and size;**
- iii) demonstrate how they respond positively to the *Kilmington Village Character Assessment* and *Kilmington Village Design Statement* (Appendix 3);**
- iv) retain and enhance boundary features of a site or have boundary treatment well-related to those of nearby dwellings and other buildings and the character of its setting. Where this requires planting of hedgerows or banks, species should be native to the local area;**
- v) have no adverse impact on the amenity of neighbouring residents;**
- vi) have minimal adverse visual impact on the village gateways (approaches) identified on Figure 11;**
- vii) exceed adopted off road parking standards;**
- viii) ensure good and safe accessibility for refuse, emergency and delivery vehicles;**
- ix) provide safe and easy access for pedestrians and cyclists onto the existing pedestrian and cycle network and enable good connectivity to local facilities and amenities;**
- x) provide a street design which is safe for pedestrian, cycle and vehicular access but does not adversely impact upon the character of the historic network of roads and lanes, for example, through inappropriate lighting or pavement areas which adversely impact on the character and setting of public spaces;**
- xi) route utility and other service infrastructure underground;**
- xii) exceed requirements set out in Building Regulations standards in relation to energy efficiency of materials;**
- xiii) have a layout which optimises passive solar gain;**
- xiv) new residential dwellings, employment development or community/recreation facilities must include secure storage facilities for cycles;**
- xv) new residential dwellings or employment development should include charging points for electric vehicles;**
- xvi) pass the tests and exceed standards relating to Building for a Healthy Life for dwellings and BREEAM “Very Good” for commercial / employment uses, or equivalent other up-to-date standards at the time of application; and,**

**respond positively to National Design Guidance, and to principles such as those set out for**

**“walkable communities” in Sport England and Public Health England’s “Active Design” guidance.**

## **Policy DE2: Flood Risk**

- 1. Where appropriate, development proposals should demonstrate that they do not increase local flood risk, with regard both to locations of known surface water flooding and fluvial flood risk (identified on up-to-date flood risk maps).**
- 2. 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.**
- 3. 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.**

## **Policy CGS1: Locally Valued Landscapes and Views**

- 1. Areas of particularly locally valued landscapes and views will be protected. The landscape views identified in Figure 19 and set out in the Kilmington Village Character Assessment are:**
  - a. from Roman Road across Cory Brook;**
  - b. from Nower Lane at Nower farm down the Cory valley;**
  - c. from Stockland Road at the junction with Nower Lane across the Cory valley;**
  - d. from Gore Head over the village, particularly St Giles' church tower;**
  - e. from Hampton Road looking east across the Axe Valley; and,**
  - f. from the A35 along the River Axe looking south;**
- 2. These views will be protected for the quality of their amenity value and their contribution to the character and setting of the village and wider parish. Their loss or despoilment will not normally be supported.**
- 3. Proposals which result in unavoidable adverse visual impact on these views (in whole or in part) will only be supported where:**
  - i) there are no other suitable sites for the proposed development; and,**
  - ii) the visual impact of the development can be satisfactorily mitigated in a manner which retains or enhances landscape character.**

**4. Proposals, and the assessment of proposals, is expected to take account of and apply the latest available local guidance:**

- i) Kilmington Village Character Assessment and Countryside and Green Spaces Assessment and Audit (including the Local Views / Visual Landscape and Local Green Space Assessment); and,**
- ii) East Devon and Blackdown Hills AONB and East Devon District Landscape Character Assessment and Management Guidelines Blackdown Hills AONB “What makes a view?” (where relevant) .**
- iii) Kilmington Village Character Assessment and Countryside and Green Spaces Assessment and Audit (including the Local Views / Visual Landscape and Local Green Space Assessment); and,**
- iv) East Devon and Blackdown Hills AONB and East Devon District Landscape Character Assessment and Management Guidelines Blackdown Hills AONB “What makes a view?” (where relevant) .**

#### **Policy CGS2: Locally Valued Areas of Biodiversity, Geodiversity and Habitat**

**1. Our particularly locally valued areas of biodiversity, geodiversity and habitat are:**

- i) deciduous woodlands, particularly those within the village (south of Shute Road, either side of Roman Road, between Springhead and Shute Road and Coryton Lane, along the ‘Quarry Road’) (deciduous woodland is scarce in the parish and is a ‘Priority Habitat’);**
- ii) areas of purple moor grasslands in the north of the parish, (Purple moor grassland is a ‘Priority Habitat’);**
- iii) The Common (contains lowland heath and deciduous woodland, both ‘Priority Habitats’, used by many parishioners for recreation, site for re-establishment of the Heath Lobelia); and,**
- iv) the stream corridor running from the west end of Springhead Lane through the village to Whitford Road (a valued watercourse for running freshwater with margin vegetation, see Figure 23 section 7.5).**

**These areas will be protected as areas critical in supporting wildlife habitats, biodiversity and geodiversity and their role within the wider network of green infrastructure. Their loss will not normally be supported.**

**2. Proposals which result in unavoidable adverse impact on these areas will only be supported where:**

- i) there are no other suitable sites for the proposed development;**
- ii) the areas (quality, land area and habitat, biodiversity and geodiversity value) can be satisfactorily replaced in close proximity to their original location with net gains in biodiversity**
- iii) a funded management and maintenance plan, of 3 or 5 years depending on habitat type, is agreed to ensure that net gains in biodiversity are realised; and,**
- iv) the proposal would not have significant adverse impacts on the site’s wider setting (regarding**

biodiversity, geodiversity and habitat) or such impacts can be satisfactorily mitigated.

**3. 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.**

**4. Development should aim to:**

- i) maintain the visual and biodiversity value of verges, hedgerows, and Devon banks which provide connectivity as green corridors for wildlife.**
- ii) limit external light sources ensuring that lighting is appropriately sited, specified and controlled to minimise light spill and adverse impact on dark skies and bat commuting and foraging patterns.**

**5. Opportunities to incorporate provision for nesting birds and roosting bats must be considered, and included wherever possible/practical in new developments, to protect and enhance biodiversity. A minimum of one integral bird box designed for swifts shall be incorporated into each new build residential unit, and/or where existing buildings are being altered/extended, an ecologist should be instructed to check for existing nests/ roosts of birds or bats. These should be retained where possible or replaced with an integral box, or if not practical, an external box. Wherever possible and practicable, this minimum requirement should be exceeded through other appropriate measures including, but not limited to, external nest cups for house martins and swallows, and internal oxygen “tubes” for bats, at all times in accordance with current legislation for specially protected species.**

### **Policy CGS3: Local Green Space**

**1. Our locally valued green spaces are identified on Figure 21 and are designated as Local Green Space:**

- i) St Giles Churchyard;**
- ii) St Giles Cemetery;**
- iii) Village Recreation Field;**
- iv) Village Green;**
- v) Jubilee Green;**
- vi) The Common;**
- vii) The allotments; and,**
- viii) New Inn garden.**

**2. These areas will be protected for their local environmental, heritage and/or recreational value and development will not normally be supported unless it is to enhance their function.**

**3. Where development is to be supported it must:**

- i) maintain or enhance the existing use and amenity and / or recreational value of the site**

- ii) have no adverse impact on the recreational use, heritage or environmental value of the site;
- iii) not change the purpose for which the space is valued and the reason for designation.

4. Proposers of development are encouraged to engage with the local community and Parish Council at the earliest opportunity to help ensure that any proposals that will impact local greenspaces incorporate both this plan's aims and objectives and the views of the local community.

#### **Policy CGS4: Protecting the Stream Corridor**

1. The stream "corridor" is indicated on Figure 23 and will be protected from adverse impact from development which could erode its value to local biodiversity, and its contribution to the built character and heritage of Kilmington village.
2. With the exception of householder applications, proposals for development should demonstrate that they will not contribute to deterioration of the current ecological status of the stream (as part of the Axe, Yarty and Corry Catchment) Proposals should seek to contribute to achieving "Good Ecological Status" for the water course where feasible and viable.

#### **Policy RLC1: Small Scale Renewable and Low Carbon Energy Generation**

1. In order to protect the quality of Kilmington's and the East Devon and Blackdown Hills Areas of Outstanding Natural Beauty's landscapes, biodiversity, tranquillity and wildlife habitats proposals for renewable or low carbon energy schemes should follow the policies from "*Renewable Energy in the Blackdown Hills Report (2010)*" See figure 25. Proposals will be supported where they meet the following criteria in full:
  - i) are small scale,
  - ii) they do not adversely impact upon local amenity, locally valued landscapes and views,
  - iii) are sensitively sited, and
  - iv) they are appropriately landscaped.
2. Large scale renewable and low carbon installations will not normally be supported.
3. Proposals for renewable or low carbon energy schemes must follow relevant guidance and advice, as applicable, given in:
  - i) East Devon and Blackdown Hills Landscape Character Assessment and Management Guidelines;
  - ii) the *Blackdown Hills Area of Outstanding Natural Beauty Management Plan*;
  - iii) the *East Devon Area of Outstanding Natural Beauty Management Plan*; and,
  - iv) the "*Renewable Energy in the Blackdown Hills Report (2010)*".

