

East Devon Local Plan 2020 to 2040 Consultation Draft Plan Autumn 2022

Hawkchurch Parish Council response to consultation

We are submitting a written response to the consultation rather than using the commonplace software so that we can be transparent with the Parish about our response and because we feel it is important to comment on key aspects of supplementary documents, namely:

- the Sustainability Appraisal
- the Role and Functions of Settlements
- HELAA assessment and summary documents
- Report to the SPC 29th September

This response has been compiled taking account of the views of the Parish as a whole, based on the results of a consultation with every household for our Neighbourhood Planning work. As part of the consultation, we signalled the EDDC Local Plan consultation and encouraged residents to respond directly to EDDC using the commonplace software. We are aware of significant issues with people struggling with responses via the commonplace software so trust that this collective feedback will be useful. The response to our local consultation was around 50% of households – 130 responded (294 residents). We refer to key results in the response below.

1. Policies and supplementary documents concerning housing development

The Spatial Strategy and Low Carbon Strategies are to place development in locations where there are facilities and jobs with the intention of reducing the amount of travel especially by private transport. We think this is a sensible approach.

The Role and Function of Settlements document includes Hawkchurch as a Tier 4 service village. This is based on community facilities and services analysis and is not included under the employment analysis. The community facilities and services analysis shows (para 4.8 page 41) that:

“The following settlements have at least seven local facilities and therefore play a local role for both the settlement and immediate surrounding area in meeting the basic needs for residents on a day-to-day basis”

With a footnote to the effect that:

“Settlements that have six local facilities plus an hourly bus service (strategic facility) are also included, as it seems illogical to exclude settlements that are missing a less than hourly service but do have an hourly service.”

Hawkchurch, as we have pointed out before, does not have an hourly bus service. It has *one bus a week – literally one chance to catch a single bus each week!* This should not even qualify as a ‘less than hourly’ bus service. It is used by less than 1% of residents and then with caution, as if they miss the single chance of return (not long after arriving) they will have to hire a taxi to return home.

As the Settlements paper sets out at the start of the document:

“National policy still expects most new development to have good access to services and facilities by focusing significant development on locations which limit the need to travel and offer a genuine choice of transport modes”.

This is not true for Hawkchurch. Residents in Hawkchurch are totally dependent on the use of cars for transport. Our survey has shown that 65% of households use their cars daily (and the average ownership is 1.74 cars per household). Another 31% use their cars a few times a week. The proposal for an additional 38 properties in the centre of the village would add another 66 cars to the roads at the same rate of ownership, never mind the increased traffic from delivery vans etc. Siting large scale development in Hawkchurch runs counter to the spatial and low carbon strategies as proposed.

The draft proposal is for a 32% increase in housing, with the maximum HELAA estimate of 38 houses, and 0.15ha employment space.

- We think the figure of 32% includes exception sites in the calculation, not just the housing in the settlement boundary, and is therefore an underestimate of the increase
- The maximum of 38 properties in the HELAA assessment is based on the full area of the site – it was not assessed for employment space according to the supporting documents. The proposal in the draft plan also includes 0.6 Ha of employment space which should reduce the figure of 38.
- We feel that the approach to allocation has been inconsistent. To give one example, the Budleigh Salterton preferred site has included the minimum number of houses – 20 – not the maximum. The approach should be reviewed to ensure that it is consistent and fair.
- A number of residents have queried the settlement boundary – the changes are not at all clear, neither is the rationale (at least one land-locked field is included).

Our survey has shown that **68% of households** think that any development should be for 20 or less properties and this increases to 85% believe it should be 25 or less.

Most supported the selection of the preferred site but with the qualification about the extent and nature of the development. 34 respondents suggested alternative sites for small scale development.

Most households did not support employment space and many that did wanted things that would not be permitted under the proposed categorisation.

Reasons cited against the scale of development include:

Lack of public transport, increased traffic, access at the junction, narrow lanes, congestion in the centre of the village, inadequate infrastructure (drainage, sewerage, and water supply systems), impact of traffic on pedestrians (including elderly residents and children on roads with no paving), and limited local employment opportunities. A housing estate shouldn't be in a rural village, the proposed density of housing is too high, partly green site, actively used pastureland, the shop is a tiny community shop and has limited supplies, the children's playground in the centre of the village is adjacent to the proposed access road junction with the main street, the shop is located on the site to be developed.

Reasons cited against the development of employment land at this site include: Noise, increased traffic, access, narrow lanes, spoil the peace and tranquillity of the place, won't create employment for villagers, even more parking needed, current industrial units are not fully occupied.

The Sustainability Appraisal misrepresents several aspects:

- It reads for the most part as though there is an available bus service – as explained above the bus service should be discounted as it is not sustainable.
- The accessibility assessment is misleading given the dependency on car travel.
- It suggests there will be no impact on the setting of the listed buildings, we disagree - we believe the proposed level of development would impact their setting, including the Grade 1 listed church.
- It refers to employment space being retained. The storage barns are just that and not an employment area. The community shop is run by volunteers – there is no current employment on the proposed site.
- On page 466 section 8 of the table headed 'Home', the document refers to 'Significant positive where site offers maximum yield >100. All other sites have potential to deliver up to 100 dwellings with a marked positive effect...' This appears to be something left in from another assessment as neither site offers a maximum yield greater than 100.
- The health and wellbeing commentary misrepresents the impact: The scale of development would impact the many walkers in the village, both through the increased traffic and the change in character of the area (35% of household have at least one person who walks daily – the PROW are a significant feature of the Parish). The children's playground is adjacent to the junction of the proposed access road and the main street and close to the site – which includes proposals for light industrial employment space – so actually close to potential noise sources.

In conclusion we believe:

- The **inclusion of Hawkchurch as a Tier 4 village is based on flawed assumptions** and does not align with the spatial and low carbon strategic policies.
- The **level of proposed development is too high**, is not required locally and there would be a significant negative impact from the scale of development on the character of the place.
- It would be preferable for the Neighbourhood Plan to identify sites for smaller scale development that is in keeping with local needs.

2. Climate emergency - Energy Policies 29 – 32

As drafted the policies on renewable energy do not correctly reflect the balance given in the National Planning Policy Framework (NPPF) or in the supplementary planning guidance on renewable and low carbon energy. They do not give sufficient weight to the adverse impacts, give no weight to cumulative impacts (which is contrary to the guidance) and do not reflect the need to take into account the views of local communities likely to be affected by them. In addition, they do not reflect the need to identify opportunities for co-location of supplies and consumers. **We are seriously concerned that the wording of the energy storage policy does not take into account the national guidance which states:**

The National Planning Policy Framework (Para 153) - local plans should:

*“a) provide a positive strategy for energy from these sources, that maximises the potential for suitable development, **while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts);***

c) identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.”

The governments planning guidance for renewable and low carbon energy states:

*“The National Planning Policy Framework explains that all communities have a responsibility to help increase the use and supply of green energy, but **this does not mean that the need for renewable energy automatically overrides environmental protections and the planning concerns of local communities.** As with other types of development, **it is important that the planning concerns of local communities are properly heard in matters that directly affect them.***

*There are no hard and fast rules about how suitable areas for renewable energy should be identified, but in considering locations, local planning authorities will need to ensure they take into account the requirements of the technology and, **critically, the potential impacts on the local environment, including from cumulative impacts.** **The views of local communities likely to be affected should be listened to.***

In shaping local criteria for inclusion in Local Plans and considering planning applications in the meantime, it is important to be clear that:

- ***the need for renewable or low carbon energy does not automatically override environmental protections.***
- ***cumulative impacts require particular attention, especially the increasing impact that wind turbines and large-scale solar farms can have on***

landscape and local amenity as the number of turbines and solar arrays in an area increases.

- ***protecting local amenity is an important consideration which should be given proper weight in planning decisions.”***

The benefits of co-location of energy generation and consumers can be promoted by adjusting the wording of Strategic Policy 29. This policy should also include reference to cumulative landscape and visual impact. We suggest the following revisions:

Strategic Policy 29 – Promoting renewables and zero carbon energy

Development of zero carbon and renewable energy schemes within the District will be supported. We will encourage the use of community-led schemes and promote their use within Neighbourhood Plans.

The Local Plan will support renewable and low carbon energy proposals where there are no unacceptable impacts on:

- *Landscape, visual or residential amenity (**including cumulative landscape and visual impacts**);*
- *Noise, air, water, highways, or health*
- *Biodiversity, the natural or historic environment*
- *Radar, telecommunications, or the safety of aircraft operations*

Particular support will be given to renewable and low carbon energy generation developments that:

- ***Are led by or meet the needs of local communities.***
- ***Create opportunities for co-location of energy producers with energy users.***

Planning permission will only be granted for development of non-renewable forms of energy generation where it can be demonstrated that there are clear and compelling circumstances that generate the need for the proposal and that all reasonable opportunities for using renewables to supply the need are non-credible and exploration of alternative options have been exhausted.

We suggest the following rewording of Policy 31 and 32: (The addition of reference to cumulative impact)

- Landscape, visual or residential amenity (**including cumulative landscape and visual impacts**);

We believe Policy 32 should be completely revised to bring it into alignment with the other energy policies and to conform with the NPPF and national guidance. We have also taken note of the way other local plans have been drawn up to safeguard communities and we have taken into account the recent advice from the Fire Service regarding the Wadbrook battery storage proposed development. We suggest the following:

Policy 32 Strategic Policy – Energy Storage

Development of energy storage facilities will be supported to help achieve carbon neutrality and renewable energy production and use in East Devon subject to

- *Landscape, visual or residential amenity **(including cumulative landscape and visual impacts)**;*
- *Noise, air, water, highways or health;*
- *Biodiversity, the natural or historic environment;*
- *Radar, telecommunications or the safety of aircraft operations;*

And not being in direct conflict with any policy in the plan that allocates land for a different specified use or safeguards land unless the energy storage facility can be accommodated without compromising the policy intent of the safeguarding.

Any proposed development which will contain large quantities of batteries or chemicals should include adequate mitigation measures, contingency plans for major accidents such as fire, explosion or leakage, and decommissioning plans including suitable bond arrangements.

We have noted that other local authorities have used the criteria that renewable developments ‘do not have an overshadowing or overbearing effect on nearby habitations’ and in the case of solar development that the ‘noise, glint and glare is mitigated adequately’. We would welcome inclusion of such terminology in policies 29 -32 as this would help protect the beauty of East Devon and prevent adverse impacts on both communities and wildlife.

Hawkchurch is particularly experienced in relation to energy installations with numerous solar farms. We now face multiple applications for large scale industrial storage facilities, which are likely to be Lithium-ion battery storage. This is primarily due to the location of the National Grid Substation which is due to expand its connections.

When surveyed 85% of households said they regard Lithium-ion battery storage as unsafe. Furthermore 85% of households also felt that such installations were industrial in nature and should only be permitted with strong controls on safety and impact – including the cumulative impact over time and coupled with solar farm development.

We recognise the need for energy storage but believe EDDC should be considering the District good from locally generated or stored electricity versus supporting the national interest (e.g. storing energy which will ultimately be used elsewhere in the country). By encouraging storage, and where possible generation, to be co-located with heavy consumers (be it industry, residential, hospital etc) it would make certain that the benefit is within the District.

While we recognise that the local plan is primarily concerned with planning controls, the energy and climate change strategy take no account of the need to improve the condition of homes. A significant number of respondents to our survey said that they would have solar

panels if they were affordable. Some are trying to get solar panels but there are shortages of suppliers and there appears to be a lack of interest in small scale deployments. It would be helpful if the strategy could cover these aspects and enable real changes to residents.

Suggested changes to other policies

Policy 63 – Housing Density and Efficient Use of Land

We note the wording of this policy has not been finalised but there is no reference to differential housing densities dependent on the location of the development. For example, distinguishing between town, suburban or more rural settings. This would be in line with national guidance and reflect what other areas do to address the acceptability of different densities and intensity of housing in different areas.

Policy 52 – Employment development in the countryside

As it stands this policy could allow development that would have adverse effects on local neighbourhoods because of increased traffic, noise, etc. Criteria should be included that address such potential impacts.

It would also be worth considering the location in relation to settlement boundaries – any such business in the immediate vicinity is more likely to have adverse impacts on communities.

Hawkchurch Parish Council

January 2023