

Report to: Strategic Planning Committee



Date of Meeting: 04 June 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Defining and Justifying Major Development in National Landscapes

Report summary:

The NPPF states that ‘major’ development in a national landscape (formerly known as Areas of Outstanding Natural Beauty or AONB) should only be permitted where there are exceptional circumstances, and it can be demonstrated that the development is in the public interest. Assessments of such developments should include the need for the development, the scope to deliver it outside of the national landscape and any detrimental effects together with the extent to which they could be moderated. ‘Major’ development in this context is not defined in the NPPF, but a list of factors that the decision maker should take into account is given. These include the nature, scale and setting of development proposed and whether it could have a significant adverse impact on the purposes for which the area has been designated.

A topic paper has been prepared to set out a recommended approach to the allocation of sites in the local plan in terms of:

- how to assess whether proposed local plan allocations constitute ‘major’ development in the context of the relevant national landscape; and
- if any proposed local plan allocations are found to constitute major development, how to assess whether there are ‘exceptional circumstances’ that would justify the development.
- Worked examples of each process are set out in the topic paper.

The topic paper concludes that the identification of major development in a national landscape in the context of the NPPF is open to interpretation by decision makers so that local factors can be taken into account. The method devised to assess whether individual allocations proposed as part of the local plan constitute ‘major development’ is considered to be thorough and robust and will ensure that a consistent approach is taken that reflects the diversity of landscapes concerned. The assessment of need for any proposed allocations that are found to constitute major development in a national landscape needs to be considered in light of the NPPF and the strategy of the emerging East Devon Local Plan. The proposed framework for assessing the relevant issues should ensure a consistent approach so that it is clear why decisions on individual sites have been made. This should ensure that any major development proposed in a national landscape in the local plan is fully justified.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

1. That Strategic Planning Committee agree to adopt the approach set out in Section 4 of the topic paper to identify whether any of the allocations in the national landscapes proposed in the local plan constitute 'major' development for the purposes of paragraph 183 of the NPPF.
2. That Strategic Planning Committee agree to adopt the approach set out in Section 5 of the topic paper to establish whether there are any exceptional circumstances that would justify individual allocations that are 'major development' in the public interest.

Reason for recommendation:

To ensure that our obligations with regard to the national landscapes are properly taken into account and that proposed allocations within a national landscape are assessed on a consistent basis and in line with the NPPF.

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Portfolio(s) (check which apply):

- Climate Action and Emergency Response
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Democracy, Transparency and Communications
- Economy and Assets
- Finance
- Strategic Planning
- Sustainable Homes and Communities
- Tourism, Sports, Leisure and Culture

Equalities impact Low Impact

Climate change Low Impact

Risk: High Risk; There is a legal obligation to 'seek to further the purposes' of the national landscapes. The draft local plan (Autumn 2022) proposed allocations on around 25 sites in the national landscapes with a yield of some 1,100 dwellings. Failure to properly assess the sites in light of our legal obligations and the NPPF could result in a delay to the Local Plan examination and/or the need to identify alternative allocations.

Links to background information

Link to [Council Plan](#)

Priorities (check which apply)

- Better homes and communities for all
 - A greener East Devon
 - A resilient economy
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Financial Implications:

There are no direct financial implication resulting from the report.

Legal Implications:

The legal implications are set out within the report.

