

Agenda for Strategic Planning Committee Tuesday, 4th June, 2024, 10.00 am

Members of Strategic Planning Committee

Councillors: B Bailey, J Bailey, K Blakey, C Brown, B Collins, O Davey, P Fernley, P Hayward, M Howe (Vice-Chair), B Ingham, G Jung, D Ledger, Y Levine, T Olive (Chair) and H Parr

Venue: Council Chamber, Blackdown House, Honiton

Contact: Wendy Harris;

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(or group number 01395 517546)

Friday, 24 May 2024



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This meeting is being recorded for subsequent publication on the Council's website and will be streamed live to the [East Devon District Council Youtube Channel](#).

1 Minutes of the previous meeting (Pages 3 - 9)

2 Apologies

3 Declarations of interest

Guidance is available online to Councillors and co-opted members on making [declarations of interest](#)

4 Public speaking

Information on [public speaking](#) is available online

5 Matters of urgency

Information on [matters of urgency](#) is available online

6 Confidential/exempt item(s)

To agree any items to be dealt with after the public (including the Press) have been excluded. There are no items which officers recommend should be dealt with in this way.

7 Assessment of potential development sites and plan making update (Pages 10 - 16)

This report sets out recommendations in respect of potential development sites coming to Committee in the Summer of 2024.

8 Defining and Justifying Major Development in National Landscapes (Pages 17 - 49)

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[Decision making and equalities](#)

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EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Strategic Planning Committee held at Council Chamber, Blackdown House, Honiton on 30 April 2024****Attendance list at end of document**

The meeting started at 10.00 am and ended at 12.47 pm. The meeting was briefly adjourned at 11.27 am and reconvened at 11.40 am.

93 Minutes of the previous meeting

The minutes of the Strategic Planning Committee meeting held on 2 April 2024 were confirmed as a true record.

The Chair advised that following the resolution from Full Council on 17 April 2024 to amend the Strategic Planning Committee minutes from the meeting on 5 March 2024, the address description for site Brcl_31 – land at Mosshayne Lane, Pinhoe will now be shown as Mosshayne Lane, Broadclyst for Minute 75 – Consultation on Housing Sites.

94 Declarations of interest

Minute 99. Green Wedge Boundaries in the new Local Plan.

The Chair, on behalf of Committee Members advised about receiving a lobbying email from PCL Planning Ltd, in respect of the emerging East Devon Local Plan – Green Wedge.

Non-Committee Member

Minute 100. Clyst Valley Regional Park Local Plan Consultation Paper.

Councillor Peter Faithfull, Affects Non-registerable Interest, Known to a landowner within the Clyst Valley Regional Park boundary.

95 Public speaking

There were no speakers.

96 Matters of urgency

There were no matters of urgency.

97 Confidential/exempt item(s)

There were no confidential or exempt items.

98 East Devon Local Plan Further Regulation 18 Consultation and Update

The report presented to the committee provided an update on the additional East Devon Local Plan consultation under Regulation 18 of the plan making regulations which would include the following subject matters for consideration:

- Designated Neighbourhood Area housing requirements
- Potential additional housing allocations sites
- Town centre retail boundaries

- Proposed employment sites for allocation
- Coastal Preservation Areas

The consultation would be undertaken online through the Commonplace software and would commence on or before Friday, 3 May 2024 for six weeks closing on Monday, 17 June 2024.

The Assistant Director – Planning Strategy and Development Management did not provide an update on the Local Plan making timetable as Members felt, through discussion at the Local Plan Members Working Group, they wanted to see the site allocations brought forward to the summer and therefore there was a need to reconsider the timetable for the production of the plan. The updated timetable would now be brought back to the next committee meeting in May.

Discussions covered:

- Queried whether the National Landscape boundaries would be included in the map to help understand any overlapping. As National Landscape boundaries were set by government and Natural England there was no need to consult on these.
- Queried whether the Green Wedges and Coastal Preservation Area boundaries would be overlapped for clarity. These will both be shown together.
- Update requested on the Water Cycle Study. The Assistant Director – Planning Strategy and Development Management acknowledged Members frustration and that he had been chasing this on a daily basis and was confident that Members would have it soon.
- Clarification was sought on the receipt of a report to address the resource implications for the Energy Policy that Members had supported. The Assistant Director – Planning Strategy and Development Management advised that discussions had taken place and a report would be brought to committee soon.
- Queried whether the housing allocation for 1,000 homes at Mosshayne Lane, Broadclyst was in excess of the housing number that had been previously consulted on. Although the housing allocation was not in addition to the housing numbers it did allow some breathing room when considering site allocations.
- A concern was raised that Members had still not commented on some items from the last consultation that ended in January 2023. It had been envisaged that Members would consider this chapter by chapter but this has been superseded by the Regulation 18 consultation and the site allocations that have now been brought forward.
- Queried whether the quality of the map in the Regulation 18 consultation would be interactive so that the public could look at the Green Wedge boundaries in detail. It was acknowledged there had been issues with the previous consultation and Commonplace and that other routes were being considered to make the maps easier to use but at this stage due to time constraints pdf maps would be used.
- Clarification was sought on the aim of the consultation. The aim was to understand whether it was appropriate for housing sites and employment sites to be included or excluded in the Green Wedges.
- There is no Green Wedges proposed for Axminster and Honiton.
- It would be good if Members could have sight of the Regulation 18 consultation before it went live. The Assistant Director – Planning Strategy and Development Management was happy for Members to see it and would make provision for some form of briefing before it went live.

RESOLVED:

1. To endorse the draft Local Plan proposed development sites to be shown on the Coastal Preservation Area consultation maps (assuming they are also shown on, and therefore to be consistent with, those on the Green Wedge and Clyst Valley Regional Park consultation maps).
2. That the consultation to be undertaken in accordance with the format set out in this report be agreed with delegated authority being given to the Assistant Director – Planning Strategy and Development Management to agree final content of paperwork and online content, to include minor text changes (from committee drafts) to ensure consistency of approach and correct any clear minor errors.

99 **Green Wedge Boundaries in the new Local Plan**

The Committee considered the Assistant Director – Planning Strategy and Development Management's report which sought agreement to the boundary formatting of Green Wedges for consultation in the new Local Plan. This followed on from the Members Workshop where Members wished to retain the existing Green Wedges as much as possible.

The Assistant Director – Planning Strategy and Development Management highlighted some risks associated with this proposed approach and Members noted that the policy wording would need to closely reflect the wording in the existing Local Plan as the extent of the Green Wedges and the evidence available would not justify the policy definition as previously proposed.

Members noted a minor boundary change due to an historic drafting anomaly detailed in the map (figure 1) at paragraph 5.2 that showed a correction on land between Poltimore and Westclyst.

There was also a number of development areas for exclusion where significant development had come forward that were within the Green Wedges detailed in the maps at paragraph 5.3 from Figure 2 to Figure 7. It was now proposed to consult on the Green Wedge boundaries but to show the potential development allocations on the maps. These affected sites equate to approximately 1,000 homes.

Discussions covered:

- Queried why a piece of parkland south of the old A30 was excluded from the Green Wedge. This piece of land is within the flood zone and would be protected from development.
- It was suggested that Gittisham should be protected from the encroachment from Honiton.
- A concern was raised about some of the proposed developments within Green Wedges and whether the Inspector would find the Local Plan unsound at the examination stage. The Assistant Director – Planning Strategy and Development Management acknowledged this concern and advised there were risks and that the council would need to defend its position if it was challenged.
- What weight should be given to the complaints by developers to not stand in the way of development. There is pressure from developers to release land for development and to meet housing needs will be a challenge.

RESOLVED:

That the proposed policy wording be agreed and the boundaries in relation to Green Wedges in the new Local Plan be consulted on.

100 **Clyst Valley Regional Park Local Plan Consultation Paper**

The report sought Members endorsement to the proposed amendments to the existing Clyst Valley Regional Park boundary as set out on the map in Figure 2 on page 54 and also included some areas that were proposed to exclude where some small development had taken place.

Members noted that although the Clyst Valley Regional Park would run through the proposal for the second new community, it had had been 'greyed out'. It was felt at this stage it was seen as premature to identify routes and that it would be done through the master planning work of the new community.

The Portfolio Holder, Coast, Country and Environment, Councillor Geoff Jung said he was a great supporter of the Clyst Valley Regional Park and asked Committee Members to support the endorsement of the proposed changes as it would help to protect and improve the access to the countryside.

RESOLVED:

1. That the proposed changes to the existing Clyst Valley Regional Park boundary and the proposed expansion of the park in line with the assessment methodology attached as Appendix 1 to this report be endorsed.
2. That the public consultation, in the form of Appendix 2 attached to this report, be agreed and be undertaken on the proposed Clyst Valley Regional Park boundary.

101 **Strategic Flood Risk Assessment (SFRA) Level 1 and Scoping for Level 2 SFRA**

The report presented to committee provided details of a Strategic Flood Risk Assessment (SFRA) evidence document to demonstrate the relationship between development coming forward and the risks of flooding in the district that the Council was required to complete to support the production of the Local Plan.

The executive summary for the SFRA level 1 appended to the report provided the main sources of flooding in East Devon which included, water courses, surface water, sewers and the sea. Members noted that the most recorded incidents were due to fluvial flooding and surface water flooding as well as tidal flooding along the coast.

The level 2 SFRA looks specifically at particular sites where housing allocations could possibly take place where there are flood issues. This evidence will allow Members to make an informed decision as to whether or not these sites should be allocated. Level 2 has commenced this month and will take 4 – 5 months to complete.

Discussions covered:

- The Honiton Flood Scheme needs to be acknowledged in the appendix.
- It was queried why Sid_6a was not being assessed in Level 2 SFRA as the road floods regularly in that area and its also in a flood zone area.
- Clarification was sought on the timescale for the Level 2 SFRA. It would need to be completed before the finalisation of the allocations and before it goes out for consultation at the Regulation 19 version of the Local Plan.
- How many sites were not looked at because of the cost?

- Sowl_09 has not been listed in the sites being assessed. Although the site is not in the flood zone the access is. The Assistant Director – Planning Strategy and Development Management advised he would take this away with regards to Sowl_09 and Sid_06a to fully understand the implications and if necessary broaden out the scope provided it is covered within the budget.
- It is difficult to understand the map of accumulative impact detailed in appendix 3 – could this be made easier to understand?
- The Water Cycle Report could actually make some of these sites undeliverable.
- Note of correction to the wording on page 77 paragraph 3.6 to read Millwey Rise and not Millway Rise.

RESOLVED:

1. To note the Level 1 SFRA and to endorse it as evidence to underpin flooding issues for the emerging Local Plan.
2. To agree that the SFRA should be used in the formulation of policies to be included in the Local Plan relating to flood risk.
3. That the need to consider the results of ongoing work on a Level 2 SFRA before local plan allocations are finalised be noted.

102 **Self-Build and Custom Housebuilding Update and Monitoring Report for 2022 - 2023**

The Assistant Director – Planning Strategy and Development Management presented an annual report that summarised the self-build and custom housebuilding in the district undertaken for October 2022 to October 2023.

Members noted that the overall demand for plots was a total of 13 individuals that had been added to the self-build register. This created a need to commission 11 suitable plots between October 2023 to October 2026 to meet the level of demand and a further 3 plots to meet the residual requirement from the previous year.

Key points to note included changes in the legislation and policy about how self-build and custom housebuilding would be considered. Historically it had been based on counting permissions to meet the need but this was no longer an appropriate approach and it now puts onus on the council to be more explicit when granting consent. This could mean that more applications could come forward beyond settlement boundaries or in locations expressly to provide self and custom build housing and the need for such plots would have to be given significant weight.

Discussions covered:

- Are the public aware of this opportunity and do we advertise this? The council's approach has been to stand back and let it happen as its complicated to promote as there are different types of self-build and custom homes such as affordable or grand designs. Finding suitable land is also a factor and these types of opportunities are rare as land is in high demand and at a premium.
- There is a need for more houses in our villages, we must allow small expansions.

RESOLVED:

1. That the legislative and national policy changes described in the report be noted and consideration be given to including a planning policy in the emerging Local

Plan that will enable greater levels of self-build and custom housebuilding being delivered through small and medium sized sites.

2. That the draft monitoring report for use in planning decisions (to inform both local plan production and decision making on development proposals) be endorsed.
3. To note that 13 individuals were added to the self-build register during the latest monitoring period (31/10/22 – 20/10/2023).
4. That the need to permission 11 plots suitable for self-build between 31/10/2023 and 30/10/2026 be noted to meet the demand shown on Part 1 of the self-build register (between 31/10/2022 and 30/10/2023).
5. To permission a further 3 plots suitable for self-build between 31/10/2023 and 30/10/2025 to meet the 'residual' requirement from the demand shown on the register for 31/10/2021 to 30/10/2022.
6. To note that the demand for self-build plots indicated on the register should be taken into account in our planning, housing, regeneration and estate functions.
1. To invite the Assistant Director – Planning Strategy and Development Management to prepare a further report on self-build and custom housebuilding options to bring back to committee when resources are available to do so.

Attendance List

Councillors present:

B Bailey
J Bailey
K Blakey
B Collins
O Davey (Chair)
P Fernley
C Fitzgerald
P Hayward
M Howe (Vice-Chair)
B Ingham
Y Levine
T Olive
H Parr

Councillors also present (for some or all the meeting)

I Barlow
R Collins
P Faithfull
R Jefferies
G Jung

Officers in attendance:

Ed Freeman, Assistant Director Planning Strategy and Development Management
Damian Hunter, Planning Solicitor
Wendy Harris, Democratic Services Officer

Councillor apologies:

M Hartnell

D Ledger

Chairman

Date:

Report to: **Strategic Planning Committee**

Date of Meeting: 4 June 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



Assessment of potential development sites and plan making update

Report summary:

This report sets out recommendations in respect of potential development sites coming to Committee in the Summer of 2024 in order to establish a commitment for the selected sites to be allocated for development in the Publication draft of the East Devon Local Plan. Making site allocation choices, for inclusion in the plan, will be key to ensuring that the plan will be found sound at Examination and making a timely site selection choice is seen as essential in order to provide clarity and allow other local plan making work to make progress.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

That committee endorse the work proposals and timetabling set out in this report.

Reason for recommendation:

To seek agreement of committee to allow for and facilitate future work to progress.

Officer: Ed Freeman – Assistant Director, Planning Strategy and Development Management,
e-mail – efreeman@eastdevon.gov.uk, Tel 01395 517519

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: Medium Risk;

Links to background information

Links to background documents are contained in the body of this report.

Link to Council Plan

Priorities (check which apply)

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

1. Progress to date on development site allocation choices

- 1.1 The [Draft Local Plan Consultation - East Devon](#) under Regulation 18 of [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012 \(legislation.gov.uk\)](#) identified a number of potential sites that were proposed as allocation for development. These included sites for housing (some incorporating an element of employment uses) as well as sites for employment uses. Suggested housing allocation sites were classified as 'Preferred' and 'Second' choice. We also highlighted sites that had met basic initial tests for possible allocation but following more detailed assessment were classified as 'Rejected'. We invited comment on all sites in all three-classification categories.
- 1.2 Very significantly, as well, three site options for a second new community were consulted on. In recent months the Strategic Planning committee has endorsed Option 1 as the site choice to accommodate the planned (second) new community.
- 1.3 It is important to note that in the Publication plan, the plan that will be submitted for Examination by a planning inspector, we will not have the 'Preferred', 'Second choice' and 'Rejected' classification ranking (it was a construct to assist with draft plan consultation). In the Publication plan sites will need to be allocated for development or they will not be shown in the plan. The only minor qualifier we would note is that it is possible to show sites that will only be allowed to be developed if other sites are not coming forward or more generally housing numbers are not being met. Such sites are sometimes referred to as 'reserve sites'. This approach is not recommended as it is often difficult to establish a clear trigger for reserve sites to come forward and hard to resist them if developers try and bring them forward sooner given that the plan would need to acknowledge that they are acceptable to justify an allocation.
- 1.4 Through consultation feedback we have gathered further information on potential site choices, and this has been complemented by further and more detailed technical site assessment work undertaken by officers. We also have evidence reports that are coming through that will help inform work – notably the Water Cycle Study that, in particular, will inform sewage capacity considerations.

2. The site selection process going forward

- 2.1 The importance of making site selection choices was discussed at and recognised by the Local Plan Member Working party on 1 May 2024. Following working party consideration, we set out a suggested approach for bringing papers on proposed allocation site choices to committee in the Summer of 2024 (i.e. the coming weeks). It is stressed that making site allocation choices is likely to be contentious and challenging. Just about every site we consulted on came in for some type of criticism – in most cases issues around scale, distribution and principle of development (in the context of individual sites) were challenged as were particular characteristics of sites in respect of suitability for development.
- 2.2 However, it is essential that sites for development are allocated in the plan, they are needed specifically to ensure that housing numbers are met. Without allocations it is highly probable that the plan will not be found to be sound at Examination. Much more importantly there is a need for new housing, people need homes to live in and new homes need to be built.
- 2.3 Following working party debate the following stepped approach to site selection work is proposed:
- a) The District is split into a number of separate Geographical areas (probably around 7 or so), typically based on/around existing towns and including surrounding rural areas (we will aim to align with Ward boundaries).
 - b) Within these areas a succinct report will identify and briefly comment on each site that featured in the draft plan consultation. Reference will also be made to any extra identified possible site options (specifically to include sites in the current Further Regulation 18 consultation). Much more detailed assessment reports will also be available.
 - c) The member working party (noting the meetings will not be open to the public) will consider each area-based report in turn with invitations to these meetings extending to all ward members of the council that fall within the boundary (and any other members can attend as well). It is likely that a number of meetings will be needed, it is suggested lasting on average around ½ day per defined area.
 - d) The working party will not make decisions on which sites will or should be allocated, rather they will debate and consider the sites and options. The Working Party will highlight those sites that they consider will generate potentially the greatest concerns when presented to committee and those that may be less contentious or may have some or greater support. The working party debate may suggest alternative or additional allocations. Notes would be taken of the meetings and appended to a subsequent report to Strategic Planning Committee.

- e) The aim is that the working party meetings will be held in July 2024 (maybe a June 2024 start will be possible) and following their completion a report will be prepared by officers for Strategic Planning that sets out recommendations for site allocations to feature in the Publication Local Plan.

- 2.4 The approach highlighted above will provide scope for members to debate site options in more depth, that officers can reflect upon, before formal recommendations are drawn up for committee. This will mean that in drawing up recommendation's officers have a prior understanding of matters that may be raised in subsequent debate and discussion. This process will also allow Members to highlight particular concerns, including around weight of public opinion, local concerns and priorities and technical matters associated with site development that officers in their work may not have been fully aware of or fully taken into account.
- 2.5 Although the working group meetings will take officer time and resource it is considered that using the working group as a sounding board for the site assessment work will reduce the workload of the committee and speed up the overall decision making on site allocations.
- 2.6 We have not, at this stage, defined proposed boundaries for the separate areas, rather and firstly, we would seek in principle support, but suggest (following Working Party discussion) that Sidmouth and surroundings would be a good start. The Sidmouth area might include the town itself (and all wards within) as well as Newton Poppleford, Harpford, Sidford and Sidmouth rural. This is a good starting point as it has relatively few allocated sites in the draft plan and it is an area with significant constraints (notably the East Devon National Landscape).

3. Overarching strategic matters for consideration

- 3.1 In reviewing site development options and drawing conclusions on which sites to ultimately allocate for development members should not consider sites in the absence of local plan strategy and overarching national planning considerations. The list below is not in any sense intended to be a comprehensive and complete set of considerations, however, we highlight some pertinent matters.
 - i. To secure a 'sound plan' sites will need to be allocated for development - there is not a realistic option to not allocate.
 - ii. We have 'a big picture' local plan strategy that through rigorous assessment has classified and established a tiered hierarchy system for accommodating development. This is critical because in the draft plan development has been directed to some sites that in their own right (if assessed in a strategy neutral context) do not perform particularly well, but their allocation makes sense in respect of compliance with plan strategy and seeking to implement plan strategy. Conversely in some other cases better performing sites are not allocated because to do so may lead to an imbalance against the plan strategy.

iii. We are aware of significant environmental constraints in East Devon and these have informed site assessment work and will need to inform final site choices. However (and specifically in Government policy terms) not all constraints are equal. Nationally designated constraints, such as National Landscapes and (nationally) designated wildlife sites are more significant, in government policy terms and many are covered by additional legislation, than local designations, for example Green Wedges or Local Nature Reserves.

3.2 The above considerations should, therefore, be fully taken into account by Members when undertaking work. If, for example, there are particular cases where local designations are seen as very critical, potentially more so than national designations, there will need to be very sound and robust justification for conclusions reached. Members are also encouraged to apply a District wide consistency and logic in their work so that a coherent East Devon wide picture is established and applied.

4. Technical evidence, further evidence gathering and current plan consultation

4.1 Members will be aware that there has been substantive levels of site assessment work already undertaken by officers (see: [Evidence Base and Supporting Documents - Site Selection and Settlement Boundary Setting - East Devon](#)) and we also advise that this work will be complemented by more detailed assessment work that will come to committee alongside site allocations consideration.

4.2 Broadly speaking officer assessment is that most of the sites shown as allocations in the consultation draft plan remain appropriate sites to allocate for development in the Publication plan. Whilst few could be looked upon as ideal development sites, those shown as allocations, especially taking into account plan strategy considerations, are typically deemed to be notably better performing sites than the 'rejected' site options. There may be, however, some draft plan allocated sites that on further assessment and review may be seen through officer work as less favourable to allocate and some of the 'rejected' sites may be worthy of promotion to suggested allocation status. We will highlight these to Committee in future reports.

4.3 It should be noted that there are also the additional site options that are out for comment in the further Reg 18 consultation (May to June 2024). We will aim to provide a prompt turnaround on feedback received on these sites to inform debate. These sites could also form part of the supply, especially so if the large site, around 1,000 dwellings, to the west of the M5 in Broadclyst were to be allocated).

4.4 This report mainly relates to housing numbers and need, though it also has relevance for employment site allocations and choices. In reporting back to members, we will set out housing site considerations in the context of overall housing requirements. As things stand, and especially so if we include sites in the current consultation, we have a housing supply over the plan period that exceeds requirements by a moderate but not large margin and so there is some flexibility around site choices and possible scope for limited site removal.

4.5 We will set out more information on numerical need and supply matters in subsequent reporting and set up a system to record and illustrate the impact of deleting or adding sites. However, we highlight some 'health warnings' in respect of supply/need considerations:

- Allocation supply projections are weighted heavily to delivery in the middle and later years of the local plan (greater numbers of easy to develop sites would help with early years delivery and being able to demonstrate a five-year land supply at the point of plan adoption will be critical but may be challenging to achieve).
- Requirement numbers can change and we may need to extend the plan end date (beyond 2040), thus requiring extra provision.
- Some locations, probably most notably Axminster, have high allocation numbers but there may be market demand limits that will impact on build rates. These could result in not all site allocated houses being built in the lifespan of the plan.
- We would suggest that we should have at least an additional 10% housing buffer in our supply calculations, but through Plan Examination we can reasonably assume some objectors will present a case to the Planning Inspector that we should have a higher buffer.
- There will always be vulnerability to challenges over delivery rates at plan Examination. We can expect, for example, that the start date and development delivery at the new community site will be challenged at plan Examination.

4.6 We would also highlight that some sites we may recommend as allocations at this stage may fail other ongoing assessment work that is still underway. This assessment work will have some site-specific relevance, for example the Level 2 detailed Strategic Flood Risk Assessment, and some work will be more to do with general capacity matters in general localities. For example, highway assessment work is ongoing and it may conclude that in some general locations there are limitations on the capacity of the broader highway network to accommodate growth levels.

5. Other local plan policy work

5.1 A shift in focus for local plan making work, away from chapter redrafting to consideration of site allocations, is seen as beneficial as much of the site choice making work will inform wider plan policy writing. It is, however, also the case that officers can progress with more general policy writing, bringing papers to committee, as the site assessment work is ongoing.

5.2 Subject to agreement of the work set out in the report (or of course a timely and workable alternative) we will bring a revised programme for local plan writing and committee consideration, to the next meeting of Strategic Planning Committee. In order to meet Government deadlines for plan making under the current regime we will set out a programme that sees the proposed Publication plan coming to Committee in

November 2024 with consultation scheduled to run from December 2024 to January 2025.

Financial implications:

There are no direct financial implications raised in the report.

Legal implications:

There are no direct legal implications resulting from the report.

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.

Officer: Ed Freeman – Assistant Director, Planning Strategy and Development Management, e-mail – efreeman@eastdevon.gov.uk, Tel 01395 517519

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
-

Financial Implications:

There are no direct financial implication resulting from the report.

Legal Implications:

The legal implications are set out within the report.

Note – references throughout this document will be added/updated at a later date (and this note will be deleted).



East Devon Local Plan – Topic Paper – **insert number here**

Defining and Justifying Major Development in National Landscapes

June 2024 – Version 1 for Strategic Planning Committee June 2024



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Front cover photograph taken from field gate to Bedlands Lane, Budleigh Salterton by planning policy team.

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1 Introduction

- 1.1 This topic paper sits behind and helps explain the content of and evolution of the Publication draft of the East Devon Local Plan.
- 1.2 There may be new versions of this topic paper as plan making progresses to Publication and thereafter into and through plan Examination.
- 1.3 This topic paper provides details on how ‘major’ development in a national landscape will be identified. Where allocations are considered to constitute major development, the paper also considers the factors that should be taken into account to assess whether there are any ‘exceptional circumstances’ and would be in the ‘public interest’.
- 1.4 The paper considers the benefits of setting out guidelines for decision makers to decide whether development proposals constitute ‘major development’ in the protected landscapes within East Devon. It also puts forward options for how guidelines could be drafted and recommends a process to be followed to guide the decision maker.
- 1.5 The paper is intended to guide the process for considering allocations as part of the East Devon Local Plan 2020 – 2040. It may also be useful for guiding decisions relating to planning applications.

2 Summary of National Policy

- 2.1 Paragraph 182 of the NPPF states that “Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty¹ which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.”.
- 2.2 Paragraph 183 states that “When considering applications for development within National Parks, the Broads and Areas of Outstanding Natural Beauty, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:
- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
 - b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
 - c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.”
- 2.3 A footnote in the NPPF to these paragraphs’ states that “For the purposes of paragraphs 182 and 183, whether a proposal is ‘major development’ is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.”
- 2.4 It should also be noted that the legislative requirements for local planning authorities in relation to national landscapes were changed by alterations to the Countryside and Rights of Way (CROW) Act (2000) that were made by the Levelling Up and Regeneration Act 2023². Previously all ‘relevant authorities’³ had to ‘have regard’ to the specified purposes (of the national landscape), but now they must ‘seek to further the purposes’ (of the national

¹ The NPPF uses the term of ‘Areas of Outstanding Natural Beauty’, which are now known as ‘National Landscapes’.

² See Section 245 of the [Levelling-up and Regeneration Act 2023 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2023/25/section/245), which came into force on 26/12/2023.

³ These include a district council.

landscape). The ‘purposes’ referred to in relation to a national landscape are ‘conserving and enhancing natural beauty’⁴.

⁴ Section 85 (1) of the CROW Act (2000)

3 The East Devon Context

3.1 There are three separate national landscape designations in East Devon as shown on map 1:

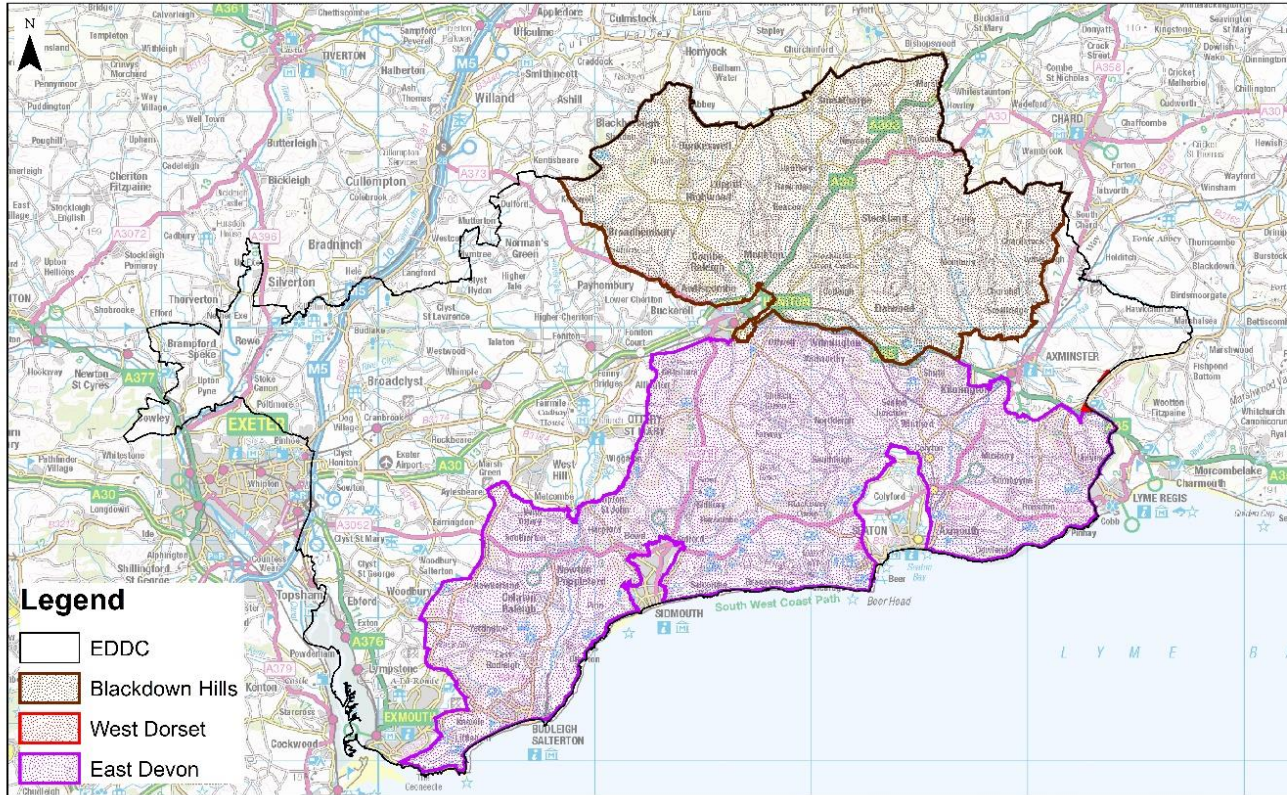
- The East Devon National Landscape, which is wholly within the District of East Devon and has published planning guidance⁵ including how to define and assess major development.
- The Blackdown Hills, which is mainly in East Devon but also includes parts of Mid Devon and Somerset. The Blackdown Hills Management Plan⁶ includes guidance on major development Appendix A.
- The Dorset National Landscape, which is in the neighbouring local authority area, but includes two very small areas on the eastern border of East Devon near Raymond’s Hill, Axminster.

3.2 These national landscapes cover an intricate pattern of landscape character types as illustrated on Map 2.

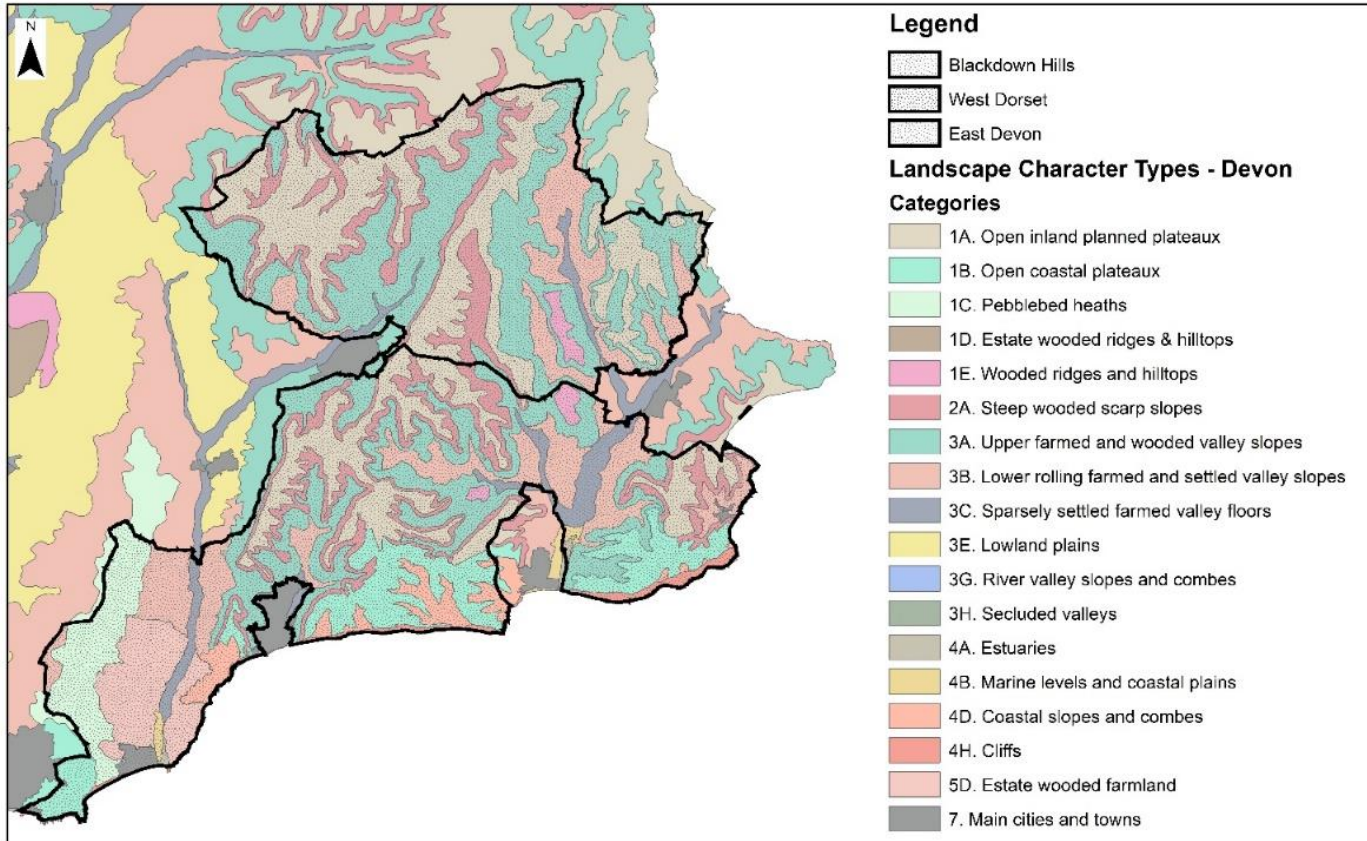
⁵ [AONB-Planning-Guidance-Document-LOWRES.pdf](https://eastdevonaonb.org.uk/AONB-Planning-Guidance-Document-LOWRES.pdf) (eastdevonaonb.org.uk)

⁶ [bhaonb_management_plan_2019-24.pdf](https://blackdownhillsaonb.org.uk/bhaonb_management_plan_2019-24.pdf) (blackdownhillsaonb.org.uk)

Map 1 – Location of East Devon National Landscapes



Map 2 –East Devon Landscape Character



eastdevon.gov.uk

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3.3 The landscape character types covered by national landscapes are:

1a Open inland planned plateaux;

1B Open coastal plateaux;

1C Pebblebed Heaths;

1E Wooded ridges and hilltops;

2A Steep wooded scarp slopes;

3A Upper farmed and wooded valley slopes;

3B Lower rolling farmland and settled valley slopes;

3C Sparsely settled farmed valley floors;

4A Estuaries;

4B Marine levels and coastal plains;

4D Coastal slopes and combes;

4H Cliffs;

5D Estate wooded farmland; and

7 Urban

4 Identifying ‘Major Development’ in the National Landscapes of East Devon District

- 4.1 The National Landscapes in East Devon have been designated to conserve and enhance their natural beauty, which arises from a combination of factors that include landscape and scenic quality, relative wildness and tranquillity, natural heritage features and cultural heritage⁷. Each National Landscape will have a different combination of factors that justify their designation that are referred to as ‘special qualities’. There is a national requirement to have a management plan for each national landscape in which its special qualities are assessed⁸. The most relevant parts of the management plans that apply in East Devon are included in Appendix A.
- 4.2 The footnote to paragraphs 182 and 183 of the NPPF states that a decision on whether a proposal constitutes major development depends in part on ‘whether it could have a significant adverse impact on the purposes for which the area has been designated’, which involves an assessment of the ‘special qualities’ of the area. The footnote also sets out the need to consider the ‘nature, scale and setting’ of the proposal when deciding if it constitutes ‘major development’.
- 4.3 To ensure a consistency of approach, it is considered helpful for individual assessments to be guided by a ‘checklist’ of factors that take account of both national planning policy/guidance and local factors. To start with, three basic options for what could be included in any checklist were devised. These were: just using the NPPF criteria; using the NPPF criteria supplemented with some local criteria; and using the NPPF criteria plus criteria to reflect the special qualities of the national landscape affected. Worked examples of each approach were undertaken that led to a fourth approach where example 2 was adapted by adding a question about whether any of the special qualities identified in the relevant management plan were affected by the proposed development. This approach has the advantage of relative simplicity and allowing for the special qualities identified in the management plan to be properly taken into account. This approach is proposed to guide assessments of ‘major’ as part of the plan making process and a worked example is shown in Appendix B.

⁷ Areas of outstanding natural beauty (AONBs): designation and management - GOV.UK (www.gov.uk)

⁸ Areas of outstanding natural beauty (AONBs): designation and management - GOV.UK (www.gov.uk)

5 The ‘Exceptional Circumstances’ Assessment

- 5.1 Any site found to constitute ‘major’ development in the context of NPPF paragraph 182 will need to be tested against the criteria set out in paragraph 183 of the NPPF to determine whether there are ‘exceptional circumstances’ that would justify development in the ‘public interest’. Three tests are set out in the NPPF to help assess this:
- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
 - b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
 - c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.”
- 5.2 In the context of the allocation of sites for the local plan, the first two NPPF criteria (need for the development and cost/scope for developing elsewhere) will be assessed against the spatial strategy for the plan. Policy 1 of the draft plan sets out that the spatial strategy as follows:

1. Strategic Policy – Spatial Strategy

New development will be directed towards the most sustainable locations in East Devon, consistent with the spatial strategy to:

- Focus new development on the western side of the district, including a new town and other major strategic developments close to Exeter
- Promote significant development at the Principal Centre of Exmouth and the Main Centres of Axminster, Honiton, Ottery St Mary, Seaton, and Sidmouth to serve their own needs and that of the wider surrounding areas
- Support development at the Local Centres of Broadclyst, Budleigh Salterton, Colyton, Lymptstone, and Woodbury that meets local needs and those in the immediate surroundings
- Allow limited development to meet local needs at the Service Villages of Beer, Branscombe, Broadhembury, Chardstock, Clyst St Mary, Dunkeswell, East Budleigh, Exton, Feniton, Hawkchurch, Kilmington, Musbury, Newton Poppleford, Otterton, Payhembury, Plymtree, Sidbury, Stoke Canon, Tipton St John, Uplyme, Westclyst, West Hill and Whimble.

Settlements not listed above are considered to be ‘open countryside’ for the purposes of the Local Plan, where more restrictive planning policies apply.

- 5.3 Both the Blackdown Hills and East Devon guidance advocates the assessment of alternative sites that could result in less harm to the national landscape. This approach will be taken in the context of proposed allocations in the local plan, but Policy 1 (shown above) will be taken into account in this assessment. This means that development that is broadly in accordance with Policy 1 around an individual settlement will be compared with any other suitable and available sites around that settlement. It will not require an assessment of sites that are not well related to the settlement, even if they would have a lesser impact on the special qualities of the national landscape.
- 5.4 The cumulative impact of sites that affect national landscapes will be taken into account in this assessment. For example, where there are several suitable and available sites around a Tier 4 settlement that would result in more than ‘limited development to meet local needs’, this will be taken into account when assessing the ‘need’ for the development in the context of Paragraph 183 of the NPPF.
- 5.5 The third NPPF criteria (environmental/landscape impact) will be assessed through individual site assessments made in accordance with the methodology set out for plan making⁹.
- 5.6 Any site being proposed for allocation in the local plan that has been found to constitute major development for the purposes of paragraph 182 of the NPPF (as set out in paragraph 4 of this report) will be assessed against the factors set out in paragraphs 5.1 to 5.2 of this report. The judgements made will be recorded as follows:

Major Development in a National Landscape: Assessment of Exceptional Circumstances	
Site Reference	
Need for the development. Is the scale and location of development in general accordance with the spatial strategy of the draft local plan?	Refer to Strategic Policy 1
Alternatives. Are there other sites that are well related to the relevant settlement which could result in less harm to the national landscape?	Apply a ‘sequential test’ to any suitable alternative sites.
Are there any cumulative impacts on the national landscape from other proposed allocations?	Note any additional allocations or extant planning permissions and assess their cumulative impacts.
What is the predicted landscape impact?	Summary assessment from site selection methodology.

⁹ [site-selection-methodology-v2.pdf \(eastdevon.gov.uk\)](#)

Can any detrimental impacts be mitigated?	
What is the predicted environmental impact? Can any detrimental impacts be mitigated?	Summarise relevant assessments from site selection methodology.
Are there any 'exceptional circumstances' that would justify development in the 'public interest'.	Relate to local plan.

5.7 A worked example is included in Appendix C. The same site in Dunkeswell is used for consistency but would not actually require an assessment of exceptional circumstances as it was not found to constitute 'major development'.

6 Conclusion

- 6.1 The identification of major development in a national landscape in the context of the NPPF is open to interpretation by decision makers to take into account local factors. This paper has considered how to interpret the NPPF in light of the particular characteristics of the national landscapes within East Devon. 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 approach could also be used to inform decisions relating to individual planning applications.
- 6.2 The assessment of exceptional circumstances 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.

7 Appendix A Extracts from Blackdown Hills Management Plan¹⁰ and East Devon Planning Guidance¹¹

7.1 East Devon

7.2 WHAT IS MAJOR DEVELOPMENT?

7.3 The National Planning Policy Framework (NPPF) does not define or seek to illustrate the meaning of the phrase ‘major development’ in protected landscapes. Assessing whether a proposed development is a major development for the purposes of paragraph 172 is a matter of judgment for the local planning authority (eg East Devon District Council or Devon County Council) taking into account the proposal in question and the local context. The Local Plan for East Devon does qualify and reference ‘major’. Footnote 55 from the NPPF: “Whether a proposal is ‘major development’ is a matter for the decision maker, taking into account the nature, scale and setting [of the proposed development], and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined” Paragraph 172 of the NPPF is clear that great weight should be given to conserving landscape and scenic beauty in these designated areas, irrespective of whether or not it is considered to be Major Development.⁴ It makes it clear that development could be granted, but only in exceptional circumstances and where in the public interest.

7.4 HOW TO APPLY THE TESTS AND ASSESSMENTS UNDER NPPF PARAGRAPH 172

7.5 If the decision-taker, in our case usually East Devon DC, (but could also be Devon CC or even the Secretary of State in the case of National Strategy Infrastructure Projects) has determined that development in the AONB is ‘major development’, it will assess the three criteria referred to in paragraph 172 (see page 10). The decision-taker will have regard to any other relevant considerations, and it will then undertake the weighted balancing exercise, noting that: • the presumption in favour of development has been removed because major development in AONB should normally be refused; and • great weight is to be given to the conservation of landscape and scenic beauty and • demonstration of public interest is in addition to consideration of exceptional circumstances.

7.6 THE NEEDS ASSESSMENT

¹⁰ [bhaonb_management_plan_2019-24.pdf](https://blackdownhillsaonb.org.uk/bhaonb_management_plan_2019-24.pdf) (blackdownhillsaonb.org.uk)

¹¹ [AONB-Planning-Guidance-Document-LOWRES.pdf](https://eastdevonaonb.org.uk/AONB-Planning-Guidance-Document-LOWRES.pdf) (eastdevonaonb.org.uk)

7.7 The assessment in NPPF paragraph 172 sub- paragraph a) should address whether there is a need for the specific development proposed, including any national considerations and the economic impact of permitting or refusing it on the local economy.

7.8 THE ALTERNATIVES ASSESSMENT

The purpose of the assessment in subparagraph b) of paragraph 172 was set out in the High Court as: ‘Its purpose is to ascertain whether an alternative site may be available so as to avoid development in the AONB. It requires other available sites in the area to be assessed, on their merits, as possible alternative locations for the proposed development’. The determining authority cannot insist that a developer provide an alternatives assessment. It is an assessment for the determining authority to carry out as decision taker. However, it is suggested that developers consider covering this for clarity and to aid the decision-making process. As a guide, assessments of alternative sites could consider the following:

- sites outside the AONB, including those outside the local planning authority’s area
- sites that would result in less harm to the AONB
- land of lesser environmental value
- alternative ways of meeting the need in some other way than through the proposed development.

7.9 Blackdown Hills

7.10 Appendix B:

7.11 Major Development Footnote 55 of the NPPF clarifies that: ‘For the purposes of paragraphs 172 [relating to protected landscapes, including AONBs] and 173 [relating to Heritage Coasts], whether a development is ‘major development’ is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined’. As such, it is not possible or appropriate to apply a blanket definition for what should be treated as major development in the Blackdown Hills AONB. Nevertheless, there are some key factors that help to define if a development is major, as outlined below. The purpose for which the Blackdown Hills AONB has been designated is to conserve and enhance its natural beauty. Therefore, the judgement as to whether or not a development is major development depends, to a large degree, on whether or not the development could have a significant adverse impact on the natural beauty of the AONB. As outlined in Section 3.1, natural beauty incorporates a number of criteria, including landscape quality, scenic quality, tranquillity, natural heritage and cultural heritage. Within the context of the Blackdown Hills AONB, those aspects of the AONB’s natural beauty which make the area distinctive and which are particularly valuable – the AONB’s ‘special

qualities’ - are also described in Section 3. On this basis, a development should be considered ‘major’ if, by reason of its nature, scale, location and/or setting, it could have a significant adverse impact on any of the above criteria, including the AONB’s ‘special qualities’. As well as potential impacts within the AONB, consideration should also be given to impacts on these criteria within the setting of the AONB, particularly in the context of visual impact (i.e. views into and out of the AONB) and impacts on tranquillity.

7.12 Public Interest

7.13 As outlined in paragraph 172 of the NPPF, to help inform whether there are exceptional circumstances and whether it can be demonstrated that the development is in the public interest, applications for such development should include an assessment of:

- a. ‘the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy’; The AONB Partnership would expect any such development proposal to be accompanied by a statement of need in the context of national and local considerations and, ideally, in the context of needs arising from within the AONB. The impacts of permitting or refusing the development should be clearly identified in respect of the local economy, ideally including that of the local communities affected. Such a statement should be based on objective assessment and clear evidence.
- b. ‘the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way’; The AONB Partnership would encourage any such development proposal to be accompanied by a report setting out a sequential approach to site selection. This should evidence the extent to which alternative sites have been assessed before the selection of sites within the AONB, and clearly identify why sites outside of the designated area could not be developed. The report should also identify and evidence why the need for the development could not be met in some other way. The report should include relevant evidence regarding the cost of developing outside the AONB. The AONB Partnership is mindful of the judicial review decision in relation to development in Cornwall AONB, which confirmed that even if there are exceptional circumstances generally, such as the need for housing, this does not necessarily equate to exceptional circumstances for a particular development because there may be alternative sites that could result in less harm to the AONB. These can be outside the local planning authority’s area. Thus the proper consideration of alternatives, (with a view to ascertaining if alternative(s) which would result in less harm to the AONB exist), is an essential component of exercising the assessments correctly.
- c. ‘any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated’. The AONB Partnership would expect any such development proposal to be accompanied by a report identifying any detrimental effects upon the environment, the landscape and recreational opportunities. Such a report should relate directly to the natural beauty and special qualities of the AONB as a whole as well as those

specific to the development site. Any mitigation identified to moderate these impacts should be:

- clearly detailed, in line with the duty to conserve and enhance the AONB,
- be compatible with the objectives and policies of the AONB Management Plan,
- be compatible with special qualities and local landscape character, and
- be capable of realisation through robust planning conditions or obligation.

7.14 Blackdown Hills special qualities

7.15 3.4 The Special Landscape Character

7.16 Key to the Blackdown Hills designation as an AONB is the subtle combination of four aspects of the landscape (The Blackdown Hills landscape: A landscape assessment. Countryside Commission, 1989):

7.17 **It is an isolated and unspoilt rural area** and remains relatively undisturbed by modern development and so ancient landscape features, special habitats, historical and archaeological remains have survived intact. There is a sense of stepping back in time in the winding lanes, the hidden valleys and relatively remote villages. The traditional pattern of villages, hamlets, paths and roads remains largely unchanged and there is an identifiable and characteristic vernacular, pastoral landscape.

7.18 **There is a diversity of landscape patterns and pictures.** The visual quality of the landscape is high and is derived from the complex patterns and mosaics of landscapes. Although the scenery is immensely varied, particular features are repeated. Ancient, species-rich hedgerows delineate the fields and define the character of the landscape, enclosing narrow twisting lanes. There are long views over field-patterned landscapes. The high plateau is dissected by steep valleys, supporting a patchwork of woodland and heath, and there are fine avenues of beech along the ridge. The history of medieval and parliamentary enclosures has resulted in an individual, patchwork landscape of small fields in the valleys and larger fields with straight hedges on the plateau.

7.19 **There is a unique geology.** The composition of the underlying geology of the Blackdown Hills and the adjoining East Devon AONB is unique in Britain and is one of the area's strongest unifying features. It has given rise to the distinct topography of a flat-topped plateau, sharp ridges and spring-lined valleys. The springs have created the characteristic pattern of rough grassland, mire and woodland vegetation on the valley sides. The nature of the Greensand rock has meant that plant communities are particularly diverse. Moreover, the geology has provided a local building material, chert, which is uncommon elsewhere.

7.20 It is a landscape with architectural appeal. The landscape pattern is punctuated by a wealth of small villages, hamlets and isolated farmsteads of architectural value and distinctive character. Devon and Somerset are recognised nationally for their fine rural architecture, but the Blackdown Hills contain a special concentration of buildings where the vernacular character is

particularly well preserved. Predominant materials are chert and cob with thatch, often now replaced by corrugated iron, or clay-tiled roofs. The appeal lies in the way in which the buildings fit so naturally into their surroundings.

7.21 Landscape quality

- A managed landscape sculpted and maintained by the stewardship of generations of those who work the land
- Undeveloped skyline of the northern scarp slope is a prominent feature in views from the Vale of Taunton and beyond
- Rich mosaic of diverse and interconnected semi-natural habitats; a patchwork of woodland, heathland, meadow and mire linked by hedgerows
- Clear, unpolluted streams that meander down the valleys to feed the Yarty, Otter, Culm rivers
- Ancient and veteran trees in hedgerows, fields and woodland
- A settled landscape with a strong sense of time-depth containing farms and small scattered villages well related to the landscape

7.22 Scenic quality

- The elevation and long, panoramic views out from the Blackdown Hills create a sense of detachment from surrounding towns and transport corridors
- Unspoilt, panoramic views across flat-topped plateau and straight undisturbed ridge tops and over hidden valleys
- A well-wooded pastoral landscape with a strong pattern of hedges and hedgerow trees
- Pattern of regular, large-scale enclosure fields on the plateau contrasts with the smaller, curving medieval fields on the valley slopes
- Majestic avenues of beech trees along northern ridges
- Long straight roads across the plateau with verges and low, neat hedges give way to narrow, enclosed, high-hedged winding single-tracked lanes in the valleys
- Wellington Monument is a key landscape feature identifying the Blackdown Hills over a very wide area in all directions

7.23 Relative wildness

- A sense of remoteness enhanced by the exposure of the plateau and more intimate extensive woodland of the upper slopes and hidden valleys
- Wide open spaces provide exposure to the elements; big sky, windswept places, contrasts of sunlight and shadow

7.24 Relative tranquillity

- Areas of high tranquillity spared many of the intrusions of modern life
- Places to enjoy natural sounds; the melody of the song thrush and skylark, the call of buzzards
- Dark night-time star-filled skies contrasting with the light pollution of the surrounding towns

7.25 Natural heritage features

- One of the finest, most extensive Greensand plateau in Britain; a distinctive landform that contrasts with the surrounding lowlands to the east, north and west
- The presence of straight, uninterrupted ridges are evident as a visual backdrop over a wide area
- Distinctive spring-line mires located around the upper slopes of the valleys
- The varied landscape supports a rich assemblage of wildlife including many species of bats, butterflies and meadow flowers and healthy populations of ferns, lichens, mosses and fungi
- Ancient, species-rich hedges with many hedgerow trees and flower-rich banks; colourful displays of primrose and bluebells in spring
- A network of ancient semi-natural woodland linked by hedgerows support a thriving dormouse population
- Streams and rivers are home to otters, lamprey and the vulnerable white-clawed crayfish

7.26 Cultural heritage

- The number and extent of well-preserved buildings in the local vernacular – chert, cob and thatch – are an important element of the landscape
- Hillforts are prominent features on the ends of the plateau ridges
- Mining remains from the once internationally significant whetstone industry and extensive evidence of iron-working



- Three World War Two airfields and their associated buildings are found on the high, flat land of the plateau
- A community with a strong sense of place closely linked to the land and its management, with a particularly strong tradition of hedge laying
- A landscape that has inspired artists from the early 20th century Camden Town Group to the Blackdown Hills Artists and Makers of today

7.27 East Devon Special qualities [AONB-Partnership-plan_lowres_final.pdf \(eastdevonaonb.org.uk\)](#)

7.28 East Devon AONB is notable for its varied and dramatic coastal scenery; the grandeur of sheer red sandstone cliffs, intimate wooded combs and coves contrast with the stark, white chalk outcrop that punctuates the coast at Beer Head and further east, the wilderness of the undercliffs. Its special qualities do not stop at the coast. Inland, the heathland commons provide high, open and remote plateaux. Important recreationally, the heathland habitat is valuable for its flora and fauna and contrasts sharply with the lower undulating agricultural mosaic of small fields, hedgerows and woodland copse. Elevated fingers of land extend from the Blackdown Hills to the north, their height and linearity accentuated by cathedral-like beech avenues; woodlands clad their sides, flowing down steep sided goyles to infiltrate the tranquil and often intimate agricultural valleys below. This contrasts with the broad flat floodplains of the Axe and Otter which cut into the area, drawing their life from tributaries deep within the valleys of the undulating hinterland. The human engagement, use and management of this land since pre-historic times has guided the pattern and shape of the settlements, field patterns, woodland and heath, creating a landscape of significant scenic beauty that is the basis for its agricultural and tourism economy. Recreational, cultural and spiritual qualities abound, with the South West Coast Path, East Devon Way and open access land, most notably on the Pebblebed Heaths, providing extensive opportunities for open air recreation, healthy exercise, uninterrupted views or an escape to tranquillity and relative isolation. Our association with the cultural and heritage dimension of the landscape has inspired descriptive writing, poetry, art and song for generations. The Countryside Commission appraisal of the East Devon AONB (CCP442) identifies many of these associations and special qualities and has been more recently supplemented by assessments of the character of the landscape at the national, county and local level. These assessments have enabled further articulation of the special qualities and features of significance as they relate to natural beauty, which are summarised in the table on the following page. These features of significance and special qualities are axiomatic to what goes into making the natural beauty of the landscape of such high quality. Alongside the key characteristics of the landscape areas and types, they require protection, conservation and enhancement if the AONB is to retain its character and status amongst England's finest landscapes. Appendix 1 contains a table showing the links between special qualities and landscape character of the AONB.


7.29 Dorset NL special qualities are divided into landscape, wildlife, cultural connections and reading the past. [Our special qualities | Dorset National Landscape \(dorset-nl.org.uk\)](https://dorset-nl.org.uk)

8 Appendix B – Worked example for determining ‘major’ development in a national landscape.

Criteria	Assessment
Protected Landscape	Blackdown Hills
Reference	Dunk_05
Map	
Aerial map	

Nature of development*	Housing –predominantly two storey (8.5m to ridge), possibly some 2.5 storey (9m to ridge) and 3 storey (10.8m to ridge) where appropriate. Commercial/ mixed use –Office/warehouse/light industrial with associated parking.
¹² Scale of development*	43 dwellings and 0.17ha of associated employment. Dunkeswell has a population of around 1500, which equates to 717 homes. The percentage increase in the number of homes would be more than 16%.
Setting*	Edge of Dunkeswell, a village with a population of around 1500 people. The site can be seen from the south and glimpsed in long range views, but it is screened by existing development in short range views and seen in the context of adjacent housing.
Isolation**	This site adjoins the village and is bordered on two sides by a loose ribbon of 20th C dwellings.
Landscape Pattern**	Flat field adjoining housing on 2/3 sides. LCT 1A. Open inland planned plateaux.
Geology**	No distinctive features other than flatness of site and setting.
Architecture**	Little vernacular character in surrounding housing.
Landscape quality***	The landscape quality of the site is unremarkable.
Scenic quality***	The site has no scenic qualities.
Relative wildness***	The site is part of a managed and suburban landscape.
Relative tranquillity***	There are houses on three sides of the site so human activity is likely to restrict levels of tranquillity.
Natural heritage features***	There are mature trees and hedges to the site boundaries that could be retained. Two mature trees on the site frontage may be lost to provide an access.
Cultural heritage***	There is limited cultural heritage apparent on the site or within the related settlement.

¹² Scale is assessed in relation to the adjoining settlement. Number of dwellings is based on approximate 2021 population divided by an occupancy rate of 2.09. A percentage increase in dwellings of 10% or more would indicate a 'significant' increase likely to be regarded as 'major' development under this criterion, unless specific site characteristics can be shown that, in terms of the special qualities of the national landscape the increase in scale was not significant.

<p>Would any of the special qualities summarised in the Blackdown Hills management plan be affected by the proposed development? ****</p>	<p>The site comprises an agricultural field as is therefore part of the managed landscape, although the visual appreciation of this is marred by the single storey dwellings that have been built on part of the 'original' field fronting the road. There are hedgerows and trees on the site boundaries, but these are not directly linked to any semi-natural habitats.</p>
<p>Is there a significant adverse impact on the purposes for which the area has been designated or defined¹³?</p>	<p>No</p>
<p>Photos</p> <p>Site is screened from longer views by trees and hedges.</p> <p>Site is well contained by trees and hedges and seen in the context of existing housing.</p>	
<p>Would allocation constitute major on any one criterion?</p>	<p>Yes, scale of development 16% increase in housing numbers.</p>
<p>Would allocation constitute major with any combination of criteria?</p>	<p>None of the other criteria indicate that the allocation constitutes major development.</p>
<p>Major development?</p>	<p>No, the lack of distinctive special qualities on the site, it's context on the edge of the settlement and screening mean that, despite</p>

¹³ Blackdown Hills [Management](#) Plan and extract of page 19 in Appendix 2

	the increase in scale, the site is not considered to constitute major development.
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* Criteria taken from NPPF footnote

** Criteria taken from paragraph 3.4 of [management plan](#) 'The Special Landscape Character'

*** taken from Natural England [guidance](#) on meeting beauty criteria for national landscape designation

**** See paragraph 3.7 [bhaonb_management_plan_2019-24.pdf](#) (blackdownhillsaonb.org.uk)

9 Appendix C Worked Example of Assessment of Exceptional Circumstances.

Major Development in a National Landscape: Assessment of Exceptional Circumstances	
Site reference	Dunk_05
Need for the development. Is the scale and location of development in general accordance with the spatial strategy of the draft local plan?	Dunkeswell is a ‘service village’ where limited development to meet local needs is promoted. The scale of development proposed on Dunk_05 would result in an increase in homes in the village of around 16%. Whilst this is quite a significant increase, there are very few ‘tiered settlements’ in this part of East Devon and Dunkeswell therefore serves an extensive area for ‘local need’. The scale of development is considered to be justified in this context.
Alternatives. Are there other sites that are well related to the relevant settlement which could result in less harm to the national landscape?	Two other sites that are well related to Dunkeswell passed the Housing and Economic Land Availability Assessment. Both sites are within the Blackdown Hills National Landscape and were not considered to be suitable for allocation for a combination of factors relating to detrimental impacts on heritage assets, ecology, landscape and a poor relationship with the existing built form. The development of both of these alternative sites would be considered to be more detrimental to the national landscape.
Are there any cumulative impacts on the national landscape from other proposed allocations?	There are no other proposed allocations around Dunkeswell.
What is the predicted landscape impact? Can any detrimental impacts be mitigated?	The landscape impact is classified as ‘high medium’ due to the national landscape location. However, the site is well related to the settlement pattern, has housing on 2/3 sites and is well screened from longer views from the countryside by the flat topography and mature hedges so that any detrimental impacts could be successfully mitigated.
What is the predicted environmental impact?	In terms of ecology, the sites is identified for the Nature Recovery

Can any detrimental impacts be mitigated?	Network (Grassland covering entire site). A minor adverse effect is predicted, which is not significant. Access to the site may require the removal of two mature trees. No other environmental constraints are noted.
Are there any 'exceptional circumstances' that would justify development in the 'public interest'.	Yes, the need to plan for housing to meet local needs for Dunkeswell and the surrounding rural areas.