

Report to: **Cabinet**



Date of Meeting 4 May 2022

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

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## **Response to the Luppitt Neighbourhood Plan Submission**

### **Report summary:**

The purpose of the report is to formally agree the response by this Council to the submission consultation for the Luppitt Neighbourhood Plan. Luppitt Parish Council has formally submitted their Neighbourhood Plan to the District Council. The Neighbourhood Planning (General) Regulations 2012 (Regulation 16) require the District Council to formally consult on the Plan for a minimum of 6 weeks. As part of this consultation, the District Council has the opportunity to comment on the Neighbourhood Plan. Officer observations are set out at the end of this report and members are asked to endorse these as the formal representation on the plan. The comments of this Council and all other comments received during the consultation will be submitted to an independent Examiner who will inspect the Plan against a series of conditions that must be met in order for it to proceed to a referendum.

### **Is the proposed decision in accordance with:**

Budget                      Yes  No

Policy Framework      Yes  No

### **Recommendation:**

That Cabinet:

- (1) note the formal submission of the Luppitt Neighbourhood Plan and congratulate the producers of the plan on their dedicated hard work and commitment in producing the document; and
- (2) recommend to Senior Officers that the proposed representations set out at paragraph 1.20 in this report be submitted in response to the Submission consultation.

### **Reason for recommendation:**

To ensure that the view of the District Council is formally recorded and informs the consideration of the Neighbourhood Plan by the independent Examiner.

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Portfolio(s) (check which apply):

- Climate Action and Emergency Response
- Coast, Country and Environment
- Council and Corporate Co-ordination

- Democracy, Transparency and Communications
- Economy and Assets
- Finance
- Strategic Planning
- Sustainable Homes and Communities
- Tourism, Sports, Leisure and Culture

### **Equalities impact** Low Impact

Neighbourhood Planning is designed to be inclusive and extensive consultation is a fundamental requirement. The Neighbourhood Plan has gone through wide consultation with the community and has been advertised in a variety of formats to increase accessibility. All electors are invited to vote in the referendum.

### **Climate change** Low Impact

**Risk:** Low Risk; There is a risk that the Neighbourhood Plan could fail the examination if it is considered to conflict with the Basic Conditions to which all plans must comply.

**Links to background information** [The Localism Act](#); [Plain English Guide to the Localism Act](#); [National Planning Policy Framework \(2021\)](#); [Neighbourhood Planning Regulations](#); [Neighbourhood Planning Roadmap Guide](#); [East Devon Neighbourhood Planning webpages](#); [Luppitt Neighbourhood Plan documentation](#).

### **Link to [Council Plan](#)**

Priorities (check which apply)

- Better homes and communities for all
- A greener East Devon
- A resilient economy

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## **Report in full**

### **Background to the Luppitt Neighbourhood Plan**

- 1.1 Luppitt Parish Council commenced work on their Neighbourhood Plan following the Neighbourhood Area being designated on 30 October 2013.
- 1.2 The Parish Council and volunteers from the local community have spent considerable time and effort, particularly over the last 5 years, consulting with residents of the parish and other stakeholders to produce a plan which endeavours to reflect the aspirations of the community.
- 1.3 The Luppitt Neighbourhood Plan aims to achieve “a thriving, balanced community whilst protecting the unique character of the parish and its valuable rural landscape”. In doing so, it proposes 17 policies that in combination seek to address and balance many competing demands and issues, including the need for local employment opportunities; supply of affordable homes/accommodation for its residents at different stages in life; a sustainable tourism offer for visitors; a viable farming community, and; the preservation and enhancement of the natural, tranquil and built environment.
- 1.4 The plan does not proposed any allocations, but lends support to a limited amount/range of development, including rural exception schemes. It is notable that the plan area falls entirely within the highly protected landscape of the Blackdown Hills Area of Outstanding

Natural Beauty (AONB) and includes the small village of Luppitt and several hamlets and scattered farms. The parish has a limited range of facilities and a wealth of natural and heritage assets.

- 1.5 Prior to submitting the Plan to East Devon District Council, Luppitt Parish Council have held their own public consultation on a draft version of the plan; a step which is also required by the Neighbourhood Planning (General) Regulations 2012 (Regulation 14). This ran for a period of 7 weeks, from 9 April 2021 through to end May 2021. The comments made at Regulation 14 consultation stage, including informal comments by District Council officers, have been considered and the plan updated prior to formal submission to East Devon District Council.

### **Submission of the Luppitt Neighbourhood Plan**

- 1.6 The District Council received formal submission of a Neighbourhood Plan from Luppitt Parish Council in February 2022. The Plan and its supporting documents are available to view on the [planning pages](#) of the District Council website.
- 1.7 This is the twenty-fifth neighbourhood plan to progress to submission stage consultation in the District. The Parish Council has received regular support from the District Council and additional financial support from Central Government.
- 1.8 The statutory regulations require that the District Council organise and undertake a consultation on a plan when a compliant Submission is received. This is commonly referred to as the submission or 'formal' consultation. The public consultation period is running for a just over 6 weeks, from 22 March 2022 to 6 May 2022. The Plan proposal was publicised through notices on the District Council website, a press release and social media, email sent to all Members, adjoining authorities and statutory consultees, including Devon County Council, Natural England, Historic England and the Environment Agency, and publicised widely locally through the Parish Council. Hard copies of the Plan are available on request and to view at Honiton library, as well as at Luppitt Village Hall.
- 1.9 One of the statutory roles of the District Council is to consider whether the Plan meets the legislative requirements, in production process terms. Cabinet has previously endorsed a protocol for District Council involvement into neighbourhood plans and in accordance with this protocol an officer review has been completed. Officer assessment is that legislative requirements are met.
- 1.10 Anyone may comment on a neighbourhood plan. It is particularly important that the District Council comments. This is because the plan will eventually (if adopted) form part of the statutory Development Plan for East Devon, and should conform to the strategic policies of the Local Plan. It will also have increased weight as a material consideration in planning decisions, the more advanced it is through the stages of plan preparation. This report provides the recommended representations on the Plan, made by officers of this authority, to be formally submitted to the Examiner undertaking the Plan examination.

## Neighbourhood Plan Examination and Referendum

- 1.11 In preparation for the examination that will follow the current consultation period, the District Council is in the process of selecting an appropriately qualified and independent Examiner, to be agreed in liaison with Luppitt Parish Council.
- 1.12 All responses from the consultation (including any made by this Council) are forwarded to the Examiner who will consider them, by either written representations or at an oral hearing (if the Examiner decides one is necessary). The District Council is responsible for paying the costs of the examination but can recoup these expenses by claiming funding from Central Government of £20,000.
- 1.13 The Neighbourhood Plan examination is different to a Local Plan examination. The Examiner is only testing whether the plan meets the Basic Conditions and other relevant legal requirements – they are not testing the soundness of the plan or looking at other material considerations. The Examiner will be considering whether the plan:
- has appropriate regard to national policy and advice contained in guidance issued by the Secretary of State;
  - contributes to the achievement of sustainable development;
  - is in general conformity with the strategic policies in the development plan for the local area (in this case the adopted East Devon Local Plan 2013-2031);
  - is compatible with human rights requirements;
  - is compatible with any retained EU obligations.
- 1.14 As part of the Development Plan used in future planning decisions, it is in the interests of the District, Town and Parish Councils to produce high quality neighbourhood development plans.
- 1.15 Following the examination, the Examiner's Final Report will set out the extent to which the draft plan proposal meets the Basic Conditions and what modifications (if any) are needed to ensure it meets the Basic Conditions. The Examiner has 3 options for recommendation:
- A. That the Plan proceeds to referendum as submitted.
  - B. The Plan is modified by the District Council to meet Basic Conditions and then the modified version proceeds to referendum.
  - C. That the Plan does not proceed to referendum.

If the Examiner chooses A or B above they must also consider whether the referendum area should be extended beyond the boundaries of the Plan area (this could be applicable if plan proposals could impact on a larger area). The report must give reasons for each recommendation and contain a summary of its findings. It is the responsibility of the District Council decide what action to take in response to the recommendations of the Examiner.

- 1.16 Once the Plan has been finalised it will be subject to a referendum where everyone on the electoral roll (for the defined area) will have a right to vote for or against it. If at least half of votes cast support the Plan then it can be brought into legal force.

## **The Luppitt Neighbourhood Plan Response**

- 1.17 As part of the current consultation, the District Council can comment on the Plan. In terms of meeting the Basic Conditions, the Parish Council has produced a statement setting out how the Plan complies with the conditions which the Examiner will assess.
- 1.18 Officers have reviewed the Neighbourhood Plan contents, and recommend that the following representation of East Devon District Council be formally submitted to the examiner. It should be noted that comments we make at this stage are primarily restricted to land use planning policy matters rather than other content on the Plan including supporting text or community actions and are made on the basis of:
- Do Luppitt Neighbourhood Plan policies comply with strategic policies in our adopted Local Plan and have appropriate regard to National Planning Policy?
  - Do we have concerns about policy given the wider objectives of the Council?
  - Are the policies workable and enforceable - could they be reasonably applied through the Development Management process? and
  - Are they otherwise appropriate or desirable?
- 1.19 Overall it is noted that the District Council comments made at the previous Regulation 14 consultation have been given consideration by the Parish Council and various amendments to the Plan made accordingly. In terms of the planned replacement of the adopted Local Plan with a new Local Plan for east Devon, this remains at too early a stage for conformity with emerging strategy and policy to be formally assessed. The Plan will therefore be assessed primarily with reference to the adopted Local Plan (2013-2031), although high-level consideration given to the relationship with the emerging new Plan strategy.
- 1.20 East Devon District Council comments on the Regulation 16 Submission Version of the Plan are proposed as follows (a full schedule of the Plan policies is provided in Annex 1 for reference):

### **Policy BC1 Protecting Parish Facilities**

- Clause 1
  - Suggest the addition of a map to indicate the location of existing facilities, and the possible addition of the recreation ground as a named facility.
  - To mitigate the risk that the evidence of economic viability could be the financial accounts of an owner desiring to close the facility in any case, consider replacing the 'or' with an 'and', to read "no longer a need or demand for the facility and that it is no longer economically viable.
  - It would also strengthen the policy further to set out what the minimum standards are for robust and effective marketing of facilities. Suggest this could be achieved by referring in a footnote to the guidance we have recently published: [Marketing Strategy Statement guidance - East Devon](#).
  - To highlight to the community that if a facility is at risk, a case could be made to have it formally registered with us as a 'community asset' which would enable the community to be given an opportunity to prepare a proposal to run it themselves in the event it was proposed for sale.

- Clause 2
  - If the new playground has now been delivered, this could be moved to Clause 1.
  - Noted this clause was added further to our comments at pre-submission stage to better reflect the supporting text. However, suggest the policy needs more control / clarity. Given that our adopted Local Plans and our emerging working draft, class the entire parish as open countryside where new development is not considered sustainable, suggest this would be more appropriate to allow “Limited new facilities (in particular, ...” and to qualify what requirements would need to be met for general support to be given. Perhaps “where community support can be demonstrated and the proposal is otherwise acceptable in planning terms and complies with all relevant policies in this plan”. There should also be a locational criteria to avoid development divorced from the village of Luppitt. This could draw on the criteria in the housing policy to say “well related to existing facilities and within 600m of the centre of Luppitt”.

### **Policy NE1 Protecting and Enhancing the Rural Landscape**

- Notwithstanding that the entire parish lies within the AONB and ‘distant views’ would be like to be all-encompassing, suggest reference is made in the policy to the Fiona Fyffe Associates Luppitt Landscape Character Assessment. This makes specific reference to “Valued views, particularly those public views identified within the What Makes a View? Project (those from Dumpdon Hill, from the western side of Hartridge, and looking south-east from Luppitt village).” which could assist with applying the policy.

### **Policy NE2 Protecting and Enhancing Natural Habitats**

- Suggest “incorporated into proposals” would be firmer than ‘offered’.
- Given the direction of Government policy and the Environment Act, it is suggested that the policy should first and foremost seek to resist the loss of Devon banks and then only where the loss is unavoidable require their replacement or suitable alternative mitigation, including complying with bio-diversity net gain requirements. Furthermore, net gain should be quantified as well as the method to be used for calculating it. Otherwise the policy could be met through delivering very minimal gains. Suggest adding to the end of point 1, “...of at least 10% using the government approved metric”.
- There is a footnote next to the words “Devon Bank” that refers to the definitions in Appendix 1 however there is no definition for “Devon Bank” included in Appendix 1. Noted there is information on species found in Devon Banks in Appendix 6 (part 2) but this does not include a definition. Suggest that through either the glossary, or Appendix 6 or the policy it is made clear that it relates to the bank and the hedgerow on top.

### **Policy BHE1 Protecting the Built and Historic Environment**

- Overall, notwithstanding previous advice and guidance on this matter, this policy is considered to provide an unnecessary duplication/ over-simplification of national policy, which does not add any locally specific requirements. We understand the

plan producers wanting to include a policy on this for completeness, but we can reassure them that the protection they are seeking will be afforded already through the application of the National Planning Policy Framework and utilisation of the guidance documents from Historic England.

- Clause 2 - we would reiterate that there are various routes through which non-designated heritage assets can be identified and whether they are heritage assets will be intrinsic, rather than based on whether the parish council has identified them as such or not. Assets could however be proposed for inclusion on the local list as raised with the Parish Council earlier in the plan making process, and we support the Community Action included on this matter. We would therefore suggest this policy is omitted or replaced with a policy (or statement within the text) to generally support proposals where they conserve and enhance the significance of any designated or non-designated heritage asset and its setting. This could be the need to apply up-to-date guidance for assessing heritage impact from Historic England, and also to generally comply with all other policies of the neighbourhood plan.

### **Policy ND1 Location Parameters for New Development**

- Clause 1 (Brownfield land)
  - As raised at pre-submission stage, whilst compliant with national policy intent, it is unclear the extent to which any brownfield sites are available in the plan area and that whilst this is expressed as a preference rather than requirement, for the PC to be aware that it may impact viability of schemes they wish to support, e.g. small scale affordable housing.
  - To be aware that this policy would appear to conflict with others in the plan (e.g. BC1 (2) and various ND policies) in the restriction in places on uses that could be supported, and at the same time, could lead to redevelopment of brownfield sites in remote, isolated locations.
  - Overall, if the policy clause is to be retained, would suggest removal of the first sentence as redundant farm/forestry buildings (brownfield) would be found on farmland and woodland, and amendment of the second sentence, so that it would read, The use of previously developed 'brownfield land' **and existing farm buildings** is preferred' to better reflect the policies in the plan.
- Clause 2 (Flood Plain)
  - As per previous comments, whilst we understand the intent, this policy should be better aligned to national policy and remove the exception for agricultural development. Suggest this could be achieved by adding, "where this has been subject to the sequential test and is in accordance with the most up to date Environment Agency guidance", and broadening the last sentence to any development.

### **Policy ND2 Materials Design and Siting**

- Clause 6 External lighting – suggest reference is added here to preserving biodiversity as well as dark skies, and to require lighting to be 'in accordance with BCT/ILP guidance note 18/08'.
- Clause 9 Carbon reduction – whilst supportive of the desire to include a policy on this matter, suggest that the policy needs re-phrasing to make it clear that it is carbon reduction that is afforded great weight and not applications. As currently worded, it would appear applications could be supported, where they are unacceptable on other grounds. Suggest instead, "great weight will be given to securing design that achieves net zero carbon in construction and use".

## **Policy ND3 Housing**

- This is not a location where we would normally support or seek to promote such development and we have some reservations. However, we are not seeking to raise a fundamental objection on the basis a case is made for how this policy position addresses identified local issues and objectives and has the general support of the community. Restrictions are also in place to ensure the development is restricted with support tied to an up to date housing needs assessment.
- To note there may be conflict here with the first sentence of this policy and other policies in the plan which support residential use e.g. via conversion, sub-division and for agricultural workers' dwellings. The intent however is understood and suggest this can be addressed through adding to the end of the first sentence, '...and other exceptions stated in the plan'.
- Suggest this policy could be simplified/refined to make one clear policy on rural exception schemes as all parts of the policy relate to these, but the use of sub-headings currently serves to make that less clear. As worded, there is risk of the policy supporting a proposal driven solely by evidence of need for open market housing. For clarity, the Housing Needs survey should be used to provide evidence of need for affordable housing, and any open market housing being included up to a maximum of 34% of the scheme, in line with Strategy 35 of the Local Plan.
- To flag that First Homes (introduced through Written Ministerial Statement after Regulation 14 consultation this plan), have not specifically been considered by the plan producers, as far as we are aware. To note that with no settlement boundary, but being wholly in the AONB, 'First Homes Exceptions sites' cannot in any case be considered in the Plan area, but it is possible that First Homes might be part of the mix of affordable homes on a Rural Exception Site, although they are not required to be. If including First Homes, reference would need to be made to them in the definition of affordable housing set out in the glossary, and consideration given as to whether the plan should set any local criteria (noting the risk that after 3 months these would fall away and revert back to national criteria, losing the benefit of adopted Local Plan policy (Strategy 35) regarding local connection).

## **Policy ND4 Subdivisions, Extensions, Annexes and Replacement Dwellings**

- Clause 1 Subdivision of Houses
  - Advise that the phrase 'the subdivision of houses' is replaced with 'the subdivision of existing residential buildings'. This is the wording in the NPPF (para. 80(d)) and avoids the loophole where it can be argued that a detached annexe is part of the house and can be made independent under this policy and also means it can apply to bungalows.
  - In respect of the removal of permitted development rights (PDR) – whilst Government advises against their removal as a matter of course, to note we had suggested this be inserted to mitigate the risk that dwellings could be extended under PDR, then sub-divided, and then extended again under PDR, resulting in creation of dwellings that are not meeting the policy intent to increase supply of smaller units for local people. However, it is recognised that it may be difficult to justify and could make it more difficult for a growing family to remain in the community, and therefore as PDR are more limited in any case in the AONB this could be omitted.
- Clause 2 Replacement Dwellings



- To be aware that ‘similar scale and mass’ can be difficult to defend because PD rights would generally allow the existing dwelling to be enlarged as a fall-back position. It would therefore be more robust if the test within this clause is whether the scale (and design) of the replacement dwelling is compatible with the character and appearance of the area and the immediate surroundings.
- The requirement for inclusion of a robust condition survey relates to embodied carbon and reflects thinking in our early working draft Local Plan. However, as this not yet embedded in policy, this would need the policy and support text to give a clear explanation and rationale for this to be retained.
- Clause 3 Extensions and Annexes
  - For clarity, the policy should state if this also applies to detached annexes within the curtilage or not. If it does, it should be clear that this should share an access and some key facilities/spaces with the main dwelling to ensure it is genuinely ancillary and linked to the main accommodation.

### **Policy ND5 Conversion of Redundant Traditional Farm Buildings**

- Suggest this needs a shorter and more specific definition in the glossary to define this term to aid application of this policy. Propose ‘farm buildings that are designated or non-designated heritage assets and no longer required for agricultural use’ and for the policy wording to be extended to cover redundant farm buildings that are designated heritage assets (as well as non-designated).
- This policy could potentially be considered contradictory to policy ND1(1) which does not include any restriction for heritage. A cross-reference or clarification in the wording may therefore be needed to ensure the intent of this policy is not undermined (i.e. to ensure that buildings must be suitable for conversion without substantial rebuild or extension, and be of demonstrable architectural / historical merit/significance to mitigate risk of supporting redevelopment/refurbishment of rural buildings / structures unsuitable /undesirable for retention).
- As per comments at earlier stages of plan making, we would prefer to see a lower preference given to residential use both on grounds of sustainability of location and risk of domestication of the landscape, but note the reference to the terms of Local Plan policy D8 should provide suitable control.
- To be aware that ‘other uses connected with tourism’ is very broad and open to wide interpretation. In other recent neighbourhood plan examinations, the following definition has been included in the plan glossary: “sustainable accommodation or recreation space to visitors to the area, for example those who wish to enjoy the countryside and natural environment of the locality”. This could be addressed to some extent perhaps by removing the specific reference to holiday cottages and incorporating into one ‘small-scale tourist accommodation or visitor offer to support quiet enjoyment and interpretation of the local area“.

### **Policy ND6 New-Build Business Premises**

- As noted above, requiring compliance with ND1(1) would appear to render this policy redundant as it does not allow for this use, unless it is intended to be as an exception. This needs clarification.
- Moreover, whilst we support the intention of the plan to help deliver some employment opportunities for local people, and do not disagree that small scale artisan workshops may be desirable in their own right, we are not aware of any

specific evidence demonstrating need/demand for artisan studios/workshops, although wider community support has been captured in survey results. We would also re-state our previous comments that often/typically artisans are sole traders (or hobbyist businesses) who would not directly be creating local employment, beyond that for themselves, and unless within the curtilage of a dwelling (which would be likely to be ancillary), this development is considered unlikely to come forward for reasons of viability.

### **Policy ND7 Holiday Cottages**

- Suggest the policy title be amended to read Holiday Accommodation as the second part of the policy does not relate to holiday cottages.
- Clause 1 - As previously advised and to manage expectations, be aware that the application of this policy will be limited as a change from full-time residential to holiday let does not in itself require planning permission, and also where development is involved, applicants may be able to demonstrate a high level of demand. Noted that the plan sets out that currently holiday lets and second homes make up 15% of the housing stock. This is however unlikely to be sufficient to be able to justify a primary residence restriction.
- Clause 2
  - Notwithstanding that it does not explicitly lend support, risk that this policy is seen as open and permissive to the listed developments, and as worded could allow them anywhere in the parish, which is entirely AONB, and could include new build holiday accommodation, and caravans which are explicitly not supported in other policies.
  - If this is to be retained, suggest the term tourism is replaced with sustainable tourism; that the specific cross-reference to ND10 be removed, with the focus on the requirement to comply with all other policies in the plan, and removing the limitation to only those in respect of landscape and impact of neighbouring properties. Also that the list of possible uses comes last and is clarified as being limited to conversions for B&B's and guest houses, and very small scale proposals for the remaining uses (groups of 5 or less), with caravans omitted in view of the policy justification and last clause of Policy ND10. To aid with final wording, suggest Policy LE4 of the adopted neighbourhood plan for Dunkeswell could be utilised. This policy has a similar intent, but is considered to offer a greater degree of control within an AONB setting.
  - Alternatively, it may be preferable, and fit better with the current policy justification, for this policy to remain as specific to holiday cottages based on clause 1 only, and the uses in clause 2 (as amended above) to be incorporated into farm diversification policy ND10 instead.

### **Policy ND10 Farm Diversification**

- Clauses 2 to 4 are not 'criteria' as such and it would be clearer to identify them as bullets under a clause that states 'the following uses will generally be resisted.'
- Furthermore, similar to Local Plan policy E4, there should be some articulation of what sort of diversification is acceptable (see comment re. ND7(2) above). The first sentence giving broad support to tourism/employment uses is considered open to potential abuse. This could be overcome by requiring compliance with E4

(notwithstanding this policy will be replaced in due course when a new Local Plan is adopted) and / or by including criteria, e.g., that the proposed use should require a rural location, and support the continued primary operation as a working farm. Notwithstanding interpretation can vary, suggest this could refer to scale as the corresponding objective explicitly refers to supporting small-scale diversification.

## **Policy CC2 Renewable Energy Scale**

- Suggest it would be desirable to give some indicative definition of small and larger scale – this could, as in the submitted Kilminster neighbourhood plan, refer to definitions employed in the 2010 ‘Renewable Energy in the Blackdown Hills’ report.
- To flag to the plan makers that in planning terms, it is not clear that there would be a distinction between schemes that are and are not community-led, and the latter could be difficult to resist on this policy, if otherwise found to be wholly acceptable on material planning considerations.

## **Other non-policy specific comments:**

- Formatting – it would be good practice and assist with referencing in Officer reports for paragraphs to be numbered.
- Plan period - The plan needs to state clearly and consistently state what the plan exact period is.
- “New Development and Change of Use” Chapter Objectives:
  - In respect of the 3<sup>rd</sup> objective, it is not clear to what guidelines this refers
  - To consider whether some of these objectives are conflicting and therefore make the plan position unclear e.g. wishing to control new holiday accommodation, whilst supporting conversion of redundant farm buildings for tourism uses.
  - Suggest re-wording the business/employment objective to read “To support increased **numbers of** small-scale business providing that it leads to employment **opportunities** in the parish and surrounding villages”
  - To clarify the support for farm diversification being where it supports the viability of the main agricultural operation.
- Repetition/Terminology: Noted that the majority of policies start with the phrase “Development and change of use proposals...” or “Development and change of land use proposals”. As the policies will apply, wherever relevant, by default to development that requires planning permission as defined in law, this is considered unnecessary and open to interpretation as to whether change of “land” use is excluding change of building use. This should be removed so that policies start with “Proposals...”
- Conflict – as noted above, there is some potential for conflict/overlap between policies which it will be important for the final edit to have address to aid the implementation of the plan and avoid unintended outcomes.
- Relationship to new emerging Local Plan –
  - It is recommended that reference be made to the work that is underway by EDDC being for a new Local Plan for East Devon, either or both in the introductory chapter and/or through the addition of a short section on the triggers for monitoring & review of the neighbourhood plan as is typically included in these documents.

- It is noted that there are a significant number of references within the plan policy to policies in our adopted Local Plan. Given that work is underway on a new Local Plan, this will inevitably date the neighbourhood plan in the near future and may trigger need for an early review. This may be unavoidable, however, it would be pertinent to consider if all the references are essential. The Qualifying Body consider amending the wording of the second sentence to cross refer to the “requirements of the adopted Local Plan” rather than specific policies, but we recognise this would commit the community by default accepting as yet unseen local plan policy without considering the implications.
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### **Financial implications:**

Central Government funding is available for Neighbourhood plans. This income covers not only examination fees but also all other associated costs such as employment and all other supplies and services. Any residual funds are placed into an earmarked reserve and utilised to cover funding gaps in subsequent years.

### **Legal implications:**

The legal implications are fully set out within the report. It is important that EDDC comment on the content of the submitted Luppitt Neighbourhood Plan (given that it will form part of the Development Plan and therefore help guide decision making on planning applications) to ensure it sits within the strategic requirements of the East Devon District Council’s Local Plan.