

APPENDIX 2

The following policies are taken from the Revised Deposit East Devon Local Plan in which all revisions to the original text were highlighted and the changed text was crossed through. For ease of use the revised text only is shown.

Policy S3 (Development Within Built-up Area Boundaries)

Within Built-up Area Boundaries development will be permitted if:

1. (now deleted)-
2. It would be compatible with the character of the site and its surroundings and in villages with the rural character of the settlement;
3. It would not lead to unacceptable pressure on services and would not adversely affect risk of flooding.
4. It would not damage wildlife, landscape, townscape or historic interests;
5. It would not involve the loss of land of local amenity importance or of recreational value;
6. It would not impair highway safety or traffic flows;
7. It would not prejudice the development potential of an adjacent site.

Local Policy

Local Policy LH 1 (Preservation of Street Pattern)

In order to protect and enhance the Conservation Area, proposals for development of land immediately behind either of the High Street frontages within the Honiton Conservation Area will not be permitted unless the scheme preserves the historic street pattern and buildings, walls, trees, shrubs and hedges and other survivals of the medieval pattern of garden plots and access ways.

Local Policy LH 4 (Land north and south of Chapel Street)

Redevelopment of land north and south of Chapel Street will be permitted for mixed development and an integrated public garden -in accordance with the development brief.

Conservation Area

Policy EN16 (Preservation and Enhancement of Conservation Areas)

Proposals for development (including alterations, extensions and changes of use) or the display of advertisements within a Conservation Area as shown on the proposals maps, or outside the area, but which would affect its setting or views in or out of the area, will only be permitted where it would preserve or enhance the appearance and character of the area.

Policy EN17 (Demolition of Unlisted Buildings in Conservation Areas)

Development involving demolition, or partial demolition, of an unlisted building in a Conservation Area will only be permitted if:

1. The structure to be demolished makes no material positive contribution to the character or appearance of the area.
2. Detailed proposals for the re-use of the site, including any replacement building or other structure have been approved.

Design and Landscape

Policy D1 (Design and Local Distinctiveness)

In order to ensure that new development is of a high quality design and locally distinctive, a design statement setting out the design principles to be adopted should accompany proposals for new development.. Proposals will only be

permitted where they:

1. Reinforce the key characteristics and special qualities of the area in which the development is proposed;
2. Ensure that the scale, massing, height, fenestration and materials of buildings relate well to their context.
3. Maintain good levels of daylight and sunlight into and between buildings to minimise need for powered lighting;
4. Do not affect adversely:
 - i) The distinctive historic or architectural character of the area;
 - ii) The urban form, in terms of significant street patterns, groups of buildings and open spaces;
 - iii) Important landscape characteristics and prominent topographical features;
 - iv) Trees worthy of retention
 - v) The amenity of occupiers of adjoining residential properties.
5. Have due regard for important aspects of detail and quality and should incorporate:
 - i) Secure and attractive layouts with safe and convenient access for the whole community, including disabled users;
 - ii) Measures to create a safe environment for the community and reduce the potential for crime;
 - iii) Use of appropriate building materials and techniques contributing to low embodied energy and CO₂ reduction as well as respecting local tradition and vernacular styles;
 - iv) Necessary and appropriate street lighting and furniture and, subject to negotiation with developers, public art integral to the design;
 - v) (Now deleted) -
 - vi) Incorporate appropriate 'greening' measures relating to landscaping and planting, open space provision and permeability of hard surfaces.

Policy D1b (Sustainable Construction)

Developers will be encouraged to consider ways and means in which sustainable construction considerations and energy conservation measures can be incorporated into development proposals. In particular applicants are encouraged use the BREEAM category considerations in preparing planning applications and in designing developments and specifying materials and construction techniques, BREEAM accreditation of Good or above is considered as desirable. In preparing planning applications applicants will be encouraged, through negotiation, to incorporate:

1. Layouts, forms of development and materials that promote energy conservation and significantly reduce energy demands for heating and lighting.
2. Technology to allow for on-site renewable energy or heat production.
3. Space and equipment to promote recycling of waste materials.
4. Water saving devices and technology for water recycling and rain water harvesting.

All major new developments (those above a threshold of 5,000 SqM floorspace or for residential schemes incorporating 500 dwellings or more) will be expected to:

- Use forms of development that will significantly reduce operational energy demands (especially for heating and lighting) in comparison with standards typically achieved under current standards set out in building control regulation and/or
- ♦ Incorporate renewable energy production equipment to provide at least 10% of the predicted energy requirements of the building/s when in normal use.

Policy D4 (Landscape Requirements)

Planning permission will not be granted for development proposals unless they include a landscape scheme, covering the design and layout of external space, where, due to the scale or nature of the development or sensitivity of the site, it is required to assist in mitigating the impact of development proposals on neighbours or on the character of the area.

The landscape scheme should meet all of the following criteria:

- i) Landscape features should be recorded in accordance with the requirements of 'trees in relation to construction' BS 5837/1991 in a detailed site survey, to be submitted as part of the full or detailed planning application.
- ii) Existing features of landscape or nature conservation value should be incorporated into the landscaping proposals and where their removal is unavoidable commensurate provision should be made elsewhere in the site, in addition to the requirement for new landscaping proposals.
- iii) Measures to ensure public safety should be incorporated.
- iv) Measures to ensure routine maintenance and long term management should be included.
- v) Provision for the planting of trees and hedgerows (including the replacement of those of amenity value which have to be removed for safety reasons) and other planting and improvements to existing habitat, and/or creation of new areas of wildlife value should be made.
- vi) Roads, parking and footpaths should be integrated with the development and landscape framework the continuity of fencing or walling with existing boundary treatments where this contributes to the street scene.

Water and Sewage

Policy EN24 (Adequacy of Foul Sewers and Sewage Treatment Works)

New development will not be permitted unless a suitable foul sewage treatment system of adequate capacity and design is available or will be provided in time to serve the development.

Policy EN27 (Surface Run-Off Implications of New Development)

Planning permission for new development will be granted where: -

1. The surface run-off implications of the proposal been fully considered and found to be acceptable.
2. Appropriate remedial measures (where practicable sustainable urban drainage systems in accordance with Environment Agency recommendations are encouraged) are included as an integral part of the development.
3. Where remedial measures are required away from the application site, the developer is in a position to secure the implementation of such measures.

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

Housing

Policy H3 (Affordable Housing)

Where an up-to-date housing needs survey demonstrates a need for affordable housing, the District Council will seek the provision of affordable dwellings as part of proposals for new housing development in the following circumstances:

- 1 Area and Local Centres (where population levels exceed 3,000 persons) where proposals are on sites of 0.5 Ha or larger, or where 15 dwellings or more are proposed.
- 2 Settlements with a population falling below 3,000 persons where proposals are on sites of 5 dwellings or more.

On qualifying sites the number of affordable dwellings sought is either detailed in the housing allocation Policy H2 (typically at 40 percent of total numbers) or on non-allocated (windfall) sites the District Council will seek to negotiate with developers to provide a minimum of 40% affordable dwellings.

Affordable housing should be provided on-site as part of the proposed development. In exceptional circumstances, where the District Council and developer both consider that the element of affordable housing is better provided on an alternative site, the Council may enter into negotiations for “off-site” provision.

Planning conditions will be used and/or planning obligations sought to ensure that housing provided under this policy will remain available as affordable housing for local residents, people employed locally or people with local connections in perpetuity.

In certain cases permitted development rights for the affordable dwellings will be removed so that control may be exercised over their extension or alteration which would affect their affordability for future occupiers.

Employment

Policy E2 (Employment Generating Development in Built-up Areas)

Within Built-up Area Boundaries (on sites not allocated or reserved for other uses) new businesses or expansion of existing businesses will be permitted provided the proposed development, whether through re-use of existing buildings or new build, meets the following criteria in full:

1. It is accessible by pedestrians, cyclists and public transport.
2. It would not generate traffic of a type or amount inappropriate for the character of access roads or require improvements that would damage the character of those roads.
3. It would not harm the character or setting of local settlements or the amenity of nearby residents.
4. It would not harm any site of nature conservation value or archaeological importance or any building of architectural or historic interest.
5. It would blend into the landscape and/or townscape in terms of design, siting and materials.

Policy E3 (Safeguarding Employment Land and Premises)

Permission will not be granted for the change of use of current or allocated employment land and premises where it would harm business and employment opportunities in the area, unless:

1. Employment uses would significantly harm the quality of a locality whether through traffic, amenity, environmental or other associated problems; or
2. The new use would safeguard a listed building where current uses are detrimental to it and where it would otherwise not be afforded protection; or
3. Options for retention of the site or premises for employment uses have been fully explored without success and there is a clear demonstration of surplus supply of employment land in a locality; or
4. The proposed use would result in the provision or restoration of retail (Class A1) facilities in a settlement otherwise bereft of shops.

Employment uses will be those falling into Class B of the Use Classes Order or similar Sui Generis uses. Redundant petrol filling stations and associated garage facilities will fall within the scope of this policy.

Open Space

Policy RE2 (Open Space, Sports Facilities and Parks)

In urban or built-up areas, permission will be granted for new open space areas, sports facilities and parks, the accommodation of the visual and performing arts, and the upgrading or enhancement of existing facilities provided:

1. They do not unduly affect the character and appearance of the area and the visual and physical amenities enjoyed by adjoining residential areas.
2. They are accessible by public transport, bicycle and on foot.
3. Adequate car and cycle parking is provided.
4. The proposed road access to the site provides for safe exit and entry and the local road network can safely accommodate the extra traffic the proposal would generate.
5. The facilities are located without detriment to the best and most versatile agricultural land, nature conservation interest and the conservation of areas of landscape, scientific, archaeological or historic interest.

Not all sites will meet all these criteria in which case environmental, nature conservation and sustainability considerations are likely to be decisive. Recreation facilities in the countryside are dealt with more particularly in Policy RE5.

Policy RE3 (Open Space Provision in New Housing Developments)

Where new housing development generates a demand which will require additional formal and informal recreation facilities, provision by the developer will be required to the following standards, per dwelling proposed:-

1. 22.5 m² of land for formal recreation, and
2. 18 m² of land for children's play space, including provision for equipped play areas.

The policy will be applicable to all residential development proposals which involve the creation of a new dwelling, unless the nature of the dwelling(s) proposed is such that their occupiers will clearly not place demands on such a facility.

Where residential development schemes are of a scale where direct on-site provision is not practical, the Local Planning Authority will seek commuted payments through a planning obligation to secure the provision of, or part payment for, off-site facilities. Open spaces that are provided will be required to be laid out to an adoptable standard suitable to accommodate the formal / informal use proposed. Formal playing fields are likely to require the provision of basic changing facilities, whilst children's play areas should provide suitable play equipment.

Transport

Policy TA1 (Accessibility of New Development)

New development should be located so as to be accessible by pedestrians, cyclists and public transport and also well related to compatible land uses so as to minimise the need to travel by car. Where proposals are likely to attract large numbers of visitors they must be accessible by public transport available to all sectors of the community. Development involving the creation of public open space, car parking area, highways and other areas to which the public have access must provide adequate provision for persons with reduced mobility.

Policy TA4 (Footpaths, Bridleways and Cycleways)

Development proposals will be required to include measures to provide, improve and extend facilities for pedestrians and cyclists commensurate with the scale of the proposal. Permeability by pedestrians and cyclists within and through new development schemes will be encouraged. These measures may include both shared and exclusive surfaces to provide safe, convenient and attractive routes, and must be designed to take account of the needs of persons with restricted mobility. Wherever possible the opportunity should be taken to join, upgrade and extend existing or proposed networks.

Development which would result in the loss, or reduce the convenience or attractiveness of an existing or proposed footpath, cycleway or bridleway, will not be permitted unless an acceptable alternative route is provided.