

## Agenda for Strategic Planning Committee Wednesday, 9th October, 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

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(or group number 01395 517546)

Tuesday, 1 October 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 - 34)

Minutes of the previous meetings held on 3 September and 11 September 2024.

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 East Devon Local Plan - redrafting of Local Plan chapters (Pages 35 - 332)

This report sets the scene for the redrafting of the written text of the Local Plan in respect of Chapters 10, 11, 12, 14 and 16.

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Members of the public exercising their right to speak during Public Speaking will be recorded.

[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 3 September 2024****Attendance list at end of document**

The meeting started at 10.03 am and ended at 5.43 pm

**127 Minutes of the previous meeting**

The minutes of the previous meeting held on 6 August 2024 were confirmed as a true record.

**128 Declarations of interest**

Minute 135 to 142.

In accordance with the Code of Good Practice for Councillors and Officers dealing with planning matters as set out in the constitution the Chair, Councillor Todd Olive, advised of extensive lobbying to all members in respect of the proposed housing site allocations.

Minute 135 to 142.

Councillor Matt Hall, Affects Non-registerable Interest – He works as a Planning Officer for Exeter City Council.

**129 Public speaking**

Susie Culhane spoke on The Exmouth and Surrounds Local Plan Member Working Group note of discussions, and the Feedback on potential development sites at Exmouth and Lympstone in respect of Coastal Preservation Area and Green Wedge designation report. In her community, concerns had been raised about infrastructure capacity to cope with the needs of Exmouth and the surrounding areas. She asked if the unspent CIL funding could be utilised for this purpose as a matter of priority.

The Assistant Director for Planning explained the process in relation to the CIL funding, including consideration of bids later in the year for infrastructure projects.

**130 Matters of urgency**

None.

**131 Confidential/exempt item(s)**

None.

**132 Notes of the CIL Working Party 1 August 2024**

The notes of the CIL working party held on 1 August 2024 were confirmed as a true record.

**133 Housing Requirement Report**

The Assistant Director for Planning Strategy and Development Management set out his report to the Committee.

The Committee had previously discussed the housing requirement in August, when it was resolved that the emerging Local Plan should include a requirement of at least 946 homes per year. The report set out the housing requirement in more detail by identifying how many homes have already been built or have planning permission in the plan period. Windfall site expectations are then added to the total, to leave a remaining number of dwellings that should be allocated as sites, or broad locations for growth in the emerging Local Plan.

The calculations show that the current projected housing supply across the Local Plan period is sufficient to meet the requirement of 20,812 dwellings. However, the supply figure falls short of the Officer recommended 10% headroom by a total of 1,828 dwellings, with the supply headroom currently standing at 253 dwellings, or 1.2%. This figure needs to be kept under review as work progresses. In addition, the report recommended adding two years to the plan period, to meet the National Planning Policy Framework (NPPF) requirement that plans should look ahead over a minimum of 15 years from adoption.

Discussion on the report included what weight a planning Inspector may place on an agreed percentage of headroom, and if the amount proposed in the report was normal practice for Local Authorities. In response, the figure was indeed good practice, and the reasons for a headroom element were explained including to provide resilience to maintaining a five year land supply.

**RESOLVED that**

1. The end date of the new Local Plan period be extended by two years to the year 2042;
2. The emerging Local Plan total housing requirement is 20,812 dwellings but is currently short of the officer recommended figure for an additional 10% of supply headroom;
3. The emerging Local Plan housing requirement can be met, subject to agreement on site allocations at this and future meetings; be noted.

134 **Proposed Housing Site Allocations - Exmouth and surrounding areas**

The committee considered the proposed site allocations for Exmouth and surrounding areas, as set out in these minutes.

135 **Exmouth Site Selection Report**

**Exmo\_50 Exmouth Police Station**

Proposed use: Housing and redeveloped police station

Number of dwellings: 20

Officer recommendation: Allocate

A statement was read out on behalf of ESCAPE (End Sewage Convoys and Pollution in Exmouth) on this site, but was also applicable to all other sites that would feed wastewater to Maer Lane treatment works. The statement covered the increase in population growth in the area, along with the current over-capacity on the current treatment works and the repeated failure of the sewer infrastructure. ESCAPE therefore recommended that planning development is refused until South West Water carried out a

full review, led by an independent expert, to lead to the production and delivery of a fit for purpose sewage infrastructure.

Officers advised the committee that there was continued engagement with South West Water, and they were very aware of the issues. The committee were charged with consideration of allocation of sites at this stage, and not conditions on planning applications.

Inclusion for allocation was proposed by Cllr Davey and seconded by Cllr B Bailey.

Committee **endorsed the recommendation to include Exmo\_50 in the site allocation.**

#### **Exmo\_03 land at bottom of Bampton Lane**

Proposed use: Housing

Number of dwellings: 5

Officer recommendation: Not for allocation

Committee **agreed to move on to the next site allocation.**

#### **Exmo\_23 Courtlands Barn, Courtlands Lane**

Proposed use: Housing

Number of dwellings: 12

Officer recommendation: Allocate

Ward Member Councillor Tim Dumper spoke against the allocation on the grounds of the site being in the coastal protection area, and if developed would result in coalescence of Exmouth and Lympstone which was not supported by local residents.

Committee debated the poor access issues and the opposition locally to the site.

A proposal to move onto the next site failed.

Inclusion for allocation was proposed by Cllr Howe and seconded by Cllr Hayward.

Committee **endorsed the recommendation to include Exmo\_23 in the site allocation.**

#### **Lymp\_07 Land at Courtlands Cross, Exeter Road, Lympstone**

Proposed use: Housing

Number of dwellings: 100

Officer recommendation: Allocate

Susie Culhane spoke in objection to the allocation, citing reasons of green wedge, and historical refusal of a planning application. She outlined some of the characteristics of the site and expressed concern of the single track access, as well as the lack of suitable water treatment system

Helen Dimond reminded the committee of the view of the Planning Inspector in 2012 and felt that to remove the green wedge between the settlements was not appropriate.

Susan Francis from Lympstone Parish Council outlined their concerns regarding the ecological impact and the risk of coalescence.

The committee discussed other reasons for not including the site, including the proximity of a grade 1 listed wall and the impact on Lympstone Manor. Officers confirmed that the

site was sensitive but could still be put forward as an allocation site with further work on mitigation of adverse impacts.

Committee **agreed to move on to the next site allocation.**

**Lymp\_12 Land fronting A376 and Summer Lane**

Proposed use: Housing

Number of dwellings: 14

Officer recommendation: Allocate

Committee **agreed to move on to the next site allocation.**

**Lymp\_08 Land off Summer Lane, Exmouth**

Proposed use: Housing

Number of dwellings: 174

Officer recommendation: Not to allocate

Susie Culhane spoke in objection to the allocation, citing reasons of greed wedge, and the need for a robust water treatment system.

Elements discussed by the Committee included future plans for a cycle route on the current access, which would be difficult to achieve. Other members felt it could work and should be included.

A proposal for inclusion of the site failed.

Committee **agreed to move on to the next site allocation.**

**Exmo\_04 Land at Marley Drive, Lympstone**

Proposed use: Housing

Number of dwellings: 50

Officer recommendation: Allocate

Andrew Roberts spoke against the allocation of this and related sites Lymp\_09 and Lymp\_10a on the grounds that these were green field sites, adverse impact on the brook, ponds and existing oaks on site, and risk of coalescence. Access to Lump\_09 was not acceptable and the site would adversely impact on historic woodlands. There was also no pedestrian access on the road relating to site Lymp\_10a. He asked the committee to take account of the views of both residents and the local councils as he felt those had been ignored.

Ward Member Maddy Chapman rejected the allocation on the grounds of the impact on wildlife and the natural watercourses. She referenced a rejection from Natural England.

Committee members raised issues of the adverse impact on other natural areas including the Pebblebed heaths, and that the access was not sustainable.

Committee **agreed to move on to the next site allocation.**

**Lymp\_09 Land fronting Hulham Road**

Proposed use: Housing

Number of dwellings: 54

Officer recommendation: Allocate

Helen Dimond spoke against the allocation for reasons of flood risk, whereby water currently drained into the site leading to flashing run off to the village. Any development will only exacerbate this problem.

Susan Francis representing Lymptone Parish Council also raised flood risks as outlined by the previous speaker, as well as the impact of increased traffic, unsuitable pavements and too remote from facilities, making the site unsustainable.

The committee discussed the previous discounting of the site and questioned adding it now as an allocation, Others referenced the need to deal with issues such as flood alleviation and traffic as part of the planning application process.

A proposal for including the site in the allocation failed.

Committee **agreed to move on to the next site allocation.**

### **Lymp\_10 (a & b) land off Hulham Road, Lymptone**

Proposed use: Housing

Number of dwellings: 100

Officer recommendation: Allocate

Andrew Roberts spoke against the allocation, outlining the lack of pedestrian access.

Susan Francis, representing Lymptone Parish Council, made reference to some of report detail that stated that sections of the site were remote and therefore too remote for dwellings.

Committee discussed aspects that could be resolved as part of the planning application process. Others raised aspects that they felt were not sustainable for the site, including distance to reach local shops.

Committee **agreed to move on to the next site allocation.**

### **Lymp\_14 Coles Field, Hulham Road**

Proposed use: Housing

Number of dwellings: 59

Officer recommendation: Allocate

Andrew Roberts spoke against the allocation, outlining the increased traffic in the area if developed, along with a planned industrial estate nearby. This would lead to unacceptable danger around the primary school site. Brixington facilities were also limited, making this site unsustainable.

Susan Francis of Lymptone Parish Council informed the committee that they had already been approached by the developer but objected to the site, due to the location in countryside, and being isolated from the village. She also explained issues of impact on wildlife, pedestrian safety and poor access.

Simon Collier, representing Eagle Investments Ltd spoke in support of the allocation and explained where access would be along the western boundary of the adjacent development.

The committee discussed the need to resolve the access and the potential for a cycle route to link up to Dinan Way.

Inclusion for allocation was proposed by Cllr Howe and seconded by Cllr Levine.

Committee **endorsed the recommendation to include Lymp\_14 in the site allocation.**

**Lymp\_13 Kings Garden Centre, Higher Hulham Road**

Proposed use: Housing  
Number of dwellings: 25  
Officer recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

**Lymp\_17 Land at Marley House**

Proposed use: Housing  
Number of dwellings: 80  
Officer recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

**Exmo\_07 Bystock Court, Old Bystock Drive**

Proposed use: Housing  
Number of dwellings: 40  
Officer recommendation: Not to allocate

Ward Member Maddy Chapman outlined reasons for not including the site.

The committee agreed with the officer recommendation not to allocate the site for reasons set out in the report.

Committee **agreed to move on to the next site allocation.**

**Exmo\_21 Land east of Bystock Court**

Proposed use: Housing  
Number of dwellings: 40  
Officer recommendation: Not to allocate

Ward Member Maddy Chapman outlined reasons for not including the site.

The committee agreed with the officer recommendation not to allocate the site for reasons set out in the report.

Committee **agreed to move on to the next site allocation.**

**Exmo\_20a Land at St Johns, Exmouth**

Proposed use: Housing development; if developed other uses  
Number of dwellings: 550  
Officer recommendation: Not to allocate

Simon Collier representing Eagle Investments Ltd advised committee that the site was available and could open up access to woodland. He outlined the scale and type of development that could occupy the site of this size.



Ward Member Councillor Matt Hall stated that there were a number of issues with the site, including the ecology, and the poor access, making the site unsustainable. Due to the size of the site and expected homes, this would result in considerable impact on already stretched services in the area. He spoke of the “golden triangle” of land expansion in the area but felt that this site alone was too small to attract the necessary scale of s106 monies needed to support such growth.

The committee were reminded that more analysis of the site was required, particularly on reservations about the access to the site, although if taken into account along with Exmo\_20b this may offer an improved means of access. Committee debated the need to carefully consider access and by mindful of St Johns In the Wilderness in that area.

Inclusion for allocation, against officer recommendation, was proposed by Cllr Ingham and seconded by Cllr Jung.

Committee **endorsed the recommendation to include Exmo\_20 in the site allocation.**

### **Exmo\_20b Land North of Liverton Business Park**

Proposed use: Housing development

Number of dwellings: 150

Officer recommendation: Allocate

Simon Collier representing Eagle Investments Ltd advised committee that the site was available and of a suitable size for rapid delivery. It was well connected in the landscape with minimal visual impact, with access at the western boundary and close to services and bus routes.

Ward Member Councillor Matt Hall stated that this site alone could not be supported as it would not deliver enough s106 monies to support infrastructure. He asked the committee to look at the wider picture, not at individual small sites.

Inclusion for allocation was proposed by Cllr Ingham and seconded by Cllr B Bailey.

Committee **endorsed the recommendation to include Exmo\_20b in the site allocation.**

### **Exmo\_24 Land to the North of Salterton Road**

Proposed use: Mixed use

Officer recommendation: Not to allocate

Clare James, on behalf of Clinton Devon Estates, spoke of ongoing engagement with the Council. She felt that the site was sustainable and in a good location on a transport corridor.

Ward Member Councillor Matt Hall advised that the site did not work as a stand alone site, but could work if part of a masterplan area. He did not feel the site alone was sustainable and was not of a sufficient size to generate s106 monies.

The Chair proposed to move on to the next site allocation.

Committee **agreed to move on to the next site allocation.**

### **Exmo\_18 Land directly to the East of Liverton Business Park**

Proposed use: 2.8 hectares of employment land

Officer recommendation: Allocate

Clare James, on behalf of Clinton Devon Estates, spoke in support of including the site for allocation. She spoke on the high demand for employment use land, with a good connection to the neighbouring business park.

Ward Member Councillor Matt Hall, advised that he supported the site for employment use due to the need for local jobs. He felt it was key to link with the County Council to make a request for a junction onto the road; and that the Dinan Way improvements go ahead as planned.

Inclusion for allocation was proposed by Cllr Jung and seconded by Cllr H Parr.

**Committee endorsed the recommendation to include Exmo\_18 in the site allocation.**

### **Exmo\_17 Land to the South of Littleham**

Proposed use: Mixed use development

Number of dwellings: 410

Officer recommendation: Allocate

Roger Gibson advised the committee that to include this site would not preserve the natural landscape as set out in the 2016 Exmouth neighbourhood plan. It would lead to a loss of productive farmland, wildlife habitat and more pressure on local services. He suggested other sites that could offer affordable apartments should be considered instead.

Clare James, on behalf of Clinton Devon Estates, spoke in support of including the site for allocation. She outlined the feasibility study undertaken, and the detailed design would incorporate an element of affordable housing, as well as employment land and an improvement to the local junction to Liverton Business Park.

Ward Member Councillor Nick Hookway, spoke against the inclusion of the site, advising that this would set a dangerous precedent for other development. He advised the committee of the topography of the site, being prominently visible due to its height and exposed location.

Ward Member Councillor Anne Hall advised that as the site was classified in the national landscape, it was contrary to the NPPF. Public consultation on the coastal protection area to include this site in that protection received strong public support.

The Committee were reminded that classification of being a National Landscape was the highest designation for a site, and the site was only recommended with the greatest reluctance.

Inclusion for allocation was proposed by Cllr Davey and seconded by Cllr Ingham.

**Committee endorsed the recommendation to include Exmo\_17 in the site allocation.**

### **Exmo\_06 Douglas Gardens, Exmouth**

Proposed use: Housing development

Number of dwellings: 44  
Officer recommendation: Allocate

Clare James, on behalf of Clinton Devon Estates, spoke in support of the site, which had a resolution to grant planning in 2003.

Ward Member Councillor Anne Hall, advised that the site would not deliver the type of housing needed by the local community.

Inclusion for allocation was proposed by Cllr Jung and seconded by Cllr Howe.

Committee **endorsed the recommendation to include Exmo\_06 in the site allocation.**

### **Exmo\_08 Littleham Fields, Exmouth**

Proposed use: Housing development  
Number of dwellings: 40  
Officer recommendation: Allocate

Clare James, on behalf of Clinton Devon Estates, spoke in support of including the site for allocation. She outlined the scoping undertaken, including access to the site through the neighbouring new development.

Ward Member Councillor Anne Hall, advised that the site was a bolt on to the neighbouring new development, and that it offered no additional facilities.

Inclusion for allocation was proposed by Cllr Howe and seconded by Cllr B Bailey.

Committee **endorsed the recommendation to include Exmo\_08 in the site allocation.**

### **Exmo\_16 Land to the rear of Elm Lane**

Proposed use: Housing development  
Number of dwellings: 5  
Officer recommendation: Allocate

Clare James, on behalf of Clinton Devon Estates, spoke in support of including the site for allocation. She cited grounds of the sustainable location and that it should be considered as an in-fill site.

Ward Member Councillor Anne Hall, spoke against including the site for allocation. Mitigating measures were required for the Flood Zone 3 site, and amenities were not within walking distance.

Inclusion for allocation was proposed by Cllr Howe and seconded by Cllr B Bailey.

Committee **endorsed the recommendation to include Exmo\_16 in the site allocation.**

## 136 **Lympstone Site Selection Report**

**Lymp\_01 Little Paddocks, 22 Underhill Crescent, Lympstone**

Proposed use: Housing  
Number of dwellings: 14  
Officer recommendation: Allocate

Helen Dimond outlined the flood risks related to the site, which she opposed for allocation. The expansion was too large for the village facilities to accommodate.

Susan Francis of Lympstone Parish Council also raised concerns about flood risk if the site was developed, and advised that there was a current planning application for two dwellings on the site. However the local parish did consider that some scale of development could be achieved on the site.

Chris Wintrell as landowner outlined details of the site including mitigation for water. He advised that the site was close to village amenities.

Committee discussed the close proximity of the site to the village.

Inclusion for allocation was proposed from the chair by Cllr Olive.

Committee **endorsed the recommendation to include Lymp\_01 in the site allocation.**

#### **GH/ED/72 Land at Meeting Lane, Lympstone**

Proposed use: Housing  
Number of dwellings: 131  
Officer recommendation: Not to allocate

A statement from Jane Moffatt was read out which outlined reasons against allocation of the site, which included reasons of being in the coastal protection area, the lack of infrastructure to support development on this scale, flooding issues, and being unsustainable.

Ken Perry representing Lympstone Parish Council, felt that the site could be included but required work on drainage and waste water management to make it viable.

Steve Parks, as landowner, outlined the type of housing that could be on the site, and advocated the connections to local facilities. Nutwell Road would provide access.

Committee raised the issue of the visual impact on the norther boundary.

Committee **agreed to move on to the next site allocation.**

#### **GD/ED/73 Land North West of Strawberry Hill, Lympstone**

Proposed use: Housing  
Number of dwellings:46  
Officer recommendation: Allocate

A statement from Jane Moffatt was read out which outlined reasons against allocation of the site, which included reasons of being in the coastal protection area, the lack of infrastructure to support development on this scale, flooding issues, and pedestrian safety.

Susan Francis representing Lympstone Parish Council, objected to the inclusion of this site for reasons of considerable work to make the site viable.

Simon Collier, on behalf of Eagle Investments, spoke about the viability of the site and explained that the site did not have views to the sea or estuary.

Committee discussed the need to mitigate issues at the planning stage but felt the site could be included.

Inclusion for allocation was proposed by Cllr Jung and seconded by Cllr Olive.

Committee **endorsed the recommendation to include GD/ED/73 in the site allocation.**

#### **GD/ED/74 Land at Strawberry Hill, Lympstone**

Proposed: Housing

Number of dwellings: 141

Recommendation: Not to allocate

Susan Francis, representing Lympstone Parish Council, did not support the allocation and outlined issues with watercourses through the site.

Committee **agreed to move on to the next site allocation.**

#### **GD/ED/75 Land off Grange Close, Lympstone**

Proposed: Housing

Number of dwellings: 6

Recommendation: Not to allocate

Susan Francis, representing Lympstone Parish Council, did not support the allocation and outlined issues of habitat loss and unacceptable access points.

Committee **agreed to move on to the next site allocation.**

### 137 **Woodbury Site Selection Report**

#### **Wood\_04 Land off Globe Hill, Woodbury**

Proposed: Housing

Number of dwellings: 28

Recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

#### **Wood\_06 Land to rear of Orchard House, Globe Hill, Woodbury**

Proposed: Housing

Number of dwellings:30

Recommendation: Allocate

A representative from Woodbury Parish Council, spoke in support of the allocation and outlined benefits to the local community.

Inclusion for allocation was proposed by Cllr Jung and seconded by Cllr Ingham.

Committee **endorsed the recommendation to include Wood\_06 in the site allocation.**

**Wood\_07 Land off Globe Hill, Woodbury**

Proposed: Housing

Number of dwellings: 9

Recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

**Wood\_09 Land off Globe Hill, Woodbury**

Proposed: Housing

Number of dwellings: 28

Recommendation: Allocate

Roger Stokes spoke in objection to the allocation, setting out reasons of poor access and as heritage grounds alongside a grade 3 listed building. The site had originally been purchased to prevent building on it, and now acted as a wildlife corridor as well as a landing spot for the air ambulance.

A representative from Woodbury Parish Council spoke in support of the site and that development of it would improve the village centre.

Inclusion for allocation was proposed by Cllr Ingham and seconded by Cllr Jung.

Committee **endorsed the recommendation to include Wood\_09 in the site allocation.**

**Wood\_10 Land at Gilbrook, Woodbury**

Proposed: Housing

Number of dwellings: 60

Recommendation: Allocate

Cheryl McGauley spoke as a local resident in objection, citing reasons of pedestrian safety as a major issue and the road and bridge not being suitable for the level and type of traffic developing the site would create.

Peter Oliver, a local resident, outlined his grave concerns for the safety of road users and questioned the measurements used for tractors in calculating the width of access. Visibility was also very poor and the area had a history of accidents.

Woodbury Parish Council did not support the allocation due to reasons of the inability to assign space for safe pedestrian access into Woodbury.

Simon Collier, spoke in support, outlining the good range of local facilities and the lack of objection from statutory consultees in the outline application currently in place.

The committee were advised of the work on the current application, but the aspects put forward for pedestrian safety were still challenged locally.

Committee **agreed to move on to the next site allocation.**

**Wood\_11 Land at rear of Escot Cottages, Broadway, Woodbury**

Proposed: Housing  
Number of dwellings: 5  
Recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

**Wood\_12 Land to the East of Higher Venmore Farm, Woodbury**

Proposed: Housing  
Number of dwellings: 141  
Recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

**Wood\_14 Land West of Pound Lane, Woodbury**

Proposed: Housing  
Number of dwellings: 18  
Recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

**Wood\_16 Land of Broadway (phase 2) Woodbury**

Proposed: Housing  
Number of dwellings: 67  
Recommendation: Allocate

Woodbury Parish Council spoke in support of the site but there were still concerns on related traffic impact and pedestrian safety that needed resolution. There was a request for the provision of a crossing and close liaison with the Parish.

Clare James on behalf of Clinton Devon Estates outlined that the site was ready to proceed with a developer in place and permission granted in November 2023.

Inclusion for allocation was proposed by Cllr Jung and seconded by Cllr Ingham.

Committee **endorsed the recommendation to include Wood\_16 in the site allocation.**

**Wood\_20 Land at Town Lane, Woodbury**

Proposed: Housing  
Number of dwellings: 28  
Recommendation: Allocate

Woodbury Parish Council did not support the site, due to the narrow nature of Town Lane and the access to the local primary school was already dangerous, with poor visibility.

Clare James on behalf of Clinton Devon Estates, spoke in support of the site and outlined the type of development and considered as an in-fill site. Access could be discussed further based on concerns raised.

A proposal to include the site failed

Committee **agreed to move on to the next site allocation.**

**Wood\_23 Ford Farm, Woodbury**

Proposed: Housing

Number of dwellings: 18

Recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

**Wood\_24 Land North East of Webbers Meadow, Castle Lane, Woodbury**

Proposed: Housing

Number of dwellings: 45

Recommendation: Not to allocate

Simon Stokes, representing the site owners, spoke in support of the site and outlined the housing density of the site that could still leave a good amenity proportion, as well as joining the existing bridleway with a new footpath.

Committee **agreed to move on to the next site allocation.**

**Wood\_37 Cricket Field off Town Lane, Woodbury**

Proposed: Housing

Number of dwellings: 81

Recommendation: Not to allocate

Clare James on behalf of Clinton Devon Estates, spoke in support of the site. Housing could be designed around the existing cricket pitch and there was no intention to diminish the value of the pitch.

Committee **agreed to move on to the next site allocation.**

**Wood\_42 Webbers Farm, Castle Lane, Woodbury**

Proposed: Housing

Number of dwellings: 101

Recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

**Wood\_46 West of Wood\_10**

Proposed: Housing

Number of dwellings: 23

Recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

**Wood\_31 Woodbury Business Park, Woodbury**

Proposed: Employment land

Recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**



**Wood\_38 Land at Greendale Barton**

Proposal: 71.2 hectares employment land

Recommendation: Not to allocate

Woodbury Parish Council spoke against the allocation of the site, to protect the woodland there.

Colin Danks, representative of the landowner, outlined the continued demand for business space, the rapid rate that the land could come into use, and the consequences of not meeting the demand of businesses already at Greendale Barton.

Committee **agreed to move on to the next site allocation.**

139 **Exton Site Selection Report**

**Wood\_01 Field 4583, Exmouth Road, Exton**

Proposal: Housing

Number of dwellings: 14

Recommendation: Allocate

Woodbury Parish Council supported the allocation, providing that the flooding issues are resolved before any development takes place.

Inclusion of allocation was proposed by Cllr Ingham and seconded by Cllr Jung.

Committee **endorsed the recommendation to include Wood\_01 in the site allocation.**

**Wood\_28 Land to the North and East of Exton Farm, Exton**

Proposal: Housing

Number of dwellings: 39

Recommendation: Allocate

Woodbury Parish Council supported the allocation, providing that the flooding issues, particularly relating to Maer Lane, are resolved before any development takes place.

Clare James on behalf of Clinton Devon Estates explained that work was ongoing with tenants further upstream on the issue of flood risk.

Inclusion of allocation was proposed by Cllr Ingham and seconded by Cllr Jung.

Committee **endorsed the recommendation to include Wood\_28 in the site allocation.**

**Wood\_41 Land adjacent A376 Exeter Road, Exton**

Proposal: Housing

Number of dwellings: 225

Recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

140 **Budleigh Salterton Site Selection Report**

### **BudI\_01 Land adjacent to Clyst Hayes Farmhouse**

Proposal: Housing

Number of dwellings: 355

Recommendation: Not to allocate

Clare James on behalf of Clinton Devon Estates spoke in support of the site.

Councillor Doorbar of Budleigh Town Council spoke against including the site, due to grade 1 agricultural land being at a premium, and a lack of infrastructure.

Committee **agreed to move on to the next site allocation.**

### **BudI\_02 Land at Barn Lane, Knowle**

Proposal: Housing

Number of dwellings: 25

Recommendation: Allocate

Councillor Doorbar of Budleigh Town Council spoke against the allocation of the site, including that pedestrian access and speeding in that area was still an issue.

Simon Coles, representing Wayne Homes, supported the allocation and asked the committee to consider an increase in the number of dwellings for the site, as capacity was felt to be for 35 dwellings.

A statement was read out on behalf of Ward Member Charlotte Fitzgerald, who supported the application.

Ward Member Melanie Martin also spoke in support of the allocation.

Inclusion of allocation was proposed by Cllr Jung and seconded by the Chair.

Committee **endorsed the recommendation to include BudI\_02 in the site allocation.**

### **BudI\_03 Land at Barn Lane, Knowle**

Proposal: Housing

Number of dwellings: 40

Recommendation: Not to allocate

Clare James on behalf of Clinton Devon Estates spoke in support of the site and work that would provide safe access to the town.

Committee viewed photographs of the site and were reminded of the classification of the site as National Landscape, the highest classification of protection. Such sites would not usually be put forward for allocation, but the pressure of meeting the requirements meant that the site had been included. Committee felt this was an unacceptable use of grade 1 farmland.

Committee **agreed to move on to the next site allocation.**

### **BudI\_05 Little Knowle**

Proposal: Housing

Number of dwellings: 5

Recommendation: Not to allocate

Councillor Doorbar of Budleigh Town Council spoke against the allocation of the site, including that the site was an attractive feature in the Streetscene currently and added to the risk of flooding if developed.

Clare James on behalf of Clinton Devon Estates, felt the site should be included as it was close to facilities and could support modest development.

Committee **agreed to move on to the next site allocation.**

#### **Budl\_06 Budleigh Salterton Community Hospital**

Proposal: Housing

Number of dwellings: 20

Recommendation: Not to allocate

Councillor Doorbar of Budleigh Salterton Town Council spoke of the success of the current hospital hub and felt the site should not be allocated.

Committee **agreed to move on to the next site allocation.**

### 141 **East Budleigh Site Selection Report**

#### **Ebud\_01 Land off Frogmore Road, East Budleigh**

Proposal: Housing

Number of dwellings: 22

Recommendation: Allocate

Clare James, on behalf of Clinton Devon Estates, spoke in support of the site with good connections to facilities.

Inclusion of allocation was proposed by Cllr Jung and seconded by Cllr Ingham.

Committee **endorsed the recommendation to include Ebud\_01 in the site allocation.**

### 142 **Otterton Site Selection Report**

#### **Otto\_01 Bell Street**

Proposal: Housing

Number of dwellings: 10

Recommendation: Allocate

Clare James, on behalf of Clinton Devon Estates, spoke in support of the site, including good connections to transport and local facilities.

Inclusion of allocation proposed by Cllr Howe, seconded by Cllr Jung.

Committee **endorsed the recommendation to include Otto\_01 in the site allocation.**

#### **Otto\_02 Adjacent to North Star**

Proposal: Housing

Number of dwellings: 8

Recommendation: Not to allocate

Clare James, on behalf of Clinton Devon Estates, spoke in support of the site, as an in-fill site.

Committee sought advice on the flood zone classification, and if that could be overcome through planning conditions.

Inclusion of allocation, against officer recommendation, proposed by Cllr Ingham, seconded by Cllr Jung.

Committee **endorsed to include Otto\_02 in the site allocation against officer recommendation.**

**Otto\_15 Hayes Lane**

Proposal: Housing

Number of dwellings: 32

Recommendation: Not to allocate

Committee **agreed to move on to the next site allocation.**

**Otto\_04 Rydon Close**

Proposal: Housing

Number of dwellings: 32

Recommendation: Not to allocate

Committee **agreed to move on to the next item.**

**(a) Exmouth and Surrounds Local Plan Member Working Group Note of Discussions**

The committee noted this item for information.

**(b) Feedback on potential development sites at Exmouth and Lypstone in respect of Coastal Preservation Area and Green Wedge Designation**

The committee noted this item for information.

**Attendance List**

**Councillors present:**

B Bailey

C Brown

O Davey

P Fernley

P Hayward

M Howe (Vice-Chair)

B Ingham

G Jung

Y Levine

T Olive (Chair)

H Parr

**Councillors also present (for some or all the meeting)**

I Barlow

J Brown

M Chapman

R Collins  
T Dumper  
P Faithfull  
M Martin

**Officers in attendance:**

Matthew Dickins, Planning Policy Manager  
Ed Freeman, Assistant Director Planning Strategy and Development Management  
Debbie Meakin, Democratic Services Officer  
Damian Hunter, Planning Solicitor

**Councillor apologies:**

J Bailey  
B Collins

Chairman .....

Date: .....

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of the meeting of Strategic Planning Committee held at Council Chamber, Blackdown House, Honiton on 11 September 2024**

#### **Attendance list at end of document**

The meeting started at 10.00 am and ended at 4.30 pm. The meeting was adjourned for lunch at 12.30 pm and reconvened at 2.00 pm. Further brief adjournments took place at 11.25 am reconvening at 11.30 am and 3.25 pm and reconvening at 3.35 pm.

#### **143 Declarations of interest**

Minute 147 to 157.

In accordance with the Code of Good Practice for Councillors and Officers dealing with planning matters as set out in the constitution the Chair, Councillor Todd Olive, advised of extensive lobbying to all members in respect of the proposed housing site allocations.

Minute 153. Seaton Site Selection Report.

Councillor Dan Ledger, Affects and prejudicial Non-registerable Interest, Lives opposite Seat\_02 - land at Barnards Hill Lane, Seaton.

Minute 153. Seaton Site Selection Report.

Councillor Paul Hayward, Affects Non-registerable Interest, Family members live close to Seat\_02 - land at Barnards Hill Lane, Seaton and Seat\_13a - land adjacent to Axe View Road, Seaton.

#### **144 Public speaking**

There were no public speakers.

#### **145 Matters of urgency**

There were no matters of urgency.

#### **146 Confidential/exempt item(s)**

There were no confidential or exempt items.

#### **147 Proposed Housing Site Allocations - Sidmouth and surrounding areas**

The committee considered the proposed site allocations for Sidmouth and surrounding areas, as set out in these minutes

#### **148 Sidmouth Site Selection Report**

**Sidm\_17 Peak Coach House, Cotmaton Road & The Belvedere, Peak Hill Road**

Proposal: Housing

Number of dwellings: 8

Recommendation: Not to allocate

Councillor Helen Parr proposed to move on, seconded by Councillor Ben Ingham.

Committee **agreed to move on to the next site allocation.**

**Sidm\_12 The Hams, Fortescue Road**

Proposal: Housing

Number of dwellings: 62

Recommendation: Not to allocate

A statement was read out on behalf of Ward Member Councillor John Loudoun, who did not support the site allocation.

The Chair proposed to move on.

Committee **agreed to move on to the next site allocation.**

**Sidm\_13 Land adjoining Fortescue Road**

Proposal: Housing/mixed

Number of dwellings: 43 plus hotel

Recommendation: Not to allocate

Richard Eley, the landowner spoke in support of the allocation and expressed disappointment with the altered version of the proposal which had been done without consent and suggested that committee defer this site allocation to the next meeting so that members can view the correct evidence and to consider the options available.

The Assistant Director Strategic Planning and Development Management explained that officers assessment had only included the parts of Mr Eley's site that were to be developed. Further proposals for recreation and wildlife areas did not need to be allocated in the plan and could not be reasonably secured and so could not be considered through the Local Plan allocations process.

Committee considered the advice given.

A statement was read out on behalf of Ward Member, Councillor John Loudoun, who did not support the site allocation.

Councillor Ben Ingham proposed to move on seconded by Councillor Helen Parr.

Committee **agreed to move on to the next site allocation.**

**Sidm\_14 Land adjacent to Stevens Cross Close (east side), Sidford**

Proposal: Housing

Number of dwellings: 12

Recommendation: Not to allocate

A short statement was read out by Ward Member Councillor John Loudoun who did not support the site allocation.

The Chair proposed to move on.

Committee **agreed to move on to the next site allocation.**

**Sidm\_29 Land at Two Bridges, Sidford**

Proposal: 1.63 ha employment land  
Recommendation: Allocate

Councillor Lockyear, representing Sidmouth Town Council spoke in objection of the site as there was no clear need for this additional employment land which would affect the Green Wedge between Sidford and Sidbury and the access onto the A375 was unsuitable for heavy traffic.

Philip Wragg, representing the Sid Vale Association spoke in objection as there was no evidence to demonstrate the need for more employment land, the impact on the National Landscape and the loss of Green Wedge between Sidford and Sidbury.

Committee considered advice about the need for employment land in the district which had been identified in the up-to-date Economic Needs Assessment.

Paul Sheldon-Matthews objected as it would create misery for residents in Sidford, Sidbury and parts of Sidmouth and should be located close to existing infrastructure, namely Exeter Airport or Skypark.

A statement was read out by Ward Member Councillor John Loudoun who did not support the site allocation.

Councillor Paul Hayward proposed to move on, against officer recommendation, seconded by Councillor Jess Bailey.

Committee **agreed to move on to the next site allocation.**

#### **Sidm\_30 Redwood Road Sidmouth**

Proposal: Housing  
Number of dwellings: 30  
Recommendation: Not to allocate

A short statement was read out by Ward Member Councillor John Loudoun who did not support the site allocation.

The Chair proposed to move on.

Committee **agreed to move on to the next site allocation.**

#### **Sidm\_02 Land at Sidford High Street**

Proposal: Housing  
Number of dwellings: 124  
Recommendation: Not to allocate

The Chair proposed to move on.

Committee **agreed to move on to the next site allocation.**

#### **Sidm\_04 Land to the West of The Lookout, Coreway, Sidford**

Proposal: Housing  
Number of dwellings: 10  
Recommendation: Not to allocate

The Chair proposed to move on.



Committee **agreed to move on to the next site allocation.**

**Sidm\_06 Land west of Two Bridges Road, Sidford**

Proposal: Housing

Number of dwellings: 30 for Sidm\_06a, 238 for Sidm\_06b

Recommendation: Allocate Sidm\_06a, Not to allocate Sidm\_06b

Councillor Lockyear, representing Sidmouth Town Council strongly objected to the site allocation for Sidm\_06a as the area was prone to flooding, it would be built in part of the National Landscape and would encroach on the Green Wedge between Sidford and Sidbury.

Liz Lees representing the Sid Vale Association objected to the site allocation raising concerns about the insufficient local infrastructure.

Ward Members Councillor Marianne Rixson and Councillor Mike Goodman did not support the site allocation as it would affect the creeping coalescence between Sidford and Sidbury, the land was unsuitable due to frequent flooding and set a precedent for future building in this area.

Inclusion of allocation Sidm\_06a proposed by Councillor Mike Howe, seconded by Councillor Olly Davey.

Committee **endorsed to include Sidm\_06a in the site allocation.**

The Chair proposed to move on for Sidm\_06b

Committee **agreed to move on to the next site allocation.**

**Sidm\_19 Land at Dark Lane, Sidmouth**

Proposal: Housing

Number of dwellings: 8

Recommendation: Not to allocate

The Chair proposed to move on.

Committee **agreed to move on to the next site allocation.**

**Sidm\_20 Station Yard, Station Road, Sidmouth**

Proposal: Housing

Number of dwellings: 11

Recommendation: Not to allocate

The Chair proposed to move on.

Committee **agreed to move on to the next site allocation.**

**Sidm\_22 Alexandria Industrial Estate, Alexandria Road**

Proposal: Housing

Number of dwellings: 43

Recommendation: Not to allocate

The Chair proposed to move on.

Committee **agreed to move on to the next site allocation.**

**Sidm\_28 Church Street Car Park, Sidford**

Proposal: Housing

Number of dwellings: 4

Recommendation: Not to allocate

Councillor Paul Hayward proposed to move on, seconded by Councillor Yehudi Levine.

Committee **agreed to move on to the next site allocation.**

**Sidm\_31 Land north of Cornfields, Sidford**

Proposal: Housing

Number of dwellings: 15

Recommendation: Allocate

Councillor Lockyear representing Sidmouth Town Council spoke in support of the site as it would benefit the community but suggested it should be in line with the Sid Valley Neighbourhood Plan Policies 12 and 13.

Inclusion of allocation proposed by Councillor Ben Ingham and seconded by Councillor Dan Ledger.

Committee **endorsed the recommendation to include Sidm\_31 in the site allocation**

**Sidm\_32 Land west of Woolbrook Road, Sidmouth**

Proposal: Mixed use

Number of dwellings: 127 plus 0.27 ha employment land

Recommendation: Allocate Sidm\_32a; Not to allocate Sidm\_32b

Councillor Lockyear representing Sidmouth Town Council spoke in support of Sidm\_32a as it would benefit the community but suggested it should be in line with the Sid Valley Neighbourhood Plan Policies 12 and 13 and include the provision of a park and change service to assist sustainable travel.

Ward Members Councillor Marianne Rixson and Councillor Mike Goodman spoke in support on the proviso that developers deliver the right type of housing in accordance with policies 12 and 13 of the Sid Valley Neighbourhood Plan.

Inclusion of Sidm\_32a proposed by Councillor Ben Ingham and seconded by Councillor Helen Parr

Committee **endorsed the recommendation to include Sidm\_32a in the site allocation.**

The Chair proposed to move on for Sidm\_32b.

Committee **agreed to move on to the next site allocation.**

**Sidm\_35 Land north of Sidford High Street, Sidford**

Proposal: Housing

Number of dwellings: 80

Recommendation: Not to allocate

The Chair proposed to move on.

Committee **agreed to move on to the next site allocation.**

149 **Sidbury Site Selection Report**

**Sidm\_34 Land between Furzehill and Hillside, Sidbury**

Proposal: Mixed use

Number of dwellings: 38 plus 0.15ha employment land

Recommendation: Allocate Sidm\_34a; Not to allocate Sidm\_34b

Neil Robinson spoke in objection to the allocation as the land is fairly steep which would have an adverse impact on water runoff, serious flooding on the A375 along Burnt Oak and inadequate access proposed for the allocation.

Philip Wragg representing the Sid Vale Association also spoke in objection as it would be a loss of agricultural land and Designated Landscape which would have a negative impact on biodiversity.

Dan Yeates representing the landowner advised committee that 34a and 34b should be delivered as a whole site to benefit the delivery of the secure footpath and which could easily accommodate 50 homes to include open space and biodiversity net gains.

A statement was read out on behalf of the Ward Member, Councillor John Loudoun who did not support the site allocation for either Sidm\_34a and Sidm\_35b.

Inclusion for allocation was proposed by Councillor Ben Ingham and seconded by Councillor Kevin Blakey for Sidm\_34a

Committee **endorsed the recommendation to include Sidm\_34a in the site allocation.**

Councillor Ben Ingham proposed to move on to the next site for Sidm\_34b, seconded by Councillor Kevin Blakey.

Committee **agreed to move on to the next site allocation.**

150 **Newton Poppleford Site Selection Report**

**Newt\_01 Goosemoor Farm, Exeter Road**

Proposal: Housing

Number of dwellings: 119

Recommendation: Not to allocate

**Newt\_02 Littledown Farm, Littledown Lane**

Proposal: Housing

Number of dwellings: 21

Recommendation: Not to allocate

**Newt\_04 Land to the west of Badger Close, Exmouth Road**

Proposal: Housing

Number of dwellings:  
Recommendation: Not to allocate

**Newt\_05 Land to the east of Exmouth Road**

Proposal: Housing  
Number of dwellings: 27  
Recommendation: Not to allocate

**Newt\_13 Land off Down Close**

Proposal: Housing  
Number of dwellings: 11  
Recommendation: Not to allocate

**Newt\_14 Seniors Farm Yard**

Proposal: Housing  
Number of dwellings: 5  
Recommendation: Not to allocate

The committee were reminded about the pinch point between the junction between Exmouth Road and the A3052 which did not have any pavements of footpath which would make it difficult to link an access to the east of the village.

A proposal was received from Councillor Ben Ingham, seconded by Councillor Mike Howe to move on from all the site allocations in Newton Poppleford.

Committee **agreed to move on from all the site allocations in Newton Poppleford.**

151 **Proposed Housing Site Allocations - Seaton and surrounding areas**

The committee considered the proposed site allocations for Seaton and surrounding areas, as set out in these minutes

152 **Seaton Site Selection Report**

**Seat\_01 Clay Common**

Proposal: Housing  
Number of dwellings: 50  
Recommendation: Not to allocate

David Morgan spoke in objection citing reasons of the impact to the skyline and topography of Seaton and its location to the Beer Quarry Caves which is a protected areas for bats.

Iestyn John, the agent for the landowner advised it was an opportunity site to deliver housing, which was less constrained than some of the other sites proposed.

Ward Member, Councillor Marcus Hartnell objected to the site allocation.

Councillor Dan Ledger, proposed to move on to the next site allocation, seconded by Councillor Ben Ingham.

Committee **agreed to move on to the next site allocation.**

Councillor Dan Ledger left the room for the following site allocation and did not take part in discussions or the vote.

**Seat\_02 Land at Barnards Hill Lane**

Proposal: Housing

Number of dwellings: 40

Recommendation: Allocate

Richard Ayre from Baker Estates was keen to continue delivering homes for the town as it needs more housing, investment and growth and supports the officer site assessments.

Ward Member, Councillor Marcus Hartnell spoke against the site allocation on the grounds of flood risk and the drainage infrastructure in Seaton being at capacity.

Inclusion for allocation was proposed by Councillor Paul Hayward and seconded by Councillor Ben Ingham.

Committee **endorsed the recommendation to include Seat\_02 in the site allocation**

**Seat\_03 Land to the South of Harepath Hill**

Proposal: Housing

Number of dwellings: 75

Recommendation: Allocate

Tony Smith objected to the site allocation citing ecology reasons.

Richard Ayre from Baker Estates advised the allocation of the land would benefit the community by the long awaited sports pitch being part of the proposal in Seat\_03 and Seat\_05.

Ward Member, Councillor Marcus Hartnell raised concerns about flooding and the drainage infrastructure but could see merit in some development in Seat\_03 and Seat\_05 but taken together.

Inclusion for allocation was proposed by Councillor Dan Ledger and seconded by Councillor Ben Ingham.

Committee **endorsed the recommendation to include Seat\_03 in the site allocation.**

**Seat\_05 Land off Harepath Road**

Proposal: Mixed use

Number of dwellings: 130 dwellings and 2.2 ha employment land

Recommendation: Allocate

Diane Smith objected to the site allocation as it would encroach on the Green Wedge between Seaton and Colyford and would have an adverse impact on the ecology of the wetlands resulting in further flooding.

Peter Mason objected to the site allocation as he felt further development could not be justified as it was important to maintain the coalescence between Seaton and Colyford.

Richard Ayre advised committee the site allocation would provide a mix of uses contributing to the social and economic wellbeing of the town.

Ward Member, Councillor Marcus Hartnell raised concerns about flooding and the drainage infrastructure but could see merit in some development in Seat\_03 and Seat\_05 but taken together.

Inclusion for allocation was proposed by Councillor Ben Ingham and seconded by Councillor Olly Davey.

Committee **endorsed the recommendation to include Seat\_05 in the site allocation.**

### **Seat\_08 Land between Churston Rise and Couchill Copse**

Proposal: Housing

Number of dwellings: 38

Recommendation: Not to allocate

David Morgan objected to the site allocation advising any development would have an adverse impact on the topography and skyline on the western boundary of Seaton and would be seen from multiple view points

The Chair proposed to move on to the next site allocation.

Committee **agreed to move on to the next site allocation.**

### **Seat\_09 Land at Clay Common (Little Paddock)**

Proposal: Housing

Number of dwellings: 7

Recommendation: Not to allocate

Iestyn John referred to members concerns that the site was in the Coastal Preservation Area advising he was 100% confident this site would not be visible on the coast and could be delivered with the existing access.

Councillor Dan Ledger proposed to move on to the next site allocation, seconded by Councillor Colin Brown.

Committee **agreed to move on to the next site allocation.**

### **Seat\_10 Land south of Beer Road**

Proposal: Housing

Number of dwellings: 12

Recommendation: Not to allocate

David Morgan objected to the site allocation advising any development would have an adverse impact on the topography and skyline and would be visible in Beer and would not contribute to affordable housing.

Councillor Dan Ledger proposed to move on to the next site allocation, seconded by Councillor Todd Olive.

Committee **agreed to move on to the next site allocation.**

### **Seat\_13 Land adjacent to Axe View Road**

Proposal: Housing

Number of dwellings: 39

Recommendation: Allocate Seat\_13a

Ward Member, Councillor Marcus Hartnell agreed with the recommendation that Seat\_13b should not be allocated and advised that Seat\_13a should not be separated from Seat\_13b should be treated as one site. He referred to an ancient monument which was in the ownership of EDDC and suggested there could be more roman remains beneath Seat\_13a

Inclusion for allocation was proposed by Councillor Paul Hayward and seconded by Councillor Dan Ledger.

Committee **endorsed the recommendation to include Seat\_13a in the site allocation.**

Councillor Paul Hayward proposed to move on to the next site allocation, seconded by Councillor Dan Ledger.

Committee **agreed to move from Seat\_13b on to the next site allocation.**

### **Seat\_15 White Cross, Colyford Road**

Proposal: Housing

Number of dwellings: 36

Recommendation: Not to allocate

The Chair proposed to move on to the next site allocation.

Committee **agreed to move on to the next site allocation.**

## 153 **Colyton Site Selection Report**

### **Coly\_02 Land at Hillhead**

Proposal: Housing

Number of dwellings: 49

Recommendation: Coly\_02a Allocate & Coly\_02b Allocate

Richard Ayre objected to the site allocating expressing his view that Coly\_03 would be more suitable

Councillor Alison Stenning representing Colyton Parish Council objected to the site allocation as it would destroy the natural setting of Colyton as both sites are above the town and will be widely visible.

Ward Member, Councillor Paul Arnott, supported the site allocation Coly\_02a and could not support Coly\_02b and it had a single track road which was not appropriate for more houses.

Inclusion for allocation on Coly\_02a was proposed by Councillor Paul Hayward, seconded by Councillor Dan Ledger.

Committee **endorsed the recommendation to include Coly\_02a in the site allocation.**

Councillor Paul Hayward proposed to move on to the next site allocation for Coly\_02b, seconded by Councillor Dan Ledger.

Committee **agreed to move on to the next site allocation.**

**Coly\_03 Land adjacent to Fair View Lane**

Proposal: Housing

Number of dwellings: 97

Recommendation: Not to allocate

Committee sought clarification about the landscape issues and whether there was merit in reducing the size of the site. Committee were advised that as the land was landscape sensitive officers were of the view reducing the size would not alter the sensitivity.

The Chair proposed to move on to the next site allocation.

Committee **agreed to move on to the next site allocation.**

**Coly\_06 Land to the south and east of Colyton (adjacent to Peace Memorial Playing Fields, Coly Road)**

Proposal: Housing

Number of dwellings: 12

Recommendation: Allocate Coly\_06a & Coly\_06b Not to Allocate

Councillor Alison Stenning, representing Colyton Parish Council supported the site allocation and that it should be used to build a new primary school to support the increasing number of houses proposed in Colyton.

Ward Member, Councillor Paul Arnott strongly supported the comments by Councillor Stenning.

The Committee were advised that Devon County Council as the statutory consultee had advised the primary school had capacity and had not submitted any comments to say it should be kept for a primary school.

Councillor Helen Parr proposed to move on from Coly\_06a to the next site allocation, seconded by Councillor Paul Hayward.

Committee **agreed to move on to the next site allocation.**

Councillor Helen Parr proposed to move on from Coly\_06b to the next site allocation, seconded by Councillor Paul Hayward.

Committee **agreed to move on to the next site allocation.**

154 **Beer Site Selection Report**

**Beer\_01 Part South Down Farm, Common Hill**

Proposal: Housing

Number of dwellings: 130

Recommendation: Not to allocate

The Chair proposed to move on to the next site allocation.

Committee **agreed to move on to the next site allocation.**



**Beer\_03 Land at Quarry Lane**

Proposal: Housing

Number of dwellings: 35

Recommendation: Not to allocate

The Chair proposed to move on to the next site allocation.

Committee **agreed to move on to the next site allocation.**

155 **Branscombe Site Selection Report**

**Bran\_01 Land to the west of Cott Mead, north side of the road**

Proposal: Housing

Number of dwellings: 10

Recommendation: Not to allocate

The Chair proposed to move on to the next site allocation.

Committee **agreed to move on to the next site allocation.**

**Bran\_02 Field forming part of Cotte Barton Farm**

Proposal: Housing

Number of dwellings: 21

Recommendation: Not to allocate

The Chair proposed to move on to the next site allocation.

Committee **agreed to move on to the next site allocation.**

156 **Uplyme Site Selection Report**

**Uply\_01 Land at Sidmouth Road**

Proposal: Housing

Number of dwellings: 92

Recommendation: Not to allocate

The Chair proposed to move on to the next site allocation.

Committee **agreed to move on to the next site allocation.**

157 **Response to proposed reforms to the National Planning Police Framework and other changes to the planning system**

Members considered the report that set out the proposed responses to the government consultation on changes to the National Planning Policy Framework.

A query was raised about Q7 and the protection provided by the 4-year housing land requirement established by the December version of the NPPF. The committee were reminded about the need to bolster the council's housing land supply to enable the Local Plan to be found sound and Members were advised that the proposed response highlights the council's housing land supply issues which would allow the council to move to a better position.

**RESOLVED:**

That the proposed consultation responses included within this report be agreed and submitted as the Council's responses to the consultation.

**Attendance List**

**Councillors present:**

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

**Councillors also present (for some or all the meeting)**

P Arnott  
I Barlow  
J Brown  
C Burhop  
R Collins  
P Faithfull  
M Goodman  
D Haggerty  
M Hartnell  
M Rixson

**Officers in attendance:**

Wendy Harris, Democratic Services Officer  
Ed Freeman, Assistant Director Planning Strategy and Development Management  
Damian Hunter, Planning Solicitor  
Keith Lane, Senior Planning Officer (Planning Policy)  
James Coles, Planning Policy Officer

**Councillor apologies:**

B Bailey  
B Collins  
P Fernley  
G Jung

Chairman .....

Date: .....

Report to: **Strategic Planning Committee**

Date of Meeting: 9 October 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



## **East Devon Local Plan – redrafting of local plan chapters**

### **Report summary:**

This report sets the scene for the redrafting of the written text of the local plan and also includes a first redraft of local plan chapters in respect of:

- Chapter 10. Designing beautiful and healthy spaces and buildings
- Chapter 11. Prioritising Sustainable travel and providing the transport and communications facilities we need
- Chapter 12. Caring for our outstanding landscape
- Chapter 14. Open space and sports and recreation facilities
- Chapter 16. Ensuring we have community buildings and facilities

These chapters are a redraft of those contained in the draft local plan dated 2022 but they are not at this stage proposed as the final plan wording to go into the proposed Regulation 19 Local Plan. Rather, they set out the general proposed intent and favoured approach to wording that we carry forward into the plan noting that final wording is planned to come to committee in late November 2024.

### **Is the proposed decision in accordance with:**

Budget                      Yes  No

Policy Framework      Yes  No

### **Recommendation:**

That committee endorse the proposed draft revised chapters in the local plan noting that they will need to be refined in readiness for the proposed Regulation 19 draft of the plan..

### **Reason for recommendation:**

To seek in principle committee approval for the emerging local plan text.

Officer: Ed Freeman – Assistant Director, Planning Strategy and Development Management,  
e-mail – [efreeman@eastdevon.gov.uk](mailto: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; The local plan needs to progress in a timely manner if it is to meet potential Government deadlines for plan preparation. That said there are unknowns over final deadlines that may be set by the Government and as of when they may issue new policy. The government had previously indicated that plans may proceed under the existing NPPF and what are comparatively lower housing numbers if they reach Regulation 19 stage of plan making (plan consultation) within one month of a new NPPF being published. It is unknown if this timing ruling may stay in place, or not, or when a new NPPF may be published.

### **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

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## **1. Introduction**

- 1.1 This report introduces the first batch of redrafted chapters of the local plan for proposed inclusion in the Regulation 19 draft of the plan. It is highlighted that at this stage the wording provided is not regarded as necessarily being the final wording that should be included, but it is intended to give a very clear steer on the policies that officers would advise for inclusion in the plan and a draft of wording that should apply.
- 1.2 Officers have reviewed the plan text that featured in the 2022 draft plan [commonplace-reg-18-final-071122.pdf \(eastdevon.gov.uk\)](#) alongside response to consultation, any emerging new evidence, sustainability outputs and other work in arriving at redrafting wording. The actual redrafted wording for the following:
- Chapter 10. Designing beautiful and healthy spaces and buildings
  - Chapter 11. Prioritising Sustainable travel and providing the transport and communications facilities we need
  - Chapter 12. Caring for our outstanding landscape
  - Chapter 14. Open space and sports and recreation facilities
  - Chapter 16. Ensuring we have community buildings and facilities
- is appended to this report and is referenced further on in the report.

## 2. Overview of plan redrafting

- 2.1 For the chapters specifically addressed in this committee report, and for plan and chapter drafting more generally, we have applied some general principles, as well as being led by the evidence we hold. On a very general level we have sought to:
- a) remove text that is seen not relevant to the actual use and application of the policy or policies in the plan that text relates to.
  - b) reduce the overall length of wording and length of policies.
  - c) strip policies back, where reasonable, to address only planning and determination of planning application matters. This stripping back has included removing process matters relevant in respect of application determination which are best left to guidance which can be more readily updated.
  - d) remove policies or parts of policies that are duplicating national guidance and NPPF text. Though if a policy seeks to deviate from the NPPF or such guidance we would want and need to justify the case for doing so.
- 2.2 This redrafting will lead to a shorter and more precise plan overall. It will be in line with national guidance that favours shorter plans and as such we would wish to make it easier to use and understand. However, and of critical importance, extensive evidence and assessment will sit behind the plan and policies and will help establish the justification of the policies.
- 2.3 In text and plan redrafting there has and will be some minor changes to the ordering of some parts of the plan and loss of one chapter, Chapter 4, that explained site selection process (this is clearly not relevant to the Regulation 19 plan). We also propose to split Chapter 7 on climate change into two chapters. The first majoring on energy efficiency and renewable energy and the second specifically addressing flooding and water related themes, including in respect of impacts arising as a consequence of climate change. Note that at present chapter numbers remain as in the draft plan, but in due course will be amended.
- 2.4 In this initial redrafting we have retained, for the time being, the policy numbers that featured in the draft plan (they came before the policy title) but have also added new proposed policy references (letter/number references) after the words 'Strategic Policy' or 'Policy'. This new policy referencing is proposed to be carried forward with, in due course, the number referencing being dropped. But for the time being it is useful to retain the former referencing as a cross-reference point for early draft plan wording. It is also relevance to note that there are also some changes to whether we have classified some policies as 'Strategic' or not.
- 2.5 In policy redrafting we do **not** show amendments as tracked changes, to do so would result in a very cumbersome and long document to read through. It is therefore essential, if comparing the draft plan and new proposed wording to compare the two alongside each other.

- 2.6 We would highlight that behind each chapter of the plan and every policy there is technical assessment work and past consultation. For each chapter of the plan, and also appended to this report, there is a separate audit trail report that explains the evolution of plan policy and the factors that have informed drafting. In some cases these reports cross-reference to other more detailed technical assessments. The audit trail documents are reports that will be updated as plan making progresses, as such they are live documents with version control/referencing.
- 2.7 The Version 1 drafts of these audit reports are not therefore the final article and new versions will be produced in the months ahead as new matters come forward. In due course the intent is that later versions of these reports will accompany the documents that are submitted for plan examination and be considered by the appointed planning inspector/inspectors alongside other material. The audit reports will tell, therefore, the evolving story of plan/policy evolution and the basis and reasoning for plan content.
- 2.8 It should be noted that plan reformatting is an ongoing exercise to bring the plan in line with corporate standards of presentation and to make it accessible. The text format and style presented to committee at this stage may therefore change in future drafts and it is noted that there may, as a result, be some inconsistencies in this early draft across plan chapters. There are also some variations in the style, format and layout of policies and wording and also in the supporting text/reasoned justification for policies. Text will be refined in later redrafts to ensure a consistency of approach.
- 3. Redrafting of - Chapter 10. Designing beautiful and healthy spaces and buildings**
- 3.1 The redrafted Chapter 10. Designing beautiful and healthy spaces and buildings is attached as Appendix A of this report and Version 1 of its audit trail document as Appendix B.
- 3.2 There have not been any substantive changes to this chapter of the plan with the three basic policies in the draft plan being retained and slightly amended in the new draft.
- 4. Redrafting of - Chapter 11. Prioritising Sustainable travel and providing the transport and communications facilities we need**
- 4.1 The redrafted Chapter 11. 'Prioritising Sustainable travel and providing the transport and communications facilities we need' is attached as Appendix C of this report and Version 1 of its audit trail document as Appendix D.
- 4.2 Several changes have been made to Chapter 11 to reflect consultation responses and a desire to make the document and policies clear and focussed, avoiding repetition of national policy. This has resulted in two policies being deleted (Policy 69 – Rear Servicing of Shopping/Commercial Development and Policy 70 – Safe vehicular access to sites) as they repeated national policy. Supporting text has also been refined.

- 4.3 Other key changes from the Draft Plan to the Publication Plan in Chapter 11 include:
- the removal of reference in policy to 20-minute neighbourhoods as it is too vague to include in policy; and because it covers a range of topics that are dealt with elsewhere in Local Plan policies (such as those relating to housing and employment delivery, community facilities, and open space provision). Therefore, 20-minute neighbourhoods is referred to in supporting text rather than policy, but consider adding specific reference to 20-minute neighbourhoods in the new settlement policy where it is considered to be achievable.
  - changes to the transport sites and routes that should be protected from development, to reflect background evidence.
  - Minor amendments to the policy on travel plans, transport statements/assessments. Thresholds have not been added to the policy to allow greater flexibility for transport issues to be considered on a case-by-case basis, rather than setting 'artificial' thresholds.
  - The revised policy removes redundant EV charging point wording, updates data to 2021 census, adopts Local Transport Note 1/20 for residential cycle parking, and adds employment development parking standards.
  - Policy on aerodrome safeguarded areas and public safety zones has been clarified to make clear that development which would impact on the operation of safety or navigational systems at the Airport must provide suitable mitigation.
  - Updated data regarding East Devon broadband coverage and the latest building regulation standard for Physical infrastructure and network connection for new dwellings.

## 5. Redrafting of - Chapter 12. Caring for our outstanding landscape

- 5.1 The redrafted Chapter 12. 'Caring for our outstanding landscape' is attached as Appendix E of this report and Version 1 of its audit trail document as Appendix F.
- 5.2 The landscape importance and priority people attach to landscape quality is such that there is very clear justification for a dedicated chapter in the plan on this subject matter. In policy redrafting we have retained the breadth of policy matters that were contained in the draft plan though with some editing down of wording to major on the real key concerns.
- 5.3 In respect of policies for Coastal Preservation Areas (now OL 03) and the Green Wedges (now OL 05) we do not show maps of the extent of policy coverage at this stage. Boundary lines will be reviewed in line with consultation feedback from the further Regulation 18 consultation (as concluded in Summer 2024) and will be reported to a later committee meeting. However, at this stage we would not expect to make recommendation for major changes, but should committee ultimately resolve to allocate land for development that falls within either of the designated areas that were consulted on then it would be logical to remove them from the designated area. Subject to full consideration of the consultation, at this stage Officers would suggest that to **not** remove any such land areas would imply a policy contradiction between accommodating development and (real or perceived) restriction on development.

5.4 The last four policies in this chapter - Policy OL 07: Contaminated Land, Policy OL 08: Potentially Hazardous Developments and Notifiable Installations, Policy OL 09: Control of Pollution and Policy OL 10: Development on High Quality Agricultural Land don't sit that naturally within a landscape chapter, though they are of great importance. It might be relevant to review whether they would be better located in the plan, though such a review can take place at a later date.

## **6. Redrafting of - Chapter 14. Open space and sports and recreation facilities**

6.1 The redrafted Chapter 12. 'Open space and sports and recreation facilities' is attached as Appendix G of this report and Version 1 of its audit trail document as Appendix H.

6.2 This is a short chapter in the plan. The plan text acknowledges on going sports assessment and related evidence work, including the completed sports strategy and built facilities strategy and also the ongoing work on playing pitch strategy production. One notable change, in Policy (now named OS 02) is that we are recommending the use of Fields in Trust standards for new open space provision alongside new development. These are nationally widely applied standards.

6.3 We are recommending the deletion of policy for the 'Retention of land and buildings for sport and recreation use'. Retention and avoiding loss is a critical concern, but in representation at draft plan stage Sport England highlighted that it replicates, though in a somewhat watered-down and less precise manner wording in the NPPF and as such was not needed. Deletion is therefore appropriate.

## **7. Redrafting of - Chapter 16. Ensuring we have community buildings and facilities**

7.1 The redrafted Chapter 12. 'Ensuring we have community buildings and facilities' is attached as Appendix I of this report and Version 1 of its audit trail document as Appendix J.

7.2 This is a very short chapter without any substantial change made from the draft plan to the proposed new Regulation 19 plan. The chapter retains the two policies, with minor amendments, that featured in the draft plan. The policies seek to be supportive of new and improved community facilities whilst resisting the loss of existing facilities. It is worth noting that policy is very much geared around supporting facilities that are very much local to and serve the local community in which they are located, rather than being of wider or regional relevance or just serving a select part of a community.

## **8. Regulation 19 local plan consultation**

8.1 Officers are working to a timetable that will see a report coming to committee in late November 2024 (date to be determined) recommending that the local plan is made available under Regulation 19 of the plan making regulations for people to make comment on.

8.2 This is the timetable set out in the Local Development Scheme and it advises of the period for comments running from December 2024 to January 2025. The plan itself,



the comments received and supporting evidence documents will be sent (the Submission) to the Planning Inspectorate for the Examination of the plan. We are aiming to submit for Examination in May 2025, noting that as things stand there is a proposed deadline date of June 2025 for submission to meet in order to progress under the current plan making regime.

- 8.3 Government determined deadlines that we may need to meet are, however, not yet confirmed but may impact on the above.

## **9 Implications for Neighbourhood Plans**

- 9.1 Members should be aware that Neighbourhood Plans will continue to be examined for general conformity with the adopted Local Plan (2031), with some (increasing) consideration given to the relationship with the emerging Local Plan, until such time as the new Local Plan is at least at Main Modifications stage.
- 9.2 Progress in a timely fashion, in line with the published timetable, and in agreeing content for inclusion in the Publication Version of the LP is therefore important in giving increased certainty to communities in considering the need for a neighbourhood plan, and planning for the preparation of a new or reviewed neighbourhood plan. This includes which policies will be strategic policies, as the legal tests ('Basic Conditions') against which neighbourhood plans are examined, includes their being in general conformity with the strategic policies of the Development Plan for the area.

### **Financial implications:**

There are no financial implications requiring comment.

### **Legal implications:**

There are no legal implications requiring comment (002533/9 October 2024/DH).

# Chapter 10 Designing beautiful and healthy spaces and buildings

## Introduction

The design of spaces and buildings is fundamental to how we experience places, and the impact development has on the natural environment. The design of space has a direct impact on people's health, safety, security, inclusion, travel choices, the cost of living, and general quality of life. Design can influence the impact development has on the environment through the method and quality of construction, integration with the context of the local area, and the extent to which spaces and buildings address both immediate and future demands of the climate emergency.

The National Planning Policy Framework (NPPF) makes clear that the creation of high quality places and buildings is a fundamental requirement of the planning and development process. It highlights that good design is a key aspect of sustainable development and helps make development acceptable to communities. Local Plan policy is intended to ensure well designed proposals come forward for approval in accordance with the NPPF and national design guidance, contained in the National Design Guide, National Model Design Code, and Guidance Notes for Design Codes.

The Local Plan includes site allocations to enable appropriate levels of development to meet housing targets set at the national level. The design of these strategic allocations is key to safeguarding the character and appearance of our valuable landscapes. It is particularly important that we focus our attention on the most sensitive sites including allocations within National Landscapes or affecting a heritage asset. To address this requirement, and as steered by national guidance, design codes will be produced for a number of allocated sites, and for specific areas, to inform future proposals. Our policies, supported by design codes, will guide the decision making process to ensure that all new development is fit for purpose, being both resilient and well-integrated into the natural, built and historic environment.

Whilst good design is often associated with the physical appearance or functionality of buildings, it is increasingly concerned with achieving more sustainable and energy efficient buildings. These aspects of design are considered in detail under the tackling climate change chapter. Every development provides an opportunity for good design and many of our policies contain a design element. For example:

- Ensuring climate change resilience;
- Encouraging healthy and active lifestyles and travel patterns; and
- Encouraging green infrastructure, including green space and landscaping.



Considered green infrastructure is vital to create healthy places.

New development should create a high standard of amenity for existing and future users. The quality of a home is a determining factor in health outcomes and the need for accommodation which is of a suitable size and layout to meet the needs of the occupier/s is key to this. The Government's nationally described space standard<sup>23</sup> (NDSS) sets minimum standards for the size of new dwellings, based upon the number of bedrooms, storeys, and occupancy. The NDSS provide a common standard that local planning authorities may choose to adopt through local plan policies, subject to evidence of need and viability.

Evidence on the size of new dwellings being built in East Devon over recent years indicates that just 29% are meeting the NDSS in relation to gross internal floor area. Further assessment of a selection of new homes against bedroom area and widths suggested far fewer homes achieve the other requirements of the NDSS. There is a risk that these new dwellings are not providing a reasonable level of internal space to undertake typical day-to-day activities, with potential impacts including a lack of space to prepare and eat food, store possessions, socialise, study, work, relax, or adapt in case of changed circumstances. In applying the NDSS, it will be considered that every habitable room which does not function as the main living room, dining room or kitchen will be regarded as a bedroom. The impact of adopting the NDSS will be considered in the viability assessment that accompanies the East Devon Local Plan 2020-40, to demonstrate that the Plan can be delivered in a viable manner.

## 62. Policy DS01: Design and Local Distinctiveness

New development, including the refurbishment of existing buildings should be of a high quality design and locally distinctive. Proposals should clearly respond to local policy and guidance including Neighbourhood Plans and Design Guides / Briefs / Codes, whether adopted as Supplementary Planning Documents or promoted through other means. For proposals in the Blackdown Hills National Landscape, reference should be made to the [Blackdown Hills AONB Design Guide For Houses](#); within the East Devon National Landscape, reference should be made to [East Devon AONB Planning Guidance](#). Proposals should also be in accordance with the principles of the National Design Code and Building for a Healthy Life.

The layout and design of building curtilages, roads, parking, pavings, open space, site furniture footpaths and boundary treatments should make a positive contribution to the street scene / public realm and the integration of the development with its surroundings and setting. Recycling and waste storage facilities should be in locations well related to collection points. Particular care will need to be given to boundary treatments that abut public or communal areas in order to avoid adverse impacts

Proposals will only be permitted where they:

1. Respect the key characteristics and special qualities of the area in which the development is proposed;
2. Ensure the appearance of buildings, including scale, massing, density, height, fenestration, and materials, relate well to their context;
3. Do not adversely affect:
  - a) The distinctive historic or architectural character of the area;
  - b) The urban form, in terms of significant street patterns, groups of buildings and open spaces;
  - c) The amenity of occupiers of adjoining residential properties;
  - d) The operation of existing uses outside of the proposed development;
  - e) The future amenity of occupants of proposed residential properties, with respect to access to open space; protection from noise and pollution; provision of adequate internal light; storage space for bins, bicycles, prams, and other uses; and
  - f) Meet nationally and locally described space standards<sup>1</sup>.
4. Have due regard for important aspects of detail and quality and should incorporate:
  - a) Attractive, secure layouts with safe and convenient access for the whole community, including disabled users and incorporating appropriate measures to reduce the potential for crime;
  - b) Necessary and appropriate street lighting and furniture and, subject to negotiation with developers, public art integral to the design;

- c) Features that maintain good levels of daylight and sunlight into and between buildings to minimise the need for powered lighting where this does not conflict with shade and tree planting requirements;
- d) Appropriate soft landscape (greening) measures and open space provision to enhance amenity and biodiversity value.
- 5. Measures that minimise risks associated with climate change, including consideration of a fabric first approach, the use of appropriate materials, techniques, and technologies to reduce carbon emissions over the lifetime of the development
- 6. Mitigate potential adverse impacts, such as noise, smell, dust, arising from developments, both during and after construction.
- 7. Include measures to secure the management of waste in accordance with the waste hierarchy (reduce, reuse, recycle, recovery, disposal) during the construction and operational phases.

<sup>1</sup> Technical Housing Standards - [www.gov.uk](http://www.gov.uk)

### **Justification for inclusion of policy**

Paragraphs 131 to 141 of the NPPF establish the mandate for planning authorities to create policy that facilitates the creation of high quality, beautiful and sustainable places and buildings. Paragraph 132 states ‘plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable’. The NPPF makes clear that in order to provide maximum clarity about design expectations at an early stage, all local planning authorities should prepare design guides or codes consistent with the principles set out in the National Design Guide and National Model Design Code, and which reflect local character and design preferences.

This policy is an updated version of Policy D1 – Design and Local Distinctiveness of the adopted local plan, one of the policies most often quoted in decision notices and appeals. In addition to the design specific policy, the plan policies embed good design throughout the Local Plan.

### **63. Policy DS02: Housing Density and Efficient Use of Land**

Proposals for residential development should optimise the density of the site in a manner that conserves or enhances the character of the area and makes efficient use of land.

Proposals for major development schemes and those in environmentally or heritage sensitive locations will be required to be supported by a design code

agreed with or produced by the council as planning authority. Codes, amongst other matters, will specify density recommendations for key allocations,

Further design codes may be produced to address more generic area specific design and density concerns. This work is dependent on the final selection of site allocations, to be informed by the outcomes of the consultation process

### **Justification for inclusion of policy**

Paragraphs 123 to 130 of the NPPF deal with making effective use of land and achieving appropriate densities. In order to meet our sustainability goals we need to ensure that we make efficient use of land and build at the maximum density that is compatible with the character of the surrounding area. Where there is an anticipated shortage of land for meeting identified housing needs, the NPPF (paragraph 129) advocates minimum density standards for town centres and other locations well served by public transport that significantly increase the average residential density of such areas. The NPPF also suggests that a range of densities could be set to reflect the accessibility of different areas.

### **Advertisements**

The display of advertisements is controlled in a similar way to the need to apply for planning permission for some development, but under a separate legal system. It is appropriate to have a policy to guide decision makers on how to deal with applications for advertisement consent.

#### **64. Policy DS03: Display of Advertisements**

Applications for the display of advertisements will be considered in terms of amenity and public safety, taking account of cumulative impacts. Advertisements should be:

1. Appropriately positioned and scaled in relation to their context;
2. Safe in terms of highway safety;
3. Sympathetic to the character of the area;
4. Designed with colours and materials compatible with the building and area; and
5. Where illuminated, the type and level of illumination should reflect the general level of lighting in the area.

## **Justification for inclusion of policy**

The NPPF highlights that the character of an area can be undermined when advertisements are poorly sited and designed but should only be controlled in the interests of amenity and public safety, taking account of cumulative impacts (paragraph 141). The proposed policy will help to protect amenities and public safety.

## East Devon Local Plan – Topic Paper

# Chapter 10. Designing Beautiful and Healthy Spaces and Buildings

October 2024 – Version 01



East Devon – an outstanding place



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## 1. Introduction

1.1 This is one of a series of topic papers that will sit behind and help 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 specifically addresses Chapter 10 of the plan – Designing beautiful and healthy spaces and buildings.

## 2. The Publication Draft of the Local Plan

2.1 At the date that we published this draft topic paper we are moving towards production of the Publication draft of the local plan. There are specific Government regulations<sup>1</sup> that apply to local plan making and these set out actions that need to be undertaken at different regulatory stages (this report specifically relates to Regulations 18, 19 and 20).

2.2 The proposed Publication draft text of the local plan will be an edited and amended draft of the consultation draft plan published in November 2022<sup>2</sup>. The draft plan was consulted on under plan making Regulation 18 and it should be noted that further limited additional consultation under this regulation took place in the late Spring of 2024.

2.3 The Publication plan, under Regulations 19 and 20, will be made available for any interested party to make representations on. The period for making such representations is currently planned to be from December 2024 to January 2025. The Publication plan, representations received and other relevant paperwork will be submitted for Examination, to a target date of May 2025. One or more Planning Inspectors will undertake the plan examination.

2.4 The first drafts of what is proposed to become the Publication plan will be considered by the Strategic Planning Committee of East Devon District Council through 2024. The expectation is that text will then be refined as the year progresses with a view to the Committee being asked to approve the final Publication plan in November 2024.

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<sup>1</sup> [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

<sup>2</sup> [commonplace-reg-18-final-071122.pdf \(eastdevon.gov.uk\)](https://www.eastdevon.gov.uk/commonplace-reg-18-final-071122.pdf)

### **3. Summary of proposed redrafting of Chapter 10 of the consultation plan**

3.1 Chapter 10 of the consultation draft local plan (November 2022) formed a starting point for consultation on policies on the design of spaces and buildings in the local plan. Moving forward towards the Publication Plan the expectation is that there should not be any significant changes to the plan chapter, though there is scope for simplification.

### **4. Issues and Options consultation**

4.1 Prior to production and consultation on the draft local plan the Council consulted on a local plan Issues and Options<sup>3</sup> report. This included a series of questions that responses and comments were invited on. A feedback report was published<sup>4</sup>.

4.2 The Issues and Options report explained how attractive places can be planned and sought to find out how important you think it is that this is done. Over three quarters of respondents (77.5%) thought it essential or very important that places be planned to be attractive.

4.3 A lot of respondents made the point that ‘beauty is in the eye of the beholder’ and queried who would be responsible for deciding what was an attractive design. There was support for the use of design codes, particularly if individually tailored to specific sites and with input from local communities, but also significant levels of concern that they may stifle creativity and individuality. Several respondents emphasised the importance of flexibility in design codes, although some thought that developers were likely to ignore them. A significant number of responses favoured more general guidance rather than design codes.

4.4 The importance of green and open spaces that incorporate existing features was raised by many of the respondents, often linked to increasing habitat/biodiversity. Some respondents favoured function, sustainability and affordability ahead of beauty.

4.5 There were several comments that bold new designs should be encouraged and one respondent suggested that ‘architects should be allowed have fun when designing’; another made the point that buildings need to change or we would be living in ‘mud huts’.

4.6 Other points raised included:

- All buildings should be sympathetic to the local environment and not look out of place;
- Buildings should sit well in the landscape;
- Space and well designed buildings improve wellbeing and make the area a desirable place to live;

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<sup>3</sup> [issuesandoptionsreport-jan2021.pdf \(eastdevon.gov.uk\)](#)

<sup>4</sup> [2a. Consultation feedback report Ver 03.pdf \(eastdevon.gov.uk\)](#)

- Planning never has created any beauty – just consider council housing design and ugly tower blocks... the only buildings that are beautiful were built before planning was thought of;
- It is essential that design codes are included. If not any “anything goes”;
- General guidance and then make decisions based on individual applications;
- Dull homogenous developments are uninspiring and unstimulating. The number one priority should be to ensure that new buildings produce minimal emissions, are energy self sufficient and are made sustainably, but this can be combined with beauty. A building that is made from sustainable natural materials will look more attractive;
- "Beautiful" is such a subjective term! Impossible to define! However, it is possible to define limits in terms of size and height for a development. These should be generous in existing high density areas, much less so in rural and AONB settings;
- Good design is an investment for the future;
- Beauty is subjective. If you make a plan for that then again you will have planners having personal views on something, where quite frankly they shouldn't, especially as 99% of them have never worked in the private sector and certainly never run a business. The state needs to stop thinking it can control everything and knows better than everyone else;
- Local character and distinctiveness is vital, otherwise everywhere looks the same and bland;
- There are higher priorities, e.g. carbon neutral; and
- Good for well-being and tourism.

4.7 The Issues and Options report identified two areas with the potential for additional policy work. These were encouraging innovative designs and incorporating wildlife friendly elements into developments. We sought views on whether these were appropriate.

4.8 Although most respondents ticked the yes box (71%) a number did suggest other objectives as did people ticking the no box. There was a lot of support for wildlife friendly design and many respondents thought this scope should be widened to include a range of sustainable features, such as sustainable urban drainage systems.

4.9 Encouraging innovative design was quite divisive, with some support, but many respondents saying that buildings should blend with their surroundings and others saying that innovative design can cause eyesores.

4.10 Other objectives put forward included:

- Safe buildings;
- Building for life;
- Design refuse bins into all new builds;

- Joined up rights of way/exercise routes;
- Climate and biodiversity;
- Green infrastructure;
- Secure cycle storage;
- Protect from light pollution; and
- Allotments.

## 5. Draft Plan consultation

5.1 In the draft plan consultation Chapter 14 formed one of the plan chapters that was consulted on. A full feedback on the consultation can be viewed at: [accessible-reg-18-consultation-feedback-report-spring-2023.pdf \(eastdevon.gov.uk\)](https://www.eastdevon.gov.uk/accessible-reg-18-consultation-feedback-report-spring-2023.pdf)

5.2 General matters raised in respect of this chapter included:

- The Environment Agency support the link between climate change resilience and green infrastructure with good design.
- A respondent commented: “I would prefer all new housing estates to enhance the environment by incorporating new hedgerows, tree planting, houses to all have swift bricks and solar panels, electric charging points, walking and cycling routes, environmentally diverse green spaces, good links to public transport.”
- Design guidelines need to include measures to retain or provide new hedgerows and trees as well as to enhance these with planting of new appropriate species.
- View expressed: The majority of new build often fails communities because the house are too small, small to non-existent gardens, too many houses on the site, grossly inadequate parking leaving residents frustrated and others annoyed because people encroach elsewhere. New sites need less houses to give people more space and more car parking, at least two spaces for every new house.
- A high number of additional comments flagged that recent developments have failed to deliver well designed buildings and places.
- New homes should make use of off-site volume modular building techniques.
- Developers and house builders must be far more rigorously monitored to ensure that they build well in the multiple unit market as well as in the elite up market sites.

- Green infrastructure and biodiversity enhancements, sustainable travel, modern heating, insulation, solar [power generation] should become the norm in all new developments.
- Developers must be held to account with building poor quality housing. Too many issues with new builds that cause more problems than they are worth. They must be built with character in keeping with the area such as farm style housing.
- Buildings with historical value must be renovated and not demolished because a developer would rather pull it down and build 5 houses on its footprint. Those that own vacant houses and leave them to rot must be penalised. Former Rolle College site and Goodmores farm are a prime example. Any buildings destroyed by fire, water etc that had an architectural or historical value must be rebuilt in a similar style.
- Otter Valley Association would like to see more emphasis on the value and benefits of good design, especially the growing evidence on the influence of design in the built environment on physical and mental health and well-being. Paragraphs 126 to 134 in the NPPF could be used to strengthen the design policies in the Plan. The OVA would like to see a more proactive and collaborative approach, which will engage with local communities effectively.
- If any new housing is to be built it must be high quality and in keeping with existing architecture (ideally using local materials and craftspeople), but modest in size in order to be genuinely affordable for working people who have grown up in the area and provide vital skills (nurses, teachers, tradespeople etc).
- It is imperative that it is environmentally friendly and developments are required to make use of ground source heat pumps, air source heat pumps, solar panels, water recycling, sustainable materials, natural planting and drainage solutions to protect the local environment. It is inexcusable in this day and age that developers can build new housing that avoids these measures and hastens global warming.

## **6. Further Regulation 18 consultation – Spring 2024**

6.1 In the late Spring of 2024 there was further Regulation 18 consultation on selected topic matters. The design of spaces and buildings were not matters that were explicitly consulted on.

## **7. Sustainability Appraisal feedback**

7.1 The draft local plan was supported by a Sustainability Appraisal<sup>5</sup> (SA). This SA will be updated and refined as plan making progresses and it will be one of the documents that is submitted as part of the submission for Examination.

7.2 The SA report of the draft plan was largely supportive of the policy approach being taken forward for designing buildings and spaces: “The proposed policies are consistent national policy on achieving well-designed places, along with objectives contained in the Council Plan, and the Local Plan itself. Reasonable alternatives to these policies have been identified where differing approaches could be acceptable in this wider policy context”.

## **8. Habitats Regulations Assessment**

8.1 The local plan will need to be assessed under the Habitat Regulations. A preliminary assessment of policies in the draft plan has been produced: [east-devon-local-plan-hra-110723-2013-doc-from-footprint.pdf \(eastdevon.gov.uk\)](https://www.eastdevon.gov.uk/media/110723-2013-doc-from-footprint.pdf)

## **9. Assessment of policies in Chapter 10**

9.1 Chapter 10 of the draft plan set out a series of policies that are reviewed below.

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<sup>5</sup> [sa-of-pos-consultation-draft-lp\\_2022.pdf \(eastdevon.gov.uk\)](https://www.eastdevon.gov.uk/media/110723-2013-doc-from-footprint.pdf)



## General issues raised on Chapter 10

Through consultation and evidence gathering work, policies in the draft local plan on designing healthy spaces and buildings were generally supported and seen as appropriate. The Designing Beautiful and Healthy Spaces and Buildings chapter highlights how the appropriate design of spaces and buildings has a direct impact on peoples' health, safety, security, inclusion, travel choices, the cost of living and general quality of life

## Key technical evidence sources

The current local plan has a policy on Design and Local Distinctiveness (Policy D1) and two policies which cover the Display of Advertisements – Applications for Display of Advertisements (D4) and Conservation Areas (EN10).

## Key documents

National Planning Policy Framework (NPPF):

[https://assets.publishing.service.gov.uk/media/669a25e9a3c2a28abb50d2b4/NPPF\\_December\\_2023.pdf](https://assets.publishing.service.gov.uk/media/669a25e9a3c2a28abb50d2b4/NPPF_December_2023.pdf)

National Design Guide:

[https://assets.publishing.service.gov.uk/media/602cef1d8fa8f5038595091b/National\\_design\\_guide.pdf](https://assets.publishing.service.gov.uk/media/602cef1d8fa8f5038595091b/National_design_guide.pdf)

National Model Design Code:

[https://assets.publishing.service.gov.uk/media/60140c1d8fa8f53fc52c5c31/National\\_Model\\_Design\\_Code.pdf](https://assets.publishing.service.gov.uk/media/60140c1d8fa8f53fc52c5c31/National_Model_Design_Code.pdf)

Guidance Notes for Design Codes:

[https://assets.publishing.service.gov.uk/media/60140c438fa8f53fba2e4a50/Guidance\\_notes\\_for\\_Design\\_Codes.pdf](https://assets.publishing.service.gov.uk/media/60140c438fa8f53fba2e4a50/Guidance_notes_for_Design_Codes.pdf)

Technical Housing Standards – Nationally described space standard (NDSS):

[https://assets.publishing.service.gov.uk/media/6123c60e8fa8f53dd1f9b04d/160519\\_Nationally\\_Described\\_Space\\_Standard.pdf](https://assets.publishing.service.gov.uk/media/6123c60e8fa8f53dd1f9b04d/160519_Nationally_Described_Space_Standard.pdf)

Blackdown Hills AONB Design Guide for Houses:

[https://blackdownhillsaonb.org.uk/wp-content/uploads/2018/05/bhaonb-housing-design-guide\\_publishedmarch2012.pdf](https://blackdownhillsaonb.org.uk/wp-content/uploads/2018/05/bhaonb-housing-design-guide_publishedmarch2012.pdf)

East Devon AONB Planning Guidance:

<https://www.eastdevonaonb.org.uk/wp-content/uploads/2021/01/AONB-Planning-Guidance-Document-LOWRES.pdf>

Issues and options consultation

Over three quarters of respondents (77.5%) thought it essential or very important that places be planned to be attractive.

A lot of respondents made the point that ‘beauty is in the eye of the beholder’ and queried who would be responsible for deciding what was an attractive design. There was support for the use of design codes, particularly if individually tailored to specific sites and with input from local communities, but also significant levels of concern that they may stifle creativity and individuality. Several respondents emphasised the importance of flexibility in design codes, although some thought that developers were likely to ignore them. A significant number of responses favoured more general guidance rather than design codes.

The importance of green and open spaces that incorporate existing features was raised by many of the respondents, often linked to increasing habitat/biodiversity. Some respondents favoured function, sustainability and affordability ahead of beauty.

There were several comments that bold new designs should be encouraged and one respondent suggested that ‘architects

Officer commentary in response:

It is noted and welcomed that significant support through this early engagement was attached to the importance of designing beautiful and healthy spaces and buildings.

It is recognised that differing people will interpret design in differing ways, though policy does seek to set a framework for high standards.

Green open spaces are seen as a critical component of quality of design.

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should be allowed have fun when designing'; another made the point that buildings need to change or we would be living in 'mud huts'. The following bullet points give a 'flavour' of the comments received to illustrate some of the matters raised:

- All buildings should be sympathetic to the local environment and not look out of place;
- Buildings should sit well in the landscape;
- Space and well designed buildings improve wellbeing and make the area a desirable place to live;
- Planning never has created any beauty. Just consider council housing design and ugly tower blocks. The only buildings that are beautiful were built before planning was thought of;
- It is essential that design codes are included. If not any "anything goes";
- General guidance and then make decisions based on individual applications;
- Dull homogenous developments are uninspiring and unstimulating. The number one priority should be to ensure that new buildings produce minimal emissions, are energy self sufficient and are made sustainably, but this can be combined with beauty. A building that is made from sustainable natural materials will look more attractive;
- "Beautiful" is such a subjective term! Impossible to define! However, it is possible to define limits in terms of size and height for a development. These should be generous in existing high density areas, much less so in rural and AONB settings;
- Good design is an investment for the future;

<ul style="list-style-type: none"> <li>• Beauty is subjective. If you make a plan for that then again you will have planners having personal views on something, where quite frankly they shouldn't, especially as 99% of them have never worked in the private sector and certainly never run a business. The state needs to stop thinking it can control everything and knows better than everyone else;</li> <li>• Local character and distinctiveness is vital, otherwise everywhere looks the same and bland;</li> <li>• There are higher priorities, e.g. carbon neutral and</li> <li>• Good for well-being and tourism.</li> </ul>	
<p>Draft Plan consultation</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>• The Environment Agency support the link between climate change resilience and green infrastructure with good design.</li> <li>• A respondent commented - "I would prefer all new housing estates to enhance the environment by incorporating new hedgerows, tree planting, houses to all have swift bricks and solar panels, electric charging points, walking and cycling routes, environmentally diverse green spaces, good links to public transport"</li> <li>• Design guidelines need to include measures to retain or provide new hedgerows and trees as well as to enhance these with planting of new appropriate species.</li> </ul>	<p>Officer commentary in response:</p> <p>This is covered by Policy PB08.</p> <p>This is covered by Policy PB08.</p>

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- View expressed - The majority of new build often fails communities because the house are too small, small to non-existent gardens, too many houses on the site, grossly inadequate parking leaving residents frustrated and others annoyed because people encroach elsewhere. New sites need less houses to give people more space and more car parking, at least two spaces for every new house.
- A high number of additional comments flagging that recent developments have failed to deliver well designed buildings and places.
- New homes should make use of off-site volume modular building techniques.
- Developers and house builders must be far more rigorously monitored to ensure that they build well in the multiple unit market as well as in the elite up market sites.
- Green infrastructure and biodiversity enhancements, sustainable travel, modern heating, insulation, solar [power generation] should become the norm in all new developments.
- Developers must be held to account with building poor quality housing. Too many issues with new builds that cause more problems than they are worth. They must be built with character in keeping with the area such as farm style housing.
- Buildings with historical value must be renovated and not demolished because a developer would rather pull it down and build 5 houses on its footprint. Those that own vacant houses and leave them to rot must be penalised. Former Rolle College site and Goodmores farm are a prime

Policy TR04 specifies car parking should be provided at an average of 1.7 spaces per dwelling.

Policy DS01 has been written to tackle this.

example. Any buildings destroyed by fire, water etc that had an architectural or historical value must be rebuilt in a similar style.

- Otter Valley Association would like to see more emphasis on the value and benefits of good design, especially the growing evidence on the influence of design in the built environment on physical and mental health and well-being. Paragraphs 126 to 134 in the NPPF could be used to strengthen the design policies in the Plan. The OVA would like to see a more proactive and collaborative approach, which will engage with local communities effectively.
- If any new housing is to be built it must be high quality and in keeping with existing architecture (ideally using local materials and craftspeople), but modest in size in order to be genuinely affordable for working people who have grown up in the area and provide vital skills (nurses, teachers, tradespeople etc).
- It is imperative that it is environmentally friendly and developments are required to make use of ground source heat pumps, air source heat pumps, solar panels, water recycling, sustainable materials, natural planting and drainage solutions to protect the local environment. It is inexcusable in this day and age that developers can build new housing that avoids these measures and hastens global warming.

Supplementary Regulation 18 consultation Spring 2024

- No specific issues are identified in feedback received.

<b>Sustainability Appraisal</b>	
See Sustainability Appraisal table below.	
<b>Habitat Regulations Assessment</b>	
<ul style="list-style-type: none"> <li>Policy could not have any conceivable effect on a site. No likely significant effect.</li> </ul>	
<b>Commentary on policy redrafting for the Publication Plan</b>	
No significant changes are made to overarching introductory references to the chapter.	

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<b>Strategic Policy 62 – Design and Local Distinctiveness</b>	
This policy seeks to set out an overarching position that the design of buildings (both newly developed and resand open spaces should be of the highest quality and reflect local distinctiveness. It outlines criteria for using appropriate materials and methods which will reduce carbon emissions over time and mitigate for any adverse impacts of the proposed development.	
<b>Key technical evidence sources</b>	
See evidence sources above.	
<b>Issues and options consultation</b>	
See general issues above.	
<b>Draft Plan consultation</b>	
Key issues raised in consultation:	Officer commentary in response:

<ul style="list-style-type: none"> <li>• The Environment Agency note the reference to the waste hierarchy as a positive but consider the plan could go further and embrace the circular economy. The circular economy may be a better way of committing to ways of reducing waste and reusing materials. In planning terms this can be particularly important when considering refurbishing or repurposing buildings rather than building new.</li> <li>• Newton Poppleford and Harpford Parish Council are concerned that the policy uses terms that are subjective and not measurable. They also consider that: ‘space’ should include private rear gardens; developments of more than five homes should have variation in design detail, light pollution should be mitigated.</li> <li>• Devon County Council support point 2 on the implementation of the waste hierarchy and recommend this is expanded to include the design phase.</li> <li>• Devon and Cornwall Police suggest permitting proposals where they “have considered designing out crime principles and imbedded them into the design in order to reduce the opportunity for crime and anti-social behaviour”.</li> <li>• Much more could be said in the explanation on the importance of:             <ul style="list-style-type: none"> <li>○ The influence of design on physical and mental health and well-being</li> <li>○ Effective engagement throughout the design process and tools to achieve this (detailed in the NPPF and NPPG)</li> </ul> </li> </ul>	<p>‘Recycling and waste storage facilities should be in locations well related to collection points’ added to policy text.</p> <p>‘The use of close-board or similar timber fencing abutting public or communal areas will not be permitted’ replaced with ‘Particular care will need to be given to boundary treatments that abut public or communal areas in order to avoid adverse impacts’.</p>
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- Distinctive design, providing a strong sense of place, and which is sympathetic to local character and history
- Mixed use, legibility (encouraging ease of movement), public space and realm, inclusive and accessible neighbourhood.
- The desirability of flexible / adaptable homes
- Home Builders Federation considers the policy wording should not be interpreted by decision makers as conveying the weight of a Development Plan Document onto the document types listed in the policy. The documents have not been subject to examination and do not form part of the Local plan. Requirements should be set out in sufficient detail to determine a planning application without relying on other criteria or guidelines set out in separate guidance.
- Home Builders Federation states that the NDSS are optional, and only to be introduced where there is clear evidence of need. EDDC will need robust justifiable evidence
- Housing Association planning consortium is concerned that there is no reference to the evidence base study that supports and justified the 'need' to implement NDSS as per PPG. Application of NDSS can undermine viability of affordable housing developments. Essential that NDSS are robustly viability tested.
- EDDC does not have robust ways to evaluate "high quality design". Guidance should be developed to assist developers and individual applicants in producing Design and Access statements that should be clear and simple.

- Devon Wildlife Trust would encourage EDDC to strive for more than ‘to reduce carbon emissions over the lifetime of the development’. We recommend the inclusion of the requirement for the provision of net-zero homes within this policy and would like to see EDDC strive for carbon positive homes. The trust provides more detail on specific wording amendments they would wish to see made.
- Policy should make it clear that poorly designed developments will be refused.
- Development should allow for modern and innovative designs, so long as it is truly "high quality". Developers' standard portfolio of 4 or 5 designs carpeted across a large development should be resisted.
- Provision for low/no carbon energy as source of heating and lighting with appropriate external/internal storage to be built in at design stage. Solar generation or heat pumps should be integrated at build stage.
- Energy efficiency should be prioritised.
- Support for measures to reduce carbon emissions.
- Spaces between buildings can be as important as the design of the buildings themselves and provide coherent linkages across a wider area.
- Policy should ensure adequate gardens / outdoor space is provided.
- Support for measures to enhance biodiversity.
- Who decides what trees and hedges are worthy of retention? All trees and hedgerows are worthy of retention (unless diseased).

- Biophilia measures to be integrated as part of the design to be evaluated.
- There is evidence that living close to nature makes housing very popular and more valuable. Consider cavity bricks for nesting birds, trees, ponds, long grass and wildflowers, hedgehog highways, green spaces, etc, e.g. <https://www.barratthomes.co.uk/new-homes/dev001701-canal-quarter-at-kingsbrook> where Barratts have worked with RSPB
- Support for minimum space standards.
- Well thought through, and so good to see design being taken so seriously. Good design means fit for purpose!
- Please ensure that EDDC is equipped to implement all the good intentions included in these policies and will follow through.
- Good design may mean NO street lighting in a rural setting. Light pollution should be kept to a minimum particularly where development is adjacent to dark areas, e.g. of farmland or AONB.
- We support the intention to focus design attention on the most sensitive sites including allocations within AONBs or affecting a heritage asset and to address this by producing design codes for certain allocated sites and specific areas. The AONBs will be happy to work with the council on this. We welcome the retention/update of the existing local plan design policy (D1) (Blackdown Hills AONB Partnership).
- Sustainable transport should be integrated into new housing areas from the start.

- Exmouth Town Council Members commented that “high quality design” is very subjective and open to interpretation / in the eye of the beholder. Also, that Design and Access statements vary in quality but are often treated as a tick box exercise as part of the planning application process. Members support introduction of space standards but raised concerns about achieving this in the context of viability challenges by developers and increasing costs of building materials. Also risk that the same houses are built all over the country to the point where every new community is starting to look the same. As a result, the distinctiveness of places gets forgotten and communities lose their identity. Will design codes be produced by EDDC and will they have any legal status? Concerns were also raised about broader enforcement operations relating to the mitigation of noise, smell dust etc.
- Any new houses/developments should be built to passivehaus certification standard.
- EDDC should promote the construction of residential accommodation above commercial premises in or near Town/Village Centre. This would mean Town Centres not being 'dead' after 5pm.
- Housing development should be varied in size and tenure with affordable housing distributed over the site rather than clustered in one area.
- Suggestion that the policy wording is woolly, including terms such as worthy of retention, safe environment, necessary and appropriate street lighting, good levels of daylight.

- Request for the addition of a requirement for off-road parking spaces, with carports preferred to garages.
- Policy should include a requirement for integrated rain-water storage / retention.
- Concern expressed over combined sewer systems not being fit for the future – request to separate the processing.
- The East Devon AONB team supports the intention in paragraph 10.3 for the Council to provide design codes for sites allocated that lie within the AONB and other sensitive locations and the advice provided in Policy 62.
- National Grid request the inclusion of an additional criteria to ensure design policy is consistent with national policy, stating “x. Taking a comprehensive and co-ordinated approach to development including respecting existing site constraints including utilities situated within sites”.
- Agents for Bourne Leisure set out that in line with legislation a Design and Access Statement should only be required for applications for major development and request policy amendment. They consider that the design criteria listed within the policy should not apply to all developments, as they cannot be met by all development types. For example, as caravans are not classified as buildings/development, it is not possible to meet the full requirements of this draft policy for this type of proposal. They also seek further refinement to plan policy in respect to matters relating to impacts from development.
- A developer recommends amendments to criterion 2 as it is not possible for developers to ensure future occupiers

<p>adopt sustainable waste disposal methods, so amend to state that development should include measures to promote the management of waste.</p> <ul style="list-style-type: none"> <li>• A developer is unclear what is meant by 'identify opportunities for design that minimises risk associated with climate change'.</li> <li>• Clause 6 – no evidence has been provided to justify the requirement for these optional standards. So the policy is currently unjustified.</li> </ul>	
Supplementary Regulation 18 consultation Spring 2024	
<ul style="list-style-type: none"> <li>• No specific additional matters were identified in feedback that relate directly to this policy.</li> </ul>	
Sustainability Appraisal	
<ul style="list-style-type: none"> <li>• The draft local plan SA report advised policy is preferred over alternatives identified because of major positive effects arising from high quality design, carbon emissions and health and well-being. A range of minor positive effects were noted in relation to biodiversity, landscape, land resources, housing and access to services. The option of not having a design policy was rejected as this would rely on national policy and guidance; this alternative would result in greater uncertainty on promoting high quality design, and would not provide a bespoke policy to prioritise locally important design issues.</li> </ul>	<ul style="list-style-type: none"> <li>• Endorsement through the SA work of the broad policy approach is noted and welcomed.</li> </ul>
Habitat Regulations Assessment	

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<ul style="list-style-type: none"> <li>Policy could not have any conceivable effect on a site. No likely significant effect. Criteria for resource use, urban landscape and design with no adverse effects to the character of the town and surrounding environment.</li> </ul>	
<b>Commentary on policy redrafting for the Publication Plan</b>	
<ul style="list-style-type: none"> <li>Redrafted policy title: Policy DS01 – Design and Local Distinctiveness</li> </ul>	
No significant changes are made to overarching introductory references to the chapter.	

<b>Strategic Policy 63 – Housing Density and Efficient Use of Land</b>	
This policy seeks to set out an overarching position that developments will be in keeping with character of the neighbourhood, whilst making most efficient use of space and density.	
<b>Key technical evidence sources</b>	
See evidence sources above.	
<b>Issues and options consultation</b>	
See general issues above.	
<b>Draft Plan consultation</b>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>Devon County Council query whether efficient use of land also refers to renewable energy proposals of farmland, where there could be an option to utilise unused space on buildings.</li> </ul>	<p>Officer commentary in response:</p> <p>Reference to specific minimum density standards to support the efficient use of land has been removed.</p>

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- Comments calling for appropriate development density to safeguard gardens, outdoor space, and distance between gardens.
- Maximising site densities, which is an implication here, may create more units but unenviable living environments. People need space and privacy as well as good housing.
- Concern that increased density forces cars to park on the roadside.
- Comments suggesting that increased housing density to maximise use of land is not always a good idea as it can increase impact on the natural world, interfering with connectivity of animal movements.
- Sympathetic development in line with the existing build is what is needed.
- Design guides may be required to support design quality for higher density developments.
- I hope we will consider flats and apartments as part of this. As long as acoustic insulation is properly attended to, flats are a very pleasant option. They can provide bigger rooms, better layout and more pleasant living than a house on a tiny footprint.
- The Codes identified in section 63 assume that facilities such as bus/train services remain static (or improve) through time. Higher densities mean lesser provision of off-street parking and garaging. In the last year Stagecoach have reduced service provision to towns such as Ottery/Honiton/Axminster and reliance on using the car for journeys has been adversely affected.



- Some recent housing developments assume that residents will walk or cycle. With a higher than average proportion of elderly this assumption is erroneous.
- This policy is meaningless since conserving/ enhancing the character of the area and efficient use of land may be in tension as recognised in para 10.9; surely for each site both minimum and maximum densities are needed.
- Exmouth Town Council Members are broadly in favour of a minimum density standard but feel that a tiered system may be needed to reflect optimum densities in built up versus rural areas. Also, that the efficient use of land is potentially in opposition with environmental sensitivity.
- It was noted that there are unforeseen consequences with optimising housing density. i.e. extra pressure on already-stretched primary healthcare services! The impact of development needs to be borne in mind - not just how efficiently the land is used.
- Suggested need for a further consultation once the policy is further advanced.
- Minimum density standards for towns should consider the facilities and services of the town, not just the location with regard to transport. For example, Axminster has a limited number of services, shops and facilities, and those that there are, are severely underfunded or run purely on charity (e.g., the swimming pool). If a minimum density is set, then more funding and investment should be put into the town's facilities and services to meet the needs of the current residents as well as to facilitate further numbers.

- We have seen increased density as land prices have increased to ensure the development is financially viable, even though a developer does not need to build 'affordable housing' if the developer can prove to the District Valuer it is financially unviable.
- Play/community/allotment areas have been severely reduced over the last few years in size and increased density to meet the profit margin of c20%?? We do not wish to see high tower blocks, as per our British cities, which would not fit in with the East Devon landscape.
- All design codes should incorporate the policy guidance in the NPPF around irreplaceable habitats and urban tree cover.
- As a rule, the more 'rural' the environs, the less dense should be the development. All other things being equal, we want to see high levels of density, and this can be achieved with clever design, but lines of boxy housing closely cramped together in semi-rural, village edge locations, is not acceptable. Smaller sites with individual house design and reasonably sized private gardens can make development much more acceptable, and nice homes to occupy.
- Hawkchurch Parish Council - We note the wording of this policy has not been finalised but there is no reference to differential housing densities dependent on the location of the development. For example, distinguishing between town, suburban or more rural settings. This would be in line with national guidance and reflect what other areas do to

address the acceptability of different densities and intensity of housing in different areas.

- Exceptions to minimum density standards should be allowed based on local characteristics.
- I fully support this policy and hope that it will be strictly adhered to. Too many sites in Lympstone simply have had one or two large houses built on them when they are capable of accommodating far many more much needed smaller dwellings.
- Home Builders Federation recommends that the policy provides appropriate flexibility to allow developers to take account of the evidence in relation to site specific conditions, market aspirations, deliverability, viability and accessibility.
- And need to consider policy in the context of other policies eg open space, biodiversity net gain, cycle and bin storage, housing mix, residential space standards, accessible and adaptable dwellings, energy efficiency, and parking,
- Often density standards impede good design. Density should be the outcome of detailed design process, not the starting point
- Implications of a Design Code requirement should be included in the viability assessment
- Design codes are resource intensive and add financial burden and potential delay to development as well as a burden on local authority resource. Wording requiring design codes for developments of ten dwellings or less in sensitive locations should therefore be reconsidered.

<ul style="list-style-type: none"> <li>Agents for FW Clarke - PPS3 had minimum density requirements. The NPPF does not. We object to the proposed setting of minimum densities. Not every single aspect of professional planning judgement needs to be set out in black and white.</li> </ul>	
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<ul style="list-style-type: none"> <li>No specific additional matters were identified in feedback that relate directly to this policy.</li> </ul>	
<p>Sustainability Appraisal</p>	
<ul style="list-style-type: none"> <li>The draft local plan SA report advised policy is preferred over alternatives identified because of major positive effects arising from high quality design, carbon emissions and health and well-being. A range of minor positive effects were noted in relation to biodiversity, landscape, land resources, housing and access to services. The option of not setting minimum density standards would make less efficient use of land, particularly given the environmental constraints in the district; therefore, this alternative is rejected.</li> </ul>	<ul style="list-style-type: none"> <li>Endorsement through the SA work of the broad policy approach is noted and welcomed.</li> </ul>
<p>Habitat Regulations Assessment</p>	
<ul style="list-style-type: none"> <li>Policy could not have any conceivable effect on a site. No likely significant effect. Minimum density standards yet to be determined.</li> </ul>	
<p>Commentary on policy redrafting for the Publication Plan</p>	

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<ul style="list-style-type: none"> <li>• Redrafted policy title: Policy DS 02 – Housing Density and Efficient Use of Land</li> </ul>
No significant changes are made to overarching introductory references to the chapter.

<b>Strategic Policy 64 – Display of Advertisements</b>	
This policy seeks to set out criteria for advertisements.	
Key technical evidence sources	
See evidence sources above.	
Issues and options consultation	
See general issues above.	
Draft Plan Consultation	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>• The policy is fine. It is all about enforcement, and strict adherence to protecting the look of the countryside, closely controlling illegal advertising, and being very conscious of distracting drivers.</li> <li>• Needs to be in keeping with the area.</li> <li>• Advertising needs to be controlled. Some town centres are devalued by gawdy and scruffy signage and there should be stronger measures to stop it.</li> <li>• Again, please promote good design and creativity to commerce, with possible guides to avoid environmental degradation.</li> </ul>	<p>Officer commentary in response:</p> <p>No amendments required.</p>

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<ul style="list-style-type: none"> <li>• General support for policy expressed by multiple representations.</li> <li>• Exmouth Town Council Members are supportive of this policy but commented that there is no reference to the need for advertisements to be environmentally friendly - e.g. type of illumination.</li> <li>• All [advertisements] should require planning permission.</li> <li>• The policy should make it clear that advertising in rural areas and the AONB will not normally be acceptable.</li> <li>• Lighting at night should be discouraged as it is a waste of energy, affects wildlife and spoils the night sky. The national adverts like McDonalds signs should also be controlled as they destroy the local character.</li> <li>• Devon Wildlife Trust advise where illuminated, the type and level of illumination should reflect the general level of lighting in the area. 'and must consider potential impacts on biodiversity' should be added to this statement.</li> </ul>	
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<ul style="list-style-type: none"> <li>• No specific additional matters were identified in feedback that relate directly to this policy.</li> </ul>	
<p>Sustainability Appraisal</p>	
<ul style="list-style-type: none"> <li>• The draft local plan SA report advised policy is preferred over alternatives identified because of major positive effects arising from high quality design, carbon emissions and health and well-being. A range of minor positive effects were noted in relation to biodiversity, landscape, land resources, housing</li> </ul>	<ul style="list-style-type: none"> <li>• Endorsement through the SA work of the broad policy approach is noted and welcomed.</li> </ul>

<p>and access to services. The option of not having a policy relating to the display of advertisements was rejected as it would lack clarity on what is likely to be acceptable for designing adverts and decision-making on planning applications.</p>	
<p><b>Habitat Regulations Assessment</b></p>	
<ul style="list-style-type: none"> <li>• Policy could not have any conceivable effect on a site. No likely significant effect.</li> </ul>	
<p><b>Commentary on policy redrafting for the Publication Plan</b></p>	
<ul style="list-style-type: none"> <li>• Redrafted policy title: Policy DS03 – Display of Advertisements</li> </ul>	
<p>No significant changes are made to overarching introductory references to the chapter.</p>	

<b>Policy omissions from Chapter 10</b>	
There have been no identified policy omissions from this chapter and no new policies are proposed for adding in.	
<b>Key technical evidence sources</b>	
See evidence sources above.	
<b>Issues and options consultation</b>	
<p>Paragraph 8.8 of the Issues and Options report identifies two areas with the potential for additional policy work. These are encouraging innovative designs and incorporating wildlife friendly elements into developments. We sought views on whether these were appropriate.</p> <p>Although most respondents ticked the yes box (71%) a number did suggest other objectives as did people ticking the no box. There was a lot of support for wildlife friendly design and many respondents thought this scope should be widened to include a range of sustainable features, such as sustainable urban drainage systems.</p> <p>Encouraging innovative design was quite divisive, with some support, but many respondents saying that buildings should blend with their surroundings and others saying that innovative design can cause eyesores.</p>	
<b>Draft Plan consultation</b>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>• None Identified</li> </ul>	

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Supplementary Regulation 18 consultation Spring 2024	
<ul style="list-style-type: none"> <li>No specific additional matters were identified in feedback that relate directly to this policy.</li> </ul>	
Sustainability Appraisal	
No specific matters noted to report on.	
Habitat Regulations Assessment	
No specific matters noted to report on.	
Commentary on policy redrafting for the Publication Plan	
No new policies are added/changes noted.	
<b>Sustainability Appraisal</b>	
Policy number/title: <ul style="list-style-type: none"> <li>62. Policy – Design and local distinctiveness</li> <li>63. Policy – Housing density and efficient use of land</li> <li>64. Policy – Display of advertisements</li> </ul>	
Outcome of sustainability appraisal:  <b>Preferred alternative:</b> Policies 62, 63 and 64.  <b>Reasons for alternatives being preferred or rejected:</b>	Support in SA is noted.

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- The preferred policies 62, 63 and 64 are likely to have major positive effects arising from high quality design, carbon emissions and health and well-being. A range of minor positive effects are noted in relation to biodiversity, landscape, land resources, housing and access to services.
- 62A. Do not include a design policy – this would rely on national policy and guidance, which has recently been updated with a stronger approach on achieving well-designed places. However, this alternative would result in greater uncertainty on promoting high quality design (objective 3), and would not provide a bespoke policy to prioritise locally important design issues, so has been rejected
- 63A. Do not set minimum density standards – this would make less efficient use of land, with negative effects on objective 6, particularly given the environmental constraints in the district. Therefore, this alternative is rejected.
- 64A. Do not have a policy relating to the display of advertisements – this alternative is rejected as it would lack clarity on what is likely to be acceptable for designing adverts and decision-making on planning applications, with negative effects on design (objective 3).

## **10. Conclusions**

- 10.1 This paper provides an assessment of policy matters that have informed redrafting of the local plan in respect of design policies. At this stage of plan making, recommendations on a first redraft of plan policy for Strategic Planning Committee for October 2024 meetings, no significant or substantive policy changes are recommended.
- 10.2 The redrafted policies have, however, been adjusted to seek to provide greater clarity in respect of application.
- 10.3 This chapter 16 of the plan will be subject to refinement through the committee process, and any possible subsequent redrafting, and will be considered again at Committee later this year.

# Chapter 11: Prioritising sustainable travel and providing the transport and communications facilities we need

## Introduction

East Devon is a largely rural district and travel patterns generally reflect this, with relatively low levels of walking, cycling and public transport, and higher levels of car ownership, than the national average. Nevertheless, there is a difference between urban and rural areas in East Devon. There are many villages and hamlets with limited jobs and services, where a degree of car travel is a necessity, but there are also a range of settlements that offer jobs, facilities, and services, suitable for day-to-day life, which can be accessed using sustainable travel modes.

The spatial strategy in chapter 3 reflects national policy by focussing significant development at locations which are, or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.



New cycle and walkways facilitate sustainable travel.

Promoting sustainable transport in new development has multiple benefits – these include less traffic congestion, lower carbon dioxide emissions, better air quality, and improved physical and mental health. In addition, where sustainable travel is not prioritised, those without access to a car (which can include young people, older people, those with disabilities, low-income households) can suffer from social exclusion and difficulty in accessing jobs, shops, leisure, education and other activities.

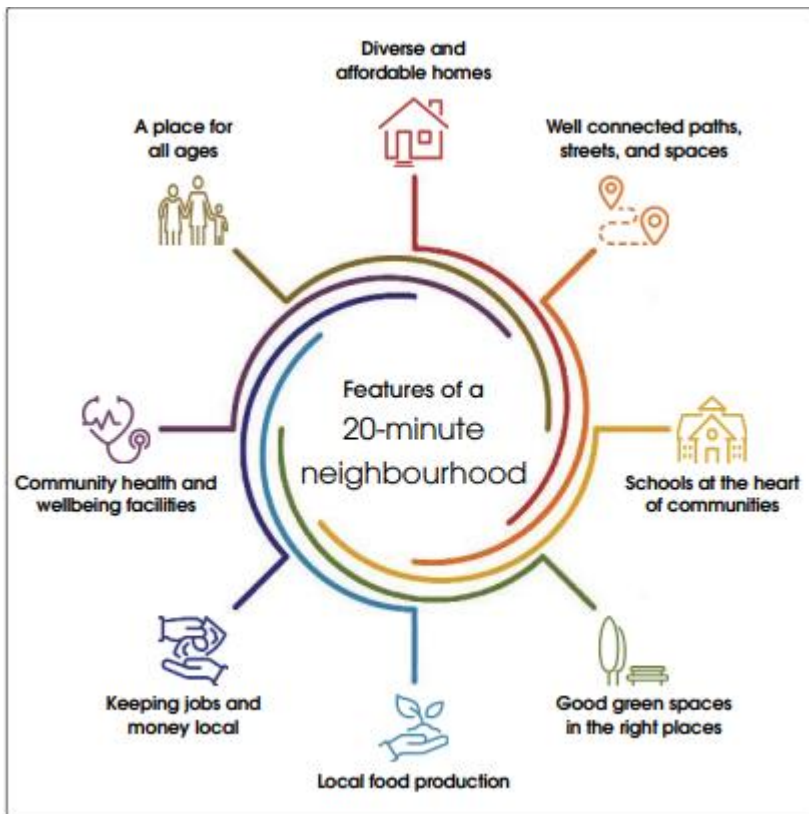
## Walking, Cycling and Public transport

Exmouth, Honiton, Seaton and Ottery St Mary all have bespoke bus services that travel around these towns, and there are several high frequency bus routes linking East Devon settlements to Exeter. East Devon has many train stations for its size (nine in total), across two lines, and usage has increased significantly over the last 20 years. There are also some high-quality active travel corridors, notably the popular Exe Estuary Trail.

Most people will choose to walk only if their destination is less than 1.6 km (a mile away), with 800m (half a mile) being a typical distance.<sup>20</sup> Nevertheless, distance is just one of several factors to consider – others include topography, surveillance, directness, attractiveness of the environment, and the intended destination. Given the rural nature of much of East Devon, it is not realistic to require all new development to be within 800m of a range of uses, but this should be the aim at the larger settlements and within larger scale developments. The National Model Design Code makes clear that walking and cycling should be the first choice for short local journeys, particularly those of five miles or less. 43% of journeys in the south west are under two miles – these shorter journeys offer the greatest potential for people to get out of their car and walk or cycle instead.<sup>21</sup> Wheeling includes people who use wheelchairs and mobility scooters who may not identify with walking.

Sustainable travel ‘mobility hubs’ can encourage walking, cycling and public transport by providing facilities such as secure cycle storage, bike hire, electric vehicle charging, car sharing spaces, and bus stops in the same location. These hubs can be located at key locations such as train stations, bus stations/stops, and Park and Ride sites.

The concept of “20-minute neighbourhoods” has been gaining momentum for several years. Interest in this idea has grown as the COVID-19 pandemic meant people spent more time locally working at home, using public open space, and walking and cycling. The Spatial Strategy and other policies in this Plan such as those relating to housing and employment delivery, community facilities, and open space provision, will all support the delivery of 20-minute neighbourhoods.



Features of 20-minute neighbourhood<sup>22</sup>

As a predominantly rural district, East Devon has a substantial public rights of way network, that policy should protect and enhance.

### **65. Strategic Policy TR01: Prioritising walking, wheeling, cycling, and public transport**

Walking, wheeling, cycling and public transport must be the natural first choice for short local journeys, or as part of a longer journey. Walking and cycling routes must be prioritised in new development – such routes should be coherent, direct, safe, comfortable and attractive. Where appropriate, cycle paths should be segregated from pedestrians to reduce the potential for conflict (for example, where high usage levels are anticipated).

New development should facilitate access to high quality public transport through its location, layout, and, where necessary, contributions to public transport services and/or facilities (for example; bus services, bus stops, bus priority measures, rail infrastructure).

Where appropriate, development should provide, or otherwise make contributions to, an easy interchange between active and shared transport modes through the delivery of mobility hubs.

Development which would result in the loss, or reduce the convenience or attractiveness of an existing or proposed footpath, cycleway or bridleway, will not be permitted unless an acceptable alternative route is provided.

## Protecting transport sites and routes

Where there is robust evidence, the Local Plan should identify and protect sites and routes which could be critical in developing infrastructure to widen transport choice and realise opportunities for large scale development.<sup>23</sup> Such sites and routes could include park and ride/change sites, train stations and/or routes, bus priority measures, and walking/cycling routes. The focus will be on protecting sites and routes that promote sustainable travel, consistent with national policy, but there may also be a need to protect land for road schemes that widen transport choice and realise opportunities for large scale development.

### **66. Strategic Policy TR02: Protecting transport sites and routes**

The council will support the delivery of sites and routes that are critical in developing infrastructure to widen transport choice and realise opportunities for large scale development. The following proposed transport sites and routes will be safeguarded from other development that will preclude their delivery.

a) Strategic cycle network schemes:

- 1) Clyst Valley Trail
- 2) Sidford to Sidbury
- 3) Cranbrook to Exeter (E3)

b) Public transport:

- 1) Railway passing loops as necessary at Axminster; Honiton; and Whimple to Cranbrook.
- 2) Bus priority route at A3052/A376 to M5 Junction 30.
- 3) Park and Ride areas of search at A3052 near Clyst St Mary.

c) Road schemes:

- 1) Alterations/improvements to Clyst St Mary roundabout (A3052/A376)
- 2) Improved capacity and resilience between M5 J29 to J31, including enhancements to local routes from Clyst Road to A376 to reduce local traffic on M5 J30
- 3) The route of Axminster Relief Road

## Travel plans, Transport Statements and Transport Assessments

The spatial strategy and preferred policies that prioritise sustainable transport should limit the need to travel and offer a genuine choice of transport modes. Nevertheless, new development will still generate car travel, particularly given the rural nature of much of East Devon, so it is important to include policies to address the impacts of development on the transport network. For example, western parts of East Devon in particular experience congestion at peak times, including at M5 junctions 29 and 30, the A3052 corridor, and the A376 northwards from Exmouth, resulting in queuing and delay. Although outside of East Devon, the main road links in the eastern parts of Exeter suffer from congestion which affects those living and working in East Devon, particularly at peak times.

National policy states that all development that will generate significant amounts of movement should provide a travel plan and be supported by a transport statement or transport assessment so that the likely impacts of proposals can be assessed.<sup>24</sup> Travel plans are long-term management strategies for integrating proposals for sustainable travel into the planning process. Transport assessments are thorough assessments of the transport implications of development, whilst transport statements are a lighter-touch approach where there are limited transport impacts.

## **67. Policy TR03: Travel Plans, Transport Statements, Transport Assessments**

Where development is likely to generate significant amounts of vehicle movements, planning permission will not be granted unless they are supported by a transport statement or transport assessment, and subsequent travel plan, that identifies measures to secure new sustainable travel arrangements, taking into account:

- The scale of the development; and
- The availability of public transport, walking and cycling opportunities; and
- Proximity to environmental designations; and
- Cumulative impacts of other development in the area; and
- Whether there are particular types of impacts that require further evaluation.

### **Parking Standards**

The NPPF sets out five issues to take into account if setting local parking standards:

- The accessibility of the development
- The type, mix and use of development
- The availability of and opportunities for public transport
- Local car ownership levels
- The need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.

The proposed residential parking standards consider the fact that, while there are many settlements with good access to jobs, facilities, and services, East Devon is largely rural, and car ownership levels are higher than the national average.

In order to promote cycling, new residential development should provide bicycle parking spaces.

In the UK, total emissions from surface transport in 2019 were more than one-fifth of the total UK Greenhouse Gas emissions. Cars and vans account for 77.9% of surface transport emissions.<sup>25</sup> In East Devon, total CO2 emissions from road transport in 2019 were more than one-third of East Devon total CO2 emissions.

The government has set out the percentage of new zero emission cars manufacturers will be required to produce each year up to 2030, This requires



80% of new cars and 70% of new vans sold in Great Britain to be zero emission by 2030, increasing to 100% by 2035<sup>26</sup>. Thus, the numbers of Ultra Low Emission Vehicles and electric vehicles are expecting a significant increase in the next decade. EDDC will contribute to the reduction of emissions and support a low carbon future through smarter choices, including electric vehicle infrastructure. In situations where a comprehensive parking standard is necessary, EDDC should prepare a Supplementary Planning Document to include design guidelines and provisions for parking related issues.

## 68. Policy TR04: Parking standards

### Residential car parking standards

Parking in new residential development should provide the following minimum parking provision, unless evidence shows that a different provision is more appropriate based on its accessibility, for example, In town centres where there is access to public car parks and/or very good public transport links:

	<b>Car Parking</b>	<b>Cycle Parking (Secure and Undercover)</b>
<b>Residential Dwelling</b>	Average of 1.7 spaces per dwelling (rounded up to the nearest whole number in individual applications).	1 space per Bedroom

Car parking spaces must be of an adequate size to accommodate vehicle parking and have sufficient width to the sides for pedestrian access and egress of vehicles taking account of the location of the parking space and whether or not spaces also serve as access to a property and adjacent obstructions.

Garage spaces will not count toward the overall quantum of car parking spaces.

### Employment development parking standards

The expected level of parking for the new employment development is defined by the following standard.

(Figures provided in the table should be viewed as the expected standard, each development will be considered on an individual basis taking account of local circumstances.)

Type/Use	Car Parking	Short Stay Cycle Parking (obvious, easily accessed and close to destination)	Long Stay Cycle Parking (secure and ideally covered)
Class B2/E(g)	1 per 30 sqm	1 per 1,000m <sup>2</sup>	1 per 500m <sup>2</sup>

Class B8	1 per 200 sqm	1 per 1,000m <sup>2</sup>	1 per 500m <sup>2</sup>
Class E(a) Non-food retail and general retail	1 per 20 sqm	1 per 6 staff	1 per 200 sqm
Class E(a) supermarket/ Food retail	1 per 14 sqm	1 per 6 staff	1 per 200 sqm
Class E(b)/ Sui Generis Hot food takeaways (including drive throughs)	1 per 25 sqm	2 per establishment	1 per 8 staff
Class C1	1 per bedroom	1 space per 10 bedrooms	1 space per 10 staff

### Justification for policy

For the Residential parking standard, the methodology for calculating the provision is based on guidance set out in Department for Communities and Local Government (DCLG) Residential Car Parking Research (May 2007) and East Devon car ownership data from the census 2021. The calculation has considered the local car ownership and the visitor space needs. The result shows a minimum standard of 1.7 parking spaces. For example, a development of 100 dwellings, 170 parking spaces should be provided. In town centres where there is access to public car parks and/or on-street parking, lower levels of parking may be sufficient. In exceptional cases where there are also very good public transport links, car parking spaces may not be deemed necessary.

The new employment development should adhere to the standard parking provision outlined. Applications that propose parking levels different from this standard should be justified by robust evidence in a Transport Assessment, Transport Statement, or Travel Plan. These deviations will be reviewed individually, taking into account local circumstances.

#### Electric Vehicle Charging Points

All new developments will be required to provide Electric Vehicle (EV) Charging points in accordance with the Building Regulations 2010 (Part S of Schedule 1)<sup>27</sup> and any other relevant latest Government guidance, including Devon Electric Vehicle Charging Strategy<sup>28</sup>.

### Aerodromes and Safeguarding

The Civil Aviation Authority has identified a safeguarded area around Exeter International Airport and Dunkeswell Airport in East Devon. In addition, a further safeguarded area around a MoD facility in Mid Devon affects the Northern part of the plan area. In these areas, the Council will consult with the Civil Aviation Authority and airport operators on planning applications for

developments that could compromise operation and safety of the airfield, in accordance with guidance set out in ODPM Circular 1/2003. This could include built development involving high structures, buildings which may interfere with radio signals, or development which may create a bird strike hazard.

Public Safety Zones have been identified by the Department for Transport on land adjoining the runways to Exeter International Airport. A Public Safety Zone is an area within which the annual risk of fatality to a permanent present individual due to an aircraft accident is not less than 1 in 100,000. Within this area there is a smaller zone, where the individual fatality risk is 1 in 10,000.

## **71. Policy TR05: Aerodrome Safeguarded Areas and Public Safety Zones**

Within aerodrome safeguarded areas and the Public Safety Zones for Exeter International Airport, planning permission will not be granted for development that would prejudice the safe operation of protected aerodromes or give rise to public safety concerns.

There is a general presumption against new or replacement development or changes of use of existing buildings within Public Safety Zones. In particular, no new or replacement dwellings, mobile homes, caravan sites or other residential buildings should be permitted within a Public Safety Zone. Other forms of development may be acceptable, provided they do not reasonably expect to increase the number of people living, working or congregating in the area.

Development that could have an adverse impact on the operation or safety or navigational systems at the Airport must provide suitable mitigation (for example, funding for system upgrades).

## **Communications**

The NPPF guides local authorities to facilitate the development of a high-quality communications infrastructure in support of economic growth and social well-being. The NPPF makes clear that planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technologies (such as 5G). Further, the NPPF sets out how these policies should be balanced with other considerations, including conserving and enhancing both the natural and historic environment.

## **Digital Connectivity**

East Devon faces challenges in delivering communications infrastructure in a rural area. East Devon is part of the Connecting Devon and Somerset (CDS) programme. CDS comes under the Government's Superfast Broadband

Programme to deliver next-generation broadband infrastructure to areas where the commercial market has failed to invest. According to Ofcom, in 2024 92.53%<sup>29</sup> of the addresses in East Devon have super-fast broadband coverage and 66.05%<sup>30</sup> have ultra-fast broadband coverage, in comparison the mean for all English district local authorities are 96.61% and 73.24%

## **72. Strategic policy TR06: Digital Connectivity**

Planning permission for new development will not be granted unless the scheme will have access to superfast broadband and high-quality communications. Superfast broadband is looked upon as the fifth utility and is identified as an essential requirement.

All new ducting to serve new developments must be installed with capacity for more than one provider and other provisions to enable the delivery of multi-operator fibre to the premises and sufficient mobile connectivity.

Developers are encouraged to have early discussions with strategic providers or Connecting Devon and Cornwall for major development and continuing to support the expansion of full-fibre broadband connections in the district.

### **Justification for policy**

Paragraph 114 of the NPPF, planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections.

The Building etc. (Amendment) (England) (No. 2) Regulations 2022<sup>31</sup> came into force on 26 December 2022. These regulations introduce gigabit broadband infrastructure and connectivity requirements for the construction of new homes in England.

East Devon District Council would support further digital connectivity and high-quality communications improvements in the district by liaising with delivery partners and operators in the area and supporting the community engagement of their programmes.

### **Wireless connectivity and telecoms infrastructure**

Fast and reliable wireless connectivity and telecoms infrastructure supports the use of smart technology where people live, work, and travel. Businesses rely on robust communications infrastructure to connect with their customers, suppliers, employees, and to ensure operational processes function efficiently. Wireless connectivity is reliant on a robust telecoms infrastructure

including freestanding or building-based masts and antennas, ground based cabinets and compounds.

There are three types of planning permission that cover the installation of wireless and telecoms infrastructure in England:

- permitted development with the requirement to notify;
- permitted development with the requirement for prior approval;
- planning permission that requires a planning application to be submitted to the relevant planning authority.

Where proposals require an assessment of the siting and appearance of development, the authority will rely on the policies of the Local Plan and on any local design codes or guidance to inform determination.

The provision of telecoms infrastructure is guided by The Code of Practice for Wireless Network Development in England (2022)<sup>32</sup>. The Code of Practice covers all forms of wireless infrastructure development, including telecommunications masts and cabinets.

Applicants will be required to demonstrate how proposals accord with the principles of good practice established under The Code of Practice for Wireless Network Development in England (2022).

### **73. Policy TR07: Wireless connectivity and telecoms infrastructure**

Proposals will only be permitted where they accord with the principles of good practice for wireless network development, including, but not limited to:

- Site sharing and use of existing infrastructure or buildings to house new development
- Consultation with the local planning authority, local communities and other stakeholders
- Considered siting and design, avoiding harm to landscape character, heritage, environment, and bio-diversity
- Compliance with guidance laid out in the International Commission on Non-ionizing Radiation Protection (ICNIRP) public exposure levels guidance

Proposals within National Landscapes or at sensitive locations must provide a Landscape and Visual Impact Assessment and, where appropriate, a Heritage Impact Assessment.

A condition will be imposed to ensure the removal of equipment, supporting apparatus, and the restoration of the site to its former condition, or to a standard to be agreed with the Authority, as soon as reasonably practicable after it is no longer required for electronic communications purposes.

Where appropriate, future permitted development rights will be restricted by condition to prevent harm to landscape character, heritage, environment, and bio-diversity.

## Justification for Policy

Section 10 of the NPPF sets out planning guidance for communications development in England, and states that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being.

The Future Telecoms Infrastructure Review (FTIR) and the National Infrastructure Strategy set out the government's long-term strategy for meeting its digital connectivity targets and delivering high quality, reliable digital infrastructure that works across the UK.

The Code of Practice for Wireless Network Development in England (2022) covers all forms of wireless infrastructure development, including mobile masts and cabinets. Led by the Department for Digital, Culture, Media and Sport (DCMS), the Code of Practice was developed in collaboration with representatives of the mobile network industry, other government departments and public bodies, local planning authorities, and protected landscapes bodies. The Code of Practice replaces the previous Code of Best Practice on Mobile Network Development, which was published in 2016, and serves as guidance for Local Plan Policy.

## East Devon Local Plan – Topic Paper

### Chapter 11. Prioritising Sustainable travel and providing the transport and communications facilities we need

October 2024 – Version 01



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## 1 Introduction

- 1.1 This topic paper sits behind and help 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 specifically addresses Chapter 11 – Prioritising sustainable travel and providing the transport and communications facilities we need.

## 2 The Publication draft of the Local Plan

- 2.1 At the date that we published this draft topic paper we are moving towards production of the Publication draft of the local plan. There are specific Government regulations<sup>1</sup> that apply to local plan making and these set out actions that need to be undertaken at different regulatory stages (this report specifically relates to Regulations 18, 19 and 20).
- 2.2 The proposed Publication draft text of the local plan will be an edited and amended draft of the consultation draft plan published in November 2022<sup>2</sup>. The draft plan was consulted on under plan making Regulation 18 and it should be noted that further limited additional consultation under this regulation took place in the late Spring of 2024.
- 2.3 The Publication plan, under Regulations 19 and 20, will be made available for any interested party to make representations on. The period for making such representations is currently planned to be from December 2024 to January 2025. The Publication plan, representations received and other relevant paperwork will be submitted for Examination, to a target date of May 2025. One or more Planning Inspectors will undertake the plan examination.
- 2.4 The first drafts of what is proposed to become the Publication plan will be considered by the Strategic Planning Committee of East Devon District Council through 2024. The expectation is that text will then be refined as the year progresses with a view to the Committee being asked to approve the final Publication plan in November 2024.

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<sup>1</sup> [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

<sup>2</sup> [commonplace-reg-18-final-071122.pdf \(eastdevon.gov.uk\)](https://www.eastdevon.gov.uk/commonplace-reg-18-final-071122.pdf)

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### 3 Summary of proposed redrafting of Chapter 11 of the consultation plan

- 3.1 Chapter 11 contains a series of policies on transport and communication facilities. In the consultation draft Local Plan (November 2022) there were a total of nine policies covering these matters.
- 3.2 Several changes have been made to Chapter 11 to reflect consultation responses and a desire to make the document and policies clear and focussed, avoiding repetition of national policy. This has resulted in two policies being deleted (Policy 69 – Rear Servicing of Shopping/Commercial Development and Policy 70 – Safe vehicular access to sites) as they repeated national policy. Supporting text has also been refined.
- 3.3 Other key changes from the Draft Plan to the Publication Plan include:
- the removal of reference in policy to 20-minute neighbourhoods as it is too vague to include in policy; and because it covers a range of topics that are dealt with elsewhere in Local Plan policies (such as those relating to housing and employment delivery, community facilities, and open space provision). Therefore, 20-minute neighbourhoods is referred to in supporting text rather than policy, but consider adding specific reference to 20-minute neighbourhoods in the new settlement policy where it is considered to be achievable.
  - changes to the transport sites and routes that should be protected from development, to reflect background evidence.
  - Minor amendments to the policy on travels plans, transport statements/assessments. Thresholds have not been added to the policy to allow greater flexibility for transport issues to be considered on a case-by-case basis, rather than setting 'artificial' thresholds.
  - The revised policy removes redundant EV charging point wording, updates data to 2021 census, adopts Local Transport Note 1/20 for residential cycle parking, and adds employment development parking standards.
  - Policy on aerodrome safeguarded areas and public safety zones has been clarified to make clear that development which would impact on the operation of safety or navigational systems at the Airport must provide suitable mitigation.
  - Updated data regarding East Devon broadband coverage and the latest building regulation standard for Physical infrastructure and network connection for new dwellings.

## 4 Issues and options consultation

- 4.1 Prior to production and consultation on the draft local plan the Council consulted on a local plan Issues and Options<sup>3</sup> report. This included a series of questions that responses and comments were invited on. A feedback report was published<sup>4</sup>.
- 4.2 Question 23 sought views on the importance of new development being located within walking distance of services and facilities. The most popular response, chosen by 43% of people, was option 3 which would enable some growth where existing facilities and services are accessible and have capacity, along with development at a small number of growth areas to be developed with new services and facilities. A significant number of people (28%) chose option 1 to have small clusters of growth in locations within easy walking or cycling distance of existing services and facilities. Just 6% supported the more relaxed option 4 of only ensuring services and facilities are within the same settlement, regardless of walking and cycling distance.
- 4.3 Question 24 sought views on a range of other sustainable transport policy objectives, including bus routes, walking/cycling networks, protecting transport sites/routes, and car parking.

## 5 Draft plan consultation

- 5.1 In Draft Plan consultation, sustainable travel and communications matters were addressed in Chapter 11. The feedback report, summarising the issues raised in the consultation can be read here (starting on page 412) [accessible-reg-18-consultation-feedback-report-spring-2023.pdf](https://www.eastdevon.gov.uk/accessible-reg-18-consultation-feedback-report-spring-2023.pdf) ([eastdevon.gov.uk](https://www.eastdevon.gov.uk)).
- 5.2 Responses were received from the range of government organisations involved in transport, namely Devon County Council (highways authority), National Highways (responsible for the strategic road network), Network Rail (oversee the rail network). Transport issues were also raised by other organisations including Exeter City Council, town and parish councils, Sidmouth Cycling Campaign, and the National Trust. In addition, transport was a common concern from members of the public.
- 5.3 Further detail is contained in the tables for each policy that follow.

## 6 Further Regulation 18 consultation Spring 2024

- 6.1 Policies in this chapter were not included in the Further Draft Local Plan consultation.

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<sup>3</sup> [issuesandoptionsreport-jan2021.pdf](https://www.eastdevon.gov.uk/issuesandoptionsreport-jan2021.pdf) ([eastdevon.gov.uk](https://www.eastdevon.gov.uk))

<sup>4</sup> [2a. Consultation feedback report Ver 03.pdf](https://www.eastdevon.gov.uk/2a-consultation-feedback-report-ver-03.pdf) ([eastdevon.gov.uk](https://www.eastdevon.gov.uk))

## 7 Sustainability Appraisal feedback

- 7.1 The draft local plan was supported by a Sustainability Appraisal<sup>5</sup> (SA). This SA will be updated and refined as plan making progresses and it will be one of the documents that is submitted as part of the submission for Examination.
- 7.2 The SA noted the transport policies are likely to have major positive effects on minimising carbon emissions, health and well-being, access to services, jobs, and employment, and connectivity and transport. Minor positive effects are noted for several other objectives. There are a few negative uncertain effects, which can be mitigated to reduce their impact.

## 8 Habitat Regulation Assessment

- 8.1 The local plan will need to be assessed under the Habitat Regulations. An assessment of policies in the draft plan has been produced, available at [east-devon-local-plan-hra-110723-2013-doc-from-footprint.pdf \(eastdevon.gov.uk\)](https://www.eastdevon.gov.uk/east-devon-local-plan-hra-110723-2013-doc-from-footprint.pdf)

## 9 Assessment of policies in chapter 11

- 9.1 Chapter 11 of the draft plan set out a series of policies that are reviewed below.

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<sup>5</sup> [sa-of-pos-consultation-draft-lp\\_2022.pdf \(eastdevon.gov.uk\)](https://www.eastdevon.gov.uk/sa-of-pos-consultation-draft-lp_2022.pdf)

General issues raised on Chapter 11	
Chapter 11 promotes sustainable transport whilst ensuring the impacts of additional traffic from new development are properly addressed and mitigated.	
Key technical evidence sources	
See specific policies in the tables that follow.	
Issues and options consultation	
<p>Question 23 sought views on the importance of new development being located within walking distance of services and facilities. The most popular response, chosen by 43% of people, was option 3 which would enable some growth where existing facilities and services are accessible and have capacity, along with development at a small number of growth areas to be developed with new services and facilities. A significant number of people (28%) chose option 1 to have small clusters of growth in locations within easy walking or cycling distance of existing services and facilities. Just 6% supported the more relaxed option 4 of only ensuring services and facilities are within the same settlement, regardless of walking and cycling distance.</p> <p>Question 24 sought views on a range of other sustainable transport policy objectives, including bus routes, walking/cycling networks, protecting transport sites/routes, and car parking.</p>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>• Access to services and facilities within easy walking or cycling distance is of key importance and should be reflected in the Local Plan.</li> <li>• The Local Plan should include policies to promote sustainable travel.</li> </ul>
Draft Plan consultation	

Key issues raised in consultation:

- Despite the laudable policies relating to 20-minute neighbourhoods and high quality public transport, the Local Plan will still result in significant additional traffic leading to pollution and congestion, particularly in the western part of East Devon and in Exeter.
- The East Devon AONB team support the requirement for travel plans and assessments for proposals that “might generate substantive scale of additional vehicle movements” to take account of “proximity to environmental designations.”
- The Otter Valley Association would like to see more robust policies to reduce congestion and increase requirement for travel plans. If ‘back lane’ were closed to through traffic it would create safer spaces for walkers and cyclists.
- National Highways support the ambitions regarding sustainable transport and agree that the spatial strategy is fundamental to achieving modal shift, thus maintaining a safe and efficient transport network.
- National Highways suggest identifying the severance challenges caused by the M5 and A30 (as in the emerging Exeter Local Plan).
- Exeter City Council stress the importance of joint working with the City Council, Devon County Council and National Highways. This will need to ensure that appropriate transport provision is made to mitigate development impact and maintain the continued strategic functionality of the local and strategic highway networks. This will also help to ensure that Exeter can continue to play its vital role as the driver of growth for the wider area. They note that more strategic

Officer commentary in response:

- Traffic modelling will provide evidence on the scale of additional traffic arising from Local Plan development, and any mitigation measures that may be required. This will include joint working with Exeter City Council, Devon County Council and National Highways.
- Support for sustainable travel policies is noted.
- It is understood that electric bike batteries are removable, so do not require bespoke charging points.
- Other policies address rural employment and addressing the needs of the ageing population.

<p>interventions may be required, particularly on the strategic road network. Ongoing discussions should feed into coordinated infrastructure planning and infrastructure delivery.</p> <ul style="list-style-type: none"> <li>• New developments should be required to provide not just charging for electric cars but also secure and under-cover charging points (especially in multiple-occupancy dwellings) for electric bikes (not all electric bike batteries are removable).</li> <li>• Clyst Hydon parish council is concerned that the EDDC local plan does not adequately address the issue of transport. The council specifically mentions that the plan does not: Directly address the issue of commuting to work, particularly in more rural areas; Make any plans for workspace development in more rural areas; Discuss the rapidly changing work patterns, which are seeing more people working from home and part-time; Address the needs of the ageing population, who are more likely to need peripatetic support for social, health, and domestic needs.</li> </ul>	
Supplementary Regulation 18 consultation Spring 2024	
Not part of Further Draft consultation	
Habitat Regulations Assessment	
See specific policies	
Commentary on policy redrafting for the Publication Plan	
No additional policies are required as a result of general issues raised on Chapter 11.	



Strategic Policy TR 01 – Prioritising walking, cycling, and public transport	
This policy prioritises walking, cycling and public transport in new development.	
Key technical evidence sources	
<p>East Devon Local Plan 2020-42 Promoting Sustainable transport modes – Background evidence, 2024.                      National Design Guide <a href="#">National_design_guide.pdf (publishing.service.gov.uk)</a>;                      National Model Design Code <a href="#">National Model Design Code - GOV.UK (www.gov.uk)</a>;                      Cycle Infrastructure Design <a href="#">Cycle Infrastructure Design (publishing.service.gov.uk)</a>;                      Gear Change <a href="#">Gear change: a bold vision for cycling and walking (publishing.service.gov.uk)</a>;  <a href="#">The second cycling and walking investment strategy (CWIS2) - GOV.UK (www.gov.uk)</a> DfT, 2022                      Active Design <a href="#">Active Design   Sport England</a>;                      Building for a Healthy Life <a href="#">BFL-2020-Brochure.pdf (designforhomes.org)</a>;                      Cycling and Multi-use Trail Network Strategy, Devon County Council: <a href="#">150316_Cycle &amp; Multi Use Strategy_FINAL.docx (sharepoint.com)</a>                      Planning for Walking, CIHT, 2015: <a href="https://www.ciht.org.uk/media/4465/planning_for_walking_-_long_-_april_2015.pdf">https://www.ciht.org.uk/media/4465/planning_for_walking_-_long_-_april_2015.pdf</a>                      Decarbonising Transport, Department for Transport, 2021: <a href="#">Transport decarbonisation plan - GOV.UK (www.gov.uk)</a> ;                      20-Minute Neighbourhoods, The Town and Country Planning Association, 2021: <a href="#">The 20-minute neighbourhood   Town and Country Planning Association (tcpa.org.uk)</a>                      Average number of trips by trip length, region and rural-urban classification: England, 2002 onwards: <a href="https://www.gov.uk/government/statistical-data-sets/nts99-travel-by-region-and-area-type-of-residence#trip-length">https://www.gov.uk/government/statistical-data-sets/nts99-travel-by-region-and-area-type-of-residence#trip-length</a>                      Devon’s Bus Service Improvement Plan, Devon County Council, 2021: <a href="#">Transport planning - Roads and transport (devon.gov.uk)</a>  <a href="#">Exeter Transport Strategy 2020-2030 &amp; InnovaSUMP - Roads and transport (devon.gov.uk)</a> Devon County Council, 2020.</p>	
Issues and options consultation	
<p>The Issues and options consultation Question 25 asked about the comparative importance of various facilities. ‘Paths for walking and cycling’ were identified as being absolutely essential by over 50% of respondents when considering where they would like to live.</p>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>- support for walking and cycling is noted and addressed in plan policies.</li> </ul>
Draft Plan consultation	

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Key issues raised in consultation:

- Network Rail support the promotion of sustainable transport with the provision of safe and pleasant cycling and walking routes between services and facilities.
- Network Rail must be contacted if there is an increase in use or change to the environment of a level crossing – any increase in risk requires suitable mitigation.
- National Highways presume ‘20-minute neighbourhoods’ means an 800m walkable catchment, or a 10 minute walk to destination and 10 minutes back home – this could be made clearer.
- Devon County Council (DCC) suggest cross-referencing with net-zero policy and adding the need for easy interchange between active and shared transport modes by using mobility hubs.
- DCC note that 20-minute neighbourhoods align with the Devon Carbon Plan.
- DCC question the idea of a new community as it does not limit the need to travel and offer a genuine choice of transport modes.
- DCC state there should be more focus on sustainable travel in existing settlements.
- DCC is currently reviewing its policy on Park and Ride sites given the slow uptake of bus travel since the pandemic but support park and change sites on the edge of urban areas.
- DCC state supporting active travel and reducing unnecessary travel should be considered with regards to addressing the needs of people with disabilities and reduced mobility.

Officer commentary in response:

- Support for sustainable transport is noted.
- Agree that greater clarity on what constitutes a 20-minute neighbourhood would be helpful i.e. 800m walkable catchment.
- Agree to cross-reference with net zero policy.
- Agree to reference the need for an easy interchange between active and shared transport modes by using mobility hubs.
- 20-minute neighbourhoods do not lead to monitoring of people’s movements.
- Note the points stating that the 20-minute neighbourhoods concept is vague. The 20-minute neighbourhood covers a range of topics and agree and consider this concept is better moved to supporting text rather than policy.
- Agree that it would be useful to define “rural” and “urban” areas, but also agree the final paragraph should be removed as it provides a “get-out” clause and is already contained in the NPPF.
- The new community is addressed elsewhere in the Local Plan, but agree that the 20-minute neighbourhood concept is more applicable to larger scale development than small-scale development in rural communities.

- The Devon Countryside Access Forum consider that prioritising walking and cycling links should be made clearer, and suggest wording to do so.
- Sidmouth Cycling Campaign support this policy which prioritises walking and cycling links in new development. However, this policy could be made more effective by defining the features of a “20-minute neighbourhood” that new development will have to incorporate. For instance, that community facilities, such as primary schools and shops, are within a 20 minute walk of all proposed housing.
- Clyst Honiton Parish Council warns that developers should not rely on public transport to justify their developments, as bus services are subject to change. The council recommends that developers assume that all new residents will use their cars.
- Need to include e-scooters and buggies in this policy.
- Cycle routes should link to train stations, so that train and bike journeys are possible.
- Our climate is not conducive to walking and cycling.
- Do not like 20-minute neighbourhoods as could lead to monitoring of people’s movements.
- Support policy, need to ensure it is delivered.
- This policy sounds great in theory but does not happen in practice as existing public transport networks are not adequate, unregulated bus system, uncertainty on CIL funding.
- Support the principle but the policy itself is vague for example, how does development incorporate a 20 minute

neighbourhood, include greater permeability for walkers/cyclists, deliver national target of 50% active travel in urban areas.

- Housing industry organisation considers the 20-minute neighbourhood concept to be useful but also appropriate to consider the range and variety of development which could help a smaller settlement support more services. Policy is not sufficiently flexible.
- Also EDDC needs to work on making active travel and public transport quick, easy to use, well maintained, safe and available to all, and therefore more appealing than using a car.
- No reference to shared transport (i.e. on-street car club and bikes) which are already present in the west end.
- Support the principle of 20-minute neighbourhoods and the recognition that this may not be achievable in rural areas.
- Cycling is challenging in East Devon due to its hilly nature.
- Need much better public transport links – bus routes have been cut, and trains are unreliable.
- A cycle path should be built between West Hill and Ottery.
- Would like high quality public transport in West Hill.
- Need to prioritise the availability of high quality public transport.
- Need to define the features of a 20-minute neighbourhood such as community facilities.
- Need off-street walking/cycling routes to connect existing settlements, not just where development is happening.

- Need a network of dedicated cycle and walking routes between all main developments and employment areas (Greendale, Hill Barton, Clyst Sy Mary, Science Park etc).
- Strengthen policy to allow all children to cycle off road to school.
- Need more emphasis on rail transport including linking with the Airport and the new town.
- It needs to be made clear that the policy is geared towards residential development, rather than all new development, otherwise there could be conflict with the location of large scale employment which may not deliver a 20-minute neighbourhood.
- Larger developments should consider ultra low emission streets where vehicle movement is restricted except for public transport, disabled vehicles, delivery vehicles, local residents.
- Residents of the proposed new town will not likely have a 20-minute neighbourhood for many years if Cranbrook's experience is repeated.
- Even high quality public transport will not provide a suitable alternative to the car if people are still required to commute to work, for example new housing along the Exe Estuary will be car dependent, concentrating employment land on the western side of the district.
- Site assessments have not applied the 20 minute neighbourhood as criteria on distance to services is 1,600m rather than 800m.
- There is no definition of "larger scale development" or "smaller scale development".

- There is no definition of “rural” and “urban” areas.
- Walking and cycling routes should be clearly signed.
- Facilities for active travel should be in place before homes are occupied so that sustainable habits are encouraged from the start.
- Delivery of this policy is just as challenging in urban areas as rural areas.
- Remove the last sentence as it will allow developers to not deliver this policy.
- This policy is not deliverable in rural areas with limited job opportunities and facilities.
- Do not restrict car use as many older people rely on cars for their independence.
- This policy contradicts the Local Plan proposals at Hawkchurch, which only has one bus per week and therefore new residents will be reliant on the car to access facilities.
- Support no development at Cowley but would like a cycle route to link with Exeter city centre, the Exe Estuary Trail and elsewhere.
- Enabling walking and cycling will encourage tourists and support the economy.
- Promote the South West Coastal Path.
- Cyclists, pedestrians and cars should be segregated where possible, but this should not be at the expense of any of the three.
- It should be possible for people to live in town centres without needing a car, by improving town centres and/or providing good quality public transport.

- Bus and train services have been reduced following Covid, meaning the car is essential in many cases, so need a more robust approach.
- Losing all minor roads like Langaton Lane only makes some vehicle trips longer.
- Consideration should be given to links between towns, cycling plus increased tourism and traffic
- I believe that EDDC should be bold in its ambition. It should set out very strong DESIGN principles which actually demand that the policies in this plan are adhered to, by prospective applicants (developers), BEFORE the latter submit their applications for OUTLINE planning permission. Waiting to RESERVED Matters to implement policies is, in the vast majority of cases, too late.
- Agents for Bourne Leisure endorse draft Policy 65, which recognises that opportunities to deliver walking and cycling links and access to high quality public transport in new development will be more challenging in rural areas compared to urban areas
- The National Trust support policy and highlight relevance of Local Cycling and Walking Infrastructure Plans. The National Trust recommend that consideration is given to including the emerging LCWIP, which is being produced by Devon County Council, as an SPD.
- Exeter Cycling Campaign welcome the commitment to “Protecting transport sites and routes” in the draft but these are largely leisure routes. To deliver a modal shift away from private vehicles the Local Plan should enable a network of new, safe cycle paths that connect up settlements in East

Devon to enable journeys for commuting, retail and education purposes, following Department for Transport design guidance and be designed for desired commuter levels (where 50% of journeys are by foot or bike). This is especially important for the proposed new town.

- The proposed Infrastructure Delivery Plan should give prominence to cycle, walking and bus connections to the new town, and the final choice of location should take into account the public transport options including access to train stations
- The Local Plan would benefit from proposing adding a new commuting cycle route from Axminster to Seaton (the nearest station).
- Policy should be more specific and firmer, for example:
  - a. Walking and cycling paths will have priority across all side roads in new developments, and signalled crossings of major routes will be of single phase.
  - b. 20 mph speed limit will be the default design (both with signage and road layout) in all new developments.
  - c. Cycle parking shall be designed to be more conveniently located than car parking in residential, retail and educational developments, and should allow for the charging of e-bikes.
  - d. Cycle parking numbers will meet or exceed LTN 1/20-specified numbers.
  - e. Cycle parking design will meet LTN 1/20 standards (e.g. will accommodate non-standard bike forms, be secure, be sheltered, be of Sheffield-stand design).
  - f. To meet the policy statement that walking and cycling links should be “coherent, direct, safe, comfortable and attractive”. It should be a requirement for all new developments that they are connected up to the cycle network.
  - g. Permeability of developments should be higher



<p>for those on foot or travelling by bicycle, and this permeability should be maintained across independent developments. For example, in Cranbrook there have been issues where obvious links to networks etc are outside of the planning boundary, so it's too late or difficult to make links better into the development. h. For commercial and employment developments, cycle access and parking as well as showers, lockers should form part of the application to enable those arriving by bicycle to do so safely and conveniently.</p>	
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<p>This policy was not included in this consultation.</p>	
<p>Sustainability Appraisal</p>	
<p>See later in this report</p>	
<p>Habitat Regulations Assessment</p>	
<p>Policy could not have any conceivable effect on a European site – no likely significant effects.</p>	
<p>Commentary on policy redrafting for the Publication Plan</p>	

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- Policy number amended to reflect new numbering system.
- Supporting text should cross refer to climate change net zero policy.
- Policy should add reference to the need for an easy interchange between active and shared transport modes by using mobility hubs.
- Move generic text on 20-minute neighbourhoods to supporting text, rather than policy, but consider adding specific reference to 20-minute neighbourhoods in the new settlement policy.
- Policy should focus on “walkable” neighbourhoods, as more relevant to transport.
- Remove the final paragraph from the policy as it provides a “get-out” clause and is already contained in the NPPF.
- Policy should make clear that segregation of cycle paths from pedestrians will not be appropriate in all cases.
- Policy should add reference to development not adversely affecting footpaths, cycleways or bridleways.

Policy 66 – Protecting transport sites and routes	
This policy identifies and protects sites and routes which could be critical in developing infrastructure to widen transport choice and realise opportunities for large scale development, where there is robust evidence.	
Key technical evidence sources	
<p>East Devon Local Plan 2020-42 Promoting Sustainable transport modes – Background evidence, 2024.                  Cycling and Multi-use Trail Network Strategy, Devon County Council: <a href="#">150316_Cycle &amp; Multi Use Strategy_FINAL.docx (sharepoint.com)</a> ;                  West of England Study 2020 – Continuous Modular Strategic Planning, Network Rail: <a href="#">West of England Study - Continuous Strategic Planning (networkrail.co.uk)</a> ;                  Exeter Transport Strategy 2020-2030: <a href="#">Exeter Transport Strategy 2020-2030 &amp; InnovaSUMP - Roads and transport (devon.gov.uk)</a> ;                  Clyst Valley Regional Park Masterplan: <a href="#">cvrp-masterplan.pdf (eastdevon.gov.uk)</a>                  Devon Transport Infrastructure Plan, Devon County Council, March 2020: <a href="#">Transport planning - Roads and transport (devon.gov.uk)</a>                  Devon’s Bus Service Improvement Plan, Devon County Council, 2021: <a href="#">Transport planning - Roads and transport (devon.gov.uk)</a>  <a href="#">Exeter Transport Strategy 2020-2030 &amp; InnovaSUMP - Roads and transport (devon.gov.uk)</a> Devon County Council, 2020.</p>	
Issues and options consultation	
See General issues above.	
Draft Plan consultation	

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Key issues raised in consultation:

- National Highways would like discussions and further evidence regarding the bus priority route at A3052/A376 to M5 Junction 30; and park and areas of search at A30/Heavitree Road corridor, and A376/A3052 Clyst St Mary corridor; due to their interaction with the strategic road network.
- Devon County Council support recognising these routes and protecting them from other development.
- There appears to be an omission in Policy 66 (Protecting transport sites) where there is no commitment to improving existing or adding new train stations.
- Support this policy, let's make sure this happens.
- Explain relationship between Devon County Council and EDDC and complexities of widening transport choice when privately owned bus companies are involved.
- Unclear on what the policy is trying to achieve, cannot understand criteria for specifying some strategic cycle schemes and not others – for example, why is Exe Estuary Trail not listed?
- Exmouth Town Council seek protection of Bapton Valley Park as an evolving walking/cycling route in Exmouth.
- Exmouth Town Council highlighted a local campaign to protect Summer Lane for active travel.
- Exmouth Town Council seek protection of the area around the train station to enable the delivery of an integrated transport interchange.
- Need to protect the cycle route from Knowle to Exmouth, it is enjoyed by many and under threat from Exmo\_17 proposal.

Officer commentary in response:

- A transport study will inform the need for mitigation measures such bus priority routes and park and ride, and this evidence will be reflected in the policy.
- There is no evidence on the need for new train stations. Improvements to existing stations would be supported and can be delivered outside of the planning system.
- Confusion on the what the policy is trying to achieve is noted, and further explanation will be added that the policy addresses 'new' schemes rather than existing (such as the Exe Estuary Trail).
- Agree that the cycle route from Cranbrook to Exeter (E3) should be added to the policy – it is in the Devon Transport Infrastructure Plan, 2020; Clyst Valley Regional Park Masterplan, 2021 and benefits from planning permission.
- Robust evidence is required to identify and protect sites and routes to widen infrastructure choice and deliver large scale development (NPPF, 106c) – it is not considered that the additional routes suggested meet this evidential requirement.

- Strongly support the creation of cycle route between Feniton and Sidmouth, as referenced in the Ottery and West Hill Neighbourhood Plan.
- Strongly support the creation of cycle route between Sidford and Sidbury.
- Need a safe cycle route between Seaton and Colyton, as roads from Colyford entrance to Seaton Wetlands and Colyton are very dangerous.
- Extend the Seaton to Colyton cycle scheme to Axminster as this is a common route for commuters.
- Sidmouth Cycling CAmpaign support this policy
- Have not mentioned all the Sustrans cycle routes, and the international “Trans Manche” route.
- The Clyst Valley Trail is years away from being delivered so should not be protected.
- Query why the cycle route from Cranbrook to Treasbeare to Exeter has not been protected – does the Clyst Valley Trail include this?
  - The Boniface Trail is also partly within East Devon so should be added to the policy.
  - Promote duelling of the railway line and/or passing loops to enable a more frequent service.
  - Restore Seaton Junction station so it can be redeveloped.
  - Need a new light rail link between Seaton Junction and Colyton, then onto Colyford and Seaton shared with the tram.
  - Re-instate light rail link from Feniton to Sidmouth, to connect Sidmouth, Tipton and Ottery back to the rail network.

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<ul style="list-style-type: none"> <li>• Redevelop the railway from Exmouth to Exeter to enable it to function as an attractive commuter route.</li> <li>• Bus priority routes assume there are sufficient, reliable, affordable buses which is not the case.</li> <li>• Allocate a park and ride facility in the north of Sidmouth to cater for additional day visitors causing congestion and lack of car parking.</li> <li>• Park and Rides sites will need electric vehicle charging points.</li> <li>• An ‘urban tram’ is required that runs directly from Park and Ride to central Exeter.</li> <li>• Owner of land on the A377 corridor, Cowley has submitted land and supports its allocation for a Park and Ride site.</li> <li>• Exmouth Town Council note the potential for a Park and Ride at Sowton to serve Exmouth has been overlooked.</li> <li>• Typo as “A4052” does not exist, should state “A3052”.</li> <li>• The National Trust supports the protection of sites and routes that promote sustainable travel, including the Clyst Valley Trail. It would be beneficial if further details could be set out with regards to the Partnership working with Exeter City in respect of the Clyst Valley Trail that are required to ensure connections to the wider active travel network.</li> </ul>	
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<p>This policy was not included in this consultation.</p>	
<p>Sustainability Appraisal</p>	
<p>See detail later in this report.</p>	

Habitat Regulations Assessment

Policy could not have any conceivable effect on a European site – no likely significant effects.

Commentary on policy redrafting for the Publication Plan

- Reflect the findings of the Greater Exeter transport study on the need for mitigation measures such bus priority routes and park and ride.
- Show the sites and routes included in the policy on the Policies Map.
- Add further explanation that the policy addresses ‘new’ schemes rather than existing (such as the Exe Estuary Trail) and will support delivery and protect the potential schemes from development that precludes their delivery.
- Delete Seaton to Colyton as the section to Colyford has now been delivered, and there is a lack of justification to protect the route to Colyton.
- Delete Feniton to Sidmouth cycle path as would not realise opportunities for large scale development.
- Amend typo as “A4052” does not exist, should state “A3052”.
- Delete reference to park and ride areas of search at A30/Heavitree Road corridor, and A377 Cowley Bridge Road corridor.

Policy 67 – Travel Plans, Transport Statements, Transport Assessments	
This policy sets out criteria for considering the transport impacts and mitigations measures, through the provision of Travel Plans, Transport Statements, Transport Assessments.	
Key technical evidence sources	
East Devon Local Plan 2020-42 Promoting Sustainable transport modes – Background evidence, 2024. <a href="#">Devon and Torbay Local Transport Plan 3, 2011-2026 - Roads and transport</a> , Devon County Council and Torbay Council, April 2011. <a href="#">Travel Plans, Transport Assessments and Statements - GOV.UK (www.gov.uk)</a> Devon’s Bus Service Improvement Plan, Devon County Council, October 2021: <a href="#">Transport planning - Roads and transport (devon.gov.uk)</a> East Devon’s validation requirements <a href="#">validation-checklist-document-oct-22.pdf (eastdevon.gov.uk)</a>	
Issues and options consultation	
See General issues above.	
Draft Plan consultation	

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Key issues raised in consultation:

- National Highways expect transport evidence to inform the thresholds.
- National Highways suggest the policy contains an option to require a transport assessment/travel plan outside any thresholds if necessary, to ensure unforeseen developments that could have transport implications to be addressed.
- Devon County Council state such supporting documents for developments of a reasonable size and nature are standard requirements. Travel Plans raise awareness and provide opportunities for people to change to more sustainable travel modes.
- This is a good policy, support.
- Travel Plans should encourage people out of their cars and onto the railway, as well as encouraging walking and cycling.
- Support this policy but note that new settlement Option 1 does not comply as it very remote with no public transport.
- No new housing should be built without significant improvements to public transport.
- Bullet point 3 should be separated into two bullet points.
- Exmouth Town Council (ETC) support setting thresholds but these must be evidence-based.
- ETC concerns about limited scope to influence public transport providers.

Officer commentary in response:

- Whilst the potential to include thresholds in the policy has been explored, on balance it is considered to allow greater flexibility for transport issues to be considered on a case-by-case basis, rather than artificially setting thresholds.
- Agree with separating bullet point 3 into two bullet points.

- Need to ensure transport statements/assessments meet local need and are produced to a minimum standard as they often inaccurate and misleading.
- Sustainable travel needs to be incorporated in new development from the outset to ensure residents use active travel and not cars.
- It is not possible to forecast the amount of vehicle movements that will be generated by a development.
- Exeter Airport Ltd state the policy is imprecise and should include provisions that will apply to development that may give rise to unacceptable impacts irrespective of thresholds.
- Policy is misleading as does not thresholds on the size of development before transport is considered.
- Policy is not robust enough; it needs targets and detail on monitoring to ensure aspired levels of sustainable travel are achieved.
- Cars are necessary in rural areas so road network should be improved to cut travel times.
- Transport assessments assume bus services will be the same when development has finished which, given cuts over recent years, should not be the case.
- The extra number of vehicles assumed in new development feels too low.
- Bullet point 3 should be 2 separate bullet points:
  - Proximity to environmental designations
  - Impact on promoting walking and cycling

<ul style="list-style-type: none"> <li>Exeter Cycling Campaign have concerns about the efficacy of “Where development schemes generate substantive additional vehicle movements...planning permissions will not be granted...unless a Transport Assessment and Travel Plan identifies measures to secure new sustainable travel arrangements”. Travel Plans and Assessments in new housing developments are often ineffective at nudging people away from using their private vehicle for all journeys, however short.</li> </ul>	
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<p>Not included in this consultation.</p>	
<p>Sustainability Appraisal</p>	
<p>See later in this report</p>	
<p>Habitat Regulations Assessment</p>	
<p>Policy could not have any conceivable effect on a European site – no likely significant effects.</p>	
<p>Commentary on policy redrafting for the Publication Plan</p>	
<ul style="list-style-type: none"> <li>Do not set thresholds to which policy will apply.</li> <li>Separate bullet point 3 into two bullet points.</li> <li>Delete “in the absence of mitigating actions” as the travel plans, transport statement/assessment will, themselves, recommend mitigation measures.</li> </ul>	

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Policy 68 – Parking Standards	
The policy set out car and cycle parking standards.	
Key technical evidence sources	
East Devon Local Plan 2020-42 Promoting Sustainable transport modes – Background evidence, 2024	
<a href="#">Zero emission vehicle (ZEV) mandate consultation: summary of responses and joint government response - GOV.UK (www.gov.uk)</a>	
Approved Document S: infrastructure for charging electric vehicles: <a href="https://assets.publishing.service.gov.uk/media/6218c5d38fa8f54911e22263/AD_S.pdf">https://assets.publishing.service.gov.uk/media/6218c5d38fa8f54911e22263/AD_S.pdf</a>	
Devon Electric Vehicle Charging Strategy: <a href="https://devoncc.sharepoint.com/:b:/s/PublicDocs/Highways/EYpT2z19y01HsZuuHCvwut8BqqTwB91bzCaxytQ3kmpkkg?e=n3QCnQ">https://devoncc.sharepoint.com/:b:/s/PublicDocs/Highways/EYpT2z19y01HsZuuHCvwut8BqqTwB91bzCaxytQ3kmpkkg?e=n3QCnQ</a>	
Issues and options consultation	
See General issues above.	
Draft Plan consultation	

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Key issues raised in consultation:

- National Highways generally agree with this policy but require further information with regards to a non-residential parking standard, to ensure parking provision is appropriate to reasonable trip generation assumptions in the transport evidence.
- The Environment Agency recommend this policy should also provide for expansion of EV charging points for existing communities to ensure sufficient infrastructure is in place as society transitions to EVs. This could perhaps include a presumption in favour of new EV charging proposals.
- Devon County Council state each site should have its own parking standards – rural locations will require additional parking spaces, with lower provision in urban areas where there are good sustainable alternatives.
- Devon and Cornwall Police suggest considering designing out crime principles when designing parking provision in new development, for example avoiding large rear parking courts in preference to on-plot parking.
- Lyme Regis Town Council support measures to deliver EV charging but would like reference to need to retro fit or provide community facilities.
- Requiring 1.6 parking spaces for each house assumes car travel will be the norm, so likely to increase CO2 emissions.
- Clyst Honiton Parish Council is concerned that the current parking standard of 1.6 parking spaces per dwelling may not be sufficient, due to narrower roads and unusable

Officer commentary in response:

- The EV Charging Points policy duplicates the requirements of the Building Regulations 2010 (Part S of Schedule 1). Therefore, the policy wording regarding these regulations should be removed.
- The proposed residential car parking standard of 1.6 has received mixed reactions, with some supporting it, others expressing concerns, and some objecting to it. Based on the methodology and the latest 2021 census data, we have updated the residential parking standard to 1.7. Please refer to the supporting evidence for the detailed calculations
- Noted and agreed. The suggestion to follow Local Transport Note 1/20 and adjust the residential cycle parking spaces from 2 spaces per dwelling to 1 space per bedroom has been adopted.
- EDDC will consider preparing a Supplementary Planning Document to establish a comprehensive parking standard, including design guidelines and parking provisions, if required.

garages. This could lead to cars being parked on pavements or too close to each other, which could have health and safety implications.

- Sidmouth Cycling Campaign support the inclusion of a cycle parking standard in this policy, but suggest it is separated from the car parking standards paragraph. We also recommend replacing the requirement of 2 cycle parking space per dwelling with a reference to the requirements of LTN 1/20. Table 11.1 of LTN 1/20 suggests a minimum requirement of 1 secure space per bedroom. This table also provides guidance on parking standards for non-residential development, which should be referenced in this policy. Provision should also be made for charging e-bikes in residential developments.
- All new housing should make provision for electric car charging points.
- Install electric car charging points in all car parks and explore opportunities in other public spaces.
- Housing in rural areas should have off-road parking for at least two cars, especially with the increase in electric cars.
- No need for policy as included in Part S of the Building Regulations (including where exceptions may apply).
- Flexibility to parking standards based on site location should be kept as in adopted policy TC9.
- Policy should breakdown provision for dwellings to provide clarity.
- A developer states the policy lacks clarity and needs more detailed parking standards which provide a suggested bedroom tenure/car parking spaces breakdown.

- The Avenues Residents Association (Exmouth) advise - Pol 68 appears to be incomplete. The Plan needs this section to be completed properly. The wording used here is very weak and the Council should be doing more than "liaising", they should provide policy for operators to work to!
- Exeter Cycling Campaign state parking policy needs to be strengthened for cycle parking standards. The Local Plan should commit to the national guidance minimum cycle parking numbers laid out in LTN 1/20 of one cycle parking space per bedroom rather than the proposed 'per dwelling'. The local plan should mandate that this cycle parking must meet LTN1/20 standards for design, convenience and minimum numbers.
- The proposed car Parking standard is too low for East Devon, especially for rural area. And some comments suggest it should be more flexible to reflect the different needs of different areas and household.
- The policy could be seen as an important way to encourage people to use public transport or bicycles instead of cars.
- More EV charging points will be needed across the district, in order to encourage people, switch to electric cars.
- Car parking standard should consider the subsequent for the on-street parking issue in East Devon.
- Provision of electric vehicle charging points duplicates Building Regulations so does not serve a clear purpose. Should delete from policy.

Supplementary Regulation 18 consultation Spring 2024	
<ul style="list-style-type: none"> <li>• Not included in this consultation.</li> </ul>	
Sustainability Appraisal	
<ul style="list-style-type: none"> <li>• See later in this report.</li> </ul>	
Habitat Regulations Assessment	
<p>Policy could not have any conceivable effect on a European site – no likely significant effects.</p>	
Commentary on policy redrafting for the Publication Plan	
<ul style="list-style-type: none"> <li>• Remove policy wording regarding the EV Charging Points policy, as duplicates the requirements of the Building Regulations 2010 (Part S of Schedule 1).</li> <li>• Updated the data from the latest 2021 census data.</li> <li>• Adopted the suggestion to follow Local Transport Note 1/20 and adjust the residential cycle parking spaces to 1 space per bedroom.</li> </ul>	

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Policy 69 – Rear Servicing of Shopping/Commercial Development	
To facilitate the reduction in traffic congestion along main shopping streets it is an aim to improve rear services provision for shopping and commercial areas where opportunities for doing so arise.	
Key technical evidence sources	
None.	
Issues and options consultation	
See General issues above.	
Draft Plan consultation	

<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>• Support policy as it will ensure a much better experience in town centres.</li> <li>• Exmouth Town Council (ETC) support this policy, particularly important for pedestrianised areas such as the Magnolia Centre in Exmouth.</li> <li>• ETC consider that different methods of distribution may be popular in the future such as cargo bikes, rail freight, electric vans so policy should support alternative, environmentally friendly delivery methods.</li> <li>• Agree with policy as it's not fair for delivery vehicles to get parking fines when they are only trying to do their job.</li> <li>• Reasonable ambition but rarely practical.</li> <li>• Do not agree with removing the ability for town centre shops to receive deliveries, particularly with centuries-old streets and layouts.</li> <li>• Need to clarify whether the policy applies to all Class E uses or just shopping and commercial development.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>• Support for the policy is noted, but agree with the points that the policy is too restrictive/impractical and that the NPPF and other Local Plan transport policies enables transport impacts to be adequately addressed without this separate, specific policy.</li> </ul>
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<p>Not included in this consultation.</p>	
<p>Sustainability Appraisal</p>	
<p>See later in this report.</p>	
<p>Habitat Regulations Assessment</p>	
<p>Policy could not have any conceivable effect on a European site – no likely significant effects.</p>	

Commentary on policy redrafting for the Publication Plan

- Delete policy as it is too restrictive/impractical and the NPPF and other Local Plan transport policies enables transport impacts to be adequately addressed without this separate, specific policy.

Policy 70 – Safe vehicular access to sites	
To ensure safe and effective access to development can be achieved.	
Key technical evidence sources	
None.	
Issues and options consultation	
See General issues above.	
Draft Plan consultation	

Key issues raised in consultation:

- National Highways generally agree with this policy but it should be noted that access affecting the strategic road network are also informed by DfT Circular 01/2022 and must comply with the Design Manual for Roads and Bridges.
- Sensible policy.
- Support this policy, which should be applied to the proposals at Hawkchurch to build 38 dwellings on a narrow lane.
- Several respondents, including Exmouth Town Council consider that the term “safe access” is subjective – who will determine this? Devon County Council often issue standing advice, refer to statutory guidance, or not comment at all.
- Whilst Highway engineers may like space for two bin lorries to pass, Poundbury shows how access can work without adverse impact on the urban environment.
- Safe access is important but also need to consider how traffic impacts can be reduced.
- Safe access should be considered near schools.
- Add pedestrian and cycle access to the policy to ensure they are given greatest weight.
- The impact of access traffic upon other local road users should also be considered.
- Road widths need to increase as roads are clogged with parked cars, making it difficult for emergency vehicles to pass through.

Officer commentary in response:

- The support for this policy is noted, but the point that it repeats the NPPF 114b is recognised and therefore the policy should be deleted.

<ul style="list-style-type: none"> <li>• Question the need for this policy as it unnecessarily reiterates NPPF para 110b.</li> <li>• This policy should explicitly include the need to ensure safe access for electric and human-powered vehicles. This is the future that we need to be building.</li> </ul>	
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<p>Not included in this consultation.</p>	
<p>Sustainability Appraisal</p>	
<p>See later in this report.</p>	
<p>Habitat Regulations Assessment</p>	
<p>Policy could not have any conceivable effect on a European site – no likely significant effects.</p>	
<p>Commentary on policy redrafting for the Publication Plan</p>	
<ul style="list-style-type: none"> <li>• Delete policy as it repeats the NPPF 114b.</li> </ul>	

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Policy 71 – Aerodrome Safeguarded Areas and Public Safety Zones	
To ensure development which could compromise aerodromes and public safety are properly considered, including consultation with appropriate bodies.	
Key technical evidence sources	
<a href="#">Safeguarding aerodromes, technical sites and military explosives storage areas - GOV.UK (www.gov.uk)</a> <a href="#">Control of development in airport public safety zones - GOV.UK (www.gov.uk)</a>	
Issues and options consultation	
See General issues above.	
Draft Plan consultation	

<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>• Exeter and Devon Airport Ltd (EDAL) support this policy and will support the Council to ensure it is fully and consistently applied.</li> <li>• EDAL consider the policy should be amended to state development which would impact on the operation of safety or navigational systems at the Airport must provide suitable mitigation, for example funding for system upgrades.</li> <li>• This policy is used by the airport and developers to limit the delivery of solar PV panels, which is too restrictive as there are very few flights, warehouses are planned on the edge of the Airport, and the runway is culverted at Clyst Honiton.</li> <li>• Good to protect minor airports such as Dunkeswell which still provide lots of low-level infrastructure.</li> <li>• Exeter Airport should be closed and redeveloped as housing – an airport should not be included in a carbon neutral plan.</li> <li>• Welcome policy 71 on aerodrome safeguarding but need to consider safeguarding of Exeter Airport in all allocations, including for the proposed new town.</li> <li>• Clyst Honiton Parish Council has expressed concerns about this policy.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>• Support noted.</li> <li>• Agree with the need to add reference to suitable mitigation.</li> </ul>
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<p>Not included in this consultation.</p>	



<b>Sustainability Appraisal</b>	
See later in this report.	
<b>Habitat Regulations Assessment</b>	
Policy could not have any conceivable effect on a European site – no likely significant effects.	
<b>Commentary on policy redrafting for the Publication Plan</b>	
<ul style="list-style-type: none"><li>• Amend policy to state that development which would impact on the operation of safety or navigational systems at the Airport must provide suitable mitigation.</li><li>• Simplify policy.</li></ul>	

Strategic Policy 72 – Digital Connectivity

To ensure development would have access to have access to superfast broadband and high-quality communications, and support the expansion of full-fibre broadband connections in the district.

Key technical evidence sources

[The Building etc. \(Amendment\) \(England\) Regulations 2022 \(legislation.gov.uk\)](#)  
[Percentage of addresses with Superfast broadband availability in East Devon | LG Inform \(local.gov.uk\)](#)  
[Percentage of addresses with Ultrafast broadband availability in East Devon | LG Inform \(local.gov.uk\)](#)

Issues and options consultation

See General issues above.

Draft Plan consultation

Key issues raised in consultation:

- National Farmers Union state Rural areas continue to suffer with a lack of connectivity (broadband and mobile), in the modern age this is a real barrier to business, resulting in a drag on efficiency. We welcome the recognition of the need for connectivity, but importantly this is not just for new development, there are large parts of the district which do not have an acceptable service so provision of new infrastructure to cover these ‘not-spots’ should be encouraged.
- Need flexibility for scenarios where ‘superfast broadband’ may not be feasible, for example in rural communities.
- The provision of ‘sufficient mobile connectivity’ is subject to service provision beyond the control of a developer and should be omitted from the policy.
- Exmouth Town Council Members support the policy but stressed the need for community resilience in respect of possible over-reliance on electronic communications.
- General support received for this policy, and numbers of comments pointed out the need of improvement on digital connectivity across East Devon.
- Policy should also cover the existing housing.
- Barratt David Wilson Homes - Policy requirement for new development to provide access to superfast broadband and high-quality communication duplicates the changed Building Regulations (changes came into effect 26 December 2022). This part of the policy does not serve a clear purpose – should be deleted.

Officer commentary in response:

- Supports and concern noted.
- Although there are concerns about the availability of superfast broadband across East Devon, Ofcom statistics show that 92.53% of addresses had superfast broadband coverage in 2024. To promote wider adoption and address the evolving requirements of building regulations, the superfast broadband policy is deemed reasonable.

Supplementary Regulation 18 consultation Spring 2024	
Not included in this consultation.	
Sustainability Appraisal	
See later in this report.	
Habitat Regulations Assessment	
Policy could not have any conceivable effect on a European site – no likely significant effects.	
Commentary on policy redrafting for the Publication Plan	
Updated data regarding East Devon broadband coverage and the latest building regulation standard.	

<b>Policy 73 – Wireless connectivity and telecoms infrastructure</b>	
The policy seeks to ensure that wireless and telecoms infrastructure is developed in a way that balances the need for connectivity with the potential impact on the environment and local communities.	
<b>Key technical evidence sources</b>	
<a href="http://www.gov.uk">Code of practice for wireless network development in England - GOV.UK (www.gov.uk)</a>	
<b>Issues and options consultation</b>	
See General issues above.	
<b>Draft Plan consultation</b>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>• Exmouth Town Council members support this policy.</li> <li>• Private fixed broadband networks on new housing estates can limit residents' choices</li> <li>• EDDC should pause 5G rollout due to health concerns, more research needed.</li> <li>• Programme of extension of wireless connectivity and telecoms should consult local residents in advance.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>• Support noted</li> <li>• Health concern noted</li> </ul>
<b>Supplementary Regulation 18 consultation Spring 2024</b>	
Not included in this consultation.	
<b>Sustainability Appraisal</b>	
See later in this report.	
<b>Habitat Regulations Assessment</b>	

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Policy could not have any conceivable effect on a European site – no likely significant effects.	
Commentary on policy redrafting for the Publication Plan	
No change on the policy.	

Policy omissions from Chapter 11	
This section considers any policy omissions from Chapter 11.	
Key technical evidence sources	
None.	
Issues and options consultation	
See General issues above.	
Draft Plan consultation	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>• The Local Plan would be improved with the addition of a planning policy which mandates that active travel infrastructure and public transport is in place and roads are adopted by DCC before houses are occupied so that bad driving/parking habits do not develop.</li> <li>• Work Hubs: The Devon Climate Emergency Response Groups 'Carbon Plan' referred to 'work hubs' as one means of reducing the need to travel. The Local Plan should align with this and commit to work hubs as one means of decarbonising transport.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>• It would be too prescriptive to require active travel infrastructure and public transport is in place and roads are adopted by DCC before houses are occupied.</li> <li>• Employment policies support jobs and the economy.</li> </ul>
Supplementary Regulation 18 consultation Spring 2024	
Not included in this consultation.	
Sustainability Appraisal	
See later in this report.	

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Habitat Regulations Assessment	
Not relevant.	
Commentary on policy redrafting for the Publication Plan	
<ul style="list-style-type: none"> <li>No omissions that require an additional policy.</li> </ul>	

Sustainability Appraisal	
<p>Policy number/title:</p> <ul style="list-style-type: none"> <li>65. Strategic Policy – Walking, cycling, and public transport</li> <li>66. Policy – Protecting transport sites and routes</li> <li>67. Policy – Travel Plans, Transport Statements, Transport Assessments</li> <li>68. Policy – Parking standards</li> <li>69. Policy – Rear servicing of shopping/commercial development</li> <li>70. Policy – Safe vehicular access to sites</li> <li>71. Policy – Aerodrome safeguarded areas and public safety zones</li> <li>72. Strategic Policy – Digital connectivity</li> <li>73. Policy – Wireless connectivity and telecoms infrastructure</li> </ul>	
<p>Outcome of sustainability appraisal:  <b>Preferred alternative:</b> Policies 65 – 73</p> <p><b>Reasons for alternatives being preferred or rejected:</b></p> <ul style="list-style-type: none"> <li>The preferred policies 65 – 73 are likely to have major positive effects minimising carbon emissions, health and well-being, access to services, jobs and employment, and connectivity and transport. Minor positive effects are noted for several other objectives. There a few</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>It is noted that SA work provides positive policy feedback.</li> </ul>

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negative uncertain effects, which can be mitigated to reduce their impact.

- 65A. Specify walking distances to local facilities from new housing – whilst this alternative is likely to have positive effects on minimising carbon emissions from travel (objective 4), access to services (10), and connectivity (13), these effects are uncertain as there are other factors to consider such as topography, surveillance, directness, attractiveness of the environment, and the intended destination. Therefore, this alternative is rejected.
- 65B. Set mode share targets for different travel modes from new development – this approach could have positive effects on minimising carbon emissions from travel (objective 4), access to services (10), and connectivity (13), but these effects are uncertain as such standards are difficult to justify and challenging to enforce once development is occupied. Therefore, this alternative is rejected.
- 66A. Do not protect transport sites and routes – this alternative is rejected as it reduces the potential to deliver transport routes and sites to widen transport choice and deliver large-scale new development, and would therefore have fewer positive effects on minimising carbon emissions from travel (objective 4), access to services (10), and connectivity (13).
- 67A. Do not include a policy on Travel Plans, Transport Statements, Transport Assessments – this is rejected as it would cause uncertainty as to when Travel Plans, Transport Statements, Transport Assessments would be required, so performs less positively on minimising carbon emissions from travel (objective 4), access to services (10), and connectivity (13).
- 68A. Do not set parking standards – this is rejected as it would cause uncertainty on parking standards in new development, so performs less positively on minimising carbon emissions from travel (objective 4), access to services (10), and connectivity (13).

- |  |  |
|--|--|
| <ul style="list-style-type: none"><li>• 72A. Do not include a policy on digital connectivity – this would likely mean uncertain effects for objective 13 due to a risk of inadequate provision being made that is not future-proofed, and installations not providing consumer choice because the lack of conducting for other providers which is then costly to install after the event. Therefore, this alternative is rejected.</li></ul> |  |
|--|--|

## 10 Conclusions

- 10.1 This topic paper has explained the content of and evolution of the Publication draft East Devon Local Plan, in relation to Chapter 11 – Prioritising sustainable travel and providing the transport and communications facilities we need.
- 10.2 This topic paper may be updated as necessary, plan making progresses to Publication and Examination.

## Chapter 12 Caring for our outstanding landscape

East Devon has a beautiful natural environment, which makes the District an attractive place to live and work. This environment also attracts visitors who contribute to the local economy.



East Devon's outstanding landscape

### 74. Policy OL1: Landscape Features

East Devon's landscape, countryside and rural areas will be protected against harmful development. Development will only be permitted where the applicant is able to demonstrate through a proportionate Landscape Appraisal that it will protect and enhance valued landscape attributes and special features and qualities that contribute to the character of East Devon's landscapes, in particular where it would not harm the distinctive landscape, amenity and environmental qualities within which it is located, including:

- a) Land form and patterns of settlement.

- b) Important natural and manmade features which contribute to the local landscape character, including topography, traditional field boundaries, areas of importance for nature conservation and rural buildings.
- c) The adverse disruption of a view from a public place which forms part of the distinctive character of the area or otherwise causes significant visual intrusions.
- d) Aesthetic and perceptual factors such as tranquillity, wildness and dark skies.

All development in the countryside should have regard to relevant published Landscape Characterisation Assessments as a basis for understanding, maintaining and enhancing local distinctiveness and landscape character

### **Justification for inclusion of policy**

This overarching policy aims to protect important features in the landscape, whether designated or not. A key objective of the Local Plan is to conserve and enhance the environment, the landscape, historic character and archaeological value and its wildlife, agricultural, recreational and natural resource value of countryside areas. All development in the countryside should have regard to the District Landscape Characterisation Assessment (LCA), so as to take account of the different roles and character of different areas.

The landscape of the District includes deep valleys, wooded hills, ancient woodlands, historic parkland, low-lying farmland, riverside meadows and a variety of urban forms. The whole of East Devon is rich in biodiversity, including international, national and locally protected sites and habitats and forms a part of a wider ecological network across the County. Maintaining sustainable agricultural land and practices is important in preserving the district's rural character and landscape.

Proposals should be accompanied by a Landscape Appraisal, which should be proportionate to the size and likely impacts of the scheme. Landscape Appraisals should be carried out in accordance with the Guidelines for Landscape and Visual Impact Assessment<sup>1</sup> and successor documents. If the proposals require a full Environmental Impact Assessment (EIA) then a Landscape and Visual Impact Assessment (LVIA) undertaken by a Chartered Landscape Architect will be required.

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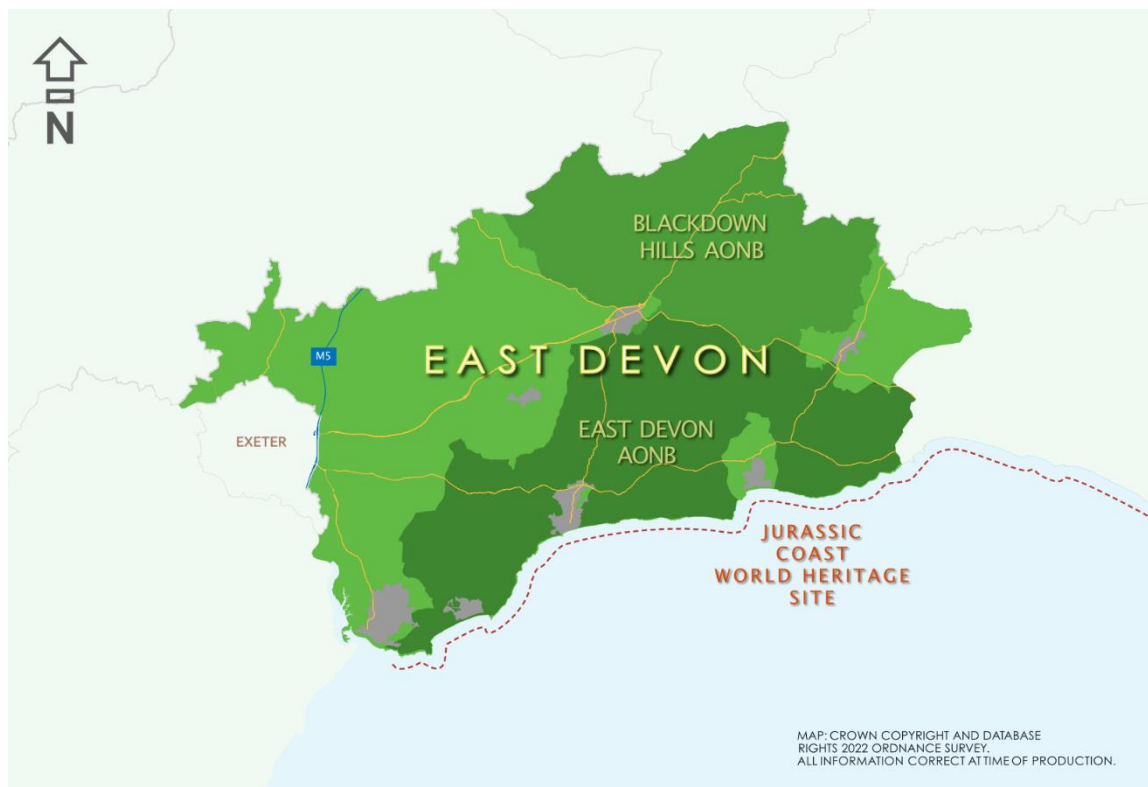
<sup>1</sup> Guidelines for Landscape and Visual Impact Assessment 3rd Edition (Landscape Institute & IEMA, 2013)

## 75. Strategic Policy OL2: National Landscapes (Areas of Outstanding Natural Beauty)

The highest level of protection will be given to the landscape and scenic beauty of the National Landscapes (NL's) in East Devon:

- a) Development in a NL, or outside but affecting its setting or appearance, will only be permitted where it conserves and enhances the character and natural beauty of the NL;
- b) Major development in a NL will only be permitted in exceptional circumstances and where it can be demonstrated to be in the public interest; and
- c) Any relevant National Landscape Management Plans will be a material consideration in decision making.

This policy will also apply to the Heritage Coast.



East Devon has significant National Landscapes (formerly AONB's). Update map to reflect new terminology

### Justification for inclusion of policy

National Landscapes (formerly Areas of Outstanding Natural Beauty) account for around two thirds of the District and cover a number of villages as well as the small town of Budleigh Salterton. There are two NLs in East Devon, the East Devon NL

occupies much of the south of the District, and the Blackdown Hills NL (which although mostly in East Devon also extends into neighbouring mid Devon and Somerset) covering much of the north of the District. It should be noted that a very tiny part of the Dorset NL extends into the extreme east of the District. These areas have the highest level of landscape protection in England, equal to that of National Parks and are designated by the Secretary of State, so the boundaries and statutory protection cannot be amended through the local plan process.

Policy is required to ensure that the District's NLs are protected and conserved in accordance with the Countryside and Rights of Way Act 2000 (CROW Act), Levelling Up and Regeneration Act 2023 and the NPPF.

### **76. Strategic Policy OL3: Coastal Preservation Areas**

Land around the coast and estuaries of East Devon, as identified on the Policies Map, is designated as a Coastal Preservation Area. Development or any change of use will not be allowed if it would damage the undeveloped/open status of the designated area or where visually connected to any adjoining areas.

The Coastal Preservation Area is defined on the basis of visual openness and views to and from the sea. Appropriate proposals which increase public access to the coast will be supported.

### **Justification for inclusion of policy**

The majority of the coastline of East Devon is inscribed by UNESCO as being of international importance, recognised by its status as part of the Jurassic Coast World Heritage Site. Whilst the WHS was chosen for the outstanding value of its rocks, fossils and landforms the wider setting of the cliffs contribute significantly to the landscape (which is, itself, part of the landform). The NPPF (para. 174 c) requires local authorities to "maintain the character of the undeveloped coast, while improving public access to it where appropriate". Policy in the plan protects the character of the undeveloped coast (including the WHS) and designates a Coastal Preservation Area. This local designation is based on a detailed character assessment of undeveloped coast in terms of openness and views to and from the sea.

## 77. Policy OL4: Areas of Strategic Visual Importance

Development proposals will only be permitted where they preserve the visual integrity, identity and scenic quality of the District, in particular by conserving and enhancing key views and views of local landmarks, including those identified in Neighbourhood Plans.

The following view types are considered to be particularly important:

- a. Landmark views to and from viewpoints and tourism and recreational destinations, including the coast, woodland and open countryside;
- b. Views from publicly accessible areas which are within, to or from settlements which contribute to the viewers' enjoyment of the local area;
- c. Views from public rights of way and other publicly accessible areas;
- d. Night-time views of dark skies, particularly where lighting is to be introduced in areas of low existing light pollution; and
- e. Views which include or otherwise relate to specific features relevant to East Devon and its special qualities, such as key landmarks, heritage assets (either in view or the view from) and biodiversity features.

Development proposals should conserve and enhance sequential views, and not result in adverse cumulative impacts within views.

### Justification for inclusion of policy

The purpose of the policy is to ensure that development does not harm important views or landmarks, to encourage conservation and enhancement of key view types and patterns, and to ensure development does not detract from the visual integrity, identity and scenic quality that are characteristic of much of East Devon. Appropriate site based assessment should be undertaken in accordance with the Landscape Institute & Institute of Environmental Managements most up to date guidelines for Landscape and Visual Impact Assessment<sup>2</sup>. A LVIA should be carried out in accordance with these guidelines, and should be proportionate to the size and likely impacts of the scheme. If the applicant can demonstrate to the satisfaction of the local planning authority that an LVIA is not required, a simple landscape assessment may be appropriate.

There are many sources of information which may inform the Assessment including The East Devon and Blackdown Hills Landscape Character Assessment (2019)<sup>3</sup>, What Makes a View (Blackdown Hills AONB, 2013)<sup>4</sup>, the Devon historic environment record<sup>5</sup>, Village Design Statements, Conservation Area Character Appraisals and Management Plans, Local Landscape Character Assessments and Neighbourhood Plans may provide evidence on views and should inform development proposals.

<sup>2</sup> Guidelines for Landscape and Visual Impact Assessment 3rd Edition (Landscape Institute & IEMA, 2013)

<sup>3</sup> [Cover front.indd \(eastdevon.gov.uk\)](http://coverfront.indd (eastdevon.gov.uk))

<sup>4</sup> [what-makes-a-view.pdf \(blackdownhillsaonb.org.uk\)](http://what-makes-a-view.pdf (blackdownhillsaonb.org.uk))

<sup>5</sup> [www.devon.gov.uk/historicenvironment/the-devon-historic-environment-record/](http://www.devon.gov.uk/historicenvironment/the-devon-historic-environment-record/)



This information, together with essential field and desktop studies which are undertaken at an appropriate level to the application, should be provided at the earliest possible stage in the planning application process and would form part of LVIA.

### **78. Policy OL5: Green wedges**

Within Green Wedges, as defined on the Policies Map, development will not be permitted if it would conflict with their purpose which is to prevent the physical or visual coalescence of settlements and maintain a sense of character and identity of those settlements or a sense of intrinsic separation.

Within the Green Wedges permission will only be granted for development where:

- a. it cannot be located elsewhere; and
- b. it would not compromise, individually or cumulatively with other existing or proposed development, the integrity of the green wedge, either by diminishing its physical extent or through visual intrusion.

### **Justification for inclusion of policy**

Green wedges are identified on the policies map. Green wedges are a long-standing local landscape designation that recognises the importance of maintaining open green networks between settlements in close proximity to prevent settlement coalescence in order to maintain a sense of place and identity for local communities. New buildings within the Green Wedge will be restricted to ensure that the openness, role and function of these landscapes are not adversely affected.

Proposals for new buildings will be assessed to ensure that they are proportionate in size and scale in relation to their intended use; in most circumstances, including proposals for new agricultural buildings, evidence may be required to demonstrate the requirement for a building of the size proposed.

Essential infrastructure, such as sewage or water connections, power sources, waste water recycling/treatment sites, electricity substations, new roads, emergency services or telecommunications will be permitted within the green wedge provided it must be situated in the location proposed for connection purposes and the benefits will override the impact on the designation.

Buildings for outdoor sport and recreation will include stabling for horses. Cemeteries, with ancillary buildings, and allotments are also acceptable in principle. The size and scale of these types of development will be judged on a site-by-site basis in relation to their intended use. The Council also recognises that there can sometimes be a need for outbuildings within residential properties because the size or location of the building falls outside of the remit of permitted development. These types of buildings may be used for purposes incidental to the enjoyment of the

dwelling house; it is not intended for the policy to provide new planning units or non-domestic uses within a residential site in the Green Wedge.

The Council supports, in principle, the provision of new buildings for community use including educational facilities that can demonstrate a requirement for a Green Wedge location. This is likely to be due to the location of the community or facility in which it serves.

Economic growth in the Green Wedge, and the re-use of existing buildings for employment purposes is encouraged but new buildings will only be permitted in circumstances where the proposal supports the sustainable growth and expansion of an existing, authorised and viable rural business. The need for the building and its Green Wedge location should be justified. New buildings for start-up businesses will not be permitted in the Green Wedge in order to avoid the proliferation of new buildings which are unconnected to existing sites and uses and may result in harm to the openness and landscape character.

## **79. Policy OL6: Land of Local Amenity Importance or Local Green Space**

This policy will apply to Local Green Spaces, designated through Neighbourhood Plans or SPD (and identified on maps in those documents), and to the established Land of Local Amenity Importance areas (as shown on the Policies Map).

Within the Local Green Space or Land of Local Amenity Importance areas, development will be restricted to those limited types of appropriate development set out below, unless very special circumstances can be demonstrated.

Appropriate development, compatible with the reasons for which the land was designated, is considered to be:

- a) buildings for agriculture and forestry;
- b) provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries and allotments, provided they do not conflict with the purpose of the LGS/LLAI designation;
- c) the extension or alteration of a building provided that it does not result in a disproportionate addition over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same (or a preferable, community use) and not materially larger than the one it replaces.

All development proposals should be carefully designed and managed to minimise visual impact, respect the reasons for which the site was designated, and ensure the continued integrity of the site.

Development proposals outside LLAI or LGS, but conspicuous when viewed from it, should minimise any detrimental impacts to the visual amenity and respect reasons for which the site was designated. Development proposals which improve accessibility to, or enhance the use of LLAI/LGS will be supported.

### **Justification for inclusion of policy**

The policies in this plan provide important protection to the natural environment within East Devon and are likely to help preserve the character and integrity of important green areas within and around the District. However, there is potential for development pressure to erode and impact upon smaller green areas which are particularly important to local communities. This policy seeks to give added protection against development to specific locally valued green areas or open spaces, including those which are identified during the period of this Local Plan.

The Land of Local Amenity Importance designation will convey protection separate to (and in some cases in addition to) the Local Green Space designation which some East Devon communities have identified (and will identify) through Neighbourhood Plans.

Land of Local Amenity Importance is a long standing designation recognising a number of specific small parcels of land highly valued by local communities. The Local Plan recognises the particular visual, and other, importance of 14 sites within 5 of the District's towns and restricts development that is not for a community purpose or that would undermine the open character of the area. The sites are deemed to be locally significant, with opportunities of enhancement to provide multiple benefits, including improved water quality, access, biodiversity, recreational, health and educational benefits.

The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them. It is envisaged that communities will use this designation to formally protect such areas in future, rather than identifying additional Land of Local Amenity Importance. Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. As outlined in national policy, Local Green Space designation should only be used where the green space is in reasonably close proximity to the community it serves; demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value, tranquillity or richness of wildlife; and local in character and is not an extensive tract of land.

As additional Local Green Spaces may be identified during the life of the Local Plan it is not possible to identify these areas on the Policies Map, but the policy will apply to LGS in made Neighbourhood Plans and SPD.

Development within, or in close proximity to the Local Green Space or Land of Local Amenity Importance, should respect reasons for which the site was designed and minimise any impacts on it.

## **80. Policy OL7: Contaminated Land**

Where it is anticipated that contamination may be present on or near to a development site, planning applications should be supported by a proportionate contaminated land assessment. The assessment must:

- a) Identify and characterise the contamination;
- b) Identify the risks; and
- c) Identify remediation and/or mitigation measures if required.

Where identified as necessary, agreed measures must be taken to remediate the site prior to or during development. Ongoing monitoring may also be required.

Development on or in close proximity to active or former waste sites will only be permitted where it can be demonstrated that there will be no harm to future occupiers of the site from leachate or landfill gas or other waste arising

### **Justification for inclusion of policy**

East Devon is fortunate in not having large amounts of contaminated land but where present the safe decontamination of such land can be a desirable outcome that development can help facilitate.

The natural and local environment of East Devon will be enhanced by remediating and mitigating despoiled, degraded, derelict, contaminated or unstable land. The effective re-use of land that has been previously developed (brownfield land) will be encouraged. An application for planning permission must demonstrate that the site is suitable for its new use, taking into account the ground conditions, natural hazards or former activities, the proposals for remediation or mitigation and impacts on the natural environment as well as the water environment. As an absolute minimum, after remediation, land must not be capable of being determined contaminated land under Part 2a of the Environmental Protection Act 1990.

## **81. Policy OL8: Potentially Hazardous Developments and Notifiable Installations**

Proposals for development within a notified consultation zone around a hazardous installation will be permitted only if there is no health and safety risk to that development.

### **Justification for inclusion of policy**

Certain sites and pipelines are designated as notifiable installations by virtue of the quantities of hazardous substance stored or used. The Plan area already contains a number of high-pressure natural gas pipelines and other sites where hazardous substances are stored or used. Whilst they are subject to stringent controls under existing health and safety legislation it is considered prudent to control the kinds of development permitted in the vicinity of notified consultation zones. For this reason the Planning Authority has been advised, by the Health and Safety Executive, of consultation distances for each of these installations. Planning permission for development involving the use, movement or storage of a hazardous substance will not be granted if it would increase the risk to the health and safety of users of the site, neighbouring land or the environment.

## **82. Policy OL9: Control of Pollution**

Permission will not be granted for development which would result in pollution that cannot be adequately mitigated. This will include:

- a) Pollution of the atmosphere by gas or particulates, including: smell, fumes, dust, grit, smoke and soot;
- b) Pollution of surface or underground waters including:
  - 1) Rivers, other watercourses, water bodies and wetlands;
  - 2) Water gathering grounds including water catchment areas, aquifers and groundwater protection areas;
  - 3) Harbours, estuaries or the sea;

- c) Noise and/or vibration;
- d) Light intrusion, where light overspill from street lights or floodlights on to areas not intended to be lit, particularly in areas of open countryside and areas of nature conservation value;
- e) Fly nuisance;
- f) Pollution of sites of wildlife value, especially European designated sites or species;
- g) Odour.

Where there is an identified risk of pollution, new development should be accompanied by a construction environment management plan (CEMP) to include details of protection, mitigation and enhancement measures, including SuDS and how soil will be managed during construction to avoid compaction and sediment laden run-off.

### **Justification for inclusion of policy**

Pollution in the environment has significant implications for people's health and quality of life. The possible pollution effects from proposed development are a material consideration in determining planning applications in so far as they affect development and the use of land. Where the Council considers a proposal may raise such issues the relevant statutory pollution control authorities will be consulted at an early stage.

Where a development proposal may raise potential pollution outcomes the relevant statutory pollution control authority will be consulted at an early stage. Within the powers available to it the Council will control and reduce pollution in the environment. Where external lighting is required as part of a development proposal full details of the proposed lighting scheme will be required to demonstrate that this is the minimum needed for security and working purposes and minimises light pollution from glare and spillage (particularly in areas of open countryside and areas of nature conservation value) and that it will not detract from residential amenity or highway safety. Pollution or nuisance caused by new developments can have significant implications for the health and quality of life of residents. Decision on planning applications will seek to control and reduce environmental impacts or detriment to health or amenity. In particular:

- a) Existing developments must not be put at risk from unacceptable levels of soil, air, water or noise pollution arising from a new development.
- b) New development must be appropriate for the location and the effects of pollution on health, the natural environment and amenity will be taken into account.

- c) An increase in noise level shall not give rise to significant adverse impacts on health, quality of life, or, where appropriate, tranquillity.
- d) The cumulative impacts on air quality shall be taken into account, and developments within Air Quality Management Areas shall be consistent with the local air quality action plan.
- e) The impact of pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation shall be minimised.

Where a development proposal may raise potential pollution outcomes the relevant statutory pollution control authority will be consulted at an early stage. A construction environment management plan (CEMP), to include details of protection, mitigation and enhancement measures, including SuDS and soil and run-off management will be required to inform decision making and ensure that pollution is managed and mitigated in an acceptable way.

Where external lighting is required as part of a development proposal full details of the proposed lighting scheme will be required to demonstrate that this is the minimum needed for security and working purposes and minimises light pollution from glare and spillage (particularly in areas of open countryside and areas of nature conservation value) and that it will not detract from residential amenity or highway safety.

### **83. Policy OL10: Development on High Quality Agricultural Land**

Unless allocated for development under another plan policy, planning permission for development affecting the best and most versatile agricultural land (Grades 1, 2 and 3a) will only be granted if there is an overriding need for the development and either:

- a) Sufficient land of a lower grade (Grades 3b, 4 and 5) is unavailable, or available lower grade land has an environmental value recognised by a statutory wildlife, historic, landscape or archaeological designation outweighing the agricultural considerations. Or
- b) The benefit of the development justifies and clearly outweighs the loss of high quality agricultural land.

If best and most versatile land needs to be developed, and there is a choice between sites in different grades, land of the lowest grade available must be used except where other sustainability considerations, including intrinsic nature conservation value of a site, outweigh land quality issues.

Where best and most versatile land is developed a soil handling plan and sustainable soil management strategy based on detailed soil surveys should be submitted as part of the planning application.

## **Justification for inclusion of policy**

### **Best and most versatile agricultural land**

East Devon contains a substantial amount of agricultural land, much of which is of high quality. Some of the areas of highest quality land are in close proximity to settlements where pressures for development are amongst the greatest. Local Plan policy specifically seeks to conserve and protect the highest grades of agricultural land though this aspiration is balanced against the recognition of the need to accommodate development.

Soils should be valued as a finite multi-functional resource which underpins our wellbeing and prosperity. Decisions about development should take full account of the impact on soils, their intrinsic character and the sustainability of the many ecosystem services they deliver. Where it is proposed to develop best and most versatile agricultural land, a soil handling plan and sustainable soil management strategy based on detailed soil surveys will be required to ensure that detrimental impact is minimised.



## East Devon Local Plan – Topic Paper

### Chapter 12. Caring for our outstanding landscape

October 2024 – Version 01



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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 specifically addresses Chapter 12 of the plan – caring for our outstanding landscape.

## 2 The Publication draft of the Local Plan

- 2.1 At the date that we published this draft topic paper we are moving towards production of the Publication draft of the local plan. There are specific Government regulations<sup>1</sup> that apply to local plan making and these set out actions that need to be undertaken at different regulatory stages (this report specifically relates to Regulations 18, 19 and 20).
- 2.2 The proposed Publication draft text of the local plan will be an edited and amended draft of the consultation draft plan published in November 2022<sup>2</sup>. The draft plan was consulted on under plan making Regulation 18 and it should be noted that further limited additional consultation under this regulation took place in the late Spring of 2024.
- 2.3 The Publication plan, under Regulations 19 and 20, will be made available for any interested party to make representations on. The period for making such representations is currently planned to be from December 2024 to January 2025. The Publication plan, representations received and other relevant paperwork will be submitted for Examination, to a target date of May 2025. One or more Planning Inspectors will undertake the plan examination.
- 2.4 The first drafts of what is proposed to become the Publication plan will be considered by the Strategic Planning Committee of East Devon District Council through 2024. The expectation is that text will then be refined as the year progresses with a view to the Committee being asked to approve the final Publication plan in November 2024.

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<sup>1</sup> [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

<sup>2</sup> [commonplace-reg-18-final-071122.pdf \(eastdevon.gov.uk\)](https://www.eastdevon.gov.uk/commonplace-reg-18-final-071122.pdf)

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### 3 Summary of proposed redrafting of Chapter 12 of the consultation plan

- 3.1 Chapter 12 has been subject to minor changes in response to feedback received and further technical work.

### 4 Issues and options consultation

- 4.1 Prior to production and consultation on the draft local plan the Council consulted on a local plan Issues and Options<sup>3</sup> report. This included a series of questions that respondents and comments were invited on. A feedback report was published<sup>4</sup>.
- 4.2 The consultation set out the importance of protecting our valued landscapes and the potential limitations this may place on how much and where development should be placed. The questionnaire sought views on the levels of restriction that would be favoured. At that time other matters now covered by the policy, such as pollution, land contamination and agricultural land quality, were not consulted on (these policies were proposed later).
- 4.3 The most popular option was allowing for development to meet local needs with 46%. 31% of respondents supported a very restrictive approach. Only a small number of respondents – 7% supported greater levels of development and 5% supported none of the proposed options. A number of people supporting option 2 felt that small scale development could enhance villages and offer opportunities for local self-builders. Many responding with option 1 felt that protected areas were protected for a reason and that large scale growth should be directed to less sensitive areas. Those responding often commented that protected areas could sustain more development if done well and it might rebalance large scale growth in the west end of the district and protect services and facilities.
- 4.4 Lots of other comments were received and are touched on below:
- Neighbourhood Plans need to be taken into account.
  - We need to maintain green spaces in and around villages.
  - East Devon should look into national park designation.
  - Brownfield sites should be considered before greenfield.
  - AONB boundaries are often arbitrarily drawn and there should be a more nuanced test as to whether development is appropriate.

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<sup>3</sup> [issuesandoptionsreport-jan2021.pdf \(eastdevon.gov.uk\)](#)

<sup>4</sup> [2a. Consultation feedback report Ver 03.pdf \(eastdevon.gov.uk\)](#)

## 5 Draft plan consultation

- 5.1 In the draft plan consultation, landscape and soil quality/pollution matters were addressed in Chapter 12. The feedback report, summarising the comments can be read here (starting on page 425) [accessible-reg-18-consultation-feedback-report-spring-2023.pdf](https://www.eastdevon.gov.uk/accessible-reg-18-consultation-feedback-report-spring-2023.pdf) ([eastdevon.gov.uk](https://www.eastdevon.gov.uk)).
- 5.2 Given the wide range of policy matters covered in this chapter, responses were received from a variety of individuals and notable organisations, including Natural England, the AONB teams, National Farmers Union, CPRE and the Environment Agency covering many issues. The policies were overwhelmingly supported, however there was concern that some policies needed to specifically identify the features to be protected (eg individual landscape features) and that, given the scale of some designations, some/more development should be permitted within them. There was also concern that a new town and additional development in the West End of the District would be likely to take place on the highest quality agricultural land, given that most undeveloped land in that area is grade 1, 2 or 3a. It was also pointed out that, within areas protected for their landscape/visual/amenity value there is scope to carry out climate change mitigation and to deliver biodiversity and green infrastructure and these issues aren't currently covered by policy.
- 5.3 It is advised that the Council are undertaking detailed site assessment work (with landscape being a specific focus). This work is being undertaken with support and advice from the Council's Landscape Architect and with reference to the Devon and Local Landscape Character Areas. The evidence to date and to be produced will be considered to be robust.

## 6 Further Regulation 18 consultation Spring 2024

- 6.1 At the time of drafting this report further Regulation 18 consultation on selected topic matters was taking place. Two landscape matters, Green Wedges and the Coastal Preservation Area were amongst matters being consulted on. Should other matters pertaining to landscape be noted in feedback they will be reported on in any redrafting.

### 6.2 Coastal Preservation Areas

In the draft local plan policy wording was suggested but the potential boundary shown on the map was taken from the existing, adopted local plan. It was made clear that further assessment work would need to be undertaken and an updated boundary would be consulted on once that work had been undertaken. In line with an updated methodology, that work has now been completed and the proposed new boundary was consulted on in Spring 2024. Almost 500 responses were received.

Most responses related to the appropriateness of allocating sites for development within the CPA, with mixed views as to whether these sites should be excluded from the boundary or not allocated at all. Generally, the CPA as a policy approach was viewed extremely positively and development in it was viewed very negatively. There were also a number of general comments

regarding the CPA policy and requests for the boundary to be amended to include/exclude specific areas of land.

### 6.3 Green Wedges

In the draft local plan policy wording was suggested but the potential boundaries shown on the map were taken from the existing, adopted local plan. It was made clear that further assessment work would need to be undertaken and updated boundaries would be consulted on once that work had been undertaken. Members subsequently agreed that the existing local plan boundaries, and green wedge equivalent boundaries in made neighbourhood plans, should form the basis of this consultation. Around 700 responses were received.

As with the CPA boundaries, most responses related to the appropriateness of allocating sites for development within the Green Wedges, with mixed views as to whether these sites should be excluded from the boundary or not allocated at all. Generally, the Green Wedge policy approach was viewed extremely positively and development in it was viewed very negatively. There were also a number of general comments regarding the policy and requests for the boundaries to be amended or green wedges to be identified in additional locations.

## 7 Sustainability Appraisal feedback

- 7.1 The draft local plan was supported by a Sustainability Appraisal<sup>5</sup> (SA). This SA will be updated and refined as plan making progresses and it will be one of the documents that is submitted as part of the submission for Examination.
- 7.2 The policies in this Chapter cover a range of landscape, natural environment, pollution and agricultural land quality matters. In all cases, the proposed policies were considered preferable to the alternatives due to numerous and wide ranging benefits relating to biodiversity, landscape, the historic and built environment, land/water resources and health. The specific alternatives that were assessed, and the reasons for their dismissal, are as follows (Note- all of the policies were assessed but alternatives were only considered where they were specifically identified in the consultation plan) :
- Do not include a policy to protect **landscape features** – this alternative would result in some uncertainty on the positive effects for objective 2, so is rejected.
  - Do not include a policy to protect **AONBs** – although AONBs are afforded protection in legislation and by the NPPF, given that two thirds of East Devon is designated as AONB, this alternative could reduce the positive effects and cause uncertainty.
  - Do not have **green wedges** – this alternative is rejected as it would result in negative effects on landscape (objective 2) as could potentially lead to settlement coalescence. It would also have less positive effects in relation to associated benefits of green wedges, such as flood management, recreation and biodiversity.

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<sup>5</sup> [sa-of-pos-consultation-draft-lp\\_2022.pdf \(eastdevon.gov.uk\)](#)

- Have more extensive **green wedges** – this is rejected as it would go beyond the area of land required to avoid settlement coalescence and protect the character of settlements in close proximity to each other, and would lead to negative impacts on housing (objective 8) and employment land (objective 11) delivery.
- Do not include a policy on **land of local amenity importance or Local Green Space** – this would cause negative uncertain effects on biodiversity (objective 1) and landscape (objective 2), due to potential for the 14 areas designated as land of local amenity important to be under pressure from development given their location in settlement boundaries; and less positive effects in relation to the policy approach in areas designated as Local Green Space. Therefore, this alternative is rejected.

## 8 Habitat Regulation Assessment

- 8.1 The local plan will need to be assessed under the Habitat Regulations. An preliminary assessment of policies in the draft plan has been produced – [east-devon-local-plan-hra-110723-2013-doc-from-footprint.pdf \(eastdevon.gov.uk\)](#)

## 9 Assessment of policies in chapter 12

- 9.1 Chapter 12 of the draft plan set out a series of policies that are reviewed below.



**General issues raised on Chapter 12**

The importance of, and need to protect, the natural environment and high quality landscapes in East Devon was supported very strongly. Many respondents, at all stages of plan making, reiterated this and it was raised as a consideration in response to many of the policies in the Plan (not just those in Chapter 12).

The Policies in this Chapter focus on protecting areas, features and matters of particular environmental importance, whether they are identified specifically on the policies map or not. The need to safeguard natural resources was raised as a significant issue and the plan includes policies to protect agricultural land, particularly for future food production, avoid or remediate contaminated land and prevent pollution, in addition to policies protecting green space, special features, landscapes and coastal areas.

**Key technical evidence sources**

Landscape Features, Areas of Strategic Visual Importance, Green Wedges, Areas of Outstanding Natural Beauty:  
Guidelines for Landscape and Visual Impact Assessment 3rd Edition (Landscape Institute & IEMA, 2013)

[Countryside and Rights of Way Act 2000 \(CROW Act\)](#)

[East Devon and Blackdown Hills Landscape Character Assessment](#)

[what-makes-a-view.pdf](#) ([blackdownhillsaonb.org.uk](#))

[www.devon.gov.uk/historicenvironment/the-devon-historic-environment-record/](#)

Local Green Spaces:

[Made Neighbourhood Plans](#)

<https://www.gov.uk/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space>

Hazardous developments and notifiable installations:

<https://www.gov.uk/guidance/hazardous-substances>

<https://www.hse.gov.uk/landuseplanning/methodology.htm>

Contamination:

<https://www.gov.uk/guidance/land-affected-by-contamination>

<https://www.legislation.gov.uk/ukpga/1990/43/part/IIA>

Control of Pollution:

<https://www.legislation.gov.uk/ukpga/1974/40>

<https://www.gov.uk/guidance/pollution-prevention-for-businesses>

Best and most versatile agricultural land:

<https://www.gov.uk/government/publications/agricultural-land-assess-proposals-for-development/guide-to-assessing-development-proposals-on-agricultural-land>

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Issues and options consultation

Question 20 sought views on the levels of restriction that would be favoured.

The most popular option was allowing for development to meet local needs with 46%. 31% of respondents supported a very restrictive approach. Only a small number of respondents – 7% supported greater levels of development and 5% supported none of the proposed options. A number of people supporting option 2 felt that small scale development could enhance villages and offer opportunities for local self-builders. Many responding with option 1 felt that protected areas were protected for a reason and that large scale growth should be directed to less sensitive areas. Those responding to question 3 often commented that protected areas could sustain more development if done well and it might rebalance large scale growth in the west end of the district and protect services and facilities.

Lots of other comments were received under option 4 and are touched on below:

- Neighbourhood Plans need to be taken into account
- We need to maintain green spaces in and around villages
- East Devon should look into national park designation
- Brownfield sites should be considered before greenfield
- AONB boundaries are often arbitrarily drawn and there should be a more nuanced test as to whether development is appropriate.

Officer commentary in response:  
The responses were taken into account in writing the Chapter 12 policies.

<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>• The Policies in this Chapter were strongly supported. There were some requests for wording changes and minor additions but overall the policies were seen as very important to maintaining a high-quality environment.</li> <li>• Numerous respondents supported the protective nature of the landscape policies but felt these were at odds with other policies of the Plan, particularly those supporting or allocating additional housing, employment or solar development. The sentiment was that these will inevitably lead to the loss of greenfield sites and will impact on the visual appearance and character of the landscape.</li> </ul> <p>Woodbury Parish Council submit nine maps showing where and how the countryside should receive further protection across the parish and beyond, by increasing public footpaths, quiet lanes, public open space, green wedges, public access woodland.</p>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>• The responses were noted and the policy amendments were incorporated where it was felt that they positively contributed to the aims of the policy or for clarity.</li> <li>• It is acknowledged that development will inevitably change the character and appearance of the landscape, however these protective policies are intended to ensure that this is done in an acceptable way.</li> <li>• Woodbury PC are in the process of producing a neighbourhood plan and have been advised that they can protect these features through local policies.</li> </ul>
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>• None raised at this time</li> </ul>	
<p>Sustainability Appraisal</p>	
<ul style="list-style-type: none"> <li>• See Sustainability Appraisal table below.</li> </ul>	<ul style="list-style-type: none"> <li>• No specific matters raised.</li> </ul>
<p>Habitat Regulations Assessment</p>	

Key issues raised in consultation: <ul style="list-style-type: none"> <li>No general concerns raised.</li> </ul>	Officer commentary in response: <ul style="list-style-type: none"> <li>No comments.</li> </ul>
<b>Commentary on policy redrafting for the Publication Plan</b>	
There were no changes required as a consequence of general observations about the Chapter.	

<b>Strategic Policy 74 – Landscape Features</b>	
<p>This overarching policy aims to protect important features in the landscape, whether designated or not. A key objective of the Local Plan is to conserve and enhance the environment, the landscape, historic character and archaeological value and its wildlife, agricultural, recreational and natural resource value of countryside areas. This policy establishes that all development in the countryside should have regard to the District Landscape Characterisation Assessment (LCA), so as to take account of the different roles and character of different areas and be accompanied by a proportionate Landscape Appraisal.</p>	
<b>Key technical evidence sources</b>	
<p>Guidelines for Landscape and Visual Impact Assessment 3rd Edition (Landscape Institute &amp; IEMA, 2013)  <a href="#">Countryside and Rights of Way Act 2000 (CROW Act)</a>  <a href="#">East Devon and Blackdown Hills Landscape Character Assessment what-makes-a-view.pdf (blackdownhillsaonb.org.uk)</a>  <a href="http://www.devon.gov.uk/historicenvironment/the-devon-historic-environment-record/">www.devon.gov.uk/historicenvironment/the-devon-historic-environment-record/</a></p>	
<b>Issues and options consultation</b>	
See General Issues above.	
<b>Draft Plan Consultation</b>	
Key issues raised in consultation:	Officer commentary in response:

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- The policy is considered to be important by respondents and most comments expressed concern that new development could be detrimental to important landscape features and/or suggested additional features to be included in policy.
- The East Devon AONB team support this policy.
- Devon County Council recommend the policy is amended to refer to “valued landscape attributes” and “special features and qualities” as evidenced in the Devon-wide Landscape Character Assessment.

More detailed points included:

- High quality landscape is vital to East Devon's economy, sense of place and at the root of wellbeing in the District. Protecting and enhancing must have a very high priority in the Plan.
- A number of respondents felt that proposals for new development undermine countryside protection policies.
- A large area of countryside will be lost to the new town and this was considered to conflict with countryside protection objectives.
- Disingenuous to suggest that developing greenfields will provide more green space.
- This policy should make clear that it applies to all proposed developments including land allocations and proposed development put forward through the LP.
- The landscape, countryside and rural area should be protected from light pollution and development detrimental to tranquillity.

- The importance and support for this policy are noted. There is an extensive list of features and considerations that respondents have suggested should be taken into account and it is considered that a comprehensive list of these would be excessive and unnecessary. Instead, a more succinct, but all encompassing, policy wording would ensure that all of these important considerations can be taken into account on a case-by-case basis.
- Policy has been amended to refer to valued landscape attributes and special features and qualities as evidenced in the Devon-wide Landscape Character Assessment
- The Environmental Improvement Plan and Plan Biosecurity Strategy are recognised and supported however they are not directly related to this policy and applicants can't be required to adhere to them
- It is agreed that a more appropriate approach is for the applicant to demonstrate through a landscape appraisal that development would protect and enhance features and qualities that contribute to the character of East Devon's landscapes and not harm the distinctive landscape, amenity and environmental qualities within which it is located, having regard to the relevant published Landscape Characterisation Assessments as a basis for understanding, maintaining and enhancing local distinctiveness and landscape character.

<ul style="list-style-type: none"><li>• Need to refer to the Environmental Improvement Plan being published in Jan' 2023. Sitting at the heart of the government's Environment Act, its targets will include; to halt the decline in species populations by 2030, restore precious water bodies to their natural state; and boost nature recovery by increasing tree and woodland cover.</li><li>• Need to refer to the Plant Biosecurity Strategy published 9th January 2023. The strategy sets out how more than 30 signatories, including Defra, the Royal Horticultural Society, National Farmers Union and the Woodland Trust, will deliver an ambitious programme of behavioural change across society through the Public Engagement in Plant Health Accord.</li><li>• Climate change and protection of habitat should be prioritised</li><li>• The text refers to landscape appraisal/LVIA, it is suggested that further guidance be prepared on what will be required to demonstrate that a development will protect and enhance features.</li><li>• All High Distinctiveness Habitat should be strongly protected and not just trees and hedgerows or Irreplaceable Habitat.</li><li>• There is no need to include Best and Most Versatile Agricultural Land in this list given that it is covered by '83. Policy - Development on High Quality Agricultural Land'.</li><li>• Support protection of trees and hedgerows. Replacement will not compensate for loss of mature trees or ancient hedgerows.</li></ul>	
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- Concern that trees and hedgerows are removed without penalty, and that replacement/mitigation isn't properly monitored or enforced.
- Archaeological features should be referred to.
- Sites should not be allocated within the AONB's.
- Important lowland heath should be referred to.
- There is no commitment to control solar farm developments. Developers are taking advantage of the maximum size allowed before government approval required.
- Concern was specifically raised in respect of landscape features on, or around, sites at Littleham, Exmouth, Whimple, Colyton, Yarty Valley and the Axe Valley.
- Devon Wildlife Trust consider that the list of features that contribute to the nature and quality of East Devon's landscapes should be expanded to include wildlife corridors which must not be subject to impacts from lighting. Furthermore, the list should include 'the development must deliver a minimum 20% biodiversity net gain'. They also provide specific suggested policy wording amendments.
- A developer recommends criterion a) is deleted as it conflicts with policy 85 which priorities protection of certain trees rather than all trees; and sometimes tree removal can be beneficial.
- A developer states the provision of homes and employment carries substantial weight in the planning balance when considered against the lack of robust housing and employment land supply in EDDC and across



<p>the subregion. This policy needs to be applied flexibly in recognition of this shortfall; this is especially the case in areas outside of the AONB which are less sensitive to change.</p>	
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<ul style="list-style-type: none"> <li>This policy was not consulted on at this time</li> </ul>	
<p>Sustainability Appraisal</p>	
<p>See Sustainability Appraisal table below.</p>	
<p>Habitat Regulations Assessment</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>No concerns were raised.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>No response/actions identified as needed. Comments noted Environmentally positive policy that will protect rural areas from development.</li> </ul>
<p>Commentary on policy redrafting for the Publication Plan</p>	
<p>Redrafted policy title:</p> <ul style="list-style-type: none"> <li>Policy OL 01 – Landscape features</li> </ul>	
<p>The policy has been rewritten so that it no longer lists a wide range of considerations but, instead sets out four key areas which applicants should address. It requires applicants to submit a proportionate Landscape Appraisal to demonstrate how the policy requirements will be met and advises applicants to have regard to the Landscape Character Assessments in doing so. This approach is supported by the Council’s Landscape Architect and Development Management Team as being rigorous enough to ensure that landscape features are adequately protected without being unduly prescriptive or onerous.</p>	

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<b>Strategic Policy 75 – Areas of Outstanding Natural Beauty (National Landscapes)</b>	
Policy is required to ensure that the District’s AONBs/National Landscapes are protected and conserved in accordance with the Countryside and Rights of Way Act 2000 (CROW Act), Levelling Up and Regeneration Act 2023 and the NPPF.	
Policy ensures that the highest level of protection is given to AONB’s/National Landscapes and development within or affecting them will only be permitted where it conserves and enhances the natural beauty of the designated area.	
<b>Key technical evidence sources</b>	
Guidelines for Landscape and Visual Impact Assessment 3rd Edition (Landscape Institute & IEMA, 2013) <a href="#">Countryside and Rights of Way Act 2000 (CROW Act)</a> <a href="#">East Devon and Blackdown Hills Landscape Character Assessment what-makes-a-view.pdf (blackdownhillsaonb.org.uk)</a> <a href="http://www.devon.gov.uk/historicenvironment/the-devon-historic-environment-record/">www.devon.gov.uk/historicenvironment/the-devon-historic-environment-record/</a> <a href="https://national-landscapes.org.uk/">https://national-landscapes.org.uk/</a> <a href="https://www.devon.gov.uk/news/areas-of-outstanding-natural-beauty-are-now-national-landscapes/">https://www.devon.gov.uk/news/areas-of-outstanding-natural-beauty-are-now-national-landscapes/</a> Major Developments in National Landscapes paper- Appendix 1 (to be added when available)	
<b>Issues and options consultation</b>	
See General Issues above	
<b>Draft Plan Consultation</b>	
Key issues raised in consultation: <ul style="list-style-type: none"> <li>• Policy is well supported. Numerous respondents expressed concern about the quality/quantity and impact of new development on the AONB’s.</li> <li>• The East Devon AONB team support this policy and the justification paragraphs 12.4, 12.5 and 12.9 supporting local landscape character assessments and LVIA’s but</li> </ul>	Officer commentary in response: <ul style="list-style-type: none"> <li>• The importance and support for this policy is noted.</li> <li>• Some respondents have suggested changes that go beyond the scope of the Local Plan, for example presuming against all new development in the AONB/National Landscape, reviewing the boundaries (this can only be done by the Secretary of State).</li> </ul>

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would encourage a clarification of how the setting of an AONB is considered.

More detailed comments included:

- The Blackdown Hills AONB Partnership welcomed the reference to AONB management plans and the AONB Teams are happy to work with officers to refine and develop the policy further. They request clarification on defining the setting of the AONBs, and also how it will be determined whether development proposals could affect the special qualities of an AONB.
- The National Farmers Union state within the landscape protection these areas are granted, it is vital that these farm businesses are allowed to develop where needed, in order to remain viable. Within this policy there should be specific provision for what agricultural businesses deliver for the AONBs in terms of landscape management and development that allows them to continue should have specific regard.
- Devon County Council state the third bullet point should refer to scope for mitigation and whether there is potential for significant effects to reflect the NPPF.
- Lyme Regis Town Council support protection of areas through AONB status but do not support national park designation for either East Devon or neighbouring parts of Dorset.
- A number of respondents felt that sites in, or impacting on, AONBs should not be allocated. Some additional comments said that no major development should be

- There is an extensive list of matters that respondents have suggested should be reflected in policy and it is considered that a comprehensive list of these would be excessive and unnecessary. Instead, a more succinct, but all encompassing, policy wording reflects the requirements of the NPPF and ensures that impact on the AONBs/National Landscapes can be taken into account on a case-by-case basis.

<p>considered in the AONB and that this is not in the public interest and/or exceptional circumstances should not apply. Point 3 should make clear that major development should not be permitted within the AONB.</p> <ul style="list-style-type: none"><li>• Prominent new development, within and/or highly visible from, the AONB is not supported. Anything visible from an AONB must be rigorously analysed for visual impact prior to planning approval, as per latest govt. guidelines</li><li>• The Policy should make clear that it applies to all proposed developments including land allocations and proposals in the Local Plan.</li><li>• The landscape, countryside and rural area should be protected from light pollution.</li><li>• Several respondents said that allowing developments that impact upon the AONB on the basis of their economic benefit is not justified.</li><li>• Many areas outside AONBs are just as beautiful and being overdeveloped (Hawkchurch and Whimble were given as examples). These areas require protection too. AONBs should take a greater share of this rural development.</li><li>• AONBs need appropriate development to enable a mixed demographic, local employment etc. Limiting development in such areas produces a huge demographic imbalance and divorce young families from their extended families and support networks. This is socially damaging.</li><li>• Why do the AONB's have such a high degree of protection given their limited public access and a lack of public facilities.</li></ul>	
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- The Local Plan should allow absolutely no development beyond the settlement boundaries (eg Sidmouth, Sidford, & Sidbury) otherwise there is a real threat to the AONB. Recent developments on edges of towns have encroached on the AONB.
- There should be a review of the AONB boundaries urgently and additional land should be brought into the protection of the AONB where appropriate.
- The impact of the Levelling Up and Regeneration Bill currently going through parliament should be fully assessed before committing to damaging allocations in AONB's.
- All of the construction will cause adverse effects on the AONBs from increased emissions for the next 20+ years.
- Tourism is a major source of income to our area but developing the AONBs will deter visitors
- Monitoring development in AONB and enforcing conditions is important
- The AONB forms part of the UNESCO World Heritage Site along the Jurassic Coast and needs protecting from further development. The South West Coast Path is an important walkway for all ages and also needs its access protecting for future generations
- Accepting that some AONB development is needed, this should be sensitively designed small scale development rather than large housing estates of repetitive styles. Large allocations are not supported as more modest scale and higher quality would sit better within the landscape.

<ul style="list-style-type: none"> <li>Some representations referred to specific proposed site allocations, for example at Whimble, Colyton, Sidmouth and Exmouth. These matters will be considered as part of the site specific considerations.</li> </ul>	
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<p>This policy was not subject to consultation at that time</p>	
<p>Sustainability Appraisal</p>	
<p>See Sustainability Appraisal table below.</p>	
<p>Habitat Regulations Assessment</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>No concerns were raised.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>No response/actions identified as needed. Comment advised AONB management plans will be integral to decision making.</li> </ul>
<p>Commentary on policy redrafting for the Publication Plan</p>	
<p>Redrafted policy title:</p> <ul style="list-style-type: none"> <li>Strategic Policy OL 02 – National Landscapes (Areas of Outstanding Natural Beauty)</li> </ul> <p>The policy has undergone revision. It has been rewritten to reflect the change of name so that it now refers to National Landscapes (although AONB is still acknowledged in the title as that terminology was still being used in the NPPF at the time of policy writing).                  The requirement for a Landscape and Visual Impact Assessment has been deleted as this duplicates the requirement in the Landscape Features policy that will apply to all applications (noting that the requirement is proportionate, so a very light touch assessment may apply eg in urban areas).                  The requirement for development in an AONB to be appropriate to the economic and environmental wellbeing of the area or promote understanding or enjoyment of the AONB has been deleted as this would preclude certain types of appropriate development eg social housing. Instead, the AONB/NL management plans will be a material consideration and their stance on these matters will inform decisions on a case-by-case basis.                  This approach is supported by the Council’s Landscape Architect and Development Management Team.</p>	

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<b>Strategic Policy 76 – Coastal Preservation Areas</b>
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page	<p>The majority of the coastline of East Devon is inscribed by UNESCO as being of international importance, recognised by its status as part of the Jurassic Coast World Heritage Site. Whilst the WHS was chosen for the outstanding value of its rocks, fossils and landforms the wider setting of the cliffs contribute significantly to the landscape (which is, itself, part of the landform). The NPPF (para. 174c) requires local authorities to “maintain the character of the undeveloped coast, while improving public access to it where appropriate”. Alongside other local authorities in Devon, the councils have decided to define the Undeveloped Coast through policy designation, to allow the consistent application of this NPPF principle. Policy in the plan protects the character of the undeveloped coast (including the WHS) and designates a Coastal Preservation Area. This local designation is based on a detailed character assessment of undeveloped coast in terms of openness and views to and from the sea.</p> <p>In East Devon the Undeveloped Coast is designated as Coastal Preservation Area (CPA) in the Local Plan. The CPA is a longstanding designation that has featured in several adopted Local Plans (including the current one). The CPA is a policy to protect the finite resource of the undeveloped coast from development. Restrictions against development in CPAs are stronger than those for Areas of Outstanding Natural Beauty (AONBs). Areas for inclusion within the CPA should be substantially unaffected by development, and should be generally either visible from cliff top, beach, sea or estuary, or form part of the view from significant lengths of an access road, public footpath or bridleway leading to the coast or from the long-distance coastal footpath. The Review ensured that areas within the CPA meet these requirements.</p>
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<b>Key technical evidence sources</b>
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<p>12<sup>th</sup> March 2024 Strategic Planning Committee <a href="#">Agenda item - Coastal Preservation Area Policy Boundaries in the new Local Plan - East Devon</a></p> <p>Coastal Preservation Area Review- Methodology and Assessment Findings is attached at appendix 2.</p>
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<b>Issues and options consultation</b>
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<p>See General Issues above.</p>
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Draft Plan Consultation

Key issues raised in consultation:

- The policy is well supported with a general opinion that coastal preservation areas should not be built in

More detailed comments included:

- The Environment Agency consider it would be good if the policy included an additional ‘purpose’ of the green wedges to help communities to adapt and be more resilience to climate change should be added.
- Devon County Council are not aware of the detailed assessment (paragraph 12.7) but note landscape character is broader than openness and views to and from the sea only.
- Coastal areas must be protected for wildlife as well as people - every effort should be made to make sure that marine and coastal wildlife is not adversely affected by changes (increases) in human activity - eg increased noise, lighting, movement or pollution of coastal area.
- Although public access is important, owners of dogs are frequently insensitive to the need to control them to avoid disturbance to species of biodiversity importance or to other non dog owners. This includes damage caused by dog fouling.
- Appropriate proposals for increased public access must exclude access that adversely affects existing homes and infrastructure
- Is there potential conflict between this policy and the rural farm diversification policy?

Officer commentary in response:

- The Policy has not been amended as it is considered that, as worded, it achieves the objective of maintaining the character of the undeveloped coast.
- The text has made clear that a review of the CPA extent will be undertaken to ensure that the area it relates to remains appropriate. For the purposes of the consultation the existing, adopted policy map indicates the broad area which is likely to be protected.



- The policy should be strengthened. Some housing allocations will destroy the openness to and from the sea and so should not be allowed. Has this been assessed?
- Anything affecting the health and biodiversity of the coast, as well as the views, should be included in its protection. Sewage, road and agricultural run-off should not be permitted to enter the rivers or sea.
- Concern that the scale of development proposed is going to cause sewage overflows onto all the surrounding coastal areas.
- The coast of East Devon is unique in its visual and geological form, it needs to be carefully managed and protected to ensure it continues to be a valuable attraction for visitors - as well as providing vital habitat for biodiversity.
- Visual openness is extremely important to those who wish to enjoy the coast path and country walks.
- A review is long overdue. Past errors, and intrusive development, should be corrected.
- Much of our coastline is protected by ownership e.g. the National Trust, but the need to prevent overdevelopment and inappropriate development is clear.
- It is unclear from the Policies Maps where the boundary of the CPA lies around the area of Seaton Hole. The mudstone cliffs must be protected as they are prone to collapse from above as well as from coastal erosion from below. Policy should recognise that water flows from above must be identified and managed properly as well as proper

<p>building controls ie risk assessment for proposed groundwork and heavy plant usage near these cliffs.</p> <ul style="list-style-type: none"> <li>• Littleham brook (north of Maer lane) should be within the CPA. This whole area represents a significant and necessary floodplain for runoff for this side of Exmouth.</li> </ul>	
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>• Summary: The responses to the question about the proposed Coastal Preservation Area (CPA) reveal a strong sentiment towards protecting and preserving coastal areas in East Devon. Many respondents express concerns about development within these areas, emphasizing the importance of maintaining natural beauty, wildlife habitats, and recreational spaces. There are also significant worries about infrastructure capacity, particularly regarding roads, sewage systems, and local services. While some support the proposed CPA extensions, others feel the area is too large or may hinder necessary development. The comments reflect a tension between preservation and development needs, with many calling for a balanced approach that prioritizes environmental protection.</li> </ul> <p>Key points raised, in order of frequency:</p> <p><i>Environmental and landscape protection</i></p> <ul style="list-style-type: none"> <li>• Importance of preserving natural beauty, wildlife habitats, and biodiversity</li> <li>• Calls to protect green spaces and farmland</li> <li>• Concerns about irreversible damage to ecosystems</li> </ul> <p><i>Opposition to development in CPA/protected areas</i></p>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>• The high level of support for the Coastal Preservation Area policy is welcomed. A rigorous methodology has been followed in designating the area and the high degree of protection it confers will address many of the respondents concerns about development within these areas and loss of landscape character, habitat etc.</li> <li>• It is not considered necessary to amend the CPA boundary or the policy in light of the responses.</li> <li>• <b>It should be noted that, at the time of writing, SPC had yet to determine the approach to be followed with regard to allocating development sites in the Coastal Preservation Area and whether, if sites are to be allocated, the boundary should be redrawn to exclude them or the policy amended to allow for this. The boundaries and/or the policy may, therefore, be subject to change.</b></li> <li>• Note- a large number of responses were submitted in relation to potentially allocating sites for development within the CPA. The policy implications were considered in redrafting this policy, however individual matters raised were considered on a site specific basis, rather than being addressed here.</li> </ul>

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<ul style="list-style-type: none"><li>• Criticism of considering development in preserved areas</li><li>• Concerns about setting precedents for future development</li><li>• Calls to maintain existing CPA boundaries</li></ul> <p><i>Infrastructure concerns</i></p> <ul style="list-style-type: none"><li>• Inadequate roads, schools, healthcare facilities, and sewage systems</li><li>• Inability of current infrastructure to support additional housing</li><li>• Specific concerns about sewage treatment and water management</li></ul> <p><i>Recreational value and public access</i></p> <ul style="list-style-type: none"><li>• Importance of maintaining areas for walking, cycling, and public enjoyment</li><li>• Value of open spaces for community well-being and mental health</li></ul> <p><i>Support for CPA expansion or maintenance</i></p> <ul style="list-style-type: none"><li>• Calls to extend or maintain current CPA boundaries</li><li>• Recognition of the CPA's importance for future generations</li></ul> <p><i>Local character and tourism</i></p> <ul style="list-style-type: none"><li>• Concerns about overdevelopment impacting local character</li><li>• Importance of preserving natural areas for tourism</li></ul> <p><i>Traffic and congestion issues</i></p> <ul style="list-style-type: none"><li>• Worries about increased traffic on local roads</li><li>• Existing congestion problems, particularly in Exmouth</li></ul> <p><i>Affordable housing and development needs</i></p> <ul style="list-style-type: none"><li>• Recognition of housing needs, particularly for local and young people</li><li>• Calls for focus on brownfield sites or urban extensions instead of CPA areas</li></ul>	
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<p><i>Criticisms of CPA extent or implementation</i></p> <ul style="list-style-type: none"> <li>Concerns that proposed CPA is too large or extends too far inland</li> <li>Questions about the criteria used for CPA designation</li> </ul>	
<p><b>Sustainability Appraisal</b></p>	
<p>Outcome of sustainability appraisal:</p> <p><b>Preferred alternative:</b> Option A. Include a Coastal Preservation Areas policy and identify on the Policies Map.</p> <p><b>Reasons for alternatives being preferred or rejected:</b> Option A. Include a Coastal Preservation Areas policy and identify on the Policies Map is preferred due to major positive effects upon biodiversity, landscape, and the historic environment, along with minor positive effects on climate change adaptation, land resources, and health and well-being</p>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>This is the option that has been agreed.</li> </ul>
<p><b>Habitat Regulations Assessment</b></p>	
<p>Key issues raised in consultation: No concerns were raised.</p>	<p>Officer commentary in response: No response/actions identified as needed.</p>
<p><b>Commentary on policy redrafting for the Publication Plan</b></p>	
<p>Redrafted policy title:</p> <ul style="list-style-type: none"> <li>Strategic Policy OL 03 – Coastal Preservation Areas</li> </ul>	
<p>The Policy has not been amended. A detailed assessment has been undertaken and this has confirmed the area that it is appropriate to designate. The wording as proposed achieves the NPPF objectives- to maintain the character of the undeveloped coast, while improving public access to it where appropriate.</p>	

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**Strategic Policy 77 – Areas of Strategic Visual Importance**

The purpose of the policy is to ensure that development does not harm important views or landmarks, to encourage conservation and enhancement of key view types and patterns, and to ensure development does not detract from the visual integrity, identity and scenic quality that are characteristic of much of East Devon.  
 The policy requires an appropriate site based assessment to be undertaken in most cases.

**Key technical evidence sources**

Guidelines for Landscape and Visual Impact Assessment 3rd Edition (Landscape Institute & IEMA, 2013)  
[Countryside and Rights of Way Act 2000 \(CROW Act\)](#)  
[East Devon and Blackdown Hills Landscape Character Assessment what-makes-a-view.pdf \(blackdownhillsaonb.org.uk\)](#)  
[www.devon.gov.uk/historicenvironment/the-devon-historic-environment-record/](http://www.devon.gov.uk/historicenvironment/the-devon-historic-environment-record/)

**Issues and options consultation**

See General Issues above.

**Draft Plan Consultation**

<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>The policy is well supported with numerous comments that views are important to local and District character. It was also noted that views were considered important in Neighbourhood Plan consultation feedback.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>Support for this policy is welcomed. Various changes to the policy have been suggested including the need to map the views and to expand the considerations to take account of further factors. Conversely, some respondents felt that harm to views should not be assessed on a</li> </ul>
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- The East Devon AONB team support the Policy but are unclear as to how these ‘strategic’ areas or view type have or will be identified and mapped and how they will be evidenced in respect of any particular development. They are happy to work with Policy officers to develop this Policy further to enable the key view ‘types’ or areas across the AONBs to be identified.

More detailed comments included:

- Several respondents refer to the need to prevent light, noise and/or substance pollution and enforce if necessary.
- EDDC must insist that areas of strategic importance are preserved. There should be no exceptions to this.
- An exception should be made for solar and wind farms which may impact visually on a landscape, but are too important to be turned down solely for this reason.
- The Blackdown Hills AONB Partnership would like clarity as to how the ‘strategic’ areas/views have been identified and whether they can be mapped and be evidenced in respect of any particular development. They recognise that views are a special AONB quality and are happy to work with officers to develop this policy further.
- Need clarity as to how these views are different to point j. in policy 74.
- Support reference to the study 'what makes a view' in paragraph 12.9, but need to clarify that it is Blackdown Hills AONB specific.

cumulative basis and that change should not always be considered harmful.

- Given the high quality of East Devon’s landscape and the numerous important views and vistas it is not considered possible to identify them individually or comprehensively on a map. In any case, impact will vary depending on the height and type of development and different vantage points.
- It is considered that, as written, the policy is sufficiently comprehensive and robust that decision makers could apply it on a case-by-case basis and identify relevant views and features that are specifically relevant to a proposal.

- Policies need to be strengthened and written specifically into Policy 32 to prevent future industrialisation of the countryside.
- AONB landscapes require particular protection and are of high visual importance
- The new town is contrary to this policy as it will cause light pollution, noise pollution, traffic pollution and a detriment to the enjoyment of the area.
- Anything affecting the health and biodiversity of the coast, as well as the views, should be included in its protection. Sewage, road and agricultural run-off should not be permitted to enter the rivers or sea.
- Development will damage landscapes even if visual impact is low.
- Specific views were referred to, including Woodland Trust's new woodland at Yonder Oak, Whimble and Littleham and the Maer Valley in Exmouth.
- Agents for Bourne Leisure objects to policy noting it refers to “key views and views of local landmarks” but without specifically identifying or designating them. Items a and b of draft Policy 77 are particularly concerning, as a judgment will need to be made without any proper consideration at the plan-making stage. This will create inconsistent decision-making and will not provide certainty for applicants or the local community. Bourne Leisure requests that draft Policy 77 is removed from the Plan or is reworded to address the concerns. They also advise policy also references “cumulative impacts within views”. Existing development needs to be taken as the baseline for the built

<p>environment and provides the context for assessing new/additional development. Applications for extensions should not lead to the Council re-assessing the harm of existing developments, as this is the wrong starting point and may inadvertently rule out needed and sustainable development.</p> <ul style="list-style-type: none"> <li>• Barratt Homes and Vistry object to policy wording, which fails to recognise that changes to views may not always result in a negative or adverse impact on that view.</li> <li>• The effect of this policy would be to prevent the vast amount of development as Landscape Institute guidelines interpret any change as being harmful – therefore amend wording to ensure landscape has an appropriate weight in the planning balance.</li> <li>• Policy should be applied flexibly, especially outside AONB's, in recognition of the shortfall in employment land (but also housing land) in EDDC and across the sub-region</li> </ul>	
<p><b>Supplementary Regulation 18 consultation Spring 2024</b></p>	
<ul style="list-style-type: none"> <li>• This policy was not consulted on at this time</li> </ul>	
<p><b>Sustainability Appraisal</b></p>	
<p>See Sustainability Appraisal table below.</p>	
<p><b>Habitat Regulations Assessment</b></p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>• No concerns were raised.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>• No response/actions identified as needed.</li> </ul>



<b>Commentary on policy redrafting for the Publication Plan</b>	
Redrafted policy title: <ul style="list-style-type: none"> <li>• Policy OL 04 – Areas of Strategic Visual Importance</li> </ul>	
It is considered that, as written, the policy is sufficiently comprehensive and robust that decision makers could apply it on a case-by-case basis and identify relevant views and features that are specifically relevant to a proposal. The policy has been amended to specifically refer to Neighbourhood Plans as some have identified key views and these should be recognised in decision making.	

<b>Strategic Policy 78 – Green Wedges</b>	
Green wedges are a long-standing local landscape designation that recognises the importance of maintaining open green networks between settlements in close proximity, in order to prevent settlement coalescence and maintain a sense of place and identity for local communities. New buildings within the Green Wedge will be restricted to ensure that the openness, role and function of these landscapes are not adversely affected. Green wedges are identified on the policies map.	
<b>Key technical evidence sources</b>	
3 <sup>rd</sup> October 2023 Strategic Planning Committee <a href="#">Agenda item - Methodology for the designation of Green Wedges in the new local plan - East Devon</a> 13 <sup>th</sup> February 2024 Strategic Planning Committee <a href="#">Agenda item - Designation of Green Wedges in the new Local Plan - East Devon</a> 30 <sup>th</sup> April 2024 Strategic Planning Committee <a href="#">Agenda for Strategic Planning Committee - East Devon</a>	
<b>Issues and options consultation</b>	
See General Issues above.	
<b>Draft Plan Consultation</b>	
Key issues raised in consultation: <ul style="list-style-type: none"> <li>• The policy for protection of green wedges was well supported, however numerous respondents expressed</li> </ul>	Officer commentary in response: <ul style="list-style-type: none"> <li>• A methodology for the assessment of Green Wedges was produced following the Draft Plan consultation and assessments were</li> </ul>

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concern that existing green wedges are being eroded and coalescence is already taking place/will take place as a result of proposed allocations.

More detailed comments include:

- Existing Green Wedges have been ignored while considering proposed development sites. It is contradictory to allocate housing in existing green wedges, especially where appeals have been won on the basis of the protective designation.
- The proposed policy is weaker than the existing policy, which should be retained.
- Green wedges aren't necessary. Landscape harm, the loss of recreational spaces, and harm to ecology can be addressed without the need for this blanket policy approach. Each application should be assessed on its merits and within these more sensitive areas they can be informed as necessary by landscape and visual appraisals and detailed ecological assessments. They can then be judged on the appropriate balance of harm and benefits.
- Development on a Green Wedge is likely to cause loss of agricultural land, impacting food security
- Development on a Green Wedge will have a detrimental effect on the wildlife and biodiversity of the area. Within GW's there should be at least 10 % net gain for biodiversity from pre development baseline, using the metrics set out in the Environment Bill (2021)"
- Sports provision in Green Wedges are likely to require lighting which will affect the flight paths of bats.

undertaken in accordance with this methodology.

Following further refinement, an updated methodology was produced which focussed on maintaining separation between settlements, and protecting the character of those settlements, rather than the wider range of purposes that featured in the Draft Plan.

Members agreed that the existing Green Wedge boundaries (as per the adopted Local Plan), along with any equivalent policy areas in made Neighbourhood Plans, met the aims of the methodology and so should be retained for the Supplementary Regulation 18 consultation in Spring 2024.

- The Policy has been amended so that it focusses on maintaining separation between settlements and protecting the character of those settlements in order to maintain a sense of place and identity for local communities.
- Whilst other purposes, including those previously covered by the policy and those suggested in responses, may be desirable, they are considered to be secondary to the fundamental aims of the green wedge and there is no strategy for their delivery, and therefore have been deleted from the policy.

- The Policy should be fully adhered to there should not be any exceptions.
- Concern was expressed that some existing green wedges are not effective (as development is being allowed in them)
- Links between settlements, eg tree-lined cycle/footpaths are essential/are acceptable within GW's
- If Green Wedge land is lost then compensatory provision should be made on adjacent land.
- Important policy for the creation of place, identity, landscape, habitat, active travel and recreation opportunity.
- Smaller green wedges even within major housing developments, are crucial in providing access to open space and in their ability to protect existing habitats ( hedgerows, trees) and to allow net gain on site
- Should have same status as Green Belt.
- Existing green wedges are not large enough to create a meaningful gap that separates settlements and should be much larger where possible.
- Green Wedges should provide wildlife corridors between and into settlements. Woodlands should have a 50m buffer from new developments and a target of 30% canopy cover in new developments. Existing trees, hedges and other bio-diverse habitats should be enhanced in new developments in order to allow for this permeability between sites.
- Development within green wedges should only be allowed in exceptional circumstances and then it should be minimal and not detract from the landscape.

<ul style="list-style-type: none"> <li>• Neighbourhood Plans received a lot of community support for Green Wedges and these areas (eg Sidmouth-Sidbury, West Hill to Ottery St Mary and Beer to Seaton) warrant protection in the local plan. Urban sprawl should not be permitted in these areas.</li> <li>• Additional Green Wedges are required. Farringdon (and other villages affected by the new town), Clyst Honiton, Cranbrook, Exmouth, Colyton, Sidbury, Sidford, Lymptone, around Woodbury Common and Whimble were specifically suggested as locations to be considered for new or additional GW's.</li> <li>• Devon Wildlife Trust advise We would like to see the addition of a further requirement: 'Development within Green Wedges must deliver a minimum 25% biodiversity net gain'.</li> <li>• Broadclyst Parish Council - The Council does not agree with the statement that development in Green Wedges will be supported if it cannot be located elsewhere, and that it would not compromise, individually or cumulatively with other existing or proposed development, the integrity of the green wedge, either by diminishing its physical extent or through visual intrusion. The protection to land identified as a Green Wedge must be sacrosanct and upheld without exception.</li> </ul>	
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<p>Key issues raised in consultation:</p>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>• The high level of support for the Green Wedge policy is welcomed.</li> </ul>

The responses to this question overwhelmingly oppose including new housing or employment development within Green Wedges. Most respondents view Green Wedges as important areas that should be protected from development to maintain separation between settlements, preserve local character, and protect the environment. There is strong sentiment against redrawing Green Wedge boundaries to accommodate development, as many feel this would undermine the purpose and integrity of Green Wedges. A small minority support some limited development within Green Wedges or redrawing boundaries in certain circumstances.

The policy was well supported although some responses suggested that the terminology may need to be clarified.

Key points raised, in order of frequency:

*Opposition to any development in Green Wedges*

- Green Wedges should be protected from all development
- Development would undermine the purpose of Green Wedges

*Opposition to redrawing Green Wedge boundaries*

- Redrawing boundaries would set a precedent for future erosion
- Changing boundaries undermines the integrity of Green Wedges

*Environmental and landscape protection*

- It is not considered necessary to amend the Green Wedge boundaries further in light of the responses. The separation and settlement character protection that designation confers will address many of the respondents concerns about development within these areas and loss of landscape character, green space etc
- **It should be noted that, at the time of writing, SPC had yet to determine the approach to be followed with regard to allocating development sites in the Green Wedges and whether, if sites are to be allocated, the boundaries should be redrawn to exclude them or the policy amended to allow for this. The boundaries and/or the policy may, therefore, be subject to change**
- Note- a large number of responses were submitted in relation to potentially allocating sites for development within the Green Wedges. The policy implications were considered in redrafting this policy, however individual matters raised were considered on a site specific basis, rather than being addressed here.
- The Policy wording has been simplified as a result of the consultation. The second paragraph was felt to be ambiguous and difficult to understand. It has been rewritten for clarity.

<ul style="list-style-type: none"> <li>• Preserving wildlife habitats and biodiversity</li> <li>• Maintaining green spaces for wellbeing and climate reasons</li> </ul> <p><i>Preserving settlement identity and character</i></p> <ul style="list-style-type: none"> <li>• Preventing coalescence of settlements</li> <li>• Maintaining distinct local identities</li> </ul> <p><i>Support for excluding development from Green Wedges</i></p> <ul style="list-style-type: none"> <li>• Green Wedges should be redrawn to exclude proposed development sites</li> </ul> <p><i>Infrastructure and service concerns</i></p> <ul style="list-style-type: none"> <li>• Inadequate roads, schools, healthcare facilities</li> <li>• Concerns about increased traffic and congestion</li> </ul> <p><i>Limited support for some development in Green Wedges</i></p> <ul style="list-style-type: none"> <li>• Some respondents open to limited or carefully managed development</li> </ul> <p><i>Calls for expanding or strengthening Green Wedges</i></p> <ul style="list-style-type: none"> <li>• Suggestions to extend existing Green Wedges</li> <li>• Calls for stronger protections for Green Wedges</li> </ul> <p><i>Concerns about housing needs and affordability</i></p> <ul style="list-style-type: none"> <li>• Recognition of housing needs, but not at expense of Green Wedges</li> <li>• Suggestions to focus on brownfield sites or existing urban areas</li> </ul> <p><i>Confusion or disagreement with the question</i></p> <ul style="list-style-type: none"> <li>• Some respondents found the question unclear or disagreed with its premise</li> </ul>	
Sustainability Appraisal	
Outcome of sustainability appraisal:	Officer commentary in response:

<p><b>Preferred alternative:</b> Option A. Retain Green Wedges from the adopted East Devon Local Plan 2013-31, with minor adjustments</p> <p><b>Reasons for alternatives being preferred or rejected:</b></p> <ul style="list-style-type: none"> <li>Option A. 'Retain Green Wedges from the adopted East Devon Local Plan 2013-31, with minor adjustments' is preferred as it is likely to have major positive effects on biodiversity, landscape, historic and built environment, and land resources, with a minor positive effect on health and well-being, by protecting relatively large areas of land from development.</li> <li>Option B. 'Smaller Green Wedges, compared to the adopted East Devon Local Plan 2013-31' is rejected as the environmental benefits are less than Option A, whilst also impeding housing and employment development albeit to a lesser degree than Option A.</li> <li>Option C. 'Do not include a policy on Green Wedges' is rejected due to negative effects on biodiversity, landscape, historic and built environment, and land resources.</li> </ul>	<ul style="list-style-type: none"> <li>The preferred option is the alternative which is proposed in the Regulation 19 Plan</li> </ul>
<p>Habitat Regulations Assessment</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>No concerns were raised.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>No response/actions identified as needed.</li> </ul>
<p>Commentary on policy redrafting for the Publication Plan</p>	
<p>Redrafted policy title:</p> <ul style="list-style-type: none"> <li>Policy OL 05 – Green Wedges</li> </ul>	

The Policy focusses on maintaining separation between settlements and protecting the character of those settlements in order to maintain a sense of place and identity for local communities. Development will be permitted where it cannot be located elsewhere and will not compromise the integrity of the Green Wedge. The reasoned justification provides for detail as to how the policy will be implemented. The Proposals Map identifies the extent of the Green Wedges based on the areas identified in the current, adopted Local Plan and the equivalent policy areas identified in made Neighbourhood Plans.

### Strategic Policy 79 – Land of Local Amenity Importance or Local Green Space

This policy ensures that a number of smaller, locally important green spaces are given particular protection due to their value to local communities. Land of Local Amenity Importance is a long standing designation recognising 14 specific small parcels of land in 5 of the towns with particular visual, and other, importance and restricts development that is not for a community purpose or that would undermine the open character of the area. The sites are deemed to be locally significant, with opportunities of enhancement to provide multiple benefits, including improved water quality, access, biodiversity, recreational, health and educational benefits.

Local Green Space is designated through local and neighbourhood plans and allows communities to identify and protect green areas of particular importance to them. It is envisaged that communities will use this designation to formally protect such areas in future, rather than identifying additional Land of Local Amenity Importance as the Local Green Space designation is recognised nationally. Local Green Space designation should only be used where the green space is in reasonably close proximity to the community it serves; demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value, tranquillity or richness of wildlife; and local in character and is not an extensive tract of land. As additional Local Green Spaces may be identified during the life of the Local Plan it is not possible to identify these areas on the Policies Map, but the policy will apply to LGS in made Neighbourhood Plans and SPD.

#### Key technical evidence sources

Neighbourhood Plans are the main source of information relating to Local Green Space.

#### Issues and options consultation

See General Issues above.

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Draft Plan Consultation

Key issues raised in consultation:

- The policy was well supported although some responses suggested that the terminology may need to be clarified.

More detailed points included:

- The Environment Agency comment that these spaces will be crucial in helping communities to adapt and be more resilient to climate change.
- Policy is ambiguous. Unclear it relates to green space “on the ground”, whether it is publicly-accessible or it relates to spaces between (and including?) buildings that are simply visible. It may duplicate Policy 77 and unclear whether it includes trees.
- Policy should apply environmental criteria in addition to visual ones and these spaces should include at least 10 % net gain for biodiversity from pre development baseline, using the metrics set out in the Environment Bill (2021)
- Don’t want local amenities, prefer a more isolated lifestyle.
- LGS and LLAI are needed for human and biological protection.
- Maps need to be improved and policy should say the areas are under review. LGS and LLAI should be listed.
- Housing allocations threaten some of these areas eg Mear Valley and Littleham Fields at Exmouth, contrary to this policy.
- Neighbourhood Plan policies relating to LGS and LLAI should be referred to

Officer commentary in response:

- It is not considered that Policy requires significant amendment in light of feedback. It is, however, proposed to include buildings for agriculture or forestry in the list of acceptable uses within LLAI/LGS to enable privately owned land to be appropriately managed
- LLAI are identified on the Proposals Map as longstanding designations. It is not proposed to add any additional areas during the Plan period. LGS are not mapped as it is anticipated that further designations will be made throughout the Plan period.
- It is not proposed to identify further LLAI and the procedure for identifying Local Green Space is set out in National Planning Guidance, so it is not for the LPA to set additional criteria or vary the process

<ul style="list-style-type: none"> <li>• Devon Wildlife Trust advise We would like to see the addition of a further requirement: ‘Development within LLAI or LGS must deliver a minimum 25% biodiversity net gain’.</li> <li>• Broadclyst Parish Council - The Council does not agree with the statement that development in Local Green Space or Land of Local Amenity Importance areas, development will be restricted to those limited types of appropriate development set out below, unless very special circumstances can be demonstrated. Local Green Space or Land of Local Amenity Importance areas must be protected from development without exception or exemption.</li> </ul>	
Supplementary Regulation 18 consultation Spring 2024	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>• This Policy was not subject to consultation at this time</li> </ul>	
Sustainability Appraisal	
See Sustainability Appraisal table below.	
Habitat Regulations Assessment	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>• No concerns were raised.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>• No response/actions identified as needed.</li> </ul>
Commentary on policy redrafting for the Publication Plan	
<p>Redrafted policy title:</p> <ul style="list-style-type: none"> <li>• Policy OL 06 - Land of Local Amenity Importance or Local Green Space</li> </ul>	

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The policy relating to LLAI is longstanding and widely supported. It is now proposed to expand the policy to include Local Green Space as the aims and reasons for designating are the same. It is not considered that the policy needs to be amended, beyond adding forestry and agricultural buildings as acceptable in principle within them.

### Strategic Policy 80 – Contaminated Land

This Policy aims to ensure that despoiled, degraded, derelict, contaminated or unstable land is remediated or mitigated through the development process. The Plan supports the effective re-use of land that has been previously developed (brownfield land) but it is essential that the site is demonstrably safe and suitable for its new use, taking into account the ground conditions, natural hazards or former activities, the proposals for remediation or mitigation and impacts on the natural environment.

#### Key technical evidence sources

Contamination:

<https://www.gov.uk/guidance/land-affected-by-contamination>

<https://www.legislation.gov.uk/ukpga/1990/43/part/IIA>

#### Issues and options consultation

See General Issues above.

#### Draft Plan Consultation

Key issues raised in consultation:

- The Environment Agency comment that the policy could specify that the purpose of the policy is to protect the water environment as well as human health.

Officer commentary in response:

- The Policy has been amended to refer to a proportionate assessment and monitoring (if necessary) being required.
- The reasoned justification has been expanded to include reference to the water environment.

- |  |  |
|--|--|
| <ul style="list-style-type: none"><li>• Exmouth Town Council and several other respondents agree with policy.</li><li>• How can you do this if you want to build everywhere?</li><li>• Should stop plan until current plan expires in 2030.</li><li>• Very happy with this chapter but will it be applied because contradicts a strategic site allocation elsewhere in plan.</li><li>• Policy does not recognise contamination from agricultural activity.</li><li>• A few respondents raised the need to consider decontamination of waste from low carbon technologies including batteries.</li><li>• Hundreds of acres will be contaminated by solar and energy storage companies when technology becomes obsolete – bonds need to be required by EDDC to cover future costs of contamination.</li><li>• Decontamination of land must be properly recorded and monitored.</li><li>• A Few respondents felt that brownfield development should be prioritised.</li><li>• New town is too close to landfill site and Hill Barton Business Park with its noise pollution and unpleasant odours and particulates.</li><li>• There is lots of contaminated land to the west of East Devon affecting Option 1 of the new town and bad smells which would affect the new town.</li><li>• Good aspirations but monitoring and enforcement are biggest issues.</li></ul> | <ul style="list-style-type: none"><li>• Concern regarding potential contamination from renewable technologies is noted for consideration in formulating the renewables policies.</li></ul> |
|--|--|

<ul style="list-style-type: none"> <li>• Harm to people needs to be considered properly, not just trying to build houses everywhere.</li> <li>• Two proposed new town options are on landfill sites.</li> <li>• Denaturing contamination would add to development costs and disincentivise brownfield development.</li> <li>• Contamination of former Seaton gas works has not been fully investigated but nearby development has commenced.</li> </ul>	
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>• This Policy was not subject to consultation at this time</li> </ul>	
<p>Sustainability Appraisal</p>	
<p>See Sustainability Appraisal table below.</p>	
<p>Habitat Regulations Assessment</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>• No concerns were raised.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>• No response/actions identified as needed.</li> </ul>
<p>Commentary on policy redrafting for the Publication Plan</p>	
<p>Redrafted policy title:</p> <ul style="list-style-type: none"> <li>• Policy OS 07 – Contaminated Land</li> </ul>	
<p>The policy is a longstanding one and is based on legislative requirements. It has been slightly amended to ensure that it is not unduly onerous and can be properly implemented.</p>	

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### Strategic Policy 81 – Potentially Hazardous Developments Notifiable Installations

The Plan area contains a number of ‘notifiable installations’ including high-pressure natural gas pipelines and other sites where hazardous substances are stored or used. They are subject to stringent controls under existing health and safety legislation and it is considered prudent to control the kinds of development permitted in the vicinity of notified consultation zones to ensure that development is not permitted if it would increase the risk to the health and safety of users of the site, neighbouring land or the environment.

#### Key technical evidence sources

Hazardous developments and notifiable installations:

<https://www.gov.uk/guidance/hazardous-substances>

<https://www.hse.gov.uk/landuseplanning/methodology.htm>

#### Issues and options consultation

See General Issues above.

#### Draft Plan Consultation

Key issues raised in consultation:

- The Environment Agency support this policy.
- Exmouth Town Council and one other agree with policy.
- Battery energy storage systems are hazardous and need to be classified as such in the local plan.
- Support policy and should apply to pipes from waste to heat plants and high-tension power cables.
- Add to policy wording ‘or adjacent land x metres’

Officer commentary in response:

- The Health and Safety Executive determine the types of installation which are considered to be hazardous and set out the distances which apply. No changes are therefore proposed to the Policy.

<ul style="list-style-type: none"> <li>• Who decides what is a health and safety risk and how great it is?</li> <li>• Why build when it is dangerous to health? You don't have to build and build.</li> </ul>	
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>• This Policy was not subject to consultation at this time</li> </ul>	
<p>Sustainability Appraisal</p>	
<p>See Sustainability Appraisal table below.</p>	
<p>Habitat Regulations Assessment</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>• No concerns were raised.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>• No response/actions identified as needed.</li> </ul>
<p>Commentary on policy redrafting for the Publication Plan</p>	
<p>Redrafted Policy title:</p> <ul style="list-style-type: none"> <li>• Policy OS 08 - Potentially Hazardous Developments Notifiable Installations</li> </ul>	
<p>No changes are proposed to the Policy as it reflects the Health and Safety Executive guidance and it is that body which determines the types of installation which are considered to be hazardous and set out the distances which apply.</p>	

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**Strategic Policy 82 – Control of Pollution**

<p>Environmental pollution has significant implications for people's health and quality of life. This Policy ensures that the possible pollution effects from proposed development are controlled and reduced in accordance with advice from the relevant statutory pollution control authority.</p>	
<p><b>Key technical evidence sources</b></p>	
<p>Control of Pollution:  <a href="https://www.legislation.gov.uk/ukpga/1974/40">https://www.legislation.gov.uk/ukpga/1974/40</a>  <a href="https://www.gov.uk/guidance/pollution-prevention-for-businesses">https://www.gov.uk/guidance/pollution-prevention-for-businesses</a></p>	
<p><b>Issues and options consultation</b></p>	
<p>See General Issues above.</p>	
<p><b>Draft Plan Consultation</b></p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>The Environment Agency are satisfied that this policy includes the basic elements we would want to see in a pollution control policy, particularly regarding pollution of surface or ground waters. However, the policy says that permission will not be granted to proposal that will result in 'unacceptable' levels of pollution. It is not clear how an 'unacceptable' level of pollution would be defined. The policy should be clear that new proposals will be expected to not cause pollution of air, land, or water and that any unavoidable impacts will be adequately mitigated. To address this the policy should require new development to be accompanied by a construction environment management plan (CEMP). The CEMP would need to cover SuDS and soil management during construction to avoid compaction and sediment laden run-off. Paragraph</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>This is a longstanding, well supported policy.</li> <li>Reference to 'acceptable' pollution has been deleted as that was imprecise and confusing. Instead reference is made to mitigation of pollution.</li> <li>The wording has been updated to reflect the concerns of the Environment Agency. It now refers to the need for a CEMP where there is an identified risk of pollution</li> <li>Reference to harm to residents and the natural environment has been deleted as it is recognised that pollution can have wider ranging impacts.</li> </ul>

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12.29 states that ‘possible pollution effects from proposed development can be a material consideration’. We recommend that this is amended to be less ambiguous so that ‘can be’ is replaced by ‘are’. Paragraph 185 of the NPPF is clear that likely effects on pollution should be considered.

- Natural England recommend that this pollution policy is strengthened to recognise the importance of environmental assets such as clean water and air to the natural environment and local communities. Policy should seek to protect habitats from water-related impacts and where appropriate seek enhancement. We would expect this policy to address the impacts of air quality on the natural environment. In particular, it should address the traffic impacts associated with new development and proposals which are likely to generate additional nitrogen emissions as a result of increased traffic generation or from agricultural development which can be damaging to the natural environment.
- Exmouth Town Council ask who defines acceptable levels and whether policy can be used to address issues with South West Water.
- Support policy.
- Several respondents queried the definition of what is ‘acceptable’.
- How can you do this?
- Most important but developers are allowed to evade and SWW cannot refuse – EDDC need to protect residents by applying.

- Need to apply to battery energy storage systems and large agricultural units.
- This should be a top priority.
- Should be enforced.
- Too many properties are not connected to the mains sewers.
- No indication of what an unacceptable level of pollution is – all pollution is unacceptable.
- Need to consider, manage and minimise air pollution (traffic, solid fuel burning) noise pollution (traffic), water pollution (plastic and microplastic, sewage and farm waste) light pollution (streetlights, domestic lighting, commercial buildings).
- Battery energy storage systems are ecological disasters in the making and plan should assess.
- Can policy be used to address Southwest Water mismanagement?
- River pollution big issue in East Devon.
- Does item 1 include wood burning stoves?
- Needs to be stronger to address river pollution.
- Need to keep storm water separate from sewage.
- Should not allow developments near watercourses.
- Point 5 should refer to all insects, not just flies.
- There is no acceptable level of pollution.
- New town option 1 too close to Hill Barton, which already causes problems for residents.
- Where will sewage/drainage be discharged?

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<ul style="list-style-type: none"> <li>• Should not interfere and cause damage to humans and environment.</li> <li>• Pollution should be barrier to development, including from additional traffic and affecting water environment.</li> <li>• More air and sea pollution will be caused by scale of development proposed at Exmouth.</li> <li>• Agents for Bourne Leisure endorse the principle of draft Policy 82, but requests that ‘visitors’ is added to the policy wording to ensure that adequate amenity protection is provided for visitors to East Devon as well as residents and the wider environment.</li> <li>• Barratt Homes and Vistry feel that policy should be reworded because new development should be self-sustaining and should not be required to correct existing pollution issues.</li> </ul>	
<p><b>Supplementary Regulation 18 consultation Spring 2024</b></p>	
<p>This Policy was not subject to consultation at this time</p>	
<p><b>Sustainability Appraisal</b></p>	
<p>See Sustainability Appraisal table below.</p>	
<p><b>Habitat Regulations Assessment</b></p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>• No concerns were raised.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>• No response/actions identified as needed. However, it was advised in comment - Policy does make specific mention of wildlife sites, noting European designated sites and species. However , this is too general to be taken into account as mitigation and screened in (following People</li> </ul>

	Over Wind). Policy could potentially be improved by removing reference to European wildlife sites, given text is so vague and issues covered in more detail in later policies.
<b>Commentary on policy redrafting for the Publication Plan</b>	
Redrafted Policy title: <ul style="list-style-type: none"> <li>• Policy OS 09 – Control of Pollution</li> </ul>	
The Policy has been amended to reflect the feedback from the Environment Agency, in particular. Whilst it was considered to be acceptable in its previous format, the changes will ensure that potential sources of pollution are clearly identified, managed and appropriately mitigated.	

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<b>Strategic Policy 83 – Development on High Quality Agricultural Land</b>	
This Policy is intended to protect the best and most versatile agricultural land in East Devon. Some of the areas of highest quality land are in close proximity to settlements where pressures for development are amongst the greatest. Local Plan policy specifically seeks to conserve and protect the highest grades of agricultural land though this aspiration is balanced against the recognition of the need to accommodate development.	
<b>Key technical evidence sources</b>	
Best and most versatile agricultural land: <a href="https://www.gov.uk/government/publications/agricultural-land-assess-proposals-for-development/guide-to-assessing-development-proposals-on-agricultural-land">https://www.gov.uk/government/publications/agricultural-land-assess-proposals-for-development/guide-to-assessing-development-proposals-on-agricultural-land</a>	
<b>Issues and options consultation</b>	
See General Issues above.	

Draft Plan Consultation

Key issues raised in consultation:

- The Policy was well supported. There was an overriding concern that food production should be prioritised over other uses.

More specific points included:

- Natural England advise that soils should be valued as a finite multi-functional resource which underpins our wellbeing and prosperity. Decisions about development should take full account of the impact on soils, their intrinsic character and the sustainability of the many ecosystem services they deliver. This policy could be made more robust by requiring relevant development to incorporate a soil handling plan and sustainable soil management strategy based on detailed soil surveys.
- National Farmers Union state food security and securing the provision of an acceptable level of home produced food is critical for the nation and with future challenges and the impact of climate change this will only become more vital. Therefore support policy
- One respondent stated that, whilst no-one wants to see the loss of greenfields, given the need for housing the policy was as balanced as it could be.
- Conflict between areas suitable for high fruit/vegetable productivity (eg the very fertile low lying pebblebed soils) and suitability for solar farms. They should be protected for food production.

Officer commentary in response:

- The Policy is generally supported and meets the requirements of the NPPF.
- The wording of the first paragraph has been reordered so that it reads more clearly. References to agricultural and forestry use have been deleted as they are covered by the requirement for ‘an overriding need’ for the development.
- The requirement for a soil handling plan and sustainable soil management strategy has been added

- High value cropping systems with minimal tillage should be encouraged to prevent silt entering rivers due to historic style ploughing eg Exe is being silted up
- Land management plans should be required to slow down water flow and enable capture of silt from eroding farmland. There seem to be few references to this in the plan.
- A number of respondents felt that there is no justification for loss of best and most versatile agricultural land, especially given the uncertainty of future food production.
- It is inappropriate to allocate sites in the Local Plan for development without undertaking a full assessment of the agricultural quality in terms of Grades 1, 2, 3a and possible 3b. Such an assessment will help the authority to determine if the benefits of the development justifies and clearly outweighs the loss of high quality agricultural land needed for food security.
- Grade 3b should be included as Best and Most Versatile. It is capable of greater output in times of drought and climate change than higher grades.
- No justification to develop any agricultural land apart from the provision of agricultural workers accommodation but only if unavailable on or nearby the farms.
- It is right that allocated development do not need to justify the loss of high quality agricultural land. Sites have been allocated due to the strategic benefits that can be delivered and should not therefore need to justify the principle of development relative to the quality of the agricultural land to be lost. This could otherwise unduly delay and

overcomplicate the delivery of these sites, if not potentially prejudice their delivery.

- The policy is weak and open to exploitation. Greater clarity as to what “overriding need” means.
- Food security is as important as energy security. We may not be able to import the bulk of our food into the future.
- Include a section on rewilding/biodiversity net gain of 3,4 and 5 Grade land, and encourage eco-tourism. This forms part of the BNG mitigation hierarchy within the Environment Act 2020.
- Development allocations, and allowing solar farms, run counter to this policy.
- All existing agricultural land within the West side of East Devon, i.e. Farringdon, will be replaced by new houses
- C G Fry object to blanket prohibition that has not been evidenced. This risks delivery of development that will support the strategic outcomes of the draft plan. Should be redrafted to reflect NPPF paragraph 174 b.
- Barratt Homes and Vistry suggest that the requirement that development will only be permitted on the best and most versatile land where land of a lower grade is unavailable is ambiguous because it does not confirm the way in which the assessment should be undertaken.
- Broadclyst Parish Council - Policy 83, development on High Quality Agricultural Land is not supported. It is felt that the policy wording is too vague and that it offers too many opportunities to be overridden.
- Clyst Honiton Parish Council is concerned that the development of a new town will require the development of

<p>high-quality agricultural land. They believed that the environmental impact of developing this land should be carefully considered.</p> <ul style="list-style-type: none"> <li>The provision of homes and employment carries substantial weight in the planning balance when considered against the lack of robust housing and employment land supply in EDDC and across the subregion. This policy needs to be applied flexibly in recognition of this shortfall; this is especially the case in the western side of the District where development is clearly focused.</li> </ul>	
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<p>This Policy was not subject to consultation at this time</p>	
<p>Sustainability Appraisal</p>	
<p>See Sustainability Appraisal table below.</p>	
<p>Habitat Regulations Assessment</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>No concerns were raised.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>No response/actions identified as needed.</li> </ul>
<p>Commentary on policy redrafting for the Publication Plan</p>	
<p>Redrafted policy title:</p> <ul style="list-style-type: none"> <li>Policy OS 10 – Development on High Quality Agricultural Land</li> </ul>	
<p>The policy has been slightly redrafted to make it clearer and avoid duplication. An additional requirement has been added for development on best and most versatile agricultural land to be accompanied by a soil handling plan and sustainable soil management strategy to ensure that harm to soil is minimised, in recognition of it's importance as a finite resource.</p>	

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<b>Policy omissions from Chapter 12</b>	
It is not considered that there is a need for additional landscape policies in the Plan.	
<b>Key technical evidence sources</b>	
None have been identified	
<b>Issues and options consultation</b>	
See General issues above.	
<b>Draft Plan consultation</b>	
Key issues raised in consultation: <ul style="list-style-type: none"> <li>• Calls for - new landscape protection areas to further defend our special place from more development. What about wider buffer zones to Woodbury common, protecting special views and nature corridors and designating green wedges</li> <li>• Rewilding should be encouraged through policy</li> <li>• Whereas many other planning authorities refer to 'blue corridors' in their local plans, there is no mention of these as such in the East Devon local plan.</li> </ul>	Officer commentary in response: <ul style="list-style-type: none"> <li>• Policies in the Plan already address landscape protection, landscape features, green wedges and views.</li> <li>• Rewilding is not encouraged as such, however the Plan does require biodiversity net gain so development should result in an overall improvement to habitat availability and quality.</li> <li>• Blue corridors are not specifically protected, however there are policies in the Plan which cover a range of protections to the District's waterways and the land adjoining them- including environmental, habitat, water quality and accessibility.</li> </ul>
<b>Supplementary Regulation 18 consultation Spring 2024</b>	
Key issues raised in consultation:	
<ul style="list-style-type: none"> <li>• None specifically.</li> </ul>	
<b>Sustainability Appraisal</b>	

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See Sustainability Appraisal table below.	•
<b>Habitat Regulations Assessment</b>	
Key issues raised in consultation: <ul style="list-style-type: none"> <li>• No concerns were raised.</li> </ul>	Officer commentary in response: <ul style="list-style-type: none"> <li>• No response/actions identified as needed.</li> </ul>
<b>Commentary on policy redrafting for the Publication Plan</b>	
Insert succinct summary commentary here on how, taking all of the above into account, this policy has been redrafted and why etc.	

### Sustainability Appraisal

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Policy number/title: <ul style="list-style-type: none"> <li>• 74. Policy – Landscape features</li> <li>• 75. Policy – Areas of Outstanding Natural Beauty</li> <li>• 76. Policy – Coastal Preservation Areas</li> <li>• 77. Policy – Areas of Strategic visual importance</li> <li>• 78. Policy – Green wedges</li> <li>• 79. Policy – Land of local amenity importance or Local Green Space</li> <li>• 80. Policy – Contaminated land</li> <li>• 81. Policy – Potentially hazardous developments notifiable installations</li> <li>• 82. Policy – Control of pollution</li> <li>• 83. Policy – Development on high quality agricultural land</li> </ul>	
Outcome of sustainability appraisal:  <b>Preferred alternative:</b> Policies 74 – 83	Officer commentary in response: <ul style="list-style-type: none"> <li>• Positive responses from the SA are noted.</li> </ul>

**Reasons for alternatives being preferred or rejected:**

- Policies 74 – 83 are preferred due to numerous and wide ranging benefits relating to biodiversity, landscape, the historic and built environment, land/water resources and health.
- 74A. Do not include a policy to protect landscape features – this alternative would result in some uncertainty on the positive effects for objective 2, so is rejected.
- 75A. Do not include a policy to protect AONBs – although AONBs are afforded protection in legislation and by the NPPF, given that two thirds of East Devon is designated as AONB, this alternative could reduce the positive effects and cause uncertainty.
- 78A. Do not have green wedges – this alternative is rejected as it would result in negative effects on landscape (objective 2) as could potentially lead to settlement coalescence. It would also have less positive effects in relation to associated benefits of green wedges, such as flood management, recreation and biodiversity.
- 78B. Have more extensive green wedges – this is rejected as it would go beyond the area of land required to avoid settlement coalescence and protect the character of settlements in close proximity to each other, and would lead to negative impacts on housing (objective 8) and employment land (objective 11) delivery.
- 79A. Do not include a policy on land of local amenity importance or Local Green Space – this would cause negative uncertain effects on biodiversity (objective 1) and landscape (objective 2),

<p>due to potential for the 14 areas designated as land of local amenity important to be under pressure from development given their location in settlement boundaries; and less positive effects in relation to the policy approach in areas designated as Local Green Space. Therefore, this alternative is rejected.</p>	
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## 10 Conclusions

- 10.1 This paper provides an assessment of policy matters that have informed redrafting of chapter 12 of the local plan in respect of policies relating to landscape considerations. At this stage of plan making, recommendations on a first redraft of plan policy for Strategic Planning Committee for October 2024 meetings, no significant or substantive policy changes are recommended.
- 10.2 The redrafted policies have, however, been generally tightened-up to provide greater clarity in respect of appropriate locations for new developments.
- 10.3 Chapter 12 of the plan (as maybe renumbered if other plan changes occur) will be subject to refinement through the committee process, and any possible subsequent redrafting, and will be considered again at Committee later this year.

## APPENDIX 1- National Landscapes

## APPENDIX 2- Coastal Preservation Areas Methodology

## East Devon Coastal Preservation Area – technical assessment review



**May 2024**

- Introduction

NPPF para. 180<sup>1</sup> requires that '*Planning policies and decisions should contribute to and enhance the natural and local environment by [inter-alia] maintaining the character of the undeveloped coast, while improving public access to it where appropriate.* Alongside other local authorities in Devon, the councils have decided to define the Undeveloped Coast through policy designation, to allow the consistent application of this NPPF principle.

In East Devon the Undeveloped Coast is designated as Coastal Preservation Area (CPA) in the Local Plan. The CPA is a policy to protect the finite resource of the undeveloped coast from development. Restrictions against development in CPAs are stronger than those for Areas of Outstanding Natural Beauty (AONBs). Areas for inclusion within the CPA should be substantially unaffected by development, and should be generally either visible from cliff top, beach, sea or estuary, or form part of the view from significant lengths of an access road, public footpath or bridleway leading to the coast or from the long-distance coastal footpath.

Generally the CPA extends inland to the visual horizon beyond which close inter-visibility with the marine environment ceases and coastal influences are largely lost. On the low-lying coastal levels, there is no abrupt cessation of views and maritime influence, but a progressive reduction inland. The inclusion of these areas within the Undeveloped Coast is principally related to the maritime influence on the vegetation, ecology and resulting character of the coastal hinterland.

The outer (coastal) extents of the CPA designation follow that of the council's jurisdiction to the Low Water Mark. Where estuaries and tidal creeks are present, a line is drawn across the mouth of these to include the waterbody extending inland within the designation. This is in recognition of the key associations and visual relationships between the estuaries and their landscapes, and the significant contribution these locally distinctive stretches of water make to the character of their associated landscapes.

Settlements are excluded from the CPA where their size and form would be a clear departure from the key "undeveloped" characteristic. Smaller development features may be included in the designation where they either positively contribute to the coastal character (e.g. historic hamlets, farmsteads and landmark buildings) or where their exclusion may perpetuate harmful forms of development in an otherwise undeveloped coastal location (eg. caravan/ holiday parks, and modern agricultural sheds).



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<sup>1</sup> National Planning Policy Framework December 2023

As part of the new local plan making process the existing CPA boundaries have been subject to review to ensure they remain relevant. Along the East Devon coastline the exclusion of the larger settlements breaks the CPA up in to five distinct sections defined here as:

**Area 1** – Lyme Regis to Seaton

**Area 2** – Seaton to Sidmouth

**Area 3** – Sidmouth to Budleigh Salterton

**Area 4** – Budleigh Salterton to Exmouth

**Area 5** – Exmouth to Topsham

Each of these areas has been reviewed. Taking the existing CPA boundaries as a starting point the review is intended as a light touch assessment of their continuing appropriateness based on a combination of desk study and field observation. CPA maps highlighting proposed changes are provided in Appendix 1. A detailed methodology is set out in Appendix 4 and is based on that used in the previous assessment.

The review is informed by published landscape character assessments comprising National Character Areas (NCAs), Landscape Character Areas (LCAs) and East Devon Landscape Character Types (LCTs). NCAs are a suite of landscape character assessments covering the whole of England and are based on broad geographical areas. LCAs are prepared at County level and may be viewed on the Devon CC environment viewer<sup>2</sup>. They are place specific geographic entities made up of groupings of LCTs. A total of 68 LCAs have been described covering the entire county. LCTs are based on landform (eg Coastal cliffs; Planned inland plateau; etc.) and can occur in different locations across the District. They are described in the East Devon and Blackdown Hills Landscape Character Assessment, EDDC, 2019<sup>3</sup>. A summary of key characteristics for each of the LCTs within the CPA is provided at Appendix 2.

## Review of CPA areas

### AREA 1: Lyme Regis to

#### Seaton Overview

Area 1 extends from the County and District boundary in the east, which coincides with the urban edge of Lyme Regis, westwards across to and including the Axe valley. Apart from the Axe estuary, the seaward boundary is marked by cliffs and landslips along its full length. The A3052 forms the inland boundary which varies between 1 and 3km from the shore and generally follows an undulating ridgeline rising up to 158mAOD affording views southwards over the open coastal plateau with dramatic wind clipped trees and occasional glimpse views of the sea. At its western end the landform drops sharply to the broad Axe estuary and marshes. The settlements of Axmouth, Colyford and Seaton are excluded from the CPA. All of this CPA section falls within the East Devon AONB.

<sup>2</sup> Devon Landscape Character Areas - <https://www.devon.gov.uk/planning/planning-policies/landscape/devon-character-areas/east-devon-area/>

<sup>3</sup> East Devon and Blackdown Hills Landscape Character Assessment, Fiona Fyfe Associates 2019

## Landscape Character

The CPA within Area 1 is entirely within the Sidmouth and Lyme Bay Coastal Plateau LCA except for a small strip at the western end which falls within the Axe Valley LCA. Special qualities and key features of the LCAs relevant to Area 1 are summarised below:

### Sidmouth and Lyme Bay Coastal Plateau LCA – Distinctive characteristics and special qualities

- Area between the cliff tops and Mean Low Water Mark forms part of the Dorset and East Devon Coast WHS, of outstanding world value for its geological and geomorphological formations (particularly fossils).
- Undercliffs valued for nature conservation and geological formations – Axmouth to Lyme Regis Undercliffs SSSI, SAC and NNR.
- Historic Park and Garden at Rousdon.
- High value for recreation, including part of the South West Coastal Path long distance route.
- Many cultural associations with writers and artists who have been inspired by the dramatic coastal scenery including Lionel Aggett, John Fowles and Carolyn Vernon.

### Axe Valley LCA - Distinctive characteristics and special qualities

- The middle and lower reaches of the valley floor are typically broad and open.
- Meandering course of the river Axe and network of drainage ditches are features of the floodplain and maritime tidal marsh at the estuary and coast.
- Historic settlements sited at old river crossing points just above the floodplain including Seaton and Colyford.
- River Axe is SSSI and SAC.
- Estuary habitats valued for their saltmarshes and mudflats (Seaton Marshes CWS) and waders.
- Vernacular buildings of cob and thatch and village church towers that add to the picturesque qualities of the area.
- Second World War pillboxes within flood plain form a distinctive landscape feature.
- Important area for recreation including walking and horse riding – area includes the East Devon Way long distance footpath which runs through the valley.

This section of the CPA comprises a total of seven LCTs most of which are coastal as summarised in the table below. Their key features relevant to the CPA are set out in Appendix 1.

LCTs within CPA Area 1	Estimated percentage cover
<b>Coastal LCTs</b>	
1B Open coastal plateau	60
4H Cliffs	15
4B Marine levels and coastal plains	10
4A Estuaries	2
4D Coastal slopes and combes	3
<b>Inland LCTs</b>	
3A Upper farmed and settled slopes	8
3B Lower rolling farmed and settled slopes	2

The landscape within CPA Area 1 is generally representative of the LCA and LCT descriptions. Overall it is of good scenic quality with few modern detractors present and a high degree of tranquillity and remoteness away from main roads. There is a strong sense of openness and exposure across the

plateau in marked contrast to the shelter and enclosure of the combes and, at its western end, the low-lying breadth of the Axe estuary.

### **Consistency with CPA boundaries**

Pockets of LCTs 3A and 3B that occur in CPA Area 1 to the eastern edge of the Axe Valley, are inland character types which rise from the coastal plain to the open coastal plateau. Their inclusion within the CPA boundaries is consistent with the methodology in that they are minor elements with coastal context.

The existing boundaries of the CPA are generally consistent with relevant LCAs and LCTs. In some places the Open coastal plateau LCT extends northwards beyond the current CPA boundary, but in such instances land has a northerly aspect preventing views of the sea, is sheltered somewhat by rising land to the south and coastal influences are very limited or negligible. Similarly some land within the CPA boundary to the south of the A3052 has an inland aspect. However, in such instances slopes are gentle and the overall windswept open coastal plateau character prevails. The alignment of the inland CPA boundary with the A3052 is therefore justified and provides a clear marker.

### **Recent development and policy changes**

There are no recent developments or other physical changes within the existing CPA boundaries that adversely affect its character or would require adjustment of its current boundaries.

There are no proposed policy changes or land allocations within the emerging new Local Plan that would affect the CPA boundaries.

**Area 1 Recommendation:** Retain CPA boundaries to Area 1 as existing.

## **AREA 2: Seaton to Sidmouth**

### **Overview**

Area 2 extends from the western edge of the Axe estuary westwards to the eastern edge of Sidmouth and Sidford excluding the built-up areas of Seaton and Colyford. The built-up areas of Beer and Branscombe are also excluded. The coastline is predominantly high cliff dropping to occasional steep-sided combes. The inland extent varies between 1 to 2.2km from the coast. At its eastern and western ends the A3052 marks the inland boundary but over the middle section where the A3052 swings further inland the CPA boundary is defined by minor lanes or field boundaries. All of the Area 2 CPA section lies within the East Devon AONB apart from a strip at the eastern end between the built-up areas of Beer and Seaton extending inland as far as the A3052.

### **Landscape character**

Area 2 lies entirely within the Sidmouth and Lyme Bay Coastal Plateau LCA except for a small area in the northwest corner, north of the hamlet of Fortescue, which lies within the East Devon Central Ridge LCA. Special qualities and key features of these LCAs relevant to this section of the CPA are summarised below:

#### Sidmouth and Lyme Bay Coastal Plateau LCA Distinctive characteristics and special qualities

- The landform varies from steep cliff to open exposed coastal plateau to incised steep

combe valleys which penetrate, curve and branch inland.

- Woodland and vegetation is restricted to more sheltered locations of the combe valleys and undercliff; while trees on the open plateau top comprise distinctive shelterbelts of Monterey pine and larch or occasional windblown gnarled hedgerow trees.
- Mainly arable land use on the plateau top with medium-sized regular fields defined by low hedgebanks, with small scale fields on old cliff landslips e.g. Branscombe, Beer.
- Steep combe valley sides mainly pastoral with small irregular fields.
- Semi-natural habitats that include the undercliff, where landslips have occurred and scrub and woodland vegetation has developed, chalk grasslands, saltmarsh, mudflats and old ash pollards important for lichen flora.
- Historic settlements in the combes and larger settlements on the estuaries (Beer, Sidmouth).
- Area of high tranquillity away from larger settlements and A3052 coastal road, particularly in the sheltered combes.
- Exceptional views out to sea and along the coast
- Area between the cliff tops and Mean Low Water Mark forms part of the Dorset and East Devon Coast WHS, of outstanding world value for its geological and geomorphological formations (particularly fossils).
- The chalk and limestone cliffs unique in a Devon context and the most westerly chalk cliffs in England.
- Rare chalk grassland along the coast which is designated SSSIs and CWS.
- Undercliffs valued for nature conservation and geological formations – Sidmouth to Beer Coast SSSI and SAC.
- High value for recreation, including part of the South West Coastal Path long distance route.
- Many cultural associations with writers and artists who have been inspired by the dramatic coastal scenery including Lionel Aggett, John Fowles and Carolyn Vernon.

East Devon Central Ridge LCA - Distinctive characteristics and special qualities

- Elevated narrow ridge with a rolling topography underlain by clay-with-flints or Upper Greensand.
- Steep scarp slopes that are densely wooded – ancient oak with bluebells and primroses; and some conifer plantations which extend onto the ridges.
- Low narrow earthbanks with hedges on the ridgetop, with wider historic banks in the upper farmed valleys and more species-diverse Devon hedges (e.g. beech, sycamore, ash, hazel and gorse) with flower, fern and moss-rich banks on lower slopes.
- Mainly pasture (often improved) and dairy farming with some mixed farming on heavy brown soils.
- High scenic quality
- Outstanding views across East Devon

This section of the CPA comprises a total of eight LCTs most of which are coastal as summarised in the table below. Their key features relevant to the CPA are set out in Appendix 1.

LCTs within CPA Area 2	Estimated percentage cover
<b>Coastal LCTs</b>	
1B Open coastal plateau	40
4A Estuaries	5
4B Marine levels and coastal plain	10

4D Coastal slopes and combes	25
4H Cliffs	9

<b>Inland LCTs</b>	
2A Steep wooded scarp slopes	3
3A Upper farmed and settled slopes	5
3B Lower rolling farmed and settled slopes	5
3C Sparsely settled farmed valley floors	3

The landscape within CPA Area 2 is generally representative of the LCA and LCT descriptions. This is a particularly varied stretch of coastline comprising a series of headlands and ebbs with a changing geology clearly seen in high cliffs ranging from white chalk at Beer to soft red marls at Sidmouth. The hinterland of the coastal plateau is incised by a number of north/ northwest running deep and branching coastal combes. There is a strong sense of time depth with extensive evidence of occupation by early peoples and numerous important archaeological sites. Overall it is of very high scenic quality and heritage value. Although there are several large caravan sites, most notably at Beer Head, their visual impact tends to be localised. Otherwise there are few modern detractors present. Beer and Branscombe together with the Donkey Sanctuary at Weston are popular recreation destinations. There is a high degree of tranquillity and sense of remoteness away from the main settlements and tourist hot spots, while the varied topography affords spectacular views over and along the coast.

### **Consistency with CPA boundaries**

The existing boundaries of the CPA are consistent with relevant LCAs and LCTs. In some places the Open Coastal Plateau LCT extends northwards beyond the existing CPA boundary, but in such instances intervening landform and vegetation prevent views to the coast, coastal influences are slight and the inland boundary can be more conveniently defined by the A3052.

As developed land, Beer Quarry has been excluded from the current CPA. However, an undeveloped field parcel to the north of the quarry extending up to Paizen Lane is also excluded. As Paizen Lane runs along a ridge and forms the CPA boundary to the east and west, there is an argument for inclusion of this field within the CPA. Field visits have identified sea views from adjoining fields and glimpse views through the hedgerow bordering Paizen Lane adjacent to this parcel.

At its western end, CPA Area 2 drops steeply down from the coastal plateau to the Sid Valley through inland LCTs 2A and 3A. From the hamlet of Fortescue these afford views to High Peak and coastal promontories beyond (notably from the descent of Sidmouth footpath 117). North of Fortescue the valley slope assumes a northwesterly aspect and views of the coast are prevented by a combination of landform, vegetation and buildings and coastal character is lost. This is reflected in a change of LCA from the Sidmouth and Lyme Bay Coastal Plateau to the inland East Devon Central Ridge LCA. Despite this the CPA currently extends north from Fortescue to the A3052, which appears to be an anomaly.

### **Recent development and policy changes**

A parcel of land within the CPA at Short Furlong, Beer below the school site has recently been developed as a small housing scheme. Adjacent land is allocated for housing within the Beer Neighbourhood Plan and has outline consent for up to 30 dwellings. Nearby, consent has recently



been granted for development of a large storage building and sound studio at the Pecorama site also within the CPA but it is less certain that this development will proceed.

There are no proposed policy changes or other land allocations within the emerging new Local Plan that are likely to affect the CPA boundaries.

**Area 2 Recommendation:**

- a) To amend the CPA boundaries to omit land west of Soldiers Wood between Fortescue and the A3052 as fig. 1 below.

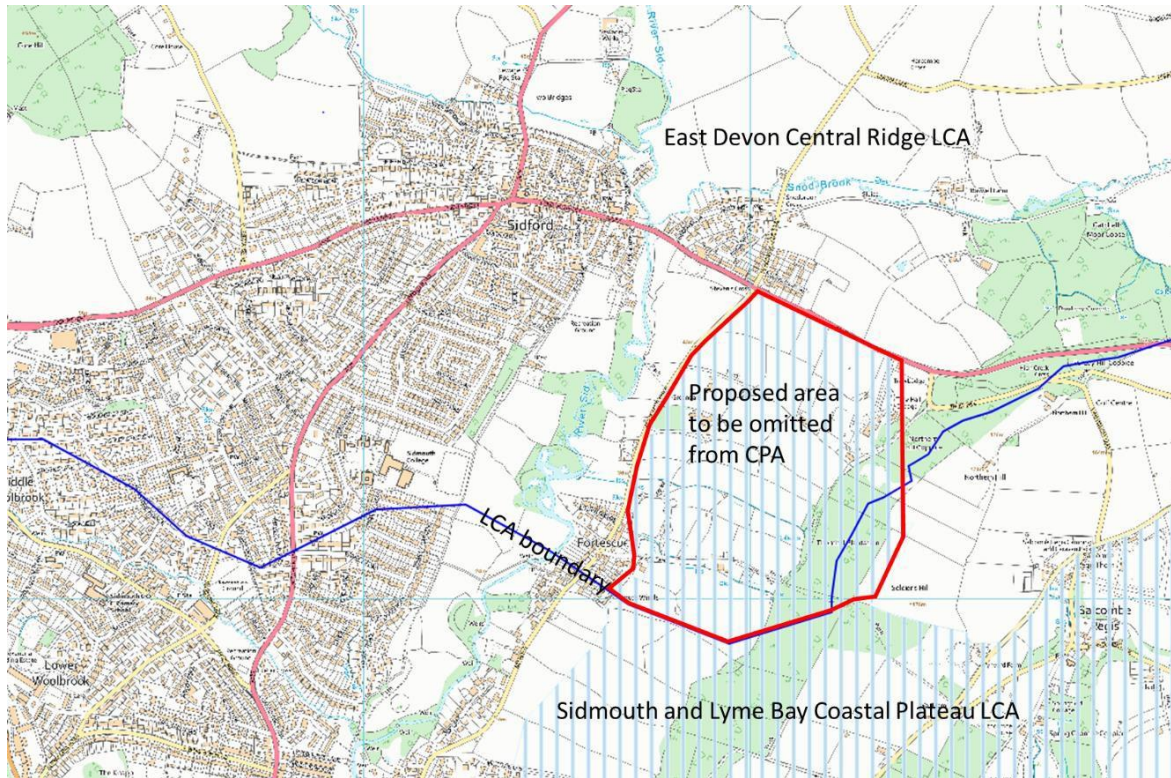


Figure 1 – Land outlined red recommended for omission from current CPA (blue hatch)

- b) To amend CPA boundaries to include land between Beer Quarry and Paizen Lane – Parcel A in fig. 2 below)
- c) To amend the CPA boundaries to exclude land allocated for housing in the Neighbourhood Plan at Short Furlong Beer (parcel B in fig. 2 below).

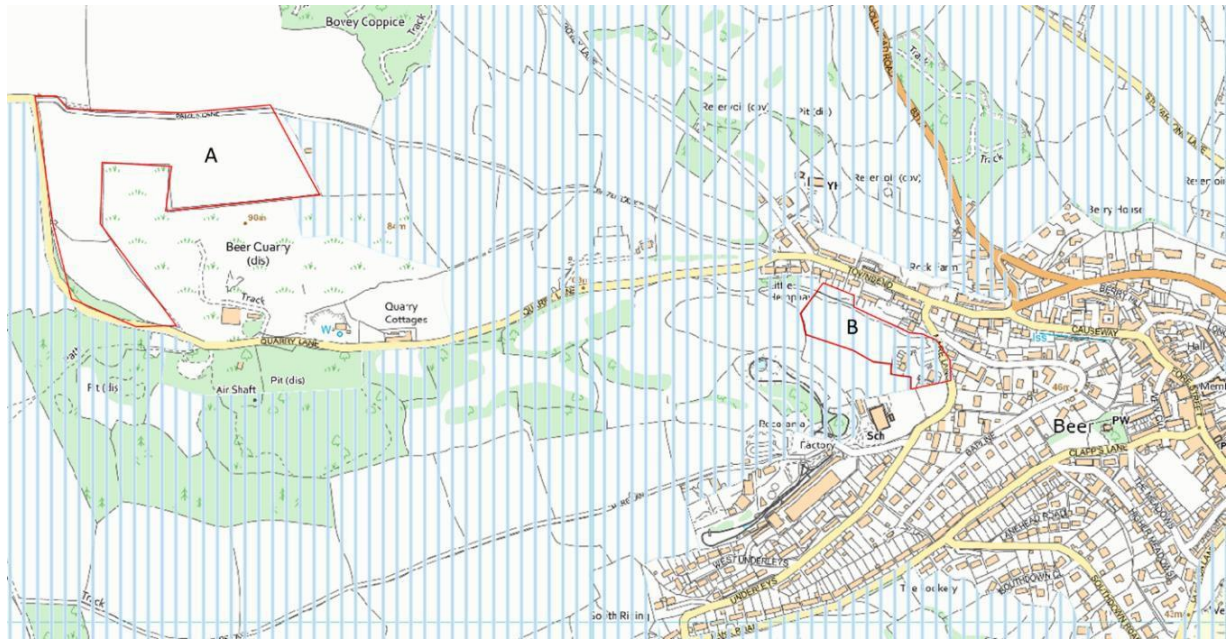


Figure 2 - Land recommended to be added to CPA (parcel A) and omitted from CPA (parcel B)

## AREA 3: Sidmouth to Budleigh Salterton

### Overview

Area 3 extends from the western edge of Sidmouth westwards to the eastern edge of Budleigh Salterton, the dominant landscape features being High Peak and Peak Hill. The inland extent varies between 1.5 to 2km from the shore. The inland boundaries comprise a mix of minor lanes and at the western end follow the course of the former railway between Otterton and Budleigh Salterton. All of the Area 3 CPA lies within the East Devon AONB.

### Landscape character

Area 3 lies entirely within the Sidmouth and Lyme Bay Coastal Plateau LCA. Key features of the LCA relevant to this section of the CPA are summarised below:

#### Sidmouth and Lyme Bay Coastal Plateau LCA - Distinctive character and special qualities

- Coastal cliffs of red sandstone with pebble and sandy beaches.
- The landform varies from steep cliff to horizontal estuary and from open exposed coastal plateau to incised steep combe valleys which penetrate, curve and branch inland.
- Woodland and vegetation is restricted to more sheltered locations of the combe valleys and undercliff; while trees on the open plateau top comprise distinctive shelterbelts of Monterey pine and larch or occasional windblown gnarled hedgerow trees.
- Mainly arable land use on the plateau top with medium-sized regular fields defined by low hedgebanks.

- Semi-natural habitats that include the undercliff, where landslips have occurred and scrub and woodland vegetation has developed, saltmarsh, mudflats and old ash pollards important for lichen flora.
- Historic settlements in the combes and larger settlements on the estuaries (Budleigh Salterton and Exmouth).

- Area of high tranquillity away from larger settlements and A3052 coastal road, particularly in the sheltered combes.
- Exceptional views out to sea and along the coast.
- Area between the cliff tops and mean low water mark forms part of the Dorset and East Devon Coast WHS, of outstanding world value for its geological and geomorphological formations (particularly fossils).
- Undercliffs valued for nature conservation and geological formations – Ladram Bay to Sidmouth SSSI.
- Estuary habitats valued for their saltmarshes and mudflats (i.e. Otter Estuary SSSI and LNR and Otter Meadows CWS).
- High value for recreation, including part of the South West Coastal Path long distance route.
- Many cultural associations with writers and artists who have been inspired by the dramatic coastal scenery including Lionel Aggett, John Fowles and Carolyn Vernon.

This section of the CPA comprises a total of eight LCTs most of which are coastal as summarised in the table below. Their key features relevant to the CPA are set out in Appendix 1.

<b>LCTs within CPA Area 3</b>	<b>Estimated percentage cover</b>
<b>Coastal LCTs</b>	
1B Open coastal plateau	20
4A Estuaries	5
4B Marine levels and coastal plains	10
4D Coastal slopes and combes	15
4H Cliffs	5
5D* Estate wooded farmland	25
<b>Inland LCTs</b>	
2A Steep wooded scarp slopes	5
3A Upper farmed and wooded slopes	5
3B Lower rolling farmed and settled slopes	10

\*Although LCT 5D is also found in inland areas it is considered coastal in this context as it essentially comprises the designed Bicton estate landscape on the Otterton peninsula overlaid on what would otherwise be considered open coastal plateau.

The landscape within CPA Area 3 is generally representative of the LCA and LCT descriptions. It is a landscape of very high scenic quality. The coastline is marked by striking red sandstone cliffs and includes the highest points on the East Devon coastline (High Peak 157m and Peak Hill 159m AOD) and the prominent land mass of Mutter’s Moor behind. Although the large holiday park of Ladram Bay lies within the CPA its visual impact is localised. Otherwise, there is very little modern development evident within the CPA boundaries. There are very extensive views afforded along the coast and to the hinterland rising to the Pebblebed Heaths.

### **Consistency with CPA boundaries**

At the western end of Area 3, covering the Otterton peninsula and Otter estuary and tidal flats, there is a good correlation between the CPA boundaries and the published landscape character assessments. From Buddleigh Salterton to Otterton the disused railway course clearly defines the inland boundary of the CPA. Between Otterton and Sidmouth the topography becomes more complex. This is reflected in the frequency of changes of LCTs which include a number of inland types which have limited coastal influence but which, due to their elevation and aspect, afford views to the coast and sea or form a visually prominent, undeveloped horizon in views from the coast.

From Otterton eastwards the inland CPA boundary for Area 3 follows a mix of field boundaries, minor roads and green lanes and the urban edge of Sidmouth, generally following the Sidmouth and Lyme Bay Coastal Plateau LCA boundary. This takes in the north side of Bulverton Hill (northern end of Mutter’s Moor) despite its northerly aspect on a wooded slope with no coastal influence or views, but which forms part of spectacular panoramic views over undeveloped East Devon coastline from high ground to the west of Budleigh Salterton.

A few field parcels between Stantyway Farm and Otterton included in the CPA have a steep northwesterly aspect with no coastal views or influence but form part of the view to undeveloped coastline seen from the high ground of the Pebblebed heaths to the northwest and their inclusion in the CPA is justifiable for this reason.

### Recent development and policy changes

There are no proposed policy changes within the emerging new Local Plan that are likely to affect the CPA boundaries but housing allocations proposed at Sidmouth to the east of the B3176 (Bawd-Sidmouth road) within the draft new local plan would require amendment of the CPA boundaries if confirmed.

### Area 3 Recommendation

Retain CPA boundaries to Area 3 as existing with minor adjustment north of Otterton and southeast of Burnthouse Farm to incorporate a local ridgeline and better fit with LCT 4A Coastal slopes and combes boundary as fig. 3 below:

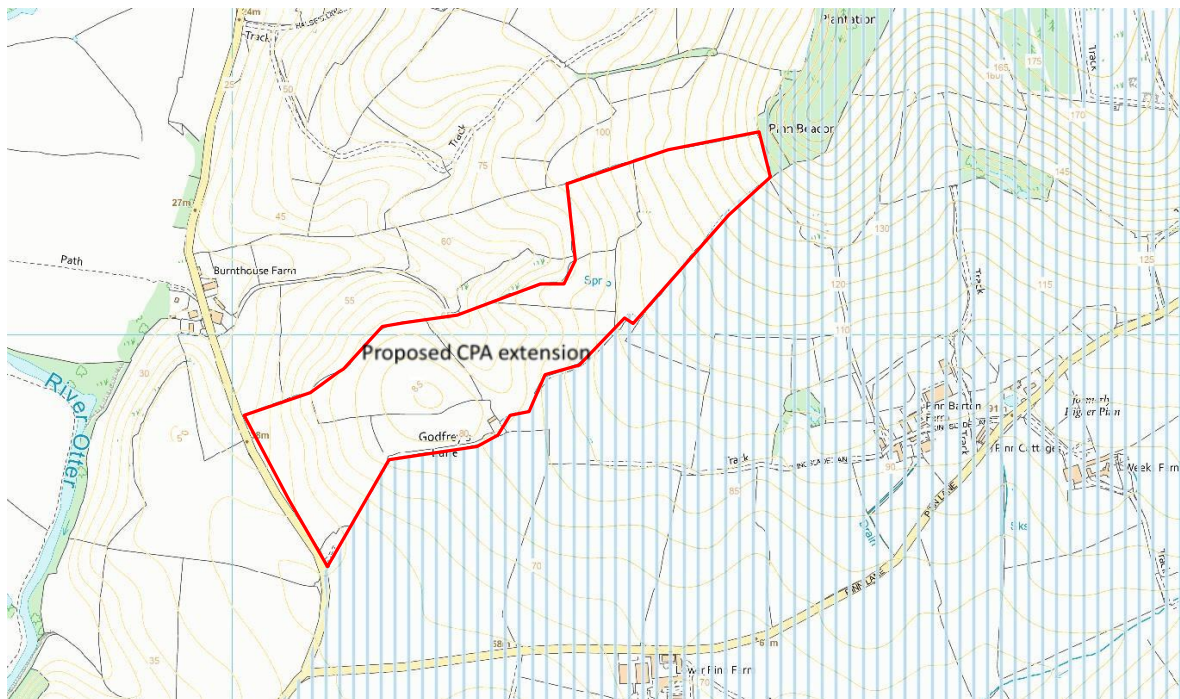


Figure 3 - Proposed amendment of CPA boundary north of Pinn Lane Otterton by addition of land outlined in red

# AREA 4: Budleigh Salterton to Exmouth

## Overview

Area 4 extends from the western edge of Budleigh Salterton to the eastern edge of Exmouth and is a continuation of the high cliff and open coastal plateau. The inland extent varies between 0.8 to 2km from the shore. The inland boundaries comprise a mix of minor lanes and the B3178 Salterton Road. The eastern and western ends abut the built-up boundaries of Budleigh Salterton and Exmouth respectively. All of the Area 4 CPA lies within the East Devon AONB.

## Landscape character

The CPA within Area 4 is entirely within the Sidmouth and Lyme Bay Coastal Plateau LCA. Special qualities and key features of the LCA relevant to Area 4 are summarised below:

### Sidmouth and Lyme Bay Coastal Plateau LCA - Distinctive characteristics and special qualities

- The landform varies from steep cliff to open exposed coastal plateau.
- Woodland and vegetation is restricted to more sheltered locations of the combe valleys and undercliff; while trees on the open plateau top comprise distinctive shelterbelts of Monterey pine and larch or occasional windblown gnarled hedgerow trees.
- Mainly arable land use on the plateau top with medium-sized regular fields defined by low hedgebanks.
- Semi-natural habitats that include the undercliff, where landslips have occurred and scrub and woodland vegetation has developed.
- Exceptional views out to sea and along the coast
- Area between the cliff tops and Mean Low Water Mark forms part of the Dorset and East Devon Coast WHS, of outstanding world value for its geological and geomorphological formations (particularly fossils).
- High value for recreation, including part of the South West Coastal Path long distance route.
- Many cultural associations with writers and artists who have been inspired by the dramatic coastal scenery including Lionel Aggett, John Fowles and Carolyn Vernon.

This section of the CPA comprises a total of two LCTs most of which are coastal as summarised in the table below. Their key features relevant to the CPA are set out in Appendix 1.

LCTs within CPA Area 4	Estimated percentage cover
<b>Coastal LCTs</b>	
1B Open coastal plateau	85
<b>Inland LCTs</b>	
1C Pebblebed Heaths	15

The landscape within Area 4 is generally representative of the relevant LCA and LCT descriptions. This is a relatively simple landscape of coastal plateau and cliff edge intersected by a prominent ridge of high ground towards its eastern end affording panoramic views in all directions. The coastline comprises hard bands of red sandstone forming the headlands of Orcombe Point and Straight Point with softer clays between which have been eroded into bays. The famous Budleigh Salterton pebble beds dip through the cliffs to the west of the town. Of the five CPA sections it is the

second most affected by development in the form of the extensive Sandy Park holiday park, adjacent MOD shooting range and Budleigh Golf Club, while the built-up edge of Exmouth is visible in views



north from sections of the South West Coast Path. Notwithstanding this, the coastal scenery is rugged affording dramatic views along the coast, out to sea and across the Exe Estuary and there is a strong sense of light, openness and exposure near the coast.

### **Consistency with CPA boundaries**

The CPA boundaries align closely with the Sidmouth and Lyme Bay Coastal Plateau LCA boundaries except, correctly, where the Sidmouth and Lyme Bay Coastal Plateau LCA extends further inland to include most of Exmouth.

Proceeding inland from the coast, the landform rises gently to a low ridge some 1km from the shore and roughly parallel with it. North of this the landform drops to the valley of Littleham Brook and rises beyond to Salterton Road and the CPA extends across this valley. Although coastal influences are slight within the valley and there are no views to the sea, it is clearly seen in views from high ground on the Coast Path in the vicinity of West Down Beacon. There are also views down the valley to the Exe Estuary over the tops of houses in Littleham.

West of Littleham the CPA stops short of the built edge of the village by 200m despite the intervening land being visible from the coast path and affording views to the cliff tops and being included in landscape Character type 1B- Open coastal Plateau.

### **Recent development and policy changes**

A large housing allocation within the current CPA boundaries to the east of Littleham (Exmo\_07) is being considered for inclusion in the emerging new Local Plan that, if confirmed, is likely to affect the CPA boundaries.

### **Area 4 Recommendation:**

To extend the CPA boundary up to the edge of Littleham church yard as fig. 4 below.

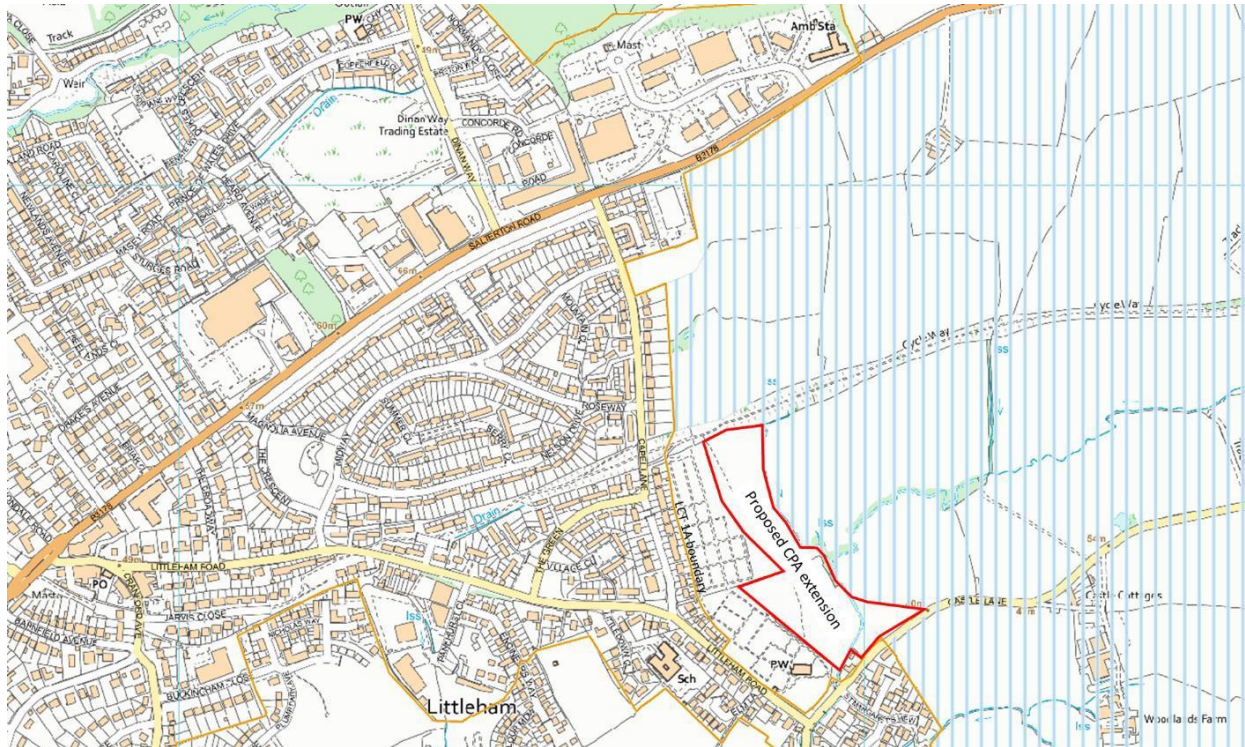


Figure 4 - Proposed amendment of CPA boundary by addition of land outlined in red

## Area 5: Exmouth to Topsham

### Overview

Area 5 extends from the northern edge of Exmouth to Topsham. In contrast to the other four sections of CPA it is entirely estuarine. The inland extent varies between 0.7 to 1.6km from the shore. The settlements of Lymptone, Exton and Ebford are excluded as is Lymptone Commando Station. The inland boundaries mostly follow field boundaries and, in some instances, minor lanes. The southern end abuts the built-up boundary of Exmouth. None of the Area 5 CPA lies within the East Devon AONB.

### Landscape character

Only about half of CPA Area 5 falls within the Exe Estuary and Farmlands LCA which extends from the estuary shoreline to just beyond the A376 Exmouth Road. The remainder lies within Clyst Lowland Farmlands LCA and Pebblebed Heaths LCA. Special qualities and key features of these LCAs relevant to Area 5 are summarised below:

#### Exe Estuary and farmlands LCA - Distinctive qualities and key characteristics

- Extensive open, low-lying estuary opening onto south coast flanked by undulating farmland.
- Deep red, fertile underlying soils that support intensive mixed farming and are visible within ploughed fields and as red sandstone cliffs at the coast.
- Shallow valleys with small rivers and streams draining into the estuary, a landscape shaped by natural processes which changes with the tides.

- Mixed woodland and notable areas of mature parkland concentrated within designed landscapes.
- Patchwork of medium to large-scale fields delineated by hedgerows (often gappy).

- Dunes, marshes, mud and sand flats and estuarine habitats (including Eel Grass) important for waders, wildfowl and sea birds.
- Settlement pattern of nucleated villages, hamlets, farms and houses with cob, thatch, stone, render and slate and some brick; settlement denser on the eastern than the western bank.
- Network of sunken, winding lanes with often dense, high hedgebanks connecting historic settlements and contrasting with modern infrastructure such as railway.
- Enclosed and sheltered landscape with expansive views across open water and intertidal mudflats from estuary edge and adjacent slopes.
- Views to major urban areas including Exeter and Exmouth which lie adjacent.
- Recreational influences seen in small boats, boatyards, moorings, quays and as well as in nature reserves and cycling and walking routes.
- Variable sense of tranquillity: tranquil in inland valleys and parts of the estuary where there is a serene quality, but disturbed close to settlements, railway and main roads.
- Strong sense of place and scenic quality derived from the open character of the estuary with its maritime influences.
- Character and unique qualities reinforced by the contrasting wooded backdrop of elevated land at Haldon Ridge and Woodbury Common.
- Internationally important habitats valued for wildfowl including Ramsar, SPA, SSSI, NNR, LNR and CWS designations for estuary habitats and sea cliffs near Dawlish.
- Notable Historic Parks and Gardens – including Powderham Castle, Oxtou House and A La Ronde and The Point-in-View – which influence landscape character and scenic qualities and have notable collections of veteran trees.
- Extensive opportunities for water-based as well as coastal recreation (Exe Estuary Nature Reserve and East Devon Way and Exe Valley Way long distance routes).
- Distinctive views across and up and down the estuary, which can be particularly scenic under certain light conditions; this, along with abandoned vessels or hulks in the estuary, attracts artists to the area.
- Buildings and features which denote the rich commercial history of the estuary.

#### Pebblebed Heaths and farmland LCA - Distinctive characteristics and special qualities

- Views out to sea and also across the Exe Estuary.
- Distinctive, unspoilt, wooded skyline providing local distinctiveness and orientation.
- Outstanding views across East Devon to west and east and also south to the coast.
- Sense of isolation, tranquillity and remoteness.

#### Clyst Lowland Farmlands LCA - Distinctive characteristics and special qualities

- Lowland, undulating farmed landscape underlain by mudstones, siltstones and sandstones.
- Generally well treed appearance due to significant numbers of hedgerow trees although few woodlands.
- Mixture of small to medium scale fields often with curving boundaries reflecting medieval origin.
- Mixed farming including arable and some pasture along watercourses where there is seasonal flooding, as well as areas of horsiculture and hobby farming.
- Dispersed pattern of small villages (particularly along the watercourses many with 'Clyst' place names), dispersed farmsteads and town of Honiton.
- Overarching perceptions of tranquillity and quintessential English lowland farmland when away from infrastructure and communication corridors and a sense of isolation in parts.
- Views to surrounding ridges of higher land.

This section of the CPA comprises a total of three LCTs, of which only one is coastal covering just 15 % of the designated area as summarised in the table below. Their key features relevant to the CPA

are set out in Appendix 1.

<b>LCTs within CPA Area 3</b>	<b>Estimated percentage cover</b>
<b>Coastal LCTs</b>	
4B Estuaries	15
<b>Inland LCTs</b>	
3B Lower rolling farmed and settled valley slopes	35
3E Lowland Plains	50

The landscape within Area 5 is generally representative of the relevant LCA and LCT descriptions. The settlements of Lymptone, Exton and Ebford together with the urban edge of Exmouth fragment the rural character and exert an urbanising influence on adjacent land. The existing settlement pattern and well treed, rolling landform break it up visually and away from the immediate shoreline opportunities for expansive views of the estuary are limited. There are however pockets of attractive rural landscape including historic parkland at Courtlands, Nutwell Park and west of Harefield House and National Trust farmland to the south of Courtlands.

As well as the established settlements and transport infrastructure, including the railway and A376 which run through the CPA, it is subject to particularly high development pressure due to the desirability of living in the historic estuary-side settlements while the proximity of the M5 to the northern end makes it attractive for commercial development and expansion. Within the eastern portion of the CPA, away from the A376 there is a strong rural character and pervasive sense of tranquillity.

### **Consistency with CPA boundaries**

The inland extent of the Exe Estuary and Farmlands LCA is limited to the line of the A376 reflecting the limits of obvious coastal influence. Land to the east of this included in the CPA boundary has a southwesterly aspect and affords occasional views of the estuary through field gates and over hedges although these are rarely expansive and tend to be filtered by intervening vegetation. While this area has limited coastal influence it also provides the green undeveloped setting to views from the estuary and the western shore.

The inland extent of the CPA generally follows low northwest-southeast running ridgelines except to the east of Lymptone where the boundary only extends 400m east of the A376 despite the landform continuing to rise to a ridge line 1-3km beyond and visible from the estuary and western shore.

### **Recent development and policy changes**

Recent commercial development at Darts Business Park extends into the CPA.

Two large agricultural stores have recently been erected within the CPA at Lymptone to the east of Meeting Lane.

A small housing development has recently been constructed within the CPA to the northeastern edge of Lymptone adjacent to Meeting Lane. Further CPA land between Meeting Lane and Strawberry Hill is proposed as a housing allocation within the emerging local plan.

### **Area 5 Recommendations**

Amend CPA boundaries at Darts Business Park as per fig. 5 below to omit recently developed land:

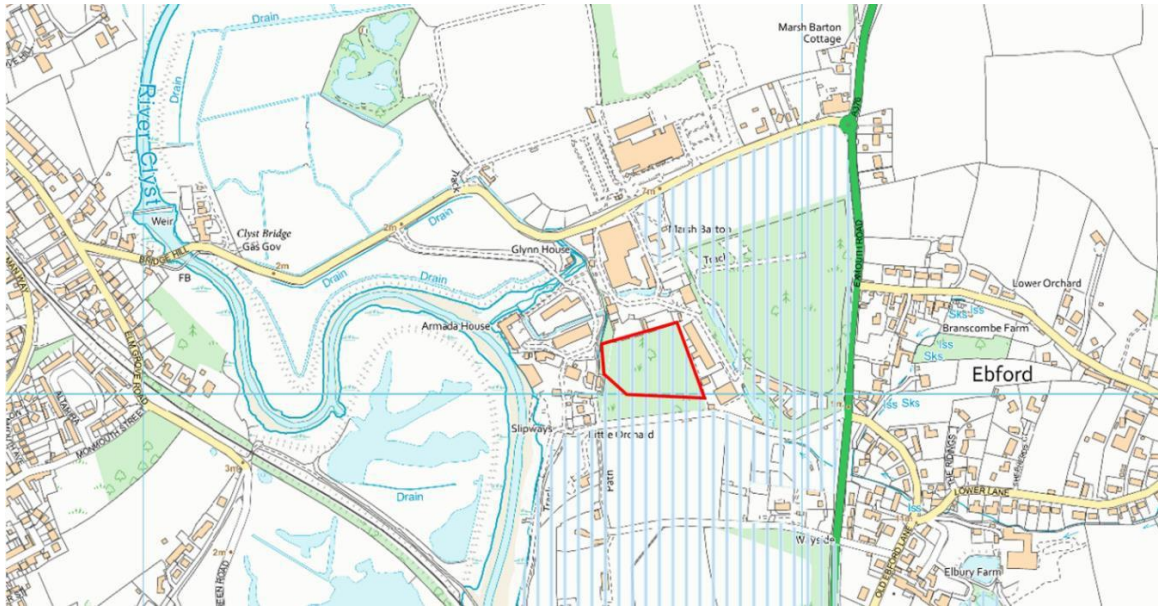


Figure 5 - Proposed amendment of CPA boundary by omission of land outlined red

b) Amend CPA boundaries to omit recent housing development at Strawberry Hill Lymptstone as fig. 6 below:



Figure 6 - Proposed amendment of CPA boundary to omit recent housing development west of Strawberry Hill Lymptstone

- c) CPA boundaries to wash over barns recently constructed to west of Meeting Lane.
- d) Extend CPA boundary inland to the ridgeline east of Lymptstone and north of Summer Lane, Exmouth as per figure 7 below:



Figure 7- Proposed amendment of CPA boundary by addition of land outlined in red

e) In addition to these amendments a number of small, isolated pockets of undeveloped land along the estuary shoreline that were not included in the CPA previously have been incorporated.

- References

Principles of defining and maintaining the character of Devon’s undeveloped coast, Devon Landscape Policy Group Advice Note 3 – Consultation draft November 2013

Seascape Assessment for the South Marine Plan Areas, Marine Management Organisation

- MCA1: Lyme Bay West
- MCA2: Lyme Bay (East)

[National Character Areas, Natural England](#)

- NCA 147 – Blackdown Hills
- NCA 148 - Devon Redlands

Devon Landscape Character Areas, Devon County Council

- Sidmouth and Lyme Bay Coastal Plateau LCA
- Exe Estuary and farmlands LCA
- Pebblebed Heaths and farmland LCA
- Clyst Lowland Farmlands LCA
- East Devon Central Ridge LCA



East Devon and Blackdown Hills Landscape Character Assessment, Fiona Fyfe Associates Ltd 2019

Jurassic Coast Partnership Plan 2020-2025 - Management Framework for the Dorset and East Devon Coast World Heritage Site

Link to land with sea views mapping data: <https://explore-marine-plans.marineservices.org.uk/>

- Appendices

## **Appendix 1 - Coastal Preservation Area maps showing recommended omissions and additions**

**Appendix 2 -Key characteristics of LCTs**

**within CPA Appendix 3 – Land with sea views**

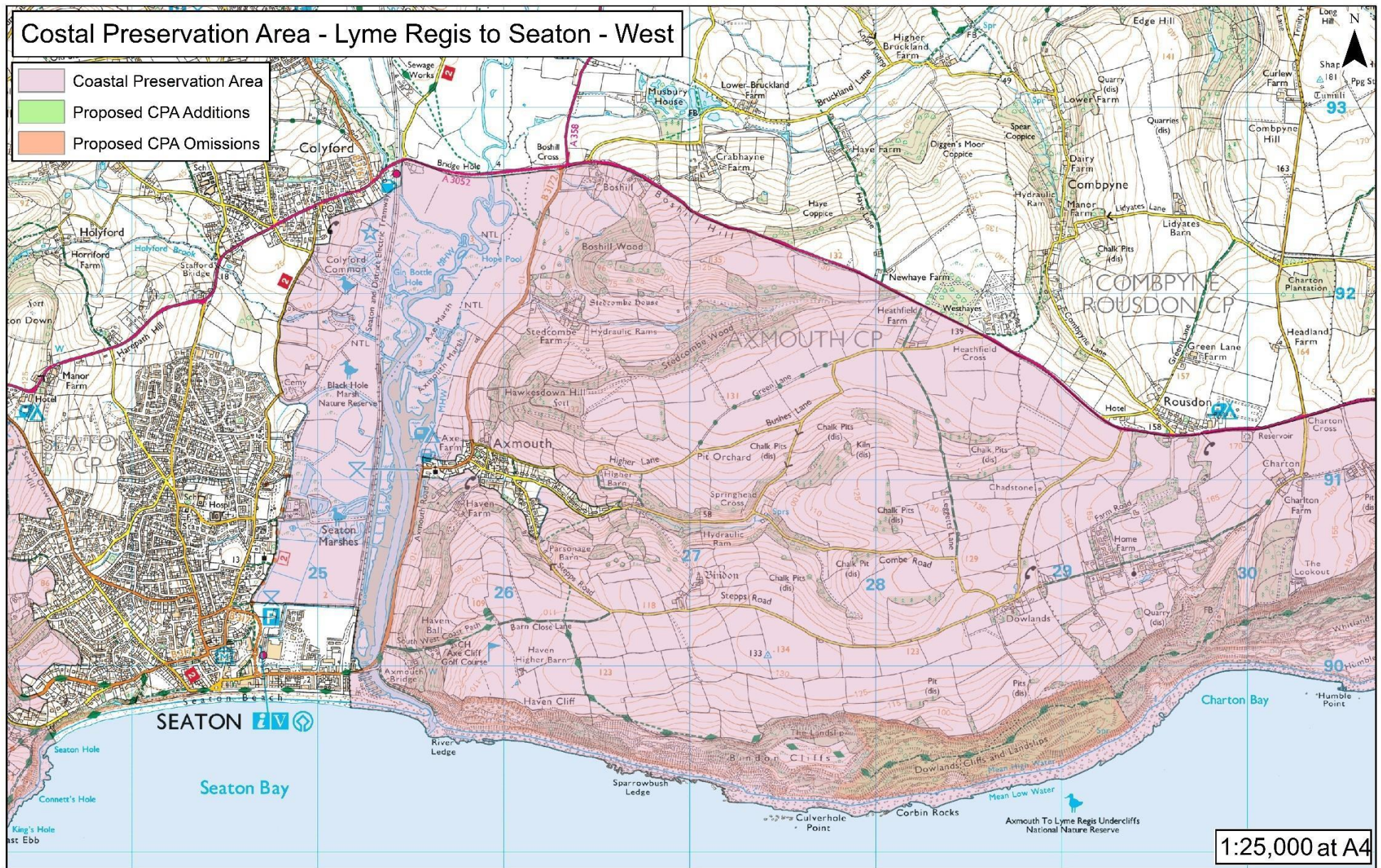
**mapping Appendix 4 - Methodology**



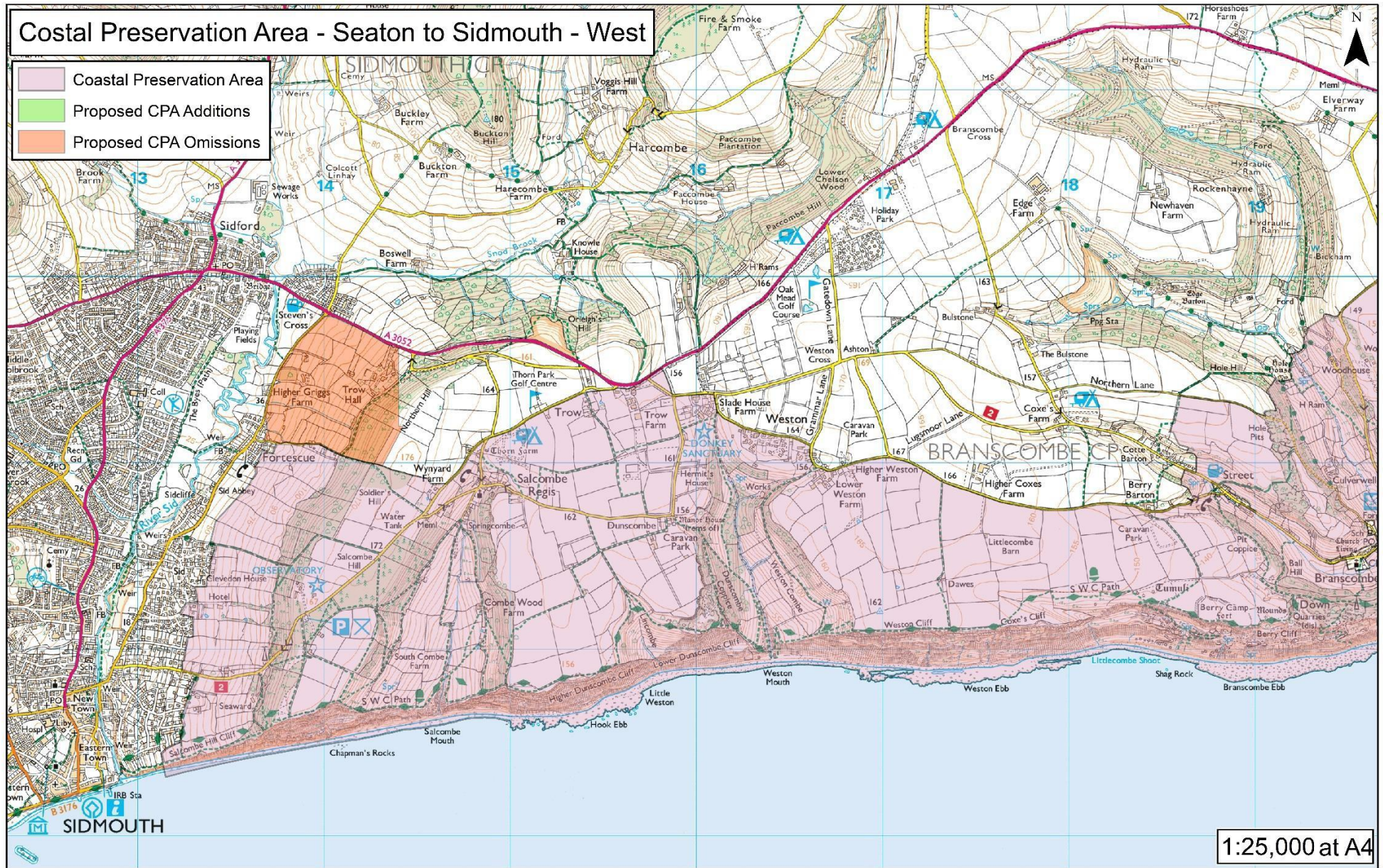
0 0.375 0.75 1.5 2.25 3 Kilometers

1:25,000 at A4







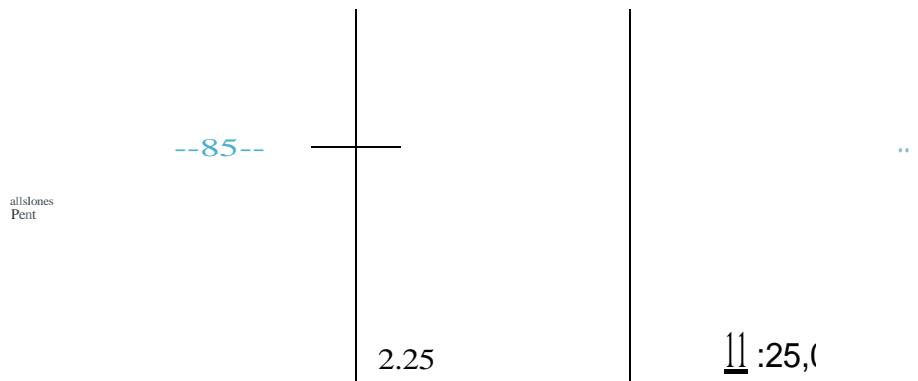


## 11 Coastal Preservation Area

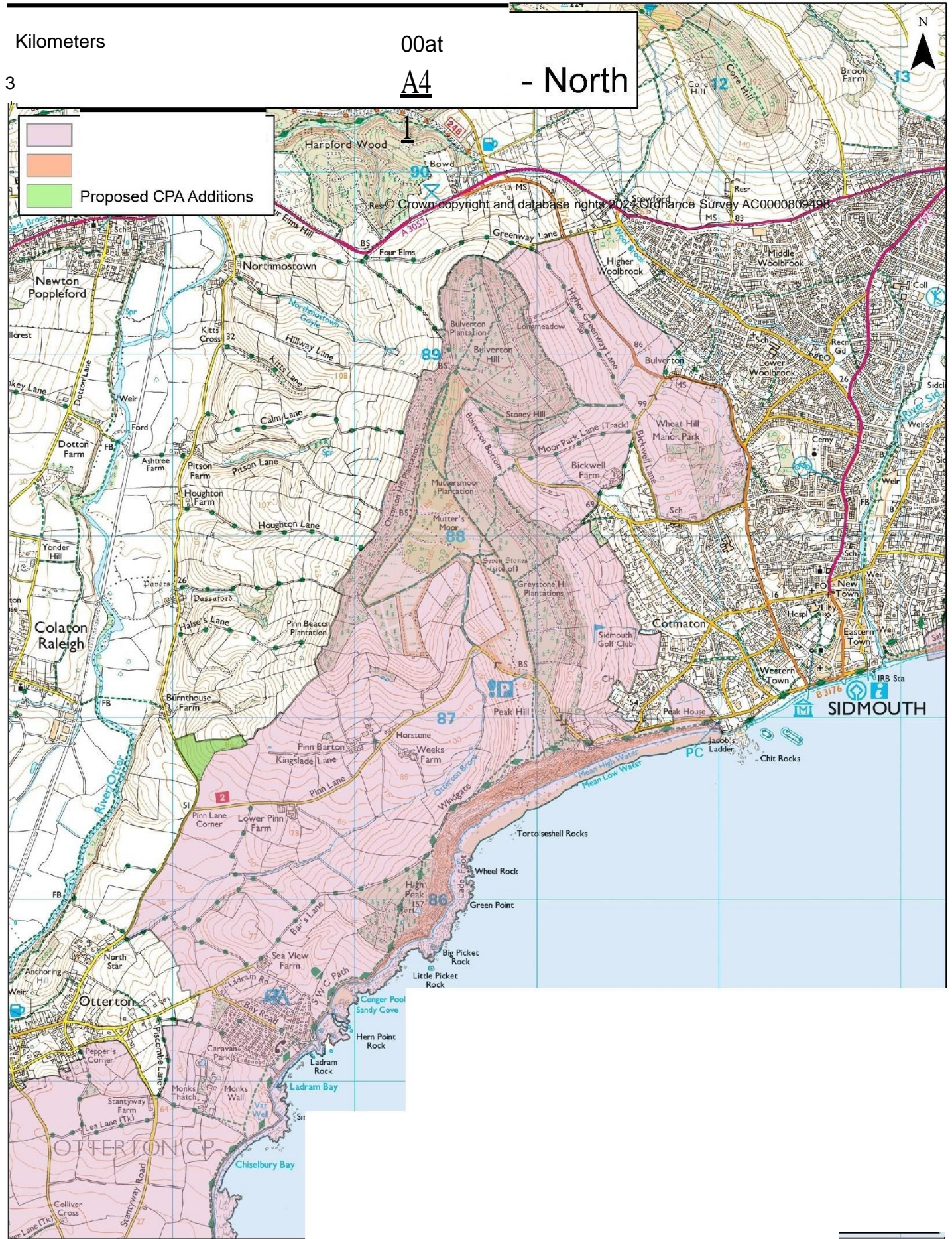
# Sidmouth to Budleigh Salterton

Coastal Preservation Area

Proposed CPA Omissions







# Costal Preservation Area

## Sidmouth to Budleigh Salterton - South

Coastal Preservation Area

Proposed CPA Omissions •

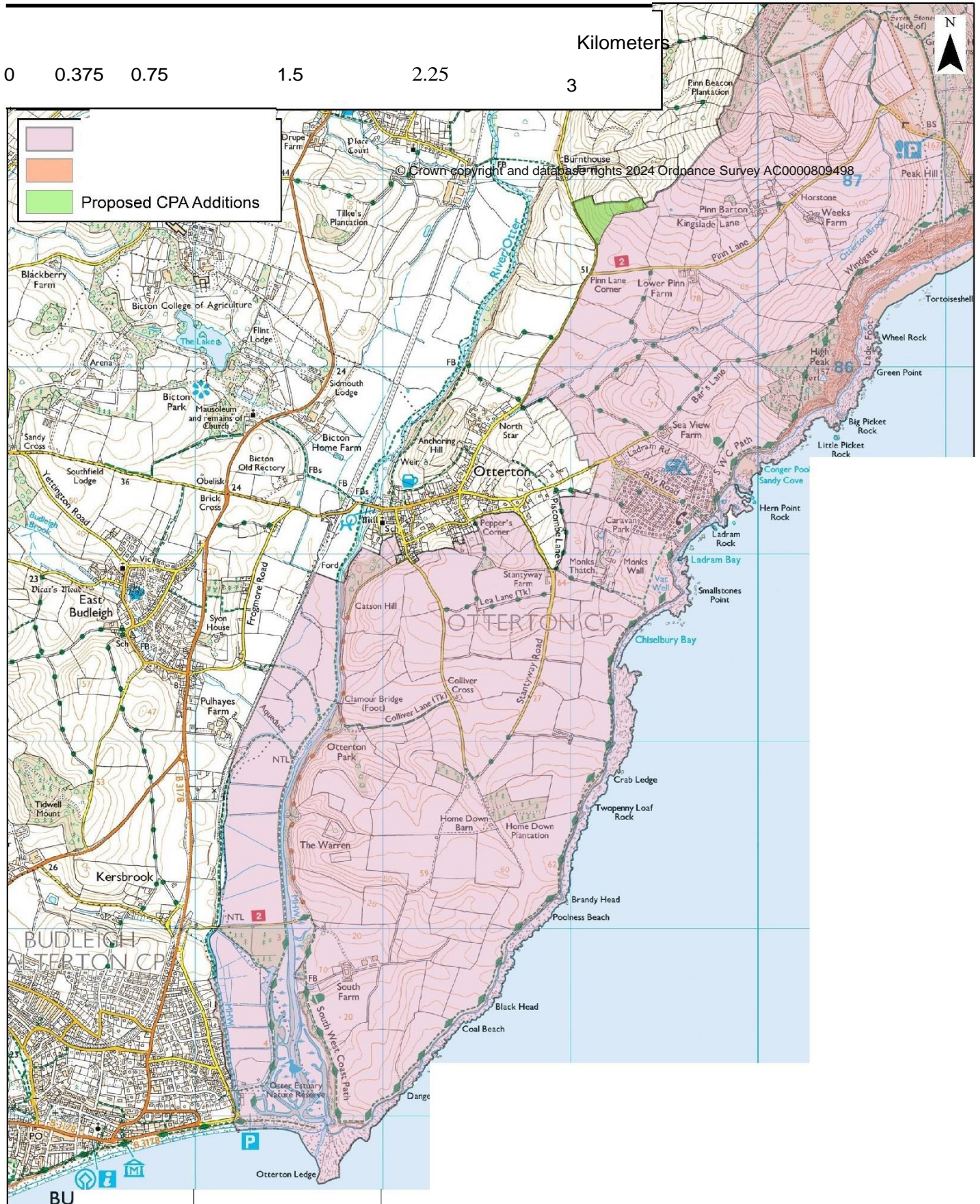
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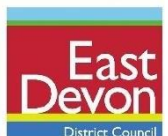
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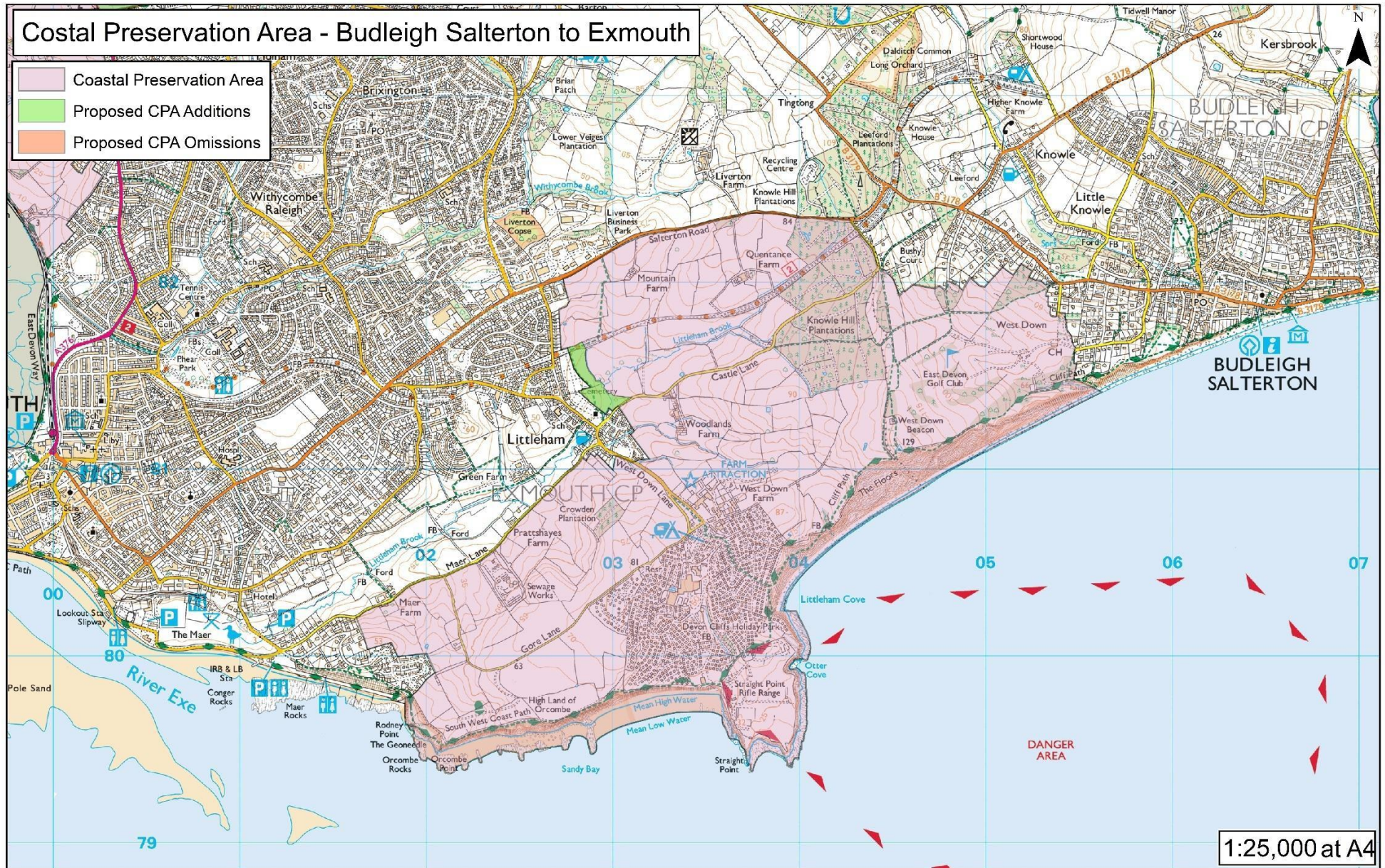
82

**DLEIGH  
SALTERTON**



1:25,000 at A4





1:25,000 at A4



## 12 Coastal Preservation Area

## Ebford to Exmouth

entand

Powderham  
Sand

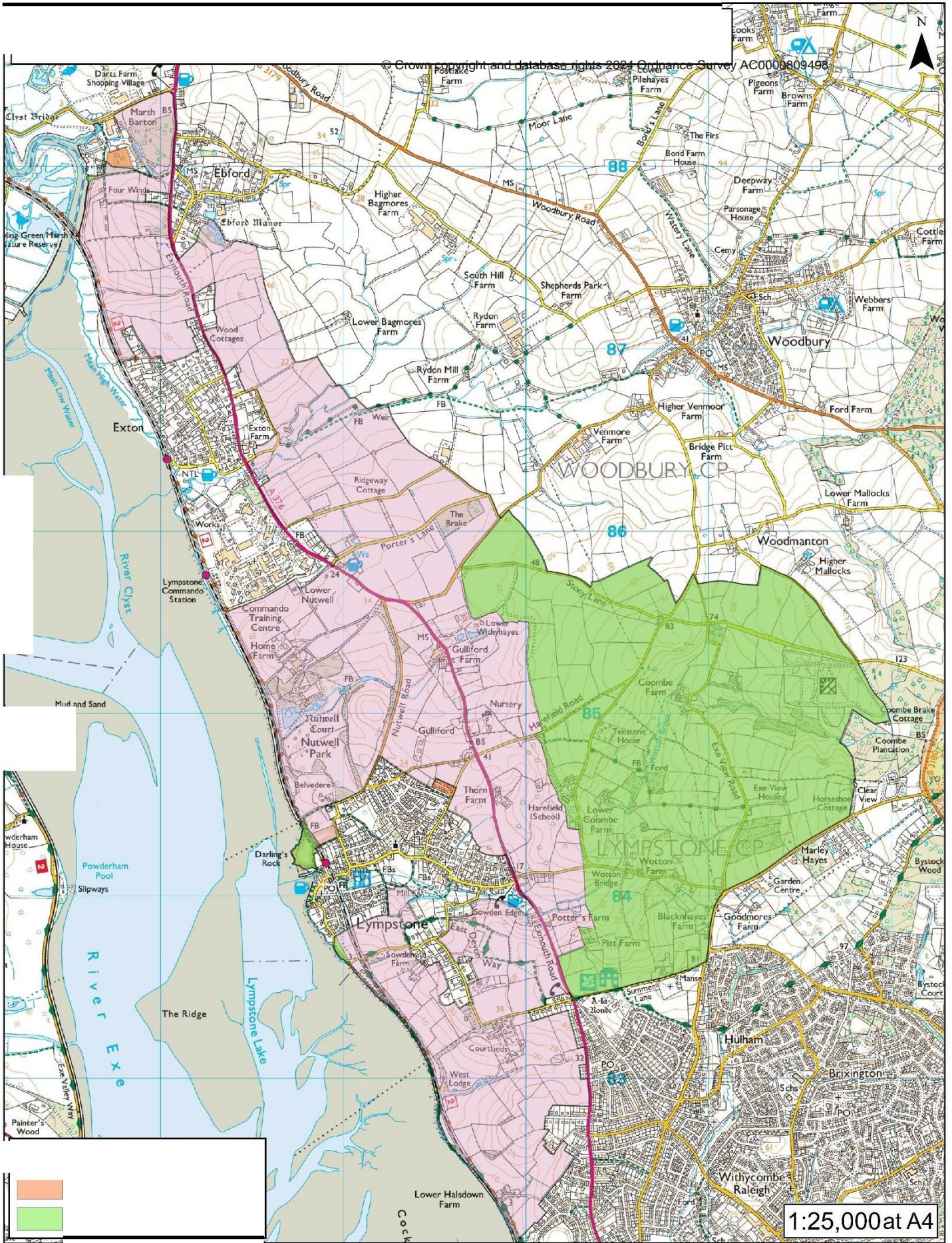
Coastal Preservation Area  
Proposed CPA Omissions  
Proposed CPA Additions

Kilometers

0 0.375 0.75 1.5

2.25

3



- Appendix 2 – Relevant key characteristics and special qualities of Landscape Character Types occurring within CPA

### **LCT 1B Open coastal plateau**

- High, undulating, open plateaux, dissected and separated by combes and river valleys. Underlain by Permian and Triassic sandstone and mudstone in the west and limestone in the east.
- Little woodland, with occasional plantations and estate planting. Some windblown vegetation.
- A relatively large scale landscape, with a regular medium to large field pattern, dense low hedges, containing mix of species and occasional hedgerow oaks. Mixed land use, mainly arable.
- Semi-natural habitats include salt-tolerant coastal grassland, hedgerows, trees and verges, and wind-cropped thickets of blackthorn.
- Local influence of Rousdon Estate, and a postmedieval pattern of fields and farms.
- Low settlement density, mainly limited to scattered farms or hamlets. There are also several campsites and caravan parks.
- Few roads, but many rights of way, including long sections of the South West Coast Path. Main roads are straight and fast along ridges. Minor roads linking combes are narrow and often sunken.
- Extensive views along coast, often visible from South West Coast Path. Much of the LCT has a sense of openness and exposure. Context of open sky to the south and land to the north adds to the sense of place.

### **LCT 2A Steep wooded scarp slopes**

- A narrow band of steeply sloping land immediately below the plateau edges.
- Extensive woodland, both deciduous and coniferous. Trees and hedgerows increase its wooded appearance. Notable mature oak and ash trees.
- Land use of mixed woodland and semi-improved or unimproved pasture. Small scale, irregular field pattern.
- Many patches of semi-natural habitats, including springline mires, scrub, grassland and woodland.
- Lightly settled, with occasional scattered farms, often nestled in folds of the scarp.
- Narrow winding lanes with well-treed banks. Lanes often run at an angle to the slope. Some green lanes and footpaths, but much of the LCT is inaccessible.
- Strong sense of enclosure in wooded areas, and a contrast of light and darkness. Irregular fields create varied and distinctive patterns.
- Seasonal contrasts in colour, particularly in deciduous woodlands, including spring bluebell woods and autumn leaves.
- From less wooded areas, and openings in trees, there are sudden and spectacular views over surrounding landscapes.
- Strong sense of tranquillity over much of the LCT, particularly away from roads and settlements.
- A rich diversity of woodland, grassland and springline habitats, within an historic landscape pattern.
- Its dramatic appearance as a steep ridge at the tops of the valley sites, creating a seasonally- changing backdrop to the valleys below.
- A strong sense of tranquillity, and magnificent views over surrounding valleys and across to scarps

### **LCT 3A Upper farmed and wooded valley slopes**

- Small V-shaped valleys on upper slopes.
- Deciduous woodland and copses, especially on upper slopes. Hedgerow trees (mostly oak and ash) add to the green and lush appearance.
- Well-treed pastoral farmland, with some arable cultivation on lower slopes. Small to medium- size fields with irregular boundaries. Associated with traditional Devon smallholdings.
- Wide, species-rich hedges with many hedgerow trees. Grassland, stream and woodland habitats add to rich biodiversity.
- A dispersed settlement pattern of isolated farms and small villages. Villages are often nucleated around a church, and contain local stone (chert) and cob buildings.
- Very winding narrow lanes, many sunken with high banks and flower-rich verges.
- An intimate and intricate landscape with wider views often confined by vegetation. Where views occur, they contain distinctive patchwork patterns of fields.
- Relatively remote and tranquil with little obvious modern development.

### **LCT 3B Lower farmed and settled slopes**

- Gently rolling landform, sloping up from valley floor.
- Oak and ash predominate, and there are small blocks of woodland.
- Predominantly pastoral farmland, often with a wooded appearance. Variable sized fields with wide, low hedged boundaries and a mostly irregular pattern, reflecting different phases of enclosure.
- Semi-natural habitats include streams and ditches, grassland, woodland and trees.
- Views tend to occur across valleys, rather from within them. Higher land in other LCTs forms the backdrop to views.

### **LCT 4A Estuaries**

- Estuaries opening out onto south coast. Covered with shallow water at high tide, with creeks and tidal rivers highly influenced by prevailing tidal condition. Shingle spits/ beaches at the mouths of the Axe and Otter estuaries.
- River channels can be narrow and shifting, with strong tidal flows.
- Areas defined by permanently dry land to east and west. Red sandstone headlands are distinctive features.
- No tree cover within LCT, although trees on headlands (including Estate planting) add to character.
- Semi-natural habitats include extensive mudflats, with areas of sandbanks, mudflats and saltmarsh, supporting a range of wildlife.
- Unsettled, but influenced by adjacent towns.
- Small quays and jetties found along the shoreline, often associated with settlements. Adjacent railway/ tram lines and bridges.
- Few roads or public rights of way within the LCT, but South West Coast Path, cycle routes, Tramway & Exe Valley Railway line run adjacent. Exe is well-used for water-based recreation, with majority of boat traffic comprising small recreational boats.
- Mainly tranquil away from major settlements, with strong sensory characteristics. Distinctive views of Exe from trains and stations.
- An open and expansive landscape, with large skies. Church towers (particularly at Exmouth) are skyline features.



## LCT 4B Marine levels and coastal plains

- Flat land and open water within a floodplain, based on alluvial or tidal deposits, and containing some reclaimed farmland in areas formerly estuary.
- Vegetation influenced by coastal conditions, with some hedges but limited tree cover.
- Largely unenclosed, with some pasture on reclaimed grazing marsh divided by ditches. Extensive informal recreational use, including nature reserves.
- Habitats of national importance include coastal grasslands, reedbeds, open water and grazing marsh.
- Non-designated archaeological sites including lime kilns, former ports (e.g. East Budleigh) and medieval saltworking sites.
- Largely unsettled, due to flooding.
- No roads within the LCT, although some run along the periphery. Recreational routes include the South West Coast Path, and Seaton Electric Tramway. Evidence of historic use for water transport.
- Parts are exceptionally tranquil, however, in some locations, the proximity of roads and settlements in adjoining areas reduces tranquillity.
- Strong sensory characteristics: colour and texture of marshes, reeds and water, smell of water, nearby saltmarsh and mudflats, sound of birdcalls, reflecting sunlight and seasonal inundation. • Flat, expansive landscape with a feeling of space and long views, especially along valleys.

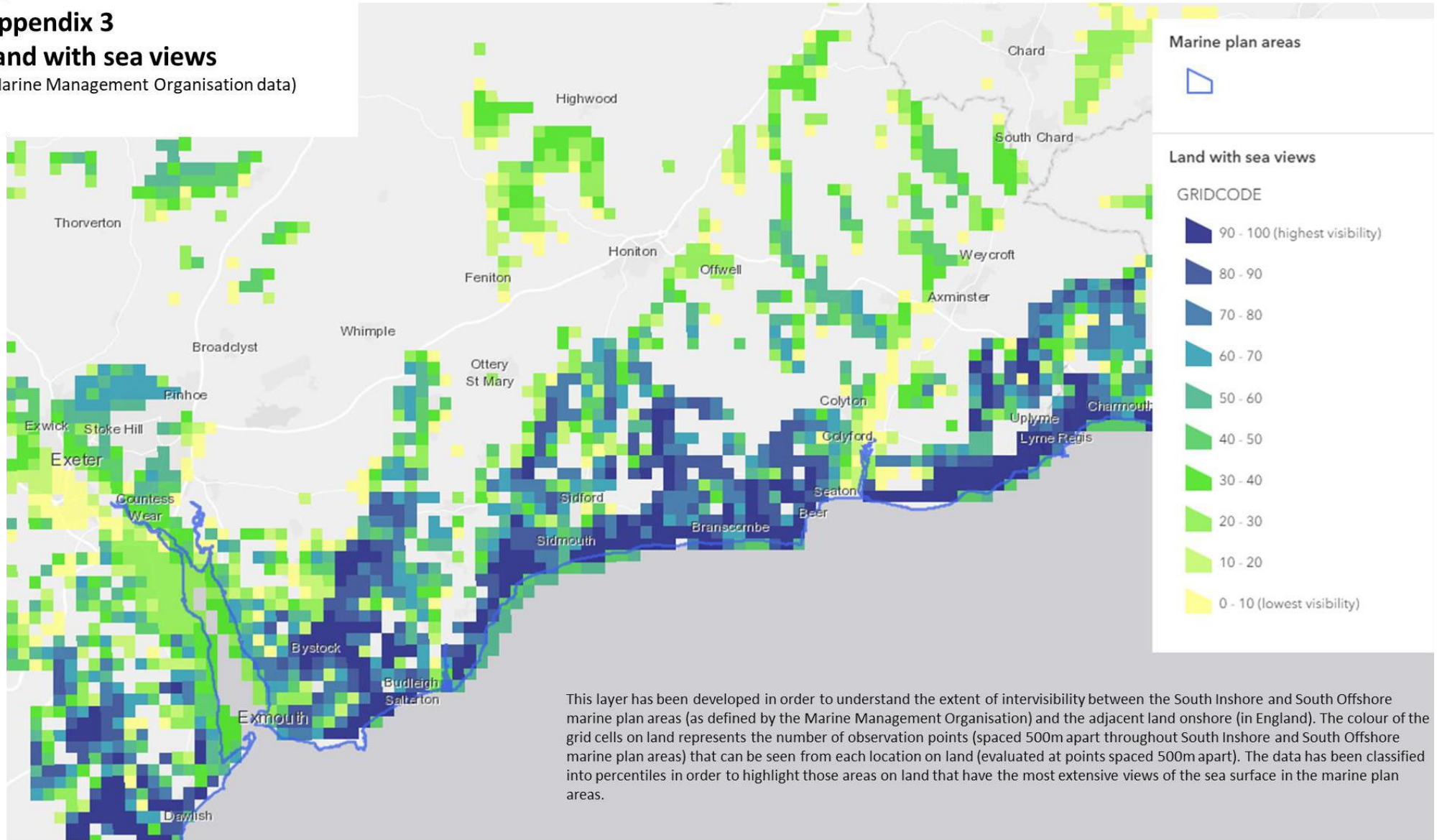
## LCT 4H Cliffs

- Steeply-sloping cliffs of varying heights, nearly vertical in places; slopes shallower elsewhere due to landslips. Narrow shingle beaches at base of cliffs.
- A dynamic landscape, with distinctive landforms and rock stratifications related to limestone and sandstone geology which extends inland and out to sea.
- Predominantly treeless, although the eastern end of the study area is densely vegetated, with deciduous woodland and fern-rich groundcover.
- Unenclosed, with occasional surviving examples of undercliff ‘platts’ used for vegetable growing.
- Cliff faces support important breeding colonies of seabirds, and succulent plants. Local examples of extensively vegetated slumped landslips on lower half of cliff.
- Remains of prehistoric barrows on cliff tops, also industrial remains (e.g. limekilns) and military archaeology.
- Unsettled
- Accessible only along cliff top via South West Coast Path, or in some places along beach.
- Extensive and sometimes wild, with dominant marine influence and high levels of tranquillity and remoteness away from settlements.
- Strong influences of weather and season, and contrasting colours of white limestone and red sandstone.
- Extensive and dramatic views along coastline from cliff-top path, and associations with artists.

### Appendix 3

## Land with sea views

(Marine Management Organisation data)



page 266

- Appendix 4 – Methodology

## EAST DEVON COASTAL PRESERVATION AREA REVIEW 2023

The following methodology is based on ‘An approach for defining undeveloped coast’ DLPG Advice note 3.

The original Coastal Preservation Area designation provides a starting point or baseline for defining ‘Undeveloped Coast’ through the Local Plans and Local Development Documents. This reflects the approach already adopted by many coastal planning authorities to date.

### General principles

Where a need is established to amend or review boundaries, the Devon Landscape Policy Group recommends the following criteria for defining the Undeveloped Coast, developed from those used to define the Coastal Preservation Area and earlier advice in PPG20:

- a) Landscapes that have a coastal character, including direct maritime influences and coastal related activities. As a minimum the area should include the open coast down to mean low water, rias and estuaries up to the tidal limits and including the whole tidal estuary channel. Landscape character types with a distinct coastal component of their key characteristics may be useful when considering the landward extent.
- b) An area of coastal landscape perceived as undeveloped and unspoilt by modern development. This should acknowledge that most coastal landscapes in Devon have been influenced by human activity over time, and may therefore include landmark buildings, historic rural hamlets, farmsteads, farmed landscapes and country lanes for example that positively contribute to the rural ‘undeveloped’ character of the coastal landscape.
- c) The landward extent of the visual envelope visible from cliff tops, beaches, sea or estuary; or form part of the view from significant lengths of public highway, or other publicly accessible routes, leading to and along the coast, including the South West Coast Path and the intended new coastal trail / access land.

Where undeveloped coast abuts existing large villages or urban areas, there should be a presumption against allocating land for future development along the coast, given that the undeveloped coast is a finite resource.

The inland extent of the undeveloped coast will depend on its intrinsic coastal character and whether it is perceived by people to be undeveloped, rather than a definitive distance. Coastal character may extend to variable distances inland, depending particularly on the topography and natural and cultural influences such as tidal range, vegetation, coastal industries and activities.

The seaward extent of the area should integrate with the Marine Plan/Marine Character Area i.e. overlap to include to the tidal limits, to Mean Low Water and to the tidal estuary channel. Some of these areas may fall outside local authority boundaries and within the Crown Estate.

In Devon, the visual and cultural relationship between land and sea is integral to the character of the coast. Therefore the seaward area visible from the undeveloped coast should be taken into account when reviewing proposals for offshore development.

### Evidence base

Landscape and seascape character assessments should be used to help define the undeveloped coast and to inform how to maintain its distinctive character through the planning process. Devon Character Areas, Landscape Character Types, and emerging seascape assessments prepared by the Marine Management Organisation (MMO) should be referred to, along with National Character Areas, as appropriate.

The Devon Historic Landscape Characterisation and Historic Environment Record should be integrated with this process and reference should be made to the Historic Seascape Characterisation being carried out by English Heritage to inform the Marine Plans.

Existing management plan and strategies should be consulted, such as those compiled for East Devon AONB, Jurassic Coast World Heritage Sites, Shoreline Management and other coast or estuaries management plans. These will help to identify the special qualities and sense of place which inform protection and enhancement, as well as natural processes and the changing character of the coast.

Since the last Local Plan some additional policy and guidance has been produced including South Inshore and South Offshore Marine Plan July 2018, Marine Character Areas MC1 Lyme Bay West and MC2 Lyme Bay East, 2013. The East Devon Landscape Character Assessment was updated in 2019. These may have some influence on the CPA boundaries and will be reviewed as part of the assessment process.

#### Desk study

A desk study to analyse the areas with direct maritime influences and coastal related activities will be undertaken including review of published landscape and seascape character assessments; topography; areas of floodplain and flood risk within the coastal flood zone and the extent of land visible from the shore.

- o It should be noted that the administrative area of Teignbridge District and East Devon District stop at the Mean Low Water Mark which is also the seaward limit of the Coastal Zone defined in PPG20. The permanent open water channel of the River Exe falls within Crown jurisdiction.
- o A judgement is required to set the distance from the coast or estuary shore at which visible land cannot be described as 'coastal', where direct maritime influences and coastal related activities are not significant. The extent to which these criteria affect the landscape varies considerably depending on elevation and exposure. High inland ridges many miles from the coast can be influenced by the effect of salt laden winds, and may afford distant views to the sea, however they are not considered to form part of the 'Undeveloped Coast'. For the purposes of this study the inland limit is judged to be a maximum of 4km from the coast or estuary shore. The inland limit of the 'Undeveloped Coast' therefore varies considerably, the farthest limits lying at approximately 4km.
- o An analysis of the settlement boundary (Urban Residential Development Boundary, Village Envelope and Holiday Development Area) would be undertaken and land developed since the Adopted Local Plan 2013 would be excluded from the 'Undeveloped Coast'.
- o Woodland, trees and hedgerows visible from sea or estuary should be included since these are landscape elements which form part of the 'Undeveloped Coast'. Land falling behind such features which would otherwise be visible should be included since they are not permanent and generally have no specific protection under law.
- o Buildings on the other hand are more permanent features and are rarely cleared and replaced with open land, except perhaps in cases of coastal erosion. Whilst individual and small groups of buildings and other developments may be 'washed over', larger settlements (villages and towns) are excluded.
- o Land obscured behind buildings along a settlement boundary should in theory therefore be excluded. The limits of field work, however, mean it would not be feasible to survey all land potentially obscured behind the settlement boundaries. Previous mapping of the CPA mapped to a recognisable feature e.g. a field boundary, resulting in small fields or parts of fields being included within the CPA when they were obscured by buildings.
- o Mapping to a recognisable field boundary is a pragmatic approach which is in general terms effective. In some instances, however, large fields which cross ridges and summits or vary dramatically in elevation clearly have visible and non-visible areas. In these cases the limits of the 'Undeveloped Coast' would be effectively defined by contours.

o Consideration will also be given to principle publicly accessible routes leading to and along the coast to help define the visual envelope where visibility is not defined by views from the sea or estuary. For the purposes of this study, routes leading to the coast were considered to terminate within 1km of the shore. Visibility from these routes was considered looking towards the coast or estuary. An inland limit of approximately 4km was set. Land beyond 4km from the coast or estuary was considered to have limited coastal or maritime influences. Routes along the coast were considered to be roughly parallel with and within the 4km limit.

o Where coastal land is not visible from sea or coast but potentially from significant lengths of a publicly accessible route, views may frequently be obscured by hedges, banks, trees or woodland or indeed buildings along the route. Land which is not visible from significant lengths is excluded, taking into account whether the view from the route is obscured by vegetation, banks or buildings along the route itself. The exceptions to this are where land is under direct maritime or coastal influence, small areas included for mapping purposes or pockets washed over within a wider area.

o Within the CPA pockets of land e.g. in deep valley bottoms, which are not visible but fall within a larger visible area should be 'washed over', rather than leave 'holes' in the CPA. Static caravan sites have also been washed over as these are considered to be relatively impermanent, are low in height and their replacement with larger permanent structures could adversely impact surrounding undeveloped coastal land.

#### Field study



o If field study work is to be undertaken it should be focussed on areas of land identified for potential inclusion and exclusion using information from the desk study, visual analysis and informed information gained from further consultation exercises. Consultations will be undertaken with East Devon AONB/ Jurassic Coast WHS/ Teignbridge DC, and other interested parties.

Field study observations will be recorded on a standard template (attached at end) to help provide consistency in forming judgements, combined with site photographs. Copies should be retained as evidence for justification of changes.

#### Presentation of findings

Proposed changes to CPA boundaries will be mapped using GIS software and summary location, description and justification for change provided in written/ tabular form.

- Coastal character checklist – Site:

Physical characteristics	Dominant coastal influence 				No coastal influence
Topography aspect and orientation					
Maritime activities					
Shoreline development (including sea defences)					
Vegetation pattern					
Presence of natural processes					
Experiential characteristics	Dominant coastal influence 				No coastal influence
Sense of space and light					
Sense of exposure and relative wildness					
Sense of naturalness and remoteness					
Extent of human influence (including cultural associations)					
Sights, sounds and smells associated with marine environment					
Visual characteristics	Dominant coastal influence				No coastal influence



Views of coastline/ marine edge					
Views of sea/ estuary					

**Notes:**

**Undeveloped coast applicable:**    Yes            No

# **Chapter 14 Open space and sports and recreation facilities**

## **The importance of open space and sport and recreation facilities**

Having ready and easy access to attractive open spaces for all people at all stages of life is critical for mental and physical wellbeing. In East Devon we are blessed with an exceptionally attractive environment with many high quality and accessible open space areas. However, this does not translate into everyone having readily accessible open space available to use and enjoy.

We have, therefore, set out an over-arching strategic policy in respect of open space and sports facility provision. Policy seeks to set an agenda for provision of open space and recreation provision to match and be aligned with new development coming forward and if or where possible to address deficits in current provision.

### **96. Strategic Policy OS01: Access to open space and recreation facilities**

Support will be given for the provision of new and enhanced high quality open spaces and access to existing spaces and to sports and recreation facilities.

A key consideration in accommodating new development will be to ensure that residents, visitors to or users of any new scheme must be able to access open spaces and sports facilities and enjoy the benefits that such spaces and facilities offer. Such an outcome will require that availability of space and safe and easy access to it for all. At the outset of designing any development proposal full account must be taken of the open space and sports facilities it will generate a need for and high-quality provision must be designed in at the outset.

Qualitative (how good it is) and quantitative (how much there is of it) assessments of open space provision, in respect of what exists now and what is planned will be determining considerations in the decision-making process. Securing planning permission for development will require meeting and ideally exceeding minimum specified standards of provision.



## Justification for policy

Open spaces and their use and availability can be divided between those that are used for informal recreational activities, for example as simple as just going for a walk in a nice green environment, through to those used for formal sport or recreation activities, such as playing a game of football.

For informal activities the expansive open spaces area of East Devon, including the coast and countryside and parks and gardens are widely enjoyed. In some areas, especially the more urban, and for people with limited mobility such spaces can, however, be challenging and concerns are compounded for those without access to a car or private vehicle. When it comes to formal recreation facilities, specifically playing pitches for sport and recreation, there are parts of the district where existing supply falls a long way short of existing demands noting that the availability and quality of pitches and facilities is variable across the district with many sports pitches being used at levels that at or exceed capacity.

The Council has a Leisure Strategy that was completed in summer 2022, and it also contains the Built Sports Facility Strategy, see: [70622 East Devon District Council Leisure Strategy.pdf](#)

A new Playing Pitch Strategy, that is currently in production (completion scheduled for 2025), will supersede a strategy that was approved in 2015, see. [Open Space - Playing Pitch Strategy - East Devon](#)



Playing pitch at Ottery St Mary

facilities and bidding for monies for new or enhanced facilities. The new Playing Pitch strategy will assess availability, access and use of pitches used for football, cricket, hockey, rugby and tennis.

Assessment work for indoor and outdoor facilities will identify where improvements to existing facilities may be desirable and where extra facilities may be needed, or perhaps (and exceptionally) if there may be an existing over provision. The strategy documents, specifically from a planning and planning policy perspective, will help inform policy that seeks to protect existing facilities from loss and provide for additional facility in association with new development. More widely, and typically beyond the remit or role of planning, the strategy documents may be used by the Council and other bodies to inform decisions on maintenance and enhancement of existing

## **Quantified open space standards applicable for new development**

Where new development schemes come forward, especially for housing development, it will be essential that they have access to appropriate levels of existing open space (and will not in their own right generate a shortfall through using up spare capacity) or that they will provide or contribute to new open space provision.

Plan policy sets out quantified open space standards drawing on Fields in Trust standards [Guidance-for-Outdoor-Sport-and-Play-England.pdf \(viewcreative.agency\)](#).

### **97. Policy OS02: Land and buildings for sport, recreation and open space areas in association with development**

Planning permission for new housing development, in line with the size thresholds set out below, will be required to make open space provision:

9 dwellings or less will not be required to provide any specific open space typologies on-site, however developers may choose to make such provision.

10 – 49 dwellings will be required to provide (A) amenity open space on-site as per the standards.

50 – 199 dwellings will be required to provide (A) amenity open space, and (B) children's and youth play space on-site as per the standards.

200 + dwellings will be required to provide for all open space typologies either on-site or off-site as per the standards.

The open space to be provided will be in line with Field in Trust derived standards specified below.

<b>Open space type</b>	<b>Quantity guideline (hectares per 1,000 population)</b>	<b>Maximum walking guideline distances from dwellings</b>
(A) Amenity green space	0.60	480 metres
(B) Equipped / designated play areas	0.25	100m - LAPs, 400 – LEAPs and 1,000m – NEAPs
Parks and gardens	0.80	710 meters
Natural and semi natural green space	1.80	720 metres
Playing pitches	1.20	1,200 metres
Other outdoor pitch space	0.40	1,200 metres
Other outdoor provision	0.30	700 metres
Allotments	0.23	1,200 metres

New open space will typically be required on site, unless off-site provision is of demonstrably equal or greater benefit. New open space will be required unless existing open space provision, defined on a parish boundary basis, and taken in combination with need generated by the proposed new development, exceeds standards for each typology. Existing open space will be assessed on the basis of an East Devon population density of 2.26 residents per household as derived from the 2021 census.

New development requirements will be based on assumed occupancy rates as follows:

- 1 bedroom dwelling = 1.5 persons,
- 2 to 4 bedroom dwelling = 2.26 persons,
- 5+ bedroom dwelling = 2.5 persons.

Open space provision will be required unless:

- a) it is clearly demonstrated that the proposed housing development will provide for a different resident population level than the above or clearly differing needs, or
- b) the most meaningful contribution is generated by providing only certain types of space provision, this may be specifically relevant where need generated do not provide sufficient land to meet site size thresholds for a given area type for meaningful provision; or
- c) substantive typologies of given open space type are present or will be provided and they will provide an alternative better overall open space provision

Major developments for non-residential uses will need to make space provision of a level that is proportionate to needs arising from the development in question.

## **Justification for inclusion of policy**

New development, specifically including where this gives rise to an increased population, can generate a need for additional facilities, unless there is a demonstrable surplus of provision in the locality. Policy of the plan will require new facilities to meet the need generated by the development. This policy will be most typically relevant where new housing is proposed. It may, however, have relevance where other forms of development could lead to changes in population or people in a locality or where it may generate a need. For example, it could have applicability where a new commercial development results in a new concentration of workers in a given locality.

Policy seeks to deliver new open space and enhancements to existing facilities in step with new residential development. Developments of specialist accommodation such as for the active elderly will be considered using the same methodology as above. However where demands of occupiers can be shown to vary from normal/average demands alternative provision will be negotiable. Money collected from application of this policy may be pooled to fund publicly accessible open space projects

## **Location for new facility provision**

New facilities for formal and informal recreation should be located where they will meet needs, are accessible to the population and where the uses proposed and types of activities that will be accommodated will be compatible with neighbouring uses and any wider plans for a general area. Providing safe and attractive links

between open space areas can be an especially beneficial outcome of plan policy

### **98. Policy OS03: Location of facilities for sport and recreation, open spaces and allotments**

Within or adjoining urban or built-up areas, planning permission will be granted for new open space areas, allotments, sports facilities and parks and for the upgrading or enhancement of existing facilities provided that unacceptable adverse amenity or environmental impacts do not arise from development.

Any new or enhanced provision should be readily accessible to all people with a particular emphasis attached to ensuring safe pedestrian and bicycle accessibility. Any built development associated with new facilities should be proportionate in scale or kind to the facilities be provided and where possible close by to existing built development.

### **Justification for inclusion of policy**

New facilities and open space can typically be expected to be accommodated on and within development sites, especially so for larger developments. In such cases they should be located in accordance with detailed design proposals for any specific development scheme taking into account design policies in this plan as well as specific characteristics of the development site.

Where they otherwise come forward for development, they should be accessible to close by residential populations and centres and avoid adverse impacts. Typically, new facilities can be expected to be close to built-up areas though but less formal open space uses can be more flexible in where and how they are accommodated with what could be limited scope for possible adverse impacts.

### **Avoiding the loss of existing facilities**

Facilities used for sport and recreation can come under pressure for reuse or redevelopment for non-sporting and recreational uses or changes from one type of sporting use to another. Policy of the local plan will seek to resist such losses unless, under plan policy, there is clear justification.

## **99. Policy**

### **~~Retention of land and buildings for sport and recreation use~~**

**At the suggestion of Sport England – this policy is deleted. It repeats much of though to some extent also contradicts para 134 of the NPPF**

~~Proposals that would result in the loss of open space currently or previously used for recreation and/or sports uses, play areas or playing fields will not be permitted unless at least one of the tests below is satisfied:~~

- ~~1. Local Plan policy compliant alternative provision of equivalent community benefit is made available and will be appropriately laid out by the applicant as a replacement.~~
- ~~2. Sports and recreational facilities can best be retained and enhanced through the redevelopment of a small part of an overall site.~~
- ~~3. Locally (within the parish where it is located) there is an excess of public open space, children's play areas or sports pitch provision – the excess will be measured on the basis of a generic space type reference – e.g. grass area suitable for team sport – rather than a space for a specific sport.~~

## **New allotments and avoiding the loss of existing ones**

Allotments are a valuable asset in within local communities and are recognised as being of particular importance in urban areas, especially where individual gardens may be small in size.

The need for additional allotments depends on local factors though the council will be supportive of new provision. Proposals involving the development and thus resulting in the loss of allotments must have regard to considerations of demand and conveniently located alternative sites.

## **100. Policy OS04: New allotments and avoiding the loss of existing ones**

New allotments will be granted planning permission where they are well related to settlements and will avoid adverse environmental or amenity impacts.

Planning permission will not be granted for developments that would result in the loss of existing allotments unless at least one of the tests set out below is satisfied:

- A development proposal will create a new provision that is equal to or better than that being lost: or
- There is a demonstrable over-supply, and an over-supply that can be shown to persist in respect of past patterns and future projections of need, in the Parish/town in which the allotment is located.

Allotments, whether in public, voluntary sector or private ownership form a valued community asset and are increasingly important to many local communities and people. Demand for allotments has risen over recent years with waiting lists frequently becoming longer. It would be rare for allotments to be lost to development, and not replaced, though noting that in very exceptional circumstances this may be possible but only where it is very clearly demonstrated that an oversupply.

In some cases loss of existing allotments may be acceptable where new replacement provision is on equal or better community value with account taken of cost to users, accessibility, availability, appeal for use and quality of growing conditions.

## **Sport and recreation facilities in the countryside**

The changing nature of agriculture and the need for rural diversification has focused attention on alternative uses of land within the countryside. In this respect the provision of outdoor recreation facilities is of particular relevance. This type of development can at its most extremes have a significant visual impact on the character of the landscape and the surrounding countryside. It is though acknowledged that proposals can provide opportunities to improve despoiled environments and create wildlife habitats and also provide appealing destinations for people to visit and use.

Some uses, such as horse riding, will be encouraged where they can be accommodated safely and are not detrimental to the countryside but their associated services and paraphernalia will need to be controlled. Dwellings in the open countryside will not be justified on the basis of a recreational need.

## **101. Policy OS05: Leisure and recreation developments in the countryside**

Planning permission will be granted for outdoor recreation facilities in the countryside and on the coast provided that the nature of the activities undertaken or the space requirements of the proposal require a countryside or coastal location and all of the following tests are met:

- The facilities or development proposals are in scale with the character, environmental characteristics and setting of the area and do not conflict with countryside, nature or landscape policies, nor detract from the amenities of the area.
- The proposals provide for safe and convenient pedestrian and cycling access and discreet parking arrangements, particularly in environmentally sensitive areas.
- On site facilities are appropriate to meet the needs of the proposal and links with adjacent footpaths and bridleways should be suited to any proposed site uses.
- Development should not result in net adverse natural environmental impacts and ideally should generate improvements.

The clear policy expectation is that low impact uses only will be accommodated and such uses should be for countryside related activities.

Any building work should be small scale and subservient to wider site use and where possible existing building reuse rather than new development should take place,

Any new buildings and necessary extensions should be limited in scale and be in close proximity to existing groups of buildings or an existing settlement.

Where it is proposed to extend or intensify an existing use the proposals and any net cumulative additional impacts will be considered in the context of and be required to be compatible with all of the above.



## **Justification for inclusion of policy**

Many leisure activities, especially of a low key or informal nature, take place in countryside locations and away from settlements. Often such activities don't take place in places or use facilities that have been developed (that is not developed in the planning sense and in terms of where planning permission may be or have been required). However, proposals for commercial or other leisure facilities often associated with tourism attractions or accommodation sites may come forward for development.

## **East Devon Local Plan – Topic Paper**

### **Local Plan Chapter 14 - Open Space and sports and recreation facilities**

**October 2024 – Version 01**



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## 1 Introduction

- 1.1 This is one of a series of topic papers that will sit behind and help 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 specifically addresses Chapter 14 of the plan - Open space and sports and recreation facilities.

## 2 The Publication draft of the Local Plan

- 2.1 At the date that we published this draft topic paper we are moving towards production of the Publication draft of the local plan. There are specific Government regulations<sup>1</sup> that apply to local plan making and these set out actions that need to be undertaken at different regulatory stages (this report specifically relates to Regulations 18, 19 and 20).
- 2.2 The proposed Publication draft text of the local plan will be an edited and amended draft of the consultation draft plan published in November 2022<sup>2</sup>. The draft plan was consulted on under plan making Regulation 18 and it should be noted that further limited additional consultation under this regulation took place in the late Spring of 2024.
- 2.3 The Publication plan, under Regulations 19 and 20, will be made available for any interested party to make representations on. The period for making such representations is currently planned to be from December 2024 to January 2025. The Publication plan, representations received and other relevant paperwork will be submitted for Examination, to a target date of May 2025. One or more Planning Inspectors will undertake the plan examination.
- 2.4 The first drafts of what is proposed to become the Publication plan will be considered by the Strategic Planning Committee of East Devon District Council in October 2024. The expectation is that text will then be refined as the year progresses with a view to the Committee being asked to approve the final Publication plan in November 2024.

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<sup>1</sup> [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

<sup>2</sup> [commonplace-reg-18-final-071122.pdf \(eastdevon.gov.uk\)](https://www.eastdevon.gov.uk/commonplace-reg-18-final-071122.pdf)

### 3 Summary of proposed redrafting of Chapters 14 of the consultation plan

- 3.1 Chapter 14 of the consultation draft local plan (November 2022) formed a starting point for consultation on policy for sports and recreation in the local plan. Moving forward towards the Publication Plan the expectation is that there should not be any significant changes to the plan chapter, though there is scope for simplification.

### 4 Issues and options consultation

- 4.1 Prior to production and consultation on the draft local plan the Council consulted on a local plan Issues and Options<sup>3</sup> report. This included a series of questions that responses and comments were invited on. A feedback report was published<sup>4</sup>.
- 4.2 In the issues and options report there were not direct questions about open space and recreation matters though there were limited comments in feedback received that were of relevance. General in-principal support was given to the importance of provision.

### 5 Draft plan consultation

- 5.1 In the draft plan consultation Chapter 14 formed one of the plan chapters that was consulted on. A full feedback on the consultation can be viewed at - [accessible-reg-18-consultation-feedback-report-spring-2023.pdf \(eastdevon.gov.uk\)](https://www.eastdevon.gov.uk/accessible-reg-18-consultation-feedback-report-spring-2023.pdf)
- 5.2 One general comments raised in feedback, of relevance to the recreation chapter overall, was received from Sport England, this was summarised as:
- In representation Sport England set out details of their role and responsibilities and amongst other matters advise that in order to meet the requirements of the NPPF there should be a strategy (supply and demand analysis with qualitative issues included) covering the need for indoor and outdoor sports facilities, including playing pitches. They note the Council's local plan comment para 14.6 to complete a new Playing Pitch Strategy. They also note the Council has a Leisure Strategy but question whether it meets the requirements of the Assessing Needs and Opportunities Guidance in respect of being sufficient to be a Built Facilities Strategy.
- 5.3 It is advised that the Council, through consultants, are preparing a Playing Pitch Strategy and this, along with other ongoing Leisure Strategy work, will refine the Councils understand of

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<sup>3</sup> [issuesandoptionsreport-jan2021.pdf \(eastdevon.gov.uk\)](https://www.eastdevon.gov.uk/issuesandoptionsreport-jan2021.pdf)

<sup>4</sup> [2a. Consultation feedback report Ver 03.pdf \(eastdevon.gov.uk\)](https://www.eastdevon.gov.uk/2a.Consultation-feedback-report-Ver-03.pdf)

supply and demand considerations. The council has developed and is further developing a robust approach in respect of promoting sports and formal recreation provision.

## **6 Further Regulation 18 consultation Spring 2024**

- 6.1 In the late Spring of 2024 there was further Regulation 18 consultation on selected topic matters. Open space and recreation policy were not matters that were explicitly consulted on. However, in comments on such matters as Green Wedges, that were consulted on, there was feedback highlighting relevance and importance, and potential role, of such open spaces to provide particularly open space provision.

## **7 Sustainability Appraisal feedback**

- 7.1 The draft local plan was supported by a Sustainability Appraisal<sup>5</sup> (SA). This SA will be updated and refined as plan making progresses and it will be one of the documents that is submitted as part of the submission for Examination.
- 7.2 The SA report of the draft plan was largely supportive of the policy approach being taken forward for open space and recreation provision. Noting a number of health and well-being benefits, in particular, of draft plan policy.

## **8 Habitat Regulation Assessment**

- 8.1 The local plan will need to be assessed under the Habitat Regulations. An preliminary assessment of policies in the draft plan has been produced – [east-devon-local-plan-hra-110723-2013-doc-from-footprint.pdf \(eastdevon.gov.uk\)](https://www.eastdevon.gov.uk/media/110723-2013-doc-from-footprint.pdf)
- 8.2 In respect of Habitat Regulation Assessment negative matters were not identified as arising from draft plan policy on open space and recreation that generated concerns..

## **9 Assessment of policies in chapter 14**

- 9.1 Chapter 14 of the draft plan set out a series of policies that are reviewed below.

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<sup>5</sup> [sa-of-pos-consultation-draft-lp\\_2022.pdf \(eastdevon.gov.uk\)](https://www.eastdevon.gov.uk/media/110723-2013-doc-from-footprint.pdf)

**General issues raised on Chapter 14 - Open space and sports and recreation facilities**

- Through consultation and evidence gathering work policies in the draft local plan on sport and recreation provision were generally supported and seen as appropriate. The sports and recreation chapter seeks provision of new and enhanced facilities highlighting that these are crucial to human health and well being.

**Key technical evidence sources**

- The Council has an existing Leisure Strategy, incorporating a Built Facilities Strategy, and is preparing a new Playing Pitch Strategy, scheduled for completion in 2025. We will also rely on Fields in Trust standards as a benchmark for new open space and sports facility provision.

**Issues and options consultation**

We asked about the importance of promoting health and wellbeing throughout the local plan.

The majority of the respondents (82%) felt it is important to promote health and wellbeing throughout the Local Plan. The written comments mostly related to the Covid-19 impact, both physically and mentally. General comments supported preserving and maintaining open space and access to the natural environment. Numbers of comment suggested a safe and well-linked cycle and walk path should be part of local planning, this would encourage more non-vehicle travel within the local area.

Officer commentary in response:

- It is noted and welcomed that significant support through this early engagement was attached to preserving open space and its role in respect of health and well being promotion.



<p>Only a small number of respondents - 3% felt not important to promote health and wellbeing throughout the local plan, as they believed this should be a topic lead by NHS and Public Health England, not the key task for East Devon District Council and it is the responsibility for each individual.</p>	
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Draft Plan consultation

<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>In representation Sport England set out details of their role and responsibilities and amongst other matters advise that in order to meet the requirements of the NPPF there should be a strategy (supply and demand analysis with qualitative issues included) covering the need for indoor and outdoor sports facilities, including playing pitches. They note the Council’s local plan comment para 14.6 to complete a new Playing Pitch Strategy. They also note the Council has a Leisure Strategy but question whether it meets the requirements of the Assessing Needs and Opportunities Guidance in respect of being sufficient to be a Built Facilities Strategy.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>The evidence needs highlighted by Sport England have been produced or are in production.</li> </ul>
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Supplementary Regulation 18 consultation Spring 2024

<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>No specific issue are identified in feedback received.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>No comments are raised.</li> </ul>
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<b>Sustainability Appraisal</b>	
See Sustainability Appraisal table below.	No specific matters raised.
<b>Habitat Regulations Assessment</b>	
Key issues raised in consultation: <ul style="list-style-type: none"><li>• No general concerns raised.</li></ul>	Officer commentary in response: <ul style="list-style-type: none"><li>• No comments.</li></ul>
<b>Commentary on policy redrafting for the Publication Plan</b>	
No significant changes are made to overarching introductory references to the chapter.	

Strategic Policy 96 – Access to open space and recreation facilities	
<ul style="list-style-type: none"> <li>This policy seeks to set out an overarching position on securing new and enhanced open space and recreation facilities. Based on securing high quality facilities that meet people’s needs.</li> </ul>	
Key technical evidence sources	
<ul style="list-style-type: none"> <li>As an overarching policy this policy, in its own right, is not specifically supported by actual evidence assessments, but see policies further on in this report and the draft plan for evidence references.</li> </ul>	
Issues and options consultation	
<p>page 291</p> <ul style="list-style-type: none"> <li>The Issues and options consultation Question 25 asked about the comparative importance of various facilities. The comments show that people attached most importance (out of a choice of 20 options) to open spaces, with just over 60% of responses stating this as being essential when thinking about where they would like to live.</li> </ul>	<ul style="list-style-type: none"> <li>The importance of open space to people and where they live and quality of places was clearly reflected in feedback and forms an important policy consideration for the local plan (applicable to this plan chapter and others).</li> </ul>
Draft Plan consultation	
<p>Key issues raised in consultation on this draft chapter, taken from the feedback report were:</p> <ul style="list-style-type: none"> <li>Whilst there was general support in feedback for access to open space and recreation facilities, with respondents noting physical and mental health benefits, climate resilience and biodiversity.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>The general support for the approach of policy is to be welcomed and it is recognised that it is importance for the local plan to set out achievable but still aspirational objectives.</li> </ul>

<ul style="list-style-type: none"> <li>• Sport England advise that all new dwellings (19000 approx.) in East Devon in the plan period should provide for new or enhance existing sport and recreation facilities to help create opportunities for physical activity whilst having a major positive impact on health and mental wellbeing. They support use of planning obligations to ensure delivery and advise that where appropriate new sporting provision should form part of on-site provision.</li> <li>• Good accessibility to open space was highlighted in representation as being very important.</li> <li>• Devon Wildlife Trust advise - we would welcome the inclusion of reference to the requirement for enhancement of our natural environment within this section.</li> <li>• There was a concern that in the past standards have not been met and there is now frequently under-provision.</li> <li>• Though a respondent cited the quality of open space provision achieved in the 1950s and 60s.</li> <li>• There were challenges around standards – with a response highlighting both qualitative and quantitative considerations and questioning whether standards in Policy 97 are the ones sought.</li> <li>• World Health Organization standards were highlighted in representation with access for people to at least 0.5-1ha of public green space within 300m of their home.</li> <li>• A respondent advised that wherever possible EDDC should endeavour to exceed minimum standards.</li> <li>• A respondent also advocated the UN target of 3 trees visible from every home, with a green space within 30 metres and that green space should be a minimum of 300 square metres.</li> </ul>	<ul style="list-style-type: none"> <li>• Effective means for ensuring delivery of facilities will need to be established and whilst policy can set standards implementation will fall beyond the plan.</li> <li>• The overall standards for open space provision plan policy will need some further assessment and potential refinement – and once established in policy the expectation is that they should be implemented. Whilst exceeding them would often be desirable this would need to be seen in the planning balance, if for example it compromised other objectives sought through the planning process.</li> <li>• Open space provision, noting concerns raised, should not be off-cuts of remnant land after development. This is an important consideration that should be reflected in plan policy.</li> <li>• It is noted in a number of representations there were calls for specific facilities in specified localities. Whilst there will be some opportunities through plan policy and planning more generally to target new and improved facilities in certain localities much of the delivery of facilities to address any existing shortfalls will need to fall outside of the role of planning policy and sit within a potential separate project implementation remit.</li> <li>• There were calls for protection of existing open spaces and facilities and avoidance of selling them off. Protection of existing facilities, unless in rare cases there is a surplus supply, or</li> </ul>
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<ul style="list-style-type: none"> <li>• A respondent advocated that 25% to 30% of all developments should be a set aside as open space.</li> <li>• There was concern that open spaces can be, but should not be “multiple of tiny 'offcuts' of land that are basically unusable”.</li> <li>• Challenges around ability to successfully implement policy.</li> <li>• There were calls for additional facilities in certain locations including football and rugby provision in the Exmouth and more open space and connectivity in and through the town, an indoor sports hall in the Sid valley, West Hill needs open space, Cricket pitch needed in Lympstone.</li> <li>• A respondent advised that open space needs to be available in all weathers with too much land being used falling in flood plains.</li> <li>• A response considered that we should protect existing open spaces for future generations and spaces should not be sold off as assets that can be materialised in the short term.</li> <li>• There was a call for open spaces to be imaginatively designed and reference was made to need for a design code.</li> <li>• But a respondent also highlighted how open access and dogs can adversely impact on wildlife.</li> <li>• Exmouth Town Council Members are broadly supportive of this policy in so far as it aims to support new open and recreation space; however, experience in Exmouth has shown us that “access” is key and that it is challenging to provide accessible new recreation space of a decent size and quality within our built up area boundary due to: • landscape impact including AONB and Coastal Preservation Area, • sustainable travel and accessibility, • protection of Green Wedge, • agricultural land quality, • impact on wildlife/biodiversity and trees/hedgerows, • sports pitch site sustainability and viability.</li> </ul>	<p>development will help to generate net overall improvements, should be an important consideration of planning policy.</p> <ul style="list-style-type: none"> <li>• High quality design standards, as referenced in comment. Are recognised as important and should be reflected in policy wording.</li> </ul>
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<ul style="list-style-type: none"><li>• Are the envisaged accessibility (time) standards based on walking or driving?</li><li>• In theory this is good, but why continue to develop in the Maer Valley Park and potentially in the AONB that Littleham backs onto. Exmouth like many places needs its greenspaces for the community to access.</li><li>• The cycle path in the AONB on the former railway line is enjoyed by the community. Even during lockdown people still drove to come and access this vital greenspace. Overtime parkland has been reduced and we must protect what we already have.</li><li>• Also with new large scale developments very little is put towards greenspaces. Even plumb park only has a small area and Pankhurst has nothing. It appears that if on plans a greenspace is allocated or an area for sports activities, then as the development progresses, developers put in further planning to alter the agreed plans and more housing is built instead. This must be not allowed to happen.</li><li>• The provision of more open space and public access is clearly desirable. But unrestricted public access, especially with dogs, can impact badly upon local wildlife. So a more thoughtful and nuanced approach is needed.</li><li>• Barratt Homes support policy.</li><li>• The impact on viability of developments also needs to be considered here, and priorities for contributions where they can render developments unviable also needs consideration</li></ul>	
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Supplementary Regulation 18 consultation Spring 2024

<p>No specific additional matters were identified in feedback that relate directly to this policy.</p>	<p>No specific feedback is provided.</p>
<p>Sustainability Appraisal</p>	
<p>The draft local plan SA report advised policy is preferred over alternatives identified because of major positive effects on supporting healthy and active communities. The option of not having a policy that promotes access to open space and recreation facilities was rejected due to less significant positive effects relating to the built environment (objective 3) and health and well-being (9).</p>	<ul style="list-style-type: none"> <li>• Endorsement through the SA work of the broad policy approach is noted and welcomed.</li> </ul>
<p>Habitat Regulations Assessment</p>	
<p>The Habitat Regulations Assessment work identifies no (negative) likely significant effects.</p>	<ul style="list-style-type: none"> <li>• Lack of impacts is noted.</li> </ul>
<p>Commentary on policy redrafting for the Publication Plan</p>	
<p>Redrafted policy title:</p> <ul style="list-style-type: none"> <li>• Strategic Policy OS 01 – Access to open space and recreation facilities</li> </ul>	
<p>Significant changes to this policy from the draft plan to the Publication plan are not seen as appropriate.</p>	

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## Strategic Policy 97 – Land and buildings for sport, recreation, and open space areas in association with development

This policy is specifically concerned with provision of new open space in association with and to serve new development, especially residential development.

### Key technical evidence sources

In the draft local plan we relied on past open space assessments but acknowledged the need for an update. In the new policy we use standards set out by Fields in Trust.

### Issues and options consultation

Key issues raised in consultation:

- No policy specific issues are highlighted.

- No specific feedback comments are highlighted.

### Draft Plan consultation

Key issues raised in consultation:

- Concerned that policy seeks large amounts of open space to be delivered on-site, with little room for variation and no option for off-site delivery embedded within the policy text. The policy wording implies that variation to standards can only be negotiated providing that an overall increase to standards is achieved. This offers no flexibility for scenarios where minimum standards cannot be achieved. As worded there is also no mechanism for off-site contribution.
- Queried why is Sidmouth the only town to which urban open space standards do not apply? ( table p280)

Officer commentary in response:

- In policy redrafting the policy we have sought to provide more flexibility in respect of on and off-site provision options and also provide some flexibility on the form that space can take. But whilst still seeking rigorous demands based around importance of provision.
- It is noted some respondents highlight particular locations for or types of space provision. In policy we have sought to provide a reasoned balance of provision (noting there will always be cases where respondents might lobby for particular types of outcomes).



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| <ul style="list-style-type: none"><li>• View expressed that provision for all elements itemised are important and especially Natural and Semi Natural space should be at the forefront of the applicants minds</li><li>• Noted that evidence is out of date and respondents reserves rights to make further comments.</li><li>• Respondents advises that older persons needs are lower than general provision needs and suggests Older person's housing schemes are exempt from the above requirement so long as high quality amenity space suitable for older people is provided on site.</li><li>• Considered that policy is too vague and subjective and in respect of off-site contributions it should be explicitly spent on sport and recreation provision.</li><li>• Policy should reference avoidance of outdoor light pollution.</li><li>• Policy should also refer to unstructured areas like woodland and heathland.</li><li>• Policy should refer to indoor facilities as well.</li><li>• Support principle but concerned that the wording is not sound as first paragraph contradicts second paragraph and should be deleted.</li><li>• Unreasonable to require all sites of over 200 dwellings to provide all the open space typologies identified on-site. The fourth paragraph does not acknowledge either economies of scale, or that the site may not be suitable, for all typologies, for example playing pitches require level, well drained land. If a typology cannot reasonably be provided on-site, the policy should acknowledge that a financial contribution in lieu may be appropriate.</li></ul> | <ul style="list-style-type: none"><li>• With district wide application of Field in Trust standards local area policy variations are removed. Use of these standards also overcomes the dated nature of past evidence.</li><li>• Flexibility is built in to redrafted policy to note that some resident groups may not have standardised needs (e.g. potentially the elderly).</li><li>• We have sought to avoid excessive detail in policy noting that the plan should be read as a whole and other plan policies will cover such matters as light pollution.</li><li>• We would nit see the need to address indoor sports facilities specifically in policy given the specific costs and challenges associated with delivery. However, on the largest development schemes, specifically the new community, bespoke policy requirements may be specified for development.</li></ul> |
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<ul style="list-style-type: none"> <li>• Barratt Homes and Vistry agree with policy.</li> <li>• Barratt David Wilson Homes have concerns about the policy seeking large amounts of open space to be delivered on-site, with little room for variation and no option for off-site delivery embedded within the policy text. No flexibility for scenarios where minimum standards cannot be achieved. No consideration of site constraints or viability. As worded there is also no mechanism for off-site contribution. So is an extra burden on developer.</li> </ul>	
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<ul style="list-style-type: none"> <li>• No specific matters are highlighted.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>• No specific comments are made.</li> </ul>
<p>Sustainability Appraisal</p>	
<p>The policy approach was supported through SA work.</p>	<p>Support noted.</p>
<p>Habitat Regulations Assessment</p>	
<ul style="list-style-type: none"> <li>• No specific concerns in respect of this policy were noted.</li> </ul>	<p>Noted that no matters raised.</p>
<p>Commentary on policy redrafting for the Publication Plan</p>	
<p>Redrafted Policy title:</p> <ul style="list-style-type: none"> <li>• Policy OS 02 – Land and buildings for sport, recreation and open space areas in association with development</li> </ul>	
<p>Redrafted policy reflects comments raised above.</p>	

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## Strategic Policy 98 – Location of facilities for sport and recreation, open spaces and allotments

This policy seeks to establish appropriate locations for new facilities.

### Key technical evidence sources

Specific evidence is not presented to justify or sit behind this specific policy. However, evidence referenced elsewhere in this paper/the plan is of direct relevance in highlighting importance of space provision.

### Issues and options consultation

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| <ul style="list-style-type: none"> <li>No specific feedback is highlighted.</li> </ul> | <ul style="list-style-type: none"> <li>No officer comment.</li> </ul> |
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### Draft Plan consultation

Key issues raised in consultation:

- Emphasis should be attached to upgrading existing facilities.
- The policy should be redrafted to state clearly the intention to discourage the loss of existing open spaces and allotments and the encourage the creation of new ones in urban areas.
- The policy should also consider where the value of one larger open space may be greater than a series of small ones. Cycle and footpaths along riversides could be developed through developer contributions for smaller developments.
- The policy should recognise the value trees and hedgerows in defining soft boundaries to open spaces and

Officer commentary in response:

- Policy redrafting includes reference to upgrading of existing facilities.
- The loss of facilities in policy wording is not seen as relevant to this policy as matters are covered by the NPPF (also see Policy 99 commentary).
- It is considered to be a matter of detail. that goes beyond policy, in respect of whether fewer larger or greater smaller facilities may be appropriate in specific circumstances.
- Specific references in policy in respect of types of spaces that could be provided, e.g. ‘cycle routes alongside riversides’ are considered matters of detail that go beyond policy.
- Design matters, such as tree planting, are also seen beyond bounds of policy reference, specifically noting other policies in the plan also apply.
- Redrafted policy refers to accessibility/distance standards.

<p>encouraging wildlife is to form part of new proposals wherever possible.</p> <ul style="list-style-type: none"> <li>• There should be seating and play areas, e.g. every 1,000 metres on walkways.</li> <li>• Seaton football club should not be relocated.</li> <li>• Policy should define accessibility distances and how do you define “unacceptable adverse amenity or environmental impacts”?</li> <li>• Sites need safe car access.</li> <li>• Lockable cycle storage should be required, though importance of cycle access questioned.</li> <li>• Devon Wildlife Trust state - ‘provided that unacceptable adverse amenity or environmental impacts do not arise from development’. We would like to see this sentence reworded to include reference to the requirement for enhancement of our natural environment.</li> <li>• The Devon and Somerset Gliding Club (DSGC) is a non-profit organization that runs a gliding site at North Hill airfield. The club is disappointed that it was not mentioned in the new Draft East Devon Local Plan. The club is the largest gliding club in the south-west peninsula and hosts a national gliding competition every year. The club hopes that the omission will be rectified in the final plan.</li> </ul>	
Supplementary Regulation 18 consultation Spring 2024	
<ul style="list-style-type: none"> <li>• No specific matters are identified.</li> </ul>	<ul style="list-style-type: none"> <li>• No response is needed.</li> </ul>
Sustainability Appraisal	

The policy approach was supported through SA work.	Support noted.
<b>Habitat Regulations Assessment</b>	
<ul style="list-style-type: none"> <li>No specific concerns in respect of this policy were noted.</li> </ul>	<ul style="list-style-type: none"> <li>Noted that no matters raised.</li> </ul>
<b>Commentary on policy redrafting for the Publication Plan</b>	
Redrafted policy title:	
<ul style="list-style-type: none"> <li>Policy OS 03 – Location of facilities for sport and recreation, open spaces and allotments.</li> </ul>	
Policy has been subject to minor amendments in line with comments noted above.	

<b>Strategic Policy 99 – Retention of land and buildings for sport and recreation use</b>	
This policy seeks (sought) to resist loss of sports and recreation spaces.	
Key technical evidence sources	
This policy is (was) not specifically supported by evidence. But it is noted that the NPPF makes specific reference to resisting loss.	
Issues and options consultation	
<ul style="list-style-type: none"> <li>No specific matters are highlighted.</li> </ul>	<ul style="list-style-type: none"> <li>No officer comment/feedback is provided.</li> </ul>
Draft Plan consultation	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>Sport England advise that they would be very concerned if any existing sport &amp; recreation land &amp; buildings including playing pitches would be affected by these proposals without adequate replacement in terms of quality, quantity, accessibility, management &amp; maintenance and prior to the loss of the existing facility. This includes playing fields used by schools (public and private) in East Devon. They consider Policy 99 in the emerging Plan conflicts with para 99 of the NPPF and their national Playing Fields Policy in particular the proposed criteria 2 and 3.</li> <li>Sport England would question the need for policy 99 to protect sport buildings and land including playing fields – this is already covered by the NPPF in para 99. A similar “local policy” with its own local exceptions may create misinterpretation and problems that we would expect the Inspector to not support.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>In response to Sport England comment it is recommended that the policy is deleted and that duplication (and potential contradiction) of the NPPF is avoided.</li> <li>On the basis of policy deletion other comments are not seen as relevant for specific officer commentary feedback – specifically noting strong steer from Sport England on avoidance of facility loss.</li> </ul>

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<ul style="list-style-type: none"> <li>• Policy should refer to retention of trees.</li> <li>• Policy should prevent loss of existing facilities to be replaced by worse/less accessible new ones.</li> <li>• Policy needs more explicit definitions for terms “equivalent community benefit” and “small part of an overall site” which are open to abuse.</li> <li>• option 3 should be treated with care - as if new dwellings are built, then there are more who might want to use the open spaces for recreational use, and hence there is no longer an excess of it. To be valid this third point needs more provision over definitions of excess provision.</li> </ul>	
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<ul style="list-style-type: none"> <li>• No specific matters are noted.</li> </ul>	<ul style="list-style-type: none"> <li>• No response is seen as needed.</li> </ul>
<p>Sustainability Appraisal</p>	
<p>See Sustainability Appraisal table below. Noting that the work found favour with this policy.</p>	<p>SA support is noted.</p>
<p>Habitat Regulations Assessment</p>	
<ul style="list-style-type: none"> <li>• No specific concerns were highlighted.</li> </ul>	<ul style="list-style-type: none"> <li>• Lack of concerns is noted.</li> </ul>
<p>Commentary on policy redrafting for the Publication Plan</p>	
<ul style="list-style-type: none"> <li>• As policy is nit proposed for retention it does not have a new policy number.</li> </ul>	

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<b>Strategic Policy 100 – New allotments and avoiding the loss of existing ones</b>	
This policy specifically seeks to provide for new allotments and avoiding their loss, noting that there is increasing demand for allotments but that they can also be vulnerable to loss, specifically through development.	
<b>Key technical evidence sources</b>	
We do not highlight specific evidence in respect of this policy.	
<b>Issues and options consultation</b>	
No specific issues are highlighted.	<ul style="list-style-type: none"> <li>No response comments are made.</li> </ul>
<b>Draft Plan consultation</b>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>Support - This policy meets many societal aims and is fully supported. Activity, health promoting, nutrition, learning and green space.</li> <li>View expressed that allotments should be managed by the Council.</li> <li>Allotments should be accessible by public transport and foot/cycle.</li> <li>Location for new provision should be contiguous with the previous site.</li> <li>Allotment should not be lost to development – noting food impacts of climate emergency.</li> <li>Exmouth Town Council advise policy should be clearer on designation of sites and hence protection of sites under the Allotments Act 1925 – noting private allotments are vulnerable to loss. Also bodies responsible for site</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>The support for policy is to be welcomed.</li> <li>We would not see it appropriate for management issues to be referenced in policy.</li> <li>Accessibility of allotments by public transport and foot/cycle is highly desirable, but given challenges over securing delivery this is see as being too inflexible in terms of provision to make it a requirement as is the requirement for any new provision to be contiguous with any previous (lost) site.</li> <li>We would not see the need for policy to reference legislation relevant to provision or status. The policy should be written to have universal applicability.</li> <li>Wording in respect of ‘over-supply’ considerations. It is likely to be in rare cases that there is an oversupply – perhaps only for bigger sites in comparatively remote/low density areas.</li> </ul>

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<p>management should be consulted in respect of management matters arising from or related to 106 agreements.</p> <ul style="list-style-type: none"> <li>• Over-supply test needs greater consideration and clarity.</li> <li>• Policy needs to applied and required, esp buy housing developers that agree to provision.</li> <li>• Devon Wildlife Trust state - We would like to see rewording to include reference to the requirement for enhancement of our natural environment.</li> </ul>	<ul style="list-style-type: none"> <li>• Allotments can be valuable for wildlife, but we suggest that this is essentially down to how they are used and as such it is consideration that falls outside of planning.</li> </ul>
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<ul style="list-style-type: none"> <li>• No specific matters noted.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>• No observations raised.</li> </ul>
<p>Sustainability Appraisal</p>	
<p>Policy approach endorsed also - see Sustainability Appraisal table below.</p>	<ul style="list-style-type: none"> <li>• Positive endorsement noted.</li> </ul>
<p>Habitat Regulations Assessment</p>	
<ul style="list-style-type: none"> <li>• No concerns highlighted.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>• Lack of concerns noted.</li> </ul>
<p>Commentary on policy redrafting for the Publication Plan</p>	
<p>Redrafted policy title:</p> <ul style="list-style-type: none"> <li>• Policy OS 05 – New allotments and avoiding the loss of existing ones.</li> </ul>	
<p>Policy has been subject to minor refinement and ‘tightening-up’.</p>	

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<b>Strategic Policy 101 – Leisure and recreation developments</b>	
Policy specifically refers to leisure and recreation developments in the countryside. The onus in policy is on accommodating, in a sensitive manner, uses that are countryside related in the nature of activities undertaken and compatible with rural areas.	
<b>Key technical evidence sources</b>	
No specific evidence sits behind this policy.	
<b>Issues and options consultation</b>	
No matters are highlighted.	<ul style="list-style-type: none"> <li>Lack of relevant matters noted.</li> </ul>
<b>Draft Plan consultation</b>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>The East Devon AONB team supports this policy, particularly point 1</li> <li>Wording as drafted is unclear and goes further than policy as it refers to planning permission being granted rather than setting out the policy framework in which proposals will be assessed.</li> <li>Item 1. should also be expressed more positively, i.e. should be required to be consistent with countryside, natural or landscape policies as well as climate change policies.</li> <li>Item 2. Should promote the use of public transport, foot or cycling. Any car parking should be screened by hedgerows and/or tree planting.</li> <li>I think that we should not be promoting this kind of thing. Mainly as these kinds of sites are unlikely to be supported</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>Support for the policy is welcomed.</li> <li>It is considered reasonable to explicitly to say, in current drafting, that 'planning permission will be granted' - but this wording is to be reviewed to ensure consistency across all plan policies.</li> <li>The various tests (1 and 2) are regarded as broadly appropriate, especially given that other plan policies will be applied in determination of applications. Though they are tweaked to highlight relevance of pedestrian and cycle access.</li> <li>Proposals are likely to have minimal impacts on overall farmland lost so, on balance, qualified allowance for development is seen as reasonable. But it is understood why concerns around extra 'creeping' development might arise.</li> <li>A extra test is added to encourage (not require) natural environmental improvements and no net damage.</li> </ul>

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<p>by public transport routes and the amount of carbon used for transport is totally not sustainable.</p> <ul style="list-style-type: none"> <li>• Agricultural land for farming/food should not be given up so easily. the changing nature of agricultural land is to keep our food supply.</li> <li>• Exmouth Town Council Members believe that there is a real risk of creep with this type of development with schemes expanding significantly and inappropriately from smaller scale proposals.</li> <li>• A clear and well written policy.</li> <li>• Devon Wildlife Trust advise - We would like to see rewording to include reference to the requirement for enhancement of our natural environment.</li> <li>• Exeter Cycling Campaign would like to see that for developments falling under this policy provision is made for visitors arriving by bicycle.</li> </ul>	
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<ul style="list-style-type: none"> <li>• No matters are noted.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>• Noted that no matters were raised.</li> </ul>
<p>Sustainability Appraisal</p>	
<p>No concerns noted. Also see Sustainability Appraisal table below.</p>	<p>Endorsement of policy noted.</p>
<p>Habitat Regulations Assessment</p>	
<p>Key issues raised:</p> <ul style="list-style-type: none"> <li>• No concerns highlighted.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>• Lack of concerns noted.</li> </ul>

<b>Commentary on policy redrafting for the Publication Plan</b>
Redrafted policy title: <ul style="list-style-type: none"> <li>• Policy OS 06 – Leisure and recreation developments in the countryside</li> </ul>
Policy has been slightly redrafted to emphasize relevance of pedestrian and cycle accessibility and also to encourage natural environment improvements in any development assessed under policy.

<b>Policy omissions from Chapter 14</b>	
There have been no identified policy omissions from this chapter and no new policies are proposed for adding in.	
Key technical evidence sources	
No additional technical evidence is referenced..	
Issues and options consultation	
No specific matters are highlighted as arising in feedback.	No action are proposed.
Draft Plan consultation	
Key issues raised in consultation: <ul style="list-style-type: none"> <li>• Sport England would wish to see inclusion in the plan of a policy for Active Design. They advise that Active Design will help improve health and well-being as well as addressing climate change and promoting active travel – more walking and cycling. They cross reference principles with Objectives 1 and 6 and Policies 16 and 65 of the draft plan and include in representation a suggested model</li> </ul>	Officer commentary in response: <ul style="list-style-type: none"> <li>• Whilst Active Design is a useful concept to work with and the matters highlighted are good planning considerations they are largely addressed through policy considerations found elsewhere in the plan under separate plan policies.</li> <li>• With education matters frequently falling to Devon County Council, and new provision being quite rare, it is not seen as especially useful to include specific policy provision seeking community use of educational sites. Whilst this may well be a desirable outcome it is seen as best</li> </ul>

<p>policy that could be included in the plan and a developers checklist that can be used and could be referenced.</p> <ul style="list-style-type: none"> <li>• Sport England consider that there should be an additional policy in the plan – Community use of education sites. Such a policy would encourage greater use by communities of sports facilities and pitches that are located as schools.</li> <li>• Role of Cemeteries and churchyards as valuable open spaces. Private sports clubs. River/city/town and village community hubs. mental health well-being.</li> <li>• These policies are ok in principal but great care needs to be given to ensure that other policies such as wildlife conservation, biodiversity, landscape etc should not be harmed in any way.</li> <li>• There appears to be a lack of consideration for use of open space as a general open space for all. It does not need to be specific to any one sport or activity.</li> </ul>	<p>address in negotiations around development, especially noting that third party funding of schemes may require such provision. Plus it is debatable whether, if or when policy may be applied if dual use is not proposed and as refusal of planning permission is justified.</p> <ul style="list-style-type: none"> <li>• Example are given of facility types that can have a relevance to quality of life, these are noted but do not warrant policy amendment or new policy.</li> <li>• It is recognised that open space can and should often have multi-use benefits. But dedicated facilities, to work properly – such as formal sport pitches, may need to have use restrictions.</li> </ul>
<p><b>Supplementary Regulation 18 consultation Spring 2024</b></p>	
<ul style="list-style-type: none"> <li>• In feedback, although policies in this chapter were not directly consulted on, there was feedback highlighting the importance of open space and amongst other matters its relevance for general recreation and potential sports use. This was highlighted in Green Wedge and Coastal Preservation Area feedback.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>• The value of open green space, and the importance attached, is noted.</li> </ul>
<p><b>Sustainability Appraisal</b></p>	
<ul style="list-style-type: none"> <li>• There are no specific issues to highlight.</li> </ul>	<ul style="list-style-type: none"> <li>• No observations are raised.</li> </ul>

<b>Habitat Regulations Assessment</b>	
<ul style="list-style-type: none"> <li>No specific concerns were identified or highlighted.</li> </ul>	<ul style="list-style-type: none"> <li>No observations are raised.</li> </ul>
<b>Commentary on policy redrafting for the Publication Plan</b>	
No new policies are recommended as additions to this plan chapter.	

<b>Sustainability Appraisal</b>	
<p>Policy number/title:</p> <ul style="list-style-type: none"> <li>96. Strategic Policy – Access to open space and recreation facilities</li> <li>97. Policy – Land and buildings for sport, recreation and open space areas in association with development</li> <li>98. Policy – Location of facilities for sport and recreation, open spaces and allotments</li> <li>99. Policy – Retention of land and buildings for sport and recreation use</li> <li>100. Policy – New allotments and avoiding the loss of existing ones</li> <li>101. Policy – Leisure and recreation developments in the countryside</li> </ul>	
<p>Outcome of sustainability appraisal:</p> <p><b>Preferred alternative:</b> Policies 96 – 101</p> <p><b>Reasons for alternatives being preferred or rejected:</b></p> <ul style="list-style-type: none"> <li>Policies 96 – 101 are preferred because of major positive effects on supporting healthy and active communities, along with a range of other benefits to biodiversity, landscape, design, and climate change mitigation and adaptation.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>It is noted that the policies in this chapter of the plan gain endorsement through the Sustainability Appraisal work.</li> </ul>

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- 96A. Do not have a policy that promotes access to open space and recreation facilities – this alternative is rejected due to less significant positive effects relating to the built environment (objective 3) and health and well-being (9).
- 97A. Lower level of provision of land and buildings for sport, recreation and open space in new development – whilst this alternative may allow more development to come forward, it will have less positive effects in relation to the built environment (objective 3) and health and well-being (9), and is therefore rejected.
- 98A. Do not set out location criteria and offer more flexibility on the location of facilities – this could allow more facilities to come forward, but potentially in locations that are less accessible for those without a car, with negative effects on creating high quality design (objective 3), minimising carbon emissions (4), supporting healthy and active communities (9).
- 99A. Less restrictive approach to the loss of land and buildings for sport and recreation use – this is not preferred as it would cause likely negative effects on promoting high quality design (objective 3), and supporting health and active communities (9).
- 100A. Less restrictive approach to the loss of allotments to other uses – although this could increase housing and employment delivery, the negative effects upon biodiversity (objective 1), landscape (2), high quality design (3) and health and well-being (9) mean this alternative is not preferred.
- 101A. Less restrictive approach to leisure and recreation development in the countryside – whilst this alternative could open up new opportunities for leisure and recreation provision, it is likely to result in adverse landscape impacts (objective 2), and

increase carbon emissions (4) given the likely use of the car to access such development, and is therefore rejected.	
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## 10 Conclusions

- 10.1 This paper provides an assessment of policy matters that have informed redrafting of chapter 14 of the local plan in respect of open space and sports and recreation policy matters. At this stage of plan making, recommendations on a first redraft of plan policy for Strategic Planning Committee for October 2024 meetings, no very significant and substantive policy changes are made.
- 10.2 The redrafted policies do, however, now apply Field in Trust open space standards and also, on account of duplication and to some degree contradiction with the NPPF, policy on avoidance of loss of sports pitches is recommended for deletion. Mostly minor refinements are made to policies in this plan chapter.
- 10.3 Chapter 14 of the plan (as maybe renumbered if other plan changes occur) will be subject to refinement through the committee process, and any possible subsequent redrafting, and will be considered again at Committee later this year.

## Chapter 16 Ensuring we have community buildings and facilities

Thriving communities are reliant on having spaces and buildings to meet and for community-based activities to take place. Without such spaces many communities would not survive and would not provide the support mechanisms that are needed for the health and wellbeing of their residents. Such facilities also form an importance resources that promotes social well-being and cohesion – they make space and place for great things to happen.



Littleham Leisure Centre

### 107. Policy CF01: New or extended community facilities

Encouragement will be given for the provision of new social and community facilities and extension of existing facilities.

Planning permission for new community spaces and buildings or extension to existing, to support (typically non-profit making) community events, gathering and activities, will be granted where all of the tests set out below are satisfied:

- Provision will need to be within, adjoining or physically close to, and as such well related, to built-up parts or edges of a recognisable mass of buildings that reasonably constitutes a town, village or settlement (this test would be met in respect of new land allocations in the local plan for development).

- Development will be designed to serve local residents. Facilities must be accessible to residents and within safe reasonable walking distance of most potential users of the facility. They will need to be proportionate in scale and size to the needs of that community.
- Where possible development proposals must promote the sharing of spaces and facilities with a range of uses and activities typically expected in any development.

### **Justification for inclusion of policy**

Facilities such as community halls, schools, libraries, health and sports centres and Places of Worship fulfil an important role as a focus for social activities. Community centres and village halls are especially important and already established in many settlements in East Devon, and where appropriately sited or proposed the Council will encourage the expansion of or new provision of these types of uses.

It is essential that in areas where substantial new development is proposed, and in areas lacking facilities, that provision be made for community and education facilities. Consideration should be given to the establishment of multi-purpose buildings that accommodate a variety of uses and users.

The Council will encourage the temporary use of a residential house or other appropriate building for community activities in the following instances:

- Where there is a perceived demand which needs to be proven prior to the construction of a permanent community facility.
- Where a large development is proposed and a building or space is required to encourage an embryonic community facility to establish at an early stage of construction. Such uses may have a 'meanwhile' function prior to a more permanent solution being delivered.

### **Loss of community facilities**

Given the importance of existing community facilities it is seen as essential that we seek to retain existing facilities and avoid their loss to other forms of development.

#### **108. Policy CF02: Loss of community facilities**

Planning Permission will not be granted for developments that would result in the full or partial loss or closure of a community facility unless at least one of the tests set out below is met:

the community facility (in full or part) is no longer needed by the community or cannot be financially viably sustained or made to be viable. To meet this policy test planning applications that would result in a full or partial loss must be accompanied by both an:

- assessment, over a shorter and longer term, that demonstrates that a need no longer exists, and
- a financial viability assessment and demonstration of active marketing that clearly shows that in current or alternative modified community use or different models of ownership, over a shorter and longer term, the facility cannot be sustained.

an alternative facility is in a pedestrian accessible location to the local community (of equivalent or better accessibility as that to be lost) and is of equal or higher community value is being provided as an explicit replacement for the lost facility.

### **Justification for inclusion of policy**

Policy of the local plan will resist the loss of community facilities unless they are clearly not needed, not used or surplus to requirements.

## East Devon Local Plan – Topic Paper

### Chapter 16. Ensuring we have community buildings and facilities

October 2024 – Version 01



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## 1 Introduction

- 1.1 This is one of a series of topic papers that will sit behind and help 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 specifically addresses Chapter 16 of the plan – ensuring we have community buildings and facilities.

## 2 The Publication draft of the Local Plan

- 2.1 At the date that we published this draft topic paper we are moving towards production of the Publication draft of the local plan. There are specific Government regulations<sup>1</sup> that apply to local plan making and these set out actions that need to be undertaken at different regulatory stages (this report specifically relates to Regulations 18, 19 and 20).
- 2.2 The proposed Publication draft text of the local plan will be an edited and amended draft of the consultation draft plan published in November 2022<sup>2</sup>. The draft plan was consulted on under plan making Regulation 18 and it should be noted that further limited additional consultation under this regulation took place in the late Spring of 2024.
- 2.3 The Publication plan, under Regulations 19 and 20, will be made available for any interested party to make representations on. The period for making such representations is currently planned to be from December 2024 to January 2025. The Publication plan, representations received and other relevant paperwork will be submitted for Examination, to a target date of May 2025. One or more Planning Inspectors will undertake the plan examination.
- 2.4 The first drafts of what is proposed to become the Publication plan will be considered by the Strategic Planning Committee of East Devon District Council through 2024. The expectation is that text will then be refined as the year progresses with a view to the Committee being asked to approve the final Publication plan in November 2024.

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<sup>1</sup> [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

<sup>2</sup> [commonplace-reg-18-final-071122.pdf \(eastdevon.gov.uk\)](https://www.eastdevon.gov.uk/commonplace-reg-18-final-071122.pdf)



### **3 Summary of proposed redrafting of Chapter 16 of the consultation plan**

- 3.1 Chapter 16 of the consultation draft local plan (November 2022) formed a starting point for consultation on policy for community facilities and buildings in the local plan. Moving forward towards the Publication Plan the expectation is that there should not be any significant changes to the plan chapter, though there is scope for simplification.
- 3.2 In initial redrafts limited policy changes are recommended.

### **4 Issues and Options consultation**

- 4.1 Prior to production and consultation on the draft local plan the Council consulted on a local plan Issues and Options<sup>3</sup> report. This included a series of questions that responses and comments were invited on. A feedback report was published<sup>4</sup>.
- 4.2 Feedback received showed high levels of importance attached to community buildings and facilities, though noting that open space provision and access ranked higher in importance than any actual built community facilities.

### **5 Draft plan consultation**

- 5.1 In the draft plan consultation Chapter 16 formed one of the plan chapters that was consulted on. A full feedback on the consultation can be viewed at - [accessible-reg-18-consultation-feedback-report-spring-2023.pdf \(eastdevon.gov.uk\)](https://www.eastdevon.gov.uk/accessible-reg-18-consultation-feedback-report-spring-2023.pdf)
- 5.2 Comments on matters raised and officer responses are set out in the table below. In general, however, there was support expressed for draft plan policy provision for new/extended facility provision and retention of those facilities that we do have.

### **6 Further Regulation 18 consultation Spring 2024**

- 6.1 In the late Spring of 2024 there was further Regulation 18 consultation on selected topic matters. Community buildings and facilities were not matters that were explicitly consulted on. No specific relevant feedback is noted.

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<sup>3</sup> [issuesandoptionsreport-jan2021.pdf \(eastdevon.gov.uk\)](https://www.eastdevon.gov.uk/issuesandoptionsreport-jan2021.pdf)

<sup>4</sup> [2a. Consultation feedback report Ver 03.pdf \(eastdevon.gov.uk\)](https://www.eastdevon.gov.uk/2a.Consultation-feedback-report-Ver-03.pdf)

## 7 Sustainability Appraisal feedback

- 7.1 The draft local plan was supported by a Sustainability Appraisal<sup>5</sup> (SA). This SA will be updated and refined as plan making progresses and it will be one of the documents that is submitted as part of the submission for Examination.
- 7.2 The SA report of the draft plan was supportive of the policy approach being taken forward.

## 8 Habitats Regulations Assessment

- 8.1 The local plan will need to be assessed under the Habitat Regulations. An preliminary assessment of policies in the draft plan has been produced – [east-devon-local-plan-hra-110723-2013-doc-from-footprint.pdf \(eastdevon.gov.uk\)](#)
- 8.2 The assessment work did not identify any concerns in respect to the policies in the draft plan.

## 9 Assessment of policies in chapter 16

- 9.1 Chapter 16 of the draft plan set out a series of policies that are reviewed below.

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<sup>5</sup> [sa-of-pos-consultation-draft-lp\\_2022.pdf \(eastdevon.gov.uk\)](#)

<b>General issues raised on Chapter 16</b>	
In feedback received, through evidence work and associated assessment work there were general support for policies in this chapter.	
<b>Key technical evidence sources</b>	
This plan chapter and policies within are not supported by specific technical evidence..	
<b>Issues and options consultation</b>	
<p>We asked respondents to score listed services and facilities in accordance with their importance to where they live or would want to live.</p> <p>The comments show that people attached most importance to open spaces, with just over 60% of responses stating this as being essential when thinking about where they would like to live. Other services and facilities identified as being essential by over 50% of respondents are access to full fibre broadband; paths for walking and cycling; health care facilities; and post office/convenience store. A place of worship is seen as least important.</p> <p>Paragraph 12.9 of the Issues and Options report identifies five other infrastructure and service policy objectives. We sought views on whether these were appropriate. Although most respondents ticked the yes box, 66%, a number did suggest other objectives as well as did people ticking the no box.</p>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>• It is noted that there was general support for community facilities in feedback received.</li> <li>• It was noted, however that there were also some challenges around securing monies for infrastructure with comment that higher house building levels will secure more contributions to provide facilities.</li> <li>• It is also recognised, noting feedback, that securing funding and implementing projects, and there subsequent management and operation, will frequently require actions that fall outside of the planning system and its role and remit.</li> </ul>

<b>Draft Plan consultation</b>	
We would not highlight any general issues being raised.	Officer commentary in response: <ul style="list-style-type: none"> <li>No specific feedback commentary is provided.</li> </ul>
<b>Supplementary Regulation 18 consultation Spring 2024</b>	
Key issues raised in consultation: <ul style="list-style-type: none"> <li>No specific issue are identified in feedback received.</li> </ul>	Officer commentary in response: <ul style="list-style-type: none"> <li>No comments are raised.</li> </ul>
<b>Sustainability Appraisal</b>	
See Sustainability Appraisal table below.	No specific matters raised.
<b>Habitat Regulations Assessment</b>	
Key issues raised in consultation: <ul style="list-style-type: none"> <li>No general concerns raised.</li> </ul>	Officer commentary in response: <ul style="list-style-type: none"> <li>No comments.</li> </ul>
<b>Commentary on policy redrafting for the Publication Plan</b>	
Limited changes of as general nature are made to this plan chapter.	

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<b>Policy 107 – New or extended community facilities</b>
This policy seeks to secure the provision of new facilities or extension of existing facilities if and where the serve a community need.
<b>Key technical evidence sources</b>
This policy is not supported by specific evidence work or assessment.

<b>Issues and options consultation</b>	
See General Issues above.	See comments earlier in this paper.
<b>Draft Plan consultation</b>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>• A number of responses to this question highlighted the need for community and other facilities being provided alongside other, notably housing development and suggest that often this does not happen.</li> <li>• This policy does not specifically protect places of worship that are not Listed. Places of worship are valuable places of social interaction across all groups irrespective of age, sex, gender, race and abilities. They provide the one quiet (indoor) space for reflection away from the busy-ness of life.</li> <li>• There is no evidence on the space needs for places of worship or associated facilities and the inter-faith needs that might be met to serve a diverse population in certain parts of ED. There is no analysis from the churches or church schools on their needs and this policy should be developed from such dialogue.</li> <li>• There is a serious lack of sporting facilities that are open and free/ cheap access to the local area. Many sport / football clubs do not have there own grounds or suitable grounds to play in all year round.</li> <li>• There is no point in increasing the size of villages and all towns if there are no facilities available.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>• Need and wants for community facilities are noted. It is clearly desirable to secure facility provision alongside development. Though it would typically only be the largest scale of developments where this is reasonable and possible. Elsewhere in the local plan specific policy reference may be included where sites are of a scale to generate need and therefore policy provision could be appropriate.</li> <li>• Policy on facility protection would cover the issue of loss of places of worship.</li> <li>• It is not seen as necessary to undertake needs assessment of place of worship to justify or support this policy. As policy is drafted places of worship could come forward under it, but the role of the plan is not seen as one of direct intervention actions to secure such provision.</li> <li>• It is noted that there are facilities lacking in some parts of East Devon. Though the role of the local plan is not to set out programmes of delivery for existing shortfalls.</li> <li>• Dual or shared facilities are encouraged under plan policy.</li> <li>• Elsewhere in the plan policy encourages renewable energy use/generation in development.</li> <li>• Plan policy allows for facility improvement, though it is not the role of the local plan to set out an agenda for intervention to undertake such improvements.</li> </ul>

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<ul style="list-style-type: none"> <li>• Dual or multi-use of facilities is often appropriate, within reason, but a spread of locations is also important (for reasons of accessibility amongst others) and there is a risk in, for example, assuming that a school will necessarily be able to double-up as a community facility available for a wider range of uses. Reference made to places of worship sharing with other uses often being inappropriate.</li> <li>• Concern that new community buildings rarely have solar panels fitted - either to existing buildings or new builds. Why not? Surely this should be a priority to help overcome climate change?</li> <li>• Facilities may be lost under questionable viability grounds.</li> <li>• Exeter Cycling Campaign would like to see that existing facilities are also improved as part of this plan in ensuring accessibility by sustainable modes of transport</li> </ul>	
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>• No specific matters of relevance to this policy were identified as being raised in the consultation feedback.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>• No comments.</li> </ul>
<p>Sustainability Appraisal</p>	
<p>See Sustainability Appraisal table below. No concerns raised.</p>	<p>Assessment support for policy noted.</p>
<p>Habitat Regulations Assessment</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>• No concerns were raised.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>• No response/actions identified as needed.</li> </ul>

<b>Commentary on policy redrafting for the Publication Plan</b>
Redrafted policy title: Policy CF 01 – New or extended community facilities.
Minor changes have been incorporated into policy. Specifically around the issue of serving local needs and being accessible to residents they are to serve.

<b>Policy 108 – Loss of community facilities</b>	
This policy seeks to resist the loss of community facilities noting that facilities can often come under pressure for redevelopment/replacement with other developments – notably housing.	
<b>Key technical evidence sources</b>	
There is no specific evidence put forward in support of this policy.	
<b>Issues and options consultation</b>	
See General Issues above.	No specific comment is made other than reiterating importance that has been expressed for community facilities and therefore the importance of their retention.
<b>Draft Plan consultation</b>	
Key issues raised in consultation: <ul style="list-style-type: none"> <li>How is "community" defined? How is "viability" to be measured? This could change from year to year. Add "community" between "higher" and "value" in last bullet.</li> </ul>	Officer commentary in response: <ul style="list-style-type: none"> <li>It is not seen as necessary to explicitly define what a "community" facility is in plan policy noting that reasoned justification provides some examples. To explicitly state what such facilities are runs the danger of missing out on something and then that something (because it is not listed) becoming vulnerable to loss.</li> </ul>

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| <ul style="list-style-type: none"><li>• So much happens in these community assets, it is absolutely right that they are protected under this policy. Long live village halls!</li><li>• Health hubs, specifically Sea Change, was highlighted as an important facility.</li><li>• The Theatres Trust welcome the policy's premise of guarding against the loss of facilities in line with paragraph 93 of the NPPF (2021). There are several valued community facilities across East Devon including at least six theatres. However we consider there is some scope for further refinement to ensure the policy is robust and effective. We suggest the first criteria is amended to read, "the community facility is no longer needed and cannot be made to be viable". Viability if given as an option in isolation can be problematic and is vulnerable to being undermined, for example it could be viewed on a narrow commercial basis whereas the same facility could be successful under different ownership or model of operation such as community or voluntary led. It would also be possible to make a facility unviable through neglect. There should be text around viability evidence and relevance of marketing tests.</li><li>• Suggested need for additional supplementary text setting out the sort of evidence that may be required to demonstrate redundancy, which should include a minimum marketing period at a value appropriate to existing use and condition without development potential, advertised with local or national agents appropriate to the facility.</li><li>• It's not just the value of the facility, but also how accessible it is for those who currently use it. If you could walk to the old</li></ul> | <ul style="list-style-type: none"><li>• It is not seen as appropriate to provide explicit details of how viability testing should be conducted under plan policy wording, though in a general level wording in policy is 'tightened -up', including in respect of differing types of community use and differing models of ownership.</li><li>• Health hubs are an example of a facility that could be expected to come under policy should they be vulnerable to possible loss.</li><li>• Policy has been amended to refer to "cannot be made to be viable" – this makes it stronger in resisting loss.</li><li>• Policy modified to make reference importance of pedestrian accessibility of any replacement facility.</li></ul> |
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<p>facility but now have to drive to the new one because it's too far and there's no bus, then that may not be a suitable replacement.</p>	
<p><b>Supplementary Regulation 18 consultation Spring 2024</b></p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>No specific matters of relevance to this policy were identified as being raised in the consultation feedback.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>No comments.</li> </ul>
<p><b>Sustainability Appraisal</b></p>	
<p>See Sustainability Appraisal table below. No concerns raised.</p>	<p>Assessment support for policy noted.</p>
<p><b>Habitat Regulations Assessment</b></p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>No concerns were raised.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>No response/actions identified as needed.</li> </ul>
<p><b>Commentary on policy redrafting for the Publication Plan</b></p>	
<p>Redrafted policy title: Policy CF 02 – Loss of community facilities.</p>	
<p>The policy has been refined and tightened up to seek to retain community facilities to a greater extent with a higher burden of evidence needed to demonstrate lack of need and lack of viability on respect of retention.</p>	

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<b>Policy omissions from Chapter 16</b>	
There were no matters identified in respect to Chapter 16 that warrant or raise concerns around insertion of additional policies..	
<b>Key technical evidence sources</b>	
Not applicable.	
<b>Issues and options consultation</b>	
Feedback received does not indicate need for additional policy coverage..	<ul style="list-style-type: none"> <li>No changes made in respect of adding extra policy/policies to the chapter.</li> </ul>
<b>Draft Plan consultation</b>	
Key issues raised in consultation: <ul style="list-style-type: none"> <li>None recorded.</li> </ul>	Officer commentary in response: <ul style="list-style-type: none"> <li>No changes made in respect of adding extra policy/policies to the chapter.</li> </ul>
<b>Supplementary Regulation 18 consultation Spring 2024</b>	
No matters raised	Officer commentary in response: <ul style="list-style-type: none"> <li>No comments.</li> </ul>
<b>Sustainability Appraisal</b>	
No matters raised	Officer commentary in response: No comments.
<b>Habitat Regulations Assessment</b>	
Key issues raised in consultation: <ul style="list-style-type: none"> <li>No matters raised.</li> </ul>	Officer commentary in response: <ul style="list-style-type: none"> <li>No comments.</li> </ul>

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Commentary on policy redrafting for the Publication Plan
No additional policies are recommended for inclusion in this chapter of the plan.

<b>Sustainability Appraisal</b>	
Policy number/title: 107. Policy – New or extended community facilities 108. Policy – Loss of community facilities	
Outcome of sustainability appraisal:  <b>Preferred alternative:</b> Policies 107 and 108  <b>Reasons for alternatives being preferred or rejected:</b> Policies 107 and 108 are preferred due to major positive effects on providing accessible and attractive community facilities, with consequent positive effects on health, design and minimising carbon emissions. 107A. Less restrictive approach to the provision of community facilities in terms of location and meeting a local need – this would likely result in community facilities in more remote locations which increases the need to travel (and associated carbon emissions) and the potential for adverse environmental impacts. Therefore, this alternative is rejected. 108A. Less restrictive approach to the loss of community facilities – although this alternative may have minor benefits in housing and employment delivery, it would lead to negative effects on supporting health and active communities and access to services and is therefore rejected.	Officer commentary in response: Positive feedback on policies, through sustainability appraisal, are welcomed.

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## 10 Conclusions

- 10.1 This paper provides an assessment of policy matters that have informed redrafting of chapter 16 of the local plan in respect of policies relating to community facilities and buildings. At this stage of plan making, recommendations on a first redraft of plan policy for Strategic Planning Committee for October 2024 meetings, no significant or substantive policy changes are recommended.
- 10.2 The redrafted policies have, however, been generally been tightened-up in respect of seeking to resist the loss of existing facilities and to provide greater clarity on respect of appropriate locations for new developments.
- 10.3 Chapter 16 of the plan (as maybe renumbered if other plan changes occur) will be subject to refinement through the committee process, and any possible subsequent redrafting, and will be considered again at Committee later this year.