

Agenda for Strategic Planning Committee Tuesday, 3rd March, 2026, 10.00 am

Members of Strategic Planning Committee

Councillors: B Bailey, J Bailey, K Blakey, O Davey, P Faithfull, P Fernley, C Fitzgerald, 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)

Friday, 20 February 2026



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

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

2 Apologies

3 Declarations of interest

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

4 Public speaking

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

5 Matters of urgency

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

6 Confidential/exempt item(s)

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

7 Update on work on production of the East Devon Local Plan (Pages 10 - 14)

This report provides a summary of ongoing work on the Local Plan production.

8 East Devon Water Cycle Study (Pages 15 - 31)

This report provides a summary of the findings of the East Devon Water Cycle Study.

- 9 Cranbrook Category 4 Infrastructure Contributions (Pages 32 - 43)
- 10 Habitat Regulation Non-Infrastructure Contributions (Pages 44 - 47)
- 11 Response to Proposed Reforms to the National Planning Policy Framework and Other Changes to the Planning System December 2025 (Pages 48 - 142)

This report provides a summary to the government consultation on changes to the National Planning Policy Framework.

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[Decision making and equalities](#)

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EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Strategic Planning Committee held at Council Chamber, Blackdown House, Honiton on 6 January 2026

Attendance list at end of document

The meeting started at 10.04 am and ended at 12.28 pm

36 Minutes of the previous meeting

The minutes of the previous meeting held on 25 November 2025 were confirmed as a true record.

37 Declarations of interest

Minute 41. Future of Neighbourhood Planning Support.

Councillor Brian Bailey, Affects Non-registerable Interest, Exmouth Town Councillor and had been involved with the development of Exmouth's Neighbourhood Plan.

Minute 41. Future of Neighbourhood Planning Support.

Councillor Peter Faithfull, Affects Non-registerable Interest, Ottery St Mary Town Councillor.

38 Public speaking

Thomas Shillitoe addressed the Committee concerning the Regulation 19 Local Plan, stating that in his view the Plan was neither sound nor legally compliant and runs the risk that substantial changes are needed at examination. He referred to a breach of the Regulations, noting that the consultation had been substantially altered since its publication. Mr Shillitoe spoke about Exmo_20 and urged the Committee to take immediate steps to remove the development at the upper section and proposed that the surplus allocation of 563 housing allocations be utilised instead. He expressed concern regarding what he perceived as the Committee's compliant approach and urged Members to ensure that the opportunity presented by the 563 surplus housing allocations was not wasted.

John Hamill expressed serious concerns regarding decisions made by Committee which he believed compromised the credibility, legality and soundness of the Local Plan. He cited key issues including the absence of a complete air quality mitigation strategy, inconsistencies within the Habitats Regulations Assessment (HRA) and flaws in the site selection methodology. Mr Hamill emphasised that the Regulation 19 stage should be evidence-led, justified and consistent; however, instead his view is that the evidence was being shaped to fit predetermined outcomes describing this as outcome-driven planning. He highlighted several fundamental problems including procedural failures, questions over the soundness of the Plan, a lack of public trust and significant legal risks. He urged the Committee to acknowledge these failings and to have the courage to change these before the Inspector rejects the Local Plan.

Nigel Humphrey addressed the Committee regarding public engagement in the Regulation 19 process and raised three key points:

1. Following the initial consultation, the public were advised that individual responses to questions would not be provided; however the sustainability appraisal report

included over 30 pages of the Council's responses to all comments received. He stated that the public should be informed of these responses.

2. Specific questions raised at the previous meeting were not adequately answered. An email reiterating these questions, along with an additional query, was sent to the Chair in early December and copied to all Committee Members. To date no response has been received.
3. He questioned what steps the Council would take to engage with the public and encourage comments on the proposed new community. The Assistant Director – Planning Strategy and Development Services had advised that 1,100 comments on site Exmo_20 was not unusual for a large development; however only four comments have been received regarding the new community, which is expected to comprise over 10,000 dwellings.

Mr Humphrey advised the Committee that the Council must demonstrate a genuine and comprehensive commitment to engaging with and listening to the public. He added that providing responses to his questions would be appreciated.

Stuart Lees, referred to the Regulation 19 consultation and expressed concern about the pressure on already overstretched local infrastructure, as well as findings from the Water Cycle Study which identified significant issues with water treatment and pollution in the River Otter. He asked what measures would be taken to address these problems, requested local face-to-face meetings, and sought clarification on whether planning would be paused until South West Water resolve the water-related issues.

Francis Whiteley spoke in relation to Minute 43 – Proposed response to consultation on the evolving Local Plan for Torbay and questioned East Devon District Council's responses which questioned the validity of Torbay's current standard method numbers. He suggested that housing numbers should be discounted to take account of the National Landscape. He noted that the Torbay Plan proposes to provide for a lower figure because of the National Landscape there and yet East Devon has not taken this approach. He noted that the National Planning Policy Framework (NPPF) standard method requires the minimum number of houses whereas he believed East Devon were seeking to maximise housing numbers. He said that this would have knock on impacts for housing delivery across the wider area.

Councillor Roy Collins spoke on the balance between tree planting and food production. He noted that while the UK has planted many trees to support environmental goals, this has coincided with a reduction in domestic food production, leading to increased imports from countries where forests are being cleared to grow food. He stated that this approach is counterproductive for global climate change, as producing food locally would cause far less environmental harm than clearing vast areas of rainforests to meet demand. Councillor Collins highlighted concerns regarding East Devon and urged the Committee to reconsider the use of sites containing agricultural land. He emphasised that converting these areas into housing or employment sites would diminish future food production capacity, which is essential for generations to come.

The Assistant Director – Planning Strategy and Development Services responded, noting:

- All feedback on the Local Plan must be submitted through the ongoing consultation process.
- Further communications will be issued as there are still several weeks remaining, reminding the Committee that this consultation addresses comments raised in previous rounds.

- Anyone who previously commented on the consultation has been contacted regarding the current consultation.
- Face-to-face meetings were held during the Regulation 18 consultation in 202, however, as the Local Plan is now at a later stage, such meetings are not considered appropriate.
- The Local Plan includes policies preventing the delivery of new homes unless there is sufficient waster water capacity to accommodatethe additional flows.
- He disagreed with Mr Whiteley's comments on National Landscape and housing figures, explaining that while Torbay proposes to not meet its housing need, East Devon's Plan does meet its requirement – even though 58% of the district is designated National Landscape.

39 **Matters of urgency**

There were no matters of urgency to discuss.

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

There were no confidential or exempt items to discuss.

41 **Future of Neighbourhood Planning Support**

The Assistant Director - Strategic Planning and Development Services presented the report to the Committee outlining the future of neighbourhood planning support. He noted that East Devon has historically been proactive in providing officer support to local communities.

However, the Government's decision to withdraw the national support programme, which previously offered grants of up to £10,000 coincides with the anticipated depletion of the Council's own neighbourhood planning reserve by 2026/27. This creates a significant challenge in meeting East Devon's statutory duty to provide advice, guidance and support for neighbourhood planning.

The Assistant Director - Strategic Planning and Development Services emphasised the importance of continuing support, while recognising limited resources and proposed prioritising officer time on reviewing and updating of existing neighbourhood plans alongside sharing resources, digital tools and providing training. The Committee were advised that, to help 're-launch' neighbouring planning, officers will hold a half-day in-person event in the first quarter of 2026.

The Assistant Director - Strategic Planning and Development Services invited the Committee's views on how best to ensure neighbourhood planning remains viable and delivers robust plans.

Questions from the Committee included:

- Further clarification was sought on the effectiveness of sharing resources and whether officer support would be available for revising plans. The Committee noted that support and guidance would be provided by the dedicated Neighbourhood Planning Officer and parishes would continue to be invited to attend webinars and in-person events to help understand what would be required.
- Guidance was requested on what budget parishes should allocate for plan updates, noting that smaller parishes may face challenges in setting aside

sufficient funds. The Assistant Director - Strategic Planning and Development Services advised contacting the Neighbourhood Planning Officer as costs depend on the size of the community and its objectives.

- There is a need to inform parish councils about the challenges facing the district council and, with the potential for a Devon-wide Local Plan in the future, the importance of having neighbourhood plans is now greater.
- It was suggested that the first recommendation was too weak and should be reconsidered.

Committee debate included:

- The importance of neighbourhood plans and continued funding for parish councils was highlighted, noting the high costs for smaller rural communities. While acknowledging East Devon District Council's budget constraints, it was suggested that some financial support should be provided.
- It was suggested that the government may be seeking to reduce local influence on planning policy, indicating a broader move toward centralisation.
- Support was expressed for the recommendations as written as it was suggested that costs for neighbourhood plans could be passed on to council tax payers.
- Support was expressed for neighbourhood plans as it brings people together about local issues.
- It was noted that councillors need more information on the role and benefits of neighbourhood plans, and how they can use their position to promote them.
- Support was expressed for providing a dedicated funding envelope to cover costs associated with neighbourhood plans.
- It was suggested that a report at the next meeting on how many parishes require funding would help assess cost implications. The Chair clarified that, due to time constraints, the report would need to go to Cabinet or Overview and Scrutiny instead.
- It was noted that, when funding neighbourhood plans, consideration should be given to the fact that town and parish councils can set their own precepts without limit.
- Support was expressed to providing funding to town and parish councils, but it was noted they should cover the majority of the cost themselves as it will benefit them directly.

Councillor Jess Bailey proposed a further two recommendations, seconded by Councillor Brian Bailey.

To read as follows:

4. The Committee recommends the development of a grant scheme to provide financial support for the development of neighbourhood plans and requests a report back to the next Strategic Planning Committee.
5. The Committee recommends to the Cabinet that an appropriate budgetary provision is made for the new grant scheme for the financial year 2026/27.

The Committee were supportive of the additional recommendations.

RESOLVED:

1. That the changed context for neighbourhood planning in the light of the Government Spending Review with the cessation of access to grants and funding technical support for communities be noted and that the Chair be recommended to write to MHCLG to formally register this Council's disappointment with the

decision and urge reconsideration and/or consultation on an alternative support arrangement.

2. That the 2026/27 budget be noted and prepared on the basis of a continuation of current neighbourhood planning support offered to communities in East Devon despite this impacting on the general fund.
3. To receive an annual report on neighbourhood planning activity for information, noting that reports for decision need to continue to be taken to Cabinet until such time as the constitution is reviewed.
4. The development of a grant scheme to provide financial support for the development of neighbourhood plans be recommended and a report be taken back to Strategic Planning Committee.
5. The Committee recommends to the Cabinet that an appropriate budgetary provision is made for the new grant scheme for the financial year 2026/27.

RECOMMENDATION TO CABINET:

The Committee recommends to the Cabinet that an appropriate budgetary provision is made for the new grant scheme for the financial year 2026/27.

42 Employment Land Review 2024-25

The report provided an annual summary of employment land provision in East Devon to the year ending 31 March 2025 seeing 16 employment developments completed amounting to 5.76 hectares based on the assessment of the following use classes:

- B2: General Industrial
- B8: Storage and Distribution
- E(g) i) Offices to carry out operation and administrative functions
ii) Research and development of products and processes
iii) Industrial processes
- Sui Generis or other uses that occupy employment sites that do not fall into B/E(g) category, but which are similar in nature.

The Assistant Director – Planning Strategy and Development Services highlighted the following specific issues in the East Devon Employment Land Review report:

- Page 157 – Outline planning application (22/2781/MOUT) for 130 dwellings to the east of Harepath Road, Seaton.
Clarification: Approved in principle, subject to a Section 106 Agreement
- The employment land at Newcourt Barton on Clyst Road, Clyst St Mary is not included in the report and should be added to sites where additional work is required in Appendix 1F.

The Assistant Director – Planning Strategy and Development Services advised that, in light of these and any further issues that may arise, an additional recommendation should be included to grant him delegated authority, in consultation with the Chair, to make the necessary amendments to Appendix 1F.

Questions raised by Committee Members included:

- Clarification was sought on whether farm diversification was addressed in the report. The Assistant Director – Planning Strategy and Development Services acknowledged these types of diversification are difficult to identify and would require councillors' local knowledge.
- A question was raised about the weight of the villages plan compared to the new Local Plan; The Committee noted that the villages plan will be phased out as the Local Plan is phased in.

- Concerns were expressed about the report's accuracy, noting missing information.
- It was noted that Rockbeare Quarry and Blackhill Quarry were not included in the list.

RESOLVED:

1. The information set out in the Employment Land Review 2024/25 be noted and published on the Council's website.
2. That delegated authority be given to the Assistant Director – Planning Strategy and Development Services in consultation with the Chair to add additional sites and issues to appendix 1F of the report.

43 **Proposed response to consultation on the evolving Local Plan for Torbay**

The Committee considered a report seeking endorsement of the Council's proposed responses to Torbay Council's Regulation 18 draft consultation. Members were advised that, although Torbay is not a neighbouring authority, its Local Plan refers to a duty of co-operation from wider Devon authorities as the Plan does not meet its housing need. It was therefore considered important for this Council to respond, highlighting concerns about the inappropriateness of accommodating any of Torbay's unmet housing need within East Devon, given the geographical separation between the two areas.

Questions and comments raised by Committee Members included:

- Whether any other authorities that neighbour Torbay Council have responded in a similar manner. The Assistant Director – Planning Strategy and Development Services was unable to confirm but advised that this Council was not alone in its concerns and noted Teignbridge District Council, a neighbouring council was in its final stages of adopting its Plan.
- Whether Torbay Council had undertaken a call for sites. It was understood that a call for sites had been carried out, but insufficient sites were identified.
- A suggestion that the recommendation lacked sufficient robustness.
- While sympathy was expressed for Torbay Council's significant challenges in meeting its housing need, support was given for the proposed responses, noting that this Council also faces its own housing pressures.

RESOLVED:

That the Council respond to the Torbay Council Local Plan consultation (using the text set out in the committee report) to ensure that the views and concerns of East Devon District Council around their policy position in respect of housing provision are appropriately heard and taken into account.

44 **Infrastructure Funding Statement**

The Assistant Director – Planning Strategy and Development Services presented a report seeking approval for the publication and submission to government of the 2024/25 Annual Structure Funding Statement setting out monies received from Community Infrastructure Levies and Section 106 agreements during the year.

Key points highlighted included:

- 8 S106 agreements were signed securing £4.96m in financial contributions and 415 affordable dwellings.
- A total of £1.622m was collected in financial contributions.

- £734,000 was spent on community infrastructure including Exmouth Rugby Club and Pinhoe Surgery.

In response to Members noting that some parishes were missing from the Neighbourhood CIL summary, the Assistant Director – Planning Strategy and Development Services requested that delegated authority, in consultation with the Chair, to amend the list accordingly.

RESOLVED:

1. That the contents of this report and the requirements to provide an Annual Infrastructure Funding Statement be noted.
2. That the publication and submission to government of the 2024/25 Annual Funding Statement based on the information detailed in the report be approved and delegated authority be given to the Assistant Director – Planning Strategy and Development Services, in consultation with the Chair to amend the Neighbourhood CIL summary list.

Attendance List

Councillors present:

J Bailey
K Blakey
O Davey
P Faithfull
C Fitzgerald
M Howe (Vice-Chair)
B Ingham
G Jung
T Olive (Chair)
H Parr
B Bailey

Councillors also present (for some or all the meeting)

A Bailey
R Collins

Officers in attendance:

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

Councillor apologies:

P Fernley
Y Levine

Chairman

Date:



Report to: Strategic Planning Committee

Date of Meeting 3 March 2026

Document classification: Part A Public Document

Exemption applied: None

Review date for release Not applicable

Update on work on production of the East Devon Local Plan

Report summary:

This report provides a summary of ongoing work on local plan production, leading to plan submission, under current timetables, in late May/early June 2026. The report highlights:

- a) The 2nd stage of Regulation 19 consultation concluded on 26 January 2026 with around 3,200 separate comments raised/logged from around 750 respondents.
- b) Whilst some comments made related to changes to the plan many were reiterating concerns raised at the 1st stage of Regulation 19 consultation.
- c) There is technical work ongoing on respect of key work areas to include travel and transport considerations and impacts on the strategic road network and also on air quality matters and potential for adverse impacts and mitigation arising from traffic on roads crossing the Pebblebed Heaths.

Subject to having made sufficient ground on addressing any outstanding concerns the intent is that a report, with supporting documents, will come back to Strategic Planning Committee in May 2026 with a recommendation for Submission for Examination. Council will need to approve submission and on this basis submission will be in late May/early June 2026.

Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

Recommendation:

That Strategic Planning Committee endorse the proposed programme of work going forward and note the contents of this report.

Reason for recommendation:

To ensure committee are kept informed of local plan making progress.

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

Portfolio(s) (check which apply):

- ☐ Assets and Economy
- ☐ Communications and Democracy
- ☐ Council, Corporate and External Engagement
- ☐ Culture, Leisure, Sport and Tourism

- ☐ Environment - Nature and Climate
- ☐ Environment - Operational
- ☐ Finance
- ☒ Place, Infrastructure and Strategic Planning
- ☐ Sustainable Homes and Communities

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk;

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

Link to [Council Plan](#)

Priorities (check which apply)

- ☒ A supported and engaged community
 - ☒ Carbon neutrality and ecological recovery
 - ☒ Resilient economy that supports local business
 - ☒ Financially secure and improving quality of services
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1 Introduction

- 1.1 Strategic Planning Committee will be aware of the lengthy and sometimes challenging local plan work that has been undertaken to date. This led to the 2nd round of Regulation 19 consultation that started on Friday 28 November 2025 and ran through to a conclusion on Monday 26 January 2026.
- 1.2 Based on conclusion of consultation, early analysis of responses received and ongoing work in support of the plan we are now looking towards submission of the local plan for Examination in late May or early June 2026. Plan Examination starts at the point at which the plan and supporting papers are sent to and registered by the Planning Inspectorate (on behalf of the Secretary of State for the Ministry of Housing, Communities and local Government).

2 Responses to the 2nd round of Regulation 19 consultation

- 2.1 Early assessment and analysis has started on comments received at the 2nd stage of Regulation 19 consultation.
- 2.2 For the 2nd round of consultation the Council continued to make use of the corporate consultation software – Commonplace. Many of those making comments on the plan did so by submitting comments directly on to the software. However, there were also significant numbers of people and organisations that submitted emails, including with attachments.
- 2.3 All comments that were not made through the Common place software have now been added to it and sit alongside those made directly. In the coming months any loose ends and anomalies in and on the logged comments will be tidied up and through application and help

of Artificial Intelligence assistance the intent is that a feedback report of comments received will be generated. This will be of a similar form, format and structure to that received for the first round of consultation – see: [reg-19-stage-1-feedback-report-post-committee.pdf](#) All comments on the plan, as now logged n Commonplace can be viewed at: [Community Forum - East Devon Local Plan 2020–2042: Second Regulation 19 Consultation - Commonplace](#)

- 2.4 The intent is that the consultation feedback report will be reported to Strategic Planning Committee in May 2026 (the next scheduled committee currently being for the 5 May 2026). From early analysis we can, however, report on a number of headline conclusion and early observations:
- a) There are around 3,200 separate comments logged on the Commonplace portal submitted from around 750 respondents.
 - b) Whilst the consultation was geared around changes to the plan from the 1st to this 2nd round of consultation most comments logged do not specifically relate to changes, rather they are objections to overarching policies.
 - c) Most policies commented on are those in Chapter 5 of the plan ‘Development in the Towns and Villages’ that allocate sites for development with specifically higher numbers (approximate figures noted, final counts may be slightly higher) for sites in Exmouth - specifically Exmo_20 – 1,500 response, Site Otry_21 in Ottery St Mary - 30 responses and Sidm_06a & Sidm_06b – 20 responses.
 - d) Whilst the town and village chapter received the bulk of comments made all other chapters also have comments logged against them as does the plans sustainability appraisal (this specifically has 134 comments logged).
 - e) The spatial strategy chapter, with 246 comments, and the development at the West End chapter, with 166 comments logged, were the second and third most highly commented on chapters.
 - f) The West End chapter allocates the new community site of Marlcombe and it is relevant to note the comparatively low comment numbers received. Though some that were are lengthy and raise some challenging matters.
 - g) The overwhelming majority of comments received were from private individuals – there were 58 from organisations, including public bodies and agencies, companies, community/interest groups and agents representing clients.
- 2.5 Part of the officer work that will feed into the feedback work to the May 2026 Strategic Planning Committee will be a detailed review of comments made with a critique of a response to any additional technical work that was seen as needed to support plan submission. We are aware of some of this work, which is ongoing and is highlighted further on in this report, but review of comments will highlight any additional work that is seen as needed.

3 On going technical work to support plan Submission

- 3.1 There is further work on going on technical assessments that will need to reach conclusions at the point of and in support of plan Submission. That which we are specifically involved in and is of greater significance is highlighted below.

- a) **West End focussed transport assessment** – given the scale of growth proposed in the West End of the district there has been a long standing recognition for the need to address traffic congestion matters, especially on the strategic road network – specifically the M5 and its junctions and the A30 and junctions - but this also extends to the A3052 and links to the wider road network including links and connections in to Exeter. Technical work is ongoing along side designing and costing mitigation options, to include both some road improvements as well as (and in many ways more importantly) initiative to promote better provision for and opportunities for walking, cycling and public transport.
- b) **Air quality impacts at the Pebblebed Heaths** – earlier assessment work has indicated that with extra development there will be more (petrol and diesel) vehicles on roads crossing the Pebblebeds Heaths which is designated in the highest tier of wildlife sites in England. Extra vehicles (the emissions from) in the absence of mitigation, will lead to unacceptable biodiversity impacts. Ongoing work is rerunning modelling and assessment of impacts with mitigation options now built in. The new modelling applies higher assumed levels of electric vehicle use in the future (and corresponding lower levels of petrol/diesel vehicles) as well as options to further encourage/support electric vehicle uptake amongst road users, at large, and occupants of new build houses. Going forward we may also need to review potential for land management interventions at the designated site or other mitigation options. Technical air quality assessment work that has already been completed can be seen at: [ED21793 Mitigation of AQ impacts East Devon Pebblebed Heaths Technical report](#) and [Ricardo report template](#) and related (and most recent) habitat Regulation Assessment work at: eastdevon.gov.uk/media/ya3hdlaq/csd-006-se-devon-local-plan-hra-reg-19-300125.pdf

- 3.2 In addition to the above there are other, mostly less significance work streams and areas that are seeking attention, specifically including matters arising from the Water Cycle Study and comments on it that are subject to a separate report to this committee.
- 3.3 For plan Submission we will aim to have all supporting work complete and finalised. But there will invariably be some work elements that can be reviewed and further assessed and refined. The plan making system effectively has such an outcome baked-in' as through the Examination process the plan inspector/s will ask questions that can be expected to generate the need for further assessment work and its frequently the case that inspector/s will ask a planning authority to undertake further work around issues/considerations they identify.

4 The plan making timetable

- 4.1 The latest Local Development Scheme, which sets out the plan making timetable, is set out at: [east-devon-lds-october-2025.pdf](#) at paragraph 4.2 its sets out the following plan making timetable:
- Issues Consultation – completed in January 2021.
 - Draft plan – the first consultation was completed in January 2023 and there was further consultation in summer 2024.
 - Publication – Regulation 19 consultation:
 - Main – was concluded in March 2025.
 - Further – projected to start in Autumn 2025.
 - Submission – Spring 2026.
 - Examination, including Inspector's Hearings – 2026.
 - Adoption – 2027.

- 4.2 This timetable remains in place, specifically Submission in Spring 2026. Though it may be that the plan Examination proves to be lengthy, it is a plan with a lot of complex matters, specifically including the new community of Marcombe, and which has generated considerable public interest. As a consequence adoption may be after 2027.

5 Conclusions and next steps

- 5.1 On the basis of matters set out in this report we envisage that in May 2026 (scheduled meeting date is 5 May 2026) a report will be presented to Strategic Planning Committee recommending that the local plan is submitted for Examination. This recommendation will need to go to a meeting of full Council for approval. It maybe that a special council meeting is required in late May at which approval will be sought. Looking at possible timelines a Submission date in late May 2026 would be aimed for, though it may be into early June 2026. Submission is, however, subject to delays not coming into play, unknowns having an impact, satisfactory resolution of any technical/evidence matters and member/Council endorsement.
- 5.2 At this stage we would not envisage seeking any further changes to the plan. However, at Submission there is the option for the Council to identify a series of suggested main modifications to the plan. It would not be the Council changing the plan, rather it would be the Council recommending to the appointed inspector/s that merit is seen in making selected changes and asking that the inspector/s recommend back to the Council that the listed changes are made. Any main modifications recommended are, however, the choice of the inspector/s and regardless of what the council may identify/suggest the very probable expectation is that the inspector will identify main modifications that are seen as necessary to secure a sound plan. Main modifications, at a point in the Examination process, will need to be consulted on.
- 5.3 In reporting to committee in May 2026 it will be identified if any further changes are considered necessary or desirable.

Financial implications:

There are no direct financial implications identified within the report. (AB-17/02/2026)

Legal implications:

There are no direct legal implications identified within the report. (DH/002533-19/02/2026)

Report to: Strategic Planning Committee

Date of Meeting 3rd March 2026

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



East Devon Water Cycle Study

Report summary:

The East Devon Water Cycle Study was reported to Strategic Planning Committee on the 25th November 2025. Members agreed to consult on the study alongside the second Reg 19 consultation on the Local Plan but sought a further report following consultation to “enable discussion of its implications with the benefit of responses from consultees and further engagement with South West Water”.

This report summarises the findings of the study and the responses received through the consultation including those from South West Water, Natural England and the Environment Agency. The report then makes recommendations about how this work should be taken forward.

Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

Recommendation:

1. That Members note the Water Cycle Study and the comments received through the Reg 19 consultation.
2. That Members note the further work that is on-going with South West Water and statutory consultees to develop a common understanding of the position in terms of water infrastructure in the district and the impacts of the local plan on water resources and how and when these will be addressed.

Reason for recommendation:

To ensure Members are aware of the findings of the Water Cycle Study, the comments received from consultees on the study and the implications for the Local Plan.

Officer: Ed Freeman – Assistant Director – Planning Strategy and Development Services

Portfolio(s) (check which apply):

- ☐ Assets and Economy
- ☐ Communications and Democracy
- ☐ Council, Corporate and External Engagement
- ☐ Culture, Leisure, Sport and Tourism
- ☒ Environment - Nature and Climate
- ☐ Environment - Operational
- ☐ Finance

- ☒ Place, Infrastructure and Strategic Planning
- ☐ Sustainable Homes and Communities

Equalities impact Low Impact

Climate change Medium Impact

Risk: Medium Risk;

Links to background information [ccf-001-the-east-devon-water-cycle-study.pdf](#)

Link to [Council Plan](#)

Priorities (check which apply)

- ☒ A supported and engaged community
 - ☒ Carbon neutrality and ecological recovery
 - ☐ Resilient economy that supports local business
 - ☐ Financially secure and improving quality of services
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Background

Strategic policies in the local plan should set out an overall strategy for the pattern, scale and design quality of places and among other things address infrastructure required for water supply and waste water as well as conserving and enhancing the natural environment. In order to do this we are required to co-operate with relevant bodies such as Natural England, Environment Agency and infrastructure providers such as South West Water.

The National Policy Statement for Waste Water was published in 2012 and primarily sets out how nationally significant waste water infrastructure should be dealt with and thus is not directly relevant to the role of EDDC. It does however contain a section on generic impacts which is relevant to all waste water infrastructure and highlights a range of issues to consider when determining applications for such development including, water quality and resources, odour, flood risk, biodiversity and geological conservation etc.

The Planning Practice Guidance contains a section on water supply, wastewater and water quality. It highlights the legislative framework and the role of river basin management plans which set out the key issues for the water environment and how these are to be tackled. These are produced at a regional level and so are quite broad and high level. The issues highlighted are also picked up in the PPG itself in relation to Local Plan production and relate to:

- Infrastructure (water supply and wastewater) – This could include identifying suitable sites for new or enhanced waste water and water supply infrastructure, considering the impacts of that on existing and proposed development in the vicinity of such infrastructure whether existing or proposed and phasing new development so that water and wastewater infrastructure will be in place when and where needed.
- water quality – This could include locating potentially polluting development away from the most sensitive areas, consider the type or location of new development, whether measures to improve water quality, for example sustainable drainage schemes, can be used to address impacts on water quality in addition to mitigating flood risk.

- wastewater – This could involve considering the sufficiency and capacity of wastewater infrastructure, considering circumstances where private treatment works may be accepted and considering the capacity of the environment to receive effluent from development without preventing relevant statutory objectives being met.
- cross-boundary concerns – Water supply and water quality issues often cross boundaries and can only be addressed in partnership with neighbouring authorities and other stakeholders.
- strategic environmental assessment and sustainability appraisal – These are tools for assessing the impacts of the proposed plan against objectives such as preventing deterioration of current water body status, taking climate change into account and seeking opportunities to improve water bodies.
- habitats regulations assessments – These are required under the habitat regulations and are a process for assessing the impacts of projects on protected habitats and species including those related to water bodies.

The PPG also refers to evidence documents that can be produced to help to consider these issues and find solutions. These include production of a water cycle study and a drainage strategy for the area. “A water cycle study helps organisations work together to plan for sustainable growth. It uses water and planning evidence to understand environmental and infrastructure capacity. It can identify joined up and cost effective solutions, that are resilient to climate change for the lifetime of the development.

The study provides evidence for plans and sustainability appraisals and is ideally done at an early stage of plan-making. Local authorities (or groups of local authorities) usually lead water cycle studies, as a chief aim is to provide evidence for sound plans, but other partners often include the Environment Agency and water companies”. A drainage strategy according to the guidance “can be prepared by water and sewerage companies and sets out how they intend to deliver statutory drainage functions and meet customer needs within a particular catchment”.

Below is a summary of the Water Cycle Study now produced by Haskoning and available at: [ccf-001-the-east-devon-water-cycle-study.pdf](#). Although the final report has been published late in the process the work has been ongoing in parallel with plan production and has informed the plan as it has evolved.

Introduction

The East Devon Water Cycle Study (WCS), commissioned by East Devon District Council (EDDC) and prepared by Haskoning, is designed to support the new East Devon Local Plan (2020–2042). Its primary aim is to ensure that planned development—particularly significant housing growth—can be accommodated sustainably, without compromising water resources, wastewater management, or the district’s environmental quality. The study provides an evidence base for policy making, site selection, and sustainability appraisals, focusing on the integration of water management and planning to deliver sustainable growth.

Study Objectives

- Assess whether there is sufficient water supply and wastewater capacity for new developments.
- Identify requirements for maintaining and improving water quality.

- Protect natural capital (e.g., rivers, land, biodiversity).
- Inform planning policies on biodiversity, climate change adaptation, flood risk, and sustainable drainage.

The WCS also considers compliance with key environmental legislation, including the Water Environment Regulations (WER) and the Habitats Regulations, and draws on data from stakeholders such as the Environment Agency, South West Water (SWW), and Natural England.

Legislative and Policy Framework

The WCS is framed by requirements from the Water Environment Regulations (WER), National Planning Policy Framework (NPPF), Building Regulations, and the Urban Waste Water Treatment Regulations. These statutes collectively require that development does not cause deterioration in water body status or prevent the achievement of ecological objectives.

Local authorities are encouraged to set higher water efficiency standards (e.g., 110 litres/person/day for new homes) and to work closely with water companies and the Environment Agency in the planning process.

Water Resources and Supply

Water Cycle Study Summary

The study identifies that the district's water is supplied by SWW's Wimbleball Water Resource Zone (WRZ), covering all potable supply and wastewater treatment. The WCS identifies significant pressures on both surface and groundwater resources, particularly in the Otterton, Fairmile, and Fenny Bridges Water Resource Management Units (WRMUs), where further abstraction is unlikely to be permitted.

Baseline supply-demand analysis indicates that, without intervention, the WRZ would enter deficit by 2024 and remain so until 2050. However, SWW's Final Plan, with new infrastructure (e.g., Cheddar 2 Reservoir, Whitecross Distribution Scheme), demand management, and leakage reduction, is expected to maintain supply-demand balance. Climate change and population growth will continue to exert pressure, requiring stringent water efficiency and adaptive management.

Wastewater Collection, Treatment, and Water Quality

Water Cycle Study Summary

The study notes that wastewater is collected and treated across multiple WwTWs, with capacity and compliance regularly assessed. Several WwTWs—including Colyton, Honiton, Fluxton, Feniton, Otterton, Maer Lane, and Dunkeswell—are projected to exceed or approach their permitted Dry Weather Flow (DWF) limits post-development, necessitating upgrades or phased development.

Major rivers in East Devon currently fail to meet physio-chemical standards for phosphorus, ammonia, and biochemical oxygen demand (BOD). New development will increase pressure on these systems, with RQP (River Quality Planning) modelling and load standstill calculations indicating that some WwTWs will require permit adjustments or infrastructure enhancements to prevent ecological deterioration.

Critical investment is required at Exmouth Maer Lane and Countess Wear WwTWs to address hydraulic stress, sewer flooding, and future capacity needs. A new WwTW is required to address future pressures on Countess Wear with SWW progressing a project to deliver this although no location has been identified.

Environmental and Biodiversity Implications

Water Cycle Study Summary

East Devon contains several nationally and internationally designated conservation sites (SACs, SPAs, Ramsar, SSSIs), many of which are hydrologically sensitive. The WCS finds that increased nutrient loading from development poses significant risks to key sites, particularly the River Exe Estuary, River Axe, and Otter Estuary.

The study recommends that future Habitat Regulations Assessments (HRAs) pay special attention to the vulnerability of these sites, and that monitoring and further testing be carried out to track nutrient and contaminant levels. Development should integrate biodiversity enhancements, such as constructed wetlands and sustainable drainage systems, and avoid adverse impacts on critical habitats.

Key Recommendations

- Adopt the lower water efficiency standard of 110 litres/person/day for new development.
- Monitor and strictly regulate new abstractions and wastewater discharges.
- Phase development to match infrastructure upgrades and capacity increases.
- Where new developments are within the scope of the Environmental Impact Assessment (EIAs) Regulations ensure that they include assessment of their impacts on water services and protected habitats.
- Integrate biodiversity-friendly design and restrict development in sensitive coastal and riverine areas.
- Continue stakeholder collaboration (EDDC, SWW, Environment Agency, Natural England) to ensure sustainable growth and environmental protection.

The WCS underlines the need for an integrated, evidence-based approach to development, balancing population and economic growth with the long-term sustainability of water resources, infrastructure, and the natural environment.

Conclusion

The East Devon Water Cycle Study provides a comprehensive framework for aligning local development with sustainable water management. Its findings and recommendations are intended to inform the Local Plan, ensuring that future growth is achieved without detriment to water supply, wastewater infrastructure, or the district's unique environmental assets.

Reg 19 responses to the Water Cycle Study

We are still analysing comments received through the consultation and comments on this study have been made in various places throughout the consultation materials however the key comments that we have identified so far in relation to the Water Cycle Study from those commenting on the plan aside from SWW and statutory consultees are as follows:

- The WCS identifies limited wastewater treatment capacity in several settlements, and respondents questioned whether the Local Plan reflects the capacity constraints the study sets out.
- People noted that the WCS contains uncertainties and references to areas where further modelling or assessment is still required.
- Several respondents highlighted that the WCS points to the need for significant upgrades to wastewater treatment works and sewer networks, and they questioned how and when these upgrades would be delivered.

- Respondents drew attention to WCS findings relating to potential impacts on water quality, including the risk of deterioration in sensitive catchments and the implications for protected sites.
- Some representations stated that the WCS's findings imply constraints that should be explicitly addressed in Local Plan policies, especially regarding the feasibility and timing of development.

Further details will be included in the feedback report to be presented to the May meeting of the committee.

South West Water Comments on the Water Cycle Study

South West Water Limited (SWW) provides a detailed response to the Regulation 19 Draft Local Plan for East Devon, addressing water and wastewater infrastructure, environmental protections, and planned investments to support growth and sustainability.

- **Support for Net Zero and SuDS:** SWW endorses policy requirements for achieving Net Zero through sustainable drainage systems (SuDS) and nature-based solutions, suggesting design guides for developers and promoting green roofs and walls for brownfield sites.
- **Water Efficiency and Harvesting:** SWW supports policies mandating a minimum water efficiency of 110 litres per person per day in new residential developments and encourages inclusion of water harvesting and recycling techniques in development proposals.
- **Urban Tree Canopy Policy:** The utility backs policies aiming for a 30% urban tree canopy cover in major developments to mitigate urban heat island effects and reduce water resource strain amid climate change.
- **Wastewater Treatment Capacity:** SWW highlights limitations in the Water Cycle Study's assessment, emphasizing that treatment capacity planning is dynamic, regulated through five-year Asset Management Plans (AMPs), and includes ongoing investments to manage population growth and environmental compliance.
- **Hydraulic vs Biological Capacity:** The response clarifies that hydraulic capacity affects storm overflow performance, whereas biological capacity relates to treatment efficacy, noting the Water Cycle Study inadequately considers biological capacity.
- **Recent and Planned Investments:** SWW details recent upgrades at treatment works such as Fluxton, Ottery St Mary, Tatworth, and Countess Wear, and outlines AMP8 investments for wastewater treatment and storm overflow reduction across East Devon to support growth and environmental targets.
- **Storm Overflow Improvements:** The company reports substantial investment reducing storm overflow discharges, including upgrades in Exmouth and Budleigh Salterton, with plans to meet Defra's target of ten spills per year by 2040, ahead of the 2050 national goal.
- **Water Resources Management:** SWW references its Water Resource Management Plan 2024 for the Wimbleball zone, including demand management targets and supply schemes like the Whitecross distribution and Cheddar 2 reservoir to ensure supply-demand balance and climate change resilience.

- **Recommendations for Water Cycle Study Update:** SWW recommends updating the Water Cycle Study to reflect the water industry planning process, recent and planned investments, regulatory frameworks like WINEP, the limitations of dry weather flow as a capacity measure, storm overflow improvements, and supply schemes to provide a comprehensive and transparent assessment.

Statutory Consultee Comments on the Water Cycle Study

Both the Environment Agency and Natural England identify issues with the current Water Cycle Study as set out in Appendix 1. The Environment Agency in particular raise a large number of issues, however the majority are minor and do not directly affect local plan content. Their substantive comments are set out below in summary with a RAG rating and officer comment provided for each:

Water Resources

Comment	RAG rating	EDDC Commentary
Only considers water availability and does not consider if water supply infrastructure is sufficient - existing water treatment works or pipelines may require upgrading		Further information will need to be sought from SWW to address this issue.
SWW need to confirm if the modelling for WRMP24 included needs arising from Marlcombe		Further information will need to be sought from SWW to address this issue.
No mention of future industrial water use such as for hydrogen gas generation for fuel or cooling in data centres		The Local Plan contains no specific proposals for industrial activities with particular supply needs and so this is not considered to be an issue.
There is no reference to the risks associated with proposals for the cheddar 2 reservoir providing additional water to the Wimbleball water resources zone. What if this doesn't happen?		Risks and alternative options are assessed in SWW WRMP24
References to the water availability in waterbodies in East Devon from abstraction and water resources risks at Otterton, Fairmile and Fenny Bridges are not correct and would only apply if new development was not supplied by SWW		It is not clear what is meant here but the expectation is that developments will be served by SWW.
Lack of detail about where water supply for new development will come from particularly Marlcombe		Marlcombe is not additional but is the chosen strategy of EDDC for accommodating a proportion of the planned growth in the district. The whole of East Devon is served by Wimbleball WRZ and in district groundwater

		sources, so it is not clear why Marlcombe is causing specific concerns.
The risk of increased sewage discharges into the Lower River Exe and Exe Estuary leading to a deterioration in water quality and impacting on migrating Salmon is not considered.		Atlantic salmon are a protected species that is endangered and known to be found in the Exe. We will need a response to this issue.
Increases in sewage discharges in the River Otter could affect ground water quality but this is not identified in the water resources elements of the study.		Honiton WWTW shown as exceeding, Otterton less than 10% and Dunkeswell less than 20% headroom so risk of discharges particularly from Honiton, however SWW comments suggest Honiton has capacity due to recent upgrades. Need to check.
Para 4.1.2 contains factual inaccuracies in relation to the East Devon Abstraction Licensing Strategy as there are no winterbournes in East Devon and the SWW abstractions are in the middle and lower otter, not the upper.		Unfortunate error but does not appear to affect overall findings.
Para 4.1 indicates that the SWW Wimbleball WRZ boundary is the black line on Fig 4.1 but this includes Starcross and Dawlish which are within the Roadford WRZ.		This is an error in the text but the key to Fig 4.1 clearly shows the black line as being the Exe catchment rather than the Wimbleball WRZ boundary.
It is not clear whether the delivery date of 2035 for Cheddar 2 proposals is early enough to meet anticipated demand in the next 10 years including taking into account Whitecross distribution improvement which is not due until 2030.		Need to check with SWW but their comments on the plan suggest that the Cheddar 2 proposals and Whitecross distribution improvement would be sufficient.

Water Quality

Comment	RAG rating	Commentary
River Quality Planning (RQP) model runs should have been completed for all freshwater sites not just those with less than 10% headroom post growth.		There doesn't appear to be anything in the EA guidance on Water Cycle Studies that prescribes the approach to assessment being set out in their comments.
None of the input data used or assumptions made for the RQP runs and Dry Weather Flow (DWF) projections were provided to assess the validity of the conclusions.		I assume this is data from SWW that was provided under the data sharing agreement and so is not something we can publish but need to

		check. In any event surely it is available to the EA.
Event Duration Monitoring (EDM) data was inconsistently analysed throughout the study and waterbody status was not properly considered in the results. A separate section for the River Axe would be helpful due to the more stringent quality targets given the nutrient neutrality issues.		This comment does not appear to make sense as water body status is assessed in section 6 of the WCS. The River Axe is covered albeit not in its own section.
Unclear what engagement with SWW has taken place. It would be useful to understand where SWW identify current and future capacity issues.		SWW note that there was only 'limited engagement' with them and as result they do not fully agree with the conclusions. The SWW response provides a detailed breakdown of how they understand current and future capacity issues.
Fails to reference risks to bathing waters and shellfish waters and potential mitigation measures		Exceeding permitted spills in each bathing water season or for shellfish waters is identified as a risk in sewer catchments but acknowledge that no assessment is included in the WCS.
Kilmington STW modelled as green: limit deterioration to 10% but it discharges into a failing HD site (Axe?) so would not offer a 10% deterioration here.		SWW comments refer to recently completed and proposed improvement schemes at Kilmington that may help to alleviate EA concerns.
WCS should take into account the potential requirement for new permit limits because of growth or any urban waste water treatment directive requirements if population equivalent thresholds are crossed at an STW.		There is no specific reference to permit limits in guidance but this requires further assessment and a response to the EA.
It should explicitly state the requirement for developers to offset nutrients in the Axe catchment due to nutrient neutrality issues.		Noted but issue well understood and acknowledged in the local plan and other supporting evidence documents including HRA.
It doesn't reference the environment destination investigations in AMP8 that may affect water availability from AMP9 onwards.		It is understood that this comment relates to investigations to identify necessary reductions in water abstraction to maintain healthy habitats. This requires further investigation and comment.

In general, there is no consistent approach to discussing the condition of infrastructure across East Devon and the potential impact of increased growth, risk to the environment, mitigation etc.		It is not clear what is meant here. Maer Lane, Exmouth and Countess Wear were singled out because of known issues with these sites. This is not an inconsistency simply a greater level of detail in commentary where there are known issues.
Little discussion around EDM data or lack of capacity within networks beyond dry weather flows		Noted – This is also raised by SWW who raise concerns that the study is overly reliant on permitted dry weather flow data without considering biological treatment capacity.
The study concludes that the developer needs to provide information on impacts, but this will be too late. Granular detail is needed now.		The comment is noted but such granular detail is not available now and not necessary for plan production.
Within the study or local plan there should be an indication that local plan policies will align with SWW plans for upgrades and improvements.		Strategic Policy AR02 is clear on this point where it says “Planning permission will not be granted for any proposal which, because of inadequate provision of water services or inadequate or untimely provision of foul water and surface water drainage and disposal, would: 1. cause pollution to the water environment, including coastal waters 2. result in the deterioration of the ecological status of a water body 3. overload the sewer network, or 4. result in an increase in flood risk at the site or elsewhere.” The plan itself cannot go any further than this.
Its recommendations need to align with DWMP measures and timescales and where this is not the case set out how this will be resolved.		We are working with SWW to understand how upgrades and improvements will align with build out rates and ensure alignment where possible.
The WCS does not contain all available data on water quality and so conclusions on water quality including those within the Habitats Regulations Assessment (HRA) are premature.		This is a significant issue raised by Natural England given the legal compliance issues raised by the Habitat Regulations.

Overall, the comments of statutory consultees suggest that a revised WCS should:

- Correct data errors
- Re-run models with more robust inputs
- Incorporate planned investment
- Align fully with WRMP24 and DWMP where possible

- Demonstrate clear solutions for Marlcombe's water supply and wastewater treatment
- Provide transparent and evidence-led conclusions on water quality and infrastructure capacity

At the time of writing the comments of consultants Haskoning, who produced the Water Cycle Study, are being sought and meetings are being held with South West Water to obtain further data and information to respond to the concerns and issues raised. The intention is to update and amend the study to address the concerns raised where possible.

Although the number of issues raised are substantial many of them are very detailed and minor points of clarification or correction, however it is noted that some comments are more fundamental and require further work to address. It is not however anticipated that such changes would lead to any material changes to the Local Plan itself which was produced alongside production of the Water Cycle Study and informed by the emerging work of the study. Other constraints mean that any fundamental changes in approach are not possible and should not be necessary while the policy provisions of the plan regarding water efficiency measures, SuD's and policy safeguards such as through Strategic Policy AR02 would prevent detrimental impacts on the water environment. It is however important that the plan is accompanied by a robust and accurate water cycle study as evidence and this is where this work needs to be at prior to plan submission.

It is important to note that we have limited control in this space as we have no powers to make SWW deliver infrastructure or to do so in any specific timescale. The licensing of discharges are within the power of Environment Agency while SWW investment plans are for OFWAT to consider. Our control is limited to the development coming forward in the district and when this comes forward in relation to the infrastructure needed. As a result the Grampian conditions currently being used to control the timing of delivery of homes will continue to be a feature of decision making moving forwards, however it is hoped that the final Water Cycle Study will provide a clear evidence base to confirm/test the responses from South West Water and to help align delivery of housing and water infrastructure.

It is hoped that by the time of plan submission the substantive issues raised can be resolved and a statement of common ground entered with the Environment Agency and Natural England to support the examination of the plan.

Financial implications:

There are no direct financial implications identified within the report. (AB-17/02/2026)

Legal implications:

There are no direct legal implications identified within the report. (DH/002533-19/02/2026)

APPENDIX 1 – Statutory Consultee comments on the Water Cycle Study

Natural England

PB01: Water Quality and Water Cycle Study

Natural England has concerns that the current Water Cycle Study (WCS) does not demonstrate a sufficiently robust evidence base to rule out adverse effects on the integrity of international sites. The HRA (November 2025) identifies Water Pollution and Hydrological Changes as priority threats to the Exe Estuary. However, the HRA's conclusion that there will be no "Adverse Effect on Integrity" (AEOI) relies on the assumption that the WCS is fully complete.

The WCS does not, by its own admission, contain all available data on water quality. Consequently, the conclusions of the Habitats Regulations Assessment (HRA) regarding water quality may be premature. Appendix D, Page 158 of the WCS states:

"SWW has carried out SAGIS modelling, which provides a broader view of water quality across catchments and allows for assessment of multiple treatment works in close vicinity on the same watercourse. SWW has neither shared the inputs of their model nor any clear outputs, which does not allow for comparison with the RQP modelling. RQP focuses on the impact of specific discharges, while SAGIS provides a broader, integrated view of water quality across entire catchments. RQP is used for detailed discharge assessments, whereas SAGIS supports strategic catchment planning and regulatory compliance.

The data provided by SWW did not provide clarity on the comments initially raised. As such, the additional data provided by SWW following consultation on the WCS report was not incorporated into a revised version of the WCS"

The Environment Agency will be able to better advise on the implications of this. But the lack of certainty around water quality alongside the high levels of proposed development could lead to direct risks for protected habitats. Natural England advises that where there is uncertainty the precautionary principle required under the Habitat Regulations should be applied.

Environment Agency

Water Cycle Study

We are pleased to see the submission of the Water Cycle Study (WCS) (Ref.: -HAS-XX-ZZ-RP-Z-0001 dated 18th November 2025 by Haskoning). However, given the timing of the submission, we are not confident that the findings of the report have been sufficiently embedded into the plan draft.

Furthermore, there are some key deficiencies of the document, which we outline below. These should be addressed in order for your authority to make informed decisions on the planning policies, allocated development and, especially the proposed new town of Marlcombe.

Water Resources

The water resources section of the WSC only considers water availability and does not consider if water supply infrastructure is sufficient for the proposals in the local plan. This matter should be part of the study because existing water treatment works or pipelines may require upgrades to provide the additional water quantity required. New infrastructure will definitely be required for

Marlcombe new town. The Infrastructure Delivery Plan includes some clean water infrastructure projects but these need to be brought into the narrative in the WSC.

The South West Water (SWW) Water Resources Management Plan 24 (WRMP24) was prepared in 2021 – 2022 and it is not clear if the anticipated population growth in East Devon, including the new town of Marlcombe, was included fully in the future water needs for the modelling supporting the WRMP24. This should be confirmed by SWW and included in the WSC document.

The WSC only considers housing, agriculture and amenity. There is no mention of future industrial water use in East Devon. With the increasing interest in the development of energy generation to achieve the Government's ambition of net zero in 2030 and expansion of data centres. The local plan does not appear to have considered this potential for water use. Water is key to proposals for hydrogen gas generation to use as fuels and data centres can choose to use water for cooling.

The approach the water companies take for the statutory 25-year water resources management plans is an adaptive approach, recognising that the plans will need to flex and adapt. Although Cheddar 2 reservoir is in the preferred plan to provide additional water to the Wimbleball water resources zone, this is not guaranteed and the WRMP24 includes alternative scenarios. The WSC does not include reference to this uncertainty and subsequent impacts on the plan, nor does it draw any conclusions regarding how this should be recognised as a risk.

The reference to the water availability in the waterbodies in East Devon from our abstraction licensing strategy and the conclusions drawn from this regarding water resources risks at Otterton, Fairmile and Fenny Bridges are not correct. These water resources risks would only apply if the new developments were not supplied by South West Water.

Overall, it is disappointing that there is a lack of detail in the information to explain where the supply of water for the new developments, especially Marlcombe, will come from. The granularity is not provided to demonstrate, for example, that there is sufficient water for Marlcombe and also for Honiton. There are infrastructure constraints within the water supply network which are not explored or considered by the WSC.

Increases in sewage discharges into the lower River Exe and Exe Estuary, causing a resultant deterioration in water quality in the receiving water, have the potential to impact on salmon which need to migrate to the River Barle SSSI in the upper Exe catchment. Salmon are a notified species for the SSSI. This risk is not considered in the document.

Increases in sewage discharges in the River Otter and the risks identified for river water quality could have consequences for groundwater quality and hence, the raw water abstracted by South West Water in the boreholes in the lower Otter. This connection between the Water Quality and Water Resources elements of the WSC is missing and needs to be considered.

Paragraph 4.1.2 'East Devon Abstraction Licencing Strategy' contains factual inaccuracies. It references "*several seasonal winterbournes which dry up for period along some stretches. SWW abstracts significant volume of water for public water supply from groundwater sources in the upper and middle reaches.*" However, there are no winterbournes in East Devon, and the SWW abstractions are in the middle and lower otter, not the upper.

The map below is also incorrect. Paragraph 4.1 states that the SWW Wimbleball WRZ boundary is the black line on the map below (figure 4.1 in the WCS). However, the area around Starcross and Dawlish is within the Roadford WRZ. A map showing the correct boundary would be available from SWW. The WCS is correct in saying that East Devon is within Wimbleball WRZ, so this is not a material change required to the report, merely a correction of background information.

Figure 1. – Figure 4.1 in the WCS

Overall, in regards to water resources, the timing of delivery of new dwellings is important when considered against the SWW WRMP24. The Cheddar 2 reservoir proposal is planned to be ready by 2035 but there is considerable risk associated with this delivery date due to the significant size of the scheme. It was not clear in the WCS if a delivery date of 2035 for Cheddar 2 was considered early enough to meet anticipated demand in the next 10 years or if this is a risk. Similarly, Whitecross distribution improvement is not due until 2030.

Water quality

As the WCS is currently written, with regards to water quality, the document lacks clarity, is missing important pieces of information and in some places appears confused and difficult to understand. We would not consider it to be evidence-led in its current form and makes conclusions which are not supported by the data and require some work to provide a proper understanding of the impacts and mitigations that will be required. The RQP runs (River Quality Planning model) should have been completed for all freshwater sites, not just those with less than 10% headroom post growth, to fully understand the impacts and account for current permits that may be old and not protective of the environment. For the RQP runs and DWF (Dry Weather Flow) projections, none of the input data used or assumptions made were provided, so we cannot assess the validity of the conclusions drawn. There were many data gaps in the RQP runs for P, NH4 and BOD, which leads us to wonder why

SAGIS-SIMCAT (the model) was not instead used for the modelling component of the study. If the methodology used for RQP runs and DWF projections is available, could it please be provided as an appendix?

EDM (Event Duration Monitoring) data was inconsistently analysed throughout the WCS and requires further work. We also found that waterbody status under the Water Environment Regulations 2017 was not properly considered in the results. As the Axe is the only nutrient neutrality catchment in East Devon, it would be helpful to separate this out into its own section, as the environmental quality targets that we are aiming for in the Axe (CSMG [Common Standards Monitoring Guidance] targets) are more stringent than in the other catchments. Lastly, AMP8 WINEP improvement schemes at South West Water's assets were not considered in the study, and should be factored in.

It is not clear from the WCS to what extent SWW has been consulted or where their evidence has been used to identify the high-risk areas within East Devon. It would be a useful part of the process to understand where SWW's own planning department has identified current or future capacity issues that may limit development and what the measures are to address this.

In addition:

- The WCS fails to reference bathing Waters and Shellfish Waters as protected areas and potential risks from growth, mitigation measures etc.

- The outcome of the modelling for Kilminster STW was green: limit deterioration to 10%. However, this site discharges into a failing HD site and we would not offer a 10% deterioration under this scenario.
- We suggest that the WCS takes into account the potential requirement for new permit limits as a result of growth or any Urban Waste Water Treatment Directive requirements, if population equivalent thresholds are crossed at an STW.
- The WCS should explicitly state the requirement for developers to offset nutrients in the Axe catchment, due to nutrient neutrality status.
- The WCS doesn't reference the environment destination investigations in AMP8 that may affect water availability from AMP9 onwards. It should consider them and the potential to affect the water cycle in East Devon.
- In general, there is no consistent approach to discussing the condition of infrastructure across East Devon and the potential impact of increased growth, risk to the environment, mitigation etc. This is a key factor when planning growth across the district.
- As the Axe catchment is the only nutrient neutrality catchment in East Devon, it may be beneficial to have a separate River Axe/Axe catchment section. We are aiming for CSMG (Common Standards Monitoring Guidance) targets here, not WFD. This should be made clear and appropriately reflected in the modelling outputs.
- There is very little discussion around EDM data or a lack of capacity within networks beyond considering dry weather flow.
- The WCS concludes that the developer needs to provide information on impacts, but this will be too late. The granular detail is required now in order to appropriately guide development.
- Within the WCS, or the plan itself there should be an indication that your authority is taking ownership of aligning the local plan policies to South West Water's plans for upgrades and improvements. Ongoing engagement with SWW is needed to progress development and avoid issues with water supply and quality impacts.

We provide the following comments on specific elements of the Water Cycle Study Section/Para

Comments

1.1 Background

Regarding the first bullet point of this section, wherever possible, surface water should be removed from the foul drainage system.

The third bullet point states that the WCS will ensure "there is good water quality within the local catchment". The review should go further than just assessing if there is good water quality. Indeed, there is not clarity on the definition of 'good' being used here. It should be in the context of WFD. Ultimately developments should not impact current WFD class or prevent getting to Good in the future (this is stated later in the document under section 3).

1.2 Overview of East Devon area

On the map of the area Figure 1.1 it appears that some of the STWs sit on the EDDC area boundary. The WCS should consider growth outside the area which would impact the STWs, or at least

recognise that there may be more flows from growth outside the catchment.

3.1.1

Assessment of developments

The bullet points on page 25 pose several questions. We would expect the WCS to answer these questions, rather than the inference that your authority do so.

Within Table 4.5, Honiton STW is not showing as exceeding its DWF limit, when it has done so since 2019. We would question whether there are there any other sites that are exceeding DWF and also aren't accurately reflected in the table.

5.1.4 Wastewater treatment capacity

The headings on table 5.5 need to be clarified.

5.1.5.1 Water Environment Regulations: water body status

The description of Table 5.7 does not read clearly, this needs to be clarified.

5.1.7 Planned investment at Exmouth Maer Lane

This section does not mention AMP8 WINEP scheme for ND for shellfish. Please see the WINEP dataset:
<https://environment.data.gov.uk/dataset/39b11ea0-3cfa-4cbb-b3a1-b5950019f169>

5.1.8 and 5.1.9

Previous updates to Exmouth Maer Lane and Countess Wear are detailed in these sections. However, it is not clear why these two have been singled out from the other SWTs listed. The rationale for this should be provided.

5.1.10 Exmouth CSO performance between 2018 and 2024

This section should be structured differently. The title suggests Exmouth to be discussed but then text goes into CSO general performance across multiple assets.

The section on Countess Wear does not reference the Shellfish Water and incorrectly appears to suggest that the Environment Agency is the regulator responsible for SPAs and Ramsar sites.

Further, we question why has the WCS used EDM data from "*the Rivers Trust detailed CSO performance*" instead of primary sources from SWW or gov.uk?

5.1.10.1 Critical areas

For Table 5.9, we question why was 2020 not used to compare spills against? And, how was the Future data trend considered? Details on these points should be provided within the WCS.

5.2.1 Sewerage network

The first paragraph of this section states: "Increased discharges from WwTWs may have an adverse impact on flood risk..." It is not only flood risk that should be considered from increases in discharge but

the water quality of the receiving water courses due to pollution incidents. No assessment has been done of sewer capacity and whilst we would not expect one, it should be acknowledged and linked to DWMP outputs.

Report to: Strategic Planning Committee

Date of Meeting 3rd March 2026

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



Cranbrook Category 4 Infrastructure Contributions

Report summary:

The council is collecting financial contributions for a group of projects termed in the Cranbrook Plan as 'category 4 infrastructure'. These monies are secured from new developments permitted within the Cranbrook Plan Area since the adoption of the Cranbrook Plan in October 2022. The contributions are pooled to fund a number of projects that lie within category 4. The council needs to establish a mechanism for the allocation and spending of these contributions to ensure that an appropriate balance is struck between funding the critical infrastructure necessary for the proper functioning of the town and that which is categorised as important.

Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

Recommendation:

That the Committee recommends to Cabinet that the 'Mechanism for the allocation of category 4 infrastructure contributions' included at appendix 1, together with the assessment criteria questions at paragraph 16 are adopted for use by the council in relation to category 4 infrastructure contributions received from developments in the Cranbrook Plan Area.

Reason for recommendation:

The requirement to have a clear set of principles in place for the spending of category 4 infrastructure contributions is important to ensure there is a fair, transparent and robust process implemented for the allocation and spending of the millions of pounds that will be received over the coming years, ensuring that the constituent projects are funded in a suitable order.

Officer: Thea Billeter, Corporate Lead – New Communities, thea.billeter@eastdevon.gov.uk, 01395 571687

Portfolio(s) (check which apply):

- ☐ Assets and Economy
- ☐ Communications and Democracy
- ☐ Council, Corporate and External Engagement
- ☐ Culture, Leisure, Sport and Tourism
- ☐ Environment - Nature and Climate
- ☐ Environment - Operational
- ☐ Finance

- ☒ Place, Infrastructure and Strategic Planning
☐ Sustainable Homes and Communities

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk;

Links to background information Cranbrook Local Infrastructure Fund - [Agenda for Cabinet on Wednesday, 28th July, 2021, 6.00 pm - East Devon](#); Cranbrook Infrastructure Delivery Plan [infrastructure-delivery-plan-august-2022.pdf](#); Mechanism for the allocation and spending of Category 4 Infrastructure Payments - [Agenda for Cranbrook Placemaking Group on Monday, 8th December, 2025, 9.30 am - East Devon](#); Category 4 Infrastructure Contributions – assessment criteria - [Agenda for Cranbrook Placemaking Group on Monday, 2nd February, 2026, 9.30 am - East Devon](#)

Link to [Council Plan](#)

Priorities (check which apply)

- ☒ A supported and engaged community
☐ Carbon neutrality and ecological recovery
☐ Resilient economy that supports local business
☐ Financially secure and improving quality of services

Background

1. The Cranbrook Plan Development Plan Document (the Cranbrook Plan) categorises infrastructure requirements into four categories to ensure the timely delivery of infrastructure in a manner which also secures cost equalisation across the four expansion areas of the town. It also provides policy support for financial contributions to be made from housing schemes within the Cranbrook Plan Area but that outside the allocated expansion areas.
2. Category 4 infrastructure includes a variety of projects that financial contributions are to be secured for through section 106 agreements for new development within the Cranbrook Plan Area, as detailed in the table below. Most of the category 4 projects are not on land within the expansion area allocations and therefore developers will effectively be making 'off-site' financial contributions for projects to be delivered by a third party.

Category 4 infrastructure project	IDP Priority	Financial contribution
Health and Wellbeing Hub	1 – Critical	£7,000,000
Sustainable transport enhancements	1 – Critical	£6,378,000
Extra Care provision	1 – Critical	£3,500,000
Secondary School education	1 – Critical	£2,583,429
SEND school provision	1 – Critical	£1,017,573
Leisure Centre	2 – Important	£3,993,940
Offsite walking and cycling enhancements	2 – Important	£2,530,000
Fire station (blue light facility)	2 – Important	£1,400,000
Pavilion and 8 team changing rooms for Treasbeare Sports Hub	2 – Important	£1,350,000
Library fit out	2 – Important	£480,000
4 no. Tennis Courts with flood lighting	2 – Important	£373,000
Shared cars and e-bikes	2 – Important	£300,000
Children's centre fit out	2 – Important	£36,218

Youth centre fit out	2 – Important	£36,218
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3. Because category 4 contributions are used to equalise costs across the expansion areas, those developments with the highest on-site infrastructure burdens will be making proportionally lower off-site category 4 contributions than their counterparts who have minimal on-site infrastructure to deliver. Additionally, of the s106 agreements that have already been signed for the expansion areas, as well as those currently being negotiated, phased payment of category 4 contributions is included to ensure that development remains viable within the context of developer cash flow.
4. Together with the fact that category 4 contributions are pooled into one pot, these factors mean that the receipt of category 4 contributions will be spread over a number of years and without forward funding, will mean that the council needs to make difficult decisions about which projects to prioritise and fund in the earlier years of the expansion of the town.
5. The Local Planning Authority is currently considering the first reserved matters application for housing development in the expansion areas (ref. 25/1692/MRES) and so it is important that a process and criteria for the allocation and spending of these category 4 contributions is set to ensure that once monies begin to be received, they are capable of being spent without delay, should that be what the council chooses to do.
6. Reports relating to a process and criteria for category 4 contributions were considered by the Cranbrook Placemaking Group in December 2025 and February 2026 and the documents appended to this report, setting out a recommended process and assessment criteria have been endorsed by the Cranbrook Placemaking Group, which includes member representation from Cranbrook Town Council, East Devon District Council and Devon County Council.

Mechanism and Principles

7. As part of their consideration for a recommended process, the Cranbrook Placemaking Group met informally in November 2025 to discuss and express their preferences for the timing of requests for funding, the prioritisation of projects, decision making and forward funding. These preferences and further comments made during their consideration of a report in December 2025 are reflected in the document included at appendix 1.
8. The terms of reference for the Cranbrook Placemaking Group state that is an advisory body and therefore the Group does not have the ability to decide which projects to fund and when. As is the process for the allocation of CIL funding, the council's Strategic Planning Committee will be the ultimate decision-making body. However, the Placemaking Group have an important role to play in making recommendations on how funding should be allocated and it is proposed that their recommendations are reported directly to the Strategic Planning Committee for category 4 funding decisions to be made.
9. In 2021 the council's Cabinet agreed to the principle of an infrastructure fund for Cranbrook to forward fund the delivery of infrastructure projects that would otherwise be delayed due to the staged payment of infrastructure contributions or to fund those on-site infrastructure projects (e.g. primary schools) that are required early in the phasing of a site and have high up-front capital costs.
10. Since then, the interest rates that the council can secure through prudential borrowing have gone up and this mechanism of forward funding is not as attractive to developers as it once was. However, the council is committed to exploring ways to advance the delivery of infrastructure necessary for the community of Cranbrook and so it is recommended that reference to forward funding is included in the final document.
11. There is also the potential for an infrastructure provider themselves to forward fund the delivery of a project and this eventuality needs to be allowed for in the finalised process.
12. Included in the appendix is a proposed document for the mechanism and principles for the allocation and spending of category 4 infrastructure contributions. This takes forward the recommendations of the Cranbrook Placemaking Group.

13. To assist with clarifying the process to be undertaken, a flow chart is included within the document, together with more detailed wording under headings of timing and administration of requests, prioritisation of projects, funding rounds, decision making and funding agreements.
14. Members of the Strategic Planning Committee are requested to recommend to Cabinet the adoption of the appended document setting out the proposed mechanism and principles for the allocation and spending of category 4 infrastructure contributions.

Assessment Criteria

15. To ensure that the endorsed mechanism and principles for category 4 infrastructure spending can be properly implemented, a set of assessment criteria has been devised.
16. Funding bids would be requested to answer the following questions to provide the assessors with the information necessary to appraise their bid. The questions take account of the questions that were posed for the council's most recent CIL bidding process to ensure some consistency across the two processes, noting that the category 4 monies are collected via section 106 rather than CIL.

Eligibility check

- a. Is the project specifically identified in the Cranbrook IDP?
- b. Is the project listed under Category 4 infrastructure in policy CB6 (Cranbrook Infrastructure Delivery) of the Cranbrook Plan?

Need

- c. Does the project support a statutory service?
- d. Does the project result in enhanced infrastructure provision or delivery?
- e. What is the consequence of not carrying out the project?
- f. Is the project seeking funding for capital spend or revenue funding for feasibility studies?

Value for money

- g. If the monies requested are awarded, does a funding gap remain (capital or revenue)? If there is match funding, please provide details, even if these are not yet finalised.
- h. Costings detailed – is evidence provided?

Deliverability

- i. Has planning permission been obtained (or is not required), submitted or not yet submitted?
- j. Please provide details of project risks.
- k. Please provide details of the readiness to proceed, including proposed completion timescales for the project.
17. Attached at appendix 2 is a draft bid scoring template that transposes these questions, requiring assessors to award a score out of 25 for each of the four categories of question. This is also reflective of the scoring mechanism used for the most recent CIL bidding round and is considered to allow for a robust and transparent scoring that should ultimately provide a good overall assessment of the merits of a bid. The bids themselves will be dealt with in accordance with the previously discussed mechanism for the allocation and spending of the category 4 contributions.
18. The questions listed at paragraph 16 above, together with the scoring template at appendix 2 have been recommended for agreement by the Cranbrook Placemaking Group, who considered the same at their meeting in February 2026.
19. Members of the Strategic Planning Committee are requested to recommend to Cabinet the adoption of the assessment questions set out in paragraph 16 above.

Financial implications:

There are no direct financial implications identified within the report. (AB-17/02/2026)

Legal implications:

There are no direct legal implications identified within the report. (DH/002533-19/02/2026)

Mechanism and principles for the allocation and spending of category 4 infrastructure contributions

Version 2 – February 2026



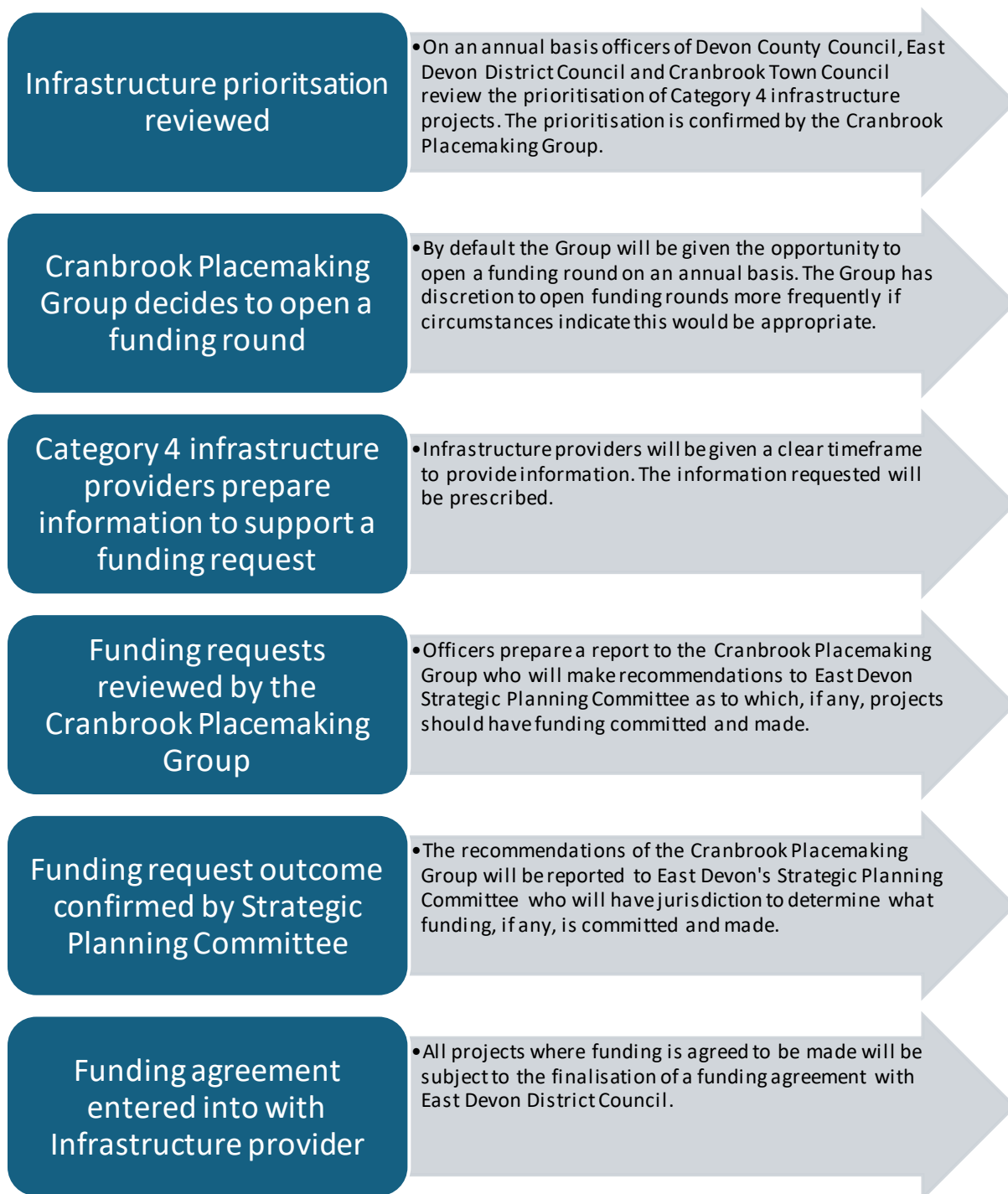
The Cranbrook Plan Development Plan Document (the Cranbrook Plan) categorises infrastructure requirements into four categories. Category 4 infrastructure includes a variety of projects that financial contributions are to be secured for through section 106 agreements for new development within the Cranbrook Plan Area. Most of the category 4 projects are not on land within the expansion area allocations and therefore will effectively be making 'off-site' financial contributions for projects to be delivered by a third party.

The category 4 projects and their respective budgeted maximum financial contribution from s106 agreements (at 1Q 2020 BCIS AITPI) are shown in the table below.

Category 4 infrastructure project	IDP Priority	Financial contribution
Health and Wellbeing Hub	1 – Critical	£7,000,000
Sustainable transport enhancements	1 – Critical	£6,378,000
Extra Care provision	1 – Critical	£3,500,000
Secondary School education	1 – Critical	£2,583,429
SEND school provision	1 – Critical	£1,017,573
Leisure Centre	2 – Important	£3,993,940
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4 no. Tennis Courts with flood lighting	2 – Important	£373,000
Shared cars and e-bikes	2 – Important	£300,000
Children's centre fit out	2 – Important	£36,218
Youth centre fit out	2 – Important	£36,218

To ensure that category 4 monies are appropriately allocated and spent it is important that there is a transparent and standardised process in place to deal with requests for money from this pot. The remainder of this document sets out the process and principles by which requests for the spending of category 4 contributions will be made.

Flow chart of funding process



Process and principles

Timing and administration of requests

1. Requests for funding are to be made in writing to the New Communities team, East Devon District Council (newcommunities@eastdevon.gov.uk).
2. The Cranbrook Placemaking Group will be given the opportunity to open a funding round on an annual basis in the first quarter of the year. A decision on whether a funding round will be undertaken will be based upon consideration of the availability of funding for allocation and further balancing the desire for the allocation of funding and desire for infrastructure delivery with the need to ensure that funding for the more expensive projects will be available at an appropriate time.
3. The Cranbrook Placemaking Group will have discretion to open a funding round at any time where the circumstances indicate that this is appropriate.

Prioritisation of projects

4. On an annual basis and usually in advance of the opening of a funding round, the Category 4 Infrastructure projects that remain to be delivered in full will be prioritised within their IDP priorities. The criteria for the prioritisation will be separately agreed but will as a minimum consider current project progress, deliverability and if there would remain a capital funding gap if the anticipated category 4 infrastructure funding were allocated.
5. Where there are multiple projects requesting money in the same funding round the project prioritisation set out at paragraph 4 will be considered in reaching a recommendation and decision for the allocation of funding. Normally, IDP priority 1 (critical) projects will be funded before IDP priority 2 (important) projects, however the Cranbrook Placemaking Group and the East Devon Strategic Planning Committee both have discretion to consider the circumstances and merits of projects so as to reach a decision that means an IDP priority 2 (important) project receives funding before all of the IDP priority 1 (critical) projects have been funded.

Funding rounds

6. Funding rounds will be open for a minimum period of 8 weeks and all known category 4 infrastructure providers will be advised of the opening of a funding round and invited to submit requests within the prescribed period.
7. Requests for funding will be expected to be supported by information and evidence as detailed in the invitation for a request for funding. The information and evidence requested will be set by the Cranbrook Placemaking Group.
8. Other than in exceptional circumstances, requests are not expected to exceed the financial value apportioned to that project in the Cranbrook IDP as detailed in the table at the beginning of this document. In calculating the ceiling value of a request, indexation (BCIS All-in Tender Price Index) is to be added from 1Q 2020 to the quarter preceding the submission of a request.

Decision making

9. Funding requests will be assessed by officers of the council, in conjunction with officers of Devon County Council and Cranbrook Town Council and recommendations for funding will be made to the Cranbrook Placemaking Group.
10. The Cranbrook Placemaking Group will consider the recommendations for funding at a formal meeting of the Group and make their own recommendations to be reported on to the East Devon Strategic Planning Committee.
11. Where a constituent body of the Cranbrook Placemaking Group is making a request for funding, consideration will need to be given to ensuring that both the officer level assessments and Cranbrook Placemaking Group recommendations are made in a fair and transparent manner. This may include amending the make-up of appraising officers and ensuring that appropriate declarations of interest are made by members.
12. Funding decisions will be made at a formal meeting of the East Devon Strategic Planning Committee.
13. The Cranbrook Placemaking Group is not obligated to accept the recommendations of its advisory officers nor is the East Devon Strategic Planning Committee obligated to accept the recommendations of the Cranbrook Placemaking Group.
14. The council will only be capable of committing money for a category 4 infrastructure project if sufficient category 4 infrastructure contributions have been legally secured through s106 agreements within the Cranbrook Plan Area and have not been committed to other category 4 infrastructure projects.
15. The council will only be capable of committing money for a category 4 infrastructure project if a material start on site has been made that would generate the receipt of the monies required by principle 14 above.
16. Funding requests may be agreed in full, agreed in part (e.g. lesser funding than requested) or rejected. Reasons for a decision will be given in writing to the applicant.

Funding agreements

17. The council is willing in principle to utilise forward funding agreements where this is agreed by the relevant parties.
18. Where a funding request is successful by an external body, a grant agreement will need to be signed by the parties prior to funding being released.
19. Payment mechanisms for funding will be agreed on a case-by-case basis to ensure financial stability for all parties.

Cranbrook Category 4 Infrastructure – Scoring template for funding submissions



Project title and location/address

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Eligibility Check

Criteria	Yes	No
1. Is the project specifically identified in the Cranbrook IDP?		
2. Is the project listed under Category 4 infrastructure in policy CB6 (Cranbrook Infrastructure Delivery) of the Cranbrook Plan?		

Project Summary (no more than 150 words, insert from application for funding form)

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Scoring template

Key criteria	Officer comment (how the bid form answered the question & supporting evidence)		Score
Infrastructure delivery plan or Cranbrook IDP (max score 25)	Priority 1 (score 25)		
	Priority 2 (score 15)		
	Priority 3 (score 5)		
	Not in IDP (0)		
Need (max score 25)	Need for the project including: 1. Does the project support a statutory service? 2. Does the project result in enhanced infrastructure provision or delivery?		

	3. What is the consequence of not carrying out the project?		
	Is the project seeking funding for capital spend or revenue funding for feasibility studies?		
Value for money (max score 25)	If the monies requested are awarded, does a funding gap remain (capital or revenue)? If there is match funding, please provide details, even if these are not yet finalised. (15 marks)		
	Costings detailed – is evidence provided (10 marks)		
Deliverability (max score 25)	Planning permission obtained or not required (8), submitted (4), or required (0)		
	Risks (High, medium, low) (9)		
	Please provide details of the readiness to proceed, including proposed completion timescales for the project (8) (Based on year of delivery reducing each year)		

Total score /100

Report to: Strategic Planning Committee

Date of Meeting 3rd March 2026

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



Habitat Regulation Non-Infrastructure Contributions

Report summary:

The Council currently collects financial contributions from residential developments within 10km of the Exe Estuary and East Devon Pebblebed Heaths to contribute to the joint mitigation strategy to address the recreational impacts of these developments on the protected habitats. A new strategy was adopted in July 2025 and the financial contributions collected per dwelling need to increase to reflect the additional costs involved in delivering the new strategy.

Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

Recommendation:

That Strategic Planning Committee agree that the revised non-infrastructure habitat mitigation contributions as shown in table 3 within the report are adopted and required for all planning applications for residential development within the habitat mitigation zone received after 1st April 2026.

Reason for recommendation:

To ensure that there is sufficient funding to deliver the new mitigation strategy to protect the Exe Estuary and Pebblebed Heaths from the recreational impacts of residential development.

Officer: Ed Freeman – Assistant Director Planning Strategy and Development Manager

Portfolio(s) (check which apply):

- ☐ Assets and Economy
- ☐ Communications and Democracy
- ☐ Council, Corporate and External Engagement
- ☐ Culture, Leisure, Sport and Tourism
- ☒ Environment - Nature and Climate
- ☐ Environment - Operational
- ☐ Finance
- ☒ Place, Infrastructure and Strategic Planning
- ☐ Sustainable Homes and Communities

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk;

Links to background information [2. S E Devon Habitat sites mitigation strategy 2025-30 Ver 02.pdf](#) [2a. Appendix 1 SE Devon Mitigation Strategy Final 220125.pdf](#)

Link to [Council Plan](#)

Priorities (check which apply)

- ☐ A supported and engaged community
- ☒ Carbon neutrality and ecological recovery
- ☐ Resilient economy that supports local business
- ☐ Financially secure and improving quality of services

1.0 Background

- 1.1 The Exe Estuary, Pebblebed Heaths and Dawlish Warren are Protected Wildlife Sites that have strong legal protection and the Council must not grant planning permission unless any harmful effects will be fully mitigated.
- 1.2 The Conservation of Habitats and Species Regulations 2017 sets out how we must deal with planning applications that have potential to impact on wildlife sites (Special Protected Areas, Special Areas of Conservation and Ramsar sites). This impact may be direct or indirect.
- 1.3 The legislation says that we must not grant consent for a development that would either alone or in combination with other developments have a likely significant effect on a European wildlife site, unless full mitigation is provided. Studies have shown that any housing or tourist accommodation development moments within 10 kilometres of the Exe Estuary/Pebblebed Heaths/Dawlish Warren are likely to have a significant impact either individually or in combination due to recreational impacts of residents on these sites and so they must provide appropriate mitigation.
- 1.4 Mitigation can be on-site referred to as Strategic Access Management & Monitoring (SAMM) through the wardens and off-site infrastructure (including Suitable Alternative Natural Greenspace or SANG). SANGS provide an alternative area for recreational activity by drawing in users which will reduce the use/pressure on the protected designated sites and are a longer-term initiative.
- 1.5 East Devon District Council, Teignbridge District Council and Exeter City Council have been working in partnership since the early 2010's to define and deliver mitigation measures under the umbrella organisation 'South East Devon Wildlife'. This is overseen by the South East Devon Habitat Regulations Executive Committee. In 2014 a mitigation strategy was approved by the three local authority partners, and this has led to an extensive range of measures being implemented that have successfully ensured new development can go ahead.
- 1.6 A new strategy - South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024) was adopted by SPC on 19th May 2025 (Cabinet 9th July 2025). The new strategy was required to reflect the new local plans in production at the three local authorities and new housing delivery. It covers the five years from 2025 to 2030 and under the new strategy there will be an increase in the staff resource to secure mitigation.

2.0 Developer Contributions

- 2.1 To pay for mitigation measures contributions are sought from new housing developments or tourism accommodation on a per dwelling basis, within a 10km 'zone of influence' from the protected sites.

- 2.2 Under the new strategy these per dwelling costs will need to increase. The changes reflect a general increase in costs due to an increase in staff resource including wardens and how they can work safely and a new post to ensure that we are delivering SANGs. The original strategy was written and costed without the full benefit of and practical realisation of the scale of costs and staffing involved. Many of these costs have proved to be substantially higher than the original cost estimates especially when on-going and longer-term maintenance and management costs are factored into initial capital costings. The new strategy now reflects this.
- 2.3 We collect Habitat Mitigation contributions through a combination of CIL, S106 (UU and S106 agreements) and S111. We collect capital Habitat Mitigations for infrastructure via top-slicing CIL receipts and non-infrastructure Habitat Mitigation contributions are secured by either;
- A S111 agreement and payment (a standardised letter linking an upfront payment to a submitted application).
 - A S106 Agreement (normally has several types of planning mitigation secured)
 - A Unilateral Undertaking (a simplified type of S106 agreement normally payable linked to occupation).
- 2.4 At present the non-infrastructure contribution(s) required is as below:

Table 1 – Current non-infrastructure habitat mitigation charges

	EXE	PBH	Both
Contribution per dwelling	£170.81	£196.81	£367.62

- 2.5 The new strategy calculated that the required developer contributions and in-perpetuity costs of mitigation based on 2,000 dwellings per year – see table 3 below:

Table 2 – Developer contributions required under the new strategy

Table 7: Summary of costs by location

SAMM components	Total cost per dwelling (SAMM)
East Devon Heaths 10km only	£870
East Devon Heaths and Exe Estuary 10km	£900
Exe Estuary 10km only	£852
Exe Estuary and Dawlish Warren 10km	£977

- 2.6 It was noted in the strategy (page 44, 7.9) that per dwelling costs will need to be adjusted to take into account any reserves held by the partnership at the point at which the new strategy supersedes the previous one.
- 2.7 Contributions held on account from the previous strategy will be rolled over onto the new strategy. The estimated funding per dwelling as set out in the new strategy has been adjusted to take into account the contributions still held on account. A revised cost per dwelling to deliver the new SAMM measures in the strategy is shown below:

Table 3 – Proposed revised non-infrastructure habitat mitigation charges

	EXE	PBH	Both
Total contribution required from future EDDC dwellings	£790.41	£804.64	£825.41

2.8 A SANG delivery strategy is currently being produced, and this will have financial implications. We currently collect contributions for SANG through top-slicing CIL receipts and this currently stands at 8.6%. It is likely that this percentage will need to be reviewed and adjusted to ensure the SANG delivery strategy can be delivered.

3.0 Recommendation

3.1 The South and East Devon Habitat Regulations Executive Committee agreed these revised charges at their meeting on 30th October 2025. The Executive Committee does not have authority to revise the charges themselves. This needs to be done by each individual authority and for EDDC this is Strategic Planning Committee.

3.2 It is recommended that the revised charges as shown in table 3 above are adopted for all new applications for residential development received after 1st April 2026. The intention is that all 3 local authorities will implement the increased charges at the same time to ensure consistency.

Financial implications:

Non-Infrastructure habitat mitigation charges are proposed to be increased from 1 April 2026 to accommodate a general increase in costs. There has been an increase in staffing, including wardens and how they can work safely and a new post to ensure that we are delivering SANGs. (AB-17/02/2026)

Legal implications:

There are no direct legal implications identified within the report. (DH/002533-19/02/2026)

Report to: Strategic Planning Committee

Date of Meeting 3rd March 2026

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



Response to Proposed Reforms to the National Planning Policy Framework and Other Changes to the Planning System December 2025

Report summary:

This report seeks to summarise the government consultation on changes to the National Planning Policy Framework and wider changes to the planning system. The proposed changes are wide ranging, and this report has used AI to summarise the consultation which runs to 123 pages and 225 consultation questions. This report presents brief responses to the questions raised by the consultation on behalf of East Devon District Council for Members to consider for submission as the Council's response to the consultation.

Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

Recommendation:

That Members note the content of the consultation and agree the responses to each consultation question included in this report for submission as the Council's response.

Reason for recommendation:

To ensure that members are aware of proposed changes to the planning system and NPPF and have the opportunity to comment on the proposals.

Officer: Ed Freeman – Assistant Director – Planning Strategy and Development Services; e-mail – ed.freeman@eastdevon.gov.uk; Tel: 01395 517519

Portfolio(s) (check which apply):

- ☐ Assets and Economy
- ☐ Communications and Democracy
- ☐ Council, Corporate and External Engagement
- ☐ Culture, Leisure, Sport and Tourism
- ☐ Environment - Nature and Climate
- ☐ Environment - Operational
- ☐ Finance
- ☒ Place, Infrastructure and Strategic Planning
- ☐ Sustainable Homes and Communities

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk;

Links to background information [National Planning Policy Framework: proposed reforms and other changes to the planning system - GOV.UK](#)

Link to [Council Plan](#)

Priorities (check which apply)

- ☒ A supported and engaged community
 - ☒ Carbon neutrality and ecological recovery
 - ☒ Resilient economy that supports local business
 - ☒ Financially secure and improving quality of services
-

Summary of Scope of Consultation and Consultation Introduction

Scope of Consultation

The consultation seeks views on proposed revisions to the National Planning Policy Framework (NPPF) to support the government's wider objectives, including housing delivery, climate change mitigation, and economic growth. It also addresses specific questions related to energy thresholds, data centres, viability assessments, and reforming site thresholds. The proposals apply to England only, and the consultation runs from December 16, 2025, to March 10, 2026. Responses can be submitted via Citizen Space, email, or written correspondence.

Consultation Introduction

The introduction highlights the government's commitment to addressing the housing crisis, delivering sustainable development, and modernizing the planning system. It outlines the initial reforms made in December 2024, including mandatory housing targets, support for social and affordable housing, and unlocking clean energy production. Building on these changes, the consultation proposes a fuller update to the NPPF, focusing on creating a rules-based approach to planning policy, simplifying local plans, and supporting timely decision-making. The reforms aim to overhaul the planning system to support growth, housing delivery, and environmental protection while ensuring stability for stakeholders.

The government considers that their goals can be achieved through the existing legal framework and is not proposing to introduce statutory National Development Management policies at this time but is seeking views on how this could be achieved in future.

Draft Responses to Consultation Questions (East Devon District Council Perspective)

1) Do you have any views on how statutory National Development Management Policies could be introduced in the most effective manner, should a future decision be made to progress these?

Response: East Devon District Council had concerns about the introduction of statutory National Development Management Policies. Although consistency across local authorities has its benefits there is also a need for local authorities to be able to set their own policies and there are difficulties in drawing a dividing line between what should be set by national policies and what should be left to the local authority. However, if this proposal is progressed to ensure effective implementation, the government should:

- Provide clear guidance on the transition process for local plans and neighbourhood plans to align with statutory policies.
- Offer training and resources to local planning authorities to ensure smooth adoption.
- Allow flexibility for local authorities to address specific local circumstances while adhering to national policies.

2) Do you agree with the new format and structure of the draft Framework, which comprises separate plan-making policies and national decision-making policies?

Response: Strongly Agree. East Devon District Council welcomes the separation of plan-making and decision-making policies, as it provides greater clarity and usability for planners, developers, and stakeholders. This structure will streamline the planning process and reduce duplication, enabling more efficient preparation and implementation of local plans. The introduction of specific chapters on planning for energy and water infrastructure, and managing flood risk and coastal change are also welcomed. The numbering of policies will also aid referencing.

3) Do you agree with the proposed set of annexes to be incorporated into the draft Framework?

Response: Strongly Agree. The inclusion of annexes provides essential technical guidance and ensures that key aspects of Planning Practice Guidance are integrated into the Framework. However it is not clear if the intention here is to give these parts of the guidance greater weight by including them in annexes to the NPPF rather than just within the guidance which would usually carry less weight. This would benefit from clarification.

4) Do you agree with incorporating Planning Policy for Traveller Sites within the draft Framework?

Response: Strongly agree. East Devon District Council supports the integration of Planning Policy for Traveller Sites into the NPPF to reduce duplication and ensure consistency across planning policies. This approach will provide clearer guidance for local authorities when planning for and assessing proposals for traveller sites. We would however question whether requiring gypsy and traveller sites to meet the same locational criteria as other types of housing will reduce the likelihood of necessary sites being delivered given the challenges of identifying and delivering sites.

The document outlines twelve major reforms to national planning policy, aimed at unlocking more homes, supporting economic growth, and creating a clearer, more rules based planning system.

Below is a structured summary of each reform:

1. Permanent presumption in favour of suitably located development

- Introduces a rules based system clarifying where development is acceptable in principle.
- Urban land becomes “acceptable by default” if suitable.
- Strengthens the presumption in favour of sustainable development.

2. Building homes around stations

- Creates an “in principle yes” for development around rail stations inside settlements, and “well connected” stations outside settlements—even on Green Belt.
- Proposes minimum densities:
 - 40 dph around all stations

- 50 dph around “well connected” stations

3. Driving urban and suburban densification

- Supports redevelopment of lowdensity plots, infill, and upward extensions.
- Requires authorities to set minimum densities in well connected locations and increase density within settlements.

4. Securing a diverse mix of homes

- Strengthens support for:
 - Affordable and social housing in rural areas
 - Accessible housing for older and disabled people
- Allows more flexibility in market-sale housing mix once affordable housing mix needs are met.

5. Supporting small and medium sites

- Easier routes for small sites to come forward, through clearer support and densification policies.
- Introduces a ‘medium development’ category with potential policy/regulatory easements, including possible cash-in-lieu for affordable housing contributions.

6. Streamlining local standards

- Limits local plan quantitative standards to areas where local variation is justified.
- Reduces duplication with Building Regulations, except for “optional technical standards”.

7. Boosting local and regional economies

- Gives substantial weight to the benefits of business growth across key sectors (Industrial Strategy areas, AI Growth Zones, logistics, town centres, agriculture).
- Seeks views on removing the town centre sequential test to allow greater flexibility.

8. Supporting critical and growth minerals

- Ensures adequate provision of critical minerals due to their economic importance.
- Further restricts extraction of coal in line with clean power goals.

9. Embedding a vision led approach to transport

- Reinforces the December 2024 shift away from “predict and provide”.
- Emphasises planning for environments not dominated by cars.

10. Better addressing climate change

- Clarifies how development should proactively address mitigation and adaptation, aligning with other Framework policies.

11. Conserving and enhancing the natural environment

- Updates to reflect Local Nature Recovery Strategies.
- Enhances focus on landscape character, natural features, swift bricks, and locally important nature sites.

12. Taking a more positive approach to the use of heritage assets

- Introduces a clearer and more positive approach to better support heritage related development.

Summary of Chapter 1: Introduction

Chapter 1 introduces the purpose and role of the National Planning Policy Framework (NPPF) and provides practical guidance on its use. It emphasizes the overarching function of the planning system in managing land use and development in the long-term public interest. The chapter aims to simplify terminology and clarify the relationship between national planning policy and Planning Practice Guidance. It also introduces a more consistent approach to the weighting of considerations in decision-making, proposing the use of "substantial weight" throughout the document to avoid confusion and ensure clarity.

Draft Responses to Consultation Questions

5) Do you agree with the proposed approach to simplifying the terminology in the Framework where weight is intended to be applied?

Response: Strongly agree. East Devon District Council supports the use of "substantial weight" throughout the Framework to ensure consistency and clarity in decision-making. This approach will help reduce ambiguity and improve the application of national planning policy at the local level. Simplified terminology will also assist in providing clear guidance to developers and stakeholders, ensuring a more streamlined planning process.

Summary of Chapter 2: Plan-Making Policies

Chapter 2 emphasizes the importance of a plan-led approach to the planning system, ensuring that development plans are the cornerstone for shaping local growth, housing delivery, and environmental protection. The chapter introduces policies to support the implementation of the new plan-making system, including spatial development strategies, local plans, minerals and waste plans, supplementary plans, and neighbourhood plans. It also outlines principles for plan-making, evidence preparation, land identification, cross-boundary cooperation, developer contributions, and setting local standards.

Key highlights include:

1. **Spatial Development Strategies (PM1):** High-level documents focused on strategic, cross-boundary issues, with expectations for periodic updates.
2. **Local Plans (PM2):** Local plans should align with spatial development strategies, cover a minimum of 15 years, and be prepared within 30 months.
3. **General Principles for Plan-Making (PM6):** Plans should avoid duplicating national decision-making policies and focus on locally relevant matters.
4. **Developer Contributions (PM12):** Greater clarity on contributions at the plan-making stage to reduce negotiation at the decision-making stage.
5. **Setting Standards (PM13):** Clarifies when local standards are appropriate, limiting duplication of matters covered by building regulations.

Draft Responses to Consultation Questions

6) Do you agree with the role, purpose, and content of spatial development strategies set out in policy PM1?

Response: Strongly agree. Spatial development strategies should provide a clear framework for addressing cross-boundary issues, which is essential for effective regional planning. East Devon District Council supports the emphasis on high-level strategic planning while leaving detailed policies to local plans. It will however be important that local planning authorities are appropriately engaged in work on spatial development strategies so that provisions are not imposed from above but developed through partnership and agreement. There is also a danger that the strategic nature

of strategies means that the needs of rural communities are not adequately considered and addressed.

7) Do you agree that alterations should be made to spatial development strategies at least every 5 years to reflect any changes to housing requirements for the local planning authorities in the strategy area?

Response: Strongly Agree. Regular updates ensure that spatial development strategies remain relevant and responsive to changing housing needs, which is critical for East Devon's growing population.

a) If not, do you think there should be a different approach, for example, that alterations should only be made to spatial development strategies every five years where there are significant changes to housing need in the strategy area?

Response: N/A

8) If spatial development strategies are not altered every five years, should related policy on the requirements used in five-year housing land supply and housing delivery test policies, set out in Annex D of the draft Framework, be updated to allow housing requirement figures from spatial development strategies to continue to be applied after 5 years, so long as there has not been a significant change in that area's local housing need?

Response: Strongly agree. Allowing housing requirement figures to remain valid beyond five years, provided there is no significant change, would reduce unnecessary administrative burdens and provide stability for local planning authorities like East Devon.

9) Do you agree with the role, purpose, and content of local plans set out in policy PM2?

Response: Agree. Local plans are vital for addressing specific local needs and ensuring alignment with spatial development strategies. East Devon District Council is however concerned that the proposed 30-month preparation timeline is not realistic and that experience shows that this will be unachievable in most cases.

10) Do you think that local plans should cover a period of at least 15 years from the point of adoption of the plan?

Response: Yes. A 15-year plan period provides sufficient time to address long-term development needs and align with strategic objectives. A shorter period may not adequately account for future growth and infrastructure requirements.

11) Do you agree with the principles set out in policy PM6(1c), including its provisions for preventing duplication of national decision-making policies?

Response: Strongly agree. Preventing duplication of national policies in local plans is already good practice but there can be a need for a local interpretation to reflect local circumstances not covered by national policy.

12) Do you agree with the approach to initiating plan-making in PM7?

Response: Agree. The proposed approach, including the use of project initiation documents and clear timetables, is good practice and aids timely production of plans but it will not make a 30 month timeline achievable.

13) Do you agree with the approach to the preparation of plan evidence set out in policy PM8?

Response: Agree. Encouraging the reuse of existing evidence where this is up to date makes sense and collaboration with neighbouring authorities has already helped to reduce costs and improve efficiency for East Devon District Council. A reduction in the evidence 'burden' that exists in the current plan-making system will be imperative to ensure the faster preparation of local plans. In addition, there should be greater flexibility for the local plan preparation timescale where a spatial development strategy has not identified a housing requirement, as this will cause significant additional evidence preparation and time for local plans.

14) Do you agree with the approach to identifying land for development in PM9?

Response: Partly Agree. The proposed procedural principles for site identification will help ensure transparency and consistency in meeting development needs. However, these are essentially the same as the current approach through a HELAA which is a resource intensive process and PM9 risks being inconsistent with PM8 requirements for evidence to be "focused and not unnecessarily extensive". Standard call for sites generate few (if any) gypsy and traveller sites and so a more tailored approach to this form of housing is needed.

15) Do you agree with the policies on maintaining and demonstrating cross-boundary cooperation set out in policy PM10 and policy PM11?

Response: Agree. The expectations for engagement between authorities in addressing cross-boundary issues effectively are reasonable.

16) Do you agree that policy PM12 increases certainty at the plan-making stage regarding the contributions expected from development proposals?

Response: Agree. Clear expectations for developer contributions reduce negotiation delays and improve the delivery of infrastructure.

17) Do you agree that plans should set out the circumstances in which review mechanisms will be used, or should national policy set clearer expectations?

Response: Agree. Setting out review mechanisms should be left to plans rather than national policy to reflect changing and local circumstances.

18) Do you agree with policy PM13 on setting local standards, including the proposal to commence s.43 of the Deregulation Act 2015?

Response: Strongly disagree. Local authorities should not be limited in setting local standards for energy efficiency as local variations may be justified depending on local circumstances, viability issues etc.

19) Do you agree that the tests of soundness set out in policies PM14 and PM15 will allow for a proportionate assessment of spatial development strategies, local plans, and minerals and waste plans at examination?

Response: Agree. The revised tests of soundness provide a clear and proportionate framework for assessing plans, which will benefit East Devon District Council during plan examination.

20) Do you have any specific comments on the content of the plan-making chapter which are not already captured by the other questions in this section?

Response: East Devon District Council supports the overall approach to plan-making policies but recommends further guidance on how to balance the need for housing delivery with environmental protections, particularly in areas with sensitive landscapes and biodiversity.

Summary of Chapter 3: Decision-Making Policies

Chapter 3 of the draft National Planning Policy Framework (NPPF) focuses on streamlining and clarifying decision-making policies to ensure timely, proportionate, and effective planning decisions. It emphasizes collaboration between applicants and local planning authorities, proportionality in information requirements, and the importance of transparency in development viability assessments. Key policies include:

1. **DM1: Preparing Development Proposals** – Encourages pre-application engagement for major developments and emphasizes proportionality in the information required for smaller-scale proposals.
2. **DM2: Information Requirements** – Promotes consistency and proportionality in local validation lists and information requirements for planning applications.
3. **DM3: Determining Development Proposals** – Reinforces the need for positive and proactive decision-making, timely responses, and collaboration with applicants.
4. **DM5: Development Viability** – Seeks to reduce unnecessary site-specific viability assessments and encourages transparency in viability evidence.
5. **DM6: Use of Planning Conditions and Obligations** – Aligns planning conditions with statutory descriptions and promotes consistency through model conditions and obligations.
6. **DM7: Relationship with Other Regulatory Regimes** – Clarifies the interaction between planning decisions and other regulatory regimes.
7. **DM8: Unauthorised Development and Enforcement** – Strengthens the approach to intentional unauthorized development, giving substantial weight to evidence of intentional breaches in planning permission.
8. **DM10: Article 4 Directions** – Proposes a more flexible approach to removing permitted development rights to protect the amenity and well-being of areas.

Draft Responses to Consultation Questions

21) Do you agree with the principles set out in policy DM1?

Response: Agree. East Devon District Council supports the emphasis on proportionality in preparing development proposals, particularly for smaller-scale developments. It is important to reduce unnecessary complexity and improve efficiency in the planning process provided the required information is provided to make an informed decision.

22) Do you agree with the policy DM2 on information requirements for planning applications?

Response: Strongly agree. East Devon District Council welcomes the focus on proportionality and consistency in local validation lists and removal of the requirement to review the list every 2 years, as this will reduce administrative burdens and provide clarity for applicants.

23) Do you have any views on whether such a policy could be better implemented through regulations?

Response: East Devon District Council believes the policy is clear and can be effectively implemented without additional regulations. The current approach to validation checklists works well, however, further guidance on best practice on the format of local validation lists would be beneficial.

24) Do you agree with the principles set out in DM3?

Response: Partly agree. East Devon District Council supports the emphasis on positive and proactive decision-making, collaboration with applicants, and timely responses, as these principles align with the council's commitment to efficient and transparent planning processes. However, there are cases where the proposal is fundamentally unacceptable and collaboration and no amount of engagement will make the proposal acceptable and it is appropriate to simply refuse the application. This needs to be acknowledged in Policy DM3 or it will give applicants the impression that engagement will occur even when this is the case as does the current guidance.

25) Do you agree that policy DM5 would prevent unnecessary negotiation of developer contributions, whilst also providing sufficient flexibility for development to proceed?

Response: Partly agree. East Devon District Council supports the policy's focus on reducing unnecessary site-specific viability assessments and promoting transparency. This will help ensure that developer contributions are fair and consistent while supporting viable development.

26) Do you have any further comments on the likely impact of policy DM5: Development viability?

Response: East Devon District Council believes that the policy needs to address the case of large scale major developments that are built out over several phases and over many years. This should allow for the review of viability at different stages of build out and for any reduction in obligations in the early phases of development to be compensated for through later phases if the viability should improve. Further guidance on implementing review mechanisms for developer contributions would also be helpful.

27) Do you have any views on how the process of modifying planning obligations under S106A, where needed once a section 106 agreement has been entered into, could be improved?

Response: Clearer guidance on the circumstances under which modifications can be made and standardized templates for agreements would reduce delays and improve transparency.

28) Do you have any views on how the process of modifying planning obligations could be improved in advance of any legislative change, noting the government's commitment to boosting the supply of affordable housing?

Response: East Devon District Council recommends introducing clearer criteria for modifying planning obligations, particularly in cases where affordable housing delivery is impacted.

29) Do you agree with the approach for planning conditions and obligations set out in policy DM6, especially the use of model conditions and obligations?

Response: Strongly agree. East Devon District Council supports the use of model conditions and obligations to promote consistency and reduce negotiation times. This will help streamline the planning process and ensure clarity for all parties. It is unclear why MHCLG would be working on developing model conditions when the Planning Inspectorate clearly already have these.

30) Do you agree that policy DM7 clarifies the relationship between planning decisions and other regulatory regimes?

Response: Partly agree. East Devon District Council supports the clarification of the interaction between planning decisions and other regulatory regimes, as this will reduce confusion and ensure that planning decisions focus on land-use considerations. However the reference to “unless there is clear evidence to the contrary” should be removed from the sentence “Decision-makers should assume, unless there is evidence to the contrary, that those separate regimes will operate effectively”, as this leads to ambiguity and risk of challenge when such evidence may not be available to the Local Planning Authority, they may not be qualified to assess it and ultimately it should not affect the planning decision as the other regime would be the mechanism for the issue to be addressed if it is not operating effectively.

31) Do you agree with the new intentional unauthorized development policy in policy DM8?

Response: Strongly disagree. It should not be for the planning system to consider whether an unauthorised development was carried out intentionally or not and then to take this into account. It would be very difficult to determine the intent of the developer, and it does not affect the planning merits of the proposal. It is therefore not appropriate to refuse permission even if the works were clearly undertaken intentionally despite the developer knowing they were unauthorised.

Whether or not the development was undertaken intentionally is only part of the issue but regard would need to be had to the reason why this was the case. For example is the developer vulnerable and would have otherwise been homeless had they not undertaken the unauthorised development.

Different mechanisms are needed to punish individuals knowingly undertaking development without the requisite permission such as through a system of fines where wider factors could also be considered.

32) Are there any specific types of harm arising from intentional unauthorized development, and any specific impacts from the proposed policy, which we should consider?

Response: East Devon District Council notes that intentional unauthorized development can lead to loss of public trust in the planning system, and increased enforcement costs. The proposed policy should consider these impacts but not through decision making. A system of financial penalties should be imposed which can then ensure adequate resources for enforcement and act as a genuine deterrent.

33) Do you agree with the new Article 4 direction policy in policy DM10?

Response: Partly agree. East Devon District Council supports the more flexible approach to Article 4 directions, as it will allow local authorities to better protect the amenity and well-being of their areas. However, the revised wording potentially opens the door to a much higher number of article 4 directions, however local planning authorities are not adequately resourced to undertake the additional work that this may entail. A more relaxed approach to Article 4 directions like this

needs to be accompanied by a relaxation of provisions in terms of confirmation by the secretary of state and compensation.

Chapter 4 – Achieving Sustainable Development

Chapter 4 restates the core purpose of the planning system: to achieve sustainable development—balancing economic, social and environmental objectives in mutually supportive ways. It updates how the presumption in favour of sustainable development should function under the proposed rules based NPPF.

1. Purpose and Principles

Chapter 4 confirms that sustainable development remains an overarching aim and should guide both plan making and decision taking. Proposals should contribute positively to a longterm vision in which communities can thrive, the economy grows sustainably, and the environment is protected and enhanced. This is consistent with earlier iterations of the NPPF but now accompanied by structural changes intended to give national decision making policies more immediate and consistent weight.

2. The Presumption in Favour of Sustainable Development

The chapter introduces an updated presumption applying with greater clarity and operational detail:

- **Within settlements**, the presumption becomes a more explicit “default yes”, meaning planning permission should be granted unless the harms substantially outweigh the benefits — a stronger threshold than previous “tilted balance” formulations.
- **Outside settlements**, the presumption now applies to defined categories, notably:
 - **Brownfield land**, in line with the Government’s wider land use efficiency agenda;
 - **Sites within walking distance of rail stations with good connections**, where compact, transit-oriented development can reduce car dependency.These expansions are intended to promote growth in sustainable locations while conserving remote rural areas.

3. Interaction With Other National Decision Making Policies

Because the revised NPPF splits “plan making” and “national decision making” policies into separate sections, Chapter 4 acts as an interpretive gateway. It clarifies that:

- Local Plans must not duplicate national policies, meaning Chapter 4’s tests will apply directly and consistently.
- If a Local Plan is out of date, silent or inconsistent, national decision making policies (including the Chapter4 presumption) take precedence. This increases reliance on Chapter 4 in districts with high levels of landscape and environmental constraint, such as East Devon.

4. Settlement Definitions

Although not exhaustively defined in Chapter 4 itself, the draft NPPF introduces a new glossary term for “settlement”, grouping villages, towns and cities together but excluding hamlets. Commentaries note that this distinction may generate appeals unless criteria are made clearer.

5. Sustainable Growth and Infrastructure

Chapter 4 underscores that sustainable development is not simply about granting permission — infrastructure capacity, environmental constraints, design quality, climate mitigation and adaptation, access to services, healthy communities and efficient transport all form part of the sustainability test. The presumption must be applied in a manner consistent with these principles. This supports areas like East Devon facing:

- Water resource and wastewater treatment capacity limits;
- Protected habitats;
- Landscape designations and coastline vulnerabilities;
- Transport congestion on the A30 and M5 corridors.

6. Relationship With Transitional Provisions

The Government's transitional arrangements (which allow some plans to continue under 2023/2024 NPPF rules) are acknowledged. Chapter 4 is intended not to undermine plans legitimately advanced under earlier frameworks, but in practice the strengthened presumption may influence development management decisions during the transition window.

RESPONSES TO CHAPTER 4 QUESTIONS (Achieving Sustainable Development)

34) Do you agree with the proposed approach to setting a spatial strategy in development plans?

EDDC Response: *Partly agree.*

EDDC supports the clarity of a plan led spatial strategy, but only where national policy explicitly recognises environmental limits. East Devon is significantly constrained by:

- Wastewater treatment capacity and nutrient neutrality requirements
- National Landscape and World Heritage Site designations
- Coastal change and flood risk zones
- Limited transport capacity in rural settlements

A spatial strategy must therefore be able to moderate growth where constraints make higher levels of development undeliverable or environmentally harmful. Greater clarification should be provided on when “areas or assets of particular importance provides a strong reason for restricting the overall, scale, type or distribution of development in the plan area”

35) Do you agree with the proposed definition of settlements in the glossary?

EDDC Response: *Partly agree.*

EDDC welcomes the attempt to define “settlements”, but the proposed definition is open to interpretation where it says “This includes areas defined as a settlement in the development plan (whether using defined settlement boundaries or equivalent terms, or criteria for identifying settlement extents)”. It needs to be clear that where settlement boundaries are defined in the

development plan these are used and criteria for identifying settlement extents are only used where boundaries are not defined in the development plan and the criteria are those defined in that development plan.

36) Do you agree with the revised approach to the presumption in favour of sustainable development?

EDDC Response: *Partly agree.*

EDDC supports greater clarity (e.g., harms must *substantially outweigh* benefits), but the presumption must not override statutory protections or operate mechanistically. In East Devon, environmental limits often determine whether development is truly sustainable, including:

- Water and wastewater capacity
- Nutrient neutrality
- Protected landscapes
- Sensitive habitats
- Cumulative transport constraints

The NPPF must state explicitly that the presumption is tempered by environmental capacity and infrastructure deliverability. As drafted Policy S4 only includes some of the adverse effects that might outweigh the presumption thus giving them greater weight but omits several other key adverse effects. This list either must be completely comprehensive or omitted entirely.

37) Do you agree to the proposed approach to development within settlements?

EDDC Response: *Partly support.*

A positive approach within settlements is reasonable where there is:

- Adequate water, wastewater and transport capacity
- No unacceptable landscape or heritage impact
- A clear understanding of cumulative effects

Many East Devon settlements face utility constraints, meaning development cannot always proceed even if within settlement boundaries. The policy must acknowledge this.

38) Do you agree to the proposed approach to development outside settlements?

EDDC Response: *Partly disagree.*

These criteria are better set out in development plans taking account of local circumstances than in national policy.

39) Do you have any views on the specific categories of development which the policy would allow to take place outside settlements, and the associated criteria?

EDDC Response: *strongly disagree.*

EDDC supports enabling development on brownfield land, but this cannot be unqualified since some brownfield sites are in entirely unsustainable locations in the open countryside including National Landscapes and remote from services and facilities. In such circumstances it would not be appropriate to allow brownfield sites to be developed for housing.

Support for rural businesses is again welcomed but needs to be qualified to make it clear what is meant by a rural business i.e. it is a business that relies on the countryside such as agriculture, horticulture, equestrian uses etc and not simply a business that is located in the rural area.

The re-use of an existing building again needs to be qualified to ensure that buildings in remote rural locations are not reused for purposes that are entirely unsustainable in a rural environment and also to ensure that the building is structurally sound and capable of conversion so that new buildings are not permitted under the guise of a conversion.

Reference to limited infilling within groups of houses also needs to be qualified as this could effectively allow unsustainable development within hamlets with limited services and facilities in contradiction of the policy for settlement boundaries and development within them.

The approach must also not undermine:

- AONB and World Heritage Site protections
- Rural character and landscape sensitivity
- Ecological networks and nutrient neutrality requirements

Development outside settlements must always be subject to an evidence based constraints test.

40) Do you agree with the proposed approach to development around stations, including that it applies only to housing and mixed-use development capable of meeting the density requirements in chapter 12?

EDDC Response: *Partly agree.*

EDDC supports transit oriented growth, especially at:

- Honiton
- Axminster
- Exmouth

But some settlements with railway stations have limited other services and facilities that means that they may still not be sustainable locations for more than a limited level of growth to meet the needs of that community. The proposed wording is quite prescriptive however it is not possible to foresee all local circumstances and there is a risk that in some cases stations that meet the set criteria are wholly unsustainable due to other factors. The NPPF should simply establish the principle of development close to railway stations and leave detailed interpretation to local authorities to consider taking into account local circumstances.

a) Please provide your reasons, including any evidence that this policy would lead to adverse impacts on Gypsies and Travellers and other groups with protected characteristics.

We do not believe that the policy would have adverse impacts on Gypsies and Travellers and other protected groups.

41) Do you agree that neighbourhood plans should contain allocations to meet their identified housing requirement in order to qualify for this policy? a) If not, please provide your reasons

EDDC Response: *Partly agree.*

Allocations are helpful where feasible, but some parishes in East Devon:

- Are heavily constrained by National Landscapes, protected habitats or coastal change
- Have no realistically developable land
- Face water/wastewater limitations that prevent allocations

A rigid requirement risks discouraging neighbourhood plan preparation, when there may be good reasons for plan making that the Government wishes to encourage, for example regarding design standards. Flexibility is essential where evidenced constraints apply.

It also needs to be clear how policy should be interpreted where there is no identified housing requirement either because none has been identified, the need is met by the relevant local plan or the relevant development plan was adopted prior to this being a requirement.

There is an apparent contradiction in the proposals as Policy PM5 acknowledges that it may not always be appropriate to make an allocation in a neighbourhood plan which appears to contradict the presumption in S6 and H02 that plans should make allocations and need to do so to benefit from the protection provided by S6. It is unfair that communities where it is not appropriate to make an allocation do not benefit from the same protection as those where it is.

Chapter 5 – Meeting the Challenge of Climate Change

Summary of Chapter 5: Climate Change Policies (CC1–CC3)

Climate change is a major challenge, and the planning system must play a strong role in reducing emissions and building resilience. The Framework proposes clearer, more comprehensive policies grouped into three areas:

CC1 – Planning for Climate Change (Plan-making)

- Combines several existing paragraphs into one clearer policy.
- Requires development plans to help mitigate emissions and address climate risks (e.g., flooding, heat, wildfires).
- Encourages baseline carbon assessments, green infrastructure, and nature-based solutions.

CC2 – Climate Change Mitigation (Decision-making)

- Replaces paragraph 163 with a more complete approach to assessing carbon impacts.
- Key considerations include:

- Sustainable transport and development patterns
- Energy-efficient design
- Reuse of buildings and materials
- Habitat protection
- Limits on fossil fuel extraction
- Gives substantial weight to improving energy efficiency and supporting renewables and district heating.

CC3 – Climate Change Adaptation (Decision-making)

- Requires proposals to consider current and future climate impacts over the development's lifetime.
- Provides criteria for managing risks like overheating, flooding, and wildfire.
- Wildfire risks must be properly assessed, with clear mitigation measures tied to good design principles.

RESPONSES TO CHAPTER 5 QUESTIONS (Climate Change)

42) Do you agree with the approach to planning for climate change in policy CC1?

EDDC Response: *Strongly agree.*

EDDC welcomes the strengthened and more proactive approach to planning for climate change. This aligns with the district's climate emergency commitments and the significant local risks associated with coastal change, heat stress, water scarcity, and increased flood events.

However, the policy must emphasise that delivering climate mitigation and adaptation is contingent upon environmental capacity, particularly in authorities such as East Devon affected by:

- Water supply constraints and drought vulnerability
- Nutrient neutrality requirements in sensitive catchments
- Limited wastewater treatment capacity
- Landscape and biodiversity designations (National Landscapes and World Heritage Site)

The policy should make explicit that climate goals cannot be pursued in isolation and that climate mitigation must work alongside statutory environmental protections.

43) Do you agree with the approach to mitigating climate change through planning decisions in policy CC2?

EDDC Response: *Partly agree.*

EDDC supports embedding decarbonisation into planning decisions, including:

- Stronger expectations for energy efficient building design
- Support for renewable and low carbon energy infrastructure

- Prioritising development in sustainable locations
- Facilitating modal shift away from private vehicles

However, EDDC recommends additional clarity in the following areas:

- Grid capacity constraints: In the South West, grid limitations frequently restrict renewable deployment. National policy should acknowledge this and support strategic upgrades.
- Rural and coastal contexts: Some East Devon settlements are dispersed with limited public transport; mitigation expectations must be realistic.
- Water and wastewater constraints: Large scale development in constrained catchments may not deliver genuine carbon benefits if infrastructure upgrades are delayed or unavailable.

National guidance should explicitly connect climate mitigation with environmental capacity testing in plan making.

44) Do you agree with the approach to climate change adaptation through planning decisions in policy CC3?

EDDC Response: *Strongly agree.*

East Devon is highly exposed to climate related risks, including:

- Coastal erosion (Sidmouth, Beer, Branscombe)
- Sea level rise and storm surge hazards at Exmouth and Budleigh Salterton
- Fluvial and surface water flood risk along the Exe, Otter, Axe, and Clyst
- Heat stress in new developments
- Water resource shortages

EDDC supports robust requirements for:

- Future-proofed flood-risk assessment using latest climate projections
- Resilient design and layout
- Integration of green and blue infrastructure
- Nature based adaptation solutions
- Coastal adaptation policies linked to Shoreline Management Plans

Additional guidance should clarify the level of evidence expected at plan making vs planning application stage, especially for long term coastal change.

45) Does the policy on wildfire adaptation clearly explain when such risks should be considered and how risks should be mitigated?

EDDC Response: *Partly agree.*

The policy correctly identifies wildfire risk as an emerging climate issue, particularly relevant to areas with heathland, woodland edges or steep coastal slopes.

However, EDDC recommends:

- Clearer mapping guidance on when wildfire assessment is triggered
- Integration with existing fire risk management by Devon & Somerset Fire & Rescue Service
- Explicit reference to managing wildfire risk in gorse covered slopes and heathland areas present in East Devon
- Clearer expectations for design, such as defensible space, materials, access routes and emergency response considerations

46) How should wildfire adaptation measures be integrated with wider principles for good design, and what additional guidance would be helpful?

EDDC Response:

Wildfire adaptation should be embedded within design codes, masterplans and site specific design statements. EDDC recommends national guidance requiring:

- Incorporation of safe buffer zones between vegetation and buildings in high risk areas
- Use of fire resistant materials in high risk areas
- Landscape management plans to reduce fuel loads
- Safe and clearly accessible routes for emergency services
- Community scale resilience planning in areas at high risk

Integration with existing design policies (including green infrastructure, ecological networks and character led design) would ensure wildfire resilience contributes positively to placemaking.

47) Do you have any other comments on actions that could be taken through national planning policy to address climate change?

EDDC Response:

EDDC recommends strengthening the following areas:

a) Water resource and wastewater capacity as climate critical constraints

National policy should explicitly recognise that water scarcity and wastewater treatment limits are climate related constraints that directly shape spatial strategy and housing delivery.

b) Support for nature based solutions

National policy should more clearly promote:

- Wetland restoration
- Floodplain reconnection
- Coastal realignment and soft engineering

- Woodland creation and carbon sequestration landscapes

These provide dual benefits for climate mitigation and adaptation.

c) Rural and coastal climate adaptation

East Devon's rural and coastal authorities need:

- Clearer guidance on long term coastal adaptation
- Funding for coastal transition measures

d) Integration with transport decarbonisation

Climate policy must strengthen links with sustainable transport, including:

- Active travel networks
- Rail based growth strategies
- Reduced car dependency in new developments
- Support for mobility hubs in rural areas

Chapter 6 – Delivering a Sufficient Supply of Homes

Ensuring adequate housing remains central to planning policy, with a revised standard method for calculating housing need published in December 2024 to help meet the government's target of 1.5 million safe, decent homes. Supporting a diverse accommodation mix and tenure options is also vital to accelerate homebuilding and establish strong communities nationwide. The planning system must support key housing types, including specialist criminal justice and defence accommodation aligned with strategic policies such as the Defence Housing Strategy 2025.

This chapter introduces updated proposals, including redrafted Chapter 5 policies, relevant provisions from the Planning Policy for Traveller Sites, clearer expectations on tenure mix, and enhanced delivery requirements for social and affordable housing based on local needs, including rural areas.

Plan-making Policies

HO1: Assessing the Need for Homes

Policies HO1 and HO2 guide development plans on determining housing requirement figures. HO1 updates previous Framework guidance and Planning Policy for Traveller Sites policy A to support strategic planning. Spatial development strategies will set local plan housing requirements, informed by assessments of overall and traveller site needs. Plans should also consider the size, type, and tenure required by different groups, with Service Family Accommodation now included under Affordable Housing Need.

HO2: Setting Housing Requirement Figures

HO2 revises current Framework paragraphs to clarify how spatial development strategies and local plans should establish housing and traveller site requirement figures. It introduces changes to neighbourhood plan figures and specifies that local authorities should generally not set a nil housing requirement unless certain conditions apply.

HO3: Providing Land for Homes

Policy HO3 requires local plans to identify enough sites to meet housing requirements (as set in HO1) and outline a delivery schedule. It incorporates Framework paragraphs 72, 75, 78, 79, and 80, along with relevant content from the Planning Policy for Traveller Sites, including updated

definitions of ‘deliverable’ and ‘developable’. The policy clarifies that delivery trajectories also apply to traveller sites.

HO4: Land for Large-Scale Residential and Mixed-Use Development

Policy HO4 outlines criteria for identifying locations suited to large-scale residential and mixed-use projects, updating paragraph 77 of the existing Framework. It encourages meeting housing and development needs through strategic sites like new settlements and ensures requirements are reflected in spatial development strategies and local plans. The policy emphasizes varied housing types, quality design, infrastructure provision, and mixed tenure development, with local plans required to specify expectations for tenure mix and speed of delivery. The policy will be reviewed after government confirmation of new town locations next spring to ensure their integration into planning documents.

HO5: Meeting the Needs of Different Groups

This policy updates Framework paragraphs 63, 65, and 67 to enhance support for social and affordable housing, especially in rural areas, and clarify expectations for specialist accommodations. Key proposals include:

- Amending the definition of Designated Rural Areas so that affordable housing contributions can be required from minor developments in small, low-density parishes, without changing current Section 157 designations.
- Mandating authorities to specify the proportion of new homes built to M4(2) and M4(3) accessibility standards, with a proposed national minimum of 40% for M4(2), but allowing local flexibility to meet assessed needs.
- Requiring authorities to identify or allocate sites for specific housing types—such as homes for older people, students, custom build plots, and traveller sites.
- Clarifying that larger developments (over 150 units) should provide a broader mix of tenures to boost diversity and speed up delivery, while leaving the exact mix to local need assessments.

HO6: Planning for Diverse Sites

This updated policy revises Framework paragraphs 73, 82, and 83, requiring local plans to:

- Allocate at least 10% of housing on sites no larger than one hectare.
- Allocate an additional 10% on sites between 1 and 2.5 hectares, to encourage SME builder participation and quicker development.
- Prioritise allocations that support rural community vitality.

National Decision-Making Policies

HO7: Meeting Local Housing Needs

This policy emphasizes giving substantial importance to new housing that meets proven local needs, including homes for specific groups, traveller sites, and community-driven developments.

HO8: Providing Affordable Homes

The policy updates requirements for affordable housing in new developments. It formally recognizes defence homes as affordable housing and allows military housing to count towards affordable contributions where needed. Flexibility is introduced for developers exceeding affordable housing targets regarding market home sizes. The government is seeking input on

whether to mandate a minimum percentage of social rent (e.g., 10%) in major developments and on accommodating temporary affordable housing products. A strong preference remains for on-site affordable housing, but options are being considered for allowing cash payments instead, particularly for medium-sized sites, to streamline processes for small- and medium-sized builders.

On-Site Affordable Housing

On-site delivery of social and affordable housing remains a priority due to its benefits for community diversity and developer finance. However, to support smaller builders and simplify obligations, cash contributions may be accepted on medium sites or when robustly justified.

HO10: Exception Sites

This policy supports rural exception sites by clarifying their acceptability and removing First Homes exception sites to reduce competition. Feedback is welcomed on using specific land value benchmarks to improve delivery feasibility.

HO11: Isolated Country Homes

The policy revises existing guidance, removing "optimum viable use" and updating rules for converting vacant listed buildings, focusing on preserving historic environments.

HO12: Traveller Sites

Policies for traveller site developments have been unified. Authorities must now follow national criteria rather than setting local ones, especially if there is no identified need, to ensure clarity and consistency.

HO13: Build-Out of Development

A new policy ensures major developments are deliverable within a reasonable timeframe, factoring in tenure mix and local conditions. It calls for flexibility in multi-phase projects, balancing clear planning with adaptability. The government invites views on supporting very large or 'super strategic' sites, including whether further definitions are necessary.

Housing Delivery Test Rule Book

Proposed updates will align the test with the latest adopted plans—using either a spatial development strategy or a local plan—removing the 'lower of' rule to assess housing delivery against the most up-to-date requirements.

RESPONSES TO CHAPTER 6 (Delivering a Sufficient Supply of Homes)

48) Do you agree the requirements for spatial development strategies and local plans in policy HO1 and HO2 are appropriate?

EDDC Response: *Partly agree.*

EDDC supports clear national expectations for spatial development strategies and local plans, but only where policy is explicit that:

- Environmental limits may constrain the ability to meet theoretical housing need.
- Protected landscapes (National Landscapes, World Heritage Sites), nutrient-neutrality catchments, water resource limits, flood risk and coastal change zones constrain available capacity.
- Housing requirements must be realistic, deliverable and infrastructure-led.

The policy risks being interpreted too rigidly unless flexibility is built in to recognise districts—such as East Devon—where environmental constraints significantly restrict development opportunities. In addition, it would be helpful for the NPPF or Planning Practice Guidance to make clear whether local plans should include a housing supply 'headroom' in addition to meeting the housing requirement. This is relatively common practice in local plans but there is no existing national policy or guidance on whether this should apply.

We support the inclusion of gypsy and traveller pitch requirements and giving them equal weight but clarity should be provided of the need to make provision of affordable pitches.

Clarity is also required on the relationship between the designated neighbourhood areas housing requirement and the overall requirement. Is the intention that they are additional or part of the overall requirement? If the latter then how are issues around demonstrating that they are viable and deliverable to be addressed where they are relied on to meet the overall housing requirement.

49) Is further guidance required on assessing the needs of different groups including older people, disabled people, and those who require social and affordable housing?

EDDC Response: *Strongly agree.*

EDDC supports additional national guidance, particularly on:

- Meeting housing needs in aging coastal populations, including accessible and adaptable homes.
- The interaction between specialist accommodation and healthcare infrastructure capacity, which is a key challenge in East Devon.
- Evidence requirements for identifying the need for wheelchair-user housing (M4(3)) in rural and coastal areas.
- Ensuring viability considerations do not undermine delivery.

50) Do you agree with incorporating Planning Policy for Traveller Sites within this chapter?

EDDC Response: *Strongly agree.*

Integration streamlines policy and reduces duplication. EDDC welcomes a unified approach, provided:

- Requirements remain consistent with the Equality Act and Human Rights Act.
- LPAs retain flexibility to respond to local land availability, constraints and environmental designations.
- Transitional arrangements preserve existing evidence-based local assessments.

51) Is further guidance needed on how authorities should assess the need for traveller sites and setting requirement figures?

EDDC Response: *Strongly agree.*

Key principles should include:

- Nationally consistent methodology
- Clear guidance on temporary vs permanent need
- Treatment of transit sites
- Evidence requirements in environmentally constrained districts
- Alignment with wider equality and inclusion duties

52) Do you agree the new Annex D is sufficiently clear on how local authorities should set the appropriate buffer for their local plan 5-year housing land supply?

EDDC Response: *Partly agree.*

Annex D provides improved clarity, but EDDC remains concerned that:

- Buffer expectations may penalise authorities with strong environmental constraints limiting deliverability.
- Annual updating of land supply requires substantial evidence in districts where water/wastewater constraints cause unpredictable delivery trajectories.
- Buffers should be explicitly flexible where supply is restricted by environmental or infrastructure constraints outside LPA control.
- Requirements only relate to overall housing delivery with no account given to specific types of housing and need.

53) Do you agree the new Annex D to the draft Framework is sufficiently clear on the wider procedural elements of 5-year housing land supply, the Housing Delivery Test and how they relate to decision-making?

EDDC Response: *Partly agree.*

While clearer than previous versions, the Annex does not adequately address:

- How HDT and 5YHLS should treat constrained districts where development cannot proceed due to nutrient neutrality or capacity limits.
- The need for flexibility in HDT penalties where under-delivery arises from infrastructure provider delays rather than LPA actions.

54) Do you agree the requirements to establish a 5-year supply of deliverable traveller sites and monitor delivery are sufficiently clear?

EDDC Response: *Partly agree.*

Clarity is improved, but challenges remain:

- Traveller site delivery is often constrained by landscape designations and environmental protections in East Devon.
- National policy should recognise that delivery challenges differ from conventional housing supply.
- LPAs should not be penalised where no suitable sites exist due to statutory protections.

55) Do you agree the plan-making requirements, for both local plans and spatial development strategies, in relation to large scale residential and mixed-use development are sufficiently clear?

EDDC Response: *Partly agree.*

The broad expectations are clear, but:

- Large-scale developments in East Devon typically require major water/wastewater interventions, which may take years to deliver.
- National policy should explicitly allow extended lead-in times and the impacts of this to be incorporated into housing delivery trajectories through acknowledgement of a stepped trajectory approach where large scale sites are proposed.
- Large scale residential and mixed-use developments have high infrastructure costs making them undeliverable without significant public investment. This needs to be acknowledged and the impacts of this on the viability and deliverability of the proposals accepted so that the approach to evidence and the tests applied at examination are proportionate and take account of these issues and associated uncertainties.
- Gypsy and traveller sites are often requirements of large scale residential and mixed use developments to generate mixed communities and the absence of alternative sites. This

practice would benefit from recognition in government policy and guidance on how this can best be achieved to help address developer resistance.

56) Do you agree our proposed changes to the definition of designated rural areas will better support rural social and affordable housing?

EDDC Response: *Strongly agree.*

Extending support to more rural areas is a positive step but in East Devon the changed definition will not lead to more areas being designated as rural than at present. The threshold at which contributions can be sought needs to be lifted so that affordable housing contributions can be sought from all housing schemes in rural areas rather than just those of 6-9 homes as present. In reality few schemes fall into this category and the majority of housing in rural areas are smaller schemes who do not then contribute to affordable housing delivery even though such homes desperately needed in our rural communities.

57) Do you agree with our proposals to ask authorities to set out the proportion of new housing that should be delivered to M4(2) and M4(3) standards?

EDDC Response: *Strongly agree.*

EDDC supports clear expectations for accessible housing, but emphasises:

- Viability challenges in low-value markets must be considered.
- Delivery should be linked to locally evidenced need and local infrastructure capacity.

58) Do you agree 40% of new housing delivered to M4(2) standards over the plan period is the right minimum proportion?

EDDC Response: *Partly agree.*

EDDC supports the 40% figure as a national benchmark but suggests:

- Local authorities should be able to set higher or lower figures based on local evidence, including viability and demographic need.
- Coastal and rural areas with aging populations may require higher proportions.

59) Do you agree the proposals to support the needs of different groups, through requiring authorities to identify sites or set requirements for parts of allocated sites are proportionate?

EDDC Response: *Partly agree.*

Proportionate in principle, but this should be done through masterplanning and design coding and not be a requirement at allocation stage other than to set out the requirements.

60) Do you agree with our proposals to ask authorities to set out requirements for a broader mix of tenures to be provided on sites of 150 homes or more?

EDDC Response: *Partly agree.*

Broad tenure diversification is supported; however:

- Site-size thresholds should be flexible—150 homes may be too high for rural/coastal districts where site sizes are smaller.
- A lower threshold (e.g., 50–100 homes) may be more appropriate in East Devon.

61) Do you agree with proposals for authorities to allocate land to accommodate 10% of the housing requirement on sites of between 1 and 2.5 hectares?

EDDC Response: *Partly disagree.*

EDDC supports diversification of site sizes in principle, but many small sites are developed as windfall sites and are not put forward through the plan making process making it hard to allocate sufficient sites at that stage to make up 10% even though they will predictably come forward as windfalls.

62) Are any changes to policy HO7 needed in order to ensure that substantial weight is given to meeting relevant needs?

EDDC Response: No

63) Do you agree that proposals to add military affordable housing to the definition of affordable housing, and allow military housing to be delivered as part of affordable housing requirements, will successfully enable the provision of military homes?

EDDC Response: *Partly agree.*

EDDC supports provision for military personnel but emphasises:

- Delivery must not displace other urgent local affordable housing needs.
- Military housing should be evidence-led and proportionate to local demand.

64) Do you agree flexibility relating to the size of market homes provided will better enable developments providing affordable housing?

EDDC Response: *Partly agree.*

Flexibility may assist viability, but:

- Local design quality and character must not be compromised.
- Smaller homes should not become default market products and minimum space standards must be adhered to.
- Large homes may also be attractive to the market in some locations and aid viability but these may not meet local needs and so housing mix needs to reflect local needs and be balanced against viability constraints.

65) Would requiring a minimum proportion of social rent, unless otherwise specified in development plans, support the delivery of greater number of social rent homes?

EDDC Response: *Strongly agree.*

EDDC supports a nationally-set minimum proportion, with local flexibility. A starting point of:

- 30–40% social rent on eligible sites
- Lower thresholds where viability is challenging or delivery would be undermined

66) Are changes to planning policy needed to ensure that affordable temporary accommodation, such as stepping stone housing, is appropriately supported, including flexibilities around space standards?

EDDC Response: Yes.

National policy should:

- Allow flexibility on space standards for transitional accommodation

- Support modular and rapid-delivery housing solutions
- Clarify planning treatment of temporary accommodation in rural areas

67) Do you agree that applicants should have discretion to deliver social and affordable housing requirements via cash payments in lieu of on-site delivery on medium sites?

EDDC Response: Strongly disagree

a) If so, would it be desirable to limit the circumstances in which cash contributions in lieu of on-site delivery can be provided – for example, should it not be permitted on land released from the Green Belt where the Golden Rules apply? N/A

b) If you do not believe applicants should have blanket discretion to discharge social and affordable housing requirements through commuted sums, do you think cash contributions in lieu of on-site delivery should be permitted in certain circumstances – for example where it could be evidenced that onsite delivery would prevent a scheme from being delivered?

Risks:

- Reduced on-site affordable delivery
- Concentration of affordable housing in fewer locations
- Developer gaming of viability
- Negative impact on mixed and balanced communities
- Puts onus on the local authority to make provision via the commuted sum when there may not be suitable sites, match funding or resources to make this happen

EDDC recommends allowing cash-in-lieu only where onsite delivery is demonstrably impracticable.

68) What risks and benefits would you expect this policy to have? Please explain your answer. The government is particularly interested in views on the potential impact on SME housing delivery, overall housing delivery, land values, build out rates, overall social and affordable housing delivery, and Registered Providers (including SME providers).

EDDC Response: There is no doubt that this approach would simplify housing delivery for developers particularly SME developers by removing the need to negotiate and work with an affordable housing provider. The consequence is a significant additional burden on local authorities and or registered providers to then spend the contributions when they may not have the resources or the development sites to do this. They are at a distinct disadvantage in acquiring sites compared with developers and so this then puts the timely delivery of affordable housing at risk.

There is also a significant risk to social cohesion as sites will come forward with no affordable housing and then local authorities/registered providers will need to use the contributions to deliver sites of entirely affordable housing. This is not in line with the approach to mixed and diverse communities set out elsewhere in the framework.

69) What guidance or wider changes would be needed to enable Local Planning Authorities to spend commuted sums more effectively and more quickly?

EDDC Response: This could only work as part of a wider programme of investment in public sector housing supported by substantial government funding whereby commuted sums could be matched with wider government funding to deliver sites. However, there is a substantial shortage of suitable and developable sites in East Devon and many are optioned up already and so

opportunities to spend commuted sums will be limited. A commuted sum would need to be accompanied by the transfer of suitable land to make provision.

70) Would further guidance be helpful in supporting authorities to calculate the appropriate value of cash contributions in lieu? a) If so, what elements and principles should this guidance set out? Please explain your answer. For example, guidance could make clear that contributions in lieu should be an amount which is the equivalent value of providing affordable housing on site, based on a comparison of the Gross Development Value of the proposed scheme with the Gross Development Value of the scheme assuming affordable housing was provided onsite.

EDDC Response: A national calculator would be helpful but to ensure equivalent delivery of affordable housing off-site this must take into account the true cost of delivering the affordable housing. Any calculator based on the comparative cost of providing it on-site will drastically under value the affordable housing and lead to a much lower level of delivery. At EDDC we already have a calculator that works on this basis for calculating contributions towards affordable housing in rural areas which effectively calculates the cost to the developer of delivery on-site but this is substantially lower than the cost of delivery off-site and so would lead to less than a quarter of the number of affordable homes being delivered than would be delivered under the current on-site requirement.

71) Do you support proposals to enable off site delivery where affordable housing delivery can be optimised to produce better outcomes in terms of quality or quantity?

On-site provision is likely to lead to the best balance of quality and quantity and should always be the preferred approach with off-site delivery only being allowed in exceptional circumstances.

72) Do you agree the with the criteria set out regarding the locations of specialist housing for older people?

EDDC Response: *Partly agree.*

Criteria appropriately emphasise:

- Accessibility
- Proximity to services

However, they need to recognise the need for integration with healthcare services and ensure that there is a good access and suitable capacity to accommodate the needs of older people who are likely to place greater demands on services.

73) Do you agree with the criteria set out regarding the locations of community based specialist accommodation, including changes to the glossary?

EDDC Response: *Partly agree.*

Criteria are broadly effective but should emphasise:

- Integration with walking/cycling networks
- Proximity to primary care and support services
- Accessibility for carers and visiting specialists

74) Do you agree with the criteria set out regarding the locations of purpose-built student accommodation and large-scale shared living accommodation, including changes to the glossary?

EDDC Response: *Partly agree.*

EDDC supports clearer definitions, but:

- Such developments are rare in East Devon; planning requirements must not reduce local flexibility.

75) Do you agree the proposals provide adequate additional support for rural exception sites?

EDDC Response: *Strongly agree.*

Rural exception sites are crucial for meeting local needs in East Devon. EDDC recommends:

- Further flexibility on viability
- National support for small-scale wastewater solutions
- Improved grant and subsidy mechanisms

76) Do you agree with proposals to remove First Homes exception sites as a discrete form of exception site?

EDDC Response: *Agree.*

Removal will simplify policy and avoid confusion with rural exception sites.

77) Do you agree proposals for a benchmark land value for rural exception sites will help to bring forward more rural affordable homes?

EDDC Response: *Partly agree.*

A clear benchmark may improve landowner certainty. However, values must:

- Reflect low rural land values
- Avoid inflating expectations
- Accommodate viability challenges in low-value coastal towns

78) Do you agree the proposals to set out requirements for traveller sites at policy HO12 adequately capture relevant aspects from Planning Policy for Traveller Sites, whilst ensuring fair treatment for traveller sites in the planning system?

EDDC Response: *Partly agree.*

79) Please provide your reasons, particularly if you disagree.

Generally sound, but:

- Must allow flexibility in constrained districts where sites may not be readily available due to environmental constraints
-

80) Do you agree the proposals in policy HO13 will help to ensure development proposals are built out in a reasonable period?

EDDC Response: *Partly agree.*

Timelines for delivery must:

- Reflect infrastructure dependencies

- Adjust for delays from statutory undertakers (e.g., water companies)

Imposing conditions requiring that development begins within a shorter timescale could be self-defeating if development does not commence within the stated timescale and lapses while in all likelihood this would simply lead to developers waiting until they are ready before signing S106 agreements.

81) Do you agree the requirements to take a flexible approach to the consenting framework for large scale residential and mixed-use development is sufficient to ensure the opportunities of large scale development are supported?

EDDC Response: *Partly agree.*

Flexibility is useful, but:

- Large-scale development in East Devon requires early water, wastewater and transport commitments
- National guidance should better align consenting with infrastructure delivery
- Flexibility on viability issues needs to be reciprocal so that where requirements are reduced on one phase to improve viability they can be revisited on later phases and affordable housing or other infrastructure that was lost on that early phase can be required again if it is viable later in the build.
- The provisions at paragraph 4 need to be strengthened as the wording is vague and unclear. It needs to give powers to prevent developers bringing forward elements of a phased large-scale development without delivering the necessary infrastructure to support it and ahead of a suitable overall masterplan, guidance and design coding to ensure high quality placemaking, community building and the best health and wellbeing outcomes.

82) Are any more specific approaches or definitions needed to support the delivery of very large (super strategic) sites, including new towns?

EDDC Response: *Yes.*

EDDC recommends that paragraph 4 be strengthened to address very large scale sites by requiring that individual phases adhere to infrastructure phasing expectations and await suitable, master planning, design coding and governance arrangements being in place. It also needs to give the ability to resist competing proposals that are not allocated where the preferred large-scale development is identified in the New Towns Programme or similar national support programme. This would need to be on the basis that they would undermine delivery of the New Towns Programme and the relevant development plan.

83) Do you agree with the proposed changes to the Housing Delivery Test rule book?

EDDC Response: *Partly agree.*

Changes improve clarity, but:

- HDT must recognise constrained authorities cannot deliver theoretical capacity
- LPAs should not be penalised where delivery is blocked by external agencies or environmental restrictions

Chapter 7 – Building a Strong, Effective Economy

The government prioritizes economic growth. As outlined in the Plan for Change, updates to the Framework in December 2024 aimed to boost business development. This consultation invites feedback on further measures to support businesses and long-term growth, replacing Chapter 6 of the Framework.

The policies provide clear planning support for diverse businesses and promote sustained local and national economic growth. Proposed changes address evolving business needs and sector growth, including data centres and freight/logistics.

Plan-Making Policy

E1: Supporting Long-Term Economic Growth

This redrafted policy clarifies that plans should allow flexibility in site allocation, avoiding strict requirements on permitted uses. It adds explicit references to Industrial Strategy Zones, AI Growth Zones, and the Industrial Strategy.

National Decision-Making Policies

E2: Business Land and Premises

This new policy clarifies planning considerations for business proposals, emphasizing the economic benefits of commercial development, particularly in freight and logistics. For farm and agricultural modernization, it highlights benefits for food production, animal welfare, and the environment. The policy details factors to assess unmet development needs, such as market signals and locational requirements. General support is proposed for business development within settlements.

E3: Freight and Logistics

A new policy addresses planning for freight and logistics, covering transport access, parking, and impacts on the environment and communities. It recognizes the need for suitable transport links due to the unique nature of logistics developments.

E4: Rural Business Development

This updated policy aligns with broader settlement policies and boosts support for agricultural development and diversification. Support for rural community facilities will be addressed elsewhere. The policy encourages using previously developed land for proposals outside settlements when possible.

RESPONSES TO CHAPTER 7 (Building a Strong, Effective Economy)

84) Do you agree that more emphasis should be placed on relevant national strategies and the need for flexibility in planning for economic growth, as drafted in policy E1?

EDDC Response: *Partly agree.*

EDDC supports stronger alignment between local planning policy and national economic strategy, provided flexibility is retained to reflect local constraints and opportunities. Flexibility should not be a default solution to market failure where viability constraints lead to demand massively outpacing supply. For example, sites allocated for industrial uses where there is a significant viability gap should not be lost to supermarket or out of town retail uses. Instead, this complex issue requires support outside of planning policy, with regional gap funding to unlock sites with viability constraints. Although such an approach may take longer to deliver sites, it will unlock better paid jobs, higher productivity and stronger growth compared to 'quick win' developments which bake-in lower growth longer term.

East Devon operates within a complex economic geography that includes:

- A strong functional relationship with the Greater Exeter economic area
- A mix of tourism, rural enterprise, agriculture, marine/coastal industries, and clean-growth sectors
- Limited transport capacity on key corridors (A30, A3052, M5 approaches)
- Significant environmental constraints

EDDC welcomes national clarity but stresses that economic policy must not override environmental capacity, landscape protection, or infrastructure limitations, all of which shape the range and scale of appropriate economic development in East Devon.

85) Do you agree with the approach to meeting the need for business land and premises in policy E2?

EDDC Response: *Partly agree.*

EDDC supports:

- Positive planning for a mix of employment land
- Flexibility to meet changing market needs
- Safeguarding of strategic employment sites
- Intensification and renewal where appropriate
- Measuring of market trends to ensure development matches need

However, the policy should also:

- Recognise that East Devon has limited land availability, heavily constrained by protected landscapes and sensitive environmental zones
- Support the safeguarding of locally important employment areas, even where these do not align neatly with national criteria
- Encourage digital connectivity and low-carbon infrastructure crucial to rural/coastal businesses
- Recognise the need for infrastructure investment to unlock employment land in and around key settlements such as Honiton and Axminster

A more explicit link between economic growth, infrastructure deliverability, and environmental limits is required.

We support the case for modernising food and drink production, which is one of East Devon's priority sectors in its Economic Development Strategy.

86) Do you agree with the proposed new decision-making policy supporting freight and logistics development in policy E3?

EDDC Response: *Partly agree.*

EDDC supports a clearer national framework for freight and logistics, acknowledging:

- The role of logistics in supporting local supply chains
- Opportunities linked to transport networks in the district
- The growing importance of low-carbon, consolidated, and last-mile logistics models

However, there is a need to:

- Ensure that landscape, noise and air-quality effects are appropriately mitigated
- Provide greater support for low-carbon freight and rail-linked logistics
- Ensure that sites are able to use renewable fuel sources with suitable infrastructure to support electric vehicles and in future the use of other fuel sources such as hydrogen.

Given East Devon's strategic location, we expect to facilitate a healthy proportion of the FEMA's ongoing and future logistics requirement. However, we are also mindful that such uses can lead to lower job densities, and so a balance is required when allocating land for logistics/distribution uses and other, higher job density, creating uses.

87) Do you agree with the approach to rural business development in policy E4?

EDDC Response: *Partly agree.*

EDDC supports a positive and flexible approach to rural business development, including:

- Farm diversification
- Rural tourism (year-round where sustainable)
- Small-scale workspace to support local enterprise
- Growth of land-based industries (agriculture, horticulture, forestry, equine)

However, the policy must also ensure:

- Rural development is genuinely linked to rural economic activity, not general commercial uses detached from the countryside's functional needs and advantages
- Development does not undermine landscape character or heritage settings, particularly within National Landscapes and coastal preservation areas
- Transport impacts are realistic, given limited public transport and narrow rural road networks

Chapter 8 – Ensuring the Vitality of Town Centres

This chapter updates previous policy (formerly Chapter 7), maintaining the core principle that main town centre uses should be located within existing centres unless suitable sites aren't available—this is known as the Sequential Test. The draft retains this test but seeks opinions on its retention. New policies focus on diversifying town centre uses, addressing excess retail space, and increasing residential options.

Plan-making Policy

TC1: Planning for Town Centres

TC1 combines and updates existing principles, emphasizing strategies that diversify and intensify uses in town centres, including housing, infrastructure, and public realm improvements. While references to markets are omitted, supporting or creating markets should still be considered in wider strategies. The new policy removes the ten-year site allocation requirement, aligning with the plan period instead, and encourages good design through guides, codes, masterplans, and justified Article 4 directions.

National Policy

TC2: Development in Town, District and Local Centres

TC2 aims to support long-term vitality by giving significant weight to projects that enhance town centres, including diversification and residential development, as well as protecting community access to local shops.

TC3: Main Town Centre Uses Outside Centres

TC3 revises guidance on applying the Sequential Test, consolidating existing principles and clarifying the format and scale of proposals. With the 2020 introduction of Use Class E, more high street uses fall under a single class, allowing greater flexibility and reducing the Sequential Test's impact. Views are sought on whether to retain this test, considering it can both limit and help direct new developments.

TC4: Assessing the Impact of Development on Town Centres

TC4 updates requirements for impact assessments of large-scale retail and leisure proposals outside town centres with clear evidence required that developments won't harm town centres.

RESPONSES TO CHAPTER 8 (Ensuring the Vitality of Town Centres)

88) Do you agree with the proposed changes to policy for planning for town centres?

EDDC Response: *Partly agree.*

EDDC supports a stronger and more proactive policy approach to town-centre regeneration. Town centres in East Devon play a vital role in the district's economic, social and cultural life, but face significant structural challenges, including:

- Changing retail patterns and long-term decline in traditional high-street uses
- Seasonal trading pressures in coastal towns (e.g. Seaton, Sidmouth, Exmouth)
- Limited brownfield opportunities and heritage constraints

- Competition from out-of-centre retail and online shopping

EDDC welcomes the national emphasis on:

- Diversification of uses (culture, leisure, workspace, community facilities)
- Public realm improvements
- Mixed-use regeneration, including residential where appropriate
- Stronger, more place-responsive strategies rather than retail-led policy

However, EDDC questions the need to allocate sites in town centres to meet needs over the plan period since identifying sites and opportunities is challenging given the previously built up nature of these areas. Such sites will already lie within the settlement boundaries of the towns and are already supported by town centre policies encouraging redevelopment. There is little to gain from directly allocating such sites particularly when a flexible approach to redevelopment is key.

89) Do you agree with the approach to development in town centres in policy TC2?

EDDC Response: *Partly agree.*

EDDC supports the expectation that development in town centres should:

- Enhance vitality and viability
- Lead to diversification of uses
- Improve accessibility and public realm

However, national guidance should clarify that residential conversions should not undermine active ground-floor uses in key retail frontages and protection for existing shops and facilities should be bolstered.

90) What impacts, if any, have you observed since the introduction of Use Class E?

EDDC Response:

EDDC has observed both benefits and risks:

Positive impacts:

- Quicker reoccupation of vacant premises
- Greater flexibility for new businesses and local entrepreneurs
- Reduced barriers to diversification (e.g., cafés, community uses, services)

Negative or emerging impacts:

- Loss of spaces for traditional business (former B Class) uses within business parks to E class uses such as retail and gyms

A national framework that allows LPA's more control over the use of traditional employment spaces in out-of-town centre locations is needed to retain the stock of employment land while retaining flexibility within town centres. Flexibility of use is not always the answer. The complex issues around the viability of employment uses needs to be better understood and greater

guidance and funding provided to address these issues at the local level rather than just allowing employment land to be lost to other uses to the detriment of the local economy.

91) Do you believe the sequential test in policy TC3 should be retained?

EDDC Response: *Strongly agree.*

The sequential test remains essential for:

- Supporting sustainable travel patterns
- Maintaining investment within existing town centres
- Managing out-of-centre retail pressures
- Protecting the economic health of smaller coastal and rural town centres

Given the fragility of many East Devon centres, the sequential test is a critical planning safeguard. Without it, out-of-centre development would risk undermining town-centre viability and increasing car dependency.

92) Do you agree with the approach to town-centre impact assessments in policy TC4?

EDDC Response: *Agree.*

EDDC supports the strengthened and modernised approach to impact assessment, including:

- Clearer triggers for assessments
- Recognition of locally defined impact thresholds
- Stronger linkages between economic impact, place-making and transport considerations

However, EDDC recommends:

- Including explicit reference to coastal town vulnerability, where even modest out-of-centre proposals can harm local centres
- Clarifying the treatment of mixed-use schemes that contain dispersed retail elements

Chapter 9 – Supporting High Quality Communications

This section updates previous framework guidance on telecommunications infrastructure, focusing on decision-making policies rather than plan-making, since national policies are considered sufficient. The revised policies primarily rework existing provisions to align with current technology and a policy-based approach.

The government's 10 Year Infrastructure Strategy highlights the importance of robust digital infrastructure for the UK's growth and public service resilience. Upgrading to 5G Standalone (5GSA) is crucial for supporting increased demand from users and emerging technologies like artificial intelligence. Clear planning expectations will enable wider 5G and gigabit broadband coverage, supporting economic and social benefits.

National Decision-Making Policies:

- TI1: Proposals should prioritize existing sites over new developments and aim to minimize negative impacts, avoiding unnecessary requirements unrelated to planning.
- TI2: Defines the necessary supporting information for applications without adding extra requirements.

RESPONSES TO CHAPTER 9 (Supporting High Quality Communications)

93) Do you agree that the updated policies provide clearer and stronger support for the rollout of 5G and gigabit broadband?

EDDC Response: *Partly agree.*

EDDC supports national policy that strengthens and accelerates the delivery of high-quality digital connectivity, particularly because:

- Rural and coastal communities in East Devon experience persistent digital inequality, including patchy mobile coverage and slow broadband in peripheral settlements.
- Improved connectivity supports economic resilience, home-based employment, local entrepreneurship, and access to services for isolated communities.
- High-quality digital infrastructure is essential for unlocking future clean-growth sectors and enabling modal shift (e.g., digital transport information, remote work reducing travel demand).

However, while the strengthened support is welcome, national policy must recognise that:

- Many East Devon locations fall within protected landscapes where infrastructure must be sensitively designed and sited.
- Mast proliferation or overly permissive allowances could harm sensitive landscapes unless appropriate safeguards remain in place.
- Where coverage improvements require more prominent or additional infrastructure, operators should be required to demonstrate robust design justification and alternative-site analysis.

EDDC therefore supports the direction of policy, but emphasises the need for a balanced approach that safeguards designated landscapes.

94) Do you agree the requirements for minimising visual impact and reusing existing structures are practical for applicants and local planning authorities?

EDDC Response: *Partly Agree*

The principles of minimising visual impact and reusing existing structures are sound, and EDDC supports them because:

- Reuse and upgrading of existing masts and infrastructure is often the least intrusive option, especially within or adjacent to protected landscapes.
- Consolidation and sharing of infrastructure can significantly reduce cumulative landscape and heritage impacts.

- Clearer national expectations will help applicants prepare better-justified submissions and reduce avoidable delay.

However, practical challenges remain:

- In rural and coastal areas, “existing structures” may be limited or poorly located for modern network requirements.
- Upgrading existing structures sometimes requires height increases to achieve 5G coverage, which may increase visual impact.
- LPAs often lack independent technical information to assess whether an operator’s rejection of alternative sites is justified.

EDDC recommends that:

- Operators be required to provide more transparent radio-planning evidence.
- National policy explicitly acknowledges that in designated landscapes, minimising visual harm may override coverage optimisation.

95) Do you agree the supporting information requirements are proportionate and sufficient without creating unnecessary burdens?

EDDC Response: *Partly agree.*

EDDC supports clearer national expectations for supporting information because:

- Well-defined requirements improve validation efficiency and reduce the back-and-forth between applicants and LPAs.
- Coverage maps, alternative-site assessments and visual impact analyses are essential for robust decision-making in East Devon’s sensitive landscapes.
- Proportionate but consistent information standards will help ensure that proposals are properly justified, particularly where visual impact or landscape harm is a concern.

However, EDDC notes:

- Some operators currently provide minimal evidence to justify siting decisions; stronger requirements are essential to avoid speculative or weakly supported proposals.
- LPAs should retain the right to request additional information in designated landscapes or heritage environments where the baseline requirements are insufficient.
- Guidance should make clear that reducing burdens on applicants must not compromise environmental or heritage assessment quality.

Overall, the proposed requirements appear reasonable, but EDDC encourages the government to ensure flexibility so that LPAs can request proportionate additional evidence in sensitive areas.

Chapter 10 – Securing Clean Energy and Water

This chapter consolidates existing and new policies on energy and water infrastructure, highlighting their importance.

Plan-making policies

W1: Planning for Energy and Water

Development plans should consider current and future energy and water infrastructure needs. Early collaboration between authorities, providers, and regulators is required to ensure supply and capacity issues are addressed proactively. Plans must provide for necessary infrastructure upgrades and avoid restricting water and electricity networks.

W2: Renewable and Low Carbon Energy & Electricity Network Infrastructure

This policy revises the Framework to include electricity network infrastructure as a standalone focus alongside renewable and low-carbon energy. Definitions have been updated. Development plans should identify suitable areas for such projects where helpful.

National decision-making policies

W3: Renewable & Low Carbon Development and Network Infrastructure

This policy combines previous guidance, now explicitly referencing electricity network infrastructure. It gives substantial weight to benefits for energy security, economic growth, net zero targets, re-powering, and community projects. It also clarifies requirements for decommissioning and site restoration. Projects outside designated areas should be assessed against national policy as a whole.

W4: Water Infrastructure

The new policy supports provision of water supply, drainage, and wastewater infrastructure where not already covered by other regimes, prioritizing proposals that enhance capacity, supply security, water quality, and pollution reduction.

RESPONSES TO CHAPTER 10 (Securing Clean Energy and Water)

96) Do you agree with the approach to planning for energy and water infrastructure in policy W1?

EDDC Response: *Partly agree.*

EDDC supports a stronger national framework for planning energy and water infrastructure, as this is essential for sustainable development. However, the approach must:

- Explicitly acknowledge that wastewater treatment capacity is a binding constraint on development.
- Ensure that energy and water infrastructure planning is aligned with Local Plans so that growth does not outpace infrastructure delivery.

EDDC recommends the following refinements:

- National policy should require early engagement by developers with water companies, the Environment Agency, and National Grid operators when promoting sites for development.
- W1 should explicitly allow Local Plans to moderate housing or employment growth where water or energy networks lack feasible upgrade pathways within the plan period.

- Stronger support is needed for nature based solutions (catchment restoration, wetlands, infiltration improvements) as part of water management and energy resilience.

97) Do you agree with the amendments to current Framework policy on planning for renewable and low carbon energy development and electricity network infrastructure in policy W2?

EDDC Response: *Partly agree.*

EDDC supports:

- Clearer policy backing for renewable energy and energy network upgrades.
- Recognition of the need to accelerate grid reinforcements and new low carbon connections.

However, in East Devon:

- National policy must ensure environmental protections retain full weight and not be overridden automatically by energy security considerations.
- Grid constraints are significant in the South West, so upgrades must be prioritised at national level to prevent delays to smaller scale community and commercial renewable schemes.

EDDC recommends:

- Clearer criteria for assessing landscape impacts in protected areas.
- Requirement for developers to demonstrate alternative site analysis and minimisation of harm where infrastructure affects designated landscapes.
- Stronger national commitment to coordinated grid investment to address regional capacity bottlenecks.

98) Do you agree with the proposed approach to supporting development for renewable and low carbon development and electricity network infrastructure in policy W3?

EDDC Response: *Partly agree.*

EDDC supports the principle of accelerating low carbon infrastructure, including:

- Solar PV, wind (where appropriate) and modernised electricity network infrastructure to support clean growth sectors in East Devon.

However:

- The current drafting risks insufficient protection for high value landscapes.
- EDDC seeks a clearer test balancing national energy benefits against local landscape harm, cumulative impacts, and biodiversity sensitivity.
- Technology neutral support is welcome, but national policy must recognise that not all low carbon development is appropriate in all locations.
- Clarity is needed over the role of battery storage facilities alongside solar PV and wind energy generating schemes and guidance on their impacts on fire safety, ground water, aquifer's etc

99) Do you agree with the proposed approach to supporting development for water infrastructure in policy W4?

EDDC Response: *Strongly agree.*

EDDC welcomes stronger support for new and upgraded water supply and wastewater treatment infrastructure. These upgrades are **critical** for East Devon, where:

- Multiple catchments face nutrient neutrality restrictions that currently delay development.
- Water quality and ecological sensitivity (Exe Estuary, Axe Estuary) require high standard wastewater management.
- Existing wastewater treatment works are already at or near capacity in several settlements.
- Water scarcity poses a growing risk under climate change scenarios.

EDDC emphasises that:

- National policy must confirm that growth should not proceed without demonstrable water infrastructure capacity.
- LPAs should be able to refuse or defer development where water sector investment is uncertain or outside the plan period.
- W4 should encourage longterm catchment scale solutions, including reedbed systems, wetland creation, and natural flood management schemes, which can support both water quality and biodiversity.

Chapter 11 – Facilitating the Sustainable Use of Minerals

This section updates Chapter 17, focusing on ensuring a sufficient mineral supply to support vital infrastructure, green energy, and national development. Key changes include:

- A stricter stance on coal, oil, and gas extraction, reflecting the government's commitment to phase out new licences for these fossil fuels. Planning will not identify new sites or extensions for coal, oil, or gas outside licensed areas, aligning with ongoing licensing reforms and climate goals.
- Introduction of new policies on critical and growth minerals, in line with the updated Critical Minerals Strategy and Industrial Strategy, recognising their importance for energy transition, net zero, and national security.

Plan-making Policies

M1: Supply of Minerals

Consolidates previous guidance to ensure plans provide for necessary minerals. Prohibits planning for new coal extraction sites and removes coal from “minerals of national and local importance.” Maintains current practice for oil and gas within licensed areas only. Adds critical/growth minerals to the important minerals list given their strategic value.

M2: Safeguarding Resources

Strengthens policy to require, rather than encourage, prior extraction of minerals before non-mineral development to prevent sterilisation of finite resources. Safeguards infrastructure related to mineral handling and processing.

National Decision-Making Policies

M3: Assessing Benefits

Gives “substantial weight” to mineral development benefits (not “great weight,” for consistency). Emphasises domestic production of critical minerals while excluding peat, coal, and onshore oil/gas extraction due to climate priorities.

M4: Impacts of Mineral Development

Updates requirements for managing the impacts and restoration of mineral sites, tying in with other national policies.

M5: Peat, Coal, Oil & Gas Development

Maintains restrictions on peat and introduces stricter controls on coal, oil, and gas. Only permits these developments within licensed areas or for public safety/existing criteria.

M6: Protecting Mineral Resources

Clarifies and consolidates guidance to prevent sterilisation of mineral reserves and ensure consultation areas are properly considered in decision-making.

RESPONSES TO CHAPTER 11 (Minerals)

100) Do you agree with the proposed prohibition on identifying new coal sites in policy M1, and to the removal of coal from the list of minerals of national and local importance?

EDDC Response: *Strongly agree.*

Coal extraction is incompatible with the UK’s net-zero commitments and with sustainable development principles. East Devon has no history or prospect of coal extraction and supports the policy’s clarity in ensuring focus remains on clean energy and sustainable minerals supply.

101) Do you agree with how policy M1 sets out how the development plan should consider oil and gas?

EDDC Response: *Strongly Agree.*

EDDC supports the requirement for robust environmental safeguards and alignment with climate objectives. Given East Devon’s sensitive landscapes, habitats and coastal environment, strict policy controls on oil and gas development—particularly unconventional extraction—are essential.

102) Do you agree with the proposed addition of critical and growth minerals to the glossary definition of ‘minerals of national and local importance’?

EDDC Response: *Strongly agree.*

Critical minerals are essential to the UK's transition to low-carbon energy systems (e.g., battery storage, solar PV, digital infrastructure). Clarifying their status ensures plan-making reflects supply chain importance. However:

- Extraction must continue to be subject to stringent environmental safeguards.
- Sensitive landscapes in East Devon (National Landscapes, World Heritage Site) should remain safeguarded against harmful extraction.

103) Do you agree criteria (b) of policy M2 strikes the right balance between preventing minerals sterilisation and facilitating non-minerals development?

EDDC Response: *Partly agree.*

EDDC supports preventing unnecessary sterilisation of mineral resources. However:

- Non-minerals development may be appropriate where environmental or landscape sensitivity outweighs the mineral value.
- The policy should better acknowledge that in areas like East Devon—where high-quality landscapes cover extensive areas—avoiding harm to designated or sensitive environments may justify limiting mineral safeguarding.

104) Do you agree policy M3 appropriately reflects the importance of critical and growth minerals?

EDDC Response: *Partly Agree.*

EDDC supports the recognition of critical minerals' role in national resilience and clean-growth sectors. However:

- Policies should ensure extraction proposals do not conflict with statutory protections, particularly in National Landscapes and internationally designated habitats.
- Greater emphasis is needed on secondary and recycled aggregates to reduce reliance on new extraction.
-

105) Do you agree with the exclusion of development involving onshore oil and gas extraction from policy M3?

106) Please provide your reasons, particularly if you disagree.

EDDC Response: *Strongly agree.*

The exclusion is consistent with climate ambitions and the need to focus on lower-carbon minerals. East Devon fully supports restricting oil and gas extraction, particularly given the district's vulnerable coastlines, groundwater systems and designated habitats.

107) Do you agree policy M4 sufficiently addresses the impacts of mineral development, noting that other national decision-making policies will also apply?

108) Please provide your reasons, particularly if you disagree.

EDDC Response: *Partly agree.*

EDDC welcomes the recognition of:

- Landscape and visual impacts
- Noise, dust, traffic and amenity issues
- Restoration and aftercare requirements

However, EDDC recommends strengthening the policy by:

- Highlighting cumulative impacts, especially where multiple quarries or transport routes affect rural settlements
- Emphasising nature-based restoration to support biodiversity and climate-adaptation objectives
- Requiring early engagement between mineral operators, LPAs and communities

109) Do you agree with the approach to coal, oil and gas in policy M5?

EDDC Response: *Strongly agree.*

EDDC supports restricting coal extraction and ensuring that oil and gas proposals face stringent climate and environmental tests. This approach aligns with local priorities for clean growth and protection of the East Devon landscape and coast.

110) Are there any other exceptional circumstances in which coal extraction should be permitted?

EDDC Response: *No.*

No circumstances would justify new coal extraction in East Devon or comparable environmentally sensitive areas.

111) If yes, please outline the exceptional circumstances in which you think coal extraction should be permitted.

EDDC Response: *N/A*

112) Do you agree policy M6 strikes the right balance between preventing the sterilisation of minerals reserves and minerals-related activities, and facilitating non-minerals development?

EDDC Response: *Partly agree.*

The balance is broadly appropriate, but EDDC recommends the policy:

- Explicitly recognises that environmental and landscape constraints may outweigh safeguarding considerations.
- Allows flexibility in rural and coastal districts where safeguarding areas overlap with sustainable growth locations.

113) Does policy M6 provide sufficient clarity on the role of Minerals Consultation Areas (MCAs)?

EDDC Response: Agree.

The approach is generally clear. EDDC supports the continued use of MCAs as a mechanism for ensuring early consultation. However:

- Additional guidance on how MCAs interact with densely constrained areas (National Landscapes, Heritage Coast) would be helpful.
- Cross-boundary coordination between district authorities and the Minerals Planning Authority (Devon County Council) should be emphasised.

Chapter 12 – Making Effective Use of Land

Efficient land use is a core aim of the planning system, crucial for meeting housing and development needs while protecting and enhancing the environment. The government prioritizes brownfield land, exemplified by the September 2024 Brownfield Passport policy paper which sought feedback on proposals to improve land use in urban and suburban areas, such as through densification. The December 2024 consultation response reaffirmed support for brownfield development. This chapter introduces new policies and updates to former Chapter 11 content.

Urban areas in England often have lower density than their European counterparts, making higher-density development an opportunity for more vibrant communities, better job and service access, and optimal land use. New policies encourage intensifying land use in well-connected locations (like near train stations) through national minimum density requirements. Policies S4 and S5 provide in-principle support for unlocking development within settlements and around transport hubs with high connectivity.

Plan-making policy (L1): This consolidates relevant policies and emphasizes using allocations for various site sizes to optimize land use, identify redevelopment opportunities, and secure diverse benefits.

National decision-making policies (L2): This brings together decision-making rules, highlights specific densification strategies (such as adding mansard roofs or developing corner lots), and encourages optimizing site footprints. It also calls for sensitivity to local character, safeguards against overdevelopment, and gives weight to brownfield reuse proposals.

Achieving Appropriate Densities (L3): This builds on current guidance by clarifying that while area character should be considered, it shouldn't prevent maximizing site potential. There is a new expectation that residential and mixed-use developments within settlements increase local density. Minimum densities are set at 40 dwellings/hectare near all train stations and 50 dwellings/hectare near "well-connected" stations, identified based on economic activity and transport links.

Authorities are expected to consider further opportunities for sustainable growth in the plan-making process.

The chapter also explores setting higher density expectations for urban cores and considers extending standards to other transport modes, inviting feedback on these proposals.

Residential Extensions (L4): This newly consolidates national principles for good design in residential extensions, meant to complement local design codes and guidance.

RESPONSES TO CHAPTER 12 (Effective Use of Land)

114) Do you agree policy L1 provides clear guidance on how Local Plans should be prepared to promote the efficient use of land?

115) If not, what further guidance is needed?

EDDC Response: *Partly agree.*

Policy L1 provides helpful national expectations, but efficient land use must be interpreted within the physical and environmental limits of local areas. In East Devon:

- Brownfield land supply is limited.
- Significant areas are covered by National Landscapes , the Jurassic Coast World Heritage Site, and protected habitats.
- Water and wastewater constraints restrict development potential in many settlements.

EDDC supports the principle but recommends explicit national recognition that efficient land use must not override environmental capacity or landscape sensitivities.

116) Do you agree policy L2 provides clear guidance on assessing development proposals to ensure efficient use of land?

EDDC Response: *Partly agree.*

EDDC supports clear expectations for:

- Optimising density where appropriate
- Using land efficiently
- Prioritising brownfield redevelopment

However:

- Efficiency must not lead to inappropriate intensification in sensitive coastal or rural locations. It cannot be assumed that just because land is vacant and to be used that it represents sustainable development when such land may be in a sensitive landscape or remote rural location where despite its benefits in restoring the land then operational impacts of development may be so harmful as to outweigh the benefits.

117) Do you agree policy L2 identifies appropriate typologies of development to support intensification?

EDDC Response: *Partly agree.*

Typologies such as mixed-use redevelopment, upward extensions, and infill can help optimise land use, but:

- The policy should clarify that such typologies are not universally suitable.
- East Devon's coastal towns and historic centres have tight grain, heritage assets, and sensitive skylines, limiting the suitability of upward extensions or uniform intensification. Other low density developments are defined by this character and the community seek to retain this character.
- Policies should explicitly allow LPAs to disapply typologies where they would cause unacceptable townscape or landscape harm.

118) Do you agree the high-level design principles in L2(d) are appropriate for national policy?

EDDC Response: *Partly Agree.*

The principles are appropriate, provided that:

- Local design codes retain primacy in sensitive environments.
- LPAs can require place-specific solutions rather than standardised models.
- "Efficient use of land" does not override the need for high-quality, context-led design, particularly in the National Landscapes and conservation areas.

119) Do you agree L2(d)(i) achieves its intent to enable appropriate development differing from existing street scenes (e.g. corner plots, upward extensions)?

EDDC Response: *Partly agree.*

EDDC supports flexibility to enable innovation and contemporary design where contextually appropriate. However:

- In East Devon's historic towns and seafronts, upward extensions or corner plot redevelopment can significantly impact local character.
- Policy must allow LPAs to resist such development where it would harm heritage settings, landscape views, or settlement character.

120) Do you agree with the proposed safeguards in L2 allowing development in residential curtilages?

EDDC Response: *Partly agree.*

Safeguards are welcome, but EDDC recommends:

- Consideration of cumulative impacts on character and amenity
- Ensuring curtilage development does not contribute to overdevelopment of constrained plots
- Addresses future problems of tying the calculation of 50% of the residential curtilage back to the date of publication of the NPPF as this could become challenging in the future
- Gives greater flexibility where local circumstances mean that these provisions should be varied such that a local plan or neighbourhood plan could vary these requirements where it is particularly important to do so to protect the character of an area.

Given East Devon's high proportion of biodiverse gardens and sensitive landscapes, safeguards must be robust.

121) Do you agree policy L3 provides clear guidance on achieving appropriate densities?

EDDC Response: *Partly agree.*

The guidance is clear, but must be applied proportionately:

- Higher densities are suitable in well-connected urban locations (e.g., around Exmouth, Honiton, Axminster).
- Many rural and coastal settlements cannot sustainably accommodate high density due to transport dependence, infrastructure limits, and character sensitivities even where they are within walking distance of a railway station.

EDDC recommends greater local flexibility be built into paragraph 3.

122) Do you agree with the minimum density requirements in L3?

EDDC Response: *Partly disagree.*

Minimum density standards are useful in principle but must not:

- Force inappropriate intensification in sensitive coastal or rural settings
- Reduce private amenity space below acceptable levels
- Override local character and heritage considerations

East Devon supports minimum densities only where supported by infrastructure and environmental capacity.

122b) Could minimum density requirements adversely impact Gypsies and Travellers or other groups with protected characteristics?

EDDC Response: *Yes, potentially.*

- Minimum density standards may unintentionally reduce opportunities for low-density specialist accommodation, including pitches or small-scale sites for Gypsies and Travellers.
- Higher densities may limit the availability of land suitable for culturally appropriate layouts.

National guidance should clarify that minimum densities do not apply to Traveller site provision.

123) Do you agree that using dwellings per hectare is appropriate, and that the definition of 'net developable area' is suitable?

EDDC Response: *Partly agree.*

The metric is widely used, but:

- It may not fully reflect constraints in sloping or coastal areas, where practical developable space is reduced.
- Net developable area should allow for local discretion where site characteristics significantly reduce capacity.

EDDC supports the metric but recommends clear flexibility for constrained geographies.

124) Do you agree with the proposed definition of a 'well-connected' station used to help set higher minimum density standards in targeted growth locations? In particular, are the parameters we're using for the number of Travel to Work Areas and service frequency appropriate for defining a 'well connected' station?

EDDC Response: *Partly agree.*

Criteria such as frequency of service and Travel-to-Work Area connectivity are useful, but:

- Some stations in East Devon have strong rail links but limited services, retail, and walking/cycling infrastructure and so would not be sustainable locations for growth to meet wider than local needs despite the rail service. For example, a development may be within reasonable walking distance but there may be no safe way of walking there due to a lack of footpaths.
- National policy must recognise variability in station contexts and avoid assuming rail proximity automatically equates to sustainable high-density growth.

EDDC recommends adding:

- A qualitative accessibility assessment
- Requirements for supporting infrastructure (e.g., safe walking/cycling routes)
- Flexibility for LPAs to vary density expectations where stations serve dispersed rural hinterlands

Alternatively the NPPF should be less prescriptive and leave local planning authorities to accommodate the principle of growth around railway stations as appropriate according to local circumstances.

125) Are there other types of location (such as urban core, or other types of public transport node) where minimum density standards should be set nationally?

EDDC Response: *No.*

Nationally set densities risk overriding local evidence and context. LPAs should determine appropriate densities based on:

- Settlement character
- Infrastructure capacity
- Landscape and heritage sensitivities
- Market and viability considerations

126) Should we define a specific range of residential densities for land around stations classified as 'well-connected'?

127) If so, what should that range be, and which locations should it apply to?

EDDC Response: *No*.

Ranges may be helpful in metropolitan areas but risk being inappropriate in rural/coastal authorities. EDDC recommends:

- Retaining locally defined density ranges
- Allowing higher densities only where infrastructure capacity and local character permit

128) Do you agree policy L4 provides clear high-level guidance on good design for residential extensions?

129) Please provide your reasons, particularly if you disagree.

EDDC Response: *Partly Disagree*.

- The policy is overly simplistic and neglects to mention over key design factors such as the materials used, the detailed design features and characteristics of the area
- It makes no sense to blend the extension with the existing building at the time of publication of the framework as subsequent extensions will need to be taken into account in the future as well
- The policy should recognise additional sensitivities in conservation areas, Listed Buildings and their setting, National Landscapes, and coastal settings. There is a need for bespoke design responses in heritage contexts
- There is a need to have regard to the importance of avoiding cumulative townscape erosion through incremental extensions

Ultimately these issues are best left to local level policies that respond to local circumstances and issues.

Chapter 13 – Protecting Green Belt Land

In December 2024, the government updated Green Belt policy, introducing a “grey belt” definition and new requirements for authorities to review Green Belt boundaries when development needs cannot be met elsewhere. The approach is now strategic and targeted rather than inconsistent.

The new policies support sustainable development, highlight the role of spatial strategies, and clarify procedures. Chapter 13 replaces previous guidance, with some content moved to a draft Framework annex (Annex E). Policies aim to unlock land for development, increase density around train stations, and improve access to jobs and services. Boundaries may change to support development near suitable stations identified in development plans. Housing and mixed-use developments around well-connected stations are not considered inappropriate if they meet scale and Golden Rules criteria.

Plan-making policies:

- **GB1: Establishing New Green Belts**

Revises criteria for establishing Green Belts, emphasizing that new designations should not hinder long-term sustainable growth and only occur in exceptional circumstances.

- **GB2: Assessing Existing Green Belt Land**

Sets out roles for spatial development strategies and local plans in reviewing and assessing Green Belts, including the identification of ‘grey belt’ areas.

- **GB3: Altering Existing Green Belt Boundaries**

Clarifies exceptional circumstances and principles for boundary changes, allowing alterations to facilitate development near suitable stations.

- **GB4: Defining Green Belt Boundaries**

Consolidates guidance on defining Green Belt boundaries for new or altered designations.

- **GB5: Beneficial Uses of Green Belt**

Expands expectations for development plans, reinstates compensatory improvements, and adds provisions for nature recovery and support for protected landscapes.

National decision-making policies:

- **GB6: Control of Development in Green Belt**

Clarifies parameters for inappropriate development, focusing substantial weight on harm caused by such proposals.

- **GB7: Development which is not inappropriate in the Green Belt**

This policy updates and clarifies Framework paragraphs 154–155. Main changes:

- GB7(1a): Allows all agricultural development, not just buildings.
- GB7(1b): Merges principles for converting or altering buildings and explains what constitutes an “original building.” It removes the requirement that reuse must always preserve openness if that’s too restrictive.
- GB7(1f): Replaces the mandate to “preserve openness” with measures to minimize impacts and reduce significant conflict with Green Belt purposes.
- GB7(1g): Refers to all “development” instead of listing types and clarifies application of Golden Rules.
- GB7(1h): Permits housing and mixed-use development near well-connected stations when infrastructure supports it, there’s no long-term conflict, and density requirements (per policy L3) are met.

- **GB8: Golden Rules**

Golden Rules ensure Green Belt developments provide community benefits like affordable housing, open space, and necessary infrastructure.

- Consolidates Framework paragraphs 156–159.
- Includes exceptions for traveller sites per existing Planning Policy.
- Outlines three scenarios where site-specific viability assessments are allowed; these align with other proposed planning reforms and would be implemented after wider consultation and updates.

Affordable Housing Floor

To guarantee community benefit, the government proposes a minimum affordable housing threshold (“floor”) for relevant Green Belt developments:

- Option A: Fixed national floor (e.g., 10–15% Social Rent), unless local plans state otherwise.
- Option B: Locally-adjusted floors at least as high as those for similar non-Green Belt sites.

Benchmark Land Values

Standardised benchmark values for Green Belt land are under consideration:

- National benchmarks may overlook local variations and discourage owners if set too low.
- The government proposes a national scenario: test viability of greenfield Green Belt land at 10× Existing Use Value during plan-making, prompting justification for higher benchmarks.

Guidance and Glossary

The definition of ‘grey belt’ is being simplified to avoid unnecessary restrictions and clarify identification without undermining protections for other areas.

Chapter 13 (Green Belt) Consultation Questions are set out below but in the absence of any Green Belt within East Devon it is not considered to be appropriate or necessary to respond to these questions.

130) Do you agree that policy GB1 provides appropriate criteria for establishing new Green Belts? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

131) Please provide your reasons, particularly if you disagree.

132) Do you agree policy GB2 gives sufficient detail on the expected roles spatial development strategies and local plans play in assessing Green belt land? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

133) Do you agree with proposals to better enable development opportunities around suitable stations to be brought forward? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

134) Do you agree the expectations set out in policy GB5 are appropriate and deliverable in Local Plans? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

135) Please provide your reasons, particularly if you disagree.

136) Do you agree policies GB6 and GB7 set out appropriate tests for considering development on Green Belt land? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

137) Do you agree policy GB7(1h) successfully targets appropriate development types and locations in the Green Belt, including that it applies only to housing and mixed-use development capable of meeting the density requirements in chapter 12? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

138) Please provide your reasons, including any evidence that this policy would lead to adverse impacts on Gypsies and Travellers.

139) Do you agree that site-specific viability assessment should be permitted on development proposals subject to the Golden Rules in these three circumstances? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

140) With regards to previously developed land, are there further changes to policy or guidance that could be made to help ensure site-specific viability assessments are used only for genuinely previously developed land, and not predominantly greenfield sites?

141) Do you agree with setting an affordable housing 'floor' for schemes subject to the Golden Rules accompanied by a viability assessment subject to the terms set out? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

142) Please explain your answer, including your view on the appropriate approach to setting a 'floor', and the right level for this?

143) Do you agree with local planning authorities testing viability at the plan-making stage using a standardised Benchmark Land Values scenario of 10 times Existing Use Value for greenfield, Green Belt land? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please explain your answer.

144) Do you have any other comments on the use of nationally standardised Benchmark Land Values for local planning authorities to test viability at the plan-making stage?

145) Do you agree that proposed changes to the grey belt definition will improve the operability of the grey belt definition, without undermining the general protections given to

other footnote 7 areas? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

Chapter 14 – Achieving Well Designed Places-Designed Places

Chapter 14 focuses on achieving well-designed places, revising Chapter 12 of the current Framework. Because design impacts multiple policy areas, this chapter links with several framework sections.

Updated Design and Placemaking Planning Practice Guidance has also been published to support the draft Framework, consolidating four previous documents (National Design Guide, Design Process and Tools Planning Practice Guidance, National Model Design Code Parts 1 & 2).

- DP1: A Strategy for Design updates how development plans should integrate design policies, tools, and processes for a coherent strategy. It draws from current guidance but is more explicit about when to use design guides, codes, and masterplans, especially for key sites and regeneration areas. The policy emphasizes locally specific detail and applies to all plan policies, not just neighbourhood groups.
- DP2: Design Guides, Codes, and Masterplans builds on existing guidance. It outlines principles for creating guides, codes, and masterplans, adds monitoring expectations, and stresses understanding economic, social, and environmental context.
- DP3: Key Principles for Well-Designed Places clarifies how proposals are assessed, aligning tests with updated guidance and stressing context consideration. The policy now addresses climate change, net zero transition, and green infrastructure, while moving tree policy to another chapter. Proposals not meeting design standards should be refused, and innovative designs are recognized.
- DP4: The Design Process highlights consistent attention to design quality throughout project delivery, bolsters the case for design review, and refers to guidance for tool specifics. Advertisement consent is no longer included due to its separate regime.

RESPONSES TO CHAPTER 14 (Achieving Well-Designed Places)

146) Do you agree that policy DP1 provides sufficient clarity on how development plans should deliver high-quality design and placemaking outcomes?

EDDC Response: *Partly agree.*

EDDC strongly supports the ambition for higher design quality and a clearer national steer on placemaking. The district contains a highly distinctive blend of coastal, rural, market-town and heritage environments, making design quality fundamental to good planning.

The policy rightly emphasises:

- Character-led, context-sensitive design
- High quality public realm-quality public realm

- Integration of green and blue infrastructure
- Climate-responsive layouts
- Strong design expectations in Local Plans and supplementary guidance
- Support for and clarity on the use and circumstances of use of Design Review and other design processes
- The need to specify design and placemaking outcomes and the suggested recognition that design is a problem solving tool
- The need for design to be applied at the earliest stage of development, i.e. at allocation, through design coding and area masterplanning.

However, EDDC highlights that:

- Design and placemaking must allow flexibility for sensitive areas, particularly Conservation Areas, National Landscapes, and the Jurassic Coast World Heritage Site.
- Greater emphasis should be placed on local identity. Design is a process and discipline that resolves issues. The outcomes for design should be functional, such as improved economic performance or improved resident satisfaction or community health and wellbeing. The evidence provided referred to in the draft NPPF and PPG should be equally functional (better health outcomes) and not simply about making something look like other buildings in the neighbourhood. Design is the operational tool that can and should be directed to resolve site / neighbourhood / town / district problems and achieve community aspirations.

147) Do you agree with the approach to design tools set out in policy DP2?

EDDC Response: *Partly agree.*

EDDC welcomes the strengthened role of:

- Design codes
- Design guides
- Masterplans
- Design frameworks
- Monitoring and review

These tools provide clarity for applicants, reduce unnecessary negotiation, and ensure that development responds to East Devon's unique contexts—such as historic coastal towns, rural villages, and sensitive landscape edges.

EDDC notes:

- National policy should reaffirm that locally prepared design codes must be the primary reference point, avoiding any implication that national design codes override carefully evidenced local work.

- There is significant responsibility placed on Local Authorities to produce district, settlement, area and site specific design guidance and coding. This could result in genuine improvement in design outcomes but without significant additional resourcing LPA's will lack the capacity to research and produce these tools which risks generic design outcomes. There is a significant lack of design literacy or in-house professional design expertise across local authorities which reduces meaningful oversight of design codes, guidance and masterplans.
- The opportunity to align design codes, guidance and masterplans with national guidance can strengthen the hand of an LPA, but the operational nature of good design must be better recognised. Existing guidance including Play Streets, Healthy Streets, Spaces for Women and Girls, Age Friendly Streets could or should be referenced as these deliver the aims of the policy, are current and with broad awareness.
- Policy should emphasise the need for development to link with existing development and be designed to link with and help service future development in future plan-periods where allocation of neighbouring and nearby sites is foreseeable.
- Monitoring and review needs to include energy use, levels of active / public and private vehicle use, health and wellbeing outcomes. This must extend a meaningful time period such as at year 1, 5, and 10 to gain adequate insight into development performance that can be fed back into policy review and inform subsequent Local Development Plan Documents. Without this there is no way of knowing whether or not policy has been successful in delivering its aims.

148) Do you agree policy DP3 clearly sets out principles for development proposals to respond to their context and create well-designed places?

EDDC Response: Agree.

DP3 correctly identifies the core elements of good design, including:

- Responding to landscape setting
- Reinforcing local character
- High-quality materials and detailing
- Safe, accessible layouts
- Climate-resilient and nature-positive design
- Strong public realm and active frontages

For East Devon, where many settlements are tightly constrained by heritage assets, steep topography, or coastal exposure, this policy provides essential direction.

EDDC recommends adding explicit recognition of:

- The special considerations applying to National Landscape and World Heritage Site settings, including skyline, ridge-line and seafront impacts
- The need to address cumulative design impacts from incremental small-scale development

EDDC cautions that:

- DP3.4 The wording requires outstanding or innovative design to be consistent with the overall and layout of their surroundings. This limits the capacity to improve areas where surrounding buildings and layout are poor and being consistent with them would artificially maintain an undesirable environment.

149) Do you agree with the proposed approach to using design review and other design processes in policy DP4?

EDDC Response: *Partly agree.*

EDDC supports the principle of design review, particularly for:

- Major development
- Complex or sensitive sites
- Proposals within or affecting designated landscapes and heritage areas

Design review can significantly improve outcomes where context is complex or contentious.

However, EDDC recommends:

- Clear guidance that design review should be targeted and proportionate, avoiding delays or unnecessary cost for small-scale rural development
- Recognition that many rural authorities, including East Devon, lack local design-review capacity and have to pull on regional or cross-boundary arrangements with associated time and cost implications
- Flexibility to use alternative tools (e.g., design surgeries, officer-level advice, pre-application panels) for smaller schemes where full design review is disproportionate

EDDC further suggests that national policy should encourage early engagement to avoid late-stage fundamental design issues.

Chapter 15 – Promoting Sustainable Transport

This section replaces Chapter 9 of the current Framework. It clarifies existing transport policies while removing some plan-making requirements now covered by national decisions. The revised chapter emphasizes a vision-led approach to both planning and decision-making.

New policies address gaps in past guidance, such as roadside facilities and rights of way.

Plan-Making Policies

TR1: Vision-Led Approach to Planning for Transport

- Consolidates framework paragraphs 109 and 111 (except clauses dealt with in TR3, TR5, and TR7). Introduces early engagement and use of the Connectivity Tool for site selection. Plans may set thresholds for significant movement to support other policies.

TR2: Local Parking Standards

- Combines elements from paragraphs 112 and 113. Requires local parking standards in development plans, allowing flexible ranges and business needs. Removes need

for “clear and compelling justification” when standards support sustainable transport or optimize density.

National Decision-Making Policies

TR3: Locating Development in Sustainable Locations

- Updates guidance on siting development. Replaces “significant development” with “significant amount of movement.” Adds the Connectivity Tool and the concept of “wheeling.”

TR4: Street Design, Access and Parking

- Merges previous guidance on design. Prioritizes sustainable transport and includes provisions for older people, children, and those with disabilities. Directs users to national design guidance.

TR5: Roadside Facilities

- Refines conditions for approving, expanding, or replacing roadside facilities. Losses must be mitigated or justified.

TR6: Assessing Transport Impacts

- Combines previous guidelines on transport assessment. Clarifies which proposals need assessments and travel plans, and that analysis should consider different times, cumulative effects, and network-wide impacts.

TR7: Marine Ports, Airports, and General Aviation Facilities

- Modernizes guidance, supporting upgrades that reduce carbon, protect public service roles, and require acceptable environmental effects.

TR8: Public Rights of Way

- Offers more guidance on expanding and maintaining rights of way, allowing diversions that maintain or improve networks.

RESPONSES TO CHAPTER 15 (Promoting Sustainable Transport)

150) Do you agree that policy TR1 will provide an effective basis for taking a vision-led approach and supporting sustainable transport through plan-making?

EDDC Response: *Partly agree.*

EDDC supports the vision-led approach, which rightly prioritises:

- Reducing reliance on the private car
- Enhancing active travel networks
- Improving public transport accessibility
- Integrating transport with land-use planning from the outset

However, national policy must recognise that rural and coastal districts such as East Devon face:

- Dispersed settlement patterns
- Limited bus frequency and coverage, especially in evenings and rural areas
- Constrained rail connectivity outside the main Exeter–Honiton–Axminster line
- A road network with pinch points on the A30, A3052 and M5 approaches

TR1 must therefore be applied flexibly, ensuring vision-led transport planning is rural-proofed and supported by realistic delivery mechanisms and long-term funding.

151) Do you agree that policy TR2 strikes an appropriate balance between supporting maximum parking standards where they can deliver planning benefits, and requiring a degree of flexibility and consideration of business requirements in setting those standards?

EDDC Response: *Strongly agree.*

EDDC acknowledges the importance of maximum parking standards to support sustainable travel and considers that the policy provides flexibility to take account of local circumstances such as

- Rural towns and villages in East Devon often lack viable alternatives to the car.
- Local businesses, particularly in coastal tourism centres, require flexibility to accommodate seasonal peaks.

EDDC supports TR2 if accompanied by clear recognition that parking standards must reflect settlement context, availability of public transport, and local economic needs.

152) Do you agree with the changes proposed in policy TR3(1a), including the reference to proposals which could generate a significant amount of movement, and the proposed use of the Connectivity Tool?

EDDC Response: *Partly Agree*

EDDC supports using the Connectivity Tool to promote multimodal transport and understand accessibility more holistically. This aligns with:

- Active travel ambitions
- Avoiding overreliance on highway capacity modelling
- Encouraging development in appropriately connected locations

However:

- The tool must be adapted for rural areas, where connectivity metrics often mask real-world barriers such as infrequent buses, limited footway networks, and steep topography.
- Major development should still require a full transport assessment, as the Connectivity Tool cannot capture freight movements, visitor pressures or cumulative impacts on constrained rural corridors.

153) Do you agree that policy TR4 provides a sufficient basis for effective integration of transport considerations in creating well-designed places?

EDDC Response: *Partly Agree.*

EDDC supports the principle that transport is a key component of place-making, including:

- Prioritising pedestrian and cycle movement
- Designing streets that are safe, attractive and accessible
- Integrating public transport infrastructure into masterplans
- Reducing dominance of car-oriented layouts

However, the policy should include:

- Explicit reference to coastal and historic town contexts where street patterns and gradients limit design options
- Clearer expectations for aligning transport design with climate-resilience measures (e.g., shading, flood-resilient layouts)

154) Do you agree with policy TR5 on supporting the provision and retention of roadside facilities where there is an identified need?

EDDC Response: *Strongly Agree.*

East Devon contains key transport routes (A30, A3052, A376), where:

- Roadside services support road safety, driver welfare, and freight operations
- Visitor demand is significant, particularly in summer
- Local economies benefit from passing trade

EDDC supports TR5, provided:

- New facilities are sensitively sited to avoid harm to the landscape and the setting of heritage assets
- Impacts on rural settlements, wildlife habitats, and landscape character are carefully managed
- Infrastructure requirements (wastewater, roads, EV charging) are appropriately addressed

155) Do you agree the amended wording in policy TR6 provides a clearer basis for transport assessments, travel plans, and consideration of network impacts?

EDDC Response: *Strongly agree.*

Clearer triggers for transport assessments and travel plans will:

- Improve consistency in decision-making
- Reduce unnecessary submissions for small rural schemes

- Ensure robust analysis for developments with significant transport impacts

However, EDDC notes that:

- In rural areas, even modest development can have disproportionate impacts on limited bus services or constrained junctions
- TR6 should explicitly require assessment of cumulative impacts along key transport corridors

156) Do you agree the proposed text in policy TR7 provides an effective basis for assessing proposals for marine ports, airports and general aviation facilities?

EDDC Response: *Partly agree.*

While East Devon does not contain a commercial port, the district does include:

- Exeter Airport
- Recreational aviation

EDDC supports TR7, but recommends:

- Stronger safeguards for recreational aviation-related impacts on tranquillity within the National Landscapes

157) Do you agree with the additional policy on maintaining and improving rights of way in TR8?

EDDC Response: *Strongly agree.*

Rights of way are crucial to East Devon's:

- Tourism economy
- Rural connectivity
- Health and wellbeing
- Access to the National Landscapes and Heritage Coast

EDDC strongly supports TR8, and recommends additional emphasis on:

- Improving accessibility for people with disabilities
- Integrating rights of way into new developments and masterplans
- Enhancing resilience to coastal erosion and flooding

Chapter 16 – Promoting Healthy Communities

This chapter primarily updates the Framework's 'Healthy and Safe Communities' section, moving public safety policies to a new pollution and security section.

Policy HC1 consolidates guidance on community facilities and public service infrastructure, distinguishing between local services (like schools) and broader regional services (like hospitals). Development plans are expected to set specific standards for recreational land, referencing national guidelines, to support health and wellbeing and clarify requirements for development contributions.

Policy HC2 rewords rules for designating Local Green Space, now specifying areas should be “close” rather than simply “reasonably close” to the communities they serve.

Policy HC3 clarifies the need to secure all forms of community facilities and public service infrastructure where new development increases demand, referencing national green space standards if local ones do not exist.

Policy HC4 strengthens support for proposals introducing or improving such facilities and sets out expectations for engaging communities in the design of inclusive play spaces.

Policy HC5 clarifies planning considerations around hot food takeaways and fast food outlets near schools and youth gathering places, applying restrictions within a “reasonable” walking distance. Feedback is sought on how best to define “fast food outlets”.

Policy HC6 introduces additional clarity when planning may lead to the loss of the last remaining key facility in an area, aligning with the government’s ‘Pride in Place’ agenda.

Policy HC7, addressing recreational facilities, allows more flexibility by requiring replacement with equivalent or better provision in quantity and/or quality. This change acknowledges that improved quality can sometimes offset reduced quantity.

Policy HC8 confirms that Local Green Space should not be categorized as grey belt or subject to Green Belt policy on previously developed land.

RESPONSES TO CHAPTER 16 (Promoting Healthy Communities)

158) Do you agree with the approach to planning for healthy communities in policy HC1, including the expectation that development plans set local standards for different types of recreational land?

EDDC Response: *Strongly agree.*

EDDC supports HC1’s emphasis on:

- Clear local standards for recreational land
- Integration of national standards with local evidence
- Health-focused plan-making
- Providing well-distributed, high-quality green spaces

East Devon particularly benefits from strong policy in this area due to:

- An aging population requiring accessible, nearby community spaces
- High levels of rural isolation, which increase reliance on local facilities and open space
- Significant tourism pressures requiring resilient and well-managed recreation infrastructure

- Coastal and estuarine areas where green/blue infrastructure plays a vital role in health and wellbeing

EDDC recommends ensuring flexibility for rural and coastal settlements with limited developable land but high need for multifunctional green space.

159) Do you agree that Local Green Space should be ‘close’ to the community it serves?

EDDC Response: *Strongly agree.*

EDDC supports the principle that Local Green Space (LGS):

- Should be easily accessible by walking
- Should meet day-to-day wellbeing needs
- Is particularly vital in rural settlements where formal open space provision is limited

However, EDDC notes:

- “Close” must be interpreted proportionately: in dispersed rural settlements, a slightly wider walking distance may be appropriate.
- Topography (steep slopes, coastal cliffs) and severance (rivers, main roads) must be considered in defining “close”.

160) Do you agree that policies HC3 and HC4 will support the provision of community facilities and public service infrastructure for new development?

EDDC Response: *Strongly Agree.*

EDDC welcomes policies that:

- Safeguard existing community facilities
- Ensure new development contributes to required public service infrastructure (GP surgeries, schools, community hubs)
- Highlight the importance of early engagement with infrastructure providers

For East Devon, HC3 and HC4 are particularly important because:

- Health service capacity is already constrained
- Population growth places pressure on GP and primary-care provision
- Rural communities depend heavily on a small number of facilities

161) Do you have any views on whether further clarity is required to improve the application of this policy, including the term ‘fast food outlets’, and the types of uses to which it applies?

EDDC Response:

EDDC supports clearer definitions, as the term “fast food outlet” is open to wide interpretation. Clarity would assist in applying planning controls to:

- Drive-through restaurants
- Hot-food takeaways
- High-sugar/high-fat food retailers proximate to schools

Given East Devon's focus on healthy lifestyles, EDDC recommends aligning definitions with public-health evidence and giving LPAs flexibility to apply local criteria.

162) Do you agree with the proposed approach to retaining key community facilities and public service infrastructure in policy HC6?

EDDC Response: *Strongly agree.*

East Devon contains many rural villages where:

- A single facility (post office, village shop, pub, hall) may be essential to community cohesion
- Loss of facilities can lead to increased isolation and reduced service accessibility

EDDC supports:

- Strong protection for essential community services
- Clear viability tests before loss is permitted
- Encouragement of community-led solutions

This policy is vital to maintaining the social sustainability of smaller settlements but clarity is required regarding the marketing requirements to ensure that properties are properly marketed and at a reasonable price.

163) Do you agree with the approach to recreational facilities in policy HC7, including the addition of 'and/or' with reference to quantity and quality of replacement provision?

EDDC Response: *Agree.*

EDDC supports the flexibility provided by the "and/or" wording, which:

- Allows replacement of poor-quality facilities with fewer but higher-quality alternatives
- Supports multifunctional, resilient recreation spaces
- Enables suitable solutions in constrained or sensitive locations (coastal towns, steep areas, floodplains)

However, EDDC stresses that:

- Replacement provision must remain locally accessible
- Rural communities must not lose facilities unless replacement is demonstrably equivalent in function and accessibility

164) Do you agree with the clarification that Local Green Space should not fall into areas regarded as grey belt or where Green Belt policy on previously developed land applies?

EDDC Response: Strongly Agree.

The clarification avoids policy conflict and ensures:

- LGS designation remains focused on community-valued spaces
- Protections for urban regeneration land (grey belt) and Green Belt policy remain distinct and coherent

Although East Devon contains no Green Belt, EDDC agrees this clarification provides national consistency and prevents inappropriate overlap in designations. However, EDDC has concerns about the planning logic of lumping the definition of inappropriate/appropriate definitions of development that could be considered on Local Green Space in with Green Belt land given that the scale, nature and purpose of these designations are so significantly different. LGS is specifically not to include large tracts of land and is often the most valued areas of green space within the heart of communities. The extensive list of development that could be appropriate to be permitted on LGS under the current NPPF and set out in GB7 of the 2025 consultation version is wide ranging and raises serious questions for communities as whether their valued green spaces would be more or less at risk of being lost to development if designated as Local Green Space or not, which would appear to undermine the purpose, value and role of the LGS designation (HC8). LGS should be subject to a dedicated definition of appropriate development, or criteria for determining what this might be, or this cou

Chapter 17 – Pollution, Public Protection and Security

This chapter combines current guidance on healthy communities and environmental protection, aiming to group safeguards against pollution and hazards for easier reference and early identification in planning.

Plan-making policy

P1: Planning for Clean, Liveable and Healthy Places

Plan-makers should identify sites and safeguards to limit risks from ground instability, pollution, and hazards. This includes existing measures to reduce pollution and adds requirements relating to land needed for public safety and security. Some details are covered elsewhere in national decision-making policies.

Decision-making policies

P2: Ground Conditions

Sites must have suitable ground conditions for safe, sustainable development.

P3: Living Conditions and Pollution

New developments must meet broad standards for living conditions and pollution, covering daylight, sunlight, air quality, noise, artificial light, water quality, and chalk streams.

P4: Impact of Development on Existing Activities

The 'agent of change' principle aims to mitigate impacts on existing activities, such as emergency services, defence, industrial, cultural, and waste sites, by specifying what decision-makers should consider to minimise conflicts.

P5: Maintaining Public Safety and Security

Proposals must address safety issues early, considering hazardous, nuclear, military, aerodrome, and technical sites. Proper consultation and protection of operations and sensitive data are required.

P6: Land and Operations for Defence and Public Protection

Development supporting defence and public protection should be strongly prioritised, avoiding negative effects on operational activity.

RESPONSES TO CHAPTER 17 (Pollution, Public Protection and Security)

165) Do you agree with policy P1 as a basis for identifying and addressing relevant risks when preparing plans?

EDDC Response: Strongly Agree.

Policy P1 provides a sound framework for identifying a wide range of risks during plan preparation, including environmental risks, infrastructure constraints, and climate-change impacts.

EDDC supports the structured approach, but recommends that P1 explicitly requires:

- Early engagement with infrastructure providers
- Integration of climate-risk projections (e.g., UKCP)
- Recognition that risks may necessitate lower development capacity in environmentally constrained areas

166) Are any additional tools or guidance needed to enable better decision-making on contaminated land?

EDDC Response:

Yes. EDDC recommends:

- Clearer national guidance on when detailed site investigation is required at plan-making stage versus at planning application stage
- Consistent national standards for remediation verification
- Enhanced guidance on risks associated with historic rural industrial uses (e.g., former agricultural storage, small workshops, coastal industries)
- Improved clarification on how remediation interacts with viability, particularly on small brownfield sites where remediation costs can be prohibitively high

Better alignment with the Environment Agency's guidance would also support more consistent decision-making.

167) Do you agree with the criteria in proposed policy P3 for securing acceptable living conditions and managing pollution?

EDDC Response: *Strongly agree*.

EDDC supports the stronger and clearer expectations in P3 regarding:

- Air quality
- Noise and vibration
- Land contamination
- Light pollution

EDDC recommends highlighting the role of cumulative impacts, particularly in linear coastal settlements and constrained town centres. In addition, odour nuisance should be referred to in addition to light and noise.

168) Do you agree policy P4 makes sufficiently clear how decision-makers should apply the agent of change principle?

EDDC Response: *Strongly Agree*.

The policy provides useful clarity, reaffirming that:

- Existing lawful businesses should not be disadvantaged by new sensitive development
- Developers must incorporate appropriate noise, vibration and other mitigation where they choose to locate sensitive uses near established activities

EDDC recommends additional clarity on:

- How the agent-of-change principle interacts with heritage buildings where mitigation options may be constrained

169) Do you agree policy P5 provides sufficient basis for addressing possible malicious threats and other hazards when considering development proposals?

EDDC Response: *Strongly Agree*.

EDDC welcomes the explicit policy recognition of risks such as:

- Malicious threats
- Industrial hazards
- Infrastructure-related hazards
- Climate-related hazards (heat, flooding, storm events)

The policy gives a proportionate framework for LPAs to consult relevant bodies (e.g., emergency planners, infrastructure operators) when assessing high-risk proposals. EDDC emphasises the importance of:

- Clarifying responsibilities between LPAs, emergency responders and infrastructure operators

- Ensuring that hazard-mitigation requirements are viable and proportionate for small rural schemes
- Ensuring that the planning system is not duplicating the provisions of other legislation

170) Do you agree that substantial weight should be given to the benefits of development for defence and public protection purposes?

EDDC Response: *Partly agree.*

EDDC recognises:

- The national importance of defence and public safety
- The need for essential infrastructure to be delivered efficiently
- The benefits of modernising emergency-service, defence and resilience facilities

However, EDDC emphasises that:

- Substantial weight should not override fundamental environmental protections, especially in areas such as the National Landscapes, internationally designated habitats, and the World Heritage Site
- Landscape, heritage and ecological impacts must remain central to decision-making
- The policy must clarify that “substantial weight” applies only where impacts can be appropriately mitigated and where the facility genuinely serves defence or public-protection functions and only located in designated areas where all sites outside of designated areas have been fully explored.

Chapter 18 – Managing Flood Risk and Coastal Change

A new chapter on flood risk management is proposed to clarify assessment requirements and update policies in line with recent guidance. Most content reflects existing Framework policy, with some changes for clarity and strengthened coastal protection.

Key Policies:

- **F1: Assessing Flood Risk for Plan-Making:** Updates ensure development plans are informed by current strategic flood risk assessments and relevant authority advice, emphasizing both present and future risks.
- **F2: Effective Flood Risk Management:** Maintains the need for a sequential, risk-based approach in site selection within development plans.
- **F3: Managing Coastal Change:** Consolidates prior guidance and adds requirements to consider Shoreline Management Plans, extend management areas to estuaries/tidal rivers, and plan for a 100-year risk period. Aims to better identify and manage areas at risk of coastal change.
- **F4: Assessing Flood Risk for Decision-Making:** Clarifies when site-specific flood risk assessments are necessary, referencing updated tools like the Flood Map for Planning.
- **F5: The Sequential Test:** Explains application and exemptions of the sequential test, including circumstances involving surface water risk and design solutions. Stresses that

alternative sites should be considered before building in flood-prone areas, but allows flexibility if other tests are met.

- **F6: Development in River/Sea Flood Risk Areas:** Clarifies the exception test process, linking directly to new annex tables and specifying when the test can be omitted (e.g., pre-tested sites).
- **F7: Ensuring Safe Development:** Sets clear criteria for approving developments, ensuring safety and no additional flood risk elsewhere; proposals not meeting these standards should be refused.
- **F8: Sustainable Drainage Systems:** Requires all relevant developments to use Sustainable Drainage Systems according to national standards, and introduces policies encouraging river re-naturalization and avoidance of enclosing watercourses.
- **F9: Development in Coastal Change Management Areas:** Updates policy to apply consistent testing to areas flagged as high risk on the National Coastal Erosion Risk Map and makes clear that permanent new housing is inappropriate in such areas.

Annex F consolidates guidance on flood risk and coastal change, clarifying required information and permissions for various types of development, with category updates (e.g., hydrogen production now “essential infrastructure”).

RESPONSES TO CHAPTER 18 (Managing Flood Risk and Coastal Change)

171) Do you agree with the proposed changes set out in policy F3 to improve how Coastal Change Management Areas are identified and taken into account in development plans?

EDDC Response: *Strongly agree.*

EDDC welcomes the strengthened approach to CCMA designation, as East Devon’s coastline—including Sidmouth, Beer, Branscombe, Seaton and areas along the Jurassic Coast—is subject to:

- Active cliff erosion
- Landslip and instability
- Coastal squeeze
- Long-term shoreline retreat

Clearer national guidance for identifying CCMA’s will:

- Provide greater certainty for residents, developers and communities
- Support evidence-based local plan policies
- Allow more consistent decisions at planning appeals
- Enable future adaptation planning in alignment with Shoreline Management Plans (SMP2)

172) Do you agree with the proposed clarifications to the sequential test set out in policy F5?

EDDC Response: *Strongly Agree.*

Clearer direction on applying the sequential test is needed and welcomed. Key improvements include:

- Ensuring development is steered to the lowest reasonable flood-risk locations

- Addressing cumulative risk in complex catchments
- Supporting consistent interpretation across LPAs and Planning Inspectors

However, EDDC notes that:

- Sequential test guidance should explicitly recognise interactions between fluvial, tidal, pluvial and groundwater flood sources, which affect many areas in East Devon
- National policy should acknowledge that some settlements have very limited areas outside higher-risk zones, necessitating pragmatic and proportionate application.

173) Do you agree with the proposed approach to the exception test set out in policy F6?

EDDC Response: *Partly agree.*

The proposed updates bring helpful clarity and reinforce the need for:

- Robust demonstration that development will be safe for its lifetime
- Greater emphasis on long-term climate-change projections
- Ensuring wider sustainability benefits genuinely outweigh flood risk

For East Devon, EDDC emphasises:

- Exception tests must not be used to justify development where SMP-identified rollback or long-term relocation is expected
- Infrastructure (including access/egress routes) must be resilient to future climate conditions, especially for coastal communities

174) Do you agree with the proposed requirement in policy F8 for sustainable drainage systems to be designed in accordance with the National Standards?

EDDC Response: *Strongly agree.*

East Devon has numerous areas vulnerable to surface-water flooding. National SuDS Standards will:

- Improve consistency in drainage design
- Ensure multifunctional SuDS delivering biodiversity, water-quality and amenity benefits
- Strengthen long-term maintenance arrangements
- Support adaptation to intense rainfall events linked to climate change

EDDC recommends explicit reference to:

- Integration with water-recycling and infiltration-based systems in rural areas
- Long-term funding mechanisms for SuDS adoption and maintenance by a publicly accountable body

175) Do you agree with the proposed new policy to avoid the enclosure of watercourses, and encourage the de-culverting and re-naturalisation of river channels?

EDDC Response: *Strongly agree.*

EDDC supports the policy's ambition to:

- Reduce flood risk by removing culvert blockages
- Enhance biodiversity and habitat connectivity
- Improve water quality in sensitive catchments
- Restore natural river morphology and reduce long-term maintenance costs

This aligns with local priorities and projects such as the Lower Otter Restoration Project, which demonstrates the benefits of re-naturalisation.

176) Do you agree with the proposed changes to policy for managing development in areas affected by coastal change?

EDDC Response: *Strongly agree.*

EDDC supports:

- Greater consistency with SMP2
- Stronger direction against new development in areas requiring future rollback
- Clearer expectations for adaptation planning and relocation of vulnerable uses

EDDC recommends further clarity on:

- Triggers for initiating managed-retreat strategies
- Role of central government in funding coastal change adaptation

177) The National Coastal Erosion Risk Map sets out where areas may be vulnerable to coastal change based on different scenarios. Do you have views on how these scenarios should be applied to ensure a proportionate approach in applying this policy?

EDDC Response:

EDDC supports proportionate use of NCERM layers, provided that:

- Longer-term scenarios (50–100 years) are used for strategic planning
- Short-term scenarios guide decision-making on individual applications
- Maps are supplemented by local geomorphological evidence, especially in rapidly evolving areas such as the Jurassic Coast

EDDC recommends that NCERM be updated more frequently to capture fast-changing coastal systems.

178) Do you agree with the proposed new additions to Table 2: Flood Risk Vulnerability Classifications? a) Should any other forms of development should be added? Please give your reasoning and clearly identify which proposed or additional uses you are referring to

EDDC Response: Agree.

The additions improve clarity, but EDDC recommends:

- Ensuring coastal-dependent uses (e.g., boatyards, fisheries) are correctly classified and supported where sustainably located
- Adding clarity on the vulnerability of tourism accommodation, which is prevalent along East Devon's coastline and often located in high-risk areas

Where new uses are added, the policy should ensure alignment with CCMA and SMP guidance.

Potential additions include:

- **Coastal tourism accommodation**, to clarify treatment of seasonal or temporary structures
- **Energy-storage infrastructure**, given emerging fire and flood-risk considerations
- **Nature-based infrastructure**, which may require a distinct category to support ecological and climate-adaptation objectives

Chapter 19: Conserving and enhancing the natural environment

Chapter 19 outlines new policies for conserving and improving the natural environment, replacing Chapter 15 except for ground conditions and pollution, which move to a separate section. The revised chapter integrates updated legal requirements and emphasises green infrastructure and nature-based solutions.

Key Policies:

N1 consolidates previous guidance on plan-making, stresses using environmental evidence (such as Local Nature Recovery Strategies), and balancing conservation with development needs. It introduces clear standards for green infrastructure based on national benchmarks and limits biodiversity net gain contributions beyond statutory minimums to specific justified cases.

N2 clarifies that new developments must positively contribute to the environment by considering landscape character and existing features, applying biodiversity net gain, using local strategies, adopting nature-based solutions, and adding wildlife-friendly features like swift bricks.

N3 covers tree integration in new developments, shifting this guidance to the natural environment section for consistency.

N4 updates rules for protected landscapes, changing "great weight" to "substantial weight," and calls for mitigation or compensation when major development affects these areas, reflecting recent legislative changes.

N5 merges coastal protection policies, linking them with flood risk and coastal change provisions for clarity.

N6 defines the hierarchy of sites important for biodiversity (international, national, local), clarifies protections for locally designated sites, and prepares for the introduction of Environmental Delivery Plans, assisting authorities in mapping crucial nature areas.

RESPONSES TO CHAPTER 19 QUESTIONS (Conserving and enhancing the natural environment)

179) Do you agree that the proposed approach to planning for the natural environment in policy N1, including the proposed approach to biodiversity net gain, strikes the right balance between consistency, viability, deliverability, and supporting nature recovery?

EDDC Response: *Partly agree.*

While EDDC strongly supports the ambition to secure nature recovery and integrate Local Nature Recovery Strategies into the planning system, several practical considerations must be addressed to ensure the policy is deliverable locally.

Key points:

- **Statutory protections must continue to hold primacy** in environmentally constrained authorities like East Devon, where development capacity is already restricted by designated habitats, sensitive landscapes, water-resource limits, and nutrient-neutrality requirements (e.g., Exe and Axe catchments).
- **Viability and deliverability pressures** in low-value markets risk compromising nature recovery objectives unless national guidance provides flexibility or greater resourcing.
- **Consistency is welcome**, but the policy must recognise that rural and coastal authorities with extensive protected landscapes face greater ecological constraints and higher baseline obligations.

Overall, N1 provides a helpful framework, but flexibility is required to accommodate the unique environmental constraints that strongly influence East Devon's development patterns.

- East Devon contains National Landscapes, the Jurassic Coast World Heritage Site, Ramsar-sensitive estuaries, and numerous priority habitats. Applying a uniform national approach without recognising these constraints risks placing disproportionate burdens on development viability.
- Water-resource and wastewater capacity issues significantly limit development potential in many settlements; N1 should explicitly acknowledge such capacity-linked constraints as part of nature recovery planning.
- The restriction that BNG contributions beyond statutory minimums should only be sought in limited, justified cases is understood, but EDDC recommends clearer national guidance on when higher BNG is appropriate.

180) In what circumstances would it be reasonable to seek more than 10% biodiversity net gain on sites being allocated in the development plan, especially where this could support meeting biodiversity net gain obligations on other neighbouring sites in a particular area?

EDDC Response:

EDDC recommends that requests for >10% BNG be permitted where:

1. **Local Nature Recovery Strategies identify strategic habitat priorities**, such as:
 - internationally sensitive estuarine systems
 - coastal habitat networks
 - woodland, wetland, or species connectivity corridors
 - nature-based solutions supporting catchment-wide water quality
2. **Cumulative impacts require higher intervention**, particularly in areas experiencing:
 - nutrient-neutrality constraints

- water-quality pressures
 - habitat fragmentation
3. **Strategic sites** (e.g., large allocations) can deliver landscape-scale restoration with improved long-term ecological management.
 4. **Neighbouring sites lack capacity** to provide sufficient on-site BNG, and the plan-led approach identifies specific multifunctional green-infrastructure opportunities on another site.
 5. **Coastal or river-corridor enhancement** is needed to align with Shoreline Management Plans or flood-risk renaturalisation policies (as referenced in the Chapter 18 summary).

Such scenarios should be explicitly reflected in policy or guidance so that LPAs can justify higher BNG without risk of challenge.

181) Do you agree policy N2 sets sufficiently clear expectations for how development proposals should consider and enhance the existing natural characteristics of sites proposed for development?

EDDC Response: *Partly agree.*

EDDC welcomes the requirement for development to respond positively to natural features, landscape character, and ecological networks—consistent with the summary provided in the consultation response document.

However, the policy could be strengthened by:

- **Requiring earlier engagement** with ecological and landscape evidence at the concept/masterplan stage.
- **Providing clearer expectations** on how proposals should integrate nature-based solutions, especially in water-stressed catchments.
- **Ensuring protections remain robust** in sensitive coastal, estuarine, and upland landscapes, where natural features form the core of local character.
- Addressing the **cumulative erosion** of landscape and ecological quality through small, incremental development.

Where disagreement arises, it is due to:

- Lack of detail on how applicants should demonstrate application of local ecological or landscape evidence (e.g., Local Nature Recovery Strategy, landscape character assessments).
- Potential risk that high-level national policy may underplay the level of local detail necessary to protect sensitive environments like those across East Devon.
- The emphasis is clearly on conservation whereas there should be more emphasis on the planting of new hedgerows and trees and creating new habitats.

182) Do you agree the policy in N4 provides a sufficiently clear basis for considering development proposals affecting protected landscapes and reflecting the statutory duties which apply to them?

EDDC Response: *Partly agree.*

EDDC welcomes:

- The updated move from “great weight” to “**substantial weight**” for protected landscapes, as described in the consultation summary.

- Recognition that major development must demonstrate mitigation or compensation of landscape harm.

However:

- National policy must more explicitly recognise the extreme sensitivity of **East Devon's National Landscapes and the World Heritage Site**, where visual, tranquillity-related, and ecological impacts are often profound and long-lasting.
- The definition of “major development” in protected landscapes should be clarified to avoid inconsistent interpretation.

EDDC recommends:

1. **Explicit reference to setting impacts**, including skylines, ridgelines, coastal views, and cumulative effects.
2. Clearer guidance on:
 - landscape-led site assessment
 - how harm can be mitigated or compensated
 - when compensation outside the designated area is acceptable
3. Stronger linkage to nature-based solutions and green-infrastructure corridors.

183) Do you agree policy N6 provides clarity on the treatment of internationally, nationally, and locally recognised sites within the planning system?

EDDC Response: *Partly agree.*

N6 provides a reasonable hierarchy, but refinements are required:

- Many parts of East Devon are affected by overlapping designations (e.g., SSSI, SAC, Ramsar, local wildlife sites), and clearer national guidance is needed on how to balance these layers.
- The policy mentions Environmental Delivery Plans, but does not yet provide mechanisms for how they interact with development management decisions. This is particularly important where nutrient neutrality or water-quality regulations already act as binding constraints.
- Clarity is needed on how statutory protections interact with the strengthened presumption in favour of sustainable development.
- The hierarchy is broadly sound, but national policy should better reflect real-world interactions between designations and catchment-wide environmental constraints.
- Further clarity is needed on the treatment of locally important nature sites, which play a crucial role in East Devon's ecological networks.

184) Are there any further issues for planning policy that we need to consider as we take forward implementation of Environmental Delivery Plans?

EDDC Response: Yes. Key issues include:

1. Alignment with Water and Wastewater Capacity

Environmental Delivery Plans must interact clearly with water companies' investment cycles, Water Resource Management Plans, and nutrient-neutrality requirements. Without alignment, LPAs risk policy conflicts between environmental obligations and housing delivery expectations.

2. Funding and Long-Term Stewardship

National guidance should address:

- Long-term maintenance funding
 - Governance structures for habitat delivery
 - Responsibilities for monitoring and enforcement
- These are particularly critical where BNG or nature-based solutions are delivered off-site.

3. Spatial Targeting

EDDC recommends explicit linkage between:

- Local Nature Recovery Strategies
- Coastal/estuarine restoration priorities
- Environmental Delivery Plans
- Catchment-scale water-quality strategies

This will ensure coherent decision-making across East Devon's sensitive coastal and river systems.

4. Climate-Nature Integration

Environmental Delivery Plans should integrate:

- coastal adaptation (linking Chapter 18 policies)
 - flood-risk renaturalisation
 - carbon-sequestration landscapes
- This will support multifunctional environmental delivery.

5. Clear Expectations for Developers

National policy should provide:

- standard templates for ecological information
- guidance on acceptable off-site mechanisms
- clear expectations for monitoring and reporting

Chapter 20: Conserving and enhancing the historic environment

Chapter 20 updates policies for conserving and enhancing the historic environment, building on Chapter 16 of the current Framework. The government aims to protect heritage as an irreplaceable resource while making it easier to redevelop heritage assets, such as bringing vacant listed buildings back into use.

Feedback indicates that applying heritage policy is complex, particularly due to special duties under the Planning (Listed Buildings and Conservation Areas) Act 1990. There are concerns current policies focus too much on harm rather than supporting sustainable redevelopment. The proposed changes seek to provide more balanced guidance, strengthen support for heritage development, and cover World Heritage Sites, conservation areas, and archaeological assets.

The Levelling-up and Regeneration Act 2023 could extend special regard to additional heritage assets such as Registered Parks and Gardens and Protected Wrecks, and consultation is sought on these measures. New plan-making policies (HE1–HE3) clarify expectations for historic environment strategies, regular reviews of conservation areas, and maintaining public Historic Environment Records. National decision-making policies (HE4–HE11) consolidate and clarify requirements for managing impacts on both designated and non-designated heritage assets, support positive uses and energy efficiency improvements, and require robust assessments from

applicants. The revisions aim for clearer, more consistent decision-making and include standalone provisions for World Heritage Sites, conservation areas, archaeological assets, and protocols for loss or removal of heritage features.

RESPONSES TO CHAPTER 20 QUESTIONS (Conserving and enhancing the historic environment)

185) Do you agree the government should implement the additional regard duties under Section 102 of the Levelling-Up and Regeneration Act?

EDDC Response: *Strongly agree.*

Reasons:

- EDDC recognises the intention to strengthen protection for heritage assets by extending statutory “special regard” to categories such as Registered Parks and Gardens and Protected Wrecks, responding to long-standing concerns that some nationally important assets receive lower statutory weight than listed buildings or conservation areas.
- However, implementation must be accompanied by clear national guidance, as applying “additional regard duties” to a wider set of assets risks creating uncertainty or inconsistency in development management unless the duties are precisely defined.
- For authorities such as East Devon—where heritage, landscape and natural environmental constraints significantly overlap—poorly scoped duties risk creating policy conflicts or compounding viability pressures.

186) Do you have any evidence as to the impact of implementing the additional regard duties for development?

EDDC Response:

EDDC’s planning experience suggests that:

- Clearer statutory status for certain heritage assets would strengthen justification for resisting harmful proposals at appeal, reducing uncertainty for both applicants and decision-makers.
- HE1 1a - States that 'where heritage assets CAN be used to support sustainable growth. This should be strengthened to SHALL be used, without a negative impact on the asset.

187) Do you agree with the approach to plan-making for the historic environment, including the specific requirements for World Heritage Sites and Conservation Areas, in policies H1–H3?

EDDC Response: *Strongly agree.*

Reasons:

- EDDC supports a stronger and more structured plan-making framework for the historic environment.
- The requirement for Historic Environment Strategies, regular Conservation Area appraisals, and up-to-date Historic Environment Records will provide clarity and robustness, especially in a district with:
 - the Jurassic Coast World Heritage Site,
 - extensive Conservation Areas in coastal, rural and historic market-town settings,
 - numerous listed buildings, archaeological sites and other heritage assets.

- EDDC particularly welcomes the clearer expectations for World Heritage Sites, recognising the sensitivity of the Jurassic Coast's Outstanding Universal Value (OUV).
- However, the requirements must be supported by adequate resourcing, as rural/coastal districts often lack specialist capacity for the frequency of assessments proposed.

188) Do you agree with the approach to assessing the effects of development on heritage assets in policy H5?

EDDC Response: *Partly agree.*

Reasons:

- EDDC supports consolidation of assessment principles into a clearer, more navigable policy.
- The formal introduction of the requirement for applicants to assess any harm resulting from their development is welcomed as it was previously only implied. However, the existing paragraph 208: requirement/opportunity for LPAs to make their own assessments and 'avoid or minimise any conflict' is an important provision which should be retained.
- The emphasis on understanding significance, assessing setting, and requiring proportionate evidence aligns with best practice.
- However, additional clarity is required regarding:
 - Cumulative impacts, particularly from incremental coastal or rural development;
 - How applicants should evidence that harm is "justified" under the strengthened national expectations;
 - The relationship between national decision-making policies and local design codes, which play a key role in heritage outcomes in East Devon.
- Without such clarity, there remains risk of inconsistent interpretation at appeal.

189) Do you agree with the approach to considering impacts on designated heritage assets in policy HE6, including the change from "great weight" to "substantial weight", and the interactions with statutory duties?

EDDC Response: *Partly agree.*

Reasons:

- EDDC acknowledges and supports alignment between NPPF policy wording and statutory duties, and accepts that increasing the weight to "substantial" better reflects the legislative test.
- However, the change must not be interpreted mechanistically. In highly constrained authorities such as East Devon, cumulative application of "substantial weight" across natural, landscape and heritage designations could unintentionally limit reasonable, sustainable development, unless accompanied by guidance on balancing competing national priorities.
- EDDC therefore supports the change in principle but seeks:
 - Clear explanation of how "substantial weight" interacts with assessments of public benefit;
 - Stronger guidance on proportionality for minor works, adaptations for energy efficiency, and viability considerations, particularly in coastal conservation areas and older building stock.

- Acknowledgement that heritage assets are a limited and finite resource and their harm should not be outweighed to promote sustainability.
- HE6:3 The identification in paragraph 3 of “enabling energy efficiency and low carbon measures to be employed” in this context, as a public benefit to be weighed against any harm caused is inappropriate and, when considered in conjunction with the CC2: 2 proposal to give “substantial weight” to the benefits of improving energy efficiency of existing buildings”, will introduce a situation where upgrading would be automatically acceptable, irrespective of whether the proposal is inappropriate in practical, building science, terms or of the measure or the level of harm caused. Energy efficiency should not be listed as an important public benefit.

190) Do you agree with the new policies relating to World Heritage Sites, Conservation Areas and Archaeological Assets in HE8–HE10?

EDDC Response: *Strongly agree*

Reasons:

- EDDC supports clearer standalone policies recognising the distinct characteristics of World Heritage Sites, Conservation Areas, and archaeological assets.
- For the Jurassic Coast World Heritage Site, dedicated policy text is essential to ensure that development does not undermine OUV, setting or landscape integrity.
- Conservation Area provisions appropriately reinforce the need for character-led design, early appraisal, and avoidance of cumulative erosion of townscape and coastal character.
- Archaeological expectations are clearer and more aligned with professional practice, though EDDC requests:
 - Stronger guidance on proportionality for small-scale rural development;
 - National support for funding archives and long-term storage of archaeological material, a growing practical issue nationwide.

191) Do you have any other comments on the revisions to the heritage chapter?

EDDC Response:

Yes. EDDC highlights the following additional points:

1. Energy efficiency and adaptation in historic buildings

- National policy should provide clearer guidance on achieving energy efficiency improvements in listed buildings and Conservation Areas, balancing climate response with heritage protection.
- Without this clarity, authorities risk inconsistent decisions and increased appeal risk.
- The current presumption on avoiding harm to heritage assets should be maintained. The current approach to sensitive energy efficiency measures could be better guided but should not outweigh the presumption of avoiding harm

2. Support for viability and maintenance of heritage assets

- Many heritage buildings in East Devon are in coastal environments where maintenance costs are higher.
- National policy should better recognise viability challenges and ensure heritage protection does not unintentionally hinder necessary repair or reuse.

3. Cumulative impact guidance

- Coastal towns and rural settlements often experience incremental small-scale developments whose cumulative effect is greater than each individual proposal.
- EDDC recommends explicit cumulative-impact guidance for heritage settings.

4. Cross-chapter coherence

- Because heritage impacts often overlap with policies on landscape, flood/coastal change, design, and transport, guidance should ensure that decision-making across chapters is coherent and avoids contradictory interpretations.

Further questions

Transitional arrangements

The draft Framework outlines how its policies will apply to plan-making and decision-making upon final publication. For decision-making, the Framework becomes a material consideration immediately, requiring its policies to guide decisions from that date. There may be overlap between new Framework policies and existing local development plans, but this should decrease over time as new plans align with the Framework. During the transition, consistent policies between plans and the Framework will be straightforward to manage, while inconsistent local plan policies should be given little weight unless they have been reviewed under the new Framework. This approach aims for clarity and swift implementation of government priorities.

For plan-making, new system plans must follow the new Framework, while existing plans proceed according to previous versions. Spatial development strategies and Neighbourhood Plans not submitted before the final Framework's publication should also use the new Framework. These transitional measures support our goals for the development plan system.

Status of the draft Framework for plan-making

Development plans are only required to follow the revised Framework after its final publication and depending on transitional arrangements.

Written Ministerial Statements and other documents

Annex A lists Written Ministerial Statements whose planning content is now reflected in the proposed Framework policies; these are considered superseded.

RESPONSES TO FURTHER QUESTIONS

192) Do you agree with the transitional arrangements approach to decision-making?

EDDC Response: *Partly agree.*

Reasons:

EDDC recognises the need for clear and workable transitional arrangements to support a smooth shift to the new NPPF structure. A well-designed transition period can:

- Provide essential certainty for local authorities, developers, communities, and decision-makers.
- Avoid destabilising plan-making programmes already underway.
- Reduce risk of appeals arising from inconsistencies between old and new policy frameworks.

However, EDDC has concerns:

- Local Plans already at an advanced stage could face disruption if transitional provisions are not sufficiently flexible, leading to wasted investment or extensive reworking.
- The strengthened “rules-based” approach—particularly the direct application of national decision-making policies—may reduce the weight carried by existing local plan evidence, even where recently prepared.
- Authorities with acute environmental constraints, including East Devon (e.g., nutrient neutrality, protected landscapes, coastal change), may require longer or more tailored transitional support to ensure compliant, deliverable plans.
- Where transitional arrangements cause the presumption in favour of sustainable development to apply by default, this may result in planning vulnerabilities in highly constrained districts.

Overall, EDDC supports transitional arrangements in principle but requests greater clarity and flexibility to ensure no authority is disadvantaged by unique geographic, environmental or infrastructural challenges.

193) Do you have any further thoughts on the policies outlined in this consultation?

EDDC Response: Yes.

EDDC welcomes the Government’s ambition to modernise the planning system but identifies several cross-cutting themes requiring further consideration:

1. Environmental and infrastructure capacity constraints must be integrated more explicitly across all policy areas.

In East Devon, water resource limitations, wastewater treatment capacity, nutrient neutrality requirements, and protected landscapes significantly shape both plan-making and decision-making. These constraints must be consistently recognised across chapters (e.g., housing delivery, climate change, design, land efficiency).

2. A stronger link between national policy and infrastructure delivery is needed.

Without clearer mechanisms for aligning growth with energy, water, transport, and social infrastructure upgrades, the reforms risk creating policy obligations that are undeliverable in practice.

3. Local flexibility should remain central to national policy.

The consultation significantly strengthens rules-based national policy. While consistency is welcome, local distinctiveness—particularly in coastal and rural authorities—must not be undermined.

4. Greater clarity is needed on balancing competing national priorities.

Authorities like East Devon sit at the intersection of high environmental sensitivity and strong development pressures. Clearer guidance is required on:

- How “substantial weight” tests (e.g., for protected landscapes) interact with growth-focused policies.
- How inspectors should balance national housing requirements with environmental capacity limitations.

5. More guidance is needed on implementation, monitoring, and the role of inspectors.

Given the strengthened direct applicability of national policies, clear and consistent interpretation by inspectors will be essential to avoid uncertainty and appeals.

194) Do you agree with the list of Written Ministerial Statements set out in Annex A to the draft Framework whose planning content would be superseded by the policies proposed in this consultation?

EDDC Response: *Partly agree.*

Reasons:

- EDDC supports consolidating national policy so that key guidance is housed clearly within the NPPF rather than being dispersed across Written Ministerial Statements (WMS), many of which have created uncertainty or inconsistency since publication.
- Replacing and rationalising previous WMS content with updated, integrated NPPF policy is a positive step toward clarity and efficiency.

However:

- Some WMS contain important nuance or context that may be lost if superseded without adequate replacement wording—particularly in areas relating to housing delivery, viability, nutrient neutrality, and heritage.
- EDDC recommends that all critical provisions from superseded statements are fully incorporated into the revised Framework to avoid inadvertent policy gaps.
- Authorities with complex spatial and environmental constraints may still rely on certain WMS clarifications during transition; therefore, EDDC requests clear transitional guidance on how replaced WMS should be interpreted until new local plans are adopted.

Annex A – Data Centres and Onsite Energy Generation

Artificial Intelligence (AI) is set to reshape the UK's economy and public services. To maximise its potential, resilient onshore data centre capacity and reliable energy infrastructure are needed. With over £370bn expected in global AI investment by 2026, faster planning decisions are crucial for the UK to secure growth and opportunity.

Current delays and uncertainty in planning make it challenging to build AI data centres and supporting infrastructure. The Planning and Infrastructure Act aims to reduce barriers, accelerate approvals, and provide flexibility. New measures include investing in specialist AI data centre planning, protecting land, streamlining consenting for Nationally Significant Infrastructure Projects (NSIPs), and updating policies to support AI data centres.

Developers need flexible options for efficient project planning. Most data centre applications are handled under the Town and Country Planning Act 1990 (TCPA), but major projects often require onsite energy generation, which may fall under NSIP rules if above certain thresholds. This results in separate planning processes and slower approvals for interconnected projects.

The Secretary of State can direct specific projects into or out of the NSIP regime. Upcoming regulations will extend this power to data centres, allowing combined consent applications for data centres and energy generation. Guidance will be issued to support applicants using these new powers.

Feedback is sought on whether these reforms provide enough flexibility for co-located energy generation and data centre projects, or if increasing the Planning Act 2008 thresholds would further speed up consents. Additional views on defining 'co-located energy infrastructure', changing thresholds for other project types, and assessing benefits or risks of these changes are also requested.

RESPONSES TO ANNEX A QUESTIONS

195) Do you consider the planning regime, including reforms being delivered through the Planning and Infrastructure Act, provide sufficient flexibility for energy generation projects co-located with data centres to be consented under either the NSIP or TCPA regime?

EDDC Response: *Partly agree.*

Reasons:

- The flexibility to consent such projects under either TCPA or NSIP is helpful in principle and can support the timely delivery of nationally significant digital and energy infrastructure.
- However, in environmentally constrained districts such as East Devon—characterised by protected landscapes, sensitive habitats, water-resource limitations and grid capacity constraints—the existing frameworks do not always provide the clarity or environmental safeguards needed to manage the cumulative impact of large data-centre-linked energy development.
- Co-located schemes often require significant supporting infrastructure (grid reinforcement, cooling systems, battery storage) that may have landscape, noise, emissions, or water-resource implications.
- A more clearly defined route for determining which regime applies would help reduce uncertainty for both applicants and local planning authorities.
- EDDC requests guidance ensuring that environmental capacity and landscape sensitivity remain central considerations when determining the appropriate consenting pathway.

196) Would raising the Planning Act 2008 energy-generation thresholds for renewable projects co-located with data centres in England be beneficial?

EDDC Response: *No.*

Reasons:

- Raising thresholds risks allowing large-scale energy infrastructure to bypass the local planning system even where such proposals have substantial landscape, environmental or community impacts.
- East Devon's sensitive coastal and rural environment requires thorough local assessment to avoid inappropriate siting and ensure that impacts on protected landscapes, biodiversity, tranquillity, and water systems are fully understood.
- Larger thresholds could inadvertently incentivise oversized or intensively scaled schemes, leading to grid reinforcement demands or industrialisation of rural areas.
- Any adjustment should be evidence-based and should not reduce the ability of LPAs to scrutinise siting, cumulative impacts and local effects.
- EDDC therefore considers that current thresholds remain appropriate.

196a) If so, what would be the appropriate threshold? Please provide your reasons.

Not applicable as EDDC does not support raising thresholds.

197) Do you have any views on how 'co-located energy infrastructure' should be defined?

EDDC Response:

EDDC recommends that the definition should be narrow, precise, and environmentally safeguarded, and include the following elements:

- Energy infrastructure should be considered “co-located” only where it is functionally and operationally dependent on the associated data centre (e.g., providing direct power to the facility).
- The definition should exclude speculative or unrelated energy development located nearby solely to benefit from consenting easements.
- Co-location should require:
 - a defined spatial proximity;
 - demonstrable operational interdependence;
 - transparency of energy flows (e.g., proportion of generation powering the data centre vs. export to grid).
- The definition must ensure that co-location does not become a loophole to enable major energy development in constrained areas where such development would otherwise be inappropriate.
- Environmental capacity, landscape impacts, cumulative effects and grid implications should remain key considerations when determining whether a proposal meets the definition.

198) Should renewable-energy generation thresholds under Section 15 of the Planning Act 2008 for other types of projects be increased, or should this be limited to projects co-located with data centres?

EDDC Response: *No – thresholds should not be increased for any project type.*

Reasons:

- Increases to thresholds risk reducing necessary scrutiny of large-scale renewable and associated infrastructure in sensitive or constrained environments, particularly coastal, rural and designated-landscape areas such as East Devon.
- Renewable-energy proposals can have substantial implications for landscape character, ecological sensitivity, water resources, and grid capacity—issues that require detailed local assessment.
- A blanket increase across other project types may unintentionally accelerate proposals that are environmentally unsuitable or undermine local plan-led site assessment.
- Instead, EDDC supports improving process efficiency without weakening environmental protections or limiting local oversight.

199) What benefits or risks do you foresee from making this change? Please provide your reasons.

EDDC Response:

Potential benefits:

- May speed up delivery of nationally significant digital-infrastructure projects where environmental constraints are minimal.
- Could improve certainty for operators developing integrated energy–data systems.

Significant risks:

1. Environmental harm:

- Larger or more intensive energy schemes could come forward in environmentally constrained areas without sufficient scrutiny.

- Co-located development could place pressure on East Devon's protected landscapes, habitats, and water-resource systems.

2. Landscape and amenity impacts:

- Data centres and associated energy systems (e.g., battery storage, cooling, substations) risk urbanising rural or coastal areas.
- Increased thresholds may lead to reduced local control over visual, noise and emissions impacts.

3. Infrastructure imbalance:

- Local grid capacity is already constrained across much of the South West.
- Additional energy generation tied to data centres could worsen bottlenecks unless accompanied by major grid reinforcement.

4. Cumulative impacts not fully assessed:

- Threshold changes could allow multiple large projects to progress without coordinated assessment of combined effects on the environment and infrastructure.

5. Reduced democratic accountability:

- Moving more schemes into the NSIP regime may reduce opportunities for local residents and councils to influence major proposals despite significant local impacts.

Overall conclusion:

EDDC considers that risks outweigh benefits, and that threshold increases could inadvertently exacerbate environmental pressures and infrastructure constraints in sensitive authorities such as East Devon.

Annex B - Viability: Standardised Inputs and Assessment

The government proposes formalising standardised inputs for viability assessments into an annex of the draft Framework. This aims to provide more clarity and consistency, support policies PM12, DM5, and GB8, and reduce negotiation at decision-making stages, while allowing flexibility for different development types.

Growth Testing:

Surveyors and developers factor projected growth into viability models for long-term or phased developments. Growth testing can enhance plan compliance and bring upfront certainty for developer contributions, but it carries investment risks if growth isn't realised. The government seeks views on the advantages and risks of encouraging growth testing for strategic/multi-phase and regeneration schemes.

Developer Returns:

Current guidance suggests a 15-20% gross development value return for developers, with flexibility for evidence-based alternatives. The government may consider specifying figures (e.g., 17.5%) to boost certainty and efficiency, and is interested in whether lower rates (such as 6% for affordable housing) should apply for specific cases, including residential investments and public-sector de-risked sites.

Alternative Metrics:

Some developers use other financial metrics (e.g., IRR, ROCE) beyond profit on gross development value. While these can better reflect cash flow over time, they're also more volatile. Feedback is sought on when alternative metrics might be appropriate and whether guidance on their use could aid timely housing delivery.

Landowner Premiums:

Guidance currently says landowners should get a premium to incentivise sales, but some circumstances (e.g., liabilities or public benefit motives) may not require this. The government seeks opinions on updating guidance to reflect these cases and potential consequences.

Alternative Use Value:

Alternative use values help set benchmark land values but can create inflated prices if based solely on old consents. The government wants input on limiting use of alternative use values to relevant situations, and how best to assess their appropriateness.

Market Evidence:

Market data is useful for cross-checking benchmark land values but should not override compliance-based valuations. The government welcomes suggestions for preventing non-compliant scheme values from influencing new viability assessments.

Residual Land Value Cross-Check:

Comparing residual land values of a proposal against similar schemes could contextualise viability outcomes. Input is requested on the benefits and potential risks of this approach.

200) Would you support the use of growth testing for strategic, multi-phase schemes?

EDDC Response: Partly agree.

Reasoning:

Growth testing could improve the robustness of viability evidence for large, long-term schemes common in East Devon (e.g., Cranbrook expansion areas, Marlcombe). However, it must be implemented proportionately and with safeguards to avoid over-complexity or delays. Growth testing should support, not impede, plan-led certainty.

201) Would you support the optional use of growth testing for regeneration schemes?

EDDC Response: Partly agree.

Reasoning:

Optional use gives flexibility where regeneration schemes face unique viability pressures. However, optionality may introduce inconsistency between applicants. Clear criteria would help ensure fair and transparent use.

202) Do you agree greater specificity, including single figures, which local planning authorities could choose to diverge from where there is evidence for doing so, would improve speed and certainty? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

- a) Please explain your answer. If you agree, the government welcomes views on the appropriate figure – for example, whether 17.5% would be an appropriate reflection of the industry standard for most market for sale housing.

EDDC Response: Strongly agree.

Greater specificity would significantly assist EDDC, which frequently faces protracted debate over developer return. A default figure—17.5% appears broadly aligned with typical industry assumptions—would reduce unnecessary negotiation, provided there is a clear evidential route for deviation where justified.

203) Are there any site types, tenures, or development models to which alternative, lower figures to 15-20% of Gross Development Value might reasonably apply?

The government is particularly interested in views on whether clarifying an appropriate profit of 6% on Gross Development Value for affordable housing tenures would make viability assessments more transparent and speed up decision-making.

EDDC Response: Yes.

Lower figures may be appropriate for:

- Affordable housing-led schemes
- Public sector-backed development
- Community-led schemes
- Build to rent (which is income-based rather than speculative sale-based)

A 6% GDV benchmark for affordable housing could enhance transparency and reduce negotiation, provided it reflects regional delivery realities and does not inadvertently suppress affordable provision where grant funding changes.

204) Are there further ways the government can bring greater specificity and certainty over profit expectations across landowners, site promoters and developers such that the system provides for the level of profit necessary for development to proceed, reducing the need for subjective expectations?

EDDC Response: EDDC would welcome:

- Standardised national parameters for different typologies (e.g., urban infill vs strategic greenfield).
- Clearer definitions of what constitutes “normal” risk levels.
- Standardisation of appraisal inputs (finance rates, abnormal cost treatment, contingency).
- Use of published regional viability benchmarks.

These steps would reduce friction between landowners, developers, and LPAs.

Current negotiations often hinge on subjective claims of risk. Improving standardisation would streamline the process and reduce speculative land value expectations.

205) Existing Viability Planning Practice Guidance refers to developer return in terms a percentage of gross development value. In what ways might the continued use of gross development value be usefully standardised?

EDDC Response: EDDC supports nationally consistent approaches to:

- GDV sensitivity testing
- Comparable evidence (e.g., time-bounded market data)
- Treatment of incentives, build quality uplifts, and green infrastructure contributions
- Clarification of how RICS Red Book guidance interacts with planning viability

This would improve consistency across regions.

206) Do you agree there circumstances in which metrics other than profit on gross development value would support more or faster housing delivery, or help to maximise compliance with plan policy?

EDDC Response: Partly Agree

Alternative measures—such as profit on cost, internal rate of return (IRR), and income-based valuation (for build-to-rent)—can be more suited to some schemes. However, replacing GDV-based metrics wholesale risks creating confusion. A hybrid approach may be most effective.

207) Are there types of development on which metrics other than profit on gross development value should be routinely accepted as a measure of return e.g. strategic sites, large multi-phased schemes, or build to rent schemes?

EDDC Response: Yes.

Particularly for:

- Strategic multi-phase sites where build-out spans market cycles
- Build-to-Rent, where returns relate to stabilised income
- Retirement / specialist housing
- Public sector regeneration schemes

These models do not align well with GDV-based developer return calculations.

208) Do you agree that guidance should be updated to reflect the fact a premium may not be required in all circumstances? a) In what circumstances might a premium, or the usual premium, not be required? b) What impact (if any) would you foresee if this change were made?

Response - Strongly agree.

Examples include:

- Public sector land disposal aligned to policy or regeneration objectives
- Sites acquired through compulsory purchase
- Previously developed land in public ownership
- Affordable housing-led schemes where uplift is limited by definition

Clarifying that a premium is not always required would:

- Reduce inflated benchmark land values
- Enable higher levels of policy compliance
- Support regeneration in areas with modest market viability
- Reduce scope for speculative land trading

This would overall assist plan-led delivery in East Devon.

209) Do you agree that extant consents should not be assumed to be sufficient proof of alternative use value, unless other provisions relating to set out in plans are met? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

EDDC Response: Strongly agree.

Extant consents are frequently used opportunistically to inflate land value expectations even when not realistically implementable. Requiring further evidence will ensure valuations reflect realistic alternatives rather than purely theoretical ones.

210) If extant consents were not to be assumed as sufficient proof of alternative use value, should this be at the discretion of the decision-maker, or should another metric (e.g. period of time since consent granted) be used? Decision maker discretion / Another metric / Neither a) If another metric, please set out your preferred approach and rationale.

EDDC Response: Local authorities are best placed to understand whether a historic consent is realistically deliverable. A rigid metric (e.g., consent age) may not reflect site-specific constraints, changes in policy, infrastructure requirements, or market shifts.

211) What further steps should the government take to ensure non-policy compliant schemes are not used to inform the determination of benchmark land values in the viability assessments that underpin plan-making?

EDDC Response: EDDC recommends:

- Excluding schemes approved under viability-related departures from use as viability comparators
- Requiring clear documentation of policy deviations in valuation evidence
- National guidance reinforcing use of policy-compliant typologies only
- A national list/database of “non-compliant” or “viability-driven” approvals to ensure consistent handling

212) Do you agree that the residual land value of the development proposal should be cross-checked with the residual land values of comparable schemes; to help set the viability assessment in context.

EDDC Response: Partly agree.

Cross-checking could be helpful if:

- Comparables are recent
- They reflect local market realities
- They are policy-compliant
- They adjust for site-specific abnormals and infrastructure requirements

However, over-reliance on comparables risks perpetuating inflated land expectations if the underlying schemes were not policy compliant.

Annex C - Reforming Site Thresholds

In May 2025, the government released a working paper on Reforming Site Thresholds, proposing a streamlined planning system for SME developers to boost housing diversity. The paper suggested introducing a 'medium' development category of 10-49 units on sites up to 1 hectare, with regulatory easements recognizing their specific needs. About 180 responses showed overall support but raised concerns that the 1-hectare cap was too restrictive, suggesting it be increased.

In response, the government now proposes defining medium development as 10-49 homes on sites up to 2.5 hectares, allowing more flexibility, especially in less dense areas. Additional measures include policy adjustments, possible exemptions from the Building Safety Levy, and changes to Permission in Principle for these sites. These proposals aim to better support SMEs and will be finalized next year.

213) Do you agree that a 2.5-hectare threshold is appropriate?

EDDC Response: *Partly agree.*

Reasons:

- A 2.5-hectare threshold provides greater flexibility than the earlier 1-hectare proposal and better reflects the spatial requirements of medium sites in suburban and rural areas—especially where green space, drainage, landscape buffers, and infrastructure must be accommodated.
- In rural and environmentally constrained authorities such as East Devon, site sizes of 10–49 dwellings can easily exceed 1 hectare due to:
 - topography,
 - landscape sensitivity,
 - flood-risk/ drainage constraints,
 - low-density village patterns,
 - biodiversity mitigation or nutrient-neutrality requirements.
- However, a 2.5-hectare threshold must not encourage under-development of land (i.e. unnecessarily low densities).
- EDDC recommends adding safeguards to ensure the threshold is not used to justify inefficient land use contrary to NPPF land-efficiency principles.
- It is not clear what this threshold would mean since the working paper sought views on a range of exemptions for medium size developments including exemptions from Biodiversity Net Gain and affordable housing. This consultation does not seek views on these matters, but East Devon District Council would not support such exemptions. Medium developments should mitigate their impacts on biodiversity in the same way as larger developments, while many communities rely on medium developments to deliver affordable housing and will never see nor want larger scale developments and so it is important that medium developments continue to deliver these requirements.

214) Do you agree that a unit threshold of between 10 and 49 units is appropriate?

EDDC Response: *Partly agree.*

Reasons:

- The 10–49 range captures the development scale typically delivered by SME builders and aligns with East Devon’s pattern of rural and peri-urban growth.
- However, in constrained rural areas, sites of fewer than 10 units often require proportionate but non-negligible infrastructure, design, flood-risk or biodiversity assessments.
- Likewise, some sites of 50–70 units in smaller settlements function similarly to “medium” schemes.
- It is not clear what this threshold would mean since the working paper sought views on a range of exemptions for medium size developments including exemptions from Biodiversity Net Gain and affordable housing. This consultation does not seek views on these matters, but East Devon District Council would not support such exemptions. Medium developments should mitigate their impacts on biodiversity in the same way as larger developments, while many communities rely on medium developments to deliver affordable housing and will never see nor want larger scale developments and so it is important that medium developments continue to deliver these requirements.

215) Do you foresee risks or operability issues with the proposed definition of medium development?

EDDC Response: Yes.

216) If so, please explain and provide views on mitigations.

Risks / Issues:

1. **Risk of “gaming”:**
Developers may subdivide larger sites into multiple 10–49 unit parcels to benefit from regulatory easements, thereby undermining plan-led strategies.
2. **Risk of reduced infrastructure delivery:**
Medium-site easements could reduce contributions needed for education, transport, wastewater and community infrastructure—particularly problematic in East Devon’s constrained catchments.
3. **Risk of inappropriate density:**
The area threshold may unintentionally encourage low densities in rural settings unless controlled.
4. **Resource pressures:**
Reduced information requirements may shift risk and complexity to determination stages, placing pressure on stretched local authority teams.

Potential Mitigations:

- Require LPAs to assess whether a medium-site proposal forms part of a larger strategic parcel and make provision for normal requirements to be applied where a medium site forms part of a larger parcel.
- Allow LPAs to require site-wide masterplans where multiple medium sites relate to the same landholding.
- Clarify that medium-site easements cannot be used where cumulative impacts are significant (e.g., wastewater-capacity constraints, highways limitations, protected landscapes).
- Maintain minimum design, sustainability and drainage standards to avoid under-specification.

Be supported outside the Framework. These are as follows:

- a. Changes to Biodiversity Net Gain – The Government has set out its intentions for applying BNG easements and exemptions for different categories of site, and will set out details outside of this NPPF consultation in the New Year
- b. Reforms to the operation of planning committees – the government will publish its response to the technical consultation on planning committee reform in early 2026, alongside a consultation on draft regulations on a national scheme of delegation.
- c. The application of build out transparency measures in relation to medium sites – this will be addressed when the government responds to the consultation on build out transparency published in May.

Building Safety Levy

The Building Safety Levy will apply to building control applications and initial notices for new residential floorspace in England starting 1 October 2026. Developments with fewer than 10 dwellings or 30 student bedspaces are currently exempt from the levy. This exemption is linked to planning permission, preventing application splitting to avoid charges.

Feedback on extending this exemption to medium-sized sites highlighted concerns over SME developers facing higher costs and smaller profit margins, as well as potential impacts on remediation funding and administrative costs for local authorities with mostly small developments.

The government is now seeking opinions on whether the small development exemption should be expanded—potentially increasing the threshold to 50 dwellings to support SMEs—and whether criteria should remain based solely on dwelling/bedspace numbers or also include site area.

217) Do you have any views on whether the current small development exemption should be extended to cover a wider range of sites – indicatively to sites of fewer than 50 dwellings, or fewer than 120 bedspaces in purposebuilt student accommodation?

EDDC Response: *Partly agree.*

Reasons:

- EDDC understands the importance of supporting SME developers, who play a key role in rural housing delivery.
- Many SME sites in East Devon fall in the 10–49 unit range and face disproportionate viability pressures due to infrastructure upgrades, topography, and environmental constraints.
- However, an extended exemption risks:
 - significant loss of levy funding needed for national safety remediation;
 - further viability imbalances between SME and major-developer markets;
 - high relevance in East Devon where a large proportion of supply comes from smaller sites, potentially causing a levy funding shortfall.
- If extended, it must be carefully designed and accompanied by clear impact assessment and potential compensatory funding mechanisms.

218) If the exemption were to be extended, do you have any views on whether the development of 120 purpose-built student accommodation bedspaces is an appropriate equivalent to a development of 50 dwellings for the purposes of the levy exemption?

EDDC Response: *Partly agree.*

Reasons:

- The 2.4 multiplier appears reasonable as a national benchmark, but local variations in building form, layout and infrastructure demand mean that 120 bedspaces may not always equate to a 50-dwelling impact.
- Student accommodation is rare in East Devon; however, in areas where it is prevalent, transport, waste, amenity and community impacts differ substantially from dwelling-based schemes.
- EDDC recommends allowing local evidence to determine equivalency where patterns diverge from national assumptions.

219) If the exemption were to be extended, do you have any views on whether the exemption should be based solely on the existing metrics (dwellings/bedspaces) or whether there should also be an area threshold.

EDDC Response: *Area threshold should also apply.*

Reasons:

- A pure dwelling/bedspace approach may incentivise low-density layouts, inefficient land use, and site fragmentation.
- An area threshold helps maintain consistency with medium-development criteria and ensures exemptions do not distort site design or result in avoidable land consumption.

220) If you do have views on possible changes to the small developments levy exemption, please specify the potential impact of the possible change of the levy exemption on people with protected characteristics as defined in section 149 of the Equality Act 2010

EDDC Response:

Potential impacts include:

- **Positive impacts:**
 - Increased delivery of smaller-scale housing could indirectly benefit younger households, older residents, or disabled people if suitable housing products are supported by SME schemes.
- **Negative impacts:**
 - Reduced levy income could affect national safety investment, potentially disproportionately impacting vulnerable groups in need of safe, high-quality accommodation.
 - If exemptions reduce affordable-housing delivery (through viability implications), this may negatively affect groups with higher housing-need rates, such as disabled people, lone parents, and older persons.
- **Mitigation:**
 - Target exemptions carefully to schemes that demonstrably deliver community benefit.
 - Require equality impact assessments where exemptions are applied.

221) What do you consider to be the potential economic, competitive, and behavioural impacts of possible changes to the levy exemption? Please provide any evidence or examples to support your response.

EDDC Response:

- **Economic impacts:**
 - SME developers may gain improved viability and competitiveness.
 - However, this may reduce levy income and shift safety-remediation burdens to larger developers or central government.
- **Competitive impacts:**
 - Larger developers may respond by subdividing sites, undermining the intended SME focus.
 - Differential treatment across site sizes may distort land markets.
- **Behavioural impacts:**
 - Risk of site fragmentation, density reduction, or speculative land trading to meet exemption thresholds.
 - Potential delay tactics to restructure proposals until below thresholds.
- **Mitigation:**
 - Anti-gaming safeguards;
 - Clear national guidance on site aggregation;
 - Monitoring and audit of patterns of use.

Uplifting the Permission in Principle threshold

Permission in Principle (PiP), introduced in 2017, allows developers and landowners to confirm a site's suitability for housing-led development without submitting a full planning application. If PiP is granted, only Technical Details Consent is needed to obtain planning permission. Currently, PiP applies to sites listed on part 2 of the Brownfield Land Register or through applications for minor residential development (up to 9 dwellings).

Between April and June 2025, local authorities decided 305 PiP applications, approving 165 (52%). To support SME builders, the government proposes expanding PiP to cover medium developments by amending current restrictions. This would allow more sites to use the simplified process and reduce the application burden.

The submission and determination process will largely remain unchanged, with limited information requirements (such as an application form and location plan). The government seeks feedback on whether a brief planning statement should also be required for medium development applications. Additionally, there will be further consultation on appropriate fees in connection with wider plans to localise planning fees under the Planning and Infrastructure Bill.

222) Do you agree with extending the Permission in Principle (PiP) application route to medium development?

EDDC Response: *Partly disagree.*

Reasons:

- PiP for medium sites risks front-loading risk onto LPAs where key constraints (drainage, access, landscape, heritage, nutrient neutrality) cannot be fully assessed at the PiP stage without undermining the purpose of "streamlining."

- In East Devon's sensitive areas—coastal change zones, National Landscapes, high-risk flood areas, nutrient-neutrality catchments—PiP may result in unrealistic expectations that undermine later decision-making.
- However, PiP may be helpful where environmental and infrastructure constraints are minimal.
- EDDC recommends limiting PiP to sites allocated in up-to-date Local Plans or Neighbourhood Plans, not speculative greenfield submissions.

223) Should regulatory procedures for PiP change, including requiring a short planning statement?

EDDC Response: Yes.

Reasons:

- A short planning statement is essential to:
 - identify key constraints at the outset;
 - provide transparency for communities;
 - support proportionate decision-making by LPAs.
- Without such a statement, PiP risks generating false certainty and increasing appeals.

Development Management Procedure Order

Since medium development proposals will follow the same time limits as major developments and still require a design and access statement, there is no legal reason to include a definition for medium development in the Development Management Procedure Order. Instead, regulatory changes such as exempting these projects from the Building Safety Levy and expanding Permission in Principle can be directly addressed through custom definitions in specific regulations. Therefore, a new policy definition is proposed.

Public Sector Equality Duty

The government welcomes feedback on how these proposals may affect businesses or have different effects on people with protected characteristics under the Equality Act 2010, along with any suggested mitigation measures to inform final policy decisions.

224) Do you have any views on the impacts of the above proposals for you, or the group or business you represent and on anyone with a relevant protected characteristic? a) If so, please explain who, which groups, including those with protected characteristics, or which businesses may be impacted and how.

EDDC Response:

- There is a positive obligation to facilitate the gypsy way of life. We would question whether the merger of the PPTS into the NPPF (given that there is still a great deal more detail in the PPTS, despite the gradual reduction in guidance since Circular 01/06 in 2006) and still deliver 'equitable outcomes and greater clarity on how traveller sites should be planned for and delivered'.
- Reforms aimed at housing delivery, infrastructure alignment and sustainable development could improve access to homes, services, and transport for groups who experience barriers (e.g., disabled people, older people, low-income households).

- If national reforms limit local tailoring (e.g., via National Development Management Policies), EDDC may have less ability to address rural isolation, which disproportionately affects older residents and disabled people.
- Increased viability constraints or tightened thresholds could reduce delivery of accessible housing, wheelchair-adaptable units, supported accommodation, or homes for specific needs groups.
- Clearer national policy on climate, design, and accessibility could strengthen accessible development, healthy communities, and climate resilience for vulnerable groups.
- Standardised viability inputs could lead to more affordable and specialist housing, benefitting protected groups.
- Better-integrated infrastructure planning helps reduce transport poverty and rural exclusion.

225) Is there anything that could be done to mitigate any impact identified?

EDDC Response:

- Ensure national policy retains flexibility - So EDDC can shape local policies to meet the needs of an older-than-average population and rural communities.
- Restore or replace neighbourhood planning grant funding - To avoid disadvantaging small parishes and marginalised groups.
- Strengthen national requirements on accessible housing, inclusive design and active travel - To avoid viability-led reductions disproportionately harming equality groups.

Financial implications:

There are no direct financial implications identified within the report. (AB-17/02/2026)

Legal implications:

There are no direct legal implications identified within the report. (DH/002533-19/02/2026)