

# Beer Neighbourhood Plan

2014-2031

## Basic Conditions Statement



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Beer Parish Council

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## 1. Introduction

Our Neighbourhood Plan has been produced by Beer Parish Council, as the “qualifying body” with overall responsibility for the preparation, consultation and submission of the Neighbourhood Plan. Material relating to the production of the plan is available on the neighbourhood plan pages of the parish council website at the following website address [http://www.beerparishcouncil.org.uk/BeerParish/beer\\_neighbourhood\\_plan-20304.aspx](http://www.beerparishcouncil.org.uk/BeerParish/beer_neighbourhood_plan-20304.aspx).

The development of the plan and management of the process has been marshalled by a Neighbourhood Plan Steering Group comprised of members of our community and Parish Councillors.

Beer is a rural coastal parish on the south coast of East Devon district with an historic fishing village at its heart. Seaton is in close proximity to the north-east. To the north of Beer mixed farmland stretches to the A3052, the main trunk road from Lyme Regis to Exeter. To the west, towards Branscombe, between the sea and the A3052 there are significant tracts of land used mainly for general agriculture.



Beer’s stunning location and setting, at the centre of the Jurassic Coast, not only make it a very pleasant and desirable place to live and work but also attracts thousands of tourists every year. Our challenge is to ensure that the area develops in a way that protects and enhances all that is special whilst continuing to provide for the needs and demands of the community and visitors in the most sustainable way possible.



There are several layers of protection in place for the parish’s built and natural environment. Much of the village of Beer itself is designated as a Conservation Area (covering 246 properties). A good proportion of the Parish lies within the East Devon Area of Outstanding Natural Beauty (AONB), with areas designated as Coastal Preservation Zone, Sites of Special

Scientific Interest and Special Areas of Conservation. Moreover, the shoreline and cliffs are part of a designated World Heritage Site. These designations acknowledge how special but also how vulnerable our Neighbourhood Plan area is. The East Devon Local Plan along with a number of area-based management plans (such as the East Devon AONB Management Plan and the Shoreline Management Plan) provide a strategic context that goes a long way to establishing the planning framework we require in response to the prevailing National Planning Policy Framework.

The Beer Neighbourhood Plan is the community's planning manifesto which provides the additional detail we believe is necessary to shape existing planning policy and to help to plug a few gaps, which we have identified through a process of community consultation.

## **2. What are the Basic Conditions and why do we need this Statement?**

The "Basic Conditions" are a set of conditions that the neighbourhood plan must pass in order for it to proceed to referendum. In relation to neighbourhood plans, the plan will pass the basic conditions if:

- having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan;
- the making of the plan contributes to the achievement of sustainable development;
- the making of the plan is in general conformity<sup>1</sup> with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
- the making of the plan does not breach, and is otherwise compatible with, EU obligations; and,
- prescribed conditions are met in relation to the plan order and prescribed matters have been complied with in connection with the proposal for the plan.

These requirements (and those for neighbourhood development orders) are formally set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 Act. (as amended by the Localism Act 2011)<sup>2</sup>.

This Basic Conditions Statement is submitted alongside our draft neighbourhood plan. In submitting the Statement, and through its content demonstrated how our plan meets the Basic Conditions, we have satisfied one of the requirements of Regulation 15 (1) of the Neighbourhood Planning (General) Regulations 2012. This Regulation sets out what the parish council, as the "qualifying body" responsible for producing the plan, must submit as part of the neighbourhood plan proposal. These are submitted, alongside this Statement. Regulation 15 (1) states<sup>3</sup> that:

"(1) Where a qualifying body submits a plan proposal to the local planning authority, it must include—

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<sup>1</sup> See <https://www.gov.uk/guidance/neighbourhood-planning--2#General-conformity-with-strategic-policies> "General conformity" is defined there (in National Planning Practice Guidance, paragraph 74, reference ID 41-074-20140306, revision date 06-03-14) as "When considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority, should consider the following: whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with; the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy; whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy; and, the rationale for the approach taken in the draft neighbourhood plan or Order and the evidence to justify that approach."

<sup>2</sup> See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/10/enacted> They are also set out in the National Planning Practice Guidance at <http://planningguidance.planningportal.gov.uk/blog/guidance/neighbourhood-planning/the-basic-conditions-that-a-draft-neighbourhood-plan-or-order-must-meet-if-it-is-to-proceed-to-referendum/>

<sup>3</sup> See <http://www.legislation.gov.uk/uksi/2012/637/regulation/15/made>

- (a) a map or statement which identifies the area to which the proposed neighbourhood development plan relates;
- (b) a consultation statement;
- (c) the proposed neighbourhood development plan; and
- (d) a statement explaining how the proposed neighbourhood development plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Act.” (i.e. this Statement).

Following this introduction, the Statement sets out:

- where our Neighbourhood Area is and how this was established;
- a summary of why we need our Neighbourhood Plan;
- how we have complied with relevant legislation;
- a summary of the content of our Neighbourhood Plan proposal; and,
- an explanation of how our Neighbourhood Plan meets the Basic Conditions.

### **3. Our Neighbourhood Area**

The first formal part of the process of developing our Neighbourhood Plan was the confirmation of our Neighbourhood Area, or the area for which the parish council, as the “qualifying body” for neighbourhood planning activity will have the right to produce a plan for. Our application to designate the Neighbourhood Area was submitted, as required by Regulation 5 of the Neighbourhood Planning (General) Regulations 2012, to East Devon District Council as the local planning authority and approved by them following consultation on 3<sup>rd</sup> October 2013<sup>4</sup>.

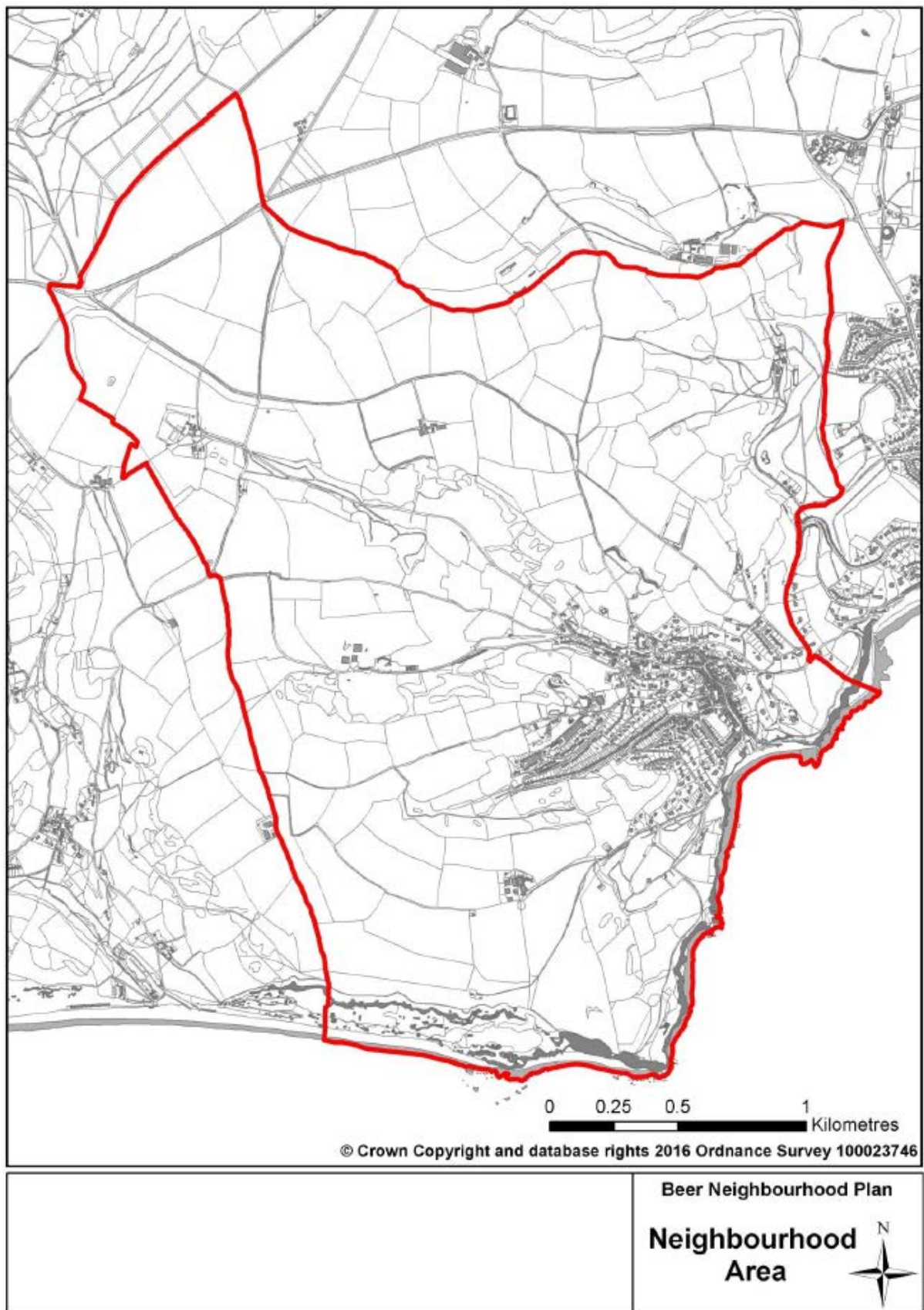
Our approved Neighbourhood Area is the same as the parish boundary and is set out over the page in Figure 1.

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<sup>4</sup> The application and EDDC Cabinet meeting decision are appended to this Statement.



**Figure 1 – Approved Neighbourhood Area**





## 4. Why do we need a Neighbourhood Plan?

Our justification for producing the plan is set out in the introductory sections of the plan itself culminating in the vision, aims and objectives which have been developed and shaped from evidence and community consultation. In summary, the main reasons for producing a neighbourhood plan were as follows:

- We wanted to have some control over local planning matters and decisions and our community wanted particularly to develop its own local planning policies so that we can have an influence over the type, scale, design and form of development which may come forward in the parish during the plan period;
- We wanted to preserve the village “atmosphere” of Beer;
- We wanted to help ensure that housing developed is for local people;
- We wanted to develop a plan which protects and enhances our countryside and natural environment in order to maintain the special character of our surrounding landscape;
- We wanted to have a say in shaping the future of our parish including how our valued assets are protected, maintained and enhanced and how we can help to ensure that our services and facilities are sustained into the future;
- We wanted to support and strengthen our village centre and support the local economy of the parish;
- We wanted to continue to support and provide a wide range of community sport and recreation facilities and to enable their improvement; and,
- We wanted to gain the opportunity to draw in 25% of Community Infrastructure Levy (CIL) receipts paid to the local authority by developers (arising from qualifying development in our parish)<sup>5</sup>.

Having explored the issues and identified the key messages and things of importance to the community, our plan has set out a clear vision, aims and objectives, reproduced in the following pages.

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<sup>5</sup> See <http://eastdevon.gov.uk/planning/planning-policy/infrastructure-provision-and-community-infrastructure-levy/community-infrastructure-levy-policy/> for further details on the CIL.

## A Vision for Beer

In consultation with the parish the community looks to provide:

- A strong sense of identity; Beer is regarded as an historic fishing village around which the traditional buildings, the working beach and local heritage unites all residents
- Community spirit; set around village events in which local residents and businesses participate to encourage participation by young and old, locals and tourists
- Attractive and vibrant village centre that is accessible for all residents and visitors; regularly nominated for its beauty Beer provides a welcome haven that promotes a sense of pride
- Pedestrian friendly paths to enable easy access to the countryside and its walking routes
- Safe, convenient and sustainable transport links
- Support for the growing population with essential services such as the school, local businesses and affordable homes
- Community led development; to respect the unique village character and protect our high quality natural environment and wildlife
- Safe highways; resolving parking and highway issues to the benefit of residents and businesses
- Improved facilities for young people; providing areas of safety within the parish for our future generations

Our vision for the parish represents our view of what we would like the parish to be like in the future by the time that the plan reaches its end date. The vision is a representation of the aims of our plan, the things we would like to achieve, which have been derived from local community consultation and other evidence.

## Natural Environment

### Aims

Aim 1: Protect and enhance the natural environment, its ecology and bio-diversity.

Aim 2: Minimise the impact of new developments.

### Objectives

Objective 1.1: Protect and enhance wildlife conservation sites.

Objective 1.2: Encourage measures to improve biodiversity.

Objective 1.3: Protect historic and natural features such as Devon Banks, hedges and trees.

Objective 1.4: Improve public access to the natural environment.

Objective 2.1: Prevent development on or near the skyline.

Objective 2.2: Ensure that new development has a minimal impact on the natural environment.

Objective 2.3: Ensure new development and technology does not cause undue visual intrusion and require whenever possible the undergrounding of cables and facilities.

## Maritime and Shoreline

### Aims

Aim 3: Ensure the beach and its facilities remain suitable for those who wish to use it for work or pleasure.

Aim 4: Provide high quality facilities and amenities (to enhance the visitor experience) that are in-keeping with their surroundings.

### Objectives

Objective 3.1: Support development and change of use only where it is in-keeping with the vision of Beer as an Historic Fishing Village on the Jurassic Coast.

Objective 3.2: Protect the businesses on the beach and the cliffs from erosion.

Objective 3.3: Ensure that the concrete groyne is properly maintained.

Objective 3.4: Support and facilitate marine conservation measures.

Objective 4.1: Ensure any new development is of a very high standard and in-keeping with the vision for Beer, the Beach and its setting.

Objective 4.2: Ensure that good public access is maintained to the Beach and the surrounding public spaces and play areas.

Objective 4.3: Encourage marine activities such as commercial fishing, conservation, swimming, sailing, rowing and similar sports.

## Heritage and Built Environment

### Aims

Aim 5: Establish the limits of development.

Aim 6: Encourage and support good design recognising local characteristics while not ignoring contemporary ideas.

Aim 7: Support more outdoor activities.

Aim 8: Encourage small scale renewable energy installations wherever they are appropriate.

### Objectives

Objective 5.1: Maintain a tight development boundary in the direction of Seaton to prevent the merging of the two communities either actual or perceived.

Objective 5.2: Ensure there is no building to the east of existing built-up area boundary (and ensure a green wedge between Beer and Seaton).

Objective 5.3: Ensure that all new development sites are of an appropriate scale in-keeping with surroundings (i.e. number of dwellings) but adequate in space standards.

Objective 5.4: Support development where it provides affordable homes conditioned for local occupancy.

Objective 6.1: Insist on traditional design in the Conservation Area.

Objective 6.2: Ensure the design of new development is of a high standard.

Objective 6.3: Allow dormer windows with pitched roofs.

Objective 6.4: Allow extensions where they comply with the agreed design standards.

Objective 6.5: Promote the use of local materials such as Beer stone, flint and chert and resist block walls or render.

Objective 7.1: Allow pavements to be used for business purposes e.g. tables for cafes.

Objective 8.1: Encourage solar panels where not visually intrusive. In the Conservation Area, only support them where they do not detract from the visual appearance of Beer.

Objective 8.2: Small-scale wind turbines will be supported in principle, but only outside the built-up area and where they will not compromise the beauty and value of the Jurassic Coast & AONB.

## Housing

### Aims

Aim 9: Increase accessibility and affordability to housing for local people.

Aim 10: Support a supply of smaller dwellings to meet local needs.

### Objectives

Objective 9.1: Support development where it demonstrates it is fulfilling an identifiable local housing need.

Objective 9.2: Ensure provision of an appropriate mix of dwelling sizes, tenures and external space.

Objective 9.3: Ensure new dwellings are designed to be compatible with their immediate surroundings.

Objective 9.4: Support the development of affordable rental and shared equity/ownership housing.

Objective 9.5: Ensure that all housing developments provide at least the maximum proportion of affordable housing required by local plan policies and that rents or sales mechanisms are in line with national guidance.

Objective 9.6: Control the allocation of affordable housing to give people with local connections highest priority.

Objective 9.7: Support community initiatives including CLT's and other community housing schemes.

Objective 10.1: Support sympathetic conversions and extensions.

Objective 10.2: Ensure special needs (including the requirements of the elderly) are given appropriate consideration in the design of buildings and developments.

Objective 10.3: Allow conversions/change of use from commercial to residential, but only where the commercial use is proven to be no longer viable.

## Transport and Parking

### Aims

Aim 11: Reduce on-street parking and the impact of the motor vehicle where possible, and improve accessibility through support to public and community transport initiatives.

### Objectives

Objective 11.1: Protect existing car park facilities and parking numbers and improve parking services.

Objective 11.2: Support efforts to create more off-street private parking.

Objective 11.3: Ensure all new development incorporates easy access for pedestrians and cyclists, and mobility vehicles to village, countryside and public spaces.

## Business and Jobs

### Aims

Aim 12: Support local employment.

Aim 13: Support the provision of reliable and high-speed connectivity.

Aim 14: Protect the local retail sector.

### Objectives

Objective 12.1: Support and protect existing employment areas.

Objective 12.2: Encourage further business development in appropriate locations.

Objective 12.3: Support applications to convert existing facilities to increase or create employment opportunities.

Objective 12.4: Support changes of use from one employment class to another providing this is not damaging to the wider domestic, commercial or natural environment.

Objective 13.1: Support applications for installation of necessary infrastructure to allow roll out of super-fast broadband where it is not to the detriment of the historic or natural environment.

Objective 14.1: Resist change of use from business and commercial classifications to residential or other use classifications unsuited to the location.

Objective 14.2: Control the design and redevelopment of shop fronts to retain a style and scale in-keeping with a village environment.

Objective 14.3: Support the development or redevelopment of new commercial premises within the established commercial area of Fore Street.

Objective 14.4: Allow conversion from residential to commercial in Fore Street.

Objective 14.5: Support new business where it provides diversification from the current commercial opportunities and is in-keeping with the local area.

## Community Facilities and Services

### Aim

Aim 15: Support the development and provision of local services.

### Objectives

Objective 15.1: Protect existing community assets for the continued use and enjoyment of the community.

Objective 15.2: Improve physical access to existing facilities and encourage use of local services.

Objective 15.3: Support private and community provision of services and facilities to be provided for the benefit of the community.

Objective 15.4: Promote and encourage the use of private, public and community land and facilities for use by and benefit of the community.

## Sports and Recreation

### Aims

Aim 16: Improve the provision of sport and recreation opportunities in the Parish.

Aim 17: Provide facilities for children and young people.

### Objectives

Objective 16.1: Protect and enhance existing facilities.

Objective 16.2: Support the development of indoor sports facilities and opportunities for all ages.

Objective 16.3: Provide sports facilities in locations preferred and indicated by the community whenever possible.

Objective 16.4: Ensure standard of facilities, at time of development, and ongoing maintenance are in line with national guidelines.

Objective 17.1: Support the provision of new facilities following consultation with the specific age groups.

Objective 17.2: Provide additional play areas and equipment related to the needs of the specific age groups.

## Tourism

### Aims

Aim 18: Extend the tourist season in ways that preserve and enhance the established character of Beer as a tourist destination.

Aim 19: Introduce new facilities commensurate with the established character of Beer.

### Objectives

Objective 18.1: Increase and promote additional events for community enjoyment and to encourage tourism.

Objective 18.2: Encourage the temporary and alternative use of private and community assets to support tourism.

Objective 18.3: Create and promote schemes that reinforce the established character of Beer as a tourist destination as well as promoting new elements.

Objective 19.1: Support the development of new tourism facilities providing they do not harm the existing natural and historic environment.

Objective 19.2: Resist tourism-related development that would detract from the established character of Beer.

Objective 19.3: Support the development of new hotels or guest houses where a demand can be demonstrated.

Objective 19.4: Resist the loss or change of use of existing holiday facilities unless non-viability can be proven.

Objective 19.5: Support change where it introduces new uses that enhance the tourism offering of Beer.

Objective 19.6: Ensure all development contributes to the economic and social sustainability of Beer.



## **5. Summary of Compliance with Legislation**

This section sets out how our Neighbourhood Plan and process has complied with the requirements set out in the Neighbourhood Plan regulations.

### **5.1 *Qualifying Body***

A “qualifying body” is defined by Section 38A(12) of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act<sup>6</sup> as “a parish council, or an organisation or body designated as a neighbourhood forum, authorised for the purposes of a neighbourhood development plan to act in relation to a neighbourhood area...”.

Section 38A(1) of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act<sup>7</sup> sets out the qualifying body’s entitlement to prepare a Neighbourhood Plan. It states that:

“(1) Any qualifying body is entitled to initiate a process for the purpose of requiring a local planning authority in England to make a neighbourhood development plan.”

We confirm that the Neighbourhood Plan has been prepared by Beer Parish Council as the “qualifying body” for the purposes of Neighbourhood Planning.

### **5.2 *Neighbourhood Area***

The Neighbourhood Area (as shown in Figure 1 above) was applied for and approved through the process set out in the Neighbourhood Planning (General) Regulations 2012 (Regulations 5 to 7)<sup>8</sup>. Both the application and the approval / decision notice are appended to this Statement (Appendices 1 and 2).

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<sup>6</sup> See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

<sup>7</sup> See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

<sup>8</sup> See <http://www.legislation.gov.uk/uksi/2012/637/regulation/5/made>

### **5.3 What a Neighbourhood Plan is and the Content of the Neighbourhood Plan**

Section 38A(2) of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act<sup>9</sup> sets out the meaning of “neighbourhood development plan”. It states that:

“(2) A “neighbourhood development plan” is a plan which sets out policies (however expressed) in relation to the development and use of land in the whole or any part of a particular neighbourhood area specified in the plan.”

Section 38B(1) of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act<sup>10</sup> sets out what the Plan may include. It states that:

“(1) A neighbourhood development plan—

- (a) must specify the period for which it is to have effect,
- (b) may not include provision about development that is excluded development, and
- (c) may not relate to more than one neighbourhood area.”

“Excluded development” is defined in Section 68K of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act<sup>11</sup> as:

- “(a) development that consists of a county matter within paragraph 1(1)(a) to (h) of Schedule 1,
- (b) development that consists of the carrying out of any operation, or class of operation, prescribed under paragraph 1(j) of that Schedule (waste development) but that does not consist of development of a prescribed description,
- (c) development that falls within Annex 1 to Council Directive [85/337/EEC](#) on the assessment of the effects of certain public and private projects on the environment (as amended from time to time),
- (d) development that consists (whether wholly or partly) of a nationally significant infrastructure project (within the meaning of the Planning Act 2008),
- (e) prescribed development or development of a prescribed description, and
- (f) development in a prescribed area or an area of a prescribed description.”

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<sup>9</sup> See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

<sup>10</sup> See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

<sup>11</sup> See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

Section 38B(2)<sup>12</sup> states that:

“(2) Only one neighbourhood development plan may be made for each neighbourhood area.”

In response to these requirements, we confirm that:

- our Neighbourhood Plan covers the period 2014 to 2031 aligning with the plan period of the adopted Local Plan;
- our Neighbourhood Plan is the only Neighbourhood Plan for the parish of Beer;
- our Neighbourhood Plan does not contain policies relating to “excluded development”;
- our Neighbourhood Plan relates only to the defined Neighbourhood Area set out in Figure 1 above; and,
- our Neighbourhood Plan sets out policies in relation to the development and use of land.

#### **5.4 Submission Documents**

As referred to earlier in this Statement, all the documents required for submission by Regulation 15(1) of the Neighbourhood Planning (General) Regulations are included in the submission package for the Neighbourhood Plan.

#### **5.5 Basic Conditions**

As referred to earlier in this Statement, we consider that all of the Basic Conditions (set out in of paragraph 8(2) of Schedule 4B to the 1990 Act (as amended) by the Localism Act 2011.<sup>13</sup>) have been met, as demonstrated in this Statement.

### **6. Content of Our Neighbourhood Plan Proposal**

To comply with the requirements of Regulation 15 (1) of the Neighbourhood Planning (General) Regulations 2012<sup>14</sup>, and to provide sufficient material to help demonstrate that the Basic Conditions have been met, the following documents have been submitted to the local authority:

- The Neighbourhood Plan (which includes a map and statement which identifies the area to which our plan relates);
- Our Basic Conditions Statement (this document);

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<sup>12</sup> See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

<sup>13</sup> See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/10/enacted> They are also set out in the National Planning Practice Guidance at <http://planningguidance.planningportal.gov.uk/blog/guidance/neighbourhood-planning/the-basic-conditions-that-a-draft-neighbourhood-plan-or-order-must-meet-if-it-is-to-proceed-to-referendum/>

<sup>14</sup> See <http://www.legislation.gov.uk/uksi/2012/637/regulation/15/made>

- Our Consultation Statement;
- A report of the Strategic Environmental Assessment (SEA);
- A report of the Habitats Regulation Assessment (HRA); and,
- The Beer Village Design Statement (as an integral part of the Plan).

Supporting evidence base documents have not been formally submitted but are available to view on the neighbourhood plan website<sup>15</sup>.

## **7. How our Neighbourhood Plan meets the Basic Conditions**

The following section sets out how we believe the Plan meets the Basic Conditions.

### ***7.1 Having regard to national policies and advice contained in guidance issued by the Secretary of State***

We have undertaken the Plan's development in a way consistent with good practice (from talking to other parishes working on their neighbourhood plan in the district and helped by our advisory consultant's knowledge of the process and experience supporting other groups<sup>16</sup>), the various Locality produced guidance notes (such as the Roadmap<sup>17</sup>) and also following the guidance on process and legal requirements set out in the Government's National Planning Practice Guidance<sup>18</sup>.

Our evidence base reports<sup>19</sup> (which document relevant national and local authority planning policies as well as other data and research) demonstrate that we have sought to:

- i) understand the planning policy framework within which we have had to work; and,
- ii) find or develop evidence to support the aims and objectives identified through wide consultation.

This has then been applied to the development of our policies, which were in turn, scrutinised by East Devon District Council officers to provide comments on alignment with the policies in the adopted Local Plan prior to drafting the Plan itself.

Our consultation process fulfils the requirements set out in neighbourhood planning Regulations (as detailed in our Consultation Statement).

<sup>15</sup> See [http://www.beerparishcouncil.org.uk/BeerParish/beer\\_neighbourhood\\_plan-20304.aspx](http://www.beerparishcouncil.org.uk/BeerParish/beer_neighbourhood_plan-20304.aspx)

<sup>16</sup> Stuart Todd Associates Ltd. ([www.stuarttoddassociates.co.uk](http://www.stuarttoddassociates.co.uk)) have advised us at various stages during the Plan's development.

<sup>17</sup> See <http://locality.org.uk/resources/neighbourhood-planning-roadmap-guide/>

<sup>18</sup> See <https://www.gov.uk/guidance/neighbourhood-planning--2>

<sup>19</sup> See [http://www.beerparishcouncil.org.uk/BeerParish/beer\\_neighbourhood\\_plan-20304.aspx](http://www.beerparishcouncil.org.uk/BeerParish/beer_neighbourhood_plan-20304.aspx) and <http://www.beerparishcouncil.org.uk/BeerParish/UserFiles/Files/np/Beer%20Neighbourhood%20Plan%20Local%20Evidence%20Report%20-%20November%202014.pdf>

The following table sets out how we consider the Plan has had regard to national policies and advice contained in guidance issued by the Secretary of State. The third column below supplements and tries not simply to repeat extensive extracts of the supporting text for the policies in the neighbourhood plan which provide the detailed justification and rationale behind the policies. We believe that our neighbourhood plan meets the core principles set out in the National Planning Policy Framework and, in alignment with the first core principle is, “....genuinely plan-led, empowering local people to shape their surroundings... setting out a positive vision for the future of the area”.

The policies in our submission plan are reproduced in an appendix to this Statement for ease of reference.

| National Planning Policy Framework / Guidance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | How has the Neighbourhood Plan had regard to national policies and advice?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
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| <p>NPPG, ID 41</p> <p>“Provides advice on the neighbourhood planning system introduced by the Localism Act including key stages and decisions (e.g. deciding neighbourhood areas, the legal tests for neighbourhood plans, and the process of independent examination and referendum).”</p> <p>(<a href="http://planningguidance.planningportal.gov.uk/blog/guidance/neighbourhood-planning/">http://planningguidance.planningportal.gov.uk/blog/guidance/neighbourhood-planning/</a>)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <p>The NPPG section on “Neighbourhood Planning” was utilised to ensure that we followed due process and requirements set out in legislation and the NPPF.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p>Paragraph 16, NPPF</p> <p>“The application of the presumption [in favour of sustainable development] will have implications for how communities engage in neighbourhood planning. Critically, it will mean that neighbourhoods should:</p> <ul style="list-style-type: none"> <li>• develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development;</li> <li>• plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan; and</li> <li>• identify opportunities to use Neighbourhood Development Orders to enable developments that are consistent with their neighbourhood plan to proceed.”</li> </ul> <p>Paragraph 184, NPPF</p> <p>“Neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community. The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date Local Plan is in place as quickly as possible. Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood plans and orders should not promote less development than set out in the Local Plan or undermine its strategic policies.”</p> | <p>We have developed our plan taking into account the adopted new Local Plan (and tracked its progress and content as it was emerging) to ensure that the ‘direction of travel’ of spatial strategy in East Devon, as it affects Beer, is understood and formed the context for our consultations and policies. We have ensured that officers at East Devon District Council have seen key outputs and drafts of the plan and process with general conformity with the strategic policies in mind. A section later in this statement sets out how we consider that our policies and plan are in general conformity with the strategic policies of the adopted Local Plan.</p> <p>We have planned positively to support local sustainable development within the context of:</p> <ul style="list-style-type: none"> <li>• national policies which provide the overall planning policy framework for our plan;</li> <li>• the strategic policy framework set by the Local Plan;</li> <li>• written evidence (other policies, data, studies, research, etc.);</li> <li>• local consultation and the desires of our community; and,</li> <li>• recognising the highly valued high quality natural environment.</li> </ul> <p>There has been no desire or need to identify Neighbourhood Development Orders in the parish at this stage.</p> |



| National Planning Policy Framework / Guidance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | How has the Neighbourhood Plan had regard to national policies and advice?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
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| <p>Paragraph 185, NPPF<br/>“Outside these strategic elements, neighbourhood plans will be able to shape and direct sustainable development in their area.”</p>                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <p>Paragraph 17, NPPF (Core Principles of planning)<br/>“Planning should be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up-to-date, and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency”</p> | <p>A positive vision has been developed, derived from the aims and objectives, which were identified from local consultation and analysis of written evidence. Our consultation throughout the process has provided local people with the opportunity to engage with the process of developing the plan, from its inception through to the drafting of the policies and plan itself. We have drafted our policies in a way which provides positive criteria to aid the practical consideration of planning applications whilst also setting out a clear framework of how our high quality and valued environment should be respected and could be enhanced now and in the future.</p> <p>We have shared both our intentions and the draft plan itself with strategic and statutory consultees to help identify any larger than local issues with which our plan may need to deal with.</p> <p>The wording of our policies has been ‘tested’ by planning officers at East Devon District Council, and we anticipate therefore, that they can be used effectively as a practical framework in the planning system’s decision making process.</p> |
| <p>Paragraph 17, NPPF (Core Principles of planning)<br/>“Planning should not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives”</p>                                                                                                                                                                                                                                                                                                              | <p>Our Consultation Statement sets out how we have been creative and inclusive in our approach to the development of the plan and how we have explored ways to enhance and improve our parish for the benefit of the local community.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <p>Paragraph 17, NPPF (Core Principles of planning)<br/>“Planning should ...take account of the different roles and character of different areas....recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it”</p> <p>Paragraph 17, NPPF (Core Principles of planning)<br/>“Planning should ...contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should</p>                                               | <p>Our plan recognises the different roles and character of different areas and the importance of our rural countryside, coast and natural environment. Consultation with our local community demonstrated a desire to protect and maintain the high quality of our local natural environment and the setting of Beer village, aligning with the recognised status of much the parish being within the East Devon Area of Outstanding Natural Beauty (AONB).</p> <p>Our written evidence base has set out land use designations and constraints, and</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

| National Planning Policy Framework / Guidance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | How has the Neighbourhood Plan had regard to national policies and advice?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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| <p>prefer land of lesser environmental value, where consistent with other policies in this Framework”</p> <p>Paragraph 109, NPPF<br/> “The planning system should contribute to and enhance the natural and local environment by:</p> <ul style="list-style-type: none"> <li>• protecting and enhancing valued landscapes, geological conservation interests and soils;</li> <li>• recognising the wider benefits of ecosystem services;</li> <li>• minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;</li> <li>• preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and</li> <li>• remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.”</li> </ul> | <p>the plan itself also makes these points where they are required to help justify our policies.</p> <p>Our policy NE1 seeks to provide an additional local layer of protection to that provided by national and Local Plan policies, specific to our parish setting out criteria which guide what constitutes appropriate development without compromising our valued natural environment and landscape. Policy NE1 sets the policy context for NE2 and NE3 which set out policy and locally important areas in relation to wildlife and natural historic features. These policies respond positively to the conservation and enhancement of the natural environment envisaged by the NPPF.</p> <p>Main relevant policies:<br/> Policy NE1 – Development and the Natural Environment<br/> Policy NE2 – Locally Important Wildlife Sites<br/> Policy NE3 – Protecting Historic Natural Features</p> |
| <p>Paragraph 75, NPPF<br/> “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 including National Trails.”</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <p>Connecting to NE1 – NE3, policies NE4 and NE5 introduce the importance of access to our local environment and the maintenance of good accessibility to our local (and wider) environment, given the importance not only to local people but also to visitors. Our plan therefore recognises the clear links between quality and good accessibility with leisure, health and the local economy.</p> <p>Main relevant policies:<br/> Policy NE4 – Improving Access to the Natural Environment<br/> Policy NE5 - Rights of Way and Other Access (footpaths, pavements, bridleways and cycleways)</p>                                                                                                                                                                                                                                                                                                |
| <p>Paragraph 17, NPPF (Core Principles of planning)<br/> “Planning should... proactively drive and support sustainable economic</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <p>We have been careful to recognise the balance between protecting and enhancing our coastal environment with making the most of our natural and</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

| National Planning Policy Framework / Guidance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | How has the Neighbourhood Plan had regard to national policies and advice?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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| <p>development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs...”</p> <p>Paragraph 28, NPPF<br/> “Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:</p> <ul style="list-style-type: none"> <li>● support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;</li> <li>● promote the development and diversification of agricultural and other land-based rural businesses;</li> <li>● support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres; and</li> <li>● promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.”</li> </ul> <p>Paragraph 106, NPPF<br/> “Local planning authorities should reduce risk from coastal change by avoiding inappropriate development in vulnerable areas or adding to the impacts of physical changes to the coast...”</p> <p>Paragraph 114, NPPF<br/> “Local planning authorities should... maintain the character of the undeveloped coast, protecting and enhancing its distinctive landscapes, particularly in areas defined as Heritage Coast, and improve public access to and enjoyment of the coast”</p> | <p>infrastructure assets for the benefit of residents, businesses and visitors alike. It is the combination of a thriving working coastal community and our tourism economy which make Beer what it is. We support the development of our local economy but within the context of the need to protect and enhance our assets. Policies MS1, MS5, MS6 and MS7 therefore seek to protect the coastal infrastructure, facilities and assets while supporting appropriate forms of development and redevelopment in these areas to help sustain existing and new development to support the economy where they are of appropriate form and scale.</p> <p>Main relevant policies:<br/> Policy MS1 – Beer Beach<br/> Policy MS5 – High Quality Visitor Facilities and Amenities<br/> Policy MS6 – Access to the Beach and Connected Public Areas<br/> Policy MS7 – Marine-related Activities</p> |

| National Planning Policy Framework / Guidance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | How has the Neighbourhood Plan had regard to national policies and advice?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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| <p>Paragraph 17, NPPF (Core Principles of planning)<br/> “Planning should... support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy)”</p> <p>Paragraph 105, NPPF<br/> “In coastal areas, local planning authorities should take account of the UK Marine Policy Statement and marine plans and apply Integrated Coastal Zone Management across local authority and land/sea boundaries, ensuring integration of the terrestrial and marine planning regimes.”</p>                                                                                           | <p>As a coastal community, our plan recognises the need to introduce specific policies to provide a local planning policy framework to enable development appropriate to defend against coastal erosion and maintain sea defence (through policies MS2 and MS3).</p> <p>We have been cognisant of the UK Marine Policy Statement 2011, the South West Marine Plan 2016 and Shoreline Management Plan Review (including Natural England’s proposed Special Area of Conservation) and have developed policy MS4 as a supportive land-use policy to help facilitate and enhance marine conservation subject to proposals not harming the coastal environment.</p> <p>Main relevant policies:<br/> Policy MS2 – Coastal Erosion<br/> Policy MS3 – Groyne<br/> Policy MS4 – Marine Conservation</p>                                                   |
| <p>Paragraph 17, NPPF (Core Principles of planning)<br/> “Planning should ...take account of the different roles and character of different areas....recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it”</p> <p>Paragraph 17, NPPF (Core Principles of planning)<br/> “Planning should ...contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework”</p> <p>Para 106, NPPF<br/> “Local planning authorities should reduce risk from coastal change by avoiding inappropriate development in vulnerable areas or adding to the impacts of physical changes to the coast....”</p> | <p>Led by both our written evidence base and local consultation, through policy NE1, we have sought to understand and protect the natural environment and landscape characteristics of the parish. Our evidence base also identifies the particular importance of the landscape between Beer village and neighbouring Seaton. It is important for the character and identity of Beer (and therefore the sustainability of the community and its economy into the future) that the current degree of separation between the two settlements is maintained. Policy HBE1 seeks to do this and responds positively to NPPF policy by protecting not just the integrity of the village and character of the landscape but also the value and character of the undeveloped coast.</p> <p>Main relevant policies:<br/> Policy HBE1 – Beer Local Gap</p> |

| National Planning Policy Framework / Guidance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | How has the Neighbourhood Plan had regard to national policies and advice?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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| <p>Paragraph 109, NPPF<br/> “The planning system should contribute to and enhance the natural and local environment by:</p> <ul style="list-style-type: none"> <li>● protecting and enhancing valued landscapes, geological conservation interests and soils;</li> <li>● recognising the wider benefits of ecosystem services;</li> <li>● minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;</li> <li>● preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and</li> <li>● remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.”</li> </ul> <p>Paragraph 114, NPPF<br/> “Local planning authorities should... maintain the character of the undeveloped coast, protecting and enhancing its distinctive landscapes, particularly in areas defined as Heritage Coast, and improve public access to and enjoyment of the coast”</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <p>Paragraph 17, NPPF (Core Principles of planning)<br/> “Planning should... always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.”</p> <p>Paragraph 58, NPPF<br/> “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...”</p> <p>Paragraph 17, NPPF (Core Principles of planning)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <p>One of the key areas of focus for our local policies has been to ensure that high quality design is central to any new development which takes place in the parish. We have addressed this through policy HBE2 and set out specific criteria that development should comply with to ensure proposals are of high quality design in the Beer context.</p> <p>Our plan recognises that heritage and the built character of our parish is very important and should be protected as part of the fabric of our area and within the context of what constitutes high quality design in Beer. Our evidence base has identified and clearly recognised the importance of our heritage assets in the parish and policy HBE2 signposts the need for development proposals to adhere</p> |

| National Planning Policy Framework / Guidance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | How has the Neighbourhood Plan had regard to national policies and advice?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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| <p>“Planning should... conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations”</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <p>to guidelines in the Beer Village Design Statement produced in 2006 (and reviewed in terms of its continuing “fitness for purpose” during the plan period as part of the neighbourhood plan process)..</p> <p>Main relevant policies:<br/>Policy HBE2 – High Quality Design<br/>Policy B4 - Shopfronts</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <p>Paragraph 75, NPPF<br/>“Planning policies should protect and enhance public rights of way and access...”</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <p>Our policy HBE3 recognises the importance of good access within the existing built environment in Beer village, requiring proposals for street seating and other pavement “infrastructure” associated with businesses in the village should take into account the need for good pedestrian access (where those proposals require planning permission).</p> <p>Main relevant policies:<br/>Policy HBE3 – Sharing use of Pavements for Business and the Social Economy</p>                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p>Paragraph 97, NPPF<br/>“To help increase the use and supply of renewable and low carbon energy, local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources. They should:</p> <ul style="list-style-type: none"> <li>• have a positive strategy to promote energy from renewable and low carbon sources;</li> <li>• design their policies to maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts;</li> <li>• consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources;</li> <li>• support community-led initiatives for renewable and low carbon energy, including developments outside such areas being taken forward through neighbourhood planning; and</li> <li>• identify opportunities where development can draw its energy supply from</li> </ul> | <p>Our consultation and evidence base has identified a lack of support in community and landscape terms for large scale review and low carbon development proposals. However, we are clear that we support the policy intentions of the NPPF and our policy HBE4 responds positively to community and small scale proposals for renewable and low carbon energy generation where certain criteria are met, to ensure that our natural, built and amenity characteristics are respected.</p> <p>We consider that we have recognised the importance of transition to a low carbon future through our policy which seeks a balance between acceptability of proposals and sensitivity in relation to our high quality natural environment, landscape and amenity enjoyed by the community.</p> <p>Main relevant policies:<br/>Policy HBE4 – Renewable and Low Carbon Energy</p> |



| National Planning Policy Framework / Guidance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | How has the Neighbourhood Plan had regard to national policies and advice?                                                                                                                                                                                                                                                          |
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| <p>decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.”</p> <p>Paragraphs 123 and 125, NPPF<br/> “Planning policies and decisions should aim to:</p> <ul style="list-style-type: none"> <li>● avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;</li> <li>● mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;</li> <li>● recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established; and</li> <li>● identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.”</li> </ul> <p>“By encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.”</p> <p>Paragraph 17, NPPF (Core Principles of planning)<br/> “Planning should... support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy)”</p> |                                                                                                                                                                                                                                                                                                                                     |
| <p>Paragraph 17, NPPF (Core Principles of planning)<br/> “Planning should... proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs...”</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <p>We have recognised the need in our parish to respond to local housing needs, the scale of which was identified and consulted upon historically through Local Plan consultation in 2012 and (for affordable housing requirements) through our housing needs assessment in 2013, and more recently, through local consultation</p> |

| National Planning Policy Framework / Guidance                                                                                                                                                                                                                                                                                                                                                                                                                                                              | How has the Neighbourhood Plan had regard to national policies and advice?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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| <p>Paragraph 17, NPPF (Core Principles of planning)<br/> “Planning should ...contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework”</p> <p>Paragraph 55, NPPF<br/> “To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities...”</p> | <p>(including our neighbourhood plan survey). Despite the successful delivery by the Community Land Trust (CLT) of 7 affordable dwellings at Little Hemphay, there remains a need for more affordable housing. The delivery of such housing, for our community, is key if the community is to remain vibrant and sustainable into the future.</p> <p>While the Local Plan and emerging Allocations DPD produced by East Devon District Council have not proposed housing allocations in Beer, we want to take the opportunity afforded by Local Plan policy to satisfy the remaining local need, while recognising the clear constraints that we have in delivering such small scale development and the need to protect our valued natural and built environments. Our policy H3 proposes to deliver at around 15-20 of the remaining 20 affordable dwellings identified by the housing needs assessment (together with market housing in order to ensure viability of delivery). A proposals at our allocation site at Short Furlong has been previously dismissed at appeal and so we have worked hard to test the site to demonstrate that it can be delivered and overcome concerns raised through the appeal decision. We are therefore responding proactively to respond to NPPF principles and policies while also responding to our local need. Our options process has considered other sites and our preferred site has been tested alongside others through the Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) processes, with policy H3 being positively amended and strengthened as a result. There is little land available for development in and around Beer village and we believe, supported by our evidence base, consultation and the SEA and HRA testing that the Short Furlong site is the most appropriate location for small scale housing development in the village.</p> <p>Our policies H1 and H2 set out the policy parameters for new housing development, based on ensuring that provision meets local needs. H1 – H3 provide a proactive and responsive set of policies which respond positively to the NPPF.</p> |

| National Planning Policy Framework / Guidance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | How has the Neighbourhood Plan had regard to national policies and advice?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <p>Main relevant policies:<br/> Policy H1 – Meeting the Demand for Local Needs Housing in Beer Village<br/> Policy H2 – Community Housing<br/> Policy H3 – Site Allocation: Land at Short Furlong</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <p>Paragraph 28, NPPF<br/> “Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:</p> <ul style="list-style-type: none"> <li>• support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;</li> <li>• promote the development and diversification of agricultural and other land-based rural businesses;</li> <li>• support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres; and</li> <li>• promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.”</li> </ul> | <p>Our plan, through policy H4 and B1 – B4 and T1 – T5 set out policies which support our local economy in order to help sustain it into the future. Beer village centre is at the heart of our economy and while we recognise the churn in business activity, the conversion of business premises (due to temporary vacancy) to housing should not take place at the cost of our supply chain of premises without a demonstrable understanding of demand for a business premises’ re-use. Despite the national policy drive to increase housing, we consider that it would not be in the sustainability interests of the village of hasty conversion of business premises to dwellings in the village centre. With a housing allocation in our plan, we believe that we have the balance right between providing dwellings in the right place and supporting a sustainable local economy.</p> <p>Main relevant policies:<br/> Policy H4 – Change of Use from Commercial to Residential Use in the Village Centre</p> |
| <p>Paragraph 35, NPPF<br/> “Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to:</p> <ul style="list-style-type: none"> <li>• accommodate the efficient delivery of goods and supplies;</li> <li>• give priority to pedestrian and cycle movements, and have access to high quality public transport facilities;</li> <li>• create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones;</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <p>Our transport policies focus principally on supportive measures to help sustain our local economy by protecting essential supply / capacity to accommodate car parking which, in particular, supports the needs of visitors to Beer as well as community needs. Policies which support existing and additional off-street parking will also help protect the character and built environment of Beer by reducing on-street and inappropriate parking. Our policies respond to national policy recognising that they are specific and respond to issues in Beer.</p> <p>Consultation has also led our plan to focus on ensuring safe and ease of access within, to and from new development.</p>                                                                                                                                                                                                                                                                                                                    |

| National Planning Policy Framework / Guidance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | How has the Neighbourhood Plan had regard to national policies and advice?                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| <ul style="list-style-type: none"> <li>• incorporate facilities for charging plug-in and other ultra-low emission vehicles; and</li> <li>• consider the needs of people with disabilities by all modes of transport.”</li> </ul> <p>Paragraph 29, NPPF</p> <p>“Transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. Smarter use of technologies can reduce the need to travel. The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. However, the Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas.”</p> <p>Paragraph 17, NPPF (Core Principles of planning)</p> <p>“Planning should proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.”</p> <p>Paragraph 75, NPPF</p> <p>“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 including National Trails.”</p> | <p>Main relevant policies:</p> <p>Policy TP1 – Protecting Car Parking Capacity</p> <p>Policy TP2 – Car Parking</p> <p>Policy TP3 – Off-street Parking</p> <p>Policy TP4 – Accessibility</p>                                                                                                                                                                                                                                                                                                                            |
| <p>Paragraph 17, NPPF (Core Principles of planning)</p> <p>“Planning should... proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.”</p> <p>Paragraph 28, NPPF</p> <p>“Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <p>Our plan supports sustainable local economic development and our need to retain local services and community facilities, set firmly within the context of what our parish is like to live and work in, whilst recognising the need to retain our high quality environment.</p> <p>Our policies provide a positive policy framework to support our local rural economy, for example:</p> <ul style="list-style-type: none"> <li>• support for the conversion of employment and retail premises where they</li> </ul> |

| National Planning Policy Framework / Guidance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | How has the Neighbourhood Plan had regard to national policies and advice?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| <p>development. To promote a strong rural economy, local and neighbourhood plans should:</p> <ul style="list-style-type: none"> <li>• support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings;</li> <li>• promote the development and diversification of agricultural and other land-based rural businesses;</li> <li>• support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres; and</li> <li>• promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.”</li> </ul> <p>Paragraph 36, NPPF</p> <p>“Planning policies should aim for a balance of land uses within their area so that people can be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities.”</p> <p>Paragraphs 42 and 43, NPPF</p> <p>“Advanced, high quality communications infrastructure is essential for sustainable economic growth. The development of high speed broadband technology and other communications networks also plays a vital role in enhancing the provision of local community facilities and services.”</p> <p>“...local planning authorities should support the expansion of electronic communications networks, including telecommunications and high speed broadband. ...equipment should be sympathetically designed and camouflaged where appropriate.”</p> <p>Paragraphs 123 and 125, NPPF</p> | <p>meet policy criteria designed to protect our built and natural environment, local amenity and quality of life through policy B2;</p> <ul style="list-style-type: none"> <li>• super-fast broadband connectivity through policy B3, which supports improvements to connectivity (which require planning permission) subject to the protection of our valued local environment; and,</li> <li>• resisting loss of existing employment land and buildings through B1.</li> </ul> <p>Main relevant policies:</p> <p>Policy B1 – Existing Employment Land and Buildings</p> <p>Policy B2 – Development of New and Converted Employment and Retail Premises in Beer Village Centre</p> <p>Policy B3 – Improving Internet Connectivity</p> |

| National Planning Policy Framework / Guidance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | How has the Neighbourhood Plan had regard to national policies and advice?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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| <p>“Planning policies and decisions should aim to:</p> <ul style="list-style-type: none"> <li>• avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;</li> <li>• mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;</li> <li>• recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established; and</li> <li>• identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.” <p>“By encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.”</p> </li></ul> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <p>Paragraph 17, NPPF (Core Principles of planning)</p> <p>“Planning should...take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.”</p> <p>Paragraph 17, NPPF (Core Principles of planning)</p> <p>“Planning should...not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives”</p> <p>Paragraph 70, NPPF</p> <p>“To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:</p> <ul style="list-style-type: none"> <li>• plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the</li> </ul>                                                                                                          | <p>Our plan has had clear regard to the NPPF in relation to its treatment of our locally valued community assets, facilities and spaces.</p> <p>We have explored written evidence which encompasses local strategies related to health, social and cultural wellbeing and, importantly, identified locally (through consultation) what is valued locally as community assets.</p> <p>Through policies CFS1, CFS2 and SR1 – SR3, we have provided a focus on the protection and facilitation of improvement of our local community assets to ensure the continued vitality, sustainability and health &amp; wellbeing of our community.</p> <p>Main relevant policies:</p> <p>Policy CFS1 – Loss of Community Assets and Facilities</p> <p>Policy CFS2 – Access to Public Areas and Facilities</p> <p>Policy SR1 – Protecting our Existing Sports and Recreation Facilities and Pitches</p> |



| National Planning Policy Framework / Guidance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | How has the Neighbourhood Plan had regard to national policies and advice?                                                                                                                  |
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| <p>sustainability of communities and residential environments;</p> <ul style="list-style-type: none"> <li>● guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs;</li> <li>● ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community; and</li> <li>● ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.”</li> </ul> <p>Paragraph 28, NPPF</p> <p>“Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:</p> <ul style="list-style-type: none"> <li>● support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;</li> <li>● promote the development and diversification of agricultural and other land-based rural businesses;</li> <li>● support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres; and</li> <li>● promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.”</li> </ul> <p>Paragraph 73, NPPF</p> <p>“Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities...”</p> | <p>and Preventing their Loss</p> <p>Policy SR2 - Improved, new and additional sports and recreation facilities and pitches</p> <p>Policy SR3 – Facilities for Children and Young People</p> |

| National Planning Policy Framework / Guidance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | How has the Neighbourhood Plan had regard to national policies and advice?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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| <p>Paragraph 74, NPPF<br/>“Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless...”</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <p>Paragraph 17, NPPF (Core Principles of planning)<br/>“Planning should proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.”</p> <p>Paragraph 28, NPPF<br/>“Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:</p> <ul style="list-style-type: none"> <li>• support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;</li> <li>• promote the development and diversification of agricultural and other land-based rural businesses;</li> <li>• support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres; and</li> <li>• promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.”</li> </ul> | <p>Our visitor and tourist economy is a key sector within our local economy overall and it is appropriate for our neighbourhood plan to respond to this. Our policies respond to locally identified issues related to land-use planning and set out a proactive and supportive policy framework to help ensure a vibrant tourism economy within the context of the need to protect our built, coastal and natural environment assets which together provide the quality which attracts visitors to our area. Policies T1 – T5 provide support to the tourism sector, subject to criteria designed to ensure such development respects the quality of our area.</p> <p>Main relevant policies:<br/> Policy T1 - Temporary and Alternative Use of Private and Community Assets to Support Tourism<br/> Policy T2 – New Developments for Tourism<br/> Policy T3 – New Holiday Accommodation<br/> Policy T4 – Loss of Tourism Facilities<br/> Policy T5 – Improving the Quality and Diversity of the Tourism Offer</p> |

## **7.2     *The making of the plan contributes to the achievement of sustainable development***

The Neighbourhood Plan has been developed within the context of the definition of sustainable development in the National Planning Policy Framework and that in the East Devon Local Plan. The table below sets out how we feel that our Neighbourhood Plan has dealt with the achievement of sustainable development against the key relevant parts of the NPPF and East Devon Local Plan. The second column below supplements and tries not simply to repeat the supporting text for the policies in the neighbourhood plan which provide the detailed justification and rationale behind the policies.

| National Planning Policy Framework Paragraph                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | How we believe our plan contributes towards this                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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| <p>Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to):</p> <ul style="list-style-type: none"> <li>● making it easier for jobs to be created in cities, towns and villages;</li> <li>● moving from a net loss of bio-diversity to achieving net gains for nature;</li> <li>● replacing poor design with better design;</li> <li>● improving the conditions in which people live, work, travel and take leisure; and</li> <li>● widening the choice of high quality homes.</li> </ul> <p>(Paragraph 9)</p> | <p>Our Plan is very clearly focused (through its policy content) on the delivery and support Beer continuing to be a vibrant sustainable rural community. The following policies in our plan are relevant to meeting the delivery of sustainable development as outlined in this NPPF paragraph:</p> <ul style="list-style-type: none"> <li>• (jobs) B1 – B3, T2, T3, T5, H4, MS7</li> <li>• (biodiversity) NE – NE3, MS4, HBE1</li> <li>• (design) HBE2, B4, H1</li> <li>• (live, work, travel, leisure conditions) NE4, NE5, MS1, MS5, MS5 – MS7, H1, TP3, TP4, B2, B3, CFS1, CFS2, SR1 – SR3, T2, T3, T5</li> <li>• (homes) H1 - H3, HBE2</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <p>Plans and decisions need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas.</p> <p>(Paragraph 10)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <p>As our Consultation Statement demonstrates, we have proactively consulted with our local community to ensure that the plan reflects their priorities and helps to deliver sustainable development both in that context and in the context of the parish's rural setting.</p> <p>In order to achieve general conformity with the Local Plan's strategic policies, we have explored opportunities for sustainable development within our parish's rural context. We have responded positively to the Local Plan policy context of Beer having a built-up area boundary and being a settlement suitable for small scale development (subject to need being demonstrated) by allocating a small scale housing site tested through both the SEA and HRA processes.</p> <p>We have considered the needs of both the tourism and wider local economy and set out policies to support some organic growth without compromising the natural, built and coastal environments, in alignment with the NPPF and Local Plan.</p> <p>We have developed policies which help ensure, into the future that the village and wider parish continue to present the landscape, environmental and coastal qualities which make Beer as a place, a destination and its community, what it is.</p> <p>Our plan sets out policies which we consider present opportunities to enable continued rural sustainability at a scale appropriate to Beer's needs and role and</p> |

| National Planning Policy Framework Paragraph                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | How we believe our plan contributes towards this                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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| <p>The application of the presumption (in favour of sustainable development) will have implications for how communities engage in neighbourhood planning. Critically, it will mean that neighbourhoods should:</p> <ul style="list-style-type: none"> <li>• develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development;</li> <li>• plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan; and</li> <li>• identify opportunities to use Neighbourhood Development Orders to enable developments that are consistent with their neighbourhood plan to proceed. (Paragraph 16)</li> </ul> | <p>function of the settlement.</p> <p>As already noted above, we have developed our plan tracking the progress of the new, now adopted, Local Plan. We have ensured that officers at East Devon District Council have seen key outputs and drafts of the plan and process with general conformity with the strategic policies in mind. A section later in this Statement sets out how our policies and plan are in general conformity with the Local Plan and therefore support the strategic development needs in that document.</p> <p>Our plan supports the Local Plan's direction of travel for housing and economic development within Beer's rural context and we have sought to ensure that the small scale organic growth to be delivered through our housing site allocation has been tested through SEA and HRA and builds on and complements the Local Plan's spatial strategy and principle of what is sustainable in the rural context.</p> <p>We have planned positively to support local development within the context of national and strategic policies which provide the planning policy framework for our plan, but which also fits with the desires of our community (understood through consultation) and in recognition of the valued high quality natural environment. Our policies set positive criteria to help ensure that any development which does come forward does so within the appropriate local context.</p> <p>There has been no desire or need to identify Neighbourhood Development Orders at this stage, in the parish.</p> |
| <p>Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:</p> <ul style="list-style-type: none"> <li>• support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;</li> <li>• promote the development and diversification of agricultural and other land-</li> </ul>                                                                                                                                                                                     | <p>As we have stated above, our plan supports sustainable local economic development, within the context of what our parish is like to live and work in and our need to retain local services and community facilities, whilst recognising the need to protect our high quality environment.</p> <p>The following policies in our Plan are relevant to meeting the delivery of sustainable development as outlined in this NPPF paragraph:</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

| National Planning Policy Framework Paragraph                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | How we believe our plan contributes towards this                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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| <p>based rural businesses;</p> <ul style="list-style-type: none"> <li>• support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres; and</li> <li>• promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.</li> </ul> <p>(Paragraph 28)</p> | <ul style="list-style-type: none"> <li>• (rural tourism and leisure) NE1, NE3- NE5, MS1 – MS7, TP1, T1 – T5</li> <li>• (local services and community facilities) CFS1, CFS2, SR1 – SR3</li> </ul> <p>With regard to the NPPF bullets on conversion and rural diversification, within countryside areas we are content that the Local Plan policies are sufficient without the need for additional neighbourhood plan policies.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <p>To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby.</p> <p>(Paragraph 55, in part)</p>                                                                                                                                                                                                                                                                                                                                                                                                      | <p>Our ability to promote sustainable development is relative to our parish's rurality, Beer village's size, role and function, the availability of local services and facilities and the need to protect our valued environment. Notwithstanding this, the Local Plan's strategy has a significant role to play in identifying appropriate sustainable development in our parish. As we have noted above, in order to achieve general conformity with the Local Plan's strategic policies, we have explored opportunities for sustainable development concluding with the allocation of our small scale housing site in the most appropriate location, following local consultation, testing through East Devon District Council's strategic housing land availability assessment (SHLAA) process and our own SEA and HRA.</p> <p>The following policies in our plan are particularly relevant to meeting the delivery of sustainable development as outlined in this NPPF paragraph: HS3; and, HBE1.</p> |

| East Devon Local Plan Policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | How we believe our plan contributes towards this                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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| <p><b>Strategy 3 - Sustainable Development</b></p> <p>The objective of ensuring sustainable development is central to our thinking. We interpret sustainable development in East Devon to mean that the following issues and their inter-relationships are taken fully into account when considering development:</p> <ul style="list-style-type: none"> <li>a) <b>Conserving and Enhancing the Environment</b> - which includes ensuring development is undertaken in a way that minimises harm and enhances biodiversity and the quality and character of the landscape. This includes reducing the risk of flooding by incorporating measures such as sustainable drainage systems. Developers should maximise the proportion of their developments that take place on previously developed land</li> <li>b) <b>Prudent natural resource use</b> - which includes minimising fossil fuel use therefore reducing carbon dioxide emissions. It also includes minimising resource consumption, reusing materials and recycling. Renewable energy development will be encouraged</li> <li>c) <b>Promoting social wellbeing</b> - which includes providing facilities to meet people's needs such as health care, affordable housing, recreation space and village halls.</li> <li>d) <b>Encouraging sustainable economic development</b> - which includes securing jobs.</li> <li>e) <b>Taking a long term view of our actions</b> - Ensuring that future generations live in a high quality environment where jobs, facilities, education and training are readily available.</li> </ul> | <p>Our plan aligns very closely with the East Devon policy concerning sustainable development. The following policies of our plan help to respond positively to and provide a local policy framework for the requirements:</p> <ul style="list-style-type: none"> <li>a) NE1 – NE5, MS1 – MS4, HBE1, H3</li> <li>b) HBE4</li> <li>c) H1 – H3, B3, CFS1, CFS2, SR1 – SR3, MS6</li> <li>d) MS1, MS5, MS7, H4, TP1, B1 – B3, T1 – T5</li> <li>e) NE1 – NE5, MS1 – MS7, HBE1, HBE2, B1 – B4, CFS1, CFS2, SR1 – SR3, T1 – T5, TP4</li> </ul> |

Our Neighbourhood Plan has been the subject of a Strategic Environmental Assessment (SEA) which has assessed the potential impacts of policies on the environmental state and characteristics of our parish. It has also been subject to a Habitats Regulation Assessment (HRA) which has assessed the Plan for its likely impact on the integrity of European Natura 2000 sites. The SEA and HRA reports have been submitted as part of the submission documents package. Consideration and testing of the plan using SEA and HRA helps us demonstrate that we have paid close attention to the achievement of sustainable development.

### ***7.3 The making of the plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)***

The table below sets out our interpretation of how our policies are in general conformity<sup>20</sup> with the strategic policies of the Local Plan. Our Plan's policies uphold and support the general principle of the strategic Local Plan policies identified below, demonstrate no conflict with the Local Plan policies to which they relate, provide added value and local specificity and our Plan clearly sets out the rationale behind our evidence based policies (our evidence base comprising local objective studies, written data and research and local and strategic consultation responses). We have taken the opportunity, as the plan's policies were developed and during consultation on the document, to seek comments on the plan and policies from officers at East Devon District Council. This input has proved invaluable and helped us ensure that our policies are in general conformity with the strategic policies of the Local Plan. We consider, therefore, that all our policies are in general conformity with the strategic policies of the Local Plan.

Our rationale and approach to policy development, in general, is set out in the figure below and shows that our eventual policies in the plan emerged from a logical, evidence and consultation led process informed by the national and Local Plan policy context.

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<sup>20</sup> See <https://www.gov.uk/guidance/neighbourhood-planning--2#General-conformity-with-strategic-policies> "General conformity" is defined there (in National Planning Practice Guidance, paragraph 74, reference ID 41-074-20140306, revision date 06-03-14) as "When considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority, should consider the following: whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with; the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy; whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy; and, the rationale for the approach taken in the draft neighbourhood plan or Order and the evidence to justify that approach."



**Figure 2: The Neighbourhood Plan's Logical Evidence and Consultation Led Approach to Policy Development**



The third to sixth columns in the table below (which ask the questions to be considered when assessing general conformity with the strategic policies of the Local Plan) are designed to

**supplement and abbreviate (and not simply to repeat) both the process outlined above and the supporting text for the policies in the neighbourhood plan which already provides the detailed justification, main evidence and rationale behind each of the policies.**

We have also sought to ensure that our local policies work alongside rather than in conflict with those set for development management purposes in Part 2 of the adopted Local Plan.

| East Devon Local Plan Strategic Policy(ies)                                                                                                                                          | Neighbourhood Plan Policy(ies) which Relate to the Local Plan Policy | Does the Neighbourhood Plan demonstrate that it is in general conformity with the strategic policies?                             |                                                                                                           |                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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|                                                                                                                                                                                      |                                                                      | whether the neighbourhood plan policy(ies) supports and upholds the general principle that the strategic policy is concerned with | the degree, if any, of conflict between the draft neighbourhood plan policy(ies) and the strategic policy | whether the draft neighbourhood plan policy(ies) provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy                                                               | the rationale for the approach taken in the draft neighbourhood plan and the evidence to justify that approach                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Strategy 3 – Sustainable Development<br>Strategy 5 – Environment<br>Strategy 46 – Landscape, Conservation and Enhancement and AONBs<br>Strategy 47 – Nature Conservation and Geology | Policy NE1 – Development and the Natural Environment                 | Yes                                                                                                                               | None                                                                                                      | The policy is specific to our parish, in particular through reference to Devon Banks, our prominent skylines (as landscape features) and reference to “indigenous” trees and hedges. Related strategic policies are not undermined.                            | For rationale, see the figure above and the detailed rationale for each policy in the plan itself.<br>Key supporting evidence includes:<br>Beer Neighbourhood Plan Aims and Objectives Consultation 2015<br>East Devon AONB Management Plan 2014-19<br>Devon Landscape Character Area Assessment, 2008<br>Land-use designations, courtesy of Multi-agency GIS Tool (MAGIC) and East Devon District Council websites<br>Beer Village Design Statement, 2006<br>Beer Parish Biodiversity Audit (consultation draft), Devon County Council, 2010 |
|                                                                                                                                                                                      | Policy NE2 – Locally Important Wildlife Sites                        | Yes                                                                                                                               | None                                                                                                      | The policy is specific to our parish, in particular through reference to the designation of Locally Important Wildlife Sites to provide an additional layer of policy protection to their designation as SSSIs. Related strategic policies are not undermined. | For rationale, see the figure above and the detailed rationale for each policy in the plan itself.<br>Key supporting evidence includes:<br>Local Identification of Locally Important Wildlife Sites, Neighbourhood Plan Steering Group, 2015<br>Land-use designations, courtesy of Multi-agency GIS Tool (MAGIC) and East Devon District Council websites                                                                                                                                                                                     |

| East Devon Local Plan Strategic Policy(ies)                                 | Neighbourhood Plan Policy(ies) which Relate to the Local Plan Policy                         | Does the Neighbourhood Plan demonstrate that it is in general conformity with the strategic policies?                             |                                                                                                           |                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                         |
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|                                                                             |                                                                                              | whether the neighbourhood plan policy(ies) supports and upholds the general principle that the strategic policy is concerned with | the degree, if any, of conflict between the draft neighbourhood plan policy(ies) and the strategic policy | whether the draft neighbourhood plan policy(ies) provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy                                                                                                                    | the rationale for the approach taken in the draft neighbourhood plan and the evidence to justify that approach                                                                                                                                                                                                                                                          |
|                                                                             |                                                                                              |                                                                                                                                   |                                                                                                           |                                                                                                                                                                                                                                                                                                                     | Beer Parish Biodiversity Audit (consultation draft), Devon County Council, 2010                                                                                                                                                                                                                                                                                         |
|                                                                             | Policy NE3 – Protecting Historic Natural Features                                            | Yes                                                                                                                               | None                                                                                                      | The policy is specific to our parish, in particular through reference to Devon Banks, a key and important landscape feature in our parish. Related strategic policies are not undermined.                                                                                                                           | For rationale, see the figure above and the detailed rationale for each policy in the plan itself.<br>Key supporting evidence includes:<br>Beer Neighbourhood Plan Aims and Objectives Consultation 2015<br>Conservation and Management Online Information Pack, Devon County Council, 1998<br>Protocol for Protected Landscapes, Devon County Council (Highways), 2011 |
| Strategy 3 – Sustainable Development<br>Strategy 5B – Sustainable Transport | Policy NE4 – Improving Access to the Natural Environment                                     | Yes                                                                                                                               | None                                                                                                      | The policy is specific to our parish, in particular through reference to improving access to the cliff top areas in the parish. Related strategic policies are not undermined.                                                                                                                                      | For rationale, see the figure above and the detailed rationale for each policy in the plan itself.<br>Key supporting evidence includes:<br>East Devon AONB Management Plan 2014-2019                                                                                                                                                                                    |
|                                                                             | Policy NE5 - Rights of Way and Other Access (footpaths, pavements, bridleways and cycleways) | Yes                                                                                                                               | None                                                                                                      | The policy provides more detail than the strategic policies include with criteria being drawn from local consultation and our written evidence in relation to those aspects which merit particular consideration for proposals to be found acceptable in our parish. Related strategic policies are not undermined. |                                                                                                                                                                                                                                                                                                                                                                         |

| East Devon Local Plan Strategic Policy(ies)                                                                                            | Neighbourhood Plan Policy(ies) which Relate to the Local Plan Policy | Does the Neighbourhood Plan demonstrate that it is in general conformity with the strategic policies?                             |                                                                                                           |                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                           |
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|                                                                                                                                        |                                                                      | whether the neighbourhood plan policy(ies) supports and upholds the general principle that the strategic policy is concerned with | the degree, if any, of conflict between the draft neighbourhood plan policy(ies) and the strategic policy | whether the draft neighbourhood plan policy(ies) provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy         | the rationale for the approach taken in the draft neighbourhood plan and the evidence to justify that approach                                                                                                                                                                                                                                                            |
| Strategy 3 – Sustainable Development<br>Strategy 44 - Undeveloped Coast and Coastal Preservation Area<br>Strategy 45 - Coastal Erosion | Policy MS2 – Coastal Erosion                                         | Yes                                                                                                                               | None                                                                                                      | The policy is specific to our parish, through reference to coastal erosion at Beer.<br>Related strategic policies are not undermined.                                                                    | For rationale, see the figure above and the detailed rationale for each policy in the plan itself.<br>Key supporting evidence includes:<br>Shoreline Management Plan Review, Halcrow, 2011<br>Parish Biodiversity Audit for Beer, Devon County Council, 2010<br>Beer Community Survey Report, Beer Parish Council, 2014<br>Beer NP Aims and Objectives Consultation, 2015 |
|                                                                                                                                        | Policy MS3 – Groyne                                                  | Yes                                                                                                                               | None                                                                                                      | The policy is specific to our parish, through reference to the concrete groyne at Beer.<br>Related strategic policies are not undermined.                                                                |                                                                                                                                                                                                                                                                                                                                                                           |
|                                                                                                                                        | Policy MS4 – Marine Conservation                                     | Yes                                                                                                                               | None                                                                                                      | The policy is specific to our parish, in particular through reference to the beach and surrounding environmental features and assets at Beer.<br>Related strategic policies are not undermined.          |                                                                                                                                                                                                                                                                                                                                                                           |
| Strategy 3 – Sustainable Development<br>Strategy 44 - Undeveloped Coast and Coastal Preservation Area                                  | Policy MS1 – Beer Beach                                              | Yes                                                                                                                               | None                                                                                                      | The policy is specific to our parish, in particular through reference to Beer beach and as a response to issues raised through consultation.<br>Related strategic policies are not undermined.           |                                                                                                                                                                                                                                                                                                                                                                           |
|                                                                                                                                        | Policy MS5 – High Quality Visitor Facilities and Amenities           | Yes                                                                                                                               | None                                                                                                      | The policy is specific to our parish, in particular through reference to our Village Design Statement and requirements set out in our policy HBE1. The policy responds to a local issue in Beer: visitor |                                                                                                                                                                                                                                                                                                                                                                           |

| East Devon Local Plan Strategic Policy(ies)                                                                                                          | Neighbourhood Plan Policy(ies) which Relate to the Local Plan Policy | Does the Neighbourhood Plan demonstrate that it is in general conformity with the strategic policies?                             |                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                     |
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|                                                                                                                                                      |                                                                      |                                                                                                                                   |                                                                                                           | related facilities and amenities. Related strategic policies are not undermined.                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                     |
|                                                                                                                                                      | Policy MS6 – Access to the Beach and Connected Public Areas          | Yes                                                                                                                               | None                                                                                                      | The policy is specific to our parish, in particular through reference to the beach and other named areas of public open space in Beer. Related strategic policies are not undermined.                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                     |
|                                                                                                                                                      | Policy MS7 – Marine-related Activities                               | Yes                                                                                                                               | None                                                                                                      | The policy is specific to our parish, in particular through reference to the need for balance in Beer between marine related activities and our environment, the visitor experience, resident amenity and commercial fishing. Related strategic policies are not undermined.                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                     |
| Strategy 3 – Sustainable Development<br>Strategy 7 – Development in the Countryside<br>Strategy 44 - Undeveloped Coast and Coastal Preservation Area | Policy HBE1 – Beer Local Gap                                         | Yes                                                                                                                               | None                                                                                                      | The policy is specific to our parish, with a spatial gap identified with a role to prevent coalescence between Beer and Seaton. The boundary and policy provides an additional layer of detail not included in Strategy 44 and is specific in relation to acceptable forms of development within the gap. It adds a layer of detail not afforded in the area identified by Strategy 46, given that it is outside the AONB | For rationale, see the figure above and the detailed rationale for each policy in the plan itself.<br>The boundary represents an historic and practical division between beer and Seaton. Seaton is to the east of the road and the coastal footpath. The fields between the current developed part of Beer (not the built up area boundary / settlement boundary) and the road and |

| East Devon Local Plan Strategic Policy(ies)                                                          | Neighbourhood Plan Policy(ies) which Relate to the Local Plan Policy | Does the Neighbourhood Plan demonstrate that it is in general conformity with the strategic policies?                             |                                                                                                           |                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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|                                                                                                      |                                                                      |                                                                                                                                   |                                                                                                           | boundary but remains, in our view an important part of the landscape locally. Related strategic policies are not undermined.                                                                                                           | coastal footpath are not suitable for building as there is a recognised geological disruption through the middle. Any development here would be effectively on the skyline and obliterate views of the coast from public view points. Considering the policies protecting natural elements and supporting tourism, any development here would be counter to the intent of those policies.<br>Key supporting evidence includes: Beer NP Aims and Objectives Consultation, 2015 |
| Strategy 3 – Sustainable Development<br>Strategy 48 - Local Distinctiveness in the Built Environment | Policy HBE2 – High Quality Design                                    | Yes                                                                                                                               | None                                                                                                      | The policy is specific to our parish, in particular through defining what characteristics constitute high quality design in Beer and through reference to the Village Design Statement. Related strategic policies are not undermined. | For rationale, see the figure above and the detailed rationale for each policy in the plan itself.<br>Key supporting evidence includes: Beer Village Design Statement, Beer Parish Council, 2006<br>Beer Neighbourhood Plan Aims and Objectives Consultation 2015<br>Draft East Devon Villages Development Plan Document, East Devon District Council, 2014                                                                                                                   |
|                                                                                                      | Policy HBE3 – Sharing use of Pavements for                           | No directly relevant strategic policies                                                                                           | Not applicable                                                                                            | The policy responds to a specific local issue of concern.                                                                                                                                                                              | For rationale, see the figure above and the detailed rationale for each policy in                                                                                                                                                                                                                                                                                                                                                                                             |

| East Devon Local Plan Strategic Policy(ies)                                                    | Neighbourhood Plan Policy(ies) which Relate to the Local Plan Policy   | Does the Neighbourhood Plan demonstrate that it is in general conformity with the strategic policies?                             |                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                              |
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|                                                                                                | Business and the Social Economy                                        |                                                                                                                                   |                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | the plan itself.<br>Key supporting evidence includes:<br>Beer Neighbourhood Plan Community Questionnaire, December 2014<br>Beer Neighbourhood Plan Aims and Objectives Consultation 2015                                                                                                                                                                                                                                     |
| Strategy 3 – Sustainable Development<br>Strategy 39 - Renewable and Low Carbon Energy Projects | Policy HBE4 – Renewable and Low Carbon Energy                          | Yes                                                                                                                               | None                                                                                                      | The policy is specific to our parish, in particular through reference to the types of renewable energy and low carbon energy proposals that we consider are appropriate in the parish within the landscape, much of which is within the AONB or, where outside, proposals could impact on the AONB or spatial gap. The policy also reflects the need to protect the Jurassic Coast. The policy adds a layer of detail by identifying the criteria which would make small scale renewable and low carbon energy generating proposals acceptable within the parish, given its characteristics. Related strategic policies are not undermined. | For rationale, see the figure above and the detailed rationale for each policy in the plan itself.<br>Key supporting evidence includes:<br>Devon Landscape Character Assessment, Devon County Council<br>Accommodating Wind and Solar PV Developments in the Devon Landscape: Advice Note<br>Beer Neighbourhood Plan Community Questionnaire, December 2014<br>Beer Neighbourhood Plan Aims and Objectives Consultation 2015 |
| Strategy 3 – Sustainable Development<br>Strategy 4 – Balanced Communities                      | Policy H1 – Meeting the Demand for Local Needs Housing in Beer Village | Yes                                                                                                                               | None                                                                                                      | The policy sets out the criteria which need to be met for housing to be appropriate in Beer and signposts important elements of Local Plan policy within the Beer context.                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | For rationale, see the figure above and the detailed rationale for each policy in the plan itself.<br>Key supporting evidence includes:                                                                                                                                                                                                                                                                                      |



| East Devon Local Plan Strategic Policy(ies)                                                                                                                                                                                                                                                              | Neighbourhood Plan Policy(ies) which Relate to the Local Plan Policy               | Does the Neighbourhood Plan demonstrate that it is in general conformity with the strategic policies?                             |                                                                                                           |                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                 |
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| Strategy 7 – Development in the Countryside<br>Strategy 35 – Exception Mixed Market and Affordable Housing at Villages, Small Towns and Outside Built-up Area Boundaries<br>Strategy 27 – Development at the Small Towns and Larger Villages<br>Strategy 34 – District-wide Affordable Housing Provision |                                                                                    |                                                                                                                                   |                                                                                                           | We are keen to ensure that proposals for new housing reflect local needs and that developers engage closely with both locally generated evidence and the community as they develop any proposals. Related strategic policies are not undermined.                                                                                                      | SHLAA Consultation Report 2012<br>Beer Housing Needs Survey, July 2013<br>Beer Neighbourhood Plan Community Questionnaire, December 2014<br>Beer Neighbourhood Plan Aims and Objectives Consultation 2015<br>Beer Neighbourhood Plan/Housing Sites Consultation, Summer 2016<br>Strategic Environmental Assessment 2017<br>Habitats Regulations Assessment 2017 |
|                                                                                                                                                                                                                                                                                                          | Policy H2 – Community Housing                                                      | Yes                                                                                                                               | None                                                                                                      | The policy provides specific support in the parish to proposals brought forward by mechanisms which will ensure that housing remains as a community assets for local residents in perpetuity. Related strategic policies are not undermined.                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                 |
|                                                                                                                                                                                                                                                                                                          | Policy H3 – Site Allocation: Land at Short Furlong                                 | Yes                                                                                                                               | None                                                                                                      | The policy is specific to our parish by allocating a specific site for housing and setting out parameters for development to be acceptable on that site. Related strategic policies are not undermined with SEA and HRA testing and local consultation ensuring that the requirements of Local Plan Strategy 7 and Strategy 27 in particular are met. |                                                                                                                                                                                                                                                                                                                                                                 |
|                                                                                                                                                                                                                                                                                                          | Policy H4 – Change of Use from Commercial to Residential Use in the Village Centre | No directly relevant strategic policies                                                                                           | Not applicable                                                                                            | The policy responds to a specific local issue of concern.                                                                                                                                                                                                                                                                                             | For rationale, see the figure above and the detailed rationale for each policy in the plan itself.<br>Key supporting evidence includes:                                                                                                                                                                                                                         |

| East Devon Local Plan Strategic Policy(ies)                                              | Neighbourhood Plan Policy(ies) which Relate to the Local Plan Policy | Does the Neighbourhood Plan demonstrate that it is in general conformity with the strategic policies?                             |                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                            |
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|                                                                                          |                                                                      |                                                                                                                                   |                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Beer Neighbourhood Plan Community Questionnaire, December 2014<br>Beer Neighbourhood Plan Aims and Objectives Consultation 2015                                                                                                                            |
| Strategy 3 – Sustainable Development<br>Strategy 33 – Promotion of Tourism in East Devon | Policy TP1 – Protecting Car Parking Capacity                         | Yes                                                                                                                               | None                                                                                                      | TP1 is specific to our parish, in particular through reference to the identification and naming of local car parking areas which we are seeking to protect. Both policies respond to a particular issue of concern in the village: of loss of parking capacity, connected to the overall approach to ensuring that sufficient capacity remains into the future to accommodate the visitor and community needs; and, in turn helping to ensure a sustainable and viable local economy. Related strategic policies are not undermined. | For rationale, see the figure above and the detailed rationale for each policy in the plan itself.<br>Key supporting evidence includes:<br>Beer Community Survey Report, Beer Parish Council, 2014<br>Beer Neighbourhood Plan, Local Evidence Report, 2014 |
|                                                                                          | Policy TP2 – Car Parking                                             | Yes                                                                                                                               | None                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                            |
|                                                                                          | Policy TP3 – Off-street Parking                                      | Yes                                                                                                                               | None                                                                                                      | The policy is specific to our parish, responding to how any proposals for additional off-street parking should treat the surrounding environment and landscape and impact of a proposal on Beer village. Related strategic policies are not undermined.                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                            |
| Strategy 3 – Sustainable                                                                 | Policy TP4 –                                                         | Yes                                                                                                                               | None                                                                                                      | The policy is specific to our parish, in                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                            |

| East Devon Local Plan Strategic Policy(ies)                                                                                  | Neighbourhood Plan Policy(ies) which Relate to the Local Plan Policy                               | Does the Neighbourhood Plan demonstrate that it is in general conformity with the strategic policies?                             |                                                                                                           |                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                              |
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|                                                                                                                              |                                                                                                    | whether the neighbourhood plan policy(ies) supports and upholds the general principle that the strategic policy is concerned with | the degree, if any, of conflict between the draft neighbourhood plan policy(ies) and the strategic policy | whether the draft neighbourhood plan policy(ies) provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy                                                                                                                                       | the rationale for the approach taken in the draft neighbourhood plan and the evidence to justify that approach                                                                                                                                                                                               |
| Development                                                                                                                  | Accessibility                                                                                      |                                                                                                                                   |                                                                                                           | particular through reference to concerns raised by the community during consultation and our need to think about adequate provision into the future. Related strategic policies are not undermined.                                                                                                                                    |                                                                                                                                                                                                                                                                                                              |
| Strategy 3 – Sustainable Development<br>Strategy 32 - Resisting Loss of Employment, Retail and Community Sites and Buildings | Policy B1 – Existing Employment Land and Buildings                                                 | Yes                                                                                                                               | None                                                                                                      | The policy is specific to our parish, in particular through reference to the need for the new use to not have adverse effects on residential amenity and to the need for developers to engage with the community to ensure that local issues and views are taken fully into account. Related strategic policies are not undermined.    | For rationale, see the figure above and the detailed rationale for each policy in the plan itself.<br>Key supporting evidence includes:<br>Beer Community Survey Report, Beer Parish Council, 2014<br>Beer Neighbourhood Plan, Local Evidence Report, 2014<br>Beer NP Aims and Objectives Consultation, 2015 |
|                                                                                                                              | Policy B2 – Development of New and Converted Employment and Retail Premises in Beer Village Centre | Yes                                                                                                                               | None                                                                                                      | The policy is specific to our parish, in particular through reference to the requirements in Beer village centre, which is defined on a map in the plan and to the need for developers to engage with the community to ensure that local issues and views are taken fully into account. Related strategic policies are not undermined. |                                                                                                                                                                                                                                                                                                              |
|                                                                                                                              | Policy B3 – Improving Internet Connectivity                                                        | Yes                                                                                                                               | None                                                                                                      | The policy is specific to our parish, responding to an identified issue locally which seeks to help address not just                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                              |

| East Devon Local Plan Strategic Policy(ies)                                                                                                                    | Neighbourhood Plan Policy(ies) which Relate to the Local Plan Policy | Does the Neighbourhood Plan demonstrate that it is in general conformity with the strategic policies?                             |                                                                                                           |                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                    |
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|                                                                                                                                                                |                                                                      |                                                                                                                                   |                                                                                                           | connectivity in the future but also ensure that any related telecoms infrastructure respects the valued landscape in the parish.<br>Related strategic policies are not undermined.                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                    |
| Strategy 48 - Local Distinctiveness in the Built Environment                                                                                                   | Policy B4 – Shopfronts                                               | Yes                                                                                                                               | None                                                                                                      | The policy is specific to our parish, in particular through reference to shopfronts in Beer village and the criteria any proposals will have to meet in design terms by signposting the Village Design Statement.<br>Related strategic policies are not undermined. |                                                                                                                                                                                                                                                                                                                                                                                    |
| Strategy 3 – Sustainable Development<br>Strategy 32 - Resisting Loss of Employment, Retail and Community Sites and Buildings<br>Strategy 37 - Community Safety | CFS1 – Loss of Community Assets and Facilities                       | Yes                                                                                                                               | None                                                                                                      | The policy is specific to our parish, in particular through reference to local community facilities and assets and the criteria which would need to be met for any loss to be found acceptable.<br>Related strategic policies are not undermined.                   | For rationale, see the figure above and the detailed rationale for each policy in the plan itself.<br>Key supporting evidence includes:<br>Beer Community Survey Report, Beer Parish Council, 2014<br>Beer Neighbourhood Plan, Local Evidence Report, 2014<br>Beer Village Design Statement, Village Design Statement Team, 2006<br>Beer NP Aims and Objectives Consultation, 2014 |
|                                                                                                                                                                | Policy CFS2 – Access to Public Areas and Facilities                  | Yes                                                                                                                               | None                                                                                                      | The policy reacts to our desire to see access to public spaces and facilities improved where related to development proposals.<br>Related strategic policies are not undermined.                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                    |

| East Devon Local Plan Strategic Policy(ies)                                              | Neighbourhood Plan Policy(ies) which Relate to the Local Plan Policy                                        | Does the Neighbourhood Plan demonstrate that it is in general conformity with the strategic policies?                             |                                                                                                           |                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                        |
|------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                          |                                                                                                             | whether the neighbourhood plan policy(ies) supports and upholds the general principle that the strategic policy is concerned with | the degree, if any, of conflict between the draft neighbourhood plan policy(ies) and the strategic policy | whether the draft neighbourhood plan policy(ies) provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy                                                                                                                                             | the rationale for the approach taken in the draft neighbourhood plan and the evidence to justify that approach                                                                                                                                                                                                         |
| Strategy 3 – Sustainable Development                                                     | Policy SR1 – Protecting our Existing Sports and Recreation Facilities and Pitches and Preventing their Loss | Yes                                                                                                                               | None                                                                                                      | The policy is specific to our parish, in particular through reference to specific named facilities and pitches that we wish to see protected and the criteria through which we would find their loss or replacement acceptable. Related strategic policies are not undermined.                                                               | For rationale, see the figure above and the detailed rationale for each policy in the plan itself.<br>Key supporting evidence includes:<br>East Devon Open Space Study Review 2014<br>Beer Neighbourhood Plan Community Questionnaire, December 2014<br>Beer Neighbourhood Plan Aims and Objectives Consultation, 2015 |
|                                                                                          | Policy SR2 - Improved, new and additional sports and recreation facilities and pitches                      | Yes                                                                                                                               | None                                                                                                      | The policies are specific to our parish, in particular through reference to the criteria through which the community in Beer would support improved, new and additional play, sports and recreation facilities. The policies respond to issues of concern raised locally during consultation. Related strategic policies are not undermined. |                                                                                                                                                                                                                                                                                                                        |
|                                                                                          | Policy SR3 – Facilities for Children and Young People                                                       | Yes                                                                                                                               | None                                                                                                      |                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                        |
| Strategy 3 – Sustainable Development<br>Strategy 33 - Promotion of Tourism in East Devon | Policy T1 - Temporary and Alternative Use of Private and Community Assets to Support Tourism                | Yes                                                                                                                               | None                                                                                                      | The policy is specific to our parish, in particular because it is a response to addressing a locally identified issue experienced during the main tourist season. Related strategic policies are not undermined.                                                                                                                             | For rationale, see the figure above and the detailed rationale for each policy in the plan itself.<br>Key supporting evidence includes:<br>Beer Community Survey Report, Beer Parish Council, 2014<br>Beer Neighbourhood Plan, Local Evidence Report, 2014                                                             |
|                                                                                          | Policy T2 – New Developments for Tourism                                                                    | Yes                                                                                                                               | None                                                                                                      | The policy is specific to our parish, in particular through reference to proposals for tourism development not harming the                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                        |

| East Devon Local Plan Strategic Policy(ies) | Neighbourhood Plan Policy(ies) which Relate to the Local Plan Policy | Does the Neighbourhood Plan demonstrate that it is in general conformity with the strategic policies?                             |                                                                                                           |                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                |
|---------------------------------------------|----------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|
|                                             |                                                                      | whether the neighbourhood plan policy(ies) supports and upholds the general principle that the strategic policy is concerned with | the degree, if any, of conflict between the draft neighbourhood plan policy(ies) and the strategic policy | whether the draft neighbourhood plan policy(ies) provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy                                                                                                                                                      | the rationale for the approach taken in the draft neighbourhood plan and the evidence to justify that approach |
|                                             |                                                                      |                                                                                                                                   |                                                                                                           | natural and historic character of Beer. Related strategic policies are not undermined.                                                                                                                                                                                                                                                                |                                                                                                                |
|                                             | Policy T3 – New Holiday Accommodation                                | Yes                                                                                                                               | None                                                                                                      | The policy is specific to our parish, in particular through reference to the need for new accommodation to be demand led in the context of existing types of accommodation in the parish and an emphasis on ensuring that new holiday accommodation is retained for that purpose and not second homes. Related strategic policies are not undermined. |                                                                                                                |
|                                             | Policy T4 – Loss of Tourism Facilities                               | Yes                                                                                                                               | None                                                                                                      | The policies respond to issues of concern raised locally during consultation. Tourism is a key sector within our local economy and to help ensure its sustainability into the future we wish to minimise loss of existing facilities unless its use is no longer demonstrated to be in demand. Related strategic policies are not undermined.         |                                                                                                                |
|                                             | Policy T5 – Improving the Quality and Diversity of the Tourism Offer | Yes                                                                                                                               | None                                                                                                      | The policy is specific to our parish, in particular through reference to proposals for tourism development not harming the character of Beer, providing an economic                                                                                                                                                                                   |                                                                                                                |

| East Devon Local Plan Strategic Policy(ies) | Neighbourhood Plan Policy(ies) which Relate to the Local Plan Policy | Does the Neighbourhood Plan demonstrate that it is in general conformity with the strategic policies?                             |                                                                                                           |                                                                                                                                                                                                  |                                                                                                                |
|---------------------------------------------|----------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|
|                                             |                                                                      | whether the neighbourhood plan policy(ies) supports and upholds the general principle that the strategic policy is concerned with | the degree, if any, of conflict between the draft neighbourhood plan policy(ies) and the strategic policy | whether the draft neighbourhood plan policy(ies) provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy | the rationale for the approach taken in the draft neighbourhood plan and the evidence to justify that approach |
|                                             |                                                                      |                                                                                                                                   |                                                                                                           | and community gain from its presence and minimising adverse impact on infrastructure.<br>Related strategic policies are not undermined.                                                          |                                                                                                                |

#### **7.4     *The making of the plan does not breach, and is otherwise compatible with, EU obligations***

A screening process was carried out by East Devon District Council to determine whether a Strategic Environment Assessment (SEA) and / or a Habitats Regulation Assessment (HRA) would be required as the Neighbourhood Plan was developed. Through consultation with the statutory environmental agencies, it was determined that our Neighbourhood Plan could have significant negative environmental impacts and that protected European “Natura 2000” sites such as Special Protection Areas (SPA) or Special Areas of Conservation (SAC) could be affected as a result of its policies.

Therefore, both an SEA and HRA were required for our Neighbourhood Plan and therefore the basic conditions concerning Habits and Environmental Impact Assessment as described in Schedules 2 and 3 of the Regulations have been accounted for.

The formal written screening opinion of East Devon District Council is appended to this Statement in full and our SEA and HRA reports are appended to this Statement via a link to our website due to their length<sup>21</sup>.

We consider that the Neighbourhood Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act 1998.

#### **7.5     *The prescribed conditions are met in relation to the plan and prescribed matters complied with in connection with the proposal for the plan***

Section 38A(12) of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act<sup>22</sup> sets out the definition of “prescribed”. It means conditions prescribed by regulations made by the Secretary of State. We understand that, currently, there are no additional relevant prescribed conditions which the Neighbourhood Plan needs to meet.

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<sup>21</sup> The SEA and HRA of the neighbourhood plan are also available on the parish council website (neighbourhood plan pages) at <http://www.beerparishcouncil.org.uk/BeerParish/UserFiles/Files/Documents/BPP%20Beer%20SEA%20Environmental%20Report%20v1.1%20June%202017.pdf> and [http://www.beerparishcouncil.org.uk/BeerParish/UserFiles/Files/Documents/EAD%20Ecology Beer%20Neighbourhood%20Plan%20-%20HRA%20Statement%20Final.pdf](http://www.beerparishcouncil.org.uk/BeerParish/UserFiles/Files/Documents/EAD%20Ecology%20Beer%20Neighbourhood%20Plan%20-%20HRA%20Statement%20Final.pdf)

<sup>22</sup> See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>



## **Appendices**

## **Appendix 1**

### **Neighbourhood Area Application**

(N.B. The reproduced application which follows is also available to view here –

<http://eastdevon.gov.uk/planning/neighbourhood-and-community-plans/neighbourhood-plans/neighbourhood-plans-being-produced-in-east-devon/beer/#article-content> )

## Application for Designation of a Neighbourhood Area



This information is intended to assist the Local Planning Authority in making a decision but please note that further information may be required.

**Which Town or Parish Council is applying to designate a neighbourhood area?**

BEER PARISH COUNCIL

If more than one Town or Parish Council are working in partnership, please give details of all parties

contact details –

contact details –

contact details –

contact details –

☐

Please confirm that all the parishes listed above agree to the application

☒

Please confirm that the organisation/s or body/ies making the area application is a relevant body for the purposes of section 61G of the 1990 Act.

**Please advise what, if any, discussion has taken place with neighbouring Parishes with a view to partnership working?** Where applications include sites in adjoining Parishes their agreement should be sought.

N/A

**Please append a map identifying the area to which the area application relates.**

**Please explain why this area is considered appropriate to be designated as a neighbourhood area**

We would like the whole parish of Beer to be designated as a Neighbourhood Area to ensure that our plan is fully inclusive and the whole community is represented.

Signed

[Redacted Signature]

Date

18 July 2013

Position

Parish Clerk

Organisation

Beer Parish Council

The Neighbourhood Planning Regulations can be downloaded at:  
<http://www.legislation.gov.uk/uksi/2012/637/made>

**A summary of the next steps is provided below**

**Publicising an area application**

Once we have received your neighbourhood area application we must, as local planning authority, publicise the following on our website and in any other manner that we consider is likely to bring the application to the attention of people who live, work or carry out business in the area to which it relates -

- (a) a copy of the area application;
- (b) details of how to make representations; and
- (c) the date by which those representations must be received, being not less than 6 weeks from the date on which the area application is first publicised.

**To help us meet these requirements:**

**Are we able to publicise the application in any widely available local newsletters/magazines?** If so, please give contact details and advise how often the newsletter/magazine is published.

PARISH MAGAZINE (MONTHLY) henryjaggers@btinternet.com

**Do you have Parish Noticeboards?** If so, please give contact details of the person responsible for their content.

PARISH CLERK

**Are there any other means of communication which could be used to advertise the proposals eg local website, social media, local interest groups?** Please provide contact details.

WEBSITE (VIA PARISH CLERK)

**Publicising designation of a neighbourhood area**

As soon as possible **after designating a neighbourhood area**, we must publish the following on our website and in any other manner that we consider is likely to bring the application to the attention of people who live, work or carry out business in the area:

- (a) the name of the neighbourhood area;
- (b) a map which identifies the area; and
- (c) the name of the relevant body who applied for the designation.

If we **refuse to designate a neighbourhood area**, we must publish the following on our website and in any other manner that we consider is likely to bring the application to the attention of people who live, work or carry out business in the area

- (a) a document setting out the decision and a statement of our reasons for making that decision ("the decision document"); and
- (b) details of where and when the decision document may be inspected.

**Further information is available from:**

**Planning Policy, Economy Directorate**

**East Devon District Council**

**Knowle, Station Road, Sidmouth, Devon, EX10 8HL**

**01395 571533**

## Application for Designation of a Neighbourhood Area



We have received an application from Beer Parish Council for the designation of the Parish of Beer as a Neighbourhood Area.



You can view the proposal on our website at: [www.eastdevon.gov.uk/planning-neighbourhood\\_plans](http://www.eastdevon.gov.uk/planning-neighbourhood_plans)  
or by appointment with Beer Parish Council

You can also view or make comments on this proposal by writing to us at Planning Policy, East Devon District Council, Knowle, Station Road, Sidmouth, Devon, EX10 8HL (8.30-5pm Mon-Fri). If you write to us your comments will be kept on a public file and they may be reproduced in writing or on our website.

**THE CLOSING DATE FOR COMMENTS IS 6<sup>th</sup> September 2013**



ENGLISH HERITAGE

South West

Planning Policy  
East Devon District Council  
Knowle  
Station Road  
Sidmouth  
Devon  
EX10 8HL

Our ref: 1252  
Your ref:

Telephone  
Email

3rd September 2013

Dear Sir/Madam

#### **NEIGHBOURHOOD AREA CONSULTATION – BEER**

Thank you for giving notice that Beer Parish Council has applied to designate Beer as a Neighbourhood Area under Part 2 of the Neighbourhood Planning (General) Regulations 2012.

English Heritage has no objection to this proposal.

We would like to take the opportunity of the consultation to outline the range of support English Heritage is able to offer in relation to Neighbourhood Plans. It would be helpful if this response can be copied to the Parish Council for their information.

Research has clearly demonstrated that local people value their heritage<sup>1</sup> and Neighbourhood Plans are a positive way to help communities care for and enjoy the historic environment.

English Heritage is expecting that as Neighbourhood Planning Forums come to you to seek advice on preparing Neighbourhood Plans they will value guidance on how best to understand what heritage they have, as well as assistance on preparing appropriate policies to secure the conservation and enhancement of this local heritage resource.

Information held by the Council and used in the preparation of your Core Strategy/Local Plan is often the starting point for Neighbourhood Plans. Other

<sup>1</sup> English Heritage, *Heritage Counts*, 2008



29 Queen Square, Bristol, BS1 4ND  
0117 975 0706 Facsimile 0117 975 0701  
[www.english-heritage.org.uk](http://www.english-heritage.org.uk)



useful information may be available from the Historic Environment Record Centre or local environmental and amenity groups. English Heritage also publishes a wide range of relevant guidance. Links to these can be found in the appendix to this letter.

Plan preparation also offers the opportunity to harness a community's interest in the historic environment by getting them to help add to the evidence base, perhaps by creating and or reviewing a local heritage list, inputting to the preparation of conservation area appraisals and undertaking or further deepening historic characterisation studies.

English Heritage has a statutory role in the development plan process and there is a duty on either you as the Local Planning Authority or the Neighbourhood Planning Forum to consult English Heritage on any Neighbourhood Plan where our interests are considered to be affected as well as a duty to consult us on all Neighbourhood Development Orders and Community Right to Build Orders.

English Heritage will target its limited resources efficiently. We will directly advise on proposals with the potential for major change to significant, nationally important heritage assets and their settings. Our local offices may also advise communities where they wish to engage directly with us, subject to local priorities and capacity.

English Heritage fully recognises that the neighbourhood planning process is a locally-led initiative and communities will shape their own neighbourhood plan as informed by the issues and opportunities they are most concerned about and relevant to the local area. As a national organisation we are able to draw upon our experiences of neighbourhood planning across the country and information on our website might be of initial assistance <http://www.english-heritage.org.uk/caring/get-involved/improving-your-neighbourhood/>. It is envisaged that the website will be progressively updated to share good practice in the management of the historic environment through neighbourhood planning.

Should you wish to discuss any points within this letter, or if there are issues about this Neighbourhood Plan Area where the historic environment is likely to be of particular interest, please do not hesitate to contact me.

Yours faithfully



David Stuart  
Historic Places Adviser



29 Queen Square, Bristol, BS1 4ND  
0117 975 0706 Facsimile 0117 975 0701  
[www.english-heritage.org.uk](http://www.english-heritage.org.uk)

## **Appendix**

**The National Heritage List for England**: a full list with descriptions of England's listed buildings: <http://list.english-heritage.org.uk>

**Heritage Gateway**: includes local records of historic buildings and features [www.heritagegateway.org.uk](http://www.heritagegateway.org.uk)

**English Heritage's Advice by topic**: you can search for advice on a range of issues relating to the historic environment in the Advice section of our website

**Heritage Counts**: facts and figures on the historic environment <http://hc.english-heritage.org.uk>

**HELM (Historic Environment Local Management)** provides accessible information, training and guidance to decision makers whose actions affect the historic environment. [www.helm.org.uk](http://www.helm.org.uk) or [www.helm.org.uk/communityplanning](http://www.helm.org.uk/communityplanning)

**Heritage at Risk** programme provides a picture of the health of England's built heritage alongside advice on how best to save those sites most at risk of being lost forever. <http://www.english-heritage.org.uk/caring/heritage-at-risk>

**Placecheck** provides a method of taking the first steps in deciding how to improve an area. <http://www.placecheck.info/>

**The Building in Context** Toolkit grew out of the publication 'Building in Context' published by EH and CABE in 2001. The purpose of the publication is to stimulate a high standard of design when development takes place in historically sensitive contexts. The founding principle is that all successful design solutions depend on allowing time for a thorough site analysis and character appraisal of context. <http://building-in-context.org/toolkit.html>

**Knowing Your Place** deals with the incorporation of local heritage within plans that rural communities are producing. <http://www.english-heritage.org.uk/publications/known-your-place/>

**Planning for the Environment at the Neighbourhood Level** produced jointly by English Heritage, Natural England, the Environment Agency and the Forestry Commission gives ideas on how to improve the local environment and sources of information. <http://publications.environment-agency.gov.uk/PDF/GEHO0212BWAZ-E-E.pdf>

**Good Practice Guide for Local Heritage Listing** produced by English Heritage uses good practice to support the creation and management of local



29 Queen Square, Bristol, BS1 4ND  
0117 975 0706 Facsimile 0117 975 0701  
[www.english-heritage.org.uk](http://www.english-heritage.org.uk)



heritage lists. <http://www.english-heritage.org.uk/caring/listing/local/local-designations/local-list/>

**Understanding Place** series describes current approaches to and applications of historic characterisation in planning together with a series of case studies  
<http://www.helm.org.uk/server/show/nav.19604>



29 Queen Square, Bristol, BS1 4ND  
0117 975 0706 Facsimile 0117 975 0701  
[www.english-heritage.org.uk](http://www.english-heritage.org.uk)

## Appendix 2.

### Neighbourhood Area Decision Notice

\*80

#### **Proposed designation of Axmouth, Beer and Axminster Neighbourhood Areas**

Members considered the report of the Senior Planning Officer in respect of proposals received to designate Axmouth, Beer and Axminster Parishes as Neighbourhood Areas. The proposals had been subject to the requisite six week consultation period; no comments or objections had been received.

Following designation, the Parish Councils intend to produce a Neighbourhood Plan for the whole of each Parish, setting out local planning policies and potentially identifying sites for development.

**RESOLVED** that each of the following Parishes be designated as a separate Neighbourhood Area:

- Axmouth
- Beer
- Axminster

**REASON** The three applications met the requirements for an application for designation of a Neighbourhood Area as set out in legislation. No reason to amend the area applied for has been put forward and all three proposals are sensible in planning policy terms.

Source: East Devon District Council Cabinet Meeting Minutes, 2<sup>nd</sup> October 2013,

<http://eastdevon.gov.uk/media/1183332/cabinet-mins-021013.pdf>

## **Appendix 3**

**East Devon District Council**

**Strategic Environmental Assessment / Habitats Regulation Assessment  
Screening Opinion**

**Beer Neighbourhood Development Plan  
Strategic Environmental Assessment and Habitat  
Regulations Assessment**

-----

**Final Screening Report**

*Prepared by Officers of East Devon District Council*

**March 2017**

## **Introduction**

- 1.1 The purpose of this report is to assess the policies contained within the (revised) draft Beer Neighbourhood Development Plan (hereafter referred to as BNDP) to determine whether it requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004. An SEA is required under this legislation for all plans which may have a significant effect on the environment.
- 1.2 This report will also screen to determine whether or not the BNDP requires a Habitats Regulations Assessment (HRA) in accordance with Article 6(3) of the EU Habitats Directive and with Regulation 61 of the Conservation of Habitats and Species Regulations 2010. An HRA is required when it is deemed that the implementation of the plan is likely to cause negative significant effects on protected European Sites (Natura 2000 sites).
- 1.3 The conclusion of the assessment is that the BNDP is likely to have a significant effect on the environment so an SEA is required to accompany the Plan. There is also the potential for a negative impact on Natura 2000 sites so the plan should also be subject to HRA.
- 1.4 This report has been sent to the three statutory consultees designated in the Regulations (English Heritage, Environment Agency and Natural England) to elicit their views on the findings. Responses were received from Natural England and Historic England, both agreeing with the conclusions of the assessment. These responses are reproduced in appendix 2.

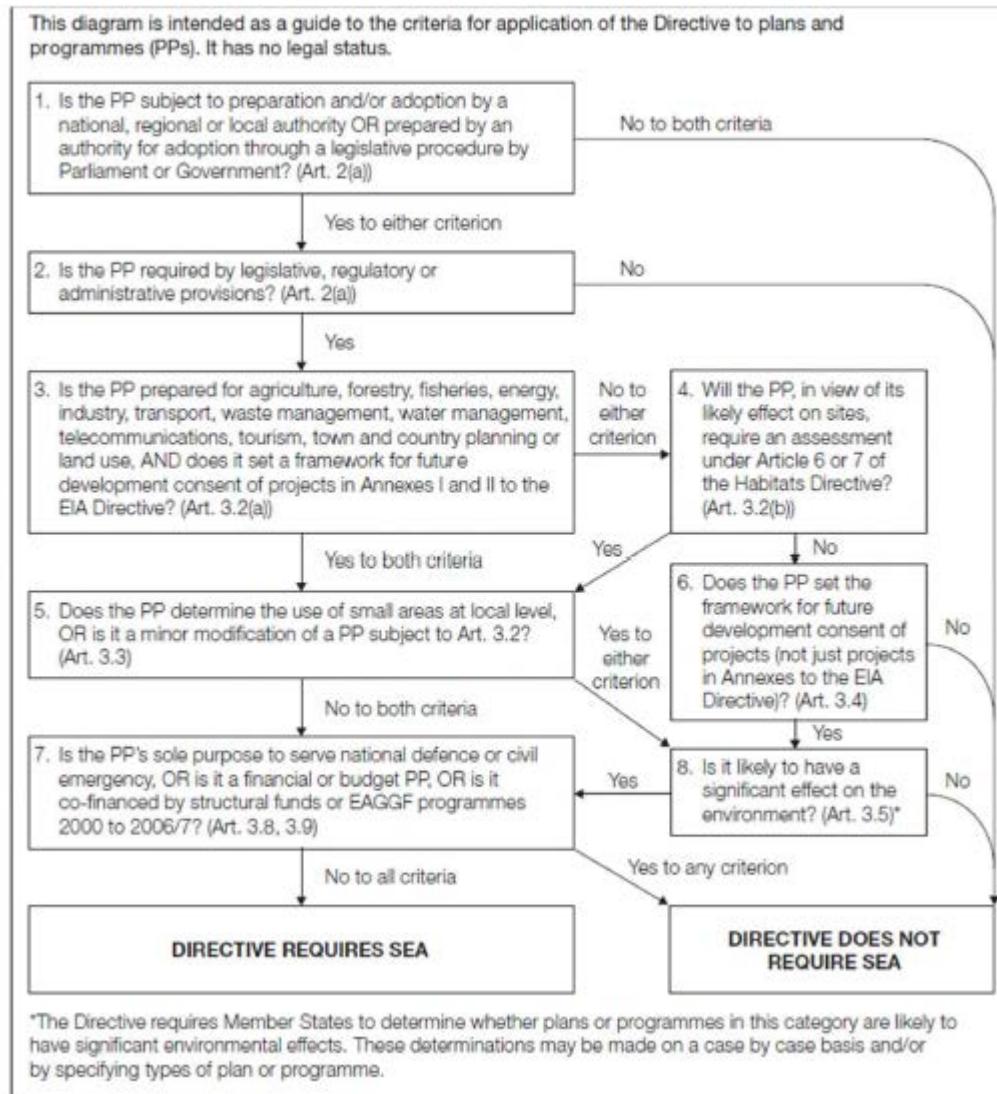
## **Beer Neighbourhood Plan**

- 2.1 The Beer Neighbourhood Plan has been production for approximately 3 years by a small group of local volunteers.
- 2.2 A first draft of the plan was produced in late 2015 which was subject to a screening assessment by this Council and a conclusion reached that the draft plan would not require strategic environmental assessment or habitats regulations assessment.
- 2.3 Since the production of that draft, a number of changes have been made to the plan; most importantly the plan now includes a site allocation for 30 houses when the initial draft didn't. As such, the Plan now needs to be re-screened in light of this
- 2.4 As this is the main significant change, a focus on this screening report will be placed on the housing allocation and its likelihood of impact on the environment and designated sites in the parish.

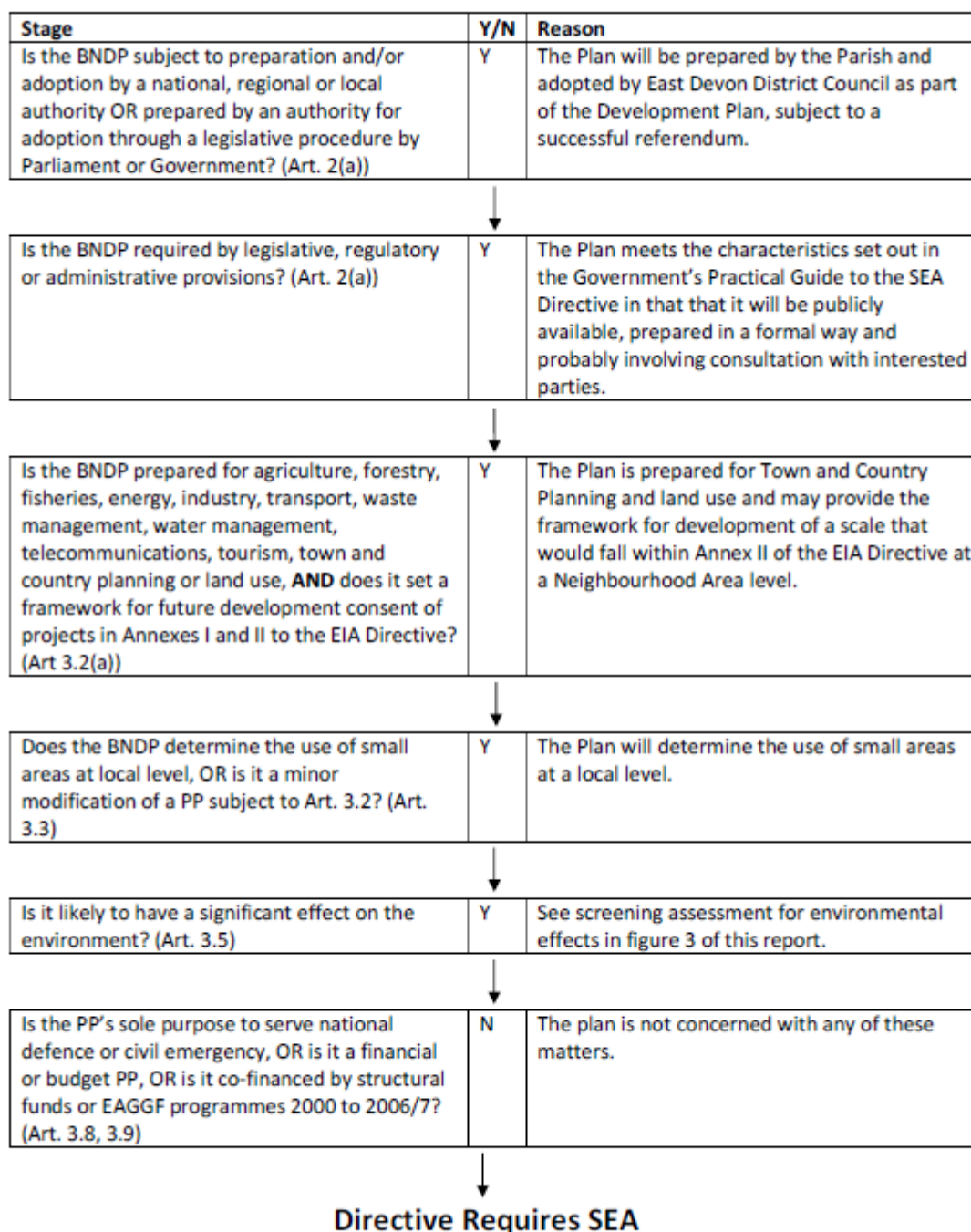
## SEA screening

- 3.1 The basis for Strategic Environmental Assessments and Sustainability Appraisal legislation is European Directive 2001/42/EC and was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, or SEA Regulations. Detailed Guidance of these regulations can be found in the Government publication 'A Practical Guide to the Strategic Environmental Assessment Directive' (ODPM 2005).
- 3.2 The objective of SEA is *'to provide for a high level of protection of the environment and contribute to the integration of environmental considerations into the preparation and adoption of development plans.... with a view to promoting sustainable development'* EU Directive 2001/42/EC (Article 1).
- 3.3 At present, there is no legal requirement for all Neighbourhood Plans to produce an accompanying SEA; however, Local Authorities are legally obliged to advise the plan producers as to whether an SEA is required based on the contents of the plan.
- 3.4 To ascertain if SEA is required, a "screening" exercise will be undertaken by East Devon District Council evaluating the draft BNDP against the criteria set out in the SEA Directive. This criterion is set out in the SEA Directive and can be found in Figure 1.
- 3.5 Should the screening report reach the conclusion that the plan will have a significant impact on the environment; a full SEA should be undertaken.
- 3.6 As the conclusion is that a full SEA is not required, it is important that any significant variations or additions to the draft BNDP are subject to a further screening, as they might include environmental impacts that would otherwise not be assessed.
- 3.7 SEAs have previously been undertaken as part of the adopted East Devon Local Plan 1995 to 2011 and emerging East Devon Local Plan 2013-2031 and have been taken into account whilst undertaking this screening assessment.

**Figure 1: Application of the SEA Directive to plans and programmes**



**Figure 2:** Screening assessment against the criteria for whether the BNDP requires an SEA.





### Assessment of Environmental effects

3.8 Under step 8 of the Application of the SEA directive (Figure 1), in order to establish whether a plan requires an SEA, it was necessary to conduct a thorough assessment of whether the plan is likely to have a significant effect on the environment.

3.9 The table below sets out the criteria on which the impact of the BNDP will be judged, as outlined in Article 3.5 of the SEA Directive.

**Figure 3:** Environmental impact screening assesment

| Criteria for determining the likely significance of effects (Schedule 1 of SEA regulations)                                                                                                         | Is the BNDP likely to have a significant environmental effect? | Justification for Screening Assessment                                                                                                                                                                                                                                                                                                                                 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources. | <b>Y</b>                                                       | The BNDP sets a framework for developments within the neighbourhood area. It allocates a site for approximately 30 dwellings on the western edge of the village which is considered to be a large allocation when taking into account the village's location in the AONB.                                                                                              |
| The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.                                                                                     | <b>N</b>                                                       | The BNDP must be in general conformity with the adopted East Devon Local Plan and have regard to national guidance. It must also be compatible with EU law and the ECHR obligations. It is not considered to have an influence on other plans besides than individual planning applications that may come forward in the area.                                         |
| The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.                                          | <b>N</b>                                                       | The plan will contribute towards the achievement of sustainable development, as required by the "basic conditions" on which the plan will be judged at examination. The plan producers are also planning to prepare a sustainability appraisal, in which the objective of sustainable development will be considered throughout.                                       |
| Environmental problems relevant to the plan or programme.                                                                                                                                           | <b>N</b>                                                       | Its position on the coast means that Beer suffers from a level of coastal erosion, although this is mitigated through the chalk cliffs which are largely resistant to erosion. Loss of beach sediment is also a potential issue, however, the stone groyne situated on the beach is believed to stabilise sediment levels and the Plan encourages improvement of this. |

|                                                                                                                                                                                       |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                       |          | The Plan is therefore not considered to have a significant impact on current environmental problems within the parish.                                                                                                                                                                                                                                                                                                                           |
| The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection). | <b>N</b> | These community legislation types are not relevant to the BNDP and will not need to be considered.                                                                                                                                                                                                                                                                                                                                               |
| The probability, duration, frequency and reversibility of the effects.                                                                                                                | <b>N</b> | Although the BNDP does not allocate sites, it is probable that the parameters set in the plan will result in development within the plan's lifespan. However, this will only be in the form of development predominantly within the built-up area boundary and will be assessed via the standard application process. The policies on the whole promote sustainable development and are not expected to have a significant environmental impact. |
| The cumulative nature of the effects.                                                                                                                                                 | <b>N</b> | The cumulative effects of the BNDP are not considered to have a significant effect on the environment.                                                                                                                                                                                                                                                                                                                                           |
| The trans-boundary nature of the effects.                                                                                                                                             | <b>N</b> | The BNDP will set a framework for development within the Neighbourhood Area. The scale of development it will impact upon is unlikely to have an effect on neighbouring areas.                                                                                                                                                                                                                                                                   |
| The risks to human health or the environment (e.g. due to accidents).                                                                                                                 | <b>N</b> | There are no risks to human health or the environment identified.                                                                                                                                                                                                                                                                                                                                                                                |
| The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).                                                                 | <b>N</b> | The BNDP is concerned only with development within the parish of Beer, which has an approximate resident population of 1,317. If there are any effects they are not considered to be wide ranging.                                                                                                                                                                                                                                               |
| The value and vulnerability of the area likely to be affected due to: special natural characteristics or cultural heritage; exceeded environmental quality standards or limit values; | <b>Y</b> | <p>The majority of the western part of Beer parish is covered by the East Devon AONB.</p> <p>The parish contains 5 county wildlife sites- Beer quarry and caves, Bovey Lane quarry, Bovey Lane fields, Beer Fields and Beer Head, which are sensitive in relation</p>                                                                                                                                                                            |

|                                                                                                                                               |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|-----------------------------------------------------------------------------------------------------------------------------------------------|--|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>intensive land-use; the effects on areas or landscapes which have a recognised national, Community or international protection status.</p> |  | <p>to their abundance and range of species rich flora and fauna .</p> <p>The Beer quarry and caves are particularly sensitive due to the presence of bat colonies and are also designated a site of special scientific interest and a special area of conservation. This is considered in more detail under the Habitat Regulations Assessment section of this document but it is concluded that a significant impact on protected species cannot be ruled out.</p> <p>Beer is also situated along the Jurassic Coast- England's only natural world heritage site which is offered one of the highest levels of protection. The coast is also designated as a site of special scientific interest and a special area of conservation. The site allocation is situated on the north-western edge of the Town approximately 700m away and is therefore considered unlikely to have a significant impact upon this.</p> <p>24 listed buildings are situated in the parish, with 20 of these located in the conservation area covering the east of the village. The site allocation is located on the western edge of the village and would form an extension to the development at Short Furling. It is situated within the AONB and approximately 700m away from the Beer quarry and caves special area of conservation.</p> <p>Its situation on the edge of the village means that it is located away from the historic built centre of the village, where the majority of listed buildings are situated. The nearest listed building is roughly 70m from the site and is not clearly visible from the site.</p> <p>Due to the nature and scale of the allocation in relation to the sensitivity of</p> |
|-----------------------------------------------------------------------------------------------------------------------------------------------|--|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|  |  |                                                                                                                                                                       |
|--|--|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  |  | the area, it is considered that a significant environmental impact is likely and an SEA should be undertaken to properly assess the impact of the Neighbourhood Plan. |
|--|--|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|

## Conclusion

3.10 Taking the above assessment into consideration, The BNDP is likely to have a significant environmental impact beyond that has previously been identified through the SEA of the Local Plan. Beer is located in a sensitive area in the district, and taking into account the scale and nature of proposals in the plan, with particular consideration of the allocated site, an SEA should be undertaken to ensure that environmental impact is considered and satisfactorily mitigated.

## Habitat Regulations Screening Assessment

- 4.1 The (revised) draft version of the plan has been used to undertake this screening assessment. The conclusion is that a full Habitat Regulations Assessment is required, any significant variations or additions to Plan will be subject to a further screening. A screening report was produced as part of the production of the emerging Local Plan and has been taken into account in undertaking this screening assessment.
- 4.2 The Conservation (Natural Habitats &c.) Regulations 1994 (The Habitats Regulations) transpose the requirements of the European Habitats Directive 92/43/EEC into UK law. The Habitats Directive and Regulations afford protection to plants, animals and habitats that are rare and vulnerable in a European context.
- 4.3 Habitats Regulations Assessment (HRA) is a systematic process through which the performance of a plan or project can be assessed for its likely impact on the integrity of a European Site. European Sites, also referred to as Natura 2000 sites, consist of Special Protection Areas (SPA), Special Areas of Conservation (SAC); Potential Special Protection Areas and candidate Special Areas of Conservation (pSPA and cSAC); and listed or proposed Ramsar sites.
- 4.4 Article 6(3) of the Habitats Directive states:
- ‘Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans and projects, shall be subject to appropriate assessment of its implications for the site in view of the site’s conservation objectives’.
- 4.5 In respect of the Parish of Beer, the European Designated Sites are:
- Sidmouth to West Bay Special Area of Conservation (SAC)
  - Beer Quarry Caves Site of Special scientific Interest (SSSI) and Special Area of Conservation (SAC)
- 4.6 The Sidmouth to West Bay SAC lies to the very south of Beer Parish, along the coastline. This area was designated due to the significant annual vegetation of drift lines, which is considered to be rare as its total extent in the UK is less than 100ha, vegetated sea cliffs of the Atlantic and Baltic coasts and the Tilio-Acerion forests of slopes, screes and ravines. There are no immediate threats to the features of European Importance on this site. Management of the site is assisted by Countryside Stewardship and English Nature's Reserve Enhancement Scheme.
- 4.7 The Beer Quarry Caves Special Area of Conservation is located to the west of the village. The primary reason for the designation of this site is the presence of small numbers of the Bechstein's bat, which use it as a hibernation site, as well as other bat species, particularly the greater and lesser horseshoe bats. The Natura 2000 data form states that

“To maintain the present and potential value of the quarry and cave system for bats, their integrity must be



protected. The site is divided in two by a road, with a working quarry to the north and a disused quarry and cave system to the south. A small number of bats are thought to use the tunnels in the northern face of the quarry as winter roosts, but these do not appear to represent a major haunt. The tunnels lie in the Beer Stone, below the chalk, and future quarrying operations (c. 20 years) will not extend so far as to destroy the tunnels. Therefore, there is potential for their future development for bats. Occasional quarrying of Beer Stone takes place only in the spring, after hibernation. Parts of the cave system are open to the public, but disturbance is minimal as they are only open during the summer months. A site management statement has been agreed with the quarrying company.

- 4.8 Whilst the bats use the caves to hibernate and breed, their feeding grounds and flight paths extend a considerable distance beyond, into open countryside. There is currently a shortage of locally specific data relating to the bats activities. Natural England advise that they “are not aware of significant populations of protected species which are likely to be affected by the proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.” At the present time this is not possible due to the lack of data, however East Devon AONB (Area of Outstanding Natural Beauty) Partnership are currently undertaking a very detailed study into the habits of the bat population of Beer Quarry Caves and are mapping areas of sensitivity related to their foraging grounds etc. The outcome of this study should be available shortly.
- 4.9 Natural England have advised that a Neighbourhood Plan cannot be ‘made’ if the likelihood of significant effects on any European Site (either alone or in combination with other plans and projects) cannot be ruled out. Therefore, measures may need to be incorporated into the neighbourhood plan to ensure that any likely significant effects are avoided in order to secure compliance with the Regulations. They also state that a screening exercise should be undertaken if there is any doubt about the possible effects of the plan on European protected sites. They advise that this will be particularly important if a neighbourhood plan proposes development which has not been assessed and/or included in the Habitats Regulations Assessment for the local plan.
- 4.10 The Neighbourhood Plan proposes new housing on a site to the west of the village, extending towards the Quarry Caves SSSI and SAC. This site has been subject to a previous planning application for a similar scale housing (refused as it was not in conformity with the Local Plan, but not on ecology grounds), which was accompanied by an ecological assessment. The detail of the assessment is available on the planning file, but the Executive Summary is appended to this screening report. In brief, this assessment included the findings of a preliminary ecological appraisal and manual and automatic bat surveys, given the proximity to Beer Caves (SAC). The findings of the assessment were that the site supports a low population of slow worms and that the boundary hedgerows are an important habitat feature for both bats and dormice. However, the report concludes that subject to a programme of translocation for reptiles and suitable compensatory habitat creation either on or off site the impact on reptiles would be acceptable. In addition gapping up of existing hedgerows and provision of new hedgerow planting would be sufficient to ensure that the proposed development would have a negligible ecological impact.

### Screening Criteria Questions

1. Is the Neighbourhood Plan directly connected with, or necessary to the management of a European site for nature conservation?

No

2. Does the Neighbourhood Plan propose new development or allocate sites for development?

*The Neighbourhood Plan proposes to allocate a site for housing (a mix of 31 market and affordable houses) on a site to the west of the village.*

*Beer is identified as a settlement with a Built-up Area Boundary in the adopted East Devon Local Plan and this Boundary is identified in the emerging East Devon Villages Plan. Within the Built-up Area Boundary there is a presumption that modest 'in-fill' development may take place and the Neighbourhood Plan allows for this modest growth. Outside of the Built-up Area Boundary there is a presumption against new residential development unless it is very small-scale and is permitted to meet a specific need (e.g. affordable housing or an agricultural workers dwelling) or to achieve the retention of an historic building. A detailed assessment of potential impacts will be carried out when specific proposals come forward through the planning system. The Neighbourhood Plan proposes to allocate an additional site, at Short Furlong on the western edge of the village for a mix of affordable and market houses (31 houses of which 13 or 43% will be affordable).*

*The Plan also contains a number of positively worded policies allowing new development in the countryside, for instance permitting new tourist accommodation, recreation areas and marine activities. These are acceptable in principle and accord with the existing and emerging Local Plans. Reference is made in the Neighbourhood Plan to the need to avoid harming the Beer Quarry Caves and Sidmouth to West Bay areas, and their associated hinterlands (as well as other important sites). In both cases, the surrounding areas are key to the protection of the European Natura 2000 sites, and the bats feeding grounds and flightpaths are particularly vulnerable to removal and interference.*

*The existing, adopted Local Plan was subject to an HRA and the type of small scale housing referred to in the Beer objectives generally accords with Local Plan policy. The screening opinion and HRA for the Local Plan concluded it would have sufficient policy provisions to enable the subsequent delivery of necessary measures to avoid and mitigate adverse effects on the integrity of European Sites. There is, however insufficient information available to conclude that the proposed allocation of 31 houses at Short Furlong (which was not taken into account in the HRA for the Local Plan) will not result in an adverse effect on the integrity of the Beer Quarry Caves European Site. An HRA is therefore required for the Neighbourhod Plan.*

3. Are there any other projects or plans that together with the Neighbourhood Plan could impact on the integrity of a European Site?

No

## **Conclusion**

- 5.1 The Neighbourhood Plan proposes development which is not proposed in the East Devon Local Plan, and therefore has not been considered as part of the Habitat Regulations Assessment of that Plan.
- 5.2 In the absence of detailed information to the contrary, East Devon District Council concludes that the proposed development (due to its scale and location) could potentially result in a negative impact on the protected bat species' and therefore requires a full Habitat Regulations Assessment. If additional information is provided to EDDC and a further screening report is undertaken eg following the findings of the AONB Partnership Study referred to in paragraph 4.8, demonstrate that harm is unlikely to result from the proposed development, this conclusion may change .



## APPENDIX 1

### Executive summary of the Ecological Report which accompanied planning application 14/2621/MOUT

Richard Green Ecology Ltd was commissioned by Clinton Devon Estates to undertake an ecological impact assessment of a proposed housing development on an area of land adjacent to Short Furlong, Beer, Devon, NGR SY 224 894.

A preliminary ecological appraisal of the site was undertaken in August 2012 by Richard Green Ecology Ltd.

Given the proximity to Beer Caves SAC (designated for bat interest) manual and automated static bat activity survey was undertaken between July and September 2014 to determine whether the proposal would have any significant impacts on bats. Reptile surveys were also undertaken between August and September 2014.

The site supports a low population of slow worms. It is recommended that, prior to any development, slow worms are caught and transferred to a suitable receptor site. The loss of reptile habitat should be compensated for on or off the site. Suitable compensation should include provision of rank grassland alongside a hedge and including reptile hibernacula and log/brush piles.

Up to six species of bat were recorded over the site, including greater and lesser horseshoe bats, with common pipistrelle bat being the most frequently recorded species. It is considered that the boundary hedgerows are an important habitat feature on the site for bats. Existing boundary hedgerows would be retained around the development. Gaps within the west boundary hedgerows would also be planted up with native hedge plants and new hedge banks created to the north and south of the site. It is also recommended that if any street lighting is required, a sensitive lighting scheme be adopted. Recommendations are also made for the provision of bat boxes on the proposed buildings.

Gnawed hazel nuts found on the site indicate that dormice are present within the hedgerows surrounding the site. To compensate for any potential disturbance from site operations and the potential increase of cat predation, new boundary hedgerows, to include some standard trees, would be planted along the south and north boundaries of the site. The hedgerows should be species-rich Devon banks. The new hedge banks should be subject to a minimum of a 3-year aftercare period, where any failed plants will be replaced.

By following the recommendations provided, it is considered that the proposed development would have negligible ecological impact, whilst providing local ecological enhancement.

## Appendix 2

Timothy Spurway

---

From: Stuart, David <David.Stuart@HistoricEngland.org.uk>  
Sent: 06 March 2017 15:42  
To: Timothy Spurway  
Subject: Beer SEA HRA Screening Report - UNCLASSIFIED:  
  
Follow Up Flag: Follow up  
Flag Status: Flagged

Dear Tim

Thank you for your consultation on the revised SEA Screening for the emerging Beer Neighbourhood Plan.

I can confirm that we have no objection to the conclusion that, on the basis of the site allocation now proposed within the Plan, an SEA will be required.

We would recommend that the exercise draw upon our guidance on Site Allocations <https://historicengland.org.uk/images-books/publications/historic-environment-and-site-allocations-in-local-plans/>, SEAs <https://historicengland.org.uk/images-books/publications/sustainability-appraisal-and-strategic-environmental-assessment-advice-note-8/> and Setting <https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/>

Please note that the latter is in the process of being refreshed so please keep an eye on the website for further updates.

Kind regards

David

David Stuart | Historic Places Adviser South West Direct  
Line: 0117 975 0680 | Mobile: 0797 924 0316

Historic England | 29 Queen Square | Bristol | BS1 4ND

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Date: 07 March 2017  
Our ref: 206673  
Your ref: Beer Neighbourhood Plan SEA / HRA Screening

Tim Spurway  
Neighbourhood Planning Officer  
Planning Policy Section,  
East Devon District Council,  
Station Road,  
SIDMOUTH  
EX10 8HL



Customer Services  
Hombeam House  
Crewe Business Park  
Electra Way

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Cheshire  
CW1 6GJ

BY EMAIL ONLY

T 0300 060 3900

Dear Mr Spurway

Screening scoping consultation: SEA Scoping and Screening Report - Beer Neighbourhood Plan, East Devon

Thank you for your consultation on the above dated 23<sup>rd</sup> January 2017 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

WILDLIFE AND COUNTRYSIDE ACT 1981 (AS AMENDED)  
ENVIRONMENTAL ASSESSMENT OF PLANS AND PROGRAMMES REGULATIONS 2004  
CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2010 (AS AMENDED) THE  
NEIGHBOURHOOD PLANNING (GENERAL) REGULATIONS 2012

#### Strategic Environmental Assessment (SEA) – Screening

The following designated sites have the potential to be affected by development proposals in Beer:

- Sidmouth to Beer Coast Site of Special scientific Interest (SSSI)
- Sidmouth to West Bay Special Area of Conservation (SAC)
- Beer Quarry Caves Site of Special scientific Interest (SSSI)
- Beer Quarry Caves Special Area of Conservation (SAC)
- East Devon AONB

Guidance on the assessment of Neighbourhood Plans in light of the SEA Directive is contained within the National Planning Practice Guidance. The guidance highlights three triggers that may require the

Page 1 of 3



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production of an SEA, for instance where:

- a neighbourhood plan allocates sites for development
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
- the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

As the Beer Neighbourhood plan now contains an allocation for housing not included in the Local Plan, Natural England agrees with the conclusion that an SEA is required as detailed in paragraph 3.10 of the Screening report.

The SEA is the means of auditing development and testing the policies and proposals against the plans objectives (which should be sustainable.) The SEA should on the basis of the scoping of the document, focus on the main issues and conflicts. A brief explanation of the scoping would be helpful. The SA should set out a simple narrative that explains why key choices were made (considering only real alternatives). Where the conflicts between objectives are capable of local resolution, the plan / SEA needs to indicate how this was done.

#### Habitats Regulations Assessment - Screening

Where a neighbourhood plan could potentially affect a European protected site, it will be necessary to screen the plan in relation to the Conservation of Habitats and Species Regulations (2010), as amended (the 'Habitats Regulations'). One of the basic conditions that will be tested at Examination is whether the making of the plan is compatible with European obligations and this includes requirements relating to the Habitats Directive, which is transposed into the Habitats Regulations.

**In accordance with Schedule 2 of The Neighbourhood Planning (General) Regulations 2012, a neighbourhood plan cannot be made if the likelihood of significant effects on any European Site, either alone (or in combination with other plans and projects) cannot be ruled out.**

Therefore, measures may need to be incorporated into the neighbourhood plan to ensure that any likely significant effects are avoided in order to secure compliance with the Regulations. A screening exercise should be undertaken if there is any doubt about the possible effects of the plan on European protected sites.

This will be particularly important if a neighbourhood plan is to progress before a local plan has been adopted and/or the neighbourhood plan proposes development which has not been assessed and/or included in the Habitats Regulations Assessment for the local plan.

European Designated Sites:

- Sidmouth to West Bay Special Area of Conservation (SAC)
- Beer Quarry Caves Special Area of Conservation (SAC)

The Neighbourhood Plan proposes development within the area in which impacts of residential development on the aforementioned sites could arise in the absence of appropriate mitigation. This is not proposed or assessed within the East Devon Local Plan. Therefore Natural England agrees with the conclusion in paragraph 5.2 of the Screening Report that a full Habitats Regulation Assessment (HRA) is required.

Natural England also advises that further consideration is given to the in combination effect with other plans or projects that may have potential to have an impact on Beer Quarry Caves Special Area of Conservation (SAC).



It is noted that paragraph 1.3 in the introduction to the Scoping Report concludes that an SEA/HRA is not required. This is not consistent with the conclusions within and this needs to be addressed.

Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre,

recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SA/SEA is necessary.

Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA/SA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.

For any queries relating to the specific advice in this letter only please contact me on 0300 060 0275. For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours Sincerely

S. Panks

Steve

Panks

Lead Adviser – Devon Sustainable Development

Team Tel: 0300 060 0275

Email: [stephen.panks@naturalengland.org.uk](mailto:stephen.panks@naturalengland.org.uk)

## **Appendix 4**

### **Beer Neighbourhood Plan Strategic Environmental Assessment Report**

Due to the length of the report, please see separate file on the website

[http://www.beerparishcouncil.org.uk/BeerParish/beer\\_neighbourhood\\_plan-20304.aspx](http://www.beerparishcouncil.org.uk/BeerParish/beer_neighbourhood_plan-20304.aspx)

## **Appendix 5**

### **Beer Neighbourhood Plan Habitat Regulations Assessment Report**

Due to the length of the report, please see separate file on the website

[http://www.beerparishcouncil.org.uk/BeerParish/beer\\_neighbourhood\\_plan-20304.aspx](http://www.beerparishcouncil.org.uk/BeerParish/beer_neighbourhood_plan-20304.aspx)



## **Appendix 6**

### **Neighbourhood Plan Submission Version Policies**

#### Policy NE1 – Development and the Natural Environment

The quality of Beer's landscape and setting should not be compromised and valued features will be protected.

Development proposals will be supported where they:

- i) have demonstrated that there are no adverse impacts on the natural environment (landscape, biodiversity and habitats) or any impacts are satisfactorily mitigated;
- ii) have demonstrated that there are no adverse impacts on prominent skylines viewed from Beer village centre (identified on Figure 4);
- iii) are of a scale, mass and density appropriate to their landscape setting; and,
- iv) enhance the natural environment where there is the opportunity to do so by encouraging the retention of natural vegetation features e.g. hedges, trees and Devon Banks.

Where mitigating measures are unavoidably required for development to be acceptable within its landscape setting, appropriate landscaping should be employed to mitigate the impact of the development. Such measures should include the use of appropriate planting which can enrich the biodiversity of the area such as locally 'indigenous' trees and hedges, and should be set out in planning conditions as part of planning consent.

#### Policy NE2 – Locally Important Wildlife Sites

Locally Important Wildlife Sites (LIWS) will be protected from development to maintain and enhance their biodiversity and habitats they support. These two sites have been identified and appear on Figure 5 alongside Quarry Caves, a Site of Special Scientific Interest, (SSSI) and are:

- i) Hooken Landslide; and,
- ii) Rock Pools.

Development proposals affecting these areas should seek to protect or enhance the value of them to wildlife and enrich biodiversity. Where the negative impact of change is unavoidable, proposals should demonstrate how negative impacts will be mitigated.

#### Policy NE3 – Protecting Historic Natural Features

Development proposals should ensure that they have no negative impacts on important Devon banks, hedges and trees.

Where change to existing traditional Devon banks, hedges and trees is unavoidable (for example, where there are no other options to access a site or for reasons of safety), proposals for development which affect important traditional Devon banks, hedges and trees will be supported where they have demonstrated that:

- i) mitigating solutions have been assessed and, as a result, the proposal incorporates the least damaging option (to the hedgerow / bank, setting in the landscape, biodiversity and habitats); and,
- ii) compensatory planting and landscaping will satisfactorily mitigate the impact and loss.

#### Policy NE4 – Improving Access to the Natural Environment

Development proposals outside of and on the edge of the Beer built-up area boundary that seek to improve public access to and enjoyment of the countryside (including publicly accessible cliff-top areas) will be supported, where they are in accordance with the other policies in this plan.

#### Policy NE5 - Rights of Way and Other Access (footpaths, pavements, bridleways and cycleways)

Proposals for development of, or affecting, rights of way and other access ways will be supported where:

- i) they have no negative impact on the natural environment (landscape, biodiversity and habitats);
- ii) they promote, protect, maintain and enhance the existing public rights of way network and other access ways;
- iii) they improve and enhance the existing network of access through the provision of upgraded, new or extended routes; and,
- iv) they prevent motorised vehicles (except those specifically designed for the disabled) from inappropriate use of public rights of way and other access ways through design measures and access gates.

#### Policy MS1 – Beer Beach

Development proposals on or adjacent to the Beach at Beer will be supported only if:

- i) they meet a proven need for community or visitor facilities; or
- ii) support marine-related activities in accordance with policy MS7; and
- iii) are of an appropriate scale and contribute positively to the special character of the local environment.

#### **Policy MS2 – Coastal Erosion**

Development proposals which are deemed necessary to prevent flooding from coastal storms and coastal erosion at Beer in the interest of protecting local property and businesses will be supported, provided they do not negatively impact upon the Jurassic Coast World Heritage Site and the landscape character and setting of the area.

#### **Policy MS3 – Groyne**

Development proposals that are necessary to maintain the concrete groyne will be supported provided they do not negatively impact upon the Jurassic Coast World Heritage Site and the landscape character and setting of the area.

#### **Policy MS4 – Marine Conservation**

Development proposals that facilitate and enhance marine conservation will be supported where they do not have a significant harmful impact on the Beach and the surrounding environmental features and assets.

#### **Policy MS5 – High Quality Visitor Facilities and Amenities**

Development proposals to provide visitor-related facilities or amenities should demonstrate how they:

- i) have taken the Beer Design Statement into account; and,
- ii) comply with the requirements set in Policy HBE1.

#### **Policy MS6 – Access to the Beach and Connected Public Areas**

Development proposals aimed at making access easier and safer to the Beach and its facilities, or the public areas shown in Figures 6 (which includes Jubilee and Sea Hill) will be supported, provided they do not negatively impact upon the Jurassic Coast World Heritage Site and the landscape character and setting of the area.

#### Policy MS7 – Marine-related Activities

The development of facilities which support marine-related activities, which demonstrate benefits to the local economy, on or adjacent to the Beach will be supported provided that the development would not have significant harmful impacts on:

- i) the Beach and surrounding environmental features and assets;
- ii) the visitor experience;
- iii) the amenities of residents and other neighbouring uses; and,
- iv) existing commercial fishing operations.

#### Policy HBE1 – Beer Local Gap

To ensure that Beer maintains its separate identity, setting in the landscape and local built character and extent, the designated Built-up Area Boundary will be reinforced to the east and north-east (as identified on Figure 6) to prevent coalescence between Beer and Seaton and maintain a local green gap. Proposals for development (including change of use) which require planning permission will only be acceptable where they:

- i) are for measures to prevent coastal erosion in line with policy MS2; or,
- ii) propose improvements to access to the countryside in line with policy NE5; or,
- iii) are for essential agricultural uses;

And,

- iv) do not compromise the visual openness and landscape character of the gap;
- v) maintain the character of the undeveloped coast; and,
- vi) meet the requirements of policy NE1; and,
- vii) meet the requirements set out in Local Plan policy Strategy 44.

#### Policy HBE2 – High Quality Design

To ensure that new development is sympathetic to the traditional and historic built character and landscape of the parish, development proposals will be supported where they are of high quality design, enhance visual amenity of the setting and minimise any adverse visual impact on locally valued character, and on neighbouring properties to the proposed development site.

To be considered as high-quality design, development proposals should meet the requirements set out in the Beer Village Design Statement. Particular attention should be paid to:

- i) ensuring that the size, height, density, scale and location of the development is appropriate to the form, scale and setting of the surrounding built environment, respecting key characteristics such as (but not limited to) steeply pitched roofs with deep soffits and small paned windows;
- ii) ensuring that materials and design of the development are in-keeping with the character of the surrounding built environment, with a focus on the use of local materials such as Beer stone (where available), flint and chert and resisting block walls or render;
- iii) ensuring that it is designed in such a way as to minimise its impact on the skyline, on the visual amenity of the surrounding landscape, on views of the proposed development and on the natural environment;
- iv) ensuring the use of traditional design in the Beer Conservation Area and preserving or enhancing the essential character of the Conservation Area; and,
- v) ensuring the support of development which shows a high degree of sustainability.

#### Policy HBE3 – Sharing use of Pavements for Business and the Social Economy

Development proposals for the shared use of pavements for business purposes, such as tables and chairs for food and drink establishments or advertisements / signs, will be supported where satisfactory arrangements can be made to allow the safe movement past the area by pedestrians, people with impaired mobility and people with mobility vehicles.

#### Policy HBE4 – Renewable and Low Carbon Energy

Development proposals for large scale renewable and low carbon technologies are not supported.

Development proposals for small-scale domestic, commercial and community renewable and low carbon energy generation will be supported where:

- i) the proposal complies with the other policies in this Plan;
- ii) the proposal is located within the curtilage of a building;
- iii) the proposal is sensitively sited and there are no adverse impacts on landscape character, wildlife, habitats and biodiversity, the Jurassic Coast and Area of Outstanding Natural Beauty, or it can be demonstrated that impacts can be satisfactorily mitigated;
- iv) the number, siting, scale and design of installations and associated infrastructure and buildings have no adverse impact on (or any adverse impacts can be mitigated):
  - a) local amenity (including visual amenity, noise, vibration, electromagnetic interference, shadow flicker, reflection);
  - b) nearby dwellings;
  - c) the enjoyment of or access to public rights of way and other access routes; and,
  - d) public safety.

## **Policy H1 – Meeting the Demand for Local Needs Housing in Beer Village**

**Proposals for new dwellings will be supported where the proposed dwelling or mix of dwellings:**

**i) help to meet a demonstrable local need for affordable housing based on an up-to-date assessment of need and comprise an appropriate mix of dwellings to respond to this need for specific tenures including:**

**a) affordable rented; and / or,**

**b) shared equity;**

**c) social rent**

**ii) are of the appropriate house type (detached, semi-detached, terraced, flatted, bungalows, etc.) to respond to local needs;**

**iii) are of the appropriate size (in terms of number of bedrooms) to accommodate local needs;**

**iv) are for people with a local connection (as defined in the adopted Local Plan);**

**v) are of a size, scale and design appropriate to the built character and setting; and,**

**vi) satisfy the requirements in the adopted East Devon Local Plan.**

**Proposals within the built-up area boundary will deliver at least 50% affordable housing, in line with Strategy 34 of the Local Plan. If viability evidence justifies a lower level of affordable housing, then this shall be limited to an absolute minimum of 40%. The tenure mix of the affordable housing may be adjusted depending on local demand and the financial viability of the affordable elements of the scheme.**

**Proposals outside the built-up area boundary should provide at least 66%, in line with Strategy 35 of the Local Plan.**

**Proposers of development should engage with the local community and Parish Council to help ensure that proposals take into account both this plan's aims and objectives and the views of the local community.**

## **Policy H2 – Community Housing**

**Proposals for new housing development brought forward to meet a demonstrable local market or affordability need which seek to retain the dwellings as community assets in perpetuity (for example through Community Land Trusts) are supported.**



### **Policy H3 – Site Allocation: Land at Short Furlong**

Land at Short Furlong identified in Figure 11 is allocated for up to 31 dwellings with a minimum amount of affordable housing to be provided on-site in accordance with policy H1. Proposals should be informed by detailed Landscape and Visual Impact assessment (noting the sensitivity of the site and Beer in general) in line with current best practice guidance and demonstrate that they will minimise any adverse impacts on the landscape character and visual amenity of the area and skyline. Where this is not feasible satisfactory measures to mitigate adverse impact must be taken.

Proposals will be supported where they:

- i) provide adequate drainage promoting the use of Sustainable Drainage Systems (SuDS) and ensure no net increase in flood risk;
- ii) provide safe and satisfactory access arrangements;
- iii) deliver high quality design reflecting local building styles and materials;
- iv) retain existing vegetation surrounding the site with new tree and hedgerow planting incorporated into the scheme, to retain and encourage biodiversity and minimise potential impact to the Area of Outstanding Natural Beauty; and
- v) provide an appropriate level of information on the impact of the proposal on the archaeological interest and heritage asset of the site.

Proposals should be informed by detailed landscape assessment (noting the sensitivity of the site and Beer in general) and demonstrate that they will minimise any adverse impacts on the landscape character of the area and skyline or, where this is not feasible satisfactorily mitigate adverse impact.

Proposals must be supported by a Bat Mitigation Strategy which must:

- vi) be approved by the Local Planning Authority prior to permission being granted and be subject to implementation through enforced conditions;
- vii) demonstrate how the site will be developed in a way that ensures that impacts to bats associated with the Beer Quarry Caves Special Area of Conservation (SAC) are avoided, including maintaining suitable commuting routes to prevent fragmentation of habitats;
- viii) be informed by appropriate ecological survey information and an appropriate lighting assessment; and,
- ix) demonstrate that there will be no adverse effect on the Beer Quarry Caves Special Area of Conservation (SAC) alone or in combination with other plans or projects.

#### Policy H4 – Change of Use from Commercial to Residential Use in the Village Centre

The village centre in Beer is defined on Figure 12.

Within the village centre, to ensure that the mix of retail and commercial premises and uses is retained, development proposals for the conversion of retail, commercial and business premises to residential dwellings (which require planning permission) which will not contribute to the vitality of the village centre will only be supported where:

- i) it is demonstrated that the premises are surplus to local economic need and demand and commercial use is no longer viable. Evidence will be required to show that the building and / or site has been actively marketed for at least 12 months (ideally over two summer seasons) at a sound, realistic and viable price for the existing or similar uses. A vigorous economic assessment will be undertaken to establish the potential and viability of any specific concern and marketing of any property or business will need to include an offer to the local community for their acquisition or operation; and,
- ii) the proposal does not adversely change the character of the building and its setting in the built environment and meets the requirements of the Beer Design Statement.

Proposers of development should engage with the local community and Parish Council to help ensure that proposals take into account both this plan's aims and objectives and the views of the local community.

#### Policy TP1 – Protecting Car Parking Capacity

The following car parks (see Figure 13) are important assets to the local community and essential to the functionality of Beer as a tourist destination:

- i) Central Car Park
- ii) Beach Court Car Park
- iii) Cliff Top Car Park
- iv) Townsend Coach & Car Park
- v) Designated residential parking:
  - Underleys
  - The Meadows parking bays

Their use as car parking areas will be safeguarded and their capacity maintained.

#### Policy TP2 – Car Parking

Development proposals which result in a loss of vehicle parking spaces of any type in the following locations will only be supported:

- i) at on-street and public car parks, if the equivalent or increased capacity is provided elsewhere in Beer; and,
- ii) at private car parks, if the equivalent or increased capacity is provided elsewhere or the need for the private parking capacity can be shown to be reduced as a result of the development proposals.

All development proposals must demonstrate how any additional parking requirements generated will be accommodated.

#### Policy TP3 – Off-street Parking

Where planning permission is required, development proposals to provide additional off-road parking spaces/areas will be supported as long as they do not have an adverse impact on:

- i) the character of our local built environment;
- ii) the quality of the surrounding natural environment;
- iii) the visual amenity of the area; and,
- iv) flood risk (including local surface water flooding).

#### Policy TP4 – Accessibility

Development proposals must, where practicable, facilitate safe and appropriate pedestrian and cycle access and links to the village, countryside and community facilities and spaces. This includes providing sufficiently wide pavements for use by mobility vehicles.

#### Policy B1 – Existing Employment Land and Buildings

Development proposals that result in the loss of existing employment land and buildings (which require planning permission) will only be supported where they demonstrate that:

- i) the existing use is no longer viable;
- ii) they will have no adverse effect on residential amenity (such as noise, trading hours, light pollution, anti-social behaviour and so on) in nearby areas; and,
- iii) there will be no adverse impact on the natural environment (landscape, biodiversity and habitats) or that negative impacts will be satisfactorily mitigated.

Proposers of any development that results in the loss of existing employment land and buildings should engage with the local community and Parish Council to help ensure that the proposals take into account the current views of the local community.

#### Policy B2 – Development of New and Converted Employment and Retail Premises in Beer Village Centre

Development proposals within the village centre (as defined in Figure 12) for new employment and retail premises, including the conversion of existing premises (which require planning permission) will be supported where they:

- i) do not lead to a net loss of retail units (shops) or retail floor-space;
- ii) do not lead to the loss of community facilities;
- iii) have no adverse effect on residential and village centre amenity in nearby areas (through noise, trading hours, light pollution, anti-social behaviour and so on);
- iv) have no adverse impact on the built character of the village centre;
- v) do not adversely impact upon road safety;
- vi) do not lead to an oversupply of the same use in the village centre; and,
- vii) conform to the requirements of the Beer Design Statement.

Proposers of development for new employment and retail premises should engage with the local community and Parish Council to help ensure that the proposals take into account the current views of the local community.

#### Policy B3 – Improving Internet Connectivity

- i) The development of a super-fast broadband infrastructure to serve the Parish will be supported where it is sensitively sited and sympathetically designed.
- ii) All new residential, educational and business premises development will be required to make provision for high speed broadband and other electronic communication networks.

#### Policy B4 – Shopfronts

Development proposals for new or renovated shop fronts will be supported where they:

- i) are of high quality design and preserve the traditional appearance as set out in the Beer Design Statement; and,
- ii) comply with Policy HBE1.

Any associated signage should be of a suitable scale, meet the requirements of the Beer Design Statement and comply with the safety requirement of Policy HBE2.

#### CFS1 – Loss of Community Assets and Facilities

Development proposals that result in the loss of local retail, service provision, community facilities or a 'community asset' (listed by East Devon District Council) will only be supported where:

- i) it is to be replaced with community space of an equal or higher quality on the same site or another site within the area;
- ii) the proposed alternative use would, overall, provide equal or greater benefits to the local community; and
- iii) it is demonstrated, through local community consultation, that it is no longer required by the community for the current use it serves.

#### Policy CFS2 – Access to Public Areas and Facilities

Development proposals that make access to public areas and facilities easier and safer will be supported.

**Policy SR1 – Protecting our Existing Sports and Recreation Facilities and Pitches and Preventing their Loss**

Our existing valued sports and recreation facilities and pitches (shown in Figure 14) which are used by the community will be protected from change of use and are:

- a) Beer Albion Football Ground,
- b) Little Hemphay Youth Play Park,
- c) Ash Hill Play Area,
- d) Underleys Play Area,
- e) Memorial Gardens Play Area and
- f) Beach

Proposals which result in a loss of existing sports and recreation facilities and pitches and / or their capacity and / or community accessibility (availability for community use) will only be supported where:

- i) An assessment has been undertaken which clearly shows that facilities are surplus to local and strategic need and demand; or
- ii) The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity, quality and community accessibility in a suitable location and demonstrate community benefit; or
- iii) The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

Proposals which replace existing facilities and pitches should demonstrate that they benefit the community or that there is secured community access.

Proposers of development should engage with the local community and Parish Council to help ensure that proposals take into account both this plan's aims and objectives and the views of the local community.

**Policy SR2 - Improved, new and additional sports and recreation facilities and pitches**

Proposals for improved, new and / or additional play, sports and recreation facilities and pitches will be supported where they:

- i) respond to a demonstrable need and demand for the proposed facility;
- ii) provide community access;
- iii) demonstrate how they will be effectively managed and maintained in perpetuity; and,
- iv) meet up-to-date standards of design set by the appropriate agency or governing body.

Proposers of development should engage with the local community and Parish Council to help ensure that proposals take into account both this plan's aims and objectives and the views of the local community.

**Policy SR3 – Facilities for Children and Young People**

Proposals for improved, new and / or additional facilities to meet the needs of children and young people will be supported where:

- i) they demonstrate that they meet the needs of the age groups to which they relate;
- ii) they demonstrate how they will be effectively managed and maintained in perpetuity;
- iii) they demonstrate that local young people or children and their parents / guardians have been consulted and involved in developing the proposal; and,
- iv) they demonstrate that local residents have been consulted and positive measures have been taken to ensure that there are no adverse impacts on local amenity.

**Policy T1 - Temporary and Alternative Use of Private and Community Assets to Support Tourism**

Where the temporary change of use of buildings and open spaces for organised community events and tourist-related activity requires planning permission, proposals will be supported where:

- i) the temporary use would not have significant harmful impacts on the wider visitor experience;
- ii) the temporary use will cause no permanent damage to the fabric and structure of any building it occupies; and,
- iii) the temporary use would not have significant harmful impacts on the amenities of neighbouring residents.

**Policy T2 – New Developments for Tourism**

Sustainable tourism development proposals and/or extensions to or expansion of existing tourism uses will be supported in principle provided they do not harm the existing natural and historic environment or detract from the established character of Beer.



#### Policy T3 – New Holiday Accommodation

Development proposals to provide visitor accommodation will be supported where they demonstrate that:

- i) they are primarily for holiday purposes;
- ii) it is demonstrated that there is demand and need for additional accommodation of the type proposed within Beer; and,
- iii) they will not be occupied for residential purposes, including as a second home, unless ancillary to the business

#### Policy T4 – Loss of Tourism Facilities

The loss of tourist facilities to other uses will only be supported where:

- i) it can be demonstrated that the tourist facility is no longer viable; or,
- ii) the proposed alternative use would provide equal or greater benefits for the local economy and community than the current use.

#### Policy T5 – Improving the Quality and Diversity of the Tourism Offer

Development proposals that improve the quality and diversity of existing tourist facilities, attractions and accommodation will be supported providing that the development:

- i) does not have a detrimental effect on the distinct character of Beer;
- ii) does not adversely affect the surrounding infrastructure, particularly local road networks and water supply and sewerage; and,
- iii) benefits the local community through, for instance, provision of local employment opportunities and improvements to local service provision.