

# East Budleigh with Bicton Neighbourhood Plan

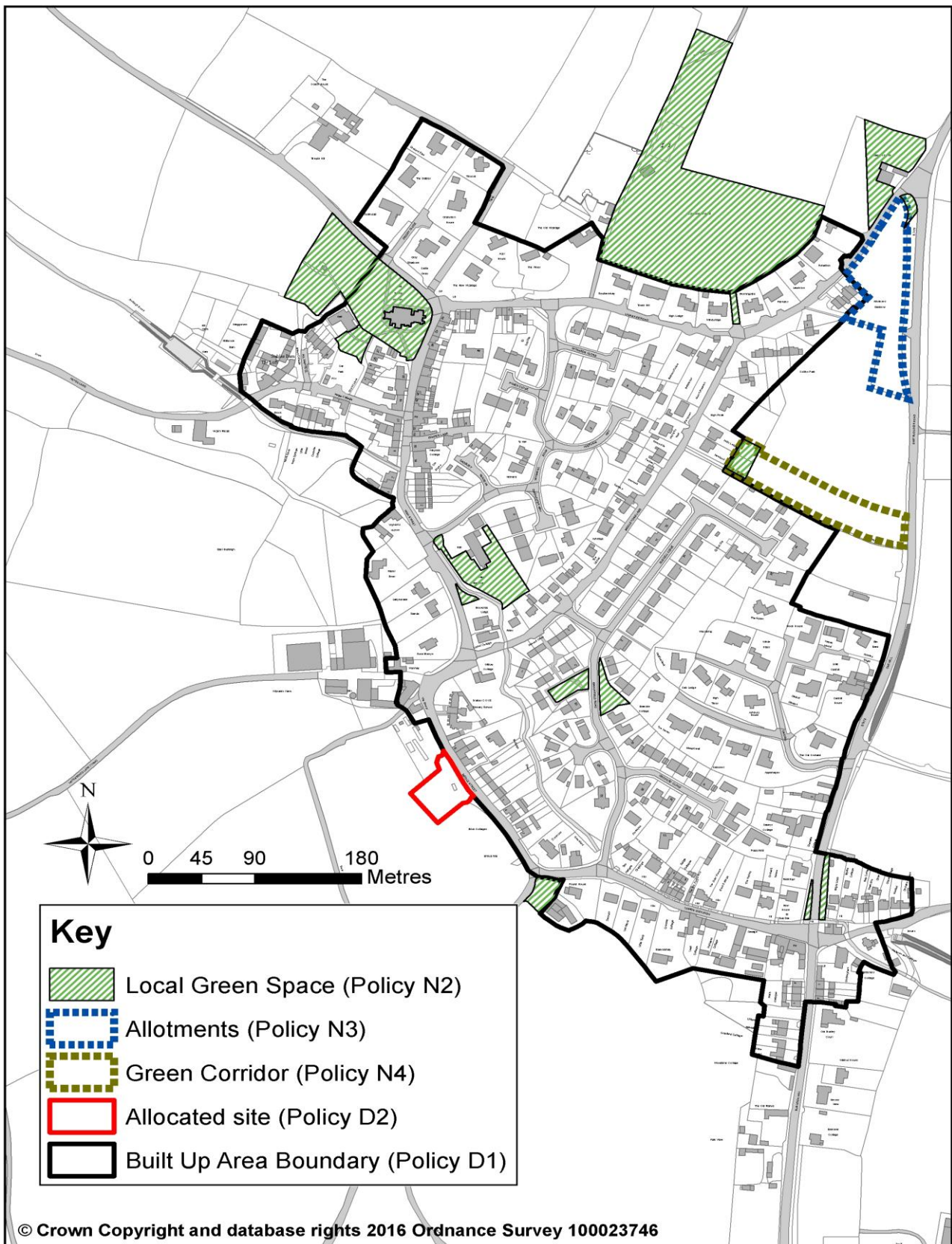


**A Plan for the Parish up to 2031**

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# Proposals Map

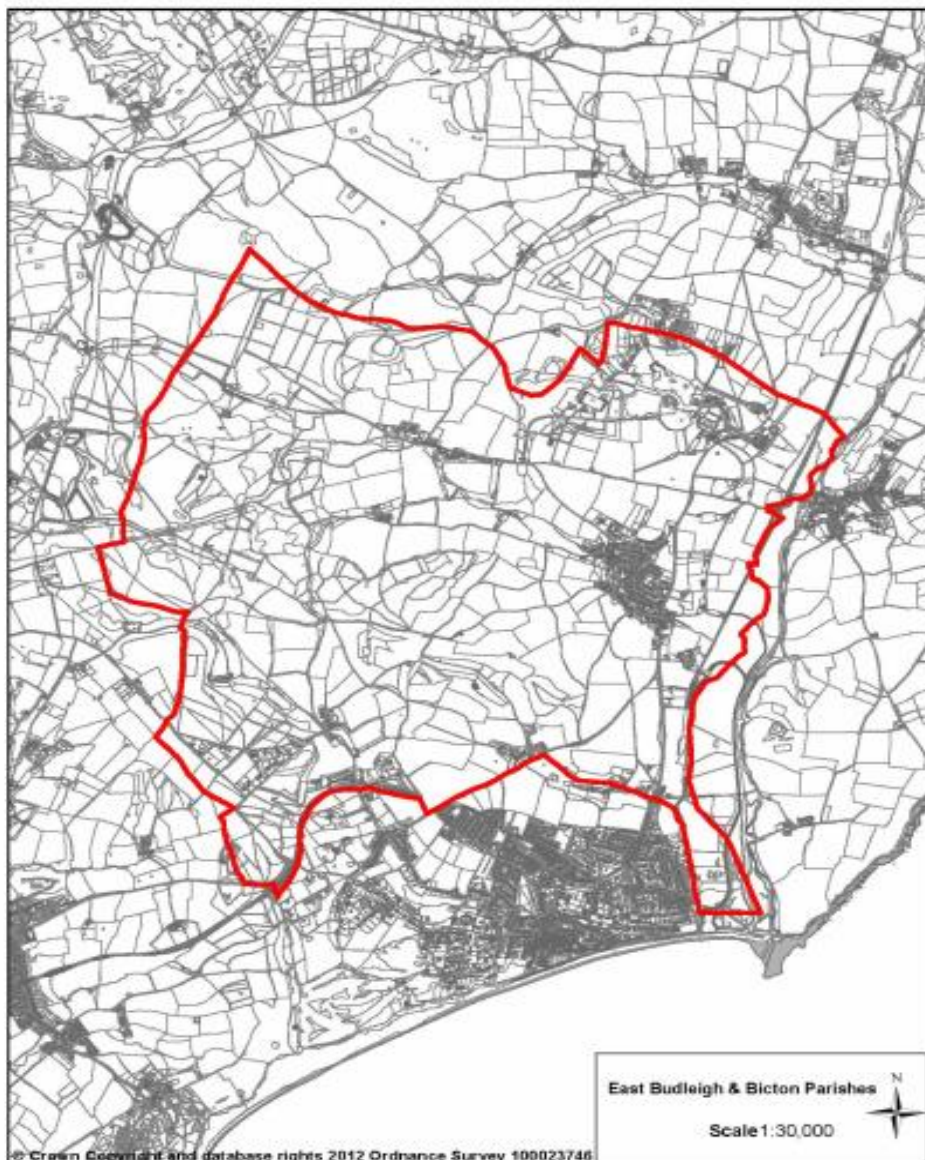


# Chapter 1

## Introduction

- 1.1 Further to an application made by the East Budleigh with Bicton Parish Council (EBBPC), East Devon District Council (EDDC) approved East Budleigh with Bicton as a Neighbourhood Area on 30<sup>th</sup> June 2015. The Neighbourhood Area coincides with the East Budleigh Parish boundary together with the Bicton Parish boundary and is shown in Map 1.1

**Map 1.1 East Budleigh with Bicton Neighbourhood Plan Boundary**



- 1.2 The East Budleigh with Bicton Neighbourhood Plan (the EBB NP) is part of the Government's approach to planning, which aims to give local communities more say about what developments should be encouraged in their area. This is enshrined in the Localism Act which was given royal assent in November 2011. The Neighbourhood Planning Regulations came into force in April 2012. More

specifically, the Plan gives local people the power to decide where new housing and employment development should go and thus how the Parish should change. Without the EBB NP the EDDC would make decisions with much less local input. The EBB NP covers the period from 2016 to 2031 (the Plan Period).

- 1.3 The EBB NP provides a vision for the future of the community and sets out clear Policies to realise this vision. These Policies chime with higher level planning policies and guidelines, including the National Planning Policy Framework, as required by the Localism Act. The policies of the EBB NP will be combined with those of the East Devon Local Plan to control development within the Parish (see Appendix A in the supporting documentation for the Planning Policy Framework). The Plan is in conformity with the Basic Conditions set out in schedule 4B of the Town and Country Planning Act of 1990 and with Schedule 10 of the Localism Act 2011. A Basic Conditions Statement is submitted with this Plan.



- 1.4 Neighbourhood Development Plans also have to be prepared following a procedure set by government. These procedures are detailed in the Neighbourhood Planning Regulations 2012, the Localism Act 2011 and the Planning & Compulsory Purchase Act 2004, the European Directive 2001/42 on Strategic Environmental Assessment and the EU Directive 92/43 on Habitats Regulations Assessment (see Appendix A in the supporting documentation for details of the Neighbourhood Plan process).
- 1.5 The EBB NP is in line with European Regulations on strategic environmental assessment and habitat regulations (SEA). A SEA Screening Report has been carried out in accordance with Regulation 9 of the Environmental Assessment of Plan and Programmes Regulations 2004. A copy of the SEA Screening Report and a statement of reasons for the determination (under regulation 9(1) of the Environmental Assessment of Plans and Programmes Regulations 2004) accompanies the Submission Plan and is available to download at [www.eastbudleigh-pc.gov.uk](http://www.eastbudleigh-pc.gov.uk).
- 1.6 The EBB NP has been developed through extensive consultation with the people of the Parish as well as others with an interest in the Plan. The EBB NP is based on sound research and documentation, audited as necessary. A Consultation Statement is available to download from the website [www.eastbudleigh-pc.gov.uk](http://www.eastbudleigh-pc.gov.uk). This ensures that the EBB NP meets the requirements of Neighbourhood Planning (General) Regulations 2012.
- 1.7 A glossary of terms used in the EBB NP is provided in Appendix B (see supporting documentation).
- 1.8 Chapters 1-4 of the EBB NP set out the context for the Neighbourhood Plan including setting the overall Vision and Objectives to guide the Plan, taking into

consideration the evidence base, including the results of an informal public consultation process. Chapters 5-14 cover a range of topics considered to have importance by the local community.

1.9 The EBB NP is accompanied by a Proposal Map that illustrates the policy areas of the plan including:-

- The Built-up Area Boundary of East Budleigh village.
- The location of the allocated site.
- Important local green spaces.
- Other green spaces:- allotments and green corridor.

1.10 The Submission EBB NP takes account of, and is informed by, supporting documents including a Consultation Statement, Basic Conditions Statement, a Strategic Environmental



Assessment Screening Report and site sustainability appraisal as well as other documents. The maps and the documents can be found on the Neighbourhood Plan section of the EBB NP web site: [www.eastbudleigh-pc.gov.uk](http://www.eastbudleigh-pc.gov.uk).

1.11 The Submission EBB NP has been approved by the Parish Council and the EBB PC agreed for it to be submitted to East Devon District Council. The District Council will now consult on the Plan for 6 weeks. Thereafter the Plan will be subject to independent examination and, if successful, will be put to a local referendum. A majority vote will lead to the Plan becoming part of the development plan for the Parish to manage future development decisions alongside the East Devon Local Plan and National Planning Policy Framework.

1.12 Copies of the Submission Plan and supporting documentation can be viewed on the East Devon District Council website and on the Neighbourhood Plan section of the EBB NP web site: [www.eastbudleigh-pc.gov.uk](http://www.eastbudleigh-pc.gov.uk). Hard copies of the Submission Plan are available to view at East Devon District Council offices, the Information Centre and the Community Shop in East Budleigh, Bickton Park Botanical Gardens and Budleigh Salterton Library.

1.13 If you would like to make a representation, then please send your comments by email to [localplan@eastdevon.gov.uk](mailto:localplan@eastdevon.gov.uk) or in writing to Tim Spurway, Planning Policy Section, East Devon District Council, Knowle, Station Road, Sidmouth, Devon, EX10 9HL.

# Chapter 2

## Neighbourhood Plan Methodology

2.1 The EBB NP covers the separate Parishes of East Budleigh and Bicton. There is an emphasis on the village of East Budleigh where 71% of the dwellings and the majority of the people, facilities and issues reside. However the opinions of the residents of other parts of the Parish, e.g. Yettington, Kersbrook, Bicton, Dalditch and the eastern edge of Knowle, have been taken into account. In addition we have considered our neighbours, Woodbury, Colaton Raleigh, Otterton and Budleigh Salterton. Particular regard has been taken of the views of the executives at Bicton Park (a major tourist attraction), Bicton College (an important educational establishment) and Clinton Devon Estates (a major land-owner in the Parish).



2.2 This (Submission) document prepared by the EBBPC compiles the current views of the parishioners and proposes objectives and land use policies for the future. It also contains a number of non-land use community actions.

2.3 A Neighbourhood Plan Working Party was set up in late summer 2015, comprising Parish Councillors and interested local residents, to drive forward the preparation of the Plan and to lead on the public engagement and consultation process.

2.4 The first initiative undertaken by the Neighbourhood Plan Working Party (NP WP) was to distribute a Questionnaire to every dwelling in the Parish in September 2015 (498 Questionnaires distributed). A good response was obtained (294 returns) and parishioners indicated that three topics should be prioritised in the Plan:-



- Preservation of the character of the Parish (heritage assets, biodiversity and landscape) (92%).
- Design, size and location of new residential development (68%).
- Reducing the flood risk to new and existing buildings (59%).

2.5 On Wednesday 13th and Saturday 16th January 2016 presentations took place in the Village Hall to provide an update on the Neighbourhood Plan. About 130 people attended the two events and provided valuable feedback for the Neighbourhood Plan Working Party.

2.6 From the outset we have been conscious of the following:-

- The urgent need to have an EBB NP to provide local input into the local planning framework for the Parish. This follows the recent adoption of the East Devon Local Plan and will enable the Parish to inform the Villages Development Plan Document, which is currently in preparation and will show the Built-up Area Boundary of East Budleigh Village.
- The need to collate the views and needs of the community (including stakeholders) at all stages of the process.
- The need to have transparency in the pathways to stated Objectives and Policies, which should, in themselves, be robust and defensible.



2.7 This (Submission) Neighbourhood Plan takes as our evidence base, national and local planning policy, the results of our Questionnaire survey, subsequent consultation meetings, representations received during a public consultation exercise on the Pre-Submission Plan and a variety of other evidence and documents to develop a plan for the future of the Parish (the Evidence Base).

2.8 The Draft (Pre-Submission) Plan was written in March 2016. This was then endorsed by the Working Party and the Parish Council and was published at the beginning of April 2016. A public consultation exercise was then conducted from 14th April to 20th June 2016 in accordance with Regulation 14 of the Neighbourhood Planning (General) Regulations 2012.

2.9 At its meeting on 26th July 2016 the Parish Council examined all the representations received on the Pre-Submission Plan and, in relevant cases, how the Submission Plan would be amended to reflect such changes.

2.10 A summary of the consultation process to date is contained in a full Consultation Statement that accompanies the Submission Plan. This statement shows the involvement of the community and demonstrates the width of engagement which led the Working Party to its conclusions and recommendations in terms of an overall vision, objectives, policies and community actions to guide the future development of the Parish.



# Chapter 3

## Local Context

### History of the Parish

3.1 The existing “character” of the Parish is a substantial asset. Those who wish to invest in the Parish through development, on any scale, should understand its character and seek to contribute to the preservation and enhancement of that character.

3.2 The environment of the Parish is rich in history. Probably the Saxons first settled in the Parish in the 7<sup>th</sup> or 8<sup>th</sup> century near to what is now Frogmore Road and Pulhayes Farm, using the River Otter as an estuary port. Traces of Saxon masonry have been found below All Saints Church, East Budleigh, suggesting the settlement moved up the hill to



avoid flooding. The ancient Holly tree in the High Street marks an important spot known as a “Mark tree”. This is the place where from Saxon times prayers and supplication were made during the village perambulations, or beating of the bounds. The tree most probably defined the boundaries between Budleigh Polsloe Manor (or higher Budleigh) and Lower Budleigh Manor. By the end of the Saxon period, the settlement, then called Bodelie, was sufficiently important to be a Royal Manor of the Saxon King. Bodelie comprised what is now East Budleigh, Tidwell and Knowle; Yettington was part of the Manor of Otritone, as was Otterton. The entry in the Domesday Survey (1086) records... ‘The King holds Bodelie. In the time of Edward (1042 – 66) it paid geld [tax] of half a hide’.

3.3 In the 13<sup>th</sup> century, a small port was developed at Bodelie Haven, mainly for the export of wool and to support the fishing community. Ships also used Bankley Wharf (near Pulhayes Farm) and Saltern Havern (near Kersbrook). For the next 100 years the large majority of men from the Parish were sailors and merchants. A maritime disaster in 1347 robbed the Parish of 141 men; as a result a request was sent to King Edward III to grant relief from taxes. The request (which was granted) said Budleigh was ‘on the high sea’. However, towards the end of the Medieval Period, the River Otter silted up, the estuary was gone and the acreage of marshland and water meadows increased. From the 16<sup>th</sup> century onwards yeoman farmers prospered in and around the Parish. The carved bench ends in All Saints Church, dating from this period, suggest farming was prevalent and profitable.

3.4 Over the centuries the original Bodelie manor was divided up; landowners then included John de Bogddelig (ancestor of Thomas Bodley, founder of the Bodleian Library, Oxford). One part, Hayes Manor, now known as Hayes Barton, passed to William Duke of Sherborne. Around 1540, his descendent, Richard Duke, moved to a new dwelling in Otterton and leased Hayes Barton to Walter Raleigh, father of Sir Walter. The elder Walter Raleigh is the first recorded Churchwarden of All Saints Church, which had been re-built by Bishop Lacy in the 1420s. Walter Raleigh junior was born at Hayes Barton in 1552 and spent the first fifteen years of his life in Budleigh. It seems his heart remained there: in later years he wrote to Mr. Duke, the owner of his birthplace seeking to buy Hayes Barton, saying... 'I am willing to give you whatsoever in your conscience you deem it worth. For having been born in that house I would rather seat myself there than anywhere else'. The boy Raleigh attended school at Vicar's Mead; the house still stands near the Parish Church of All Saints. A statue to Sir Walter stands close to the Church. Another notable individual with a connection to East Budleigh is Roger Conant, founding father of the city of Salem, Massachusetts, who was born in East Budleigh in 1592 and emigrated to America in 1623.



3.5 Notable buildings appeared in the Parish in the 18<sup>th</sup> and 19<sup>th</sup> centuries. Shortly after the Toleration Act which made non-conformist worship legal, Salem Chapel was built in 1719. The Congregationalist Minister lived in the Old Manse (also known as 'Eden Villa') on Budleigh Hill following its purchase by the Chapel in 1890. The Chapel eventually sold The Manse (as it was then called) in 1956 as a private residence. In 1847 a primary school was opened in East Budleigh and about the same time a Free School took in its first pupils in Yettington.

3.6 In the same period, the development of Bicton took place. The Rolle family acquired Hayes Barton as well as two other manors of Budleigh and built Bicton House (ca 1730), the associated gardens and arboretum (planted in 1830) and Bicton Church (1850). The gardens have been admired for many years (see Chapter 9). In 1842 the 'Gardeners Magazine' reported... 'we do not think we have ever before seen such culture, order and neatness carried out to such perfection...'. In White's Survey of Devon (1850) Bicton Parish had 198 residents, two-thirds being in the village of Yettington.



3.7 During the 19<sup>th</sup> century Rolle (later Clinton) Estates owned two-thirds of the Budleigh Parish, including Budleigh Salterton. On the death of Mark Rolle (1911) the estate (at

that time the largest in Devon) passed to Lord Clinton who was, himself, an expert in shrubs, trees and in forestry. He was a Founder of the Forestry Commission and acted as its Chairman between 1927-9. His great grandson, the present Lord Clinton, shares his forebears' passion for forestry and farming.

- 3.8 In Bickton, and in the Parish as a whole, the industrial revolution passed almost unnoticed, with agriculture remaining the principle resource and source of income. The railway arrived in 1897 though barely grazing the edge of the Parish: East Budleigh station was considerably closer to Otterton than East Budleigh. The railway ran passenger and freight services to Budleigh Salterton, Newton Poppleford and beyond until it was closed as part of the Beeching cuts in the 1960s. The old station is now a private dwelling.
- 3.9 The Parish changed little in the first half of the 20<sup>th</sup> century (the population in 1911 was 767) and was very much a self-supporting community, with three mills, a bakery, two butchers, a shoemaker, dressmaker, tailor, a sweet-shop, as well as a blacksmith, coal merchant, wheelwright and a chimney sweep. However, over the past 60 years these industries and trades persons have gone, to be replaced by 21<sup>st</sup> century small businesses (see Chapter 5). In this period the buildings in East Budleigh High Street remained essentially the same while the north-east of the village saw significant residential development, mainly of single-storey dwellings.
- 3.10 The Village Hall was opened in 1955 and the Church Hall in 1980, the latter due to a generous legacy. In both cases the land for the Halls was kindly donated by Lord Clinton and Clinton Devon Estates.
- 3.11 The historic character of the Parish is therefore a paramount feature. Approximately 11.5% of dwellings within the Parish are listed. In East Budleigh Village a Conservation Area was designated in 1990, the features of which are described in the EDDC Review 'Conservation and Listed Building Appraisal' published in 1999 and revised in 2004. The currently 'designated' heritage assets of the Parish are listed in Appendix C (see supporting documentation) and other parts of the above EDDC Review are discussed in Chapter 12.
- 3.12 In the present day, the Parish presents a well-kept and reasonably affluent image, a community of young and old, single people and families, incomers and locals, forming a vibrant and cohesive community. It occupies an area of 1456 hectares and has a population of 922.
- 3.13 The Parish is a community of mixed tenure dwellings with a wide social mix which enjoys and supports various community groups, facilities and leisure activities (see Chapters 6 and 9). Some of these community groups will be critical in achieving the aspirations of the EBB NP.
- 3.14 The amenities include one small community shop, a garage and two public houses. There is a primary school, a day nursery and a pre-school within the village. There are some small businesses and people working at home.
- 3.15 Outside East Budleigh village, Bickton Park Botanical Gardens is a major tourist attraction (see Chapter 9), Bickton Park is increasingly popular for equestrian

events and Bicton College (part of which resides in this Parish) is a major educational establishment in the South West (see Chapter 7).

- 3.16 The B3178 passes through the Parish and is the main transport link to Exmouth, Newton Poppleford and Sidmouth. Bus services to these destinations from East Budleigh village are reasonable on weekdays and in the summer (see Section 10.24) but services to major employment centres such as Exeter are very poor or non-existent. Public transport from Yettington, the second largest village in the Parish, is non-existent. For further information see Chapter 10.
- 3.17 The environment is extremely high quality, recognised in the national designation of the whole Parish in the East Devon Area of Outstanding Natural Beauty (AONB). To the west of East Budleigh village and within the Parish is the Hayes Ancient Woodland and County wildlife site which provides an attractive vista visible from most areas of the village. Meanwhile 2km to the west of the village lie the European sites of East Devon Heaths Special Protection Area (SPA) and the East Devon Heaths Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI). To the east of the Parish are the Otter Estuary, the Otter Estuary SSSI and the Coastal Preservation Area (see Chapter 11)
- 3.18 The supporting document 'Spatial Profile' brings together a range of statistics and evidence primarily drawn from the 2011 Census. These are used to provide an overview of the current status of the community in the Parish and to feed into the evidence base of the Plan. The main conclusions from this Profile are as follows:-
- The Parish has a small, numerically stable resident population with a higher than average number of older people, many of whom are retired or who will retire over the period covered by the Plan.
  - The housing stock in the Parish is predominantly owner-occupied and detached with the majority being properties with three bedrooms or more.
  - The economically active rate is lower than average due to the high proportion of retired residents. Of those economically active, there is a higher than average proportion of the population who are self-employed or work from home.
  - The population is highly qualified and a high predominance of people is employed in professional or managerial positions.
  - There is an above average level of car ownership and a reliance on private transport to access the workplace. Due to the restricted nature of public transport there is extremely low usage of public transport to reach the workplace.
  - The health of the Parish compares well to the district and nationally although a higher proportion of the resident population care for a member of their household.

# Chapter 4

## Vision and Objectives

- 4.1 The vision and objectives for the Neighbourhood Plan have been prepared taking into consideration the evidence base including the results of a public consultation process set out in Chapter 2.

### Challenges

- 4.2 The Neighbourhood Plan seeks to address, as far as is possible, the challenges that face the Parish. In summary these challenges are:

- **Demography** - an ageing population and low proportions of young people, particularly young families. This has implications for meeting the needs of the population and for creating a balanced community.
- **Heritage** – the heritage is a fundamental quality of the Parish and the Policies in this Plan state that these assets and their settings must be conserved and enhanced along with heritage of the rural landscape.
- **Environment** – the wish to protect and enhance (a) the important local green spaces, (b) biodiversity, geodiversity and wildlife networks of the Parish, (c) the AONB designated landscape and the views this creates and (d) pathways, bridleways and cycle ways.
- **Housing** – to ensure that new housing addresses the needs of the community while not having a detrimental impact on the landscape and character of East Budleigh village and the Parish as a whole by virtue of its location, scale, density and design.
- **Community facilities** – as residents regard the ‘sense of community’ as important, community policies will support the retention and enhancement of all community assets and important green spaces. These community assets are valued by residents and are important in order to retain a vibrant community.
- **Employment** – to support local businesses and employment opportunities including home working without a significant detrimental effect on the environment and landscape. Provision of better mobile telecommunications and high speed broadband is sought to facilitate more home working and support the growth of small business enterprises in the Parish.



- **Flooding** and Water Quality - as the area suffers from flooding from the East Budleigh Brook and the River Otter as well as from poor surface water drainage, the policies are designed to minimise the risk of flooding to existing and future development. In addition the Parish is within the River Otter Operational Catchment Area where a key objective is to meet Good Ecological status by 2027. To address this objective, and improve water quality, this Plan supports measures to tackle invasive and non-native species and diffuse agricultural pollution.
- **Highway/pedestrian safety and footpaths** – Issues are caused by traffic movements through East Budleigh and Yettington villages at excessive speeds and lack of pavements along the narrow lanes. Maintenance and enhancements to the extensive rights of ways are also a priority.
- **Transport** – the limited availability of public transport, although it is accepted that the scope of a Neighbourhood Plan to address this is limited.

## Vision for the Parish

Our *vision* for the Parish is to maintain the balance and proportion of what we have. While recognising the need for evolution and development within the Parish, the community wishes the Parish to retain its unique and intimate character. The Parish Council and the community will strive to meet the future needs of its residents by encouraging and supporting:-

- The sustainability of the Parish by adopting East Devon District Council Sustainability Objectives
- The values, principles and traditions of the Parish.

## Objectives

4.3 The objectives of the Neighbourhood Plan have been identified through engagement with the community and are as follows:

- **Objective One:** Improve opportunities and infrastructure for new and existing small business enterprises to thrive (see Chapter 5).
- **Objective Two:** Protect high grade agricultural land in order to increase sustainability of food supplies (see Chapter 5).
- **Objective Three:** Enhance and protect community facilities to address identified needs of the community (see Chapter 6).
- **Objective Four:** Promote and support education and training in the Parish (see Chapter 7).

- **Objective Five:** Promote and support the pastoral and spiritual needs as well as the overall wellbeing of the community (see Chapter 8).
- **Objective Six:** Enhance and protect recreational facilities and tourist assets within the Parish (see Chapter 9).
- **Objective Seven:** Improve transport links and address traffic, parking and pedestrian movement issues (see Chapter 10).
- **Objective Eight:** Protect and enhance the AONB designated landscape, rural identity, biodiversity, geodiversity and wildlife habitats of the Parish (see Chapter 11).
- **Objective Nine:** Protect and enhance the green spaces of value to the community (see Chapter 11).
- **Objective Ten:** Protect and enhance the historic fabric and environment, including the Conservation Area and its setting (see Chapter 12).
- **Objective Eleven:** Ensure that new development is of the highest design and build quality and does not harm the character and appearance of the Parish and the landscape (see Chapter 12).
- **Objective Twelve:** Identify measures to improve water quality and reduce the risk of river, coastal and surface water flooding in East Budleigh and immediate surrounding areas and ensure proper controls are applied to any development to eliminate flood risk and improve water quality (see Chapter 13).
- **Objective Thirteen:** Ensure any new development meets the identified needs of the local community (see Chapter 14).



- 4.4 The objectives cover a range of economic, social and environmental issues that together provide a basis on which the sustainability performance of the Neighbourhood Plan can be judged. They also accord with the strategic objectives of the East Devon Local Plan and of the East Devon AONB Management Plan as they relate to the Parish.
- 4.5 They reflect the nature of the Parish and the direction the local community wants the Neighbourhood Plan to take, especially in securing the long term future of those community and environmental assets most precious to local people. They also accept and welcome change that will enable the community to grow in a sustainable way.

## Policies and proposals

- 4.6 It is not the purpose of the EBB NP to contain all land use and development planning policy relating to the Parish. Rather, the Neighbourhood Plan contains a series of Policies and proposals, the successful delivery of which during the Plan Period will achieve the community's vision for the Parish. In addition, the strategies and development management policies (except where these latter policies have been overwritten by the NP) will be used by the local planning authority to consider and determine planning applications.
- 4.7 Each section of the Plan covers a different topic. Under each topic there are Policies. Each Policy is identified by the first letter of the relevant Chapter title followed by a number and is accompanied by a reference to its conformity with the NPPF and development plan. There is also a short explanation and justification, including a reference to the relevant key evidence. The evidence documentation is available on the Parish Council's website. The Policies themselves are presented in the blue boxes. It is these Policies against which planning applications will be assessed.
- 4.8 The Plan also includes Community Actions. These are generally non-land use policies and represent aspirations that require community action from members of the local community including EBBPC, landowners, community groups and public bodies to achieve. The Community Actions themselves are presented in the grey boxes.





# Chapter 5

## Parish Businesses

### Objective

Improve opportunities and infrastructure for new and existing small business enterprises to thrive

- 5.1 Appendix E in the supporting documentation provides information on the economic characteristics and business enterprises in the Parish.

### Supporting the development of small business enterprises

#### Policy P1:- Supporting the development of small business enterprises

To assist the development of sustainable small businesses the following will be supported:-

- i. Conversion of existing buildings for small-scale employment uses.
- ii. Integrated home/work locations within existing dwellings and extensions to enable home working.
- iii. Proposals for the diversification of existing rural enterprises.

All such proposals should not have a significant negative impact on the following criteria :

- a) residential amenity;
- b) access, traffic and car parking;
- c) the geodiversity, biodiversity, landscape and character of the area; and
- d) the design and setting of existing buildings on or adjacent to the site.

*(Conformity Reference Adopted East Devon Local Plan Strategies 3, 4, 28 and Development Management Policies E4, E5; NPPF para 28)*

#### Policy Justification

- 5.2 National planning policy seeks to encourage economic growth and sustainable development. By maintaining and, where possible, increasing employment opportunities the Plan will create a more sustainable community.
- 5.3 Policy E5 of the Adopted East Devon Local Plan supports proposals that would deliver “*small scale economic development and expansion of existing business to provide jobs for local people*” where it is delivered on previously developed land, via a conversion of existing premises or on a greenfield site where the development is “*well related in scale and form and in sustainability terms to the village and surrounding areas*”.

5.4 Policy E4 of the Adopted East Devon Local Plan supports rural diversification where it would increase sustainable employment growth and provide premises close to where people live while protecting environmental interests and the open countryside.



5.5 A key component of Objective One of this Neighbourhood Plan (Chapter 4, Section 4.3) is to promote opportunities for working locally as a way of making the Parish a more sustainable place and reduce travel by car to work destinations outside the Parish.

5.6 The policy also recognises that there is growth in the self-employed and micro-business sectors within the modern economy. The ability to run start-up businesses with just a computer and access to superfast broadband creates new opportunities for small-scale growth in commercial activities in rural areas.

5.7 In 2011 the census showed that the Parish had an above average number of people who were self-employed and/or worked from home. This is a trend that is continuing with an increasing number of small businesses based in the homes of residents offering a range of specialist services.



5.8 However most economically active people still leave the Parish to work. The Neighbourhood Survey showed there was not strong support for business growth in the Parish with only 28.2% of parishioners wishing to see more opportunities for developing business activity. Given the environmental constraints in the Parish, the lack of land for development and the socio-economic make-up of the Parish the approach in this Neighbourhood Plan is to support the opportunities we have – homeworking, rural diversification, small-scale business.

### **Community Action 1**

The Parish Council will support the creation of a 'Business' page on the Parish web-site to provide potential investors with information and guidance and promote local business enterprise.

*(Responsibility: EBBPC)*

## Communication infrastructure

### **Policy P2:- Mobile Telecommunications and Broadband Provision**

The development of new communications infrastructure including access to superfast fibre optic broadband and mobile technologies to serve the Parish will be supported where the location and design of any above ground installations is sympathetically chosen and designed to reflect the character of the local area.

All new development will be required to make provision for high speed fibre optic broadband and other communication networks to include ducting with suitable drawstring from the appropriate boundary to each building, anticipating the router location. A connectivity statement should demonstrate how the proposal takes communications connectivity into account.

*(Conformity Reference: East Devon Local Plan Development Management Policy TC1 and NPPF para 42 and 43)*

### **Policy Justification**

- 5.9 Mobile Telecommunications and Broadband provision within the Parish is generally poor, with BT only recently installing fibre optic broadband into East Budleigh village. Parts of the Parish still struggle for useable signals. Throughout the Parish, the signal is often too weak to support data transfer via 3G and 4G technologies. Broadband speeds are slow, often less than 20mb. The Neighbourhood Plan survey and subsequent consultation meetings confirmed many parishioners felt the mobile phone signal and internet speed needed improving in the Parish. Faster broadband speeds would help to facilitate more home working and act as an attraction to people running small enterprises to move to the Parish.
- 5.10 The 2011 census showed many people work from home (11.3%) compared to 9.7% in East Devon District and 5.4% in England. The Neighbourhood Plan survey also showed that no less than 48% used the internet for work. This indicates that already the residents of the Parish are utilising the internet for business purposes to a greater extent than hitherto thought.
- 5.11 This desire to work from home is driven by digital technology, an ageing population reluctant to commute and an increase in self-employment generally. Given the socio-demographics in the Parish, the availability of high speed broadband and other communication networks will become increasingly important to local people wishing to continue working at home.
- 5.12 The development of high speed Broadband technology and other communications networks plays a vital role in enhancing the provision of local community facilities and services. Support for broadband also reduces the need to travel and contributes to sustainable development. Good internet access will also be a prerequisite for young people growing up in the geographical area covered by the Plan as well as attracting new people to come and live in the Parish.

- 5.13 National planning policy recognises advanced, high quality communications infrastructure is essential for sustainable economic growth and plays a vital role in enhancing community facilities.
- 5.14 The Policy outlined above encourages proposals to install a superfast broadband network infrastructure to serve the whole Parish and accords with the NPPF. Where the network requires above ground installations requiring planning consent, the Plan requires their location and design to reflect the importance of heritage assets and sensitive landscapes.
- 5.15 The Policy is also intended to ensure that all developers consider the connectivity requirement of their proposals at an early stage. The world of telecommunications is changing rapidly. It is considered that the provision of fibre optic connections is the most robust and future-proof method of delivering connectivity. Other technologies may provide interim solutions.

## **Protecting High Grade Agricultural Land**

### **Objective**

Protect high grade agricultural land in order to increase sustainability of food supplies

### **Policy P3: Protection of highest grade agricultural land**

Planning permission will be refused for development on Grade 1 agricultural land unless it:-

- a) involves the development of land for the purposes of agriculture and forestry.
- b) involves the development of local community facilities, and informal open space where this meets an exceptional and identified community need.
- c) involves exception housing under Policy D2 on small parcels of land (0.4 hectares and below) where satisfactory evidence can be provided that the land has not been used (in last 5 years) and could not be brought into meaningful agricultural use.

For criterion b) and c) it must additionally be proven that lower grade agricultural land is not available (Grades 2, 3, 4, 5). A sequential approach should be taken whereby land of lower quality is developed in preference to higher grade agricultural land. For example Grades 3b, 4, and 5 to be developed in preference to Grades 1, 2, 3a and then Grades 2 and 3a in preference to Grade 1.

*(Conformity Reference: Adopted East Devon Local Plan Strategy 3, Development Management Policy EN13; NPPF para 112,143)*

## Policy Justification

### Agriculture

- 5.16 Traditionally, farming was the primary business for the Parish and still today remains an important business sector. The level and types of farming have gradually changed since the UK joined the Common market, now the European Union. The Common Agricultural Policy and different subsidies have led to these changes. The net effect for the Parish is that small farms have become financially less viable as businesses. The decision to leave the European Union is likely to create new challenges and even a possible trend towards more home production and less importing of foodstuff.
- 
- 5.17 Today farming in the Parish includes dairy, beef, pigs, sheep and mixed farming, reflecting the different grades of farmland throughout the Parish and how it can be put to use. All the farmland still in agricultural use within the Parish is run by tenant farmers. Clinton Devon Estates is the main landowner in the Parish and agriculture is a significant part of the Estates business with five tenanted farms and part of the Home Farm within the Parish boundary. Of these farms four are run as dairy holdings and two with beef, pigs, sheep and arable.
- 5.18 Going forward, with the continuing general decline of farming nationally, which may well affect the Parish, over time, it would be advantageous to encourage alternative uses of land while at the same time preserving the rural identity. This Neighbourhood Plan promotes rural diversification as outlined in Policy P1 to support farmers in moving from traditional farming into sustainable projects.

### Community Action 2

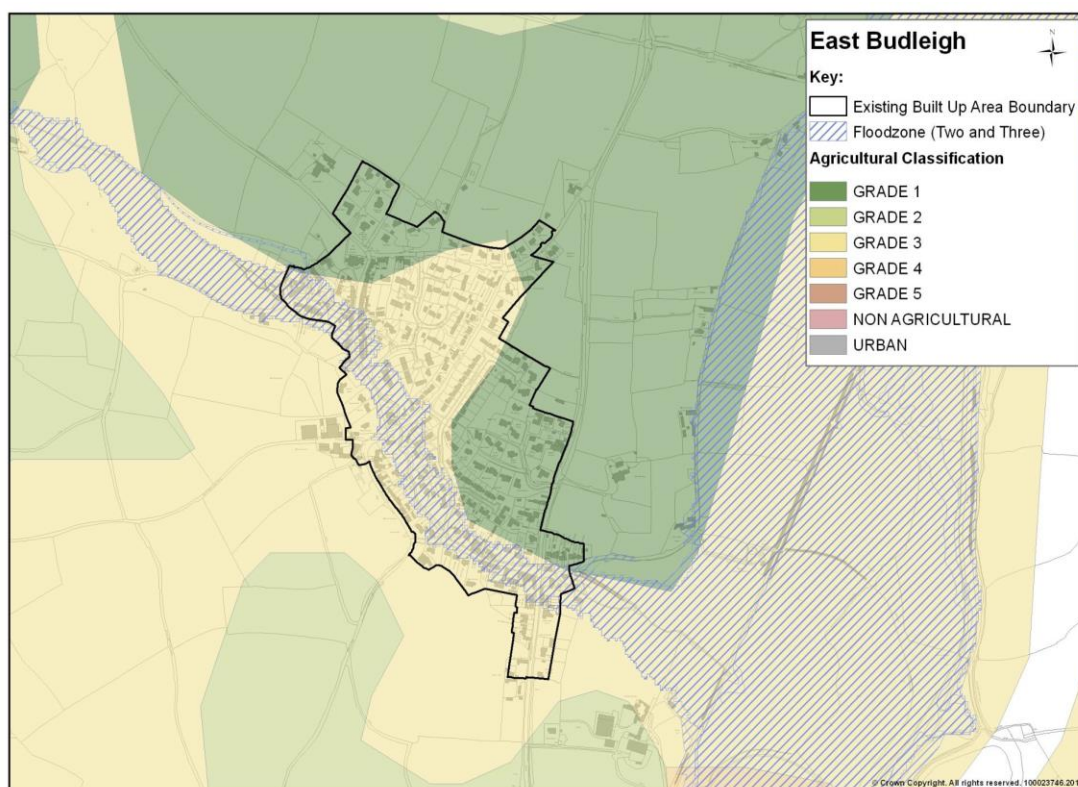
The Neighbourhood Plan will support the adaption of local farming in order to provide work opportunities. The Parish Council will appoint a Councillor to liaise with the relevant local landowner should a key diversification or new agricultural project be proposed. Reference should also be made to Policy P1.

*(Responsibility: EBBPC, landowners)*

- 5.19 Given the importance of agriculture in the Parish this Plan is also seeking to keep high grade agricultural available for future food and energy production. This is supported by national planning policy; paragraph 112 of the NPPF which states: *“Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.”* Paragraph 143 of the NPPF goes on to refer to the importance of *“safeguarding the long term potential of best and most versatile agricultural land”*. This national policy guidance is reiterated in Strategy EN13 of the Adopted East Devon Local Plan.

5.20 The ALC system classifies land into five grades, with the best and most versatile land defined as Grades 1, 2 and 3a. This is the land which is most flexible, productive and efficient in response to inputs and which can best deliver future crops for food and non-food uses such as biomass, fibres and pharmaceuticals. Around East Budleigh Village there is a significant proportion of existing agricultural land that is Grade 1, with the remainder being Grade 2 and 3 (see Map below). For the purposes of Policy P3 it is considered that Grade 1 land should be given the highest level of protection and it should not be put out of agricultural use. However in exceptional circumstances where it can be demonstrated development is necessary this Policy directs development first to the lowest grades (3b, 4, 5) and then to Grades 2 and 3a in preference to Grade 1.

**Map 5.20:- Agricultural classification**



# Chapter 6

## Community Facilities

### Objective

Enhance and protect community facilities to address identified needs of the community

### Assets of Community Value

### Policy justification

6.1 The “golden thread” running through national planning policy is the promotion of sustainable development. This has economic, environmental and social dimensions. Specifically in rural areas national planning policy promotes the retention and development of local services and community facilities in the villages, such as local shops, meeting places, cultural buildings, public houses and places of worship (para.28, NPPF).

6.2 It is important, in order for East Budleigh to continue to be a vibrant and functioning village that it retains and enhances its community facilities where possible. These community facilities serve an important role in creating a ‘sense of community’ as identified in the Neighbourhood Plan questionnaire. This questionnaire also showed 94% of parishioners participate in local social activities, with many of the activities taking place in these community facilities.



6.3 For a village such as East Budleigh, the number and range of larger community facilities are comparatively limited. In the Neighbourhood Plan survey, parishioners felt that there is a lack of retail premises including no supermarkets, restaurants, petrol stations, as well as medical facilities or a post office. However, most parishioners added the rider that they did not expect to see these larger facilities in a small village.

6.4 As of February 2016, there were the following facilities present in East Budleigh village:

- All Saints Church
- Salem Chapel

- Drakes Primary School
- Community Shop
- Rolle Arms Public House
- Sir Walter Raleigh Public House
- Village Hall
- Yettington Recreation Room
- Church Hall
- Recreation Ground, Vicarage Road
- Allotments
- Car Park and Public Conveniences along Hayes Lane

6.5 Access to these facilities within walking distance of the home helps to reduce car usage, encourages social cohesion and improves sustainability. These facilities are the reason why East Budleigh village is listed in Strategy 27 of the East Devon Adopted Local Plan as a sustainable location able to accommodate modest development.

6.6 The Neighbourhood Plan process did not identify any significant need for new community facilities but it did reinforce the importance of protecting and enhancing the current facilities and encouraging potential usage of assets to provide new services. Therefore, the loss of an existing community facility to an alternative use will be strongly resisted. However it is recognised that businesses that occupy facilities such as public houses cannot be made to continue operating if they are not financially viable.

6.7 Policy C1 detailed below serves two purposes. Firstly, it requires proposals to change the use of a designated asset to demonstrate clearly that all reasonable steps have been taken to retain its present use and its community value as a viable concern. Secondly, it supports proposals that will enhance the viability and/or community value of assets.

6.8 The Localism Act 2011 defines an 'Asset of Community Value' as follows *"a building or other land is an asset of community value if its main use has recently been or is presently used to further the social wellbeing or social interests of the local community and could do so in the future"*. The Localism Act states that "social interests" include



cultural, recreational and sporting interests. In accordance with this Act the Parish Council will seek the listing of the community facilities named in Policy C1, where they meet the criteria, through the Community Assets Regime.



## **Policy C1:- Protecting and enhancing Community Facilities**

The Neighbourhood Plan identifies the following community assets as a result of their acknowledged importance to the life and enjoyment of the local community:

- Community Shop
- Drakes Primary School
- Salem Chapel
- All Saints Church
- All Saints Church Hall
- Village Hall
- Yettington Recreation Room
- Sir Walter Raleigh Public House
- Rolle Arms Public House
- Recreation Ground, Vicarage Road
- Allotments, Collins Park
- Car park and public conveniences off Hayes Lane

Proposals that will enhance the viability and/or community value of the assets will be supported. This includes proposals for new facilities, extensions and/or alterations to existing facilities which meet criteria RC6 of the East Devon Local Plan.

The loss of these community assets will not be supported unless the following can be demonstrated:

- a) The proposal includes alternative provision, on a site within the Parish, of equivalent or enhanced facilities. Such sites should be accessible by public transport, walking and cycling and have adequate car parking; or
- b) Satisfactory evidence (e.g. independently marketed for at least 12 months) is produced that there is no longer an economic justification to protect the need for the asset.

*(Conformity Reference: Adopted East Devon Local Plan Policy Strategies 3, 4, 32 and Development Management Policies E14, RC5, RC6; NPPF para 28, 70)*

## **Medical Facilities**

- 6.9 There are no medical facilities in the Parish and the absence of such a facility was mentioned by a number of parishioners in the Neighbourhood Plan survey. While it is unrealistic, given the small size of the village, for a GP practice to be permanently located in the Parish the Parish Council will explore whether the Budleigh Salterton Medical Practice would find it viable to run a weekly surgery in the Village Hall.

### Community Action 3

The Parish Council will support and explore with Budleigh Salterton Medical Practice whether a weekly surgery can be provided in the Village Hall so that parishioners will find it easier to access the support and facilities to help them remain healthy.

*(Responsibility: EBBPC, Budleigh Salterton Medical Practice, Village Hall Management Committee)*

### Community Shop

- 6.10 The East Budleigh Community Shop (EBCS) was established in 2008 through various grants, donations and £50 reimbursable bonds from parishioners. It operates on a non-profit basis and is directed by an Executive Committee and managed by two paid staff supported by over 40 volunteers. It provides a wide range of



goods including groceries, household items and newspapers and is licensed for the sale of alcohol. As a part of its declared policy of “local and fresh”, parishioners are encouraged to donate their surplus produce for sale in the shop and, as a matter of principle in fostering community, related activities such as plant sales, weekly cake stalls in the summer and support of festivals have also been developed.

- 6.11 The EBCS has been widely welcomed by parishioners with the Neighbourhood Survey showing 94% of people using the shop for some of their need. The shop also acts as a daily focus for contacts within the village and has helped to forge and maintain a ‘community spirit’. There is little scope for physical expansion in its present site and, in principle, the Executive Committee wish to maintain its low-cost approach to sales and sustaining its non-profit principle.
- 6.12 Expansion is possible in the range of services and commodities offered. Such services might include being a parcel depot and limited postal services. There is currently a seating area for the consumption offering tea, coffee and cakes which has effectively created a small cafe for a village where none existed before. This small cafe could be expanded providing increased facilities for visitors and tourists.

#### Community Action 4

To meet identified community needs the Parish Council will support the East Budleigh Community Shop Executive Committee to expand its range of services and commodities offered.

*(Responsibility: EBBPC, Post Office, East Budleigh Community Shop Executive Committee)*

- 6.13 In June 2016, East Devon District Council awarded East Budleigh with Bicton Parish Council its Queen's 90th Birthday Community Award for '*The best achievement of a Council in the last four years which has directly benefitted the whole community - helping to bring the generations together.*'
- 6.14 The project for which the Parish Council was successful was '*the expansion of the East Budleigh Community Shop (EBCS) from its humble origins in a small portacabin to much larger purpose built premises to make possible the introduction of a greater range of services for the community, and to establish EBCS as a valued community resource that brings together members of the Parish community of all ages.*'
- 6.15 It was recognised the Community Shop makes a major contribution to helping build a stronger sense of community across the Parish by providing a focus for members of the Parish of all ages to meet and keep themselves informed of local activities.
- 6.16 This is also seen in the role of the EBCS in supporting community events held in and around the village hall. These include the highly successful annual Scarecrow Festival which brings many visitors to the village, Maypole Dancing, the weekly Cake Stall, and the annual Plant Fair. The Little Otters Nursery and Drake's Primary School have continued to be involved with the Community Shop since participating in the Opening Ceremony. Over the past four years, many other learning projects have centred around the Community Shop which in turn has supported local children's groups with donations of goods for their events.



## East Budleigh Village Hall

6.17 The Village Hall was built and opened in 1955; in recent years a new foyer has been built and a modern kitchen (with appliances) has been installed. The Hall has a stage and modern visual aids; a Wi-Fi system will be installed in 2016. It is run by a Committee and managed by volunteers.



6.18 In 2007 it was the first Village Hall in Devon to receive the 'Hallmark' award levels 1 and 2, confirming the high standard of the Hall and its facilities. The focus is on meeting the needs of all parishioners, especially the old, the young and the disadvantaged.

6.19 A wide range of community groups use the Village Hall, including the Little Otters pre-school, the Parish Council and the WI. A range of leisure activities takes place in the Hall including short mat bowls, tea dances, a dance class and bingo sessions. It is a popular venue for other meetings and parties.

6.20 Outside there is a safe-surface play area with an extensive range of children's play equipment. The addition of outdoor table-tennis facilities has proved popular.

6.21 The Snooker Club occupies premises behind the Village Hall. It has 2 championship-sized tables and a membership of about 50. The East Budleigh Snooker Club is one of the few remaining Village Snooker Clubs in Devon and continued participation in the local league is envisaged.

## All Saints Church Hall

6.22 All Saints Church Hall was opened in 1980; it has a large kitchen and a committee room. It hosts a variety of leisure activities such as Keep-Fit, yoga and Pilates sessions, art classes, a sewing Club, a chess Club and Scottish Country dancing. Drakes School, with its connection to the Church, uses the Church Hall for indoor activities when additional space is needed.

## Recreation Room, Yettington

6.23 The Recreation Room in Yettington was given to Bickton Parish by Clinton Devon Estates in 1947. It hosts a monthly whist drive and bi-monthly camera club meetings.

### **Community Action 5**

The Neighbourhood Plan will support the shared use of community facilities to meet identified community needs, provide a vibrant focus for community activities and to ensure land is used effectively and efficiently.

*(Responsibility: EBBPC, Management Committees of community facilities)*

### **Other Community Assets**

6.24 A narrative is provided on other important community assets in the following chapters:-

- Chapter 7 provides a narrative on the Education facilities in the Parish
- Chapter 8 provides a narrative on the Worship facilities in the Parish
- Chapter 9 provides a narrative on the Leisure facilities in the Parish

### **Community Groups**

6.25 The Parish is a vigorous and energetic one and has an exceptional number of groups, clubs and societies. It also has an easy-going manner where casual conversations in the street, shops or pubs are a strongly positive aspect of daily life. It is important that actions are considered and taken to sustain the positive aspects of community life and enhance it further. The Neighbourhood Plan survey showed nearly 50% of parishioners participate in a local community group.

### **Community Action 6**

The Parish Council will support the retention and development of strong community groups by:-

- Promoting existing community groups and services by setting up a section on the Parish website.
- Assisting their financial viability by directing Parish Council spending to building effective community groups, providing information on potential grants on the Parish website and facilitating the use of existing community premises for activities undertaken by the various groups in the community.
- Liaising with the Friends of All Saints East Budleigh to promote existing community activities.

*(Responsibility: EBBPC, Community Groups, Management Committees of community Facilities)*

# Chapter 7

## Education

### Objective

Promote and support education and training in the Parish

- 7.1 The provision of pre-school classes and primary school education is important to the sustainability of the Parish. This is supported by para 28 of the NPPF which seeks to “*promote the retention and development of local services and community facilities in villages*” and Para 72 “*that attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities*”.
- 7.2 The 2011 Census showed that the Parish has an ageing profile. The presence of pre-school and primary education in the Parish is therefore important to creating a balanced and vibrant community and making the Parish an attractive location for families with young children to live.
- 7.3 At the present time the Parish is served by:-
- Two pre-school establishments, Saplings and Little Otters.
  - Drakes Church of England Primary School
  - Bicton College which is partly located in the EBB Parish and partly in Colaton Raleigh Parish
  - Mill Water Special Needs School
- 7.4 These establishments are well used by the local community and the surrounding parishes. While new development can play a role in attracting new pupils or students, maintaining a high quality education service in these establishments will also be vital to retaining their viability.

### Pre-schooling

#### Saplings

- 7.5 Saplings was formed with a grant from Devon County Council in 2004 and is located in the Bicton College complex. It caters for children in the range 6 months to 4 years and thus is both a nursery and a pre-school.
- 7.6 The pre-school offers morning (08:00 – 13:00) and all day (08:00 – 18:00) sessions for children.
- 7.7 At present Saplings employs 11 staff and has 60 children on its books and an average daily attendance of 30; 10% are children of staff, 10% are students' children and the balance comes from the communities of East Budleigh, Budleigh Salterton, Otterton and Newton Poppleford. The number of staff required is

dictated by a minimum legal ratio of staff to children, which varies according to their ages.

- 7.8 Its teaching activities follow the Statutory Early Years Foundation Stage Framework, which promotes positive learning experiences whilst ensuring content is relevant to each child's stage of learning and development. Mainly the children progress on to Drakes School or Otterton Primary School. There are links between Little Otters and Saplings and some sharing of children between the locations.
- 7.9 Saplings achieved an OFSTED rating of Good in 2015.
- 7.10 The future direction of the pre-school is currently being considered under a wider review being conducted by Bickton College and a report is anticipated sometime in 2016.

### **Community Action 7**

The Parish Council will support the continued provision of the Saplings pre-school group subject to a continued identified community need.

*(Responsibility: - EBBPC, Devon County Council, Bickton College)*

### **Little Otters**

- 7.11 Little Otters is a not-for-profit registered charity run by a management team and funded from Early Years Grant funding, fundraising and child care vouchers. The facility operates from the Village Hall in East Budleigh and caters for children in the range 2 to 4 years and, to a lesser extent, a pre pre-school Toddler session that acts as a support group for pregnant mothers and children up to two years old.
- 7.12 Children are drawn from East Budleigh and the surrounding areas and mainly progress on to Drakes School or Otterton Primary School. There are links between Little Otters and Drakes with some sharing of premises between the locations.
- 7.13 The pre-school offers 09:15 to 15:15 sessions, three days per week, with a half-day session for the Toddler group on a Thursday. There is a natural progression of toddlers into Little Otters.
- 7.14 Little Otters has 7 part time staff and has 26 children on its books with an average daily attendance of 15-20 children. The number of staff required is dictated by a minimum legal ratio of staff to children of 1:8.
- 7.15 Its teaching activities follow the Statutory Early Years Foundation Stage Framework. The school was given an OFSTED rating of 'Improvement Required' in May 2015. The necessary improvements were deemed to be necessary in the administration and management sectors not the teaching practices. The requisite changes have been instigated.
- 7.16 The future direction of the pre-school could be restricted by the availability of premises. To expand, Little Otters needs to extend its hours and provide a five day a week service to the community. However the Village Hall has restricted

availability of four days a week from Easter 2016. If the Government proceeds with its proposed enhancement of its Early Years Foundation grant to 30 hours per week, Little Otters would be unable to accommodate this extension in teaching time. Possible venues for extending facilities could include use of All Saints Church Hall, the Snooker Hall (annexed to the Village Hall) and/or Yettington Village Hall. These opportunities will be explored.

### **Community Action 8**

The Parish Council will support the continued provision of the Little Otters pre-school, subject to a continued identified community need. The Parish Council will work with the Village Hall Committee and other community groups to secure a venue and/or co-ordinate communities activities to enable expansion of the group.

*(Responsibility: - EBBPC, Devon County Council, Village Hall Committee, All Saints Church Hall Committee, Yettington Village Hall Committee)*

## **Primary School Education**

7.17 Drakes Church of England Primary school was built in 1860, funded by the Drakes Charity founded by Robert Drake in 1628. It originally comprised two separate buildings, one for boys and one for girls. These were amalgamated into the current building in 1911.

7.18 Nowadays, Drakes School is a Church of England Voluntary Aided Primary School. It is located in the centre of East Budleigh and provides primary education for 4 to 11 year olds of mixed gender. It is closely associated with All Saints Church and the Diocese of Exeter. Drakes is also part of the Raleigh Federation with Otterton Church of England Primary School and works with other primary schools in the wider area including The Beacon in Exmouth and Woodbury Primary School.



7.19 The Governors work with the Head teacher and staff, the Diocesan Education Committee and the Devon County Council to maintain the buildings, manage the school, appoint staff and implement central government and local education policies. There is also a School Council made up of staff and pupils. This Council looks at and resolves school issues as they occur.

7.20 In 2015 Drakes had 82 pupils, comprising 35 from the Parish and 47 from the wider local area. It has a capacity of approximately 100 pupils. Admission priority is



given to pupils that reside in the Parish or with siblings at the school. Pupils with Special Educational Needs or Looked After Children are also given priority.

- 7.21 The school was awarded an OFSTED level of Satisfactory in 2007, which improved to a Good rating in the 2011 inspection. The school maintained its Good rating in the recent 2016 inspection.
- 7.22 There are no immediate plans for capital projects at Drakes as it is in the early stages as a federation with Otterton. Should a capital project be considered and agreed, then the school would need to find 10% of the cost.
- 7.23 The school is considered an important community facility and is subject to Policy C1 in Chapter 6 of this Neighbourhood Plan. In addition there is a strong Parent Teacher Association that promotes and fosters close links with the community through events in the local community and by encouraging community volunteers to assist at the school, for example, by listening to children reading.
- 7.24 The school has a high profile in the Parish and has a school allotment based on the Allotments site at Collins Cross; its children use the recreation ground (for Physical Education) as well as the Church and Village Halls. An editorial in the Parish Magazine keeps parishioners informed about what is happening in the school, reflecting parishioners' interest in their local school.
- 7.25 Drakes currently has capacity to meet future demand from the Parish while the federation of Drakes and Otterton Schools provides a broad base of teaching expertise and facilities to accommodate future requirements. These requirements will be determined by the number of young families in the Parish; optimising this number is a shared interest of the School and the Parish as a whole.

### **Community Action 9**

The Parish Council will support the continued provision of primary school education at Drakes School to promote the Parish as an attractive location for young families and to maintain the village as a vibrant community (see Policy C1)

### **Community Action 10**

The Neighbourhood Plan will support Drakes School in providing priority placement to children living within the Parish.

### **Community Action 11**

The Neighbourhood Plan will support Drakes School in continuing to provide a high standard of education to retain its attractiveness to families moving into the Parish and surrounding parishes.

*(Responsibility: - Drakes School, Diocesan Education Committee, EBBPC, Devon County Council)*

## Tertiary Education

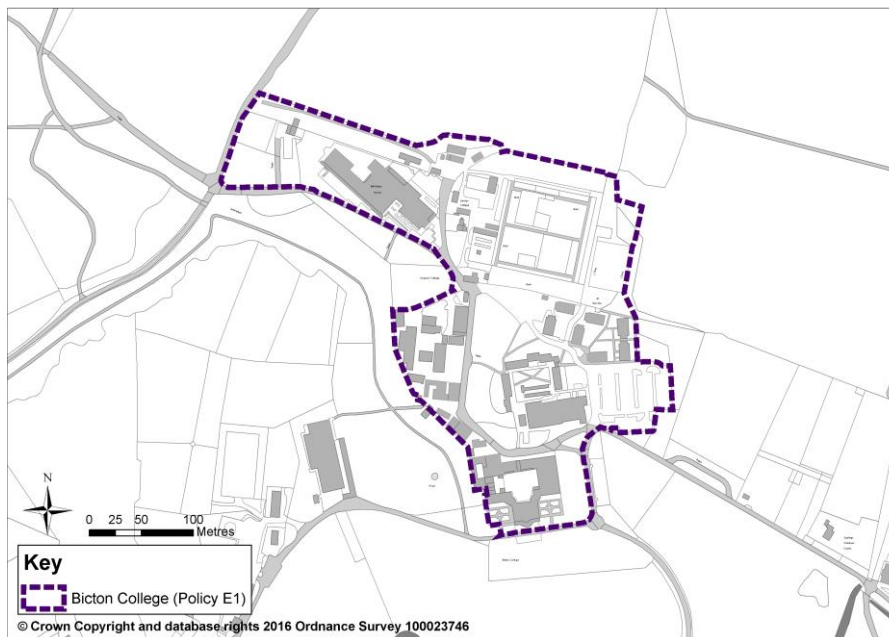
### Policy E1 - Bickton College

The Neighbourhood Plan supports development proposals, for educational use under class D1, within the central built core of the campus at Bickton College (as identified on Map 7.25) provided they:

- are sympathetic to the rural setting of the listed building;
- recognise any impact they may have on the AONB including the protection of any locally and historically significant views;
- protect existing trees important to the setting of the listed building;
- are landscaped appropriately; and
- enhance the College's position as a school and major local employer.

*(Conformity Reference: Adopted East Devon Local Plan Strategies 4, 46, 49 and Development Management Policies EN8, EN9; NPPF 28, 72, 115, 126, 128-134, 136-137, 140)*

**Map 7.25**



### Policy Justification

- 7.26 Established in 1947, Bickton College is located in 200 hectares of open countryside, a large part of which is Grade 1 registered parkland. The College offers courses in such topics as animal care, countryside management, horticulture, outdoor leisure, veterinary nursing, agricultural engineering, arboriculture and floristry. The College has residential facilities for some of its students.
- 7.27 Bickton College offers full and part-time courses at foundation/entry level and levels 1 to 3, with progression opportunities through to foundation degrees, in partnership with the University of Plymouth. Student numbers (16 yrs. -18yrs.) at Bickton College have increased overall since the 2010/11 academic year, with

some fluctuation over a three year period. The total 16yrs-18 yrs. student numbers in 2012/13 was 641, considerably smaller than other local colleges.

- 7.28 As a result, an assessment was undertaken in March 2014 and the Board of Governors sought to find a partner to ensure a successful future for their College. This process led to a merger of Bickton College with The Cornwall College Group (TCCG) in March 2015. Some benefits of the merger were seen as:
- Devon retains a College, specialising in land-based education and supporting local students, communities and employers.
  - Providing networks of expertise, involving students, staff and employers, sharing best practice and innovation across all curriculum areas.
  - Nurturing stronger partnerships between local schools, specialist colleges and universities, raising learners' aspirations to progress both to land-based and other careers.
  - Offering land-based education and learning across Devon and Cornwall including specialist hubs for land-based education, research and development, working closely with employers in order to influence and support the development of a world class rural economy in the South West of England.

- 7.29 The merger has led to changes in management structure and governance of the College. The emphasis has been on increasing student numbers, cutting costs and improving financial control. The College now has around 1,000 full time students and 3,500 part time students and achieved an OFSTED rating of 'Good' in January 2016. A review is currently under way to monitor the progress made since the March 2015 merger and thus determine the College's longer term direction.



### **Special Needs Schooling**

- 7.30 Mill Water School is a new, purpose-built 3-19 yr. school within the grounds of Bickton College, catering for pupils with severe and profound learning difficulties. The school has light/dark sensory rooms, a soft play area, hydrotherapy pool, and ICT facilities as well as specialist curriculum classrooms, spacious grounds and outside play equipment. All the Mill Water staff are committed to providing the care and support that the children need to reach their full potential.

#### **Community Action 12**

EBBPC to set up lines of communication with Mill Water School in order to support the school in providing education for pupils with severe and profound learning difficulties.

*(Responsibility: - EBBPC, Mill Water School)*

# Chapter 8

## Worship

### Objective

Promote and support the pastoral and spiritual needs as well as the overall wellbeing of the community

- 8.1 The 2011 Census reveals that 70% of parishioners regard themselves as Christian with a further 22% expressing 'no religion'.
- 8.2 Places of worship are important community assets (see policy C1 in Chapter 6) serving an important pastoral and spiritual role as well as being a focus for a range of community activities.
- 8.3 Para 28 of the NPPF promotes the retention and development of local services and community facilities in Villages, such as local shops, meeting places, cultural buildings, public houses and places of worship (para.28, NPPF) in order to create vibrant and healthy communities.
- 8.4 At the present time the Parish is served by two main establishments for worship, All Saints Church and Salem Chapel. Both are considered to be assets of community value (see Chapter 6) and are 'designated' heritage assets (see Chapter 12).

### All Saints Church, East Budleigh

#### History of the Church

- 8.5 All Saints Church stands on a hilltop at the North end of East Budleigh. It is located in the Conservation Area and is a 'designated' heritage asset with a Grade One listing. The church, while being an important community facility, is also of significant historic and visual importance (see Chapter 12). The adjoining churchyard and memorial area also serves as an important green space within the heart of the community and is important to protecting the setting of the Conservation Area and the Church (see Chapter 11).
- 8.6 In respect of the church history, no records exist of its early beginnings, but there is no doubt that a church stood on the site as far back as Saxon times. The building would have been very simple, just a nave, chancel and low bell tower. It is still possible to see a line where the original tower finished. The walls inside would have been adorned with brightly coloured frescoes. Indeed some traces of colour were found during the mid-19th Century alteration to the chancel, which also uncovered worked Saxon stone in a wall.
- 8.7 Much of the later history is summarised in Chapter 3; the church as we see it today is built of local red sandstone mostly from the 12th and 15th Century and is of the Perpendicular style.

8.8 Hearing the ringing of the church bells is one of the delights of the village. Reflecting the community's appreciation of the peal of eight bells, the bell ringers raised £30,000 in just twelve months by means of fund raising and donations in order to have remedial work carried out on three of the bells.

8.9 In 2011, All Saints Church joined together with St Michael's Otterton and St Peter's Church Budleigh Salterton to become the 'Raleigh Mission Community'  
[www.raleighmissioncommunity.org.uk](http://www.raleighmissioncommunity.org.uk)  
under one Rector who resides at the Vicarage in East Budleigh. Two years later the group of churches became a United Benefice, working together under one ministry team, but each church keeping its own identity, Parochial Church Council (PCC) and finances.



8.10 In 2011/2012 All Saints Church was very fortunate to benefit from two substantial legacies, the Cooper Legacy and the Shorto Trust enabling a complete restoration of the very fine organ in the church, as well as installing new central heating and carrying out substantial redecoration. Thanks to the 'Friends of All Saints', a village group which supports the church financially, further works have been carried out, such as keeping the church floodlit, completing substantial repairs to the church wall and installing new glazing bars and protective grills to the stained glass windows.

### **Community Significance**

8.11 The church has an important role in the community as it is designated as a valuable Community Asset within this Neighbourhood Plan and subject to Policy C1.

8.12 In terms of the church's formal role, a 10am service is offered most Sundays of the year as well as occasional Taize services, evensongs, and a monthly Book of Common Prayer Eucharist. The 10am services include 2 Eucharists, a Morning Prayer and one family service a month. The Electoral roll as at 2014 stands at 77, and during 2014 the church hosted 4 baptisms, 8 weddings and 10 funerals, (with a further 3 carried out at the crematorium for local residents).

8.13 The average Sunday attendance is 35, but this is considerably enhanced at all the major festivals. In 2014, 102 people attended the Easter service, and 325 people in total attended the Christmas services. There is a Benefice choir which joins all the major church festivals to lead the singing.

8.14 As well as the above, the church hosts a service of Morning Prayer each Tuesday morning, a weekly assembly for the local school (some 90 adults and children) and offers a 30 minute silent meditation each Thursday evening.

- 8.15 The 'Friends of All Saints' raises funds for the upkeep of the church and the churchyard and organises a wide range of community events that add much to the community spirit in the village. This includes running an annual Scarecrow Festival, as well as organising various lectures throughout the year. It is also through their auspices that a Parish magazine is delivered free of charge to every household in the parish.
- 8.16 The Church Hall is let out to various local groups and hosts social events for the church, such as wedding receptions and wakes.
- 8.17 All Saints Church continues to be a holy place where villagers may come in and worship, either corporately or individually. Currently the nationwide trend is that many are not interested in formal services but are more inclined to enter into a holy space to have quiet time with God.

### **Community Action 13**

The Neighbourhood Plan will support 'Friends of All Saints' in continuing to deliver the Parish Magazine to all households within East Budleigh in order to promote social and pastoral inclusion.

*(Responsibility: - EBBPC, Parochial Church Council, Friends of All Saints)*

## **Salem Chapel and Schoolroom**

- 8.18 Salem Chapel is a Grade II\* 'designated' heritage asset. The Chapel while being an important community facility also has a significant historic and visual importance (see Chapter 12). The open space immediately adjoining the Chapel also serves the role of an important green space due to its value in protecting the setting of the building (see Chapter 11).

### **History of the Chapel**

- 8.19 Salem means 'peace' and is commonly known as another name for 'Jerusalem'. The Chapel is a 'Dissenters' Chapel owned by the Historic Chapels Trust (HCT) who completed its restoration in 2006 at a cost of £700,000. Constructed in 1719, following the 1689 Act of Toleration, it is an early example of a nonconformist chapel. The Chapel was funded and built by the independent congregation themselves; prior to that the members met secretly in a barn in Frogmore Road, East Budleigh.



- 8.20 Several changes to the structure of the Chapel took place in the 19th century including the addition of a gallery in 1810, and its extension in 1814. The most drastic remodelling took place in 1836 with the central column replaced and in 1851 a schoolroom for Sunday school was built. The roof structure is of special interest. The vaulted ceiling rises from a single central post; originally made of an old oak tree, the column has been replaced twice in its history, once in 1836 with iron and again in 2004 with steel.
- 8.21 Originally a Presbyterian Chapel it later housed Congregational meetings for many generations and in the 1980s was briefly in the ownership of the Assembly of God. The HCT rescued the Chapel from dereliction after its last congregation disbanded and had sold the building to a private owner who neglected it. Funding for restoration came from a range of sources including the Heritage Lottery Fund, with the intention that it should be used for a variety of community activities and also for religious services about 8 times a year.

### **Community Significance**

- 8.22 The Chapel has an important role in the community as it designated as a valuable Community Asset within this Neighbourhood Plan and subject to Policy C1.
- 8.23 In line with HCT policy, the buildings are now used as a 'Community Resource' as well as having a religious function. A limited number of services are allowed each year and the Chapel is licensed for religious weddings. It is also available for blessings, funerals and memorial services. Apart from services, recent events have included exhibitions, filming, concerts, craft fairs, lectures, demonstrations and themed evenings. The Schoolroom can be hired separately and is particularly suitable for meetings, small educational classes and groups.
- 8.24 Care of the buildings is entrusted to a small group of volunteers, 'The Friends of Salem Chapel', who also work to raise money to help with the upkeep of the building. The committee, together with the Trustees of the Historic Chapels Trust, are anxious to see continued use of the buildings by individuals and community groups.

#### **Community Action 14**

The Neighbourhood Plan will support the promotion of the Chapel for community events and its use by community groups and individuals by:-

- promoting events on the Parish Council website and within the Parish magazine;
- by supporting a co-ordinated programme of activities between the Church, Chapel and the community.

#### **Community Action 15**

The Neighbourhood Plan will support the provision of a garden area adjacent to the Chapel to provide an additional focus for community and pastoral activities, if the land should be made available by the landowner.

*(Responsibility: - EBBPC, Parochial Church Council, Friends of All Saints, Salem Chapel)*

# Chapter 9

## Leisure and Tourism

### Objective

Enhance and protect recreational facilities and tourist assets within the Parish

9.1 The following topics are described in the following sections:-

- Recreational facilities
- Bicton Park Botanical Gardens which is a major tourist attraction, frequented by parishioners as well as very many visitors from outside the immediate area.

### Recreational Facilities

#### Policy L1:- Protecting and Enhancing Recreational Facilities

The following outdoor sports and recreation facilities will be protected:-

- a) Playing fields, Vicarage Road, East Budleigh.
- b) Children's play area adjacent to Village Hall, East Budleigh.
- c) The Pavilion, Vicarage Road recreational ground, East Budleigh.
- d) Tennis Court, Vicarage Road recreational ground, East Budleigh.

Proposals to enhance and improve these and any other local outdoor and recreation facilities will be supported where they:

- a) do not have an adverse impact on residential amenity; and
- b) provide suitable access and car parking.

This policy should be read in conjunction with Policy C1.

*(Conformity Reference: East Devon Local Plan Strategies 3, 4 and Development Management Policy RC2; NPPF para 28, 70)*

#### Policy Justification

- 9.2 The Village has a good range of sport and recreation facilities. These facilities should be protected and where possible enhanced. National planning policy supports the retention and development of local services and community facilities in Villages, including sports venues (para. 28, 70 NPPF). Opportunities for sport and recreation as outlined in NPPF paragraph 73 can make an important contribution to the health and well-being of communities.
- 9.3 The 2.5 acre Recreation Field off Vicarage Lane, East Budleigh is the home of the Football and Tennis Clubs and is a place of general recreation for the community. The Field is owned by Clinton Devon Estates and let out to the EBBPC which, in turn, has granted licences to the two Clubs. The maintenance of the Field falls



mainly on the EBBPC but the Football Club spends significant amounts of money on its pitch (maintained by the Club's groundsman and volunteers) and the Tennis Club maintains the court principally from its own funds.

- 9.4 East Budleigh Football Club was founded in 1926 and now runs two teams and has about 60 registered players. Both teams play in the Devon and Exeter League. The Club's Pavilion was funded by the EBBPC with substantial extra contributions from volunteers to provide internal fixtures and fittings. Events organised by the Women's Supporters Group contribute to the funds of the Club.
- 9.5 East Budleigh Tennis Club was formed in 1977 and the court was built to celebrate the Queen's Silver Jubilee. The support of its members and the award of grants has allowed the Club to keep the court in excellent condition. Over the past years the Club has had a membership of 70 to 90 players, both adults and juniors. As a policy the Club encourages younger players and, for example, allows Drakes schoolchildren to use the court. The Club is registered with the Lawn Tennis Association as a 'Places to Play' venue. There is space for an additional court should demand increase, although the land-owner's permission to enlarge would be required.
- 9.6 Both walking and cycling are well supported in the Parish. The Otter Valley Association organises a monthly programme of guided walks and has produced helpful walking guide-books. The Commons provide plenty of opportunities for off-road cycling (see also Chapter 10, 'Getting Around the Parish').
- 9.7 The principle public areas for coarse fishing in the Parish are Squabmoor Reservoir and the River Otter between White and Clamour Bridges. The Reservoir is in the heart of an area of Special Scientific Interest (SSI) on East Budleigh Common; carp, bream, rudd, roach and tench, *inter alia*, can be found in its waters. Fishing in the Otter in the permitted areas is subject to the appropriate rod licence from the Environment Agency.
- 9.8 Clinton Devon Estates (CDE) owns woods and farmland in the Parish that are ideal habitats for roe deer. CDE has a deer management programme primarily concerned with limiting damage to native flora including broad-leaved trees. As part of this management programme, deer stalking on the Estate is available to fee-paying clients subject to strict controls supervised by the Estate's Ranger.
- 9.9 In summary the Parish offers a variety of sports and leisure facilities. However, this Plan aims to build on this solid base to reflect the national policy as set out in the NPPF with particular reference to paragraphs 73 and 74.

#### **Community Action 16**

The Parish Council will support and promote existing clubs and facilities in the area, for instance by using the Parish website, the Parish magazine and local papers and by helping to identify sources of funding such as developer contributions and other sources of grant funding.

*(Responsibility: - EBBPC, community groups, management committees of the facilities)*

### **Policy L2 – Budleigh Salterton Cricket Ground**

Proposals that would result in the loss of all or part of the cricket ground will not be supported unless alternative and equivalent space is provided.

Alternative provision will be required to meet the following criteria unless exceptional circumstances dictate otherwise and justification to that effect is put forward:-

- a) the alternative site must be of an equivalent or larger scale to the existing provision;
- b) the quality of the alternative site must be of an appropriate recreational standard; and
- c) the location of the alternative provision must be accessible by foot, and parking facilities should be provided.

*(Conformity Reference: East Devon Local Plan Strategies 3 and 4, Development Management Policies RC1, RC2; NPPF para 28, 70, 74)*

### **Policy Justification**

- 9.10 Budleigh Salterton Cricket Club is situated within the Parish on land leased from Clinton Devon Estates. The Club is one of the longest established in the County, with the first match reports dating back to 1858. The Pavilion, which is owned by the Club, has an attractive display of photographs and memorabilia recording the Club's history and it provides a social meeting place for members, their families and the community. The future of the Club at its present site is being reviewed due to the fact that the pitch is becoming water-logged with increasing frequency. Relocation of the Club into Budleigh Salterton is the most likely outcome.

### **Bicton Park Botanical Gardens**

#### **Policy L3:- Bicton Park Botanical Gardens**

The Neighbourhood Plan will support development proposals which will enable Bicton Park Botanical Gardens to expand to meet new and changing needs as a tourist destination, educational resource centre and a renowned historic garden provided that the design is sympathetic to the heritage assets and the important landscape setting.

*(Conformity Reference: East Devon Local Plan Strategies 3, 4, 33, 46, 49 and Development Management Policies EN8, EN9; NPPF 28, 115, 126, 128-134, 136-137, 140)*

## Policy Justification

9.11 The 63 acre Bicton Park Botanical Gardens is among the most beautiful of Britain's world-renowned historic gardens.



9.12 The Botanical Gardens has its roots in the early 18th Century before flourishing and prospering in the 19<sup>th</sup> Century. The historical importance of the Gardens has been recognised by English Heritage, which has registered them as Grade 1 (the highest grade) in its Register of Historic Parks and Gardens. Not least the Gardens are home for 18 out of the top 100 'Champion Trees' in the UK.

9.13 By their nature, all gardens are forever changing; it is a priority at Bicton to ensure that future progress does nothing to spoil and much to enhance the beauty, peace, essential character and ages-old aura of the Park. Importantly, the team at Bicton has developed the Gardens as an educational resource by displaying plants of special interest and providing more information about them on labels and in publications. The accumulation and exchange of knowledge has enabled Bicton to play an increasing role in efforts to save endangered plants worldwide.

9.14 Future projects include updating and developing further the display information relating to the many varied and some rare species of plants. From 2016 "Champion Tree" open days are scheduled to provide a dedicated insight into the types of trees, their origins and how these came to be part of Bicton.

9.15 Another project of significance to the well-being of Bicton's Gardens is the setting up of bee hives around the park and also the provision of a viewing portal within a safe indoor display area supported with information boards. Bicton Park Botanical Gardens has close links with local schools and from 2016 the bee hives will be used as part of visits to the Gardens in connection with educational key stages 1, 2 and 3.

9.16 Bicton Park Botanical Gardens is also famous for its historic buildings and the upkeep of these is a major ongoing project for the park. The Palm House (older than its counterpart at The Royal Botanical Gardens at Kew) is a significant feature in the Park and houses some rare tropical plants. The Hermitage, a 19<sup>th</sup>-century bower house is another significant building and open days are planned for this

commencing in 2016. The Shell House displaying a range of exotic shells collected by the Lord of the Manor in the mid-19<sup>th</sup> century now boasts a video explaining our fascination with collecting shells and using them as an art form.

9.17 Whilst education and conservation are extremely important at Bicton, these will always go hand in hand with providing a breadth of activities, interests and facilities for the enjoyment of all the family. These include indoor and outdoor children's activity play areas, Bicton Woodland Railway, Nuthatch Nature Trail, historic glasshouses, Countryside and Motor Museums, Garden Centre, Restaurant and Gift Shop.

9.18 The Bicton Woodland Railway (one of only two 18inch narrow gauge railways still operating in the UK) provides a delightful way to tour the park, while the Nuthatch Nature Trail highlights the abundant wildlife in the Park.



9.19 The Park is seen by many educationalists as an important place to conduct surveys and for learning. Many documentary production teams with horticultural and/or wildlife interests regularly visit Bicton.

9.20 The Countryside Museum provides an insight into farming and rural life in the 19<sup>th</sup> century with an impressive display of traction engines, tractors, ploughs and related farming equipment. The aspects of rural life are featured with reconstructed room settings and household equipment from yesteryear. A Victorian display area depicting rural life in this era is currently being fitted out to add another dimension to the Museum.

9.21 The indoor play area and a covered mini-tractor barn provide amusement for younger children; an outdoor well-equipped play area is also well used.

9.22 Currently Bicton's owners are conducting a feasibility study into the benefits of staging openings in the evenings and the employment of audio-visual displays in central areas to add further dimensions to the Park. The Park is open to the public all year and provides direct employment for *circa* 25 persons and, indirectly, income for many other local businesses. Bicton has a policy to recruit from within the locality whenever possible.

### **Community Action 17**

The Neighbourhood Plan will support the expansion and development of Bicton Park Botanical Gardens as an education resource centre to facilitate an understanding of the importance of plants and trees in the environment

*(Responsibility: - EBBPC; Bicton's owners, Governors of Drakes School)*

# Chapter 10

## Getting Around the Parish

### Objective

Improve transport links and address traffic, parking and pedestrian movement issues

- 10.1 The Neighbourhood Plan Questionnaire showed some of the main concerns of parishioners related to speeding and parking problems on the narrow roads around the Parish. A particular concern of 50% of Yettington residents was the issue of horse box traffic through the village from Bicton Arena. The returns also demonstrated that the respondents wanted the Neighbourhood Plan to focus on the provision of more footpaths and cycle ways within the Parish and the protection of rights of way from development.



- 10.2 These issues are described in the following Sections...

- Footpaths and Bridleways.
- Cycle routes.
- Roads and Parking.
- Public Transport.

### Footpaths and Bridleways

#### Policy G1 - To protect and enhance the network of public rights of ways and bridleways around the Parish

Public ways of way in the Parish are to be protected from development. This includes the protection and enhancement of their rural setting, biodiversity and important locally significant views from these public rights of way through (for example) buffer areas of informal open space and wildlife corridors.

*(Conformity Reference: Adopted East Devon Local Plan Strategies 3, 4, 5B, Development Management Policy TC4; NPPF para 75)*

#### Policy Justification

- 10.3 Para 75 of the NPPF states that “*Planning policies should protect and enhance public rights of way and access. Local authorities should seek opportunities to*

*provide better facilities for users, for example by adding links to existing rights of way networks.....*” The Adopted East Devon Local Plan Strategy 5B encourages sustainable travel routes while Policy TC4 seeks to protect rights of way from development which would result in the loss, or reduce the convenience or attractiveness of, an existing or proposed footpath, cycleway or bridleway.

10.4 The Neighbourhood Plan Questionnaire showed that parishioners were keenly interested in maintaining the footpaths and cycleways in the Parish and they are widely used. 44.4% of the parishioners regularly get around the Parish on foot.

10.5 In addition, the Public Rights of Way (PRoWs) in the Parish are used regularly for many walkers including Guided Walks organised by The Otter Valley Association and the East Devon Ramblers Group. The Parish also features in numerous walking guide books and walking route websites. The attractive possibilities for walkers bring additional custom for the two pubs, the community shop and the Stagecoach 157 bus service.



10.6 East Budleigh with Bicton Parish has an established network of public footpaths and bridleways that provides numerous benefits for parishioners and visitors. The network comprises 22 public footpaths and 2 public bridleways that provide a total of 17 km (10.5 miles) of PRoWs. This represents 1.1 km of PRoW per sq. km (1.75 miles per square mile) of the Parish. The figure for East Budleigh with Bicton compares favourably with the figure for Devon as a whole (0.47 km per sq. km) but is slightly below the national figure of 1.2 km per sq. km.

10.7 All the footpaths and bridleways within the Parish are shown on the Ordnance Survey Explorer map OS 115. Devon County Council's Parish Map for East Budleigh with Bicton shows its numbers for the footpaths and bridleways. More detailed maps of the Parish footpaths and bridleways are published by [www.yellowpublications.co.uk](http://www.yellowpublications.co.uk) and [www.croydecycle.co.uk](http://www.croydecycle.co.uk) and these are sold at the Community Shop, Otterton Mill, the Information Centre in Budleigh Salterton, and other retail outlets in the region.

10.8 Several Unclassified Unsurfaced County Roads also serve as PRoWs and complement the footpaths and bridleways to provide a valuable resource for parishioners who enjoy walking. Several of the PRoWs link with those of neighbouring parishes and with two long distance pathways, namely The South West Coast Path and The East Devon Way. In the north they lead towards Bicton Park, to the west to the Hayes woodland and pebble bed heathlands and in the East towards the River Otter. Many of these footpaths provide attractive views of the hills, woods and coastline beyond.

10.9 The Parish participates in the Devon County Council's Parish Pathways Partnership (P3) scheme. The Parish Council has appointed a P3 Coordinator who compiles an annual report which is required to obtain an annual grant from Devon County Council (DCC). DCC assists with the maintenance of the PRoWs by removing obstacles such as fallen trees, and arranging a number of cuttings to reduce overgrowth during the summer, although the considerable reductions in local authority budgets have significantly reduced the number of cuttings that DCC can fund.

### **Future developments for Footpaths and Bridleways**

10.10 Devon County Council has produced a Rights of Way Improvement Plan available at [www.devon.gov.uk/rowip](http://www.devon.gov.uk/rowip) and a 10-step Guide to improving public rights of way in the Community [www.devon.gov.uk/communitypaths.pdf](http://www.devon.gov.uk/communitypaths.pdf). These set out appropriate agendas for possible future developments. Of particular relevance to our Parish are the recommendations for:

- improving or upgrading of routes, for example improving the surface to allow all year round use as some sections are impassable after heavy rain and flooding e.g. EB3;
- the improvement of existing routes and the development of new routes to meet the requirements of those with mobility needs e.g. access from B1 into Bicton Gardens (see Community Action 18);
- upgrading to accommodate horse riding or cycle use e.g. the old railway line;
- seek to develop important linking routes on a permissive basis, in agreement with landowners e.g. see Community Action 18;
- establish circular routes to encourage healthier lifestyles - e.g. see Community Action 18;
- improve the safety of rights of way users where routes meet or run alongside busy or dangerous roads e.g. see Community Action 18;
- press for new development proposals to include safe and high quality provision for cycling and walking routes linking housing to schools, shops, employment areas, recreational and sports facilities and rights of way/greenspace e.g. extend 30 mph speed limit on north bound section of the B3178 to facilitate safer crossing between EB14 and EB15;
- consider better provision for dog walkers to discourage fouling of other areas;
- negotiate opportunities with the District Council and any developer for using Community Infrastructure Levy money for rights of way and greenspace improvements.

- 10.11 With the severe cutbacks to funding for public footpaths and bridleways, and the difficulty of attracting more volunteer help, the top priorities for the Parish are to protect and enhance the existing network of public rights of way and to protect and enhance their rural character, biodiversity and the views from these paths. However, the Parish has developed a vision for the improvement of the network if and when the necessary resources and support are forthcoming.
- 10.12 This vision addresses a major drawback in the network of PRowWs and relates to the four locations where busy roads must be crossed to link between pathways, two of which are especially dangerous and deter many walkers from taking these routes. If landowners were persuaded to allow the development of new permissive paths, this would go some considerable way to alleviating these matters.
- 10.13 In addition Footpaths EB 1a, EB 2, EB 3 and EB 16 stand to be adversely affected by the Lower Otter Restoration Project (LORP) (see Section 13.8) if this is implemented. Conversely, these paths may also be adversely affected if no action is taken to address the problems arising from regular flooding of this area. The Parish Council is therefore participating in the Stakeholder Group which is considering the LORP and will monitor the evolving situation and campaign for the best interests of the Parish.

#### Community Action 18 (see Map 10.13)

The Parish Council will work to develop improved linkages for walks within the Parish and connections to neighbouring parishes to support and enhance health and wellbeing and to improve safety and access to the countryside. This to include:-

- a) Creation of a new permissive path running to the north and east of Tidwell Barton and Tidwell House to enable walkers on footpath EB4 to join the B3178 opposite Kersbrook Lane, thus bypassing the very narrow and pathless S-bend section of this busy road. An alternative solution would be to establish a permissive pathway running parallel with the road on its south side (i.e. along the northern edge of the field).
- b) Creation of a new permissive path running along the edge of the fields to the SE of the road that links Sandy Cross (near the entrance to Bicton Arena) with All Saints Church, thus providing a much safer route than along the narrow winding stretch of road. It would also offer beautiful views over the Budleigh Brook valley, scenery which is not visible from the roadway.
- c) Creation of a new permissive path running along the edge of the field between the northern end of EB13 and the access to B1 to remove the need to walk along the short but narrow section of road which is quite busy.
- d) Creation of a permissive pathway from bridleway B1 into Bicton Gardens to avoid the B3178.
- e) Where EB15 reaches Frogmore Road, creation of a new footpath eastwards



across the fields to the River Otter, thus removing the need to walk along the narrow Frogmore Road to join EB1 to access the River Otter

- f) Creation of a path on the east side of B3178 between Rolle Arms and Brick Cross to avoid walking alongside the main road.

*(Responsibility: EBBPC, East Devon District Council, Devon County Council, Landowners)*

### **Community Action 19**

The Parish Council will support the creation of a green wildlife corridor to protect and enhance the biodiversity and character of EB14 that links Middletown Lane to EB15 and the open countryside. A small strip of land adjoining the current footpath will be designated as a green informal open space incorporating native trees and wildflowers. In accordance with Policy G1 this would ensure the rural character and biodiversity of the footpath would be protected and its character and biodiversity enhanced. This green wildlife corridor will incorporate the small area of conservation land adjoining the public footpath and immediately adjacent to the built up area boundary if the tenant is amenable or when the current rental agreement comes to an end (Local Green Space, Area 6).

*(Responsibility: EBBPC, East Devon District Council, Devon County Council, Landowner, tenant)*



Map 10.13



**Key**

- Dedicated Cycle Way
- Proposed Permissive Pathway
- Country Road
- Footpath
- Bridleway

### **Community Action 20**

The Parish Council will actively explore sources of funding to support the promotion and enhancement of the Parish walks and to enable the creation of the green wildlife corridor (outlined in Community Action 19). This to include developer contributions, Woodland Trust grants and funding from the National Lottery as part of the Landscape Partnerships programme which provides funding for landscape-scale schemes including habitat conservation and improving access to the landscape.

*(Responsibility: EBBPC, East Devon District Council, Devon County Council, Landowners)*

- 10.14 In summary, the network of public footpaths and bridleways provides the Parish with an invaluable resource. It has a functional role in enabling people to move around the area in relative safety to get from A to B. It contributes to the health and well-being of the population - the benefits of regular walking are now universally acknowledged. The network is a leisure resource that enables people to enjoy the delights of the East Devon Area of Outstanding Natural Beauty. Finally, by providing opportunities to walk, the number of polluting vehicle journeys is reduced. As such, it should be maintained and enhanced for future generations.

### **Cycle routes**

- 10.15 The lack of dedicated cycle routes and lanes is a major factor in deterring parishioners from using bicycles to reduce the pollution generated by car use. There is only one short 1km section of designated cycleway or cycle lane within the Parish, although this route continues to Exmouth through neighbouring parishes. It is part of the national Sustrans network of cycle routes. The B3178 is a popular route with serious cyclists and was part of the route for the Devon Stage Tour of Britain Cycle Race in 2014.

### **Community Action 21**

The Parish Council will support the creation of a cycleway along the old railway line that runs through the Parish from Budleigh Salterton to the former East Budleigh Station.

*(Responsibility: EBBPC, East Devon District Council, Devon County Council, CDE)*

### **Roads and Parking**

- 10.16 No 'A' roads serve the Parish. The major road running through East Budleigh is the B3178 which connects with Budleigh Salterton (1.5 miles) and Exmouth (6 miles). It also provides access to the A3052 at Newton Poppleford 3 miles north of the Parish. The nearest access to the motorway network is nine miles away at Junction 30 on the M5 where there are also 'Park and Ride' facilities for Exeter City Centre at Sowton and Honiton Road. The A30 is accessible 8 miles to the north at Daisymount Hill and at Honiton. Other minor roads provide direct routes to Otterton, Sidmouth and Woodbury while Exeter Airport is approximately 10 miles distant albeit *via* minor roads.

10.17 Most of the roads within and adjacent to the Parish, including the B3178, have narrow sections where traffic can be delayed, particularly when large vehicles are travelling in opposite directions. There are particularly problems in Yettington due to large horse boxes and trailers going to and from Bicton Arena causing delays and damage to vehicles and property. Efforts by the Parish Council to find an appropriate solution to this problem have been on-going for the past two years but no actions have been agreed as yet. The Parish Council remain committed to a resolution of this problem.



10.18 Residents are concerned about the high speeds at which numerous vehicles pass through East Budleigh on the B3178, often well in excess of the 30 mph speed limit. Requests for traffic calming measures, reduced and extended speed limits and a pedestrian crossing have not resulted in any improvements in this potentially dangerous situation. Introduction of one or more of these measures will continue to be pursued. Evidence presented to the Parish Council suggests that neighbouring parishes are better served with these safety measures.

10.19 The village of Yettington also suffers from problems of speeding which has been exacerbated by farm and other heavy traffic gradually wearing away the verges and effectively straightened the road which appears to encourage this speeding.

### **Community Action 22**

The Parish Council will actively pursue and support proposals for improvements in road safety and traffic management. This will include:-

- improving local awareness of traffic problems by supporting the provision of appropriate signs to encourage traffic to slow down, promoting responsible driving and implementation of traffic calming measures;
- exploring the issues caused by large horse boxes and trailers travelling through the village of Yettington. This will involve active liaison with the various agencies, including Clinton Devon Estates, to develop an action plan to mitigate the concerns of residents.

*(Responsibility: EBBPC, East Devon District Council, Clinton Devon Estates, Devon County Council Highways)*

10.20 The Village Hall Committee has concerns regarding pedestrian and vehicular movement around the Village Hall, Community Shop and Play Area and in particular the safety of the site to all users.

### **Community Action 23**

The Parish Council will work with the Village Hall Trustees to actively pursue and support proposals for improvements in vehicular and pedestrian access from the highway into the site.

*(Responsibility: EBBPC, Village Hall Committee, Devon County Council Highways)*

### **Policy G2:- Off Road Parking**

New developments should provide off road parking to ensure that pressure on existing limited parking is not increased. 1 bed properties should have 1 parking space; 2 or more bedrooms should have a minimum of 2 spaces.

Development proposals that will result in the net loss of public car parking facilities in East Budleigh will be resisted.

*(Conformity Reference: Adopted East Devon Local Plan Strategy 5B, Development Management Policy TC9; NPPF para 39)*

### **Policy Justification**

- 10.21 East Budleigh has high levels of car ownership which reflect the reliance on private transport to access work and/or recreation and the restricted nature of public transport. With high levels of car ownership there can be pressure to find car parking spaces leading to on-road parking particularly in the older parts of East Budleigh village where the roads are particularly narrow. There are particular problems with congestion along sections of Vicarage Road, Middle Street, adjacent to Drakes School and the road running through Yettington. This can create a danger to vehicular transport and pedestrians due to the lack of footpaths along many of these narrow roads.
- 10.22 The Neighbourhood Plan seeks to ensure off-street parking is provided for new developments to reduce these dangers and ensure pressure on existing limited parking is not increased. The Plan however recognises standards will not be set at a higher level than Local Plan policy TC9. This is to ensure sustainable development is encouraged in line with local and national policy, and to minimise the flood risk from surface water, encourage high quality designs that reflect the vernacular of the area and enable developments to blend more appropriately into the high quality landscape.
- 10.23 Policy G2 also seeks to retain the two car parks for public use in the Parish. The Parish Council has responsibility for the car park at Hayes Lane and there is a car park that serves the Village Hall and the Community Shop. Charges are not applied at either of the car parks. The car park at Hayes Lane also enables some residents living in High Street to have a safe place to park their cars and avoid congestion on the narrow roads.

## Public Transport

10.24 The Stagecoach 157 service from Exmouth to Sidmouth via Budleigh Salterton, East Budleigh, Otterton and Newton Poppleford provides public transport to the Parish on six days a week. Buses leave hourly from Exmouth from 06.30. The last departure from Exmouth for East Budleigh leaves Exmouth at 18.45. There is a limited service on Sundays during summer months but there is no



Sunday service for the rest of the year. The 57B and 57C routes provide a service from Exeter and Exmouth to Bickton College, but there is only one journey each way per day and these only during College term-time. School buses provide transport for students from the Parish to Colyton Grammar School and Exeter College.

10.25 The nearest access to train services is at Exmouth where there is a branch line to Exeter's Central and St David's stations. Alternatively, mainline trains to London Waterloo via Salisbury can be boarded at Whimple and Honiton but there are no buses connecting to either station from the Parish.

10.26 The only public transport link to Exeter Airport is the Stagecoach 56 bus service from Exmouth and Woodbury. This route provides an hourly service outward from 06.50 to 15.20 Mondays to Saturdays. There is no Sunday service.

10.27 The obvious conclusion is that public transport for the Parish is inadequate. The limited service does not meet the needs of, for example, those who have to commute to Exeter for work, or those parishioners participating in evening activities (e.g. cinema, sport, education, theatre, concerts) in Exeter, Exmouth or Sidmouth. Travel times to connect to mainline stations and the airport are out of proportion with the distance travelled and options for evening travel are limited by non-existent bus connections for the return journey. Any parishioner without access to a car has no means of transport out of the Parish on Sundays except in the summer. The result of all the above factors is that many more car journeys than otherwise would be necessary are made with the consequent congestion and pollution, while those parishioners without access to a car have a poorer quality of life than they might reasonably expect.

### Community Action 24

The Parish Council in partnership with local groups will work with and encourage providers of public transport to provide as full a service as is needed to support the needs of the Parish with emphasis on improved routing and frequency in order to provide a sustainable means of transport for the village.

*(Responsibility: EBBPC, Devon County Council, Community Groups, bus service providers)*

# Chapter 11

## Natural Environment

11.1 The Neighbourhood Plan Questionnaire showed that parishioners are keenly interested in maintaining the quality of the Parish in terms of the general environment and landscape, important green open spaces, biodiversity and built heritage. These issues are described in the following Sections...

- Protecting and enhancing the landscape, local countryside character and biodiversity
- Protection of local green space
- Other green spaces

### Protecting and enhancing the landscape, local countryside character and biodiversity of the Parish

#### Objective

Protect and enhance the AONB designated landscape, rural identity, biodiversity, geodiversity and wildlife habitats of the Parish

#### Policy Justification

11.2 The policy below is based on an overwhelming desire that any development should (a) preserve the rural feel and the landscape of the AONB, (b) protect open/green spaces and (c) protect the local wildlife and its habitats throughout the Parish. The Neighbourhood Plan Questionnaire identified that the main priority of parishioners is preserving the overall character of the Parish with 91.7% seeing this as a priority. A great strength of the Parish was seen as the environment with 87% of respondents saying the environment is good or excellent.



11.3 Paragraph 7 of the NPPF outlines the three dimensions to sustainable development: economic, social and environmental. Paragraph 109 of the NPPF states “*The planning system should contribute to and enhance the natural and local environment by: 1) protecting and enhancing valued landscapes, geological conservation interests and soils 2) recognising the wider benefits of ecosystem services 3) minimising impacts on biodiversity and providing net gains in biodiversity where possible .....*”

11.4 The landscape of the Parish is of extremely high quality, recognised in the national designation of the whole Parish in the East Devon Area of Outstanding Natural Beauty (AONB). Given this designation any development could potentially have a negative impact on the environment and any site allocations should be sited sensitively, so they are not prominent or highly visible, in order to minimise landscape impact. Natural England, responding to the Villages Development Plan Document (DPD) stated that *'any development should be informed by further landscape and visual impact assessment to ensure any harm is mitigated'*



11.5 National Planning Policy guidance in Paragraph 115 of the NPPF states *"Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas..."* Paragraph 116 states *"Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest..."* This national guidance is reiterated in Strategy 46 of the Adopted East Devon Local Plan that recognises great weight should be given in AONB to conserving and enhancing its natural beauty, and to not undermining the landscape quality. It further states major development will only be permitted where it can be shown that it cannot be reasonably accommodated elsewhere outside the AONB.

11.6 As well as the whole Parish being located within an AONB, to the west of East Budleigh village and within the Parish is the Hayes Ancient Woodland and County wildlife site which provides an attractive vista visible from most areas of the village. Meanwhile 2km to the west of the village lie the European sites of East Devon Heaths SPA and the East Devon Heaths SAC and SSSI. Natural England responding to the Villages DPD stated any *'proposed developments would therefore need to meet the requirements of the Habitats Regulations'*. To the east of the Parish are the Otter Estuary, the Otter Estuary SSSI and the Coastal Preservation Area.





11.7 The diverse landscape of the Parish is rich in natural features offering a range of habitats which gives the Parish its unique biodiversity. In particular the East Devon heaths to the west of the Parish are among the most important conservation sites in Europe due to the rarity of the habitats and species found. Strategy 47 of the Adopted East Devon Local Plan seeks to preserve and enhance local habitats and wildlife corridors and paragraph 118 of the NPPF states “*When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity ..... by encouraging opportunities to incorporate biodiversity in and around developments*”.

**Parish landscape classifications include:-**

- At a national level the Parish falls within National Character Area 148: Devon Redlands.
- At the County level the Parish falls within the Pebble Bed Heaths and Farmland Character Area.
- At a local level the East Devon District landscape character assessment identifies the Parish as falling predominately within landscape character type (LCT) 3B ‘Lower rolling farmed’. Parts of the Neighbourhood Plan area also fall within 1C; ‘Pebblebed heaths’ and 3C ‘sparsely settled farmed valley floors’ (previously 4A).

**Key characteristics include:-**

- Gently rolling landform, sloping up from the valley floor.
- Network of hedgerows enclosing relatively small grazed or arable fields.
- Many hedgerow trees, copses and streamside tree rows.
- Wooded skyline with oak/ash semi-natural ancient woodland with hazel/holly understorey and bluebell and wood anemone flowers; some areas replanted with conifer and beech.
- Streams and ditches.
- Tranquil and intimate.
- Strong local vernacular with regular use of stone with slate roofs.
- Thatched and cob buildings.
- Winding, narrow and often sunken lanes.
- Boundaries along narrow lanes consisting of stone walls and hedgerows.

11.8 The policy below also recognises settlements within the Parish have a green character with hedgerows and trees integrated into the built environment encouraging a richness of wildlife. Settlements have a tranquil setting with narrow lanes and a gently rolling hilly character with long, level views across a wide area with wooded skylines. The landscape is punctuated with villages containing cottages built of local stone, pebbles, thatch and cob, a reflection of the underlying geology and traditional land use of the area.

11.9 It is recognised that the ecology and landscape of the Parish has substantial landscape sensitivity and a low capacity for development. This Neighbourhood Plan requires 1) any site allocations to be sited sensitively so they are not prominent or highly visible to minimise landscape impact 2) existing wildlife habitats to be protected and enhanced 3) landscaping schemes will be required to incorporate

planting schemes which use traditional and locally appropriate species to support and enhance biodiversity and where possible protect and incorporate existing vegetation 4) new development will be required to conserve and enhance viewing opportunities across the landscape.

**Policy N1:- Protecting and enhancing the landscape, biodiversity and local countryside character**

Development proposals must ensure the landscape, biodiversity and countryside character of the Parish are protected and wherever possible, enhanced.

Development proposals (excluding minor development) within the Parish will not be supported unless it is demonstrated that each of the following landscape design principles shall be met:

- a) They conserve and enhance the local distinctiveness and components of natural beauty within the AONB.
- b) Development shall be sited within the defined Built-up Area Boundary (except the site allocation in Policy D2) and shall be of a scale to complement the traditional character and historic core of East Budleigh unless allowed through a specific policy in the Neighbourhood or Local Plan.
- c) Development on prominent sites on the edge of the village should be avoided to protect the profile and skyline of the village.
- d) Locally significant views should be protected and new development should take into consideration any adverse impact on these views and seek to conserve and enhance viewing opportunities across the landscape.
- e) Existing hedgerows, trees and ponds are important to the setting of the Parish and provide habitats for wildlife and so regard must be had to their retention and incorporation into landscaping schemes; any landscape and boundary treatments shall use indigenous species.
- f) Existing wildlife and habitats shall be protected and enhanced. If habitats are lost as the result of development, where practical, these habitats should be replaced within the development. New development should take the opportunity to create new habitat and contribute where possible, to wildlife and habitat connectivity in the wider area, through (for example) buffer areas, wildlife corridors, erection of boxes such as bird and bat boxes that blend into a new dwelling wall. A biodiversity appraisal (including a detailed tree survey) will be required, as appropriate, where a proposed development site includes or adjoins a large, mature garden, mature trees, woodland, field or roadside hedgerows, river floodplain, meadow / species-rich grassland, orchard and agricultural barns or similar rural buildings.
- g) Existing geodiversity should be protected and enhanced.
- h) A landscaping scheme is required to ensure, in time, the development is able to blend appropriately into its surroundings. Opportunities to incorporate informal open space between new and existing development should be provided where appropriate to enhance the green infrastructure and biodiversity.

*(Conformity Reference: Adopted East Devon Local Plan Strategies 3, 5, 46, 47 and Development Management Policies D2, D3, EN4, EN5; East Devon AONB Management*

*Strategy 2014-2019; East Devon Local Biodiversity Plan; Devon Biodiversity and Geodiversity Action Plan; Devon County Council Landscape Appraisal 2012; Landscape character assessment and management guidelines for East Devon and Blackdown Hills 2008; Historic Landscape Characterisation; NPPF para 7, 17, 58, 109, 113, 115, 116, 118)*

- 11.10 For the purposes of the Policy, minor development is defined in accordance with the NPPG Paragraph: 046 Reference ID: 7-046-20140306 and taken to mean a) minor non-residential extensions with a footprint less than 250 square metres b) alterations: development that does not increase the size of buildings c) minor householder development e.g. sheds, garages, games rooms, physical extensions to the dwelling etc. within the curtilage of the existing dwelling. This definition excludes any proposed development that would create a separate dwelling within the curtilage of the existing dwelling.

### **Community Action 25**

The Parish Council will actively explore National Lottery funding as part of the Landscape Partnerships programme to develop schemes in the local community for landscape-scale schemes including habitat conservation training in traditional rural skills, repairs to distinctive local buildings and features, and improving access to the landscape.

*(Responsibility: EBBPC, East Devon District Council, Devon County Council, Landowners, community groups)*

## **Protection of Local Green Spaces**

### **Objective**

Protect and enhance the green spaces of value to the community

### **Policy Justification**

- 11.11 Policy N2(below) identifies land that should be protected from future development by way of a Local Green Space designation, in accordance with the intent and criteria set out in paragraphs 76, 77 and 78 of the National Planning Policy Framework (NPPF).
- 11.12 The criteria for designation are detailed in paragraph 77 which states *“The designation should only be used: where the green space is in reasonably close proximity to the community it serves; where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and where the green area concerned is local in character and is not an extensive tract of land.”*
- 11.13 Planning Practice Guidance 2014 provides further guidance and states *“Whether to designate land is a matter for local discretion. For example, green areas could include land where sports pavilions, boating lakes or structures such as war memorials are located, allotments, or urban spaces that provide a tranquil oasis”.*

11.14 The Adopted East Devon Local Plan includes policies to protect these important open spaces as contained in Strategy 5 which seeks to protect open spaces and areas of biodiversity importance and interest and Policy RC1 that provides protection for recreation and/or sports uses, play areas or playing fields. National planning policy in paragraph 28 also supports the retention and development of local services and community facilities in villages, including sports venues. Enhanced green infrastructure can also play an important role in the better management of flood risk and contributes to the protection of water quality.

11.15 The Policy below proposes a number of important green spaces in the Parish to be protected from development by their designation as Local Green Spaces in accordance with the NPPF. The location of each site is shown on the Map below and on the Proposals Map. In each case, the green spaces are an integral part of the Parish and are therefore regarded as special to the local community. These green spaces have either an historic, wildlife or recreational importance. Once designated, the policy will resist all proposals for development unless it can be clearly demonstrated they are minor and are ancillary to a public recreation use. The table below sets out how each of the proposed protected local green spaces meets these criteria in the NPPF.

<b>Name of Green Space</b>	<b>Distance from Community</b>	<b>Special Qualities/Local in character</b>	<b>Extensive Tract of land</b>
Area 1:- All Saints Church, Churchyard	Within easy walking distance of the community	Entirely located in an AONB and partly within the Built-up Area Boundary. The EDDC Review of Conservation Areas and Listed Buildings (CALB) (1999 revised 2004) mentions the churchyard as an important open space to the north of the Conservation Area and which also contains important tree groups. It is a tranquil area used as burial ground and a memorial area for the community.	No
Area 2:-Green space adjacent to Church Hall	Within easy walking distance of the community	Entirely located in an AONB and within East Budleigh Conservation Area immediately below All Saints Church, a Grade I listed building. The green space contributes to the attractiveness of the Conservation Area and the setting of a nationally important historic building.	No
Area 3:- East Budleigh Recreational ground, Vicarage Road	Within easy walking distance of the community	Entirely located in an AONB and outside the Built-up Area Boundary it is an important village amenity of recreational value offering opportunities for sport including a playing field, tennis court and	No

Name of Green Space	Distance from Community	Special Qualities/Local in character	Extensive Tract of land
		opportunities for informal recreation for members of the community. East Budleigh footpath 13 crosses the site providing easy access to the countryside and attractive views of the landscape.	
Area 4:- Green space adjacent Salem Chapel	Within easy walking distance of the community	Entirely located in an AONB and outside the Built-up Area Boundary. Salem Chapel is a Grade II* listed building and therefore of national and local historic importance. The building is also a valuable community asset used for village events. The green space adjacent to the chapel contributes to the attractiveness of the area and the setting of this nationally important historic building.	No
Area 5:- Verges at entrance to village	Within easy walking distance of the community	<p>The verge north of the village is entirely located in an AONB and outside the Built-up Area Boundary. The verges to the south are within the Built-up Area Boundary.</p> <p>These verges attractively mark the entrance to the village from the north and south. The verges are landmark features, providing a sense of character and an attractive approach to the village.</p>	No
Area 6:- Conservation area to rear of Middletown Lane	Within easy walking distance of the community	Entirely located in an AONB and outside the Built-up Area Boundary (used as a conservation area outside the curtilage of nearby dwellings). A tranquil area rich in wildlife including protected species, wildflowers and native trees. An area for biodiversity adjacent to and visible from East Budleigh footpath 14 linking the village with the open countryside and which is an important recreational route in the village leading to the River Otter. To become incorporated into	No

Name of Green Space	Distance from Community	Special Qualities/Local in character	Extensive Tract of land
		the green corridor in Policy N4.	
Area 7:- Public green space , Brookfield Road	Located within the community it serves	A recreational area. Provides shared open space for residents and their children.	No
Area 8:- The Pound	Within easy walking distance of the community	Of historical importance and of visual significance in its location.	No
Area 9:- Green space adjacent to the Village Hall	Within centre of village	Important village amenity of recreational value offering an informal play area for children in the community.	No
Area 10:- War Memorial	Within centre of village	Of historical importance and of visual significance in its location	No



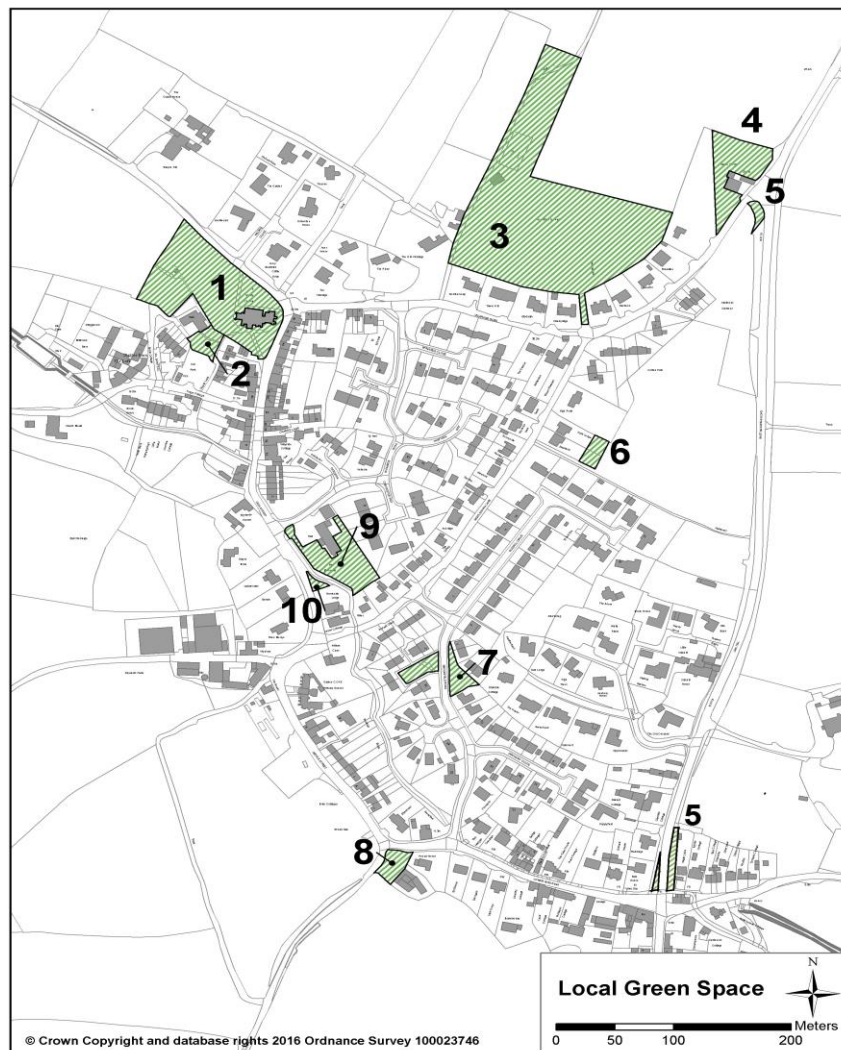
## Policy N2 – Protection of Local Green Spaces

The following local green spaces, as shown on the Proposal Map have been designated in accordance with paragraphs 76 and 77 of the NPPF:-

1. Churchyard adjacent to All Saints Church.
2. Green space adjacent to Church Hall.
3. Recreational ground, Vicarage Road.
4. Land adjacent to Salem Chapel.
5. Green verges at the entrance to the village and on both sides of the B3178 south of East Budleigh village.
6. Conservation area to rear of Middletown Lane.
7. Public green space, Brookfield Road.
8. The Pound.
9. Land adjacent to the Village Hall.
10. War memorial.

Proposals for built development in a Local Green Space will be resisted, unless they are ancillary to the use of the land or for a public recreational purpose

*(Conformity Refs: East Devon Local Plan Strategies 3, 4, 5; NPPF paras 76-78; Planning Practice Guidance 2014 Paragraph: 013 Reference ID: 37-013-20140306)*



## Protection of Allotments

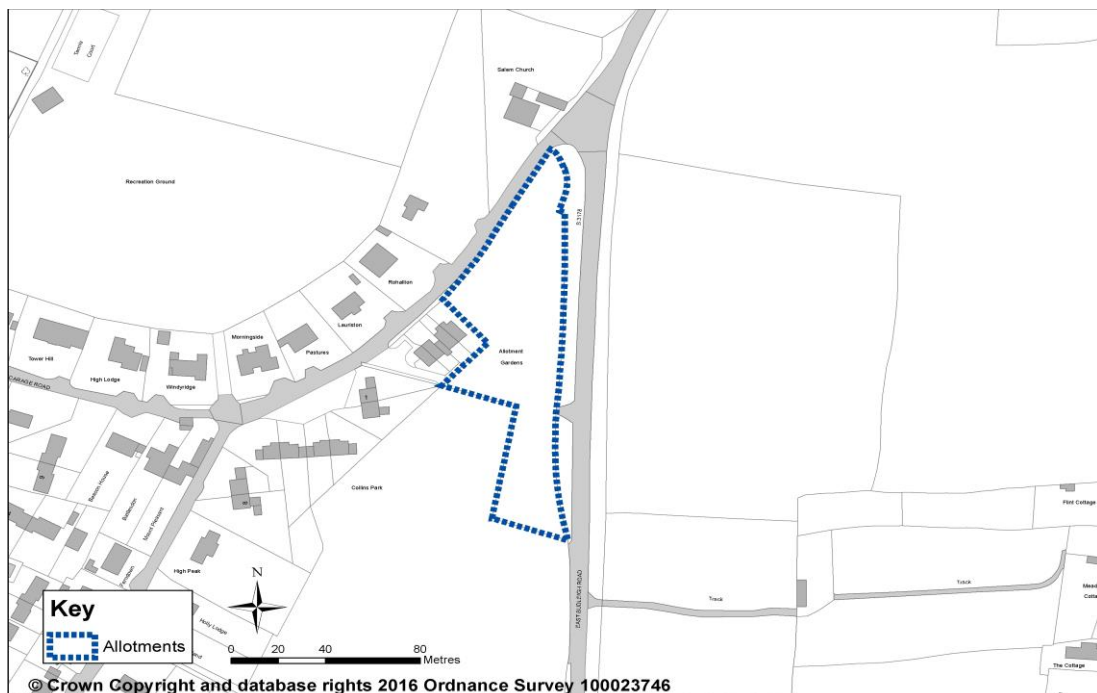
### Policy N3 – Protection of Allotment Space (as shown on Proposals Map)

Proposals that would result in the loss of all or part of existing allotment spaces will not be supported unless alternative and equivalent allotment space is provided.

Alternative allotment provision proposed as part of such proposals will be required to meet the following criteria:

- a) the number of plots provided must be equivalent or greater than the existing allotment provision;
- b) plots should be of an acceptable size (250 sq. metres) unless it can be proven, in consultation with allotment holders, that smaller size serviced plots of at least 125 sq. metres can be justified;
- c) the quality of the alternative site must be of equivalent standard in terms of layout and soil character to the existing allotment provision; and
- d) the location of the alternative provision must be accessible by foot, parking facilities should be provided and the allotment provision should be within or adjacent to the built-up area of the village.

*(Conformity Reference: Adopted East Devon Local Plan Strategies 3, 4, 5; NPPF para 70, 73; Planning Practice Guidance 2014 Paragraph: 013 Reference ID: 37-013-20140306)*





## Policy Justification

11.16 The existing allotments that serve the community are well used and located within easy walking distance of the community on the northern periphery of the village of East Budleigh. They are considered to be an important asset for the community. Being in an area of fertile soils means that the community values its ability to grow its own food and be more self-sufficient. In this respect the Community Shop sells produce from the allotments to local residents.



- 11.17 The community wishes to protect against the potential loss of these valuable community assets to redevelopment. The allotments are considered an important green space and, while such land does not fulfil the criteria for being designated as a Local Green Space, it is still considered appropriate to provide a degree of protection to an asset of special value to a significant number of people in the community. In this respect the Parish Council will consider submitting a nomination to EDDC for the inclusion of the allotments on the local authority's register of Assets of Community Value
- 11.18 While this Neighbourhood Plan supports the retention of the current allotments, if these allotments should, exceptionally, need to be replaced, the Plan will require allotments to be of a size to meet the needs of the allotment holders. The traditional size of an allotment, according to the National Allotment Society is 10 rods/poles or 250 sq. metres. It is the policy of this national society to encourage flexible provision which best fits the aspirations and capabilities of present and future plot holders. It is recommended the 'ten pole plot' (around 250sq metres) is the template for the subdivision of allotment land where appropriate. Policy N3 will require allotment plots to be 250 sq. metres in size, unless it can be proven that in consultation with allotment holders smaller better serviced allotment plots of at least 125 sq. metres(half size plots) are preferred.

## Other Green Spaces

### Policy Justification

- 11.19 It is considered important to seek to enhance the green infrastructure assets of the Parish where possible. As well as protecting and enhancing habitats, and the countryside character of the Parish, enhanced green infrastructure can have a recreational and educational function and an important role in the better management of flood risk and protection of water quality.
- 11.20 In East Budleigh a community group is in the process of creating and raising funds for a Community Orchard within the centre of the village and the Conservation Area.

This Neighbourhood Plan supports this project as a free and accessible community space which can act as a green haven, increase biodiversity and act as focal point for community activities.



This is an illustrative picture of what a community orchard could look like in the Parish,

- 11.21 Strategy 5 of the Adopted East Devon Local Plan encourages the creation of green networks and corridors to link settlements to the wider countryside. The creation of a green wildlife corridor along East Budleigh Footpath 14 offers the opportunity to enhance its rural setting and increase the biodiversity and wildlife habitats along its route. This is in conformity with Strategies 46 and 47 which seek to protect the natural environment and biodiversity. Funding for the corridor can be obtained from developer contributions, Woodland Trust grants, as well as Lottery Funding such as through the Landscape Partnerships programme which provides funding for landscape-scale schemes including habitat conservation and improving access to the landscape (see Community Action 20).
- 11.22 Both the green corridor and Community Orchard would also provide a valuable educational resource to facilitate an understanding of the importance of plants and trees in the environment for local school children.
- 11.23 Involvement and advice from Bickton Park Botanical Gardens and college students from Bickton College could assist in the creation of these new green spaces.

### **Community Action 26**

The Neighbourhood Plan supports the creation of a community orchard in East Budleigh Conservation Area to provide a free and accessible green haven, which increases biodiversity and can act as focal point for community activities. The site for the orchard is marked on the above map.

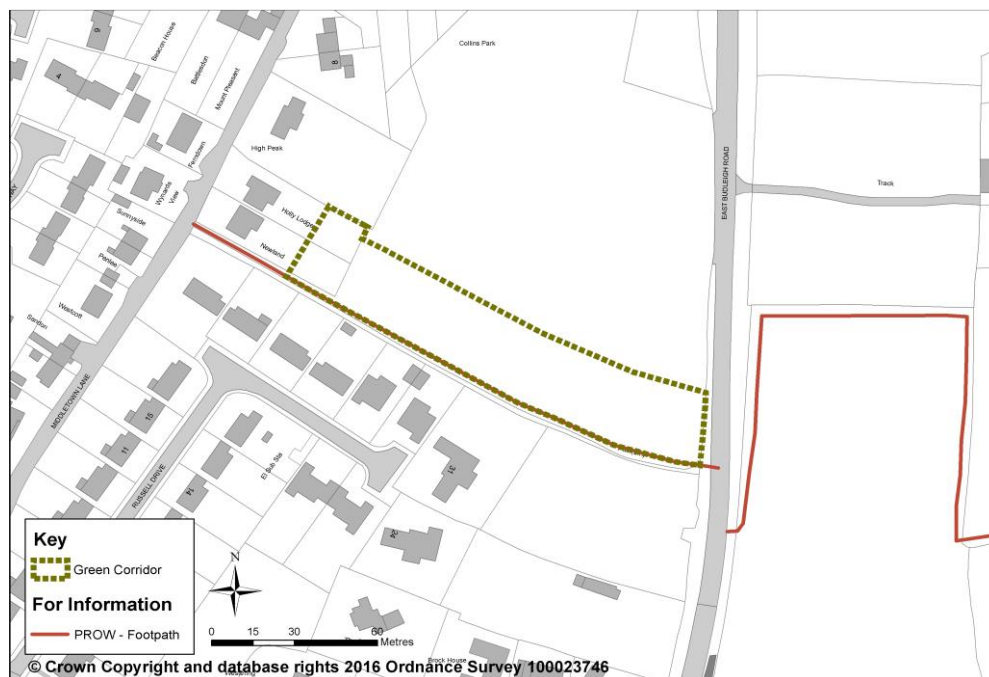
*(Responsibility: Community Orchard Management Committee, Landowner)*

## Policy N4:- Green Corridor

Land is allocated (as shown on the Proposals Map and Map 11.24) for the creation of a green wildlife corridor to protect and enhance the biodiversity and character of Footpath EB14 that links Middletown Lane to EB15 and the open countryside. This land to be designated as a green informal open space and planted with native trees, and wildflowers.

(Conformity Reference: Adopted East Devon Local Plan Strategies 5, 46, 47; NPPF para 7, 69, 75, 109)

### Map 11.24:- Location of green corridor



Existing Footpath EB14

# Chapter 12

## Built Heritage and Design

12.1 The Neighbourhood Plan Questionnaire showed that the main priority of parishioners was preserving the overall character of East Budleigh village including the built heritage. The returns also demonstrated that the respondents wanted the Neighbourhood Plan to focus on the design of existing and any new development to ensure it is sensitive to any potential adverse impact on the high quality landscape and character of the village. These issues are described in the following sections...

- Protecting and enhancing the built heritage
- Design and build quality
- Infill development and extensions

### Protecting and enhancing the built heritage

#### Objective

Protect and enhance the historic fabric and environment, including the Conservation Area and its setting

#### Policy justification

12.2 The heritage policies are in accordance with NPPF paras 126-141 and East Devon Local Plan, Strategies 48 and 49 and also reflect the views of Parish residents during open day consultations.

#### Policy B1: Heritage Assets and their Setting

Development proposals affecting heritage assets of the Parish must pay special regard to the need to conserve and enhance their settings and any special architectural or historic features of significance.

Beside the nationally 'Designated Heritage Assets' this policy will apply to 'Local Heritage Assets' consisting of buildings, landscapes or sites which have architectural significance, local distinctiveness and character and historic importance.

Inappropriate extensions or revisions that adversely impact on the setting and any special architectural or historic features of significance to Listed properties and other properties that, while not Listed, make a contribution to the character of the area will not be supported. Any development must not cause harm or adversely impact on the setting of important heritage sites in the Parish.

*(Conformity Refs: East Devon Local Plan Strategies 48, 49 and Development Management Policies EN8, EN9, EN10; East Budleigh Conservation Area Character Appraisal 1999(revised 2004); Devon Historic Landscape Characterisation; NPPF paras 17, 126-141)*

12.3 Heritage Assets are the structures or features of the historic environment which are “identified as having a degree of significance meriting consideration in planning decisions” (NPPF, Annex 2). ‘Designated Heritage Assets’ are nationally protected areas or features such as a World Heritage Site, Scheduled Ancient Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area. ‘Local Heritage Assets’ are identified by the local planning authority as elements or features which are valued locally but which have not been designated at this national level. See Appendix C in the supporting documentation for a list of designated heritage assets.

12.4 The Otter Valley Association is currently undertaking a project to identify local heritage assets against the standard listing criteria, before they are adopted by East Devon District Council.



12.5 Meanwhile Devon County Council and English Heritage have undertaken a Historic Landscape Characterisation project for the county. This Historic Landscape Characterisation will enable an understanding of the landscape with reference to its historical development.

12.6 The Conservation Area in East Budleigh (first designated in 1990) is concentrated South and West of the Parish Church, stretching down the High Street and part of Hayes Lane and Church Lane. There are 29 listed buildings within the Conservation Area. There are a further 60 listed buildings within the Parish and 7 listed monuments in the All Saints’ Churchyard.

12.7 The EDDC Review of Conservation Areas and Listed Buildings (CALB) (1999 revised 2004) notes features of special importance and which contribute to the distinctive characteristics of the Conservation Area (see Map following). Of particular significance is All Saints Church which, being located on higher ground, visually dominates the area, while the churchyard contains several tree groups and individual specimens that complement buildings in the Conservation Area. On High Street there are good examples of rounded cobbles and a wide use of traditional materials such as thatch, plastered cob, brickwork detail and coursed stone walls with ashlar detail.

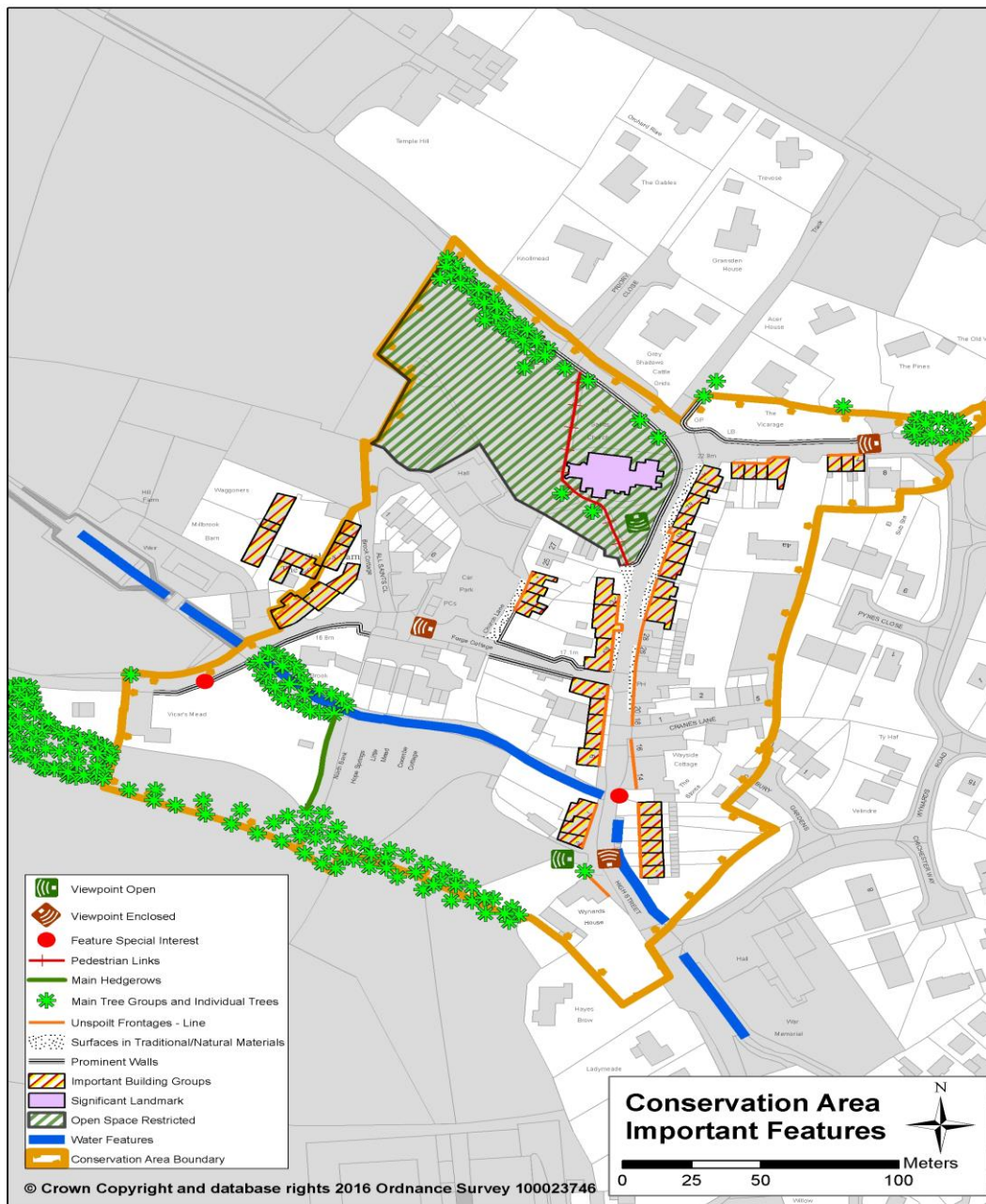


12.8 The CALB Review notes ‘the settlement at the East end of the village (Lower Budleigh) has very good examples of 18<sup>th</sup>C and late Victorian properties’. It is

mooted in the CALB that designation of a second Conservation Area within the village may be warranted.

12.9 Section 11.4 of the CALB states ‘as regards the conservation of original detail and preservation of existing boundary features, not only within the Conservation Area but possibly within the village as a whole due to its location in an AONB, it is recommended considering imposing an Article 4(2) Direction to place additional limits on permitted development.... It is therefore recommended that any further development proposals within the village should have regard for and interpret the way in which traditional building methods and use of local materials have evolved over the centuries’. The EBBPC fully endorses these views and recommendations.

12.10 Any review of the Conservation Area within East Budleigh will be respected by the EBBPC, which will then make appropriate recommendations for any residential development plans that are submitted for its comments.



## Design and built quality

### Objective

Ensure that new development is of the highest design and built quality and does not harm the character and appearance of the Parish and the landscape.

### Policy Justification

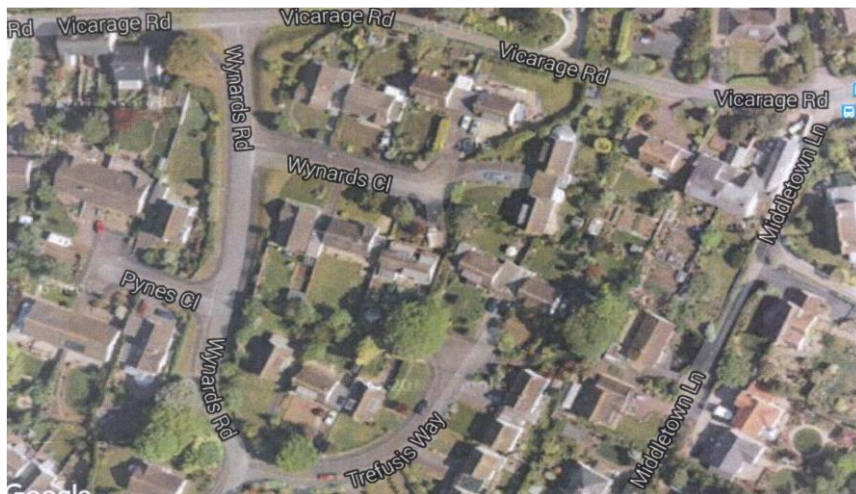
- 12.11 The importance of new residential development being sympathetic to its surroundings was outlined in the previous Chapter and is further detailed below.
- 12.12 National planning policy acknowledges that well designed places and buildings improve quality of life: poor design should be replaced with better design. One of the core planning principles is that design should “*always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings*”.
- 12.13 Paragraph 58 of the NPPF provides the national planning context for design policy in Neighbourhood Plans. It states that Local and Neighbourhood Plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics.
- 12.14 It is considered paramount that new development observes and includes in its design the use of local materials that are in keeping with the vernacular of the village. In addition, the perimeter of new developments should consider carefully the appropriate use of iron railings, stone walls and hedges to recreate the best examples of the local style. This is in accord with Strategy 48 of the Adopted East Devon Local Plan that emphasises the importance of local distinctiveness and the use of traditional materials and methods to help define and enhance the quality of the built environment.
- 12.15 The Parish has a particularly sensitive high quality environment being located in an AONB and possessing distinctive local architecture. It is a feature that the green infrastructure of settlements in the Parish integrates with the built environment to create a rural and tranquil feel with views of the surrounding hills and with public facing boundaries consisting of stone walls and hedgerows.
- 12.16 All new buildings and extensions will be required to:-
- be of high quality, individual in design and reflect and respect the distinct character and strong local vernacular of the area;
  - boundaries adjoining roads and public footpaths should be defined in a traditional manner using iron railings, stone walls or native hedging rather than close boarded fencing;
  - the designs should complement traditional buildings ;
  - natural traditional building materials should be used for old buildings and where possible for new buildings;

- be respectful of the predominately white, cream or red brick facades of buildings in the Parish;
- roofs should be pitched unless there is a functional reason not to be;
- solar panels and water heating panels will be encouraged but sited discreetly.

12.17 Criteria h) of Policy B2 sets out minimum garden sizes to ensure usable amenity space. These standards are considered justifiable given:-

- It is a characteristic of the Parish that most dwellings including more recent development have good levels of amenity space. This is shown in satellite imagery and has been determined from measurement of gardens in the most recent developments (i.e. Wynards and Russell Drive) where gardens vary from around 250-350 sq. metres in size. This green infrastructure including informal open space within developments helps to blend them into the high quality landscape. This is important given that Natural England has advised that even developments of very limited size may have a considerable impact on the AONB.

#### **Wynards (recent development)**



- That trees, shrubs and hedges add, protect and enhance the biodiversity of an area.
- The flood risk in the village, where green infrastructure plays a valuable role in allowing the infiltration of water into the ground reducing the amount of run off and improving water quality.
- Reasoned research and long standing planning standards applied by many planning authorities within their design guides e.g. Essex design guide. In this respect a long established planning standard seeks to achieve a minimum overlooking distance between facing windows in new developments of 21 metres. The garden sizes stated with a minimum length of 10 metres would be able to achieve this standard.

12.18 In accordance with Paragraph 66 of the NPPF “*Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community*”. Development Briefs produced jointly with the local community can have a valuable role in this respect.



## **Policy B2 – General Design Principles**

The Neighbourhood Plan requires all developments, including alterations to existing buildings, to be sympathetic of the character and scale of surrounding buildings and landscape. Proposals will be expected to demonstrate compliance with the following criteria:

- a) Preservation and enhancement of the locally distinctive built, historic and natural environment.
- b) Designed to take account of site characteristics, respecting and utilising the best qualities of local distinctiveness including layout, siting, scale, height, proportions and massing, orientation, architectural detailing, landscaping and materials.
- c) Density of housing will reflect the existing grain/density/pattern of surrounding development.
- d) No significant adverse impact on residential amenity for existing and future residents.
- e) New buildings should be of individual design that respects the local character. There is room for imaginative new design sympathetic to the traditional buildings of the Parish and in new developments of more than 5 dwellings more than one housing design may be appropriate.
- f) Natural traditional building materials and methods should be used for alterations and extensions to old buildings and preferably for new buildings.
- g) Roofs should be pitched unless there is a functional or aesthetic reason not to do so.
- h) For new build developments of 5 or more dwellings, gardens should consist of a usable space. Normally gardens should have a minimum garden depth of 10 metres and be of a minimum size of 100 sq. meters for 3+ bed dwellings and 50 sq. meters for 1-2 bed dwellings unless exceptional circumstances dictate otherwise. In such exceptional circumstances the reasons for not attaining the stipulated garden depth and size should be detailed and the amount of garden space provided should be maximised as far as other design considerations allow. The garden sizes for smaller infill plots of less than 5 dwellings and for plots on developments over 5 dwellings, but adjacent to existing property, may be required to be larger than these minimum standards to reflect the size and shape of gardens in the immediate surrounding area.
- i) The development does not contribute to, or suffer from, adverse impacts arising from noise, light or air contamination, land instability or cause ground water pollution.
- j) The development utilises sustainable construction methods, minimises the use of non-renewable resources and maximises the use of recycled and sustainably sourced materials.

- k) Carbon reduction measures, for instance solar panels or water heating panels are encouraged but should be sited discretely. Where they would feature on the front elevation or would be prominent within the Conservation Area, consideration should be given to mounting them at ground level.
- l) Easy access for all members of the community.
- m) Safe environments that minimise opportunities for crime.
- n) Designs that can be easily adapted to accommodate changing lifestyles and technologies.

*(Conformity Reference: Adopted East Devon Local Plan Strategies 37, 38, 48, 49; NPPF 17, 53, 56, 58, 60, 61, 115)*

## **Infill development and extensions**

### **Policy justification**

12.19 Infill development can lead to developments being crammed in, often on pre-existing gardens, at inappropriate densities and with inappropriate layouts. This can have a detrimental impact on the amenity of existing residents. It can also result in a reduction in the openness of the village, increase on-road parking and lead to new buildings which are often out of keeping with the character of the village.

12.20 Adverse impacts can include the following:

- Loss of amenity, overshadowing, overlooking.
- Loss of sunlight/daylight.
- Noise.
- Loss of green links/trees/hedges/vegetation.
- Lack of visual cohesiveness.
- Loss of space between buildings.
- Loss of parking.

12.21 It is considered important that infill development, whilst generally acceptable within the village Built-up Area Boundary, must be designed so that it sits appropriately within its surroundings.

12.22 The particular issues that must be considered in demonstrating that an infill scheme is acceptable are as follows:

**Plot width** - plots must be of sufficient width to allow building(s) to be sited with adequate separation between dwellings. The width of the remaining and the new plot should be similar to that prevailing in the immediate area.

**Building line** - where the prevailing depth of existing dwellings is a feature of the area new development should respect that building line.

**Visual separation** - new dwellings must have similar spacing between buildings to that commonly found on the street frontage. Where houses are terraced the new development should normally adjoin the adjacent property(s).

**Building height** - new buildings should reflect the height of existing buildings. Where existing buildings are of a uniform height, new buildings should respect that height.

**Daylight and sunlight** - new buildings should not adversely affect neighbouring properties by seriously reducing the amount of daylight available through windows or by obstructing the path of direct sunlight to a once sunny garden or window. Blocking direct sunlight from reaching neighbouring properties can cause overshadowing and is not acceptable.

**Parking and access arrangements** - satisfactory arrangements will be required for parking and access and egress. In particular, vehicles must be capable of turning round within the curtilage of the site.

**Boundary treatment** - boundary treatment along the frontage should reflect that prevailing in the area. Proposals for open frontages or the use of the frontage for parking will not be acceptable in areas where enclosed front boundaries prevail.

12.23 The Neighbourhood Plan recognises that infill development within the settlement boundary accords with the overall spatial approach. However, they should be properly planned according to the requirements of the Neighbourhood Plan.

12.24 It is important to note that the National Planning Policy Framework provides the opportunity to prevent further inappropriate development in back gardens. At paragraph 53 it states that: "*Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area*".

### **Policy B3: Infill development**

Within the Built-up Area Boundary planning permission will be supported for infill development on previously developed land, subject to the following criteria:

- a) Proposals should reflect the character of the surrounding area and protect the amenity of neighbours. It should reinforce the uniformity of the street by reflecting the scale, mass, height and form of its neighbours.
- b) Proposals that would lead to over-development of a site or the appearance of cramming will be resisted. It should be demonstrated that development is of a similar density to properties in the immediate surrounding area.
- c) New buildings should not adversely affect neighbouring properties by seriously reducing the amount of daylight available through windows or by having a significantly adverse impact in obstructing the path of direct sunlight to a once sunny garden or window.
- d) Development must not unacceptably reduce the level of private amenity space provision for existing residential properties and there should be sufficient space between and around dwellings. New dwellings should be suitably positioned to ensure they do not have any significantly adverse overlooking, overshadowing or overbearing impact on important areas of private amenity of adjacent properties. Windows in principal elevations, above ground floor level, must not directly overlook the important areas of private amenity for adjoining dwellings.

- e) Mature trees and hedges should be retained wherever possible, particularly along property boundaries or where they have high public amenity value or help maintain privacy.
- f) Inappropriate 'back land' development will not be supported. In this respect proposed buildings should be single storey in height unless it can be demonstrated that higher buildings would not unduly affect the amenity of existing dwellings nor appear visually discordant in views from public space.
- g) Garden areas should reflect the size and shape of gardens in the immediate surrounding area.
- h) A satisfactory road access and off street parking can be achieved and highway safety is not impaired.

*(Conformity Reference: East Devon Local Plan Strategy 48, Development Management Policy D1; NPPF para 17, 53, 56, 57, 58)*

#### **Policy B4: Extensions**

Where planning permission is required, the EBBPC will usually recommend permission for house extensions where they meet the following criteria:

- a) The scale, height and form fit with the existing building and the character of the street scene.
- b) Spacing between buildings respects the character of the street scene.
- c) Gaps which provide views out of the village to surrounding countryside are maintained.
- d) Materials are sympathetic with the materials of the existing building.
- e) Natural traditional building materials and methods should be used for alterations and extensions to old buildings with existing locally distinctive old cob, stone and brick boundary walls and buildings, thatched and slate roofs being protected and conserved.
- f) The traditional boundary treatment of an area is retained and where feasible reinforced.
- g) Flat roof extensions are not considered appropriate unless there is a functional or aesthetic reason to do so.
- h) New extensions that are set back or forward to create varied vertical roof lines and horizontal frontage lines will be encouraged.
- i) The privacy, daylight, sunlight and outlook of adjoining properties should not be adversely affected.

*(Conformity Reference: Adopted East Devon Local Plan Strategy 48, Development Management Policy D1; NPPF 17, 56, 58, 60)*


# Chapter 13

## Flood Management and Protection

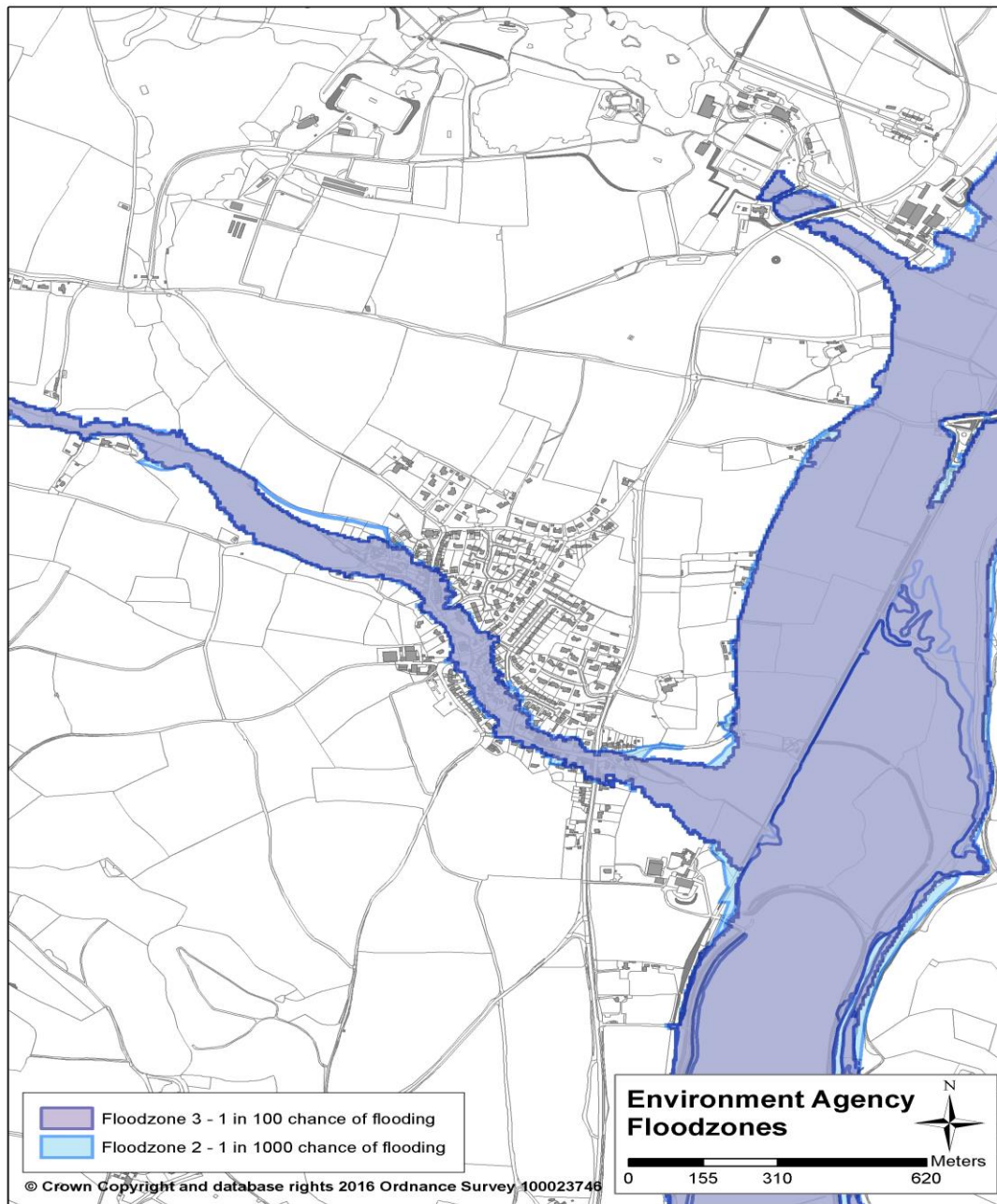
### Objective

Identify measures to improve water quality and reduce the risk of river, coastal and surface water flooding in East Budleigh and immediate surrounding areas and ensure proper controls are applied to any development to eliminate flood risk and improve water quality

### Policy Justification

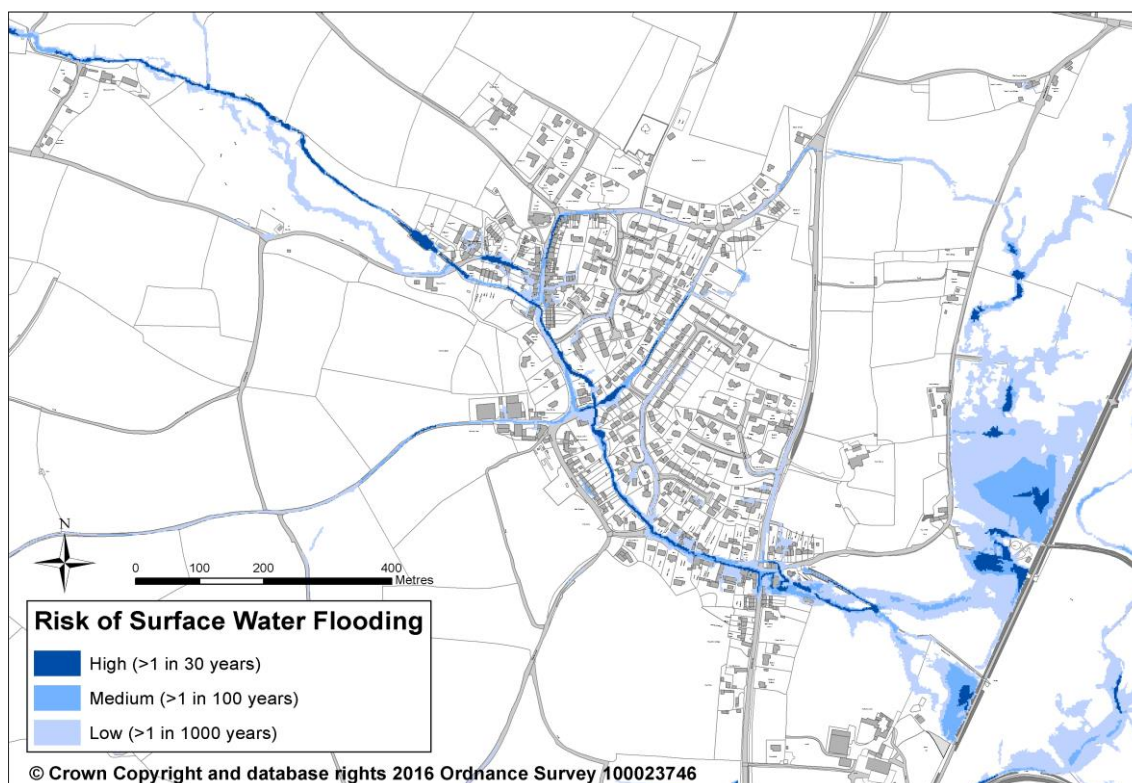
- 13.1 In the Neighbourhood Survey, 68.6% identified the risk of flooding to existing homes and new housing sites as a major concern. It is estimated 20% of East Budleigh village is located in flood zones 2 or 3 and is at risk of flooding from rivers and the sea and/or from surface water (see following Maps).
- 13.2 The Policies below reflect the concern of residents and, in accordance with NPPF para 99, recognise the impact of climate change. They also take account of NPPF para 100 that states “*Local Plans should be supported by Strategic Flood Risk Assessment and develop policies to manage flood risk from all sources*” and “*should apply a sequential, risk-based approach to the location of development to avoid, where possible, flood risk to people and property and manage any residual risk, taking account of the impacts of climate change*”. Policies EN21 and EN22 of Adopted East Devon Local Plan also refer to these criteria.
- 13.3 There is increasing evidence that the climate is changing as a consequence of past and on-going greenhouse gas emissions. The outcome is predicted to be hotter summers and warmer, wetter winters. The extended periods of rainfall in November and December 2012 and 2015 showed the flooding problems in East Budleigh village and Yettington are likely to become more serious if no action is taken.
- 
- 13.4 The proximity of the River Otter and the topography of the land mean that, as identified in the Environment Agency's Flood Plan for the East Budleigh and Bicton Parish Council, the most vulnerable residential properties are on High Street, Middle Street, Lower Budleigh and Frogmore Road. The Flood Plan details actions to be taken before and during a flood.

## Environment Agency (flood map for planning (rivers and sea))



- Flood Zone 1 - land assessed as having a less than 1 in 1,000 annual probability of river or sea flooding (<0.1%)
- Flood Zone 2 - land assessed as having between a 1 in 100 and 1 in 1,000 annual probability of river flooding (1% – 0.1%), or between a 1 in 200 and 1 in 1,000 annual probability of sea flooding (0.5% – 0.1%) in any year
- \* Flood Zone 3 - land assessed as having a 1 in 100 or greater annual probability of river flooding (>1%), or a 1 in 200 or greater annual probability of flooding from the sea (>0.5%) in any year

## Environment Agency (flood map for surface water)



- 13.5 Elsewhere in the Parish, South Farm Road and Budleigh Salterton Cricket Club are often under water. The Lower Otter Restoration Project (LORP) (see Section 13.8), if taken forward, would necessitate the relocation of the Cricket Club, profoundly impact South Farm Road and may also have a negative impact on Frogmore Road. Some of the Parish's footpaths would also be affected by the LORP. The village of Yettington is also susceptible to flooding due to water streaming from Woodbury Common; flooding was a problem in 2012 at which point streams were cleared and culverts unblocked. In addition in East Budleigh the Environment Agency undertook work to push more water into the culvert and the bottom of the culvert was smoothed to reduce silt build up. As a consequence there was less of a flooding problem in 2015.



### Community Action 27

The Parish Council and Environment Agency will monitor all drains and gullies in 'high risk' localities and report all blockages to Devon County Highways for clearing.

*(Responsibility: - EBBPC, Environment Agency, Devon County Council)*

- 13.6 Any consideration of residential development in flood zones 2 and 3 and for developments above 1 hectare in flood zone 1 must take into account the clear flood risk. There are also areas of the Parish subject to surface water flooding and proper consideration of this flood risk is regarded as important. It is recognised any increase in non-permeable surfaces on any green field site can increase surface water run-offs and given the flood risk in the Parish it is beneficial to incorporate Sustainable Urban Drainage Systems (SuDS) into any new housing developments to mitigate flood risk and benefit water quality.

#### **Policy F1 - Flood Risk Assessment**

A sequential approach will be taken when considering where new development will be located in an area subject to flooding in line with East Devon Local Plan Policy EN21 and NPPF paragraph 100.

Residential developments within flood risk zones 2 & 3 and in Flood Zone 1 (over 1 hectare in size), and in areas identified as wet spots due to surface water flooding, as identified by the current Strategic Flood Risk Assessment, should be subject to a site-specific Flood Risk Assessment that demonstrates that the development will be safe, without increasing flood risk elsewhere and, where possible, will reduce flood risk overall.

Where appropriate, in areas identified at risk of flooding an Exception Test must be applied, taking into account the effect of extreme weather conditions, climatic change and any adverse impact on neighbouring areas. The Exception Test must demonstrate how the proposed development will be safe from flood risk over its lifetime, not increase the flood risk elsewhere and contribute to the overall reduction in flood risk in the Parish.

*(Conformity Refs: East Devon Adopted Plan Strategies 3 and 5, Development Management Policy EN21; East Devon District Council Strategic Flood Risk Assessment 2008; NPPF para 99-104)*

#### **Policy F2 - Surface Water Run-off**

In line with NPPF paragraph 103 and East Devon Local Policy EN22, the impact from any additional surface run-off resulting from any development should be controlled and satisfactorily mitigated and should not cause any adverse impact to neighbouring properties or the surrounding environment/wildlife habitat/water quality.

Planning permission will only be supported where the surface run-off implications of the proposal have been fully considered and suitable measures, designed to mitigate the adverse impact of surface water run-off, are included as an integral part of the development. A Drainage Impact Assessment will be required for all new development with potentially significant surface run off implications.

*(Conformity Refs: Adopted East Devon Local Plan Strategies 3 and 5, Development Management Policy EN22; East Devon District Council Strategic Flood Risk Assessment 2008; NPPF para 99-104)*



### **Policy F3 - SuDS Design & Management**

Development proposals creating new drainage requirements must incorporate Sustainable Urban Drainage Systems (SuDS), unless it can be demonstrated that they are inappropriate. New drainage systems must demonstrate they will be effective in allowing for above surface water management on site and improvement of water quality. A management plan must be put in place for future maintenance of the drainage system.

*(Conformity Refs: Adopted East Devon Local Plan Strategy 3 and 5, Development Management Policy EN22; East Devon District Council Strategic Flood Risk Assessment 2008; NPPF para 99,100,103)*

13.7 Recently Devon County Council commissioned a survey of flooding risks in East Budleigh village. The Report will contain a series of recommendations for actions that should be undertaken to reduce the risk of flooding in the area. EBBPC is monitoring the progress of this survey; in due course it will inspect the recommendations and then press for appropriate action.

13.8 The Lower Otter Restoration Project (LORP) is a joint venture between the Environment Agency, Clinton Devon Estates and East Devon Pebblebed Heaths Conservation. It is envisaged that an area close to the Otter Estuary is purposely flooded to provide an increased natural



habitat. The project is not a flood defence, or a flood prevention scheme; neither should it exacerbate flood risk in the Parish. The LORP is at a very early stage and the EBBPC has been party to the initial discussions. The EBBPC will continue to monitor developments and, if funding for the scheme is forthcoming, it will support the scheme provided:-

- a) A suitable alternative site for Budleigh Salterton Cricket Club is found, since the present site would be flooded (see Policy L2).
- b) Access from the Parish to the South Farm Business Units is not restricted by tidal flow.
- c) The effect on Footpaths EB 1a, EB 2, EB 3 and EB 16 is not such that the number of paths in the Parish is diminished.

### **Water Quality**

13.9 The Parish is within the Sid and Otter Operational Catchment with surface and ground water entering into the River Otter. In particular, Budleigh Brook flows through the village into the River Otter. A key objective is for the River Otter to meet Good

Ecological Status by 2027. To assist in achieving this objective the Neighbourhood Plan supports measures that could benefit the quality of surface and ground water.

13.10 As outlined in Policy F3 the Plan encourages the use of SuDS in new developments and Chapter 11 of the Plan has identified new green infrastructure to contribute to the protection of water quality. Chapter 11 also seeks to protect and enhance biodiversity and create a 'green environment' within new development by encouraging the integration of green infrastructure within the built environment.

13.11 The Neighbourhood Plan also supports measures outlined in the River Basin Plan for the South West Region 2015 and the Environment Agency/Devon Wildlife Trust River Otter Good Ecological Status Partnership Report 2013 to:-

- address the problem of invasive and non-native species such as Himalayan Balsam (*Impatiens Glandulifera*). The Parish Council will continue to publicise and encourage residents to remove Balsam during their walks along the River Otter;
- tackle diffuse agricultural pollution (phosphate levels) caused by run off from roads or farms, surface run off, phosphate applied to land as fertilisers and animal slurry. This Plan will support publicity and educational activities which will help increase awareness and the measures that can be taken to reduce multi-faceted pollution issues.



# Chapter 14

## Development of the Parish

### Objective

Ensure any new development meets the identified needs of the local community

14.1 The Neighbourhood Plan Questionnaire showed that the main priorities for parishioners were preserving the overall character of the village while ensuring the location, design and scale of any new residential development, arising out of a proven need, has regard to and is sensitive to any potential adverse impact on the high quality landscape and environment.

14.2 These issues are described in the following Sections

- The Built-up Area Boundary of East Budleigh Village
- Delivering Affordable Housing in East Budleigh

14.3 The Parish covers a large rural area of 1456 hectares with 93.8% of the area covered by greenspace. As outlined in Chapter 11 this 'greenspace' consists of a landscape that is of extremely high quality being located in the East Devon Area of Outstanding Natural Beauty (AONB) and in close proximity to Hayes Ancient Woodland and the Pebblebed Heaths to the



West. The Parish boundary is defined by the River Otter in the East and the Coastal Preservation Area is adjacent. Given this designation any development has the potential of having a negative impact on the environment and any development will need to be sited sensitively so it is not prominent or highly visible to minimise landscape impact.

14.4 The Parish is small in population and dwellings numbers. Evidence from the 2001 and the 2011 Censuses suggests the Parish has changed little in many respects in the recent past. The number of dwellings in the Parish has only increased slightly (473 to 489) along with the number of resident households (429 to 442) over that decade. The resident population is also quite stable.

14.5 In 2011 most of these resident households occupied detached properties (255) with a smaller number resident in semi-detached properties (138), terraced houses (82), flats (13) and one caravan. This is reflective of the historic architecture of much of the development within the Parish, where there is a very high proportion of detached properties and hardly any flats.

- 14.6 Over the past five years (2011 - 2016) it is expected that the number of dwellings and the number of resident households will not have changed significantly. Across the Neighbourhood Plan area planning permission has been approved for a net increase of 3 dwellings. Around 35 planning applications have been approved relating to the building of extensions to existing properties.

### **Built-up Area Boundary of East Budleigh Village**

#### **Policy D1:- Built-up Area Boundary of East Budleigh Village**

To ensure the proven housing needs of the Parish are met up to 2031 without compromising the character of the village, or leading to development that is of a scale that is inappropriate for local services and infrastructure, a Built-up Area Boundary is shown on the Proposals Map which represents the limits to development in the village.

To conserve the outstanding natural environment, the rural character of areas on the edge of the village will be maintained in order to protect the character of the AONB.

Note that gardens, or former gardens, within the curtilages of dwelling houses, will not necessarily be assumed to fall within the developable confines of the village. This is to ensure that inappropriate 'back land' development does not occur as the rear gardens of properties, especially large gardens, can be more akin to the open countryside in character, rather than the built environment and also can provide a 'soft' landscape edge to settlements.

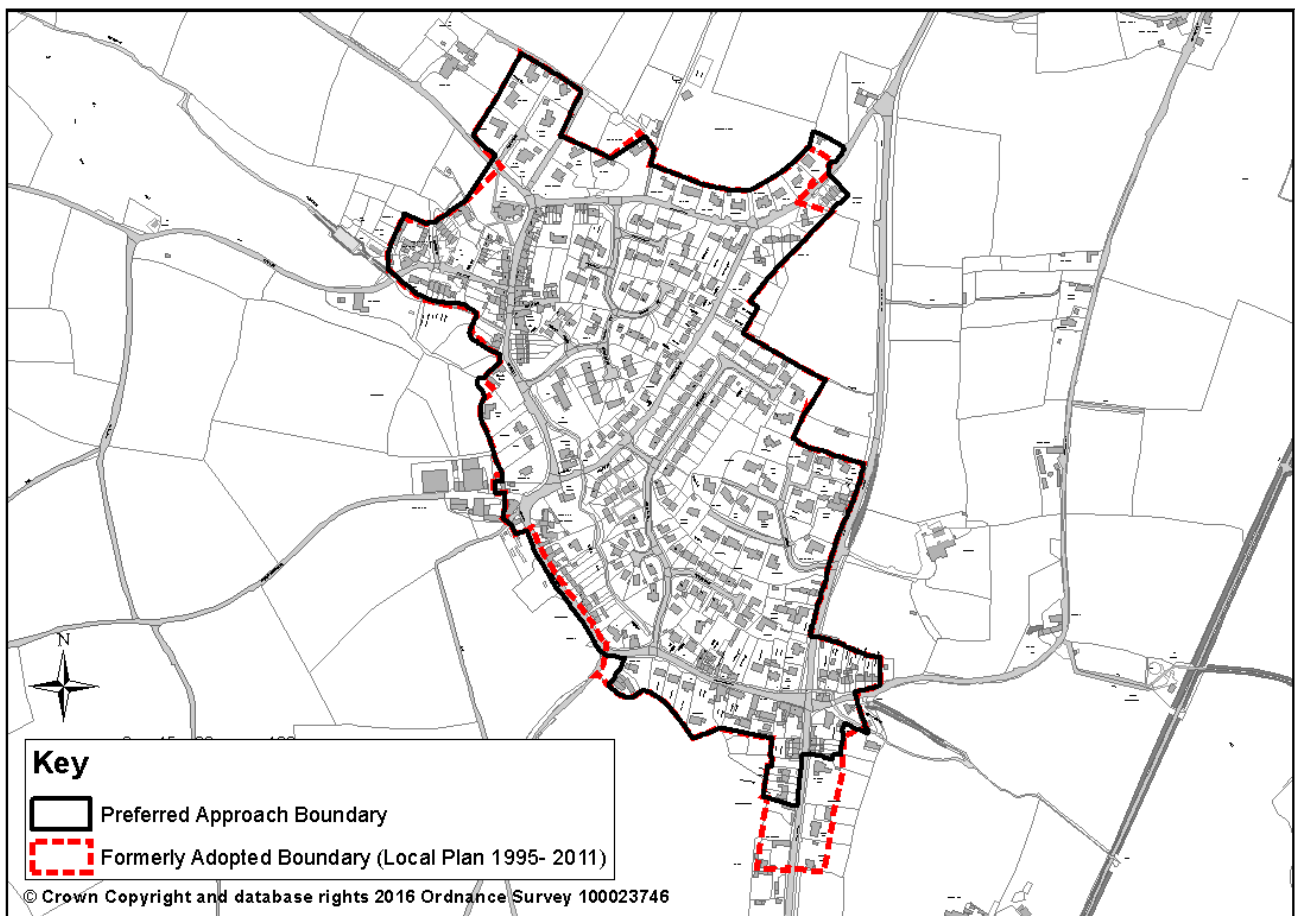
Outside the Built-up Area Boundary, development proposals will only be supported by the EBBPC where they comply with a specific policy in the Neighbourhood or Local Plan.

*(Conformity Reference: Adopted East Devon Local Plan Strategy 6, 7, 27, Habitat Screening Report, July 2016; NPPF 54-55, 109, 113, 115-116)*

#### **Policy Justification**

- 14.7 Strategy 6 of the East Devon Local Plan requires settlements listed in Strategy 27 (including East Budleigh village) to have a Built-up Area Boundary. These settlements are considered appropriate through strategic policy to accommodate growth and development. Where a local community prepares a Neighbourhood Plan it may specifically allocate sites and/or include criteria based on other policies for promoting development/land uses beyond the boundary.
- 14.8 To accompany the East Devon Local Plan, a Village Development Plan Document (DPD) is currently in production. This document will identify the Built-up Area Boundary for each of the 15 villages (including East Budleigh) named in Strategy 27 of the Local Plan.
- 14.9 At the full Council meeting on 28<sup>th</sup> January 2016 EDDC formally recognised the need to attach some weight to the existing Local Plan Built-up Area Boundaries (as adopted in 2006) for those villages featuring under Strategy 27 of the new plan until such time as the Villages DPD can carry significant weight.

14.10 On 21st July 2016 the Strategic Planning Committee approved a Draft East Devon Villages Plan 2016 to 2031 and a Habitat Regulations Screening Report, July 2016. The preferred approach boundary contained in the Habitats Regulations Screening Report, July 2016 is supported by this Neighbourhood Plan. This Built-up Area Boundary is shown on the Proposals Map and on the map below. It should be noted EDDC has admitted in writing that a small drafting error was contained in the Draft East Devon Villages Plan preferred boundary and that the correct boundary is that in the Habitat Regulations Screening Report, July 2016 (as approved on 21st July 2016). EDDC had previously agreed to correct this drafting error before the Plan was consulted on, something they failed to do. It is expected that the correction will be made following the consultation period so that the Draft East Devon Villages Plan will then be in conformity with the Habitat Screening Report approved at the Strategic Planning Committee on 21st July 2016 and this Submission Plan.



14.11 It is the view of the Parish Council and the community as a whole that there is no pressing need to change the Built-up Area Boundary of East Budleigh (as adopted in 2006) as amended by the Habitats Regulations Screening Report, July 2016 and the Draft East Devon Villages Plan, July 2016 (once the drafting error by EDDC has been corrected). It is anticipated that EDDC will correct their drafting error and bring the Draft East Devon Villages Plan in line with the Habitat Regulations Screening Report, July 2016 (as approved by the Strategic Planning Committee on 21st July 2016). The map above illustrates the new preferred approach boundary and compares it to the adopted 2006 boundary.

14.12 The preferred approach boundary is based on a detailed site by site assessment by EDDC against the draft criteria for defining Built-up Area Boundaries which were consulted on during the summer of 2015. As a result of this assessment the boundary has been drawn tighter (except on the eastern edge of the village where EDDC have made a drafting error) than the 2006 boundary and has removed some small anomalies. The Parish Council has reviewed the EDDC site by site assessments and is in agreement with the conclusions reached except with regard to the boundary on the eastern edge of the Village. The boundary here is looser in the Draft East Devon Villages Plan due to a drafting error by EDDC and this change is not supported by this Plan. The formerly adopted 2006 boundary on the eastern edge of the village (relating to large gardens/open space to the east of Middletown Lane) is supported by this Plan. It is considered justifiable to exclude these gardens from the preferred approach boundary given:-

- written evidence from EDDC admitting that they made a drafting error and that they intended for the boundary to be drawn tighter at this point with the gardens excluded from the boundary as was the case in the formally approved boundary, and in accordance with the Habitat Regulations Screening Report, July 2016 (as approved by Strategic Planning Committee on 21<sup>st</sup> July 2016);
- the boundary was consulted on at the Pre-Submission stage and was supported by the community;
- the tighter boundary is in accord with Strategy 6 and paragraph 6.22 of the Adopted East Devon Local Plan which states ..... *“In a number of cases Built-up Area Boundaries cut across the rear gardens of properties, rather than following defined garden areas or property boundaries. This is to ensure that inappropriate ‘back land’ development does not occur and lead to urban sprawl on the edge of settlements. Furthermore the rear gardens of properties, especially large gardens, can be more akin to the open countryside in character, rather than the built environment and also can provide a ‘soft’ landscape edge to settlements”*. It is considered development in the large gardens/open space on the eastern edge of the village could set a precedent and lead to inappropriate and undesirable ‘back land’ development and is therefore contrary to paragraph 6.22. Any development in these gardens would remove a soft landscape edge to the village and intrude into a pocket of open countryside in an AONB that acts as a transition between the built up part of the village and the countryside beyond. Any development in these gardens would detract and be out of character with the surroundings and rural area;
- planning history shows that any access onto Middletown Lane from ‘back land’ development is likely to lack sufficient visibility (the lane being very narrow in width). Planning history has also confirmed that ‘back land’ development would be poorly related to existing development, adversely affect amenity of neighbours, be out of character to the surroundings and rural area and intrude adversely into a pocket of agricultural land;
- a tighter boundary on the eastern edge is supported by the draft criteria for defining Built-up Area Boundaries, 2015. This land should be excluded from the BuAB in accordance with Criteria A1 (should not seek expansion to facilitate

development), A2 (large gardens that stretch out into open countryside) and C1 (large gardens that could extend the built form).

- 14.13 The Built-up Area Boundary distinguishes between the main built-up area and the countryside; in the countryside development will only be acceptable in specific and exceptional circumstances. In particular, development which provides support to ongoing agricultural uses will generally be supported, subject to appropriate design to minimise any impact on the special landscape of the Parish. These restrictions are particularly important given that the whole of the Parish is located in an AONB.

## **Delivering affordable housing in East Budleigh**

### **Policy D2 :- Mixed open market and exception sites**

In accordance with Strategy 35 of the East Devon Local Plan the Neighbourhood Plan will support proposals for the development of a small-scale community led affordable housing scheme on the following identified rural exception site (see Proposals Map) outside the Built-up Area Boundary:-

- Frank's Patch- for up to 3 dwellings consisting of 1 and 2 bed room dwellings(2 affordable)

All rural exception sites including those not identified in this Plan should meet the following criteria:-

- a) At least 66% of the dwellings will be affordable homes with the type and tenure of these affordable dwellings demonstrated through an up to date, robust housing needs survey that demonstrates a need in the Parish. These affordable dwellings will be required to be provided on site and commuted sums will not be permitted.
- b) The affordable dwellings will be subject to a local lettings policy in perpetuity that ensures their availability for people with a local affordable housing need and a connection with the Parish.
- c) Schemes will be required to demonstrate they will not have a significantly adverse impact on the landscape and biodiversity of the AONB and will be supported particularly where they comprise 5 dwellings or less. A biodiversity (including tree survey) and landscape impact assessment, where appropriate, will form a material part of any application.
- d) Where appropriate, measures to mitigate any adverse impact on significant biodiversity identified on the site will be required, together with an appropriate and detailed landscaping scheme to ensure, that over time, the development is able to blend appropriately into its surroundings.

*(Conformity Reference: Adopted East Devon Adopted Local Plan Strategy 2, 3, 6, 27, 35; NPPF para 17, 47, 50, 54, 110, 111-113, 115)*

## Policy Justification

- 14.14 The Adopted East Devon Local Plan identifies the need to plan for 17,100 additional housing growth across the district over the plan period to 2031. Strategy 2 indicates an allocation of 206 dwellings remained to be delivered in smaller towns, villages and rural areas in the period 2013-2031. The emphasis in the Local Plan is for development to be 'sustainable and community led' to meet local needs.
- 14.15 Strategy 27 of the Adopted East Devon Local Plan names 15 villages including East Budleigh that are considered to be 'sustainable' as they offer a reasonable range of accessible services and facilities, some or many of which meet the everyday needs of the local residents and have reasonable public transport. These settlements will have a Built-up Area Boundary that will be designated in the East Devon Village DPD although land is not specially allocated for development. No housing allocations are included in the Local Plan with this being left to communities to promote through Neighbourhood Plans.
- 14.16 On 15<sup>th</sup> January 2016 the Inspector reported on the examination into the East Devon Local Plan. In paragraph 30 the report states "*The number remaining to be delivered through Strategy 27(206 dwellings) is relatively small compared to the overall target and lack of delivery does not pose a significant threat to meeting the overall target*". Meanwhile in paragraph 33 the inspector agreed that the District has "*a housing land supply in excess of 5 years*". This removes the need for the East Devon District Council to allocate additional housing numbers to the East Budleigh and Bicton Parish and especially to East Budleigh village. Hence the village can rigorously defend against developers wishing to build outside the Built-up Area Boundary. However if the Neighbourhood Plan can provide evidence of an affordable housing need through a robust housing needs survey a small number of additional homes could be considered under Strategy 35 of the Adopted East Devon Local Plan.
- 14.17 Under Strategy 35 of the Adopted East Devon Local Plan, exception site mixed affordable and open market housing schemes will be allowed outside Built-up Area Boundaries where there is a proven local need demonstrated through an up to date robust housing needs survey. Affordable housing must account for at least 66% of the houses built.
- 14.18 In November 2014 the government announced that, due to the disproportionate burden of developer contributions on small-scale developers, affordable housing and tariff style contributions should not be sought for sites of 10-units or less. This change was quashed through a High

### Definition of Rural Exception Site (from NPPF)

Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. Small numbers of market homes may be allowed at the local authority's discretion, for example where essential to enable the delivery of affordable units without grant funding

### Definition of Rural Area (Housing Act 1996)

Under Section 17 of the Housing Act 1996 the population is required to be under 3000 inhabitants per hectare



Court decision, but the Government won an appeal relating to this decision in May 2016. On-line Planning Practice Guidance has now re-inserted the thresholds.

- 14.19 At the time when national policy limits the potential for affordable housing on smaller sites, this Neighbourhood Plan has taken the decision to include the location where affordable housing should be delivered as a 'rural exception site' which, subject to there being demonstrable local need for affordable housing in the Parish, means that even a small site could support the delivery of affordable homes for local people. This approach remains robust to ensure affordable housing can be delivered in the Plan period, and is in accordance with the wishes of the local community. The delivery of the affordable dwellings identified in Policy D2 will however depend on the continued landowner's willingness to bring this site forward.
- 14.20 Policy D2 reflects NPPF guidance in para 54 of the NPPF that states in rural areas Local Planning Authorities should be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing, including though rural exception sites where appropriate.
- 14.21 This approach is also in conformity with the Local Plan where the emphasis is on community led schemes (that have community support as detailed in the Neighbourhood Plan) that meet local need for affordable housing as informed by detailed local need studies and village or parish plans. It also conforms with the government intent to further strengthen neighbourhood planning and give even more power to local people as announced in the recent Queen's Speech and the Housing and Planning Act 2016.
- 14.22 Of particular significance, as outlined throughout this Neighbourhood Plan and stated by Natural England in response to the SEA screening report, the Parish is within an AONB and has a natural environment and landscape that is sensitive to development. Natural England has been insistent in the SEA report that any new development must show it does not have a significantly adverse effect on the landscape and biodiversity of the AONB.
- 14.23 Para 115 of the NPPF likewise states that 'great weight' should be given to conserving the landscape and scenic beauty of the AONB. The conservation of wildlife and cultural heritage are also important considerations. National guidance is that planning permission should be refused except in exceptional circumstances. This national guidance is reiterated in Strategy 46 of the Adopted East Devon Local Plan which further states major development will only be permitted where it can be shown that it cannot be reasonably accommodated elsewhere outside the AONB.
- 14.24 National and local guidance is clear that development should not take place in an AONB that could be provided elsewhere unless there are exceptional circumstances. Providing small scale schemes that incorporate affordable housing for residents who live in the Parish or have a connection to the Parish to meet an identified local need could be seen as an exceptional circumstance. This is only compatible with national guidance if the scheme is small in scale and located and designed to minimise the adverse impact on the AONB, Grade 1 agricultural land and biodiversity.
- 14.25 The evidence below shows there is currently a low need for affordable housing in the Parish and this Neighbourhood Plan has identified an 'exception site' under Policy D2 to meet the currently identified need. It is however intended that a newly

formed Community Land Trust or the Parish Council will carry out a robust housing need survey every 5 years to keep this information up to date.

- 14.26 In 2015 Clinton Devon Estates commissioned a survey in order to provide information requested by EDDC on the housing needs within the Parish. 409 surveys were delivered to parishioners and 115 survey forms were returned. The findings and recommendations were compiled by Bell Cornwell and published in 2016 (<http://planningapps.eastdevon.gov.uk/Planning/GFPlanningDocuments.page>).
- 14.27 In the findings and conclusions section of the report under 'Principal Conclusions' there was a limited need for 3 units of affordable housing in the next 5 years (1 household with a current need and 2 households with a need within 5 years). The requirement was for one 1 bedroom home, one 2 bedroom home and one 3 bedroom home. Although the report states two of these households might be able to afford a shared ownership dwelling, the evidence based on their income levels (stated in paragraph 6.8 of the report) and house prices in the Parish (see East Budleigh with Bickton Housing Need Profile in the supporting documentation) would suggest a need for a 1 bedroom shared ownership dwelling (25% equity) subject to the household having sufficient savings to afford a deposit, a 2 bedroom socially rented dwelling and a 3 bedroom socially rented/affordable rented dwelling or shared ownership dwelling with a 30% equity share (if the householder can afford a deposit).
- 14.28 67 of those replying to the CDE Survey said they would be in favour of a small development of affordable housing for local people. 28 respondents did not answer this question. In Section 4.3 of the Bell Campbell Report respondents were asked for suggestions of where a development could be sited. Of the 67 respondents who were in favour of a small local development, 11 thought a development could be sited on land to the south of Syon House, while 16 thought either Frank's Patch or Carter's Yard would be suitable. The other respondents did not specify a preferred site. In Section 4.4 some residents also stressed that any affordable dwellings built should only meet the identified housing needs of the Parish.
- 14.29 Evidence from the housing needs survey therefore indicates there is currently a need for 3 affordable units over the next 5 years.
- 14.30 In the Local Plan East Budleigh Parish is grouped with the town of Budleigh Salterton for assessing affordable housing needs. The Local Plan states that the specific need within the Parish must be taken into account to justify an affordable housing development in a rural area and regard only need be taken of surrounding Parishes. Policy D2 is explicit in requiring proven need through a robust housing need survey in the Parish of East Budleigh with Bickton to justify the release of a 'rural exception site'. This is considered a robust approach, is in general conformity with the Local Plan and is consistent with the NPPF definition of a 'rural exception site'.
- 14.31 As outlined in paragraph 14.30 Policy D2 does not permit a need in Budleigh Salterton to justify the release of a 'rural exception site' in East Budleigh. This is justified having regard to the following evidence:-

- 1) Budleigh Salterton is not a Parish but a town of 5,291 people with a wide range of facilities and services making it a more sustainable location economically, socially and environmentally.
- 2) Budleigh Salterton is not a designated rural area as defined in the Housing Act of 2006 and it would not be a sustainable or robust approach to release rural 'exception' sites in a small village to meet a need in a town.
- 3) The town can meet its own needs *via* large scale development. The last affordable housing needs survey of Budleigh Salterton in 2011 found a need for 13 affordable housing units. This need has been more than met through the recent building of 19 affordable units and further affordable housing units are planned on another site in the town. This indicates that Budleigh Salterton is able to meet its own needs now and for the foreseeable future.
- 4) The national definition in the NPPF of a 'rural exception site' makes it clear that these sites are meant to address the needs of the local community.
- 5) Under Strategy 35 of the Local Plan, for a 'rural exception scheme' to be permitted the village/small town must have a population that falls below 3000 persons and it should meet an affordable housing need in the locality that would not otherwise be met. Therefore it is not considered a robust approach for identified need in a town such as Budleigh Salterton (that does not meet these criteria), to be used to justify the release of a 'rural exception site' in a rural area such as East Budleigh with Bicton Parish.

14.32 However in conformity with Strategy 35 it is considered that the local letting policy should have regard to Parish grouping. Policy D2 applies a cascade approach that first requires initial and subsequent occupancy of affordable dwellings to be allocated to people resident or with a connection with the Parish who have an affordable housing need. If an occupier cannot be found who meets the criteria in Strategy 35 then the allocation of the affordable dwellings is widened to the Parish Group and subsequently to a person(s) with an East Devon connection.

14.33 The Parish Council therefore considers that the site identified in Policy D2 can meet current need for affordable housing. This means there is currently no evidence to justify any new housing development including 'exception' sites outside the Built-up Area Boundary of the village as defined on the Proposals Map.

### **Community Action 28**

The Parish Council will explore the creation of a Community Land Trust (CLT) to manage assets of importance to the community and to develop and manage any affordable homes built within the Parish. The CLT will also explore ways to retain existing social housing stock (particularly high value Council stock) within the Parish and work with EDDC and Housing Associations to achieve this.

*(Responsibility: - EBBPC)*

14.34 The Parish Council will actively explore the formation of a Community Land Trust (CLT) run by local people to develop and manage community led affordable housing development in the Parish and to manage other assets of importance to the local community. This will enable full advantage of the new rules outlined in the Budget in March 2016, whereby the extra stamp duty paid on second homes will be used to help fund community led affordable housing schemes. A

Community Land Trust will also enable greater control to ensure that affordable dwellings are genuinely affordable and retained in perpetuity for people with a local affordable housing need and a connection with the Parish.

## Dwelling Size

### Policy D3 :- Dwelling Size

Subject to other policies in this plan new development should reflect the need for, and wholly consist of, smaller dwellings having 1, 2 or 3 bedrooms unless viability or other material considerations show a robust justification for larger dwellings.

*(Conformity Reference: Adopted East Devon Adopted Local Plan Strategies 1 and 4; NPPF para 47, 50, 54)*

### Policy Justification

- 14.35 The Neighbourhood Plan survey confirmed overwhelming support for smaller dwellings. The Neighbourhood Plan survey showed 80.5% of the community favoured new dwellings having 2 or 3 bedrooms rather than 4 or 5 bedroom homes (21.7%) or 1 or 2 bedroom flats (21.3%) (NB the question allowed the respondent to give more than one answer).
- 14.36 The 2011 Census information relating to number of bedrooms in dwellings within the Parish is as follows:

Number of bedrooms in dwellings	East Budleigh and Bicton Parish(number)	East Budleigh and Bicton Parish (%)	% East Devon	% England
No bedrooms	0	0.0	0.1	0.2
1 bedroom	14	3.2	7.6	11.8
2 bedrooms	112	25.3	30.0	27.9
3 bedrooms	187	42.3	39.2	41.2
4 bedrooms	89	20.1	17.1	14.4
5+ bedrooms	40	9.0	5.9	4.6

(Source: - 2011 Census - data shows all household spaces with at least one usual resident in the area at the time of the Census. A household space is the accommodation used or available for use by an individual household).

- 14.37 This illustrates that the Parish has an above average number of four and five bedroom properties compared to East Devon District and England. It also shows lower than average levels of smaller properties (1 and 2 bedroom properties). This suggests the principal need in the village based on the current evidence is for 1-2 bedroom dwellings.
- 14.38 Owner occupation is also high in the Parish, well above the equivalent level for England. In particular, a very high proportion of residents own their properties outright. By contrast, the proportion of those living in social rented housing is low compared to the East Devon district and England. However privately rented

accommodation is higher than the equivalent level across the East Devon district and similar to that for England. This is illustrated in the table below:-

Tenure	East Budleigh and Bicton Parish(number)	East Budleigh and Bicton Parish (%)	% East Devon	% England
Owned outright	227	51.4	47.1	30.6
Owned with mortgage or loan	100	22.6	27.8	32.8
Shared Ownership	0	0.00	0.5	0.8
Social rented	24	5.4	9.3	17.7
Privately rented	79	17.9	13.6	16.8
Living Rent free	12	2.7	1.5	1.3

Please note figures are rounded

(Source 2011 Census: - Data shows all people usually resident in the area at the time of the Census living in households. A household is defined as one person living alone, or a group of people (not necessarily related) living at the same address who share cooking facilities and share a living room, sitting room or dining area)

### Location of 'identified' rural exception sites

14.39 In determining the location of sites to accommodate affordable housing under Strategy 35 of the Local Plan and Policy D2 of the Neighbourhood Plan. The East Devon District Strategic Housing Land Availability Assessment 2012 showed four sites for possible development in East Budleigh village. These sites had been promoted for development by the landowner.

- (1) C082: land to the north of East Budleigh village;**
- (2) C058: the Allotments;**
- (3) C059: land to the east of East Budleigh, adjacent to Syon House.**
- (4) C307: Carter's Yard, land to the south of East Budleigh village**

14.40 The Neighbourhood Plan has assessed each of the SHLAA sites and has been mindful of community views and has also been informed by a site sustainability assessment and Landscape Character Assessments. The SHLAA did not identify sites C082 and C058 as developable. C058 was not considered developable through highway access and safety constraints and its prominence in the landscape at a key entrance point to the village. New information has now come forward on site C082 (see paragraph 14.47-14.48)

14.41 The Parish Council circulated a Site Development Questionnaire in 2012 to determine Parish views on preferred site/s to accommodate the 15 dwellings identified as being required by East Devon Council in the emerging East Devon Local Plan (this requirement now removed in the Adopted Local Plan). The results were published on 27<sup>th</sup> November 2012. The Questionnaire sought views on the development of sites (2) – (4) and also 'Frank's Patch', an area of land previously functioning as a nursery but now derelict. The returns showed a preference, if a local need was proven, for the development of Carter's Yard (68.5%) and Frank's Patch (34%) rather than the land adjacent to Syon House (29.5%) and the Allotments (17%)(responses were multi-choice)

14.42 The responses to the Neighbourhood Plan Questionnaire circulated in September/October 2015 and published November 2015 showed the same preference order which was Carter's Yard (35.5%), Frank's Patch (32.7%), the land adjacent to Syon House (14.4%), and the Allotments (12.4%). The evidence showed Carter's Yard and Frank's Patch remained the preferred sites for residential development.

14.43 All the promoted sites and Frank's Patch are within the East Devon AONB and are outside the Built-up Area Boundary of East Budleigh. The Built-up Area Boundary is shown on the Proposals Map and as stated above it is the view of the Parish Council and the Community that there is no pressing need to change the Built-up Area Boundary of East Budleigh.

### **Frank's Patch**

14.44 This site, which is outside the BuAB (this is reconfirmed in EDDC site by site assessment to inform the East Devon Villages Plan, July 2016), was included in the Pre Submission Neighbourhood Plan and was also promoted by the landowner Clinton Devon Estates (CDE), for up to 4 dwellings, during the consultation period. The supporting document 'site sustainability appraisal' identified the site as the most sustainable site when assessed against the sustainability objectives used during the Local Plan process.



14.45 A landscape appraisal of the site submitted to EDDC and Natural England during the Neighbourhood Plan process concluded that the site would have low landscape sensitivity due to its topography and the fact the site is enclosed, contained and not highly visible from view points within the AONB. The site is also in close proximity to the existing built form of East Budleigh and retention of existing boundary vegetation would help mitigate the impacts of development. The document entitled "landscape sensitivity assessments" supplied with the supporting document found that, when all individual landscape sensitivity criteria are taken into account, Frank's Patch was identified as having the least level of landscape sensitivity.

14.46 It is however recognised that the site is covered with vegetation and there are a number of mature trees. It is also possible there are a number of protected species within the site. A key part of any development proposal would be the requirement

for a biodiversity assessment (including detailed tree survey) and where appropriate, the adoption of measures to mitigate any adverse impact on any significant biodiversity that may be identified on the site. EDDC has conducted an initial survey of trees on the site and concluded that a maximum of 3 dwellings could be accommodated on the site.

### **Land north of East Budleigh Village**

- 14.47 An outline Planning Application to develop land to the north of East Budleigh village (Site C082) with three 5 bedroom detached dwellings was submitted to East Devon District Council on 29th February 2016. As stated in paragraph 14.40 the site was identified by EDDC in the SHLAA in 2010 as not suitable for development due to highway constraints and potential flooding problems. The Parish Council did not support this application due to its location outside the Built-up Area Boundary (this is reconfirmed in EDDC site by site assessment to inform the East Devon Villages Plan, July 2016), and its failure to provide affordable housing in accordance with Strategy 35 of the Local Plan and Policy D2 of this Neighbourhood Plan. The proposal for large dwellings was also contrary to Policy D3 of this Neighbourhood Plan. The application was withdrawn.
- 14.48 The site was submitted by the landowners during the pre-submission period, for development of two open market dwellings and two affordable dwellings. In light of this new information the Parish Council would now support a mixed exception affordable and open market scheme on the site, during the Plan Period, if the proposal was modified to meet the requirements of Strategy 35 of the Local Plan and Policy D2.



### **Carter's Yard**

- 14.49 Carter's Yard is outside the BuAB (this is reconfirmed in EDDC site by site assessment to inform the East Devon Villages Plan, July 2016), and is owned by Clinton Devon Estates (CDE). It was put forward by the landowner in the 2012 SHLAA (as a new site). The accompanying documentation indicated the land was available for development in 2016/17. The SHLAA also stated the site was developable and was acceptable from a highway point of view.

14.50 The Pre-Submission Neighbourhood Plan identified the site for a mixed exception affordable and open market site based on:-

- i. the support of the local community
- ii. its sustainability as measured against the East Devon Local Plan sustainability objectives. As detailed in the Neighbourhood Plan supporting documentation in the document entitled “site sustainability appraisal” Carter’s Yard was identified as the second most sustainable site after Frank’s Patch. The Draft East Devon Village Plan in 2014 stated that the site performed better in relation to the sustainability objectives compared to the field below Syon House. This is largely due to the site being located on Grade 3 agricultural land while Syon House site would take away Grade 1 agricultural land. Carter’s Yard would partly redevelop a brownfield site while the Syon House site is greenfield.
- iii. in a landscape appraisal conducted for the Draft East Devon Village Plan 2014 it was concluded all sites would be sensitive to change due to their location in the AONB. The Draft East Devon Village Plan preferred the field adjacent to Syon House to Carter’s Yard due to the latter’s elevated and more prominent position in the AONB and because a site was needed at the time (no longer a requirement) for 15 dwellings. However an individual landscape appraisal of Carter’s Yard stated that the site has a sense of enclosure due to dense hedgerow vegetation and boundary trees and the overall conclusion was “ *the site is in close proximity to the existing built form of East Budleigh and retention of existing boundary vegetation will help mitigate the impacts of development*”. The document entitled “landscape sensitivity assessments” supplied with the supporting document found that when all individual landscape sensitivity criteria are taken into account Carter’s Yard was identified as having the second least level of landscape sensitivity after Frank’s Patch.
- iv. This landscape assessment was supplied to Natural England as part of the SEA and HRA screening undertaken by EDDC. This resulted in a recommendation by EDDC, after reviewing the Pre-Submission Plan that “the plan is amended to ensure that the Plan meets identified needs whilst minimising its impact on the sensitive landscape and environment. We feel this could be achieved by allocating only the footprint of the existing built-up area of the Carters Yard site for 4 dwellings, comprising 3 affordable and 1 open market dwelling”.



Carter's Yard (Site C307)



- 14.51 Four years after the site was put forward for development Clinton Devon Estates (CDE) has now stated as part of the pre-submission consultation that the site is '*unavailable for development and will remain so*'. This is indeed regrettable given that the site has received the most support among the village community for affordable housing if local need was identified.
- 14.52 The Parish Council is minded to continue its support for a mixed exception affordable and open market scheme during the full extent of the Plan Period, on the footprint of the existing built-up area of Carter's Yard, if it met the requirements of Strategy 35 of the Local Plan and Policy D2.

### **Land adjacent to Syon House**

- 14.53 This site is outside the BuAB (this is reconfirmed in EDDC site by site assessment to inform the East Devon Villages Plan, July 2016), and owned by Clinton Devon Estates (CDE). It was put forward by the landowner in the SHLAA. EDDC indicated the site was developable.
- 14.54 In 2014, the East Devon Village DPD – Draft for Consultation endorsed the possibility of development of residential land in East Budleigh for a total of 15 dwellings. East Devon District Council undertook a site evaluation of Carter's Yard and the field below Syon House. The plan decided to allocate the Syon House site C059 for 15 dwellings although it was recognised the site '*is particularly sensitive due to its location in the AONB*'. The allocation has since been withdrawn and no dwellings numbers are now allocated to East Budleigh.
- 14.55 The proposal to develop site C059 has been vigorously rejected by the Parish Council within this Neighbourhood Plan. Strong opposition to the proposal was raised, not least because, in sustainability terms; Carter's Yard (Site C307) performs better than Syon House (CO59). The Syon House site would take away Grade 1 agricultural land while adaptation of Carter's Yard would partly redevelop a brownfield site. Moreover, the Syon House site directly borders the flood zone 2. Both sites are in the East Devon Area of Outstanding Natural Beauty so are sensitive to any development. On balance the East Devon District Council preferred site C059 to site C307 due to the closer proximity of site C059 to village facilities and it's slightly less elevated and prominent position in the landscape.
- 14.56 An outline Planning Application to develop the Syon House site with 21 dwellings was submitted to the East Devon District Council by Clinton Devon Estates on 16<sup>th</sup> December 2014. The Parish Council and ninety individuals raised a series of objections to this outline Planning Application with the majority reconfirming their preference for the development of Carter's Yard. An amendment to this application was submitted to EDDC by Clinton Devon Estates on March 4<sup>th</sup> 2016. The Application detailed plans to build 18 dwellings (12 affordable) on the Syon House site (site C059).
- 14.57 The EBBPC considered this revised proposal on 29<sup>th</sup> March 2016 and remained opposed to this application based on its sustainability compared to other proposed sites and the affordable housing survey that only showed a definite current need for three affordable housing units in the next 5 years. The applicant has now withdrawn the application but has submitted another Application (June 2016) to build 5 dwellings (3 affordable).

14.58 The proposals for the development of this site, and the most recent Application itself, have consistently been vigorously opposed by the Parish Council and a large number of parishioners, for a variety of reasons:-

- a) In sustainability terms, the Draft East Devon Village Plan in 2014 stated that the Carter's Yard site performed better in relation to the sustainability objectives of the Local Plan compared to the field below Syon House as:-
- In relation to the objective "*to promote the conservation and wise use of land and protect and enhance the character of East Devon*" the field below Syon House is located on Greenfield Grade 1 agricultural land compared to Carter's Yard which is on Grade 3 agricultural land and part of this site is on previously developed land. Similarly, Frank's Patch is on Grade 3 agricultural land and is completely unsuitable for agricultural use. The land adjacent to Syon House is still suitable for agricultural use having been used for grazing in the recent past.
  - In relation to the sustainability objective 15 relating to flood risk while the field below Syon House is in Flood zone 1, the access is onto Frogmore Road which is in Flood zone 2/3. When Frogmore road and Budleigh Hill is flooded (which has happened twice in the last 4/5 years) access to, and egress from, the site would be difficult, if not impossible for vehicles and local properties would be at risk of flooding again.
- b) A landscape appraisal was undertaken as part of the East Devon Draft Villages Plan 2014 (EDVP). While CDE quote the EDVP in the comparison of C059 to the Carter's Yard site, they omit other passages from the EDVP. The individual site appraisals on both sites concluded as both sites are in an AONB they are sensitive to change. However while the Carter's Site has sense of enclosure and dense hedgerows the Syon site is an open landform with a sense of openness particular to the north. The site would also be visible, from much-used footpaths in and adjacent to, the Otter Valley to the east. In the document entitled "landscape sensitivity assessments" supplied with the supporting documents when all individual landscape sensitivity criteria are taken into account Carter's Yard and Frank's Patch were identified as having less landscape sensitivity than the field below Syon House.
- c) In relation to the highway merits, the comments regarding the C059 site are inconsistent. Initially it was stated by Devon Council as part of the 2011 SHLAA "*Access to the south would be impractical as the roads are narrow and without footways*". This advice was reiterated on line 5 of the document Draft East Devon Village Plan 2014 under Feedback from other bodies. However on line 14 it states "*C059 is fine as access can be derived from the south*". In the recent planning application on the site Devon County Council stated "*access from the South was possible and while Frogmore Road did not have sufficient visibility in the easterly direction for a road in that direction that has a deregulated national speed limit, if the 30mph speed limit was extended to the east adequate visibility splays could then be achieved*".
- d) The development is on the 'wrong' side of the busy B3178. As shown on the map provided by CDE in its representation, there is no easy access to the village for

pedestrians. All of the Village's amenities - Church, Chapel, Community Shop, School, Church and Village Halls, Little Otters Nursery, Childrens' Playground, both Pubs, Garage, Recreation Ground, and all bus stops are located to the west of the B3178. In contrast Frank's Patch is on the same side of the B3178 as the above amenities.



**Field below Syon House (CO59)**

- 14.59 In summary, taking all the facts and suggestions into account, the Parish Council's view is that, Frank's Patch should be identified in Policy D2 to meet the currently identified affordable housing need in the Parish. In addition, during the Plan period, if land north of Vicarage Road and land on the brownfield footprint of Carter's Yard should become available, a mixed exception affordable and open market scheme meeting the requirements of Strategy 35 and Policy D2 would also be supported.
- 14.60 The Parish will additionally be actively exploring the option to apply for a Community Right to Build Order, for affordable housing, on the identified site in Policy D2 and/or other exception sites that may come forward during the Plan period. This would be subject to reaching a legal agreement with the landowner.
- 14.61 It is also likely that over the next decade a number of new dwellings may be built elsewhere in the Parish and these would be considered as desirable 'windfall' extras, provided that the constructions comply with the Policies outlined in this document.

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