

Clyst Honiton Neighbourhood Plan – Regulation 16 Consultation

Comments on Behalf of Exeter and Devon Airport Ltd (EDAL)

Continuation Sheet

Section 1.14 Post Regulation 14 (Support)

This paragraph explains that between the Regulation 14 and Regulation 16 stages the number of dwellings coming forward in the NP has been reduced from 65 to 9, and that the decision has been taken to make the NP and NDO discrete / stand alone documents, rather than seeking to bring them forward in parallel. It notes that Policy SA3 has been deleted (this being the main contributor to the reduction in new dwellings), and that the NDO will now come later following the completion of more technical work.

For the reasons set out in representations made by EDAL at the Regulation 14 stage these changes are supported. There was a disconnect between the approach in the draft NP and what the draft NDO sought to deliver. The location and quantum of housing previously proposed by Policy SA3 were inappropriate. The NP is an improved document as a result of these changes.

Section 2.3 Spatial Context of Clyst Honiton (Objection)

This section includes the observation that;

“...it should be explicitly acknowledged that the NP Area is in a strategically important location for Devon, where land, forms part of the most sustainable options for accommodating future growth for both local housing and employment and for large strategic scale development/infrastructure as has been identified in the Emerging EDLP.”

This is misleading. The themes this comment raises relate to some land in the southern part of the NP area, south of the A30, but as written the reader is left with the impression that they relate to the NP land as a whole. The reality is that emerging Local Plan policy is considering an outcome whereby a new settlement might sustainably be located south of the A30. The sustainability of that would rest in part on its location, and in part on the range of services and facilities that would be delivered with it. Such services and facilities are almost entirely absent in the northern part of the NP area; it is not a sustainable location to bring forward major housing development. This should be made clear in the text.

Policy C2: New Community Building (Objection)

EDAL has no objection in principle to the provision of a new community building. However, the draft policy seeking to support this (Policy C2) lacks precision, and risks allowing development that would be unsustainable and out of conformity with the adopted (and indeed emerging) Local Plan.

It is not clear whether parts a) and b) of the policy are intended to be read on an “either / or” basis, or an “and” basis, i.e. whether just one provision must be met, or both. This should be clarified, but either way, they give rise to a series of difficulties.

Part a) refers to circumstances where housing would be allowed to make the development of the community building viable. However, there is no indication in the policy as to what level of housing

development would be acceptable in this regard. It cannot be the case that any quantum is allowable.

Neighbourhood plans must be in general conformity with the strategic policies contained in any development plan that covers their area. The strategy in the East Devon Local Plan is clearly one which seeks to direct major residential development towards the larger settlements. The emerging Local Plan seeks to continue this strategic direction, also anticipating the development of a new settlement. This is not to preclude all growth in smaller settlements, but that growth should be proportionate, and sustainable; again, that is reflected in the Local Plan. In the case of Clyst Honiton large scale growth would be neither proportionate nor sustainable.

In fact, it would be manifestly disproportionate and unsustainable. It is recognised that the NP is now made discrete from the NDO but nonetheless it is clear from the previous (Regulation 14) stage that large scale development would be required to fund a community building – perhaps 50 dwellings. Development of a scale even approaching this order in addition to the allocation (9 dwellings) proposed elsewhere in the Regulation 16 document would see the hamlet grow by over 50%. This directly opposes the strategic policy for East Devon.

Clyst Honiton has very few facilities. There is no mechanism in the NP to deliver other new facilities to make the place sustainable – indeed, given its scale this would be impossible. There are no schools (and no prospect of one). The NP identifies sites for employment development but for the reasons set out in these representations those are unacceptable. Some housing growth to meet any well evidenced local need, and noting in particular the requirement for some affordable homes (perhaps three units), is appropriate. Housing growth of the scale required to support a new community building, however, would simply create a dormitory community ill-served by local facilities and forced to travel for almost every purpose. That is unsustainable.

Part b) of the policy refers to circumstances where residential development addresses identified local housing need. However, there is no local need in Clyst Honiton, and certainly not beyond what is already being delivered in the settlement, noting also the further allocation now anticipated by this NP.

Clyst Honiton has previously been deemed unsuitable for housing growth, and the LPA's indicative housing requirement there is zero. Significant growth in the West End has been carefully planned through major allocations seeking to deliver a balance between housing and the jobs and facilities needed to serve it sustainably, but this is at locations other than Clyst Honiton. The emerging Local Plan similarly looks at options for large scale growth in the West End, but again at locations other than Clyst Honiton.

The NP refers to a Housing Needs Assessment from 2016. Notwithstanding the out of datedness of this document, it offers a range of figures in assessing housing needed. The lowest figure is eight. The two highest figures are 39 and 54. These high figures cannot be relied upon in generating a sensible requirement or expression of local housing need for Clyst Honiton.

The figure of 39 is simply a pro rata value based on distributing district wide growth according to existing settlement population. As such, it implies all settlements should be treated equally with the same proportion of growth going to the most sustainable towns and large villages as the least sustainable small hamlets. This flies in the face of the Local Plan strategy and principles of sustainable development.

The figure of 54 comes from projecting housebuilding rates from 2011 – 2016 (16 dwellings over five years, so about 3.2 per annum) through to 2033. However, the provision of 16 dwellings between 2011 and 2016 was highly unusual, unrepresentative of medium to long term trends, and cannot be used as the basis for forward planning. The period from 2001 to 2016 also saw 16 dwellings built – none were developed from 2001 – 2011. That equates to about one dwelling per annum. There is nothing here to justify large scale housing development, or indeed any development beyond what has recently been built or permitted.

The draft policy goes on to require that residential development to help deliver a community building must be “supported by the community”. However, it is not clear what this means and how it would be measured, or whether either of the mechanisms suggested (an NDO or community engagement statement) would operate to demonstrate community support. In this context “the community” should certainly include the wider business community and development should not be allowed which might serve narrow interests very locally but create harm for neighbours.

In summary, then, there are serious concerns with the framing of Policy C2. Support for the provision of a new community building is appropriate. However, a mechanism to deliver this which relies on the provision of housing in the manner expressed is heavily flawed. The scale of development required to make a community building viable is disproportionate, unsustainable, and inconsistent with higher order planning strategy. There will be no remaining local housing need. The approach to considering community support is ill conceived. If a new community building is to be supported, it needs to be approached in a different manner. The approach in Policy C2 is inappropriate.

Policy DS1: Development of High-Quality Design (Comment)

Part 10 of the draft policy should be amended to remove the words, “where appropriate”. The inclusion of these words implies that there is some choice in this matter, or the requirements might not always apply. In fact, it is always essential to ensure that noise impact and safeguarding are properly dealt with when development next to the airport is proposed.

Policy DS2: Sustainable Design and Construction of Buildings (Comment)

The final part of the policy should be amended to remove the words “where appropriate”. The inclusion of these words implies that there is some choice in this matter, or the requirements might not always apply. In fact, it is always essential to ensure that air and noise pollution are addressed.

Policy DS3: Sustainable Drainage (Comment)

The final part of the policy should be amended to read, “The use of retention ponds or any other feature which might create standing water will be limited by airport safeguarding legislation.” Retention ponds are an important concern for EDAL, but any feature which might create standing water (e.g. storage, swale or basin features) also need to be carefully considered from a safeguarding perspective.

Policy DS5: Flood Risk Management (Comment)

For clarity it is suggested that the second paragraph is amended to read, “Any biodiversity enhancement and habitat creation must be made acceptable from an airport safeguarding perspective.”

Policy DS8: Provision and Use of Renewable Energy (Comment)

Policy DS9 (Community Led Renewable Energy Production) includes a provision that there must be no impact on airport safety and operations. The same provision should be added to Policy DS8.

Policy E3: Opportunities for New and / or Improved Business Development in Zone A (Objection)

This draft policy supports employment development at three locations. For the reasons expressed in the Regulation 14 objections made on behalf of EDAL these locations are not appropriate.

As set out in those previous representations, Site 1 would be exposed to noise levels of 69dB, Site 2 sits between the 63 and 66dB contours, and Site 3 between the 66 and 69dB contours. No evidence appears to have been submitted to demonstrate that the full range of uses proposed by this policy for these sites would be acceptable from a noise perspective at these levels. Moreover, the majority of Site 1 and part of Site 3 lie within the Airport PSZ. Employment development of the type proposed by Policy E3 is unacceptable here, and these proposals should be removed.

Policy SA1: Slate and Tile Site (Objection)

The draft NP notes (page 92) that more houses are supported if they provide a community building, affordable housing, and houses to balance the current housing stock. As framed, the allocation proposed by Policy SA1 would contribute to meeting only one of these objectives, i.e. contributing to balance the current housing stock. The delivery of this allocation would not provide a community building; indeed, for reasons expressed elsewhere in these representations that is considered inappropriate in any event. Importantly though, it would also not guarantee the delivery of affordable housing. The policy provides, “support for the provision of on-site local affordable housing” but then includes no criteria or requirement to ensure it is delivered. As it stands, this policy should be read as a straightforward allocation for market housing.

Moreover, this site is within the 60 – 63dB contour range, in the daytime. This is significant for anyone wishing peacefully to enjoy their home with a window open and would severely impact the use of gardens. The NP acknowledges this and anticipates use instead of land off site beyond York Terrace to the north; this would be a helpful resource but is no substitute for the reasonable expectation in this setting that gardens should be usable. Part of the land identified to the north is also within the 60 – 63dB contour so would be subject to the same constraints. The nighttime noise contour based on the 2009 position is not shown but would be expected to be particularly problematic. There would be a very high likelihood of complaints from residents, and that would threaten the current and future operation of the Airport.

In this context, the national planning practice guidance states that, “Although the existence of a garden or balcony is generally desirable, the intended benefits will be reduced if this area is exposed to noise levels that result in significant adverse effects.” The guidance does refer to the provision of

an off-site quiet space as mitigation, but specifically as a measure such that noise impacts MAY be PARTIALLY offset, and again noting that in this instance part of the off-site space identified is also within the 60 – 63dB contour range. It is not a solution. The noise environment in the proposed gardens will be impactful, the nighttime levels appear to be impactful, and the mitigation offered in terms of access to and enjoyment of peaceful outdoor space is only partial. The proposed residential development of the Slate and Tile Site is unacceptable.

Policy NE1: Landscape and biodiversity (Comment)

The policy should make reference to any landscape and biodiversity measures needing to be compatible with the Airport's requirements around safeguarding.