

## Agenda for Strategic Planning Committee Monday, 19th May, 2025, 10.00 am

### Members of Strategic Planning Committee

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

**Venue:** Council Chamber, Blackdown House, Honiton

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(or group number 01395 517546)

Friday, 9 May 2025



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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 - 11)
- 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 Community Infrastructure Level (CIL) bid recommendations (Pages 12 - 23)
- 8 South East Devon Wildlife - Joint Habitats Site Mitigation Strategy 2025 to 2030 (Pages 24 - 102)
- 9 East Devon Local Plan - timetable production update (Pages 103 - 107)
- 10 Planning and Infrastructure Bill Update (Pages 108 - 120)

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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 4 February 2025**

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

The meeting started at 10.00 am and ended at 12.35 pm

#### **250 Minutes of the previous meeting**

The minutes of the previous meetings held on 29 October 2024 and 11 December 2024 were confirmed as true records.

#### **251 Declarations of interest**

Minute 256. East Devon Local Plan – approval for Regulation 19 Consultation 2025. In accordance with the Code of Good Practice for Councillors and Officers dealing with planning matters as set out in the constitution Committee Members advised lobbying in respect of allocation Exmo\_20.

#### **252 Public speaking**

Four members of the public and two Ward Members had registered to speak on Minute 256 – East Devon Local Plan approval for Regulation 19 Consultation 2025. All addressing issues relating to the proposed allocation Exmo\_20.

The first speaker, Chrissy Howick referred to the proposed access from the A379 and said that this would have disastrous results as it had at least five treacherous turnings out onto this road and adding even more cars would cause havoc. She pleaded with the Committee to reconsider the site explaining that the proximity of this development would be very close to the Pebblebed Heaths and would cause immense light and noise pollution and have a detrimental impact to the wildlife. Mrs Howick highlighted that the site had not received adequate time allocation or representation from relevant local or national bodies to consider the site nor had Members visited the site to consider this impact and urged Members to reconsider this unsuitable site.

Councillor Melanie Martin, Ward Member for Budleigh and Raleigh had grave concerns about the site and could not understand why the access from the B3179 was being considered especially as it was a very winding rural road with a speed limit of 60mph with no paths or safe crossing places. She raised concerns about the SSSI advising that it provided a habitat for wildlife which would be significantly disturbed by the street lighting and advised that she would watch with interest to see how the Council aimed to protect the dark landscape of the SSSI and install a safe vehicular access into the site.

Thomas Shillitoe advised that because of the proximity of this site to Budleigh Salterton this could no longer be referred to as an Exmouth site which went against the settlement hierarchy. He referred to the Habitat Regulation Assessment and highlighted two concerns, the water quality for the Axe Valley, which was already restricting development and the air quality for the East Devon Heaths which would be significantly increased by the proposed access point on the B3179. He advised that the Exmo\_20 allocation was contrary to Policy PB4 where development will not be permitted where there is potential for increased vehicle numbers adversely affecting the Pebblebed Heaths applying a

precautionary approach and this should be rigorously assessed before the Local Plan is submitted for examination.

Councillor Horn, representing Budleigh Salterton Town Council, requested for the Town Council to be included in any decision making for the proposed allocation Exmo\_20 as its main access to the development was only 2.1 miles from Budleigh Salterton compared to 4.2 miles from Exmouth. He advised that together with the proposed increase in housing numbers and the proposed access onto the B3179 would certainly add pressure on local infrastructure and services and he questioned the employment opportunities for these residents.

John Hamill referred to the meeting on 3 September 2024 when the Committee went against officer recommendation and allocated Exmo\_20. As a consequence, officers advised that further work was required to ascertain the viability of the site including engagement with DCC Highways and in today's report DCC Highways have advised that the only way was from the B3179, the already dangerous and congested road. This has opened up a series of risks, the first is the environmental risk due to the proximity to the Pebblebed Heaths in which Natural England have not yet been properly consulted. The second is the financial risk to the Council and developers as the cost to upgrade the B3179 through Ting Tong, Hulham Junction and onto Woodbury would be in the millions. The third is the political risk as if this site is not found viable the Council will fail its housing obligations that is required by government.

Mr Hamill urged the Committee to reject Exmo\_20 and to revisit the sites that should have been included in the Local Plan.

A statement was read out on behalf of Councillor Charlotte Fitzgerald, Ward Member for Budleigh and Raleigh raising concerns with the B3179, the main road to the northwest which skirts the Bicton and Dalditch Commons in her ward.

The statement addressed the following concerns:

- the access point which would be on a dangerous stretch of road with no pedestrian access,
- the B3179 forms the border of the Pebblebed Heaths SSSI which has the highest level of protections of all designations.
- Building a major access point right beside the SSSI, and potentially laying down car parks and sports pitches in the space occupying the 400m development buffer, which would all no doubt require lights, was likely to damage it.

Councillor Fitzgerald felt taken by surprise by the late allocation of the site which she believed was an unintended consequence of rushing to allocate sites at the very end of the process. She advised she would do her best to help the Council mitigate adverse effects to nature and address the clear road safety issues posed by the site as the Council moves forward.

## 253 **Matters of urgency**

There were no matters of urgency.

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

There were no confidential or exempt items.

## 255 **Changes arising from the new National Planning Policy Framework (NPPF)**

The Committee considered the report which sought to provide Members with a more detailed understanding of the new National Planning Policy Framework (NPPF) which the government published on 12 December 2024.

The report identified two significant key changes. The first change affected the housing numbers which would now require the Council to deliver 1,188 homes per year compared to the previous figure of 1,146 homes. It would also need to be within 80% of that figure resulting in the Council needing to plan for 950 homes per year compared to the previous figure of 946 homes per year.

The second change affected the transitional arrangements and Members noted that in order to take advantage of the longer transitional period the Council would need to publish the Regulation 19 version of the Local Plan on or before 12 March 2025 and submit for examination within 18 months of the publication of the new NPPF.

The Assistant Director – Planning Strategy and Development Management explained about some potential consequences in which the Council had a requirement to demonstrate a five-year housing land supply which also must include a 5% buffer. Members noted that the Council's housing land supply figure had significantly fallen to 2.97 years which would now require bringing back the tilted balance when considering planning applications. He also explained that from 1 July 2026 the Council would also be required to demonstrate a six-year housing land supply after the Local Plan had been adopted.

The Assistant Director – Planning Strategy and Development Management referred to the updated five-year supply calculations tables on page 37 of the report and advised Committee that these tables had been presented to Planning Committee on 17 December 2024 as an update to the annual monitoring report.

Further changes as a consequence of the new NPPF include:

- Affordable Housing  
The government have removed the requirement for at least 10% of the total number of homes on major sites to be delivered as affordable homes and that 25% be delivered as First Homes.
- Planning Application Fees  
The fee for householder planning applications is to be increased from £258 to £528 with the intention to bring forward measures in the Planning and Infrastructure Bill to enable local fee setting for planning applications.

Questions and debate included:

- In response to a question about how to achieve a six-year housing land supply the Chair explained that although the new Local Plan would help achieve this it was also necessary to approve more planning applications.
- Clarification was sought about whether the Land Use Framework Consultation published by DEFRA would have an impact on the Local Plan. The Assistant Director – Planning Strategy and Development Management advised that the Local Plan would not be affected.
- Reference was made to the Local Character and Design Coding chapter and support was expressed for the removal of the word 'beautiful' as it was difficult to

classify what was beautiful as this was too subjective. The Assistant Director – Planning Strategy and Development Management emphasised the need to resurrect the District Design Guide which would give greater guidance in terms of what we think is important about local character.

- Clarification was sought on the affect of deleting the word 'local character' in the Local Character and Design Coding chapter. It was advised this referred to the historic character of the area and was particularly relevant when considering high-density developments.
- A concern was raised that as the Council was struggling to meet the housing land supply this would make the Council dependent upon developers coming forward with planning applications which would put them in the driver's seat of the housing market.
- Clarification was sought on the reference to affordable homes on page 38 of the report and whether councils still had an option to deliver First Homes. In response the Assistant Director – Planning Strategy and Development Management explained that although the obligation to deliver First Homes had been removed, they could still be delivered as a form of affordable housing.
- Councillor Jung expressed his concern about achieving a six-year housing land supply and that the government should be challenged about this decision as the Council would be reliant on an unpredictable housing market in order to achieve this target. The Assistant Director – Planning Strategy and Development Management advised he was happy to draft a letter but emphasised that the Council along with other councils had made comments to government in the past without success.

The following motion was proposed by Councillor Geoff Jung and seconded by Councillor Paula Fernley.

'That a letter of complaint should be sent to the government expressing the Council's concerns on achieving a six-year housing land supply.'

#### **RESOLVED:**

1. That the changes made in the new NPPF and the implications for the Council and production of the new Local Plan be noted.
2. That the updated five-year housing land supply position be noted and that the revised summary tables be published on the Council's website and used to inform decision making on planning applications.
3. That the Assistant Director – Planning Strategy and Development Management draft a letter to Government in consultation with the Chair, addressing the Council's concerns about achieving a six-year housing land supply.

## **256 East Devon Local Plan - approval for Regulation 19 Consultation 2025**

The Committee considered the report that sought approval of the final version of the East Devon Local Plan Regulation 19 Consultation that had considered the changes expressed by Members from the meeting on 11 December 2024.

The Assistant Director – Planning Strategy and Development Management drew Members attention to the two appendices explaining that appendix 1 was the clean version and appendix 2 contained the tracked changes.

In the report Members attention was drawn to two hyperlinks, the first leading to an interactive map and the second leading to PDF versions of maps of the towns and

villages within the settlement hierarchy. Members also noted an update to the second new community by the removal of the boundary of the Clyst Valley Regional Park as this would be considered through the New Community Masterplan.

The Assistant Director – Planning Strategy and Development Management also updated Members about a change to the housing provision following the new NPPF which now required the Council to plan for at least 950 new homes per year. He advised the Committee that this had slightly reduced the headroom in the housing numbers but that a 9.8% headroom was still included with a stepped housing trajectory that showed an annual target of 850 dwellings per year from 2020/21 to 2031/32 and 1,070 dwellings per year from 2032/33 onwards.

Members were reminded that it was a two-phase Regulation 19 Consultation and that the Consultation for the New Community Masterplan was due to start in Spring 2025 as detailed in paragraph 5.2 of the report.

The Assistant Director – Planning Strategy and Development Management referred to chapter 6 of the report drawing Members attention to the evidence library available on the website which included assessments such as the viability assessment and habitat regulations assessment, although Members noted that work was still ongoing in relation to air pollution and the Pebblebed Heaths. Members also noted there were outstanding evidence documents which included:

- Greater Exeter Transport Study which was continuing to progress and would be ready for the second phase of the Consultation.
- Infrastructure Delivery Plan which would be brought to Committee post Consultation.
- Water Cycle Study.

The Assistant Director – Planning Strategy and Development Management referred to the public speakers and in response to the concerns raised about site allocation Exmo\_20 and the access onto the B3179 he advised following further discussions with Devon County Council Highways additional wording had been added in order to provide clarity of these issues and to highlight that mitigation was required. However, the primary access was always to be from the B3179 and Members were made aware of this when deciding to allocate the site.

Members were advised that anyone wishing to comment about the emerging Local Plan can do so by using the engagement platform 'Commonplace' which will be available on the website from week commencing Monday, 10 February 2025. In addition, Members were advised that all Town and Parish Councils have been invited to attend a webinar Thursday evening to answer any questions about the consultation and to give help and support during their neighbourhood planning process.

Comments, questions and debate included:

- A big thank you was expressed to the Chair, Vice Chair, Officers and Committee Members for the amount of time, effort, speed and professionalism shown in order to get this the Regulation 19 Consultation stage.
- A concern was raised about how the public would be aware of the Local Plan Consultation if they don't follow social media. The Chair advised that along with social media the Council would be writing to all the town and parish councils, press releases would be issued and it would be included in residents' newsletters in order to engage with a lot of people.

- A member of the Committee did not support going out to Consultation without having sight of all the evidence-based documents. It was questioned whether the Consultation would be legally sound without these documents and for all documents to be published at the same time. The Assistant Director – Planning Strategy and Development Management acknowledged that not all the final versions of the evidence documents had been seen and reassured Members that these documents did not contain any surprises and if Members wished they could be brought to Committee on 4 March but highlighted this could lead to time constraints with the March deadline.
- Unhappy to see that a West End line had been drawn in the Local Plan. It was agreed that this should be removed.
- Clarification was sought on the limited timetable if the Consultation was delayed. The Assistant Director – Planning Strategy and Development Management explained that the first phase of the Consultation and the second phase would need to run straight after each other which would not be ideal as the Council could come under criticism for running the second phase into the summer period and holidays.
- Support was expressed to keep to the original timescales and to publish the first phase of the Consultation on 10 February.
- Disappointment expressed for the words 'moving towards net zero carbon' on page 429. It should read we want net zero carbon development.
- Support expressed for the tabled detailed on page 431.
- Page 429 (C) 'temperature discomfort' – this is confusing. Does it mean global warming?
- Disappointment expressed for (A) on page 429 – to meet energy efficiency requirements set out in the building regulation Future Homes Standard (HSS) 2025. In response the Chair referred to some Press reports about Future Homes Standard and expressed the need for the Council to look at opportunities to improve on this policy. In response the Assistant Director – Planning Strategy and Development Management explained that following a Written Ministerial Statement local authorities could not adopt standards higher than the Future Homes Standard but reassured Members other conditions had been put in place such as future proofing for the fitting of solar panels to make it easier for people to fit solar panels.
- Clarification sought on the gypsy and traveller sites east of the M5. It was advised there were five fixed sites and up to 10 sites to be located at the New Community.
- Clarification sought on the provision for wind power. The Assistant Director – Planning Strategy and Development Management advised that due to the district's topography and wind speeds there was limited need for a policy but advised that suitable wording could be added into Policy CC03 about the need for small scale wind farms.

The recommendations were proposed by Councillor Bethany Collins and seconded by Councillor Yehudi Levine.

10 Committee Members voted in support, Councillor Jess Bailey voted against, and Councillor Helen Parr abstained from the vote.

#### **RESOLVED:**

1. That the publication draft of the Local Plan as appended to this report be approved with delegated authority for the Assistant Director – Planning Strategy and Development Management, in consultation with the Chair, to make final minor



adjustments to tidy up and refine local plan text wording to ensure consistency of approach through the plan, align formatting and correct typographical errors.

2. That Strategic Planning Committee agreed to consult on the Regulation 19 version of the Local Plan as appended (subject to amendments agreed under recommendation 1 to run for six weeks, to commence in the week starting 10 February 2025.

257 **Exeter Local Plan - Regulation 19 Consultation - proposed response from East Devon District Council**

The Committee considered the report that summarised the information detailed in Exeter's Local Plan Regulation 19 Consultation and East Devon District Council's proposed response objecting to the Plan in respect of failing to provide sufficient and appropriate levels of employment land as identified in the Greater Exeter Economic Development Needs Assessment (EDNA) and how the Plan seeks to address delivery of infrastructure to serve sites north of Topsham.

Comments from Members included:

- What are the consequences for this Council – does this put more pressure on this Council to provide more employment land in our draft Local Plan? In response the Assistant Director – Planning Strategy and Development Management reassured Members that East Devon's Local Plan had identified a higher provision of employment land through the New Community but emphasised that there was added pressure to meet Exeter's employment needs which could take up valuable land in the district which might be needed in the future for housing or employment.
- Reference to Policy TI1 and clarification sought about an allocation of land alongside this site. In response the Assistant Director – Planning Strategy and Development Management reassured Members that these points would be addressed at its examination.

**RESOLVED:**

Whilst welcoming the Exeter Local Plan and noting the general high quality of content, Strategic Planning Committee raise objections, as set out in this committee report, to fail to make available sufficient land for employment provision and secure delivery of the proposed Topsham Infrastructure Delivery Framework.

258 **Self-build and custom housebuilding update and monitoring report 2023-2024**

The Committee considered the Assistant Director – Planning Strategy and Development Management's report that set out the legal and national policy changes with regards to the custom and self-build plots (CSB) that came into effect at the end of 2023/start of 2024. The report also outlined the latest monitoring report that showed the Council was meeting its minimum legal requirement seeing 15 plots from October 2023 to October 2024 monitoring period.

**RESOLVED:**

1. That the draft monitoring report for use in planning decisions (both planning policy and development management) and agree its publication on the Council's website be endorsed.
2. That it be noted that during the latest monitoring period (31/10/23 to 30/10/24) 11 individuals were added to the self-build register (8 to part 1 and 3 to part 2)

generating a need to permission 8 plots suitable for self-build between 31/10/24 and 30/10/27.

3. That the demand for self-build plots indicated on the register be noted and taken into account in our planning, housing, regeneration and estate functions.

## 259 **New Planning Policy - Local Development Scheme**

The Committee considered the report that set out a programme and timetable for production of future planning policy documents. Members noted the main change from the previous version is that the first stage Regulation 19 Consultation would now start in February 2025 rather than January 2025.

### **RECOMMENDATION TO COUNCIL:**

That Strategic Planning Committee recommend that the proposed new Local Development Scheme, as appended to this report as Appendix 1, should be endorsed and should take effect immediately following approval.

### **Attendance List**

#### **Councillors present:**

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

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

A Bailey  
I Barlow  
R Collins  
P Faithfull  
M Martin

#### **Officers in attendance:**

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

#### **Councillor apologies:**

C Brown  
B Ingham

Chairman .....

Date: .....

Report to: Strategic Planning Committee

Date of Meeting 19 May 2025

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



## Community Infrastructure Level (CIL) bid recommendations

### Report summary:

In September 2024 bids were invited from major infrastructure providers from the Councils Strategic Community Infrastructure Level (CIL) fund. The fund currently holds £12.034m. 12 bids were received from 9 bidders requesting a total of £17.216m. This report provides summaries of the bids received, sets out the principles that were adopted for allocating CIL and details how the bids were scored. The CIL Members Working Party (CMWP) met on the 15<sup>th</sup> January & 27<sup>th</sup> February 2025 to discuss the bids and made recommendations on which bids to support and which to reject. This report sets out the CMWP recommendations to reject 5 bids and support the remaining 7 bids.

### Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

### Recommendation:

1. That Members agree the recommendations of the CIL Members Working Party in respect of each CIL bid received and reject the bids listed in the table at paragraph 6.2 and approve those listed in the table at paragraph 6.3.
2. That Members agree that all bidders who submitted rejected bids be advised of the outcome of their bid with reference to the reasons stated in this report.
3. That Members give delegated authority to the Assistant Director – Planning Strategy and Development Management in consultation with the Director of Governance to agree funding agreements with the successful bidders based on the conditions as set out in this report.
4. That Members advise Cabinet that they do not agree to funding an endowment to cover the maintenance costs of the SANG at Station Road, Broadclyst as per Cabinet's resolution of the 1st May 2024 and recommend that Cabinet agree that these costs be funded through an annual contribution of £40k from CIL for the first 3 years after which these should be reviewed.

### Reason for recommendation:

To ensure that CIL money is allocated to projects that assist in the delivery of community and strategic infrastructure to support and mitigate development in the district.

Officer: Ed Freeman – Assistant Director Planning Strategy and Development Management  
([efreeman@eastdevon.gov.uk](mailto:efreeman@eastdevon.gov.uk); Tel 01395 517519)

Portfolio(s) (check which apply):

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

**Equalities impact** Low Impact

**Climate change** Low Impact

**Risk:** Medium Risk; Infrastructure is needed to mitigate and support housing delivery in the district.

**Links to background information** [Issue - items at meetings - Station Road Countryside Park - Delivery & Management Options - 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
- 

## 1.0 Introduction & background

- 1.1 The CIL Members Working Party (CMWP) met on 1 August 2024 and agreed that a bidding process for the Council's CIL Strategic Infrastructure Fund be established. Bids were subsequently invited from major infrastructure providers in the district, with a stated preference for projects referenced in the Infrastructure Delivery Plan (2017). Bids closed on 21 October 2024. 12 bids were received from 9 bidders requesting a total of £17.216m in CIL funding, this figure has since reduced to £16.112m. The Strategic CIL Fund held £11.289m in unallocated and unspent funds at the end of March 2025.
- 1.2 Planning obligations generally do not provide the perfect mechanism for delivering community infrastructure, but they are the most significant tool at the Council's disposal. The potential allocation of CIL in this bidding round is both timely and justified by the amount of development that has occurred in the district in recent years.
- 1.3 This report sets out details concerning the types of infrastructure that can be funded; the process adopted for scoring bids; the bids received; and recommendations from the CIL members working party meetings on 15<sup>th</sup> January & 27<sup>th</sup> February 2025 on those bids to recommend for support.

## 2.0 Types of Infrastructure to be funded

- 2.1 The Council publishes an annual Infrastructure Funding Statement as required by legislation. This provides an infrastructure list of likely areas for spend on projects or types of infrastructure which the Council intends will be, or may be, wholly or partly funded by CIL. The list is as follows:

- Education
- Exe Estuary habitat mitigation
- Pebblebed Heaths habitat mitigation
- Clyst Valley Regional Park
- Healthcare facilities
- Emergency service facilities
- Libraries
- Community & Youth facilities
- Sport & Leisure provision
- Open space/recreation provision
- Transport

2.2 This list should align with projects in East Devon's Infrastructure Delivery Plan (IDP). The IDP is categorised by priority order (one-three). Priority one is critical infrastructure which is fundamental to the delivery of the objectives and policies of the Local Plan. Priority two is important to deliver specific development schemes but the precise timing is less critical. Priority three is desirable – infrastructure that would create a better place to live and work and to build sustainable communities. Ideally through this round of CIL bidding, we should be funding priority one projects. When the IDP was published in 2017, it was estimated that the then costs of delivering priority one projects was £110m with a funding gap of £72m. The infrastructure costs associated with delivering all the projects in the IDP was about £350m and there is a total funding gap of £271m. It is reasonable to assume that this funding gap has widened since 2017. This funding shortfall is a significant risk for infrastructure delivery.

### 3.0 Bid Scoring

3.1 All bids were scored against 4 key criteria: inclusion in the Council's Infrastructure Delivery Plan (IDP) 2017, demonstrable need, value for money (i.e. match funding) and deliverability. The link to the Council's IDP may not be possible for projects that have emerged since 2017. Some unsolicited bids which did not meet these criteria were received and they are included in this report but scored poorly as a result.

3.2 Each scoring criterion was given equal weight of 25 points.

1. IDP: Priority one projects scored maximum marks (25), priority two scored 15, priority three scored 5.
2. Need: This considered the current infrastructure issues, consequences of not carrying out the project, support for housing and/or economic development, and whether it delivers actual infrastructure.
3. Value for money: Those with additional funding/match funding scored higher. Bids which provided detailed costings and evidence scored higher.
4. Deliverability: Whether the project has planning permission, the risks associated with delivery and the timescale for delivery of the project with those projects ready to proceed scoring highly.

3.3 Scores ranged from 29-84 points. This system enables the bids to be ranked but this should be regarded purely as a guide to their suitability for funding. However, it is inevitable that those bids scoring well are likely to be the most deliverable within a relatively short timeframe together with greater certainty over cost, alternative funding, planning permission and site ownership.

3.4 Bids for projects not listed in the IDP will not be considered for CIL funding.

## 4.0 Principles for allocating strategic CIL

### 4.1 Feasibility Studies

Given the fact that the CIL fund is oversubscribed in this current bidding round, it was agreed by the CMWP that bids for feasibility work alone will not be supported. The CIL regulations are silent in this respect but there is a wide expectation that where the Council does fund a bid, an actual piece of infrastructure is delivered as a result. This cannot be guaranteed by feasibility studies where, by their very nature, the outcome is uncertain.

### 4.2 Cost Overruns

It is suggested that the Council does not expose itself to future risk by underwriting any project cost overruns with a further award of CIL later. If this threatens the delivery of the project, then it should be the responsibility of the bidder and not the Council to find additional funds.

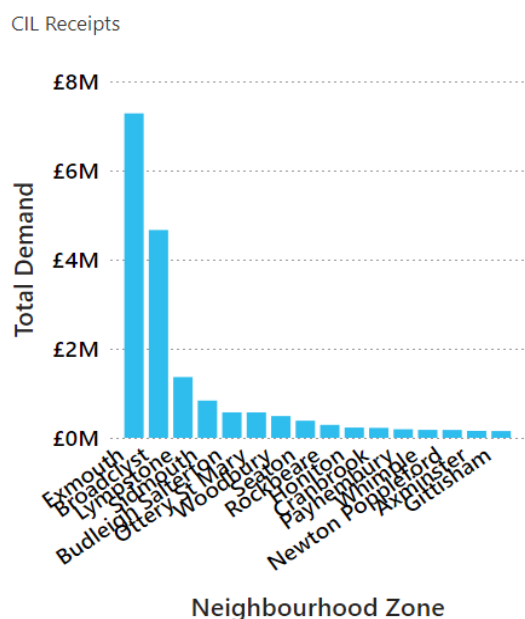
### 4.3 Combining S106 & CIL

Some bids relate to projects that require both CIL and S106 contributions. The CIL regulations were amended in 2019 to remove the cap on pooled contributions from S106, so it is permissible to apply both types of planning obligation to a specific project. Others have been in the pipeline for so many years that they straddle the period when the Council switched to CIL as its main means of mitigating the impact of development. This has resulted in some development proceeding in advance of infrastructure provision and this bidding round provides an opportunity to address this, if only in part, due to the amount of CIL available for allocation.

### 4.4 Retaining Money for Future Bids

The CMWP proposed that a sum of at least £1m should be retained for delivery of future projects. The Council needs to be able to respond to future match funding opportunities on major infrastructure schemes that may, for example, be reliant on Government funding to be viable. This retention effectively means that there is approximately up to £11m available to award in this bidding round.

### 4.5 Giving preference to bids in growth areas



The chart above shows the total CIL collected in individual parishes since it was implemented by EDDC in 2016. This shows, as one would expect, a clear correlation between new development and CIL receipts with Exmouth and Broadclyst seeing significant new housing and therefore generating most CIL. Regulations do not require Strategic CIL to be spent in a specific area, but members should be mindful of the need to mitigate the impact of development when considering bid proposals.

## 5.0 Bids received

The table below is a summary of the 12 bids received. Some of the bid amounts have changed since the original submission. The table captures the revised bid amounts after discussions with the bidders and fine tuning of their bid.

Bidder	Project name	Project summary	CIL bid (£)	Total costs	IDP priority	Score
East Devon District Council	Clyst Meadow Country Park, Station Road, Broadclyst SANGS	Delivery of 10 Ha Country Park (SANG) & future management	£3,383,624 £1,383,624 (capital costs) £2m endowment for future management costs	£4,114,000	1	84
Honiton Town Council	Enhancing sport provision in Honiton	New pitches at Tower Hill, 3G at HCC&HPS, drainage & lighting at Allhallows	£601,000	£1,874,092	2	79
Devon County Council	Cranbrook Multi-Use Path	1.5km off-road walking, wheeling & cycling route between Cranbrook & Exeter	£1,800,000	£4,470,000	1	77
Devon County Council	Mosshayne/ Tithebarn Primary School	Construction of 210 place primary school & nursery provision	£4,500,000	£6,000,000	1	73
Devon County Council	London Road, Cranbrook	Construction of missing footpath/cycle provision between Cranberry Farm pub to Ingrams	£750,000	£805,000	1	72
NHS Devon Integrated Care Board	Pinhoe Surgery extension	216 sq m extension to surgery to create 6 new clinical	£800,000	£1,153,000	2	72



		rooms due to 56% increase in patient numbers from East Devon growth areas				
Network Rail	Devon Metro Rail scheme -feasibility study	Enhance rail frequency, capacity & reliability. Two track infrastructure to allow 2 trains an hour. Business Case for single option	£1,000,000	c£70-100m	1	68
Exmouth Rugby Club	Extension	2 RFU compliant changing rooms (women & girls)	£150,000	£300,000	2	66
Devon County Council	Tipton primary school feasibility	Feasibility & design work to confirm whether 3 sites are deliverable and infrastructure costs and risks. Submission of 3 planning applications	£600,000	£600,000	1	60
Stockland Tennis Club	New path access & existing court renewal	Court surface renewal & new all-weather access path	£28,350	£37,800	No	43
Tipton St John Playing Field Association	New pavilion	Replacement of the pavilion which serves tennis, cricket & football	£350,000	£400,000 - £450,000	No	32
Devon Cricket Foundation	Performance & Recreational cricket hub at Winslade Park	High performance cricket hub with performance pitch & pavilion	£2,150,000	£2,733,679	No	29
		<b>Total</b>	<b>£16,112,974</b>			

#### 5.1 Clyst Meadow Country Park, Station Road, Broadclyst - SANGS

This is an East Devon project involving 10ha of land in Broadclyst already purchased to form a country park as part of the SE Devon European Site Mitigation Strategy. It will mitigate the impact of 1800 residents (770 dwellings) at Cranbrook Phase 1. Although Cranbrook infrastructure is being funded through Section 106 agreements the funding

secured for this SANGS area has proved to be insufficient despite being based on the best available costings at the time. Project funding comprises £3.383m CIL, £530k S106 receipts secured for Habitat Mitigation and £200k from the Council's capital programme. The site has planning permission and is about to go out to tender so is considered low risk due to the detailed feasibility work already undertaken.

The project scored highly as it is IDP priority 1, is a critical project to mitigate development at Cranbrook and required by Natural England, the project has planning permission and will be delivered this year. The project didn't score well on value for money as it mostly relies on CIL & S106 funding.

Cabinet considered a report on the issues of the delivery and future management of the site at its meeting of the 1<sup>st</sup> May 2024 under part b. As part of their resolution, they agreed that the SANGs would be managed in-house using an endowment model but it was flagged at this time that the endowment would need to be funded from CIL and that this would equate to around £2million of funding. Decisions on spend of CIL are within the remit of Strategic Planning Committee based on recommendations made by the working group but Members should be mindful that if they did not support the endowment model then the issue would need to be revisited by Cabinet.

The alternative to the endowment model is an annual contribution from CIL. The estimated annual maintenance costs have been assessed to be in the region of £15,000-£30,000 per annum plus capital replacement programme and staff/management cost. The capital replacement programme costs (for maintenance/replacement of paths, car park, fencing, boardwalks, bridges and site furniture) were identified as follows for each period (excluding inflation):

-	5 years	£18,020
-	10 years	£12,000
-	15 years	£26,600
-	25 years	£128,950

The total cost of capital replacement costs, excluding inflation, is in the order of £930,000 – which averages out at an additional c£12,000 per annum. This brings the total maintenance costs to c£40,000 per annum, or £4,000 per hectare. The two alternative options are for an annual contribution of £25,000pa plus varying capital replacement costs as required or an annual contribution of £40,000pa into a ring-fenced sinking fund. Both these options reduce the upfront CIL costs, and the sinking fund option allows capital replacement costs to be spread to reduce upfront costs when capital replacement works are required. The cons of these options are that in the long run over the 80-year period the cost to CIL is greater and inflation means the costs will increase. There is also the on-going impact on future infrastructure from strategic CIL and SANG management costs are paid from all CIL qualifying residential developments not just those which impact on the SPA/SAC.

## 5.2 Enhancing sport provision in Honiton

This involves a cohesive bid led by Honiton Town Council seeking funds to improve facilities for football and rugby plus multi-sport provision in the community coordinated by the Town Council. It will deliver new youth football facilities at Tower Hill adjoining Honiton Golf Club (subject to the planning application being approved), a new all-weather 11 v 11 3G floodlit pitch at the Community College and Primary School in conjunction with Ted Wragg Trust (subject to the planning application being approved), and drainage and floodlights for the rugby club at Allhallows (planning approved). The project delivers on the Playing Pitch Strategy 2015 & Honiton Playing Pitch Strategy 2016.

The proposal includes good levels of match funding with S106 monies for playing pitches secured from the Hayne Lane development combined with other S106 contributions

together with the Football Foundation, Ted Wragg Trust and Honiton Town Council funding. The project has the support of Richard Foord MP for Honiton and Sidmouth.

The project scored highly as although it is only priority 2 in the IDP, the need for additional and improved pitches is highlighted in the Playing Pitch Strategy, the project is deliverable (subject to receiving planning permission) in the short term and provides very good levels of match funding.

### 5.3 Cranbrook Multi-Use Park

This Devon County Council project involves the design and construction of a 1.5km off-road route for walking, wheeling and cycling providing a link between the Clyst Meadow Country Park (SANG) and Mosshayne Lane. It is the last section in the multi-user route between Cranbrook and Exeter together with a developer-led scheme through the Bluehayes development. This will provide an alternative means of travel between Cranbrook, Tithebarn and local employment (10,000 jobs in total). The trail has planning permission and includes a section in the Country Park and through third party land. Total project cost is just under £4.5m with £1.8m required from CIL. The challenging wet ground conditions and ecology issues result in a high project cost.

This project scored highly as it is priority 1 in the IDP, meets the green agenda and active travel, has planning permission and DCC have £2.47m in funding. The project is very expensive for the distance it covers but this is due to the land constraints.

### 5.4 Tithebarn/Mosshayne Primary School

This proposal from Devon County Council is for the construction of a new 210 place school to support a 900-dwelling development. Just under 50% of dwellings have been built to date generating CIL proceeds (for the strategic CIL fund) of £2.375m. Completion of the development will take CIL revenue over the £4.5m requested in this bid. The school was originally planned to be delivered through S106 contributions, but the developers switched to CIL when the Council implemented its CIL Charging Schedule in 2016. DCC will fund 25% of the costs of the school.

There is an acute need for this school to be built to serve the Tithebarn community. The location of this development is somewhat isolated from other education facilities leading to an increase in travel distances and an adverse impact on neighbouring schools such as those at West Clyst, Monkerton and Cranbrook that are already operating at full capacity. This impacts even more significantly on those with disabilities or without access to private transport. Many residents moved to Tithebarn in the reasonable expectation that a school would be provided on site. Lack of delivery is causing reputational damage to the Council as demonstrated by residents' surveys and social media posts.

It should also be noted that DCC secured the school land as part of a side legal agreement with the developer and if not delivered then the land would need to be handed back to the developer and the opportunity to deliver the school would be lost. The deadline for DCC to transfer the land is May 2027.

The project scored well as it is priority 1 in the IDP, there is a pressing need for the school, the land is secured and could be brought forward relatively quickly with DCC responsible for granting planning permission. The project did not score well on value for money as there is limited match funding and the projected development costs are estimates at this stage.

### 5.5 London Road, Cranbrook Improvements

This DCC project is seeking to deliver footway, cycle enhancements and traffic calming on London Road, Cranbrook. Developers of various housing schemes are providing elements

of the same project along their frontages and the project is designed to fill the gaps between developments. The priority areas are between Cranberry Farm pub to Ingrams leading to the Cobdens and Grange expansion areas. The intention behind the works is to prevent Cobdens from being isolated from the rest of Cranbrook and reducing the dependence on private cars for short journeys by ensuring continuous footpath provision.

This project scored well because it is priority 1, is needed to ensure safe and green travel options and is deliverable in the next 2 years. The project did not score well on value for money as there is limited match funding.

## 5.6 Pinhoe Surgery Extension

This is an NHS project to expand Pinhoe Surgery to accommodate current and forecast demand from residents living in East Devon. These account for most of its patients even though the surgery is just over the district border. The works include a two storey 216 sq m extension to create 6 new clinical rooms and additional admin space. Within the current space there are 14 clinical rooms and 5 are deemed not fit for purpose due to size and specification.

This project scored well as it is IDP priority 2, is needed to meet the demands of new development in the West End and West Clyst, has planning permission and is deliverable in the next two years. The project initially did not score well on value for money, but additional NHS funding has since been announced and the ICB will bid for this funding reducing the amount required from CIL.

The bid amount has reduced since it was originally submitted as previously very little other funding was going into the project apart from £11.5k of S106 funding recently secured. NHS Devon has now indicated that they are prepared to reduce their CIL bid to £800k and make this award conditional on them sourcing the balance required through an application to the NHS Utilisation and Modernisation Fund. Planning approval was received on 15th January 2025 and NHS Devon is keen to proceed with the construction at pace. This is a new fund and is only available for work that will be completed by 31st March 2026. This means that the works programme is tight, but achievable, and relies on a CIL funding decision as soon as possible. NHS Devon will underwrite any cost overruns.

The extension will enhance the value of the surgery which is a private business. When funding is provided by S106, CIL or NHS grants, the NHS ensures that GPs, as private businesses, do not receive the reimbursable rent that would normally be paid for the additional space created by the new extension. Instead, the rent is abated for a period of years according to rules set out in the NHS Premises Costs Directions and the NHS Grant Policy.

This means that the proposed combined CIL/S106 and NHS grant of £1.2m would result in the NHS not paying 90% of the rent to the surgery for a period of 18 years. A rent of 10% is allowed to enable the GPs to maintain the new building. NHS Devon has already obtained advice from the District Valuer and a notional rent of £220/m<sup>2</sup> has been recommended. For the 216m<sup>2</sup> extension the payment to the GPs would therefore be £4,425 pa for years 0 to 18 and £44,250 pa after year 18 which is a saving to the NHS.

A further safeguard is that in accordance with the NHS Grants policy, the Integrated Care Board (ICB) will be the recipients of the funding and will place a legal charge on the property with Land Registry preventing the building from being sold without the CIL, S106 and NHS grant being repaid.

## 5.7 Network Rail Devon Metro Rail – feasibility/business case

The bid is for £1m to fund a feasibility study/business case for assessing the options for providing a passing loop on the Exeter-Waterloo line at Feniton or Whimble to enable 2

trains to run an hour and build resilience into the service. There is no guarantee that funding this feasibility work will result in the project happening as Government funding will be needed for a £70m-£100m project.

#### 5.8 Exmouth RFC changing room extension

This is a bid to support the extension of current changing facilities at the club to accommodate the growth in girls and women's rugby teams. This growth has been driven by increased interest in female rugby which will only intensify due to the Women's World Cup being held in England in 2025.

The project scored reasonably well, the enhancement of existing facilities at the club is contained within the Exmouth Sports Pitch Strategy 2016 and is priority 2 in the IDP. The project has planning permission and 50% match funding and can be delivered this year.

#### 5.9 Tipton St John Primary School feasibility

This project is a bid from DCC to fund a feasibility study to relocate the existing school to one of three alternative sites in the village. Tipton St John C of E Primary has been identified in the Department of Education (DfE) schools rebuilding programme due to flooding. A DfE preferred site has been identified in Ottery St Mary but there is local support to keep the school in the village. The CIL bid is to fund feasibility/initial design work on three sites in Tipton St John to confirm if each of the sites is deliverable and the likely infrastructure costs and risks. The DfE have minimum requirements so the work would result in 3 outline planning permissions for each site.

This project will not deliver any infrastructure and the requirements of the DfE are considered excessive and may not result in them changing their mind on where to locate the new school. The project is not mitigating the impact of development, the majority of which is in Ottery where the new school is proposed. There is no match funding available for this project.

#### 5.10 Stockland Tennis Club – resurfacing

This bid from Stockland Tennis Club is for resurfacing their existing tennis court and a new all-weather path to the court. The bid came in via the Lawn Tennis Association as all sports organisations were contacted and informed about the CIL bidding round. The project is not listed in the IDP.

#### 5.11 Tipton St John replacement pavilion

This bid also came in via the Lawn Tennis Association and is for a replacement pavilion to provide changing facilities for cricket, tennis and football uses. The project is not listed in the IDP.

#### 5.12 Devon Cricket Foundation – Performance and recreational cricket hub at Winslade Park

This bid is for a performance cricket pitch, purpose built sustainable club house and training facility to meet the growing demands of cricket. The pitch will be available to Devon's Men's and Women's County cricket as well as for use by local clubs. The bid also includes a 3km trim trail and refurbishment of 3 tennis courts. This project is not in the IDP and Winslade Park already has cricket facilities with additional facilities secured in the Section 106 agreement for the redevelopment of the site. This bid, if successful, would further enhance the facilities.

## 6.0 Recommendations from the CIL Members Working Party

6.1 All bids were discussed by the CMWP resulting in the recommendations set out below. Devon County Council were invited to present on two of their bids and to answer Members questions. Further clarity was also sought from the NHS on their bid following member concerns. In the meetings, 5 bids were proposed to be rejected and recommendations were made to support and fund 7 projects. Minutes of the CMWP meetings are appended to this report.

## 6.2 Rejected bids

The following bids were not supported and therefore are not recommended for CIL funding:

Bidder/Project	Amount	Reason for not supporting the bid
Network Rail Devon Metro rail scheme business case	£1,000,000	Feasibility study with no guarantee that the project will proceed.
Devon County Council Tipton Primary school site feasibility	£600,000	Feasibility study only- rejected due to lack of actual delivery
Tipton St John Playing Field Association Replacement pavilion	£350,000	Not in the Council's Infrastructure Delivery Plan
Stockland Tennis Club Surface replacement & new path	£28,350	Not in the Council's Infrastructure Delivery Plan
Devon Cricket Foundation	£2,150,000	Not in the Council's Infrastructure Delivery Plan

## 6.3 Supported bids

The following bids and amounts were recommended for support with any conditions of funding also given.

Bidder/Project	Amount	Main conditions of funding
East Devon District Council Clyst Meadow Country Park, Station Road, Broadclyst SANGs	£1,383,624	The capital (works) costs were supported. The £2m for the endowment was rejected. An annual payment of £40,000 from the CIL pot for 3 years was instead recommended (decision to be taken to Cabinet).  Cost overruns will have to be met from CIL
Honiton Town Council	£601,000	None specified but evidence of match funding will be required in due course and subject to planning permission being obtained.

Sports provision enhancement in Honiton		
Devon County Council Mosshayne/Tithebarn Primary school	£4,500,000	Conditional on DCC providing more detailed costings
NHS Devon Integrated Care Board Pinhoe Surgery Extension	£800,000	Match funding from the NHS (£400k) CIL money to go to the ICB Clawback on sale of the premises or of a proportionate share of value if a partner sells their stake Legal advice will be sought on appropriate safeguards to include within the grant agreement.
Devon County Council Cranbrook Multi-Use Path	£1,800,000	Safeguards required to ensure CIL is spent on this project if post devolution
Devon County Council London Road footpath/cycle improvements	£750,000	First phase of project to be completed within 2 years of CIL award
Exmouth Rugby Club Changing room extension	£100,000	Match funding of £200,000 will be required as a condition of this bid
<b>Total</b>	<b>£9,934,624</b>	

The Council will require all successful bidders to enter into grant funding agreements based on the conditions set out in this report and other further appropriate legal measures.

### **Financial implications:**

The report outlines the recommendation to fund £9,934,624 of CIL bids from CIL funding currently held by the Council. There is a risk of future costs from any overrun of cost on the Clyst Meadow Country Park, Station Road, Broadclyst SANGs bid. As much prior notice as possible needs to be given to the Accountancy team to facilitate Treasury Management and ensure funds are readily available on the required transfer dates

### **Legal implications:**

Members are being asked to consider the recommendations of the CIL Member Working Party in respect of the CIL bids received.

Report to: Strategic Planning Committee

Date of Meeting 19 May 2025

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



## **South East Devon Wildlife - Joint Habitats Site Mitigation Strategy - 2025 to 2030**

### **Report summary:**

Three sites in south east Devon, the Exe Estuary, the Pebblebed Heaths and Dawlish Warren fall in the highest tier of protected wildlife sites in the UK. In the absence of mitigation, Habitat Regulation Assessment work has shown that unacceptable adverse impacts would arise at these sites on account of recreational pressure and this would be reason to not allow the development to go ahead. 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.

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. We have now reached a point where we need a new mitigation strategy, which is appended to this report. Endorsement is being sought from the three constituent local authorities (East Devon, Exeter and Teignbridge) for the new strategy in order to ensure that effective and coordinated mitigation can be implemented in the period from 2025 to 2030.

This report has been produced jointly by officers of the three authorities and will be replicated for each council, with minor edits to accord with differing report templates used by the separate councils. For East Devon District Council the report is first going to Strategic Planning Committee with that committee being asked to endorse a recommendation to Cabinet for adoption of the strategy (noting that constitutional responsibility falls to Cabinet).

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

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

### **Recommendation:**

That Strategic Planning Committee recommend to Cabinet that the South East Devon Wildlife Joint Habitats Site Mitigation Strategy - 2025 to 2030 be adopted.

### **Reason for recommendation:**

To ensure that we have a robust joint mitigation strategy in place so that the collective and cumulative impacts from new development can be mitigated in the most effective and efficient manner.

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



Portfolio(s) (check which apply):

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

## Equalities impact

Low

**Climate change** Low Impact

**Risk:** No specific risk impacts are identified.

**Links to background information** Links 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
- 

## 1 Need for a mitigation strategy

1.1 Plans and projects that may adversely impact on European sites, (the highest tier of wildlife sites in the UK and across member states of the European Union), need to be subject to assessment under the Habitat Regulations. Government guidance on assessment under the Habitat Regulations can be found at: [Habitats regulations assessments: protecting a European site - GOV.UK](#)

1.2 In south east Devon there are three specific designated sites where the impacts of new built development (particularly new housing development), as set out in local plans, has the potential to result in adverse impacts. The designated wildlife sites are:

- The Exe Estuary - Special Protection Area/Ramsar.
- Dawlish Warren - Special Area of Conservation.
- The East Devon Pebblebed Heaths - Special Area of Conservation and Special Protection Area

1.3 Parts of the Exe Estuary fall within administrative areas of East Devon, Teignbridge and Exeter. Dawlish Warren, in Teignbridge, abuts the Estuary and the Pebblebed Heaths, in East Devon, lie close by and to the east of the Estuary.

- 1.4 Special Protection Areas (SPAs) are important for rare and vulnerable birds because they rely on them for breeding, feeding, wintering or on migration. Special Areas of Conservation (SACs) are designated to conserve natural habitats and species that are considered to be under serious threat. Rare and vulnerable animals, plants and habitats have increased protection and management objectives within these sites.
- 1.5 Previous assessment work undertaken for the three local planning authorities has identified that adverse impacts would arise from development if not mitigated. Government guidance on assessment under the Habitat Regulations can be found at: [Habitats regulations assessments: protecting a European site - GOV.UK](#)
- 1.6 The adverse impacts arise as a result of the people living in new homes built, within a ten kilometre catchment of the designated sites, accessing and using the designated sites for recreational purposes and such use leading to unacceptable negative impacts. The concern also applies to some tourism accommodation and may be applicable for other built uses. To allow development to go ahead it has been established that mitigation measures need to be delivered. As the sites lie in close proximity to one another, and the catchment areas for differing sites cross local authority boundaries, it has been deemed appropriate and desirable for the three local authorities to work in partnership on understanding and providing solutions to allow development to go ahead.

## **2 South East Devon Wildlife and the existing strategy**

- 2.1 The joint approach to mitigation delivery is now implemented under the umbrella of the joint local authority organisation - 'South East Devon Wildlife', for more information see: [South East Devon Wildlife](#). The joint mitigation approach was first agreed on the strength of the initial mitigation strategy from 2014, see, on the East Devon District Council website: [env-011-south-east-devon-european-site-mitigation-strategy-2014.pdf](#)
- 2.2 The existing joint mitigation strategy has led to a range of projects and initiatives being implemented to ensure that development that would otherwise lead to adverse impacts can go ahead. South West Devon Wildlife has a staff resource that undertake and coordinate delivery and they work with a range of partners and volunteers to include – The Pebblebed Conservation trust, Devon Wildlife Trust, The RSPB, the Exe Estuary partnership and officers and teams of the constituent local authorities themselves.
- 2.3 It should be noted that the joint mitigation strategy allows for development projects to go ahead without detailed bespoke work under the Habitat Regulations, being undertaken.. The strategic approach simplifies matters for developers, but development project specific assessment and mitigation could come forward outside of the joint strategic approach.

## **3 The new mitigation strategy**

- 3.1 Whilst the existing strategy has ensured that successful mitigation has been delivered to date all of the constituent local authorities have new local plans in production. As these plans set out new housing delivery requirements a new joint mitigation strategy is required. Collective agreement was reached on commissioning a new strategy and through joint officer working

and engagement with partners and stakeholders the new strategy has been completed and approval from the three local authorities is now sought for its adoption.

3.2 The new strategy is appended to this report.

## 4 The new strategy compared to the existing one

4.1 The new strategy builds on the great work done to date and rolls forward much of this. We would encourage committee members to review the new strategy. Below we contrast key aspects of the new strategy with the existing so that changes and evolution in thinking can be noted.

4.2 As a starting point it is important to understand the scale of development that new local plans are providing for and which needs to mitigate, it is a very significant level of development and in the absence of mitigation the new plans would fail in their journey to adoption. In the period from 2025 to 2040 (i.e. a period that extends beyond the strategy life of 2030, ) the three local authorities, within the 10 kilometre catchment, are predicting completion of around 29,100 new homes, that is approximately 2,000 per year.

4.3 Mitigation to be provided under the new strategy will take the form of:

- **On site** mitigation measures– management and access measures and activities, with wardens to help operate and run these and positively engage with site users. These on-site activities go under the heading of Strategic Access Management and Monitoring (SAMM) measures.
- **Off site mitigation measures** – these occur off or away from the designated site – most notable is the provision of what are termed as Suitable Alternative Natural Greenspaces (SANGs). These are new or enhanced green spaces used for recreation purposes that will provide an alternative (alternative to the designated sites) area for recreational activity. By drawing in users SANGs will reduce use/pressure on designated sites. The new strategy also provides for the delivery of a range of discrete projects aimed at enhancing existing access and tailored to local needs and specific circumstance.

4.4 Some of the measures that are implemented are shorter term and others longer, notably the SANGs are longer term initiatives.

4.5 The new strategy covers the five years from 2025 to 2030. It is envisaged that it will need reviewing on a rolling 5 year basis, i.e. an update will be needed in 2030. Though at that point we may be under a new unitary local Government regime. Potentially more important (for the sites and their management and use) is, however, the fact that the Government have highlighted possible regime changes to the way that mitigation at and for designated wildlife sites may be delivered - under the Planning and Infrastructure Bill amendments to Habitats Regulations (Nature Restoration Fund). With an onus on Government agencies taking a more fundamental lead role.

- 4.6 Under the new strategy there will be an increase in the staff resource to secure mitigation. The existing wardens are under very high and demanding workloads and safety considerations place constraints and limitations on the work they do and the way they work and the coverage they provide. The wardens deliver a very high quality and highly committed customer focussed service, but expansion of the staff resource is needed given the new and increasing pressures the sites face.
- 4.7 There is also a newly created green space project officer post noting that identification of sites for SANGs, and securing their implementation and delivery, has been a major challenge and has drawn on considerable amounts of officer time at the authorities. The new post will ensure this crucial part of the work gets the dedicated staff resource that is essential. The new strategy, to complement SANGs, also provides for improvements to promote access and enhance existing land away from the European sites. Such works will need to show that they reduce use and pressure on the designated wildlife sites. There is also, new for this strategy, a flexible “special projects pot” funding for site specific mitigation identified as appropriate and desirable, this flexible pot will complement and work with defined specific projects in the strategy.
- 4.8 To pay for mitigation measures contributions are sought from new housing developments on a per dwelling basis, and under the new strategy these will increase. The changes reflect a general increase in costs but also, and more importantly, the original strategy was written and costed without the full benefit of, and practical realisation, of the scale of costs 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. Further work is continuing to establish the new per dwelling contribution that will be needed to cover strategy costs.

## **5 Next Steps for implementation of the new strategy**

- 5.1 Whilst this report summarises and seeks approval for the new strategy it does not specify per dwelling contributions that will need to be sought or recommend a specific start date. A further report is planned once more details are agreed. The expectation and intent is, however, that all authorities will agree per dwelling contributions and a date when the new strategy will come in to effect and at that point actions and charges will be based on the new strategy and the older one will be retired.
- 5.2 Final decisions on detail and timing of actions on mitigation will remain to be determined through the joint committee that will continue to run, as has now been the case over a number of years.
- 5.3 The new strategy, as well as setting out the delivery of mitigation, will give planning inspectors, at local plan examination, evidence that mitigation can and will be delivered and therefore that plans are sound and robust in their make-up in this respect.

**Financial implications:**

The strategy has been produced by Footprint Ecology in conjunction with the mitigation team. Fees for development are substantially increasing to cover the Habitat Regulation Assessment work of adverse impacts on the 3 areas of designation over the next 80 years. (AB/08/05/2025)

**Legal implications:**

There are no direct legal implications identified within the report (002533/06 May 2025/DH)



## South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)

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**FOOTPRINT**  
ECOLOGY

Footprint Contract Reference: 699

Date: 22<sup>nd</sup> January 2025

Version: Final

Recommended Citation: Liley, D. (2024). South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy.  
Report by Footprint Ecology.

## Summary

This strategy sets out the mitigation requirements relating to impacts from recreation (associated with new housing and tourism development) on the Exe Estuary Special Protection Area (SPA)/Ramsar site, Dawlish Warren Special Area of Conservation (SAC) and the East Devon Pebblebed Heaths SAC/East Devon Heaths SPA. These are sites of exceptional nature conservation importance, and the strategy ensures the relevant local authorities (East Devon District Council, Exeter City Council and Teignbridge District Council) meet legislative requirements and adequately protect the sites when permitting development.

This strategy will replace and supercede the previous strategy (established in 2014). New housing (within 10km of the European sites) is anticipated at around 2,000 new dwellings per annum over the period 2025-2030, and this update ensures the level of mitigation is appropriate to the level of growth anticipated. Mitigation measures are set out in detail and comprise:

- SAMMS (Strategic Access Management and Monitoring); and
- Off-site infrastructure (including SANGs – ‘Suitable Alternative Natural Greenspace’ and local projects).

This strategy covers the period 2025-2030 and will be updated on a rolling basis every 5 years, providing the opportunity to check the mitigation, scale of growth and update any costs. As such the strategy provides a long-term solution to recreation impacts. By addressing risks up front, the strategy provides a proactive, cross-boundary solution that ensures cumulative impacts of growth are taken into account. The strategy ensures necessary resources and costs are identified and provides clarity for developers when bringing forward sites for development.



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## Acknowledgements

This strategy has been commissioned by East Devon District Council on behalf of a partnership involving East Devon District Council, Exeter City Council and Teignbridge District Council.

We are grateful to the following for advice, discussion, information and background: Helen Booker (RSPB), Matt Boydell (Devon Wildlife Trust), Sam Bridgewater (Clinton Devon Estates), Peter Chamberlain (Devon County Council), Phil Chambers (Teignbridge District Council), Cat Chambers (Exeter City Council), James Chubb (East Devon District Council), Dale Cooper (Exeter City Council), Amelia Davies (South East Devon Habitats Regulations Partnership), Sama Euridge (South East Devon Habitats Regulations Partnership), Jill Day (Exeter City Council), Will Dommett (East Devon District Council), Ed Freeman (East Devon District Council), Grahame Forshaw (Exeter City Council), Neil Harris (South East Devon Habitats Regulations Partnership), Natalie Holt (RSPB), Naomi Harnett (East Devon District Council), Stephanie Harper-Chung (Exe Estuary Management Partnership), Sarah Holgate (Teignbridge District Council), Natalie Holt (RSPB), Edric Hopkinson (Devon Wildlife Trust), Alex Lessware (Teignbridge District Council), Nick Mead (Exeter City Council), Julie Owen (Devon Loves Dogs), Fergus Pate (Teignbridge District Council), Mary Rose-Lane (Environment Agency), Imogen Salmon (South East Devon Habitats Regulations Partnership), Alison Slade (Natural England), Neil Sherwood (Natural England), Estelle Skinner (Teignbridge District Council), Kim Strawbridge (Clinton Devon Estates), Toby Taylor (RSPB), Daryl Taylor-Hopgood (Exeter City Council) and Andrew Wood (East Devon District Council).

## 1. Introduction

- 1.1 This strategy primarily relates to housing growth in the South East Devon area. It covers the period 2025-2030 and sets out the mitigation requirements relating to the impacts from recreation on the important nature conservation sites. It ensures that East Devon District Council, Exeter City Council and Teignbridge District Council are adequately protecting the relevant wildlife sites from the impacts of recreation while also ensuring that housing is not delayed. The strategy provides clarity for developers when bringing forward sites for development.

## Background

- 1.2 The Exe Estuary, Dawlish Warren and the East Devon Heaths are three sites of exceptional nature conservation importance that are covered by several international designations. Located close to Exeter, the sites are adjacent to a large human population and are popular sites for recreation. Urban development in the vicinity of the sites and increasing recreation use brings particular risks. This strategy addresses these risks, ensuring local planning authorities meet legislative requirements when permitting housing development. By addressing risks up front, the strategy provides a proactive, cross-boundary solution that ensures cumulative impacts of growth are taken into account and that the necessary resources and costs are identified.
- 1.3 A strategic approach to mitigation was established in 2014, developed with partnership working between East Devon, Exeter City and Teignbridge local planning authorities, with input from a number of wider organisations involved in the protection and management of the three European sites. The 2014 strategy set out a zone of influence (i.e. the evidence based zone within which it is deemed that mitigation measures are required) and a series of mitigation measures that work together to provide robust protection for the three European sites. The strategic approach was planned to run over the lifetime of the relevant Local Plans, and then beyond as a continual rolling programme, but with interim reviews. Since 2014, the strategy has been progressed by the three local planning authorities and dedicated staff are in place to facilitate implementation. There has been some very positive delivery of measures, and some aspects of mitigation have inevitably been identified as needing refinement.

- 1.4 A review and update of the mitigation strategy is necessary to ensure continued protection for the relevant European sites and to ensure the strategy is appropriate to the level of growth coming forward in the relevant Local Plans.

## Legislative context

- 1.5 This strategy has been produced in order to meet particular legislative requirements. Habitats sites are those afforded the highest level of legislative protection for biodiversity. Public bodies, including local planning authorities, have specific duties in terms of avoiding deterioration of habitats and species for which sites are designated or classified, and stringent tests have to be met before plans and projects can be permitted. Importantly, the combined effects of individual plans or projects must be taken into account. For local planning authorities, this means that the combined effect of individual development proposals needs to be assessed collectively for their cumulative impact.
- 1.6 The designation, protection and restoration of habitats sites is embedded in the Conservation of Habitats and Species Regulations 2017, as amended, which are commonly referred to as the ‘Habitats Regulations’. They include Special Protection Areas (SPA) classified under the 1979 Birds Directive and Special Areas of Conservation (SAC) designated under the 1992 Habitats Directive<sup>1</sup>. In addition, Ramsar sites are afforded the same level of protection as habitats sites, through long-established Government policy<sup>2</sup>. In this strategy we use the term ‘European site’ to refer to both habitats sites and Ramsar sites.

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<sup>1</sup> For the avoidance of doubt, the list of statutory European sites also comprises: A site submitted by the UK to the European Commission (EC) before Exit Day (a candidate SAC or cSAC) as eligible for selection as a Site of Community Importance (SCI) but not yet entered on the ECs list of SCI, until such time as the Appropriate Authority has designated the site or it has notified the statutory nature conservation body that it does not intend to designate the site. After Exit Day, no further cSACs will be submitted to the EU. Statutory European sites also include SCI included on a list of such sites by the European Commission from cSACs submitted by the UK before the UK left the EU, until such time as the UK designates the site when it will become a fully designated SAC.

<sup>2</sup> ODPM Circular 06/2005: Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System (16 August 2005), to be read in conjunction with the current NPPF, other Government guidance and the current version of the Habitats Regulations.

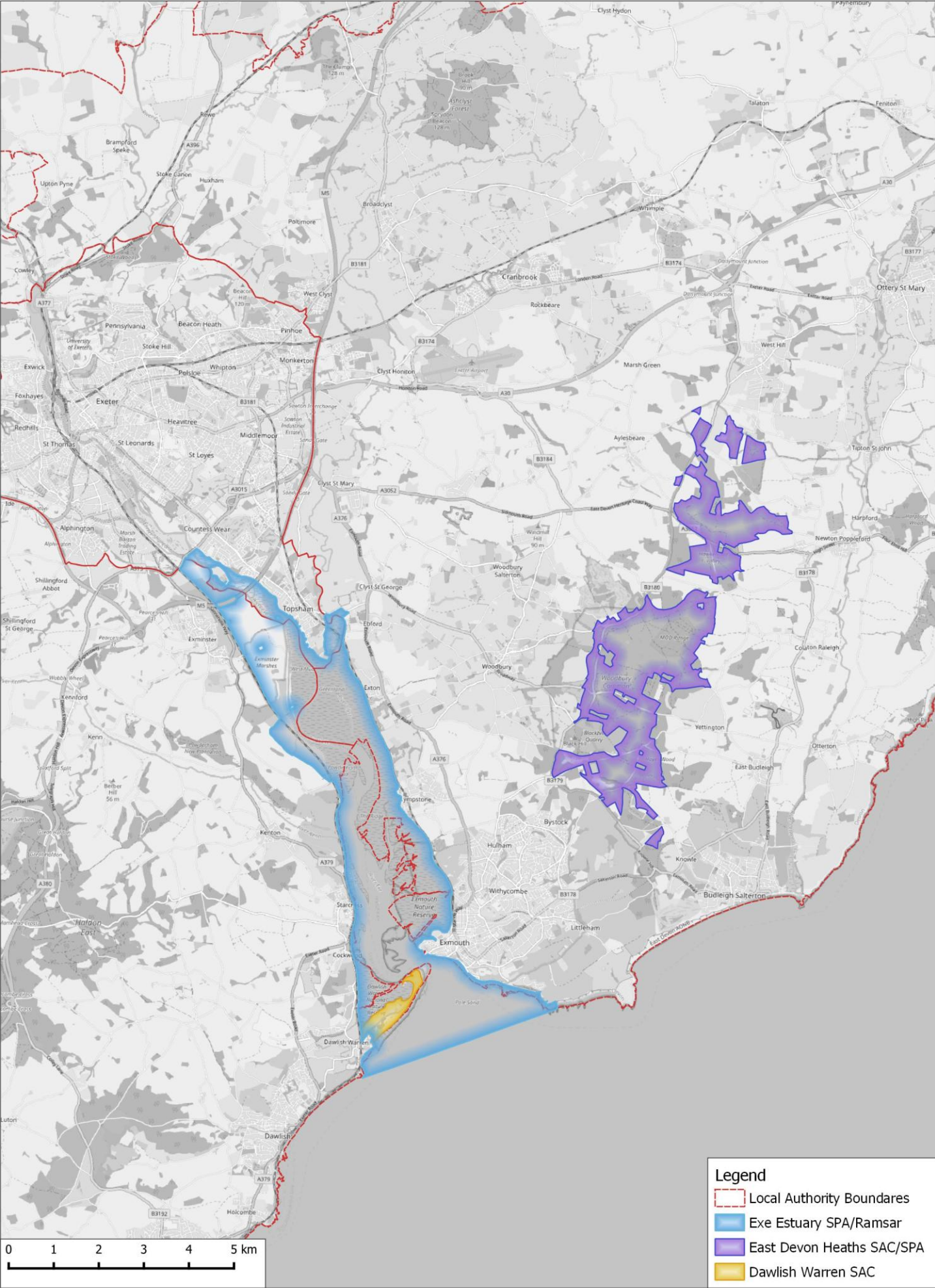
- 1.7 European sites are the cornerstone of UK nature conservation policy. Each forms part of a 'national network' of sites that are afforded the highest degree of protection in domestic policy and law. Public bodies are referred to as 'competent authorities' within the legislation. The duties set out within the Habitats Regulations in relation to the consideration of plans and projects are applicable in situations where the competent authority is undertaking or implementing a plan or project, or authorising others to do so.
- 1.8 The legislation is founded on the 'precautionary principle' and it is necessary to rule out harm, rather than demonstrate impacts. Assessment (Habitats Regulations Assessment) requires consideration of effects either alone or in-combination, and this strategy therefore relates to the cumulative effects of plan-led development across the combined authorities.

## Relevant European Sites

- 1.9 This strategy is focussed on three European sites lying in close proximity towards the south of Exeter (Map 1). These relevant European sites are:
- The Exe Estuary SPA/Ramsar site
  - Dawlish Warren SAC
  - The East Devon Pebblebed Heaths SPA/SAC.



Map 1: European sites



### **The Exe Estuary**

- 1.10 The Exe estuary is of international importance for wintering and migratory wetland birds which use the intertidal sand and mud flats and associated saltmarshes, reedbeds and grazing marshes.
- 1.11 The Estuary is classified as an SPA for the following non-breeding birds:
- Grey Plover *Pluvialis squatarola*,
  - Dark-bellied Brent Goose *Branta bernicla bernicla*,
  - Pied Avocet *Recurvirostra avosetta*,
  - Black-Tailed Godwit *Limosa limosa islandica*,
  - Dunlin *Calidris alpina alpina*,
  - Slavonian Grebe *Podiceps auritus*,
  - Eurasian Oystercatcher *Haematopus ostralegus*,
  - And in addition for the wintering waterbird assemblage.
- 1.12 The estuary is also a Ramsar site, listed for the following:
- Assemblage of international importance (under criterion 5); wintering waterfowl assemblage
  - *Branta bernicla bernicla* Dark-bellied Brent Goose (under criterion 6)
- 1.13 The SPA and Ramsar have the same boundaries and cover some 2,345.71ha. Full details of the SPA and Ramsar can be accessed on the Natural England website<sup>3</sup>.

### **Dawlish Warren**

- 1.14 Dawlish Warren is a geomorphologically important sand spit which protects the mouth of the Exe estuary. The spit holds a mosaic of sand dune, grassland and wetland habitats and supports several rare plants.
- 1.15 Dawlish Warren is designated as an SAC for:
- H2190 Humid dune slacks;
  - S1395 Petalwort *Petalophyllum ralfsii*
  - H2120 Shifting dunes along the shoreline with *Ammophila arenaria* ("white dunes");
  - H2130 Fixed dunes with herbaceous vegetation ("grey dunes").

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<sup>3</sup> See [Natural England website](#)

- 1.16 The SAC (58.84ha) falls within the Exe Estuary SPA and Ramsar. Full details of Dawlish Warren and its interest features can be accessed on the Natural England website<sup>4</sup>.

### **The East Devon Heaths**

- 1.17 The East Devon Heaths form the largest block of lowland heath in Devon, and they are internationally important for the wet and dry heathland habitats present. The diversity of heathland reflects the varied topography, geology, hydrology and water chemistry of the area, and supports associated plant and animal communities. Among the 21 breeding dragonfly species recorded at the site is the southern damselfly and there is an important assemblage of birds, including breeding Nightjar and Dartford Warbler.
- 1.18 The Heaths are designated as an SAC ('The East Devon Pebblebed Heaths SAC') for:
- H4030 European dry heaths;
  - S1044 *Coenagrion mercuriale* Southern damselfly;
  - H4010 Northern Atlantic wet heaths with *Erica tetralix*.
- 1.19 The Heaths are classified as an SPA ('The East Devon Heaths SPA') for
- A302(B) *Sylvia undata* Dartford Warbler;
  - A224(B) *Caprimulgus europaeus* European Nightjar.
- 1.20 The SPA and SAC boundaries are identical and cover 1,119.94ha. We use 'East Devon Heaths SAC/SPA' throughout the strategy to refer to the SAC and SPA together. Conservation objectives, site condition and the relevant citations are available on the Natural England website<sup>5</sup>.

### **Mitigation to date and need for this update**

- 1.21 A strategic and plan led approach to protecting sites from the impact of recreation is now widely recognised as being more effective than dealing with these impacts on a development-by-development basis. Strategic mitigation approaches have been established around the country (for example on the Dorset Heaths, the Thames Basin Heaths, the Solent, the Suffolk Coast, Poole Harbour, the South Pennine Moors, the Chilterns Beechwoods and the Durham Coast). Recreation pressure is complex as the

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<sup>4</sup> See [Natural England website](#)

<sup>5</sup> See [Natural England website](#)



way visitors use a site can change with time and the distribution of the qualifying features can also change. Furthermore, to ensure effectiveness, mitigation needs to include a package of measures that work together in an integrated way. For example, educating visitors, reinforcing messages with site-based staff, and providing the right infrastructure to meet visitor needs and influence visitor behaviour could all fit together as part of a mitigation package, but are the kinds of measures that cannot be delivered in a piecemeal way, implemented by individual developments.

- 1.22 Collective funding is essential for on-site measures, and these are then in turn supported by the provision of the right alternative green infrastructure to make a meaningful reduction in visits to the European sites.
- 1.23 A strategic approach also ensures that mitigation can be secured in a way to maximise benefits for local communities and wildlife, ensuring a positive approach that provides for recreation use and ensures long-term protection for the European sites.
- 1.24 A strategic mitigation approach was first established in South East Devon 2014 through the initial South East Devon Joint Mitigation Strategy (Liley *et al.*, 2014). This strategy included mitigation measures relating to the Exeter Core Strategy, the East Devon Local Plan and the Teignbridge District Local Plan, which then proposed a total level of housing growth of around 40,000 new homes (over the period 2006-2026 for East Devon and Exeter City and 2013-2033 for Teignbridge District).
- 1.25 Mitigation measures have been funded by developer contributions, with contributions required from many types of residential and tourist accommodation<sup>6</sup>. The three local authorities used a combination of Community Infrastructure Levy (CIL) and Section 106/111 to secure the funding.
- 1.26 Whilst approval of the overall Strategy rests with respective Councils, decision making powers to deliver the Strategy have been delegated to the South and East Devon Habitat Regulations Executive Committee. The Committee's responsibilities include: agreeing a 5-year programme of

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<sup>6</sup> For example, including: all houses and flats (but not extensions), affordable housing, tied accommodation, student housing (with the exception of purpose built accommodation in Exeter), housing for the 'mobile' elderly, hotels, B&Bs and static caravans. Care homes for the infirmed who have significantly reduced mobility have been excluded.

mitigation and monitoring, an annual business plan, budget allocation, stakeholder cooperation and securing complementary funding.

- 1.27 This strategy will replace and supercede the previous strategy. It covers the period 2025-2030 and brings the relevant mitigation requirements, contributions and approach up to date with the housing growth now coming forward in the relevant authorities. It has been brought together with the involvement of a wide range of stakeholders, through a series of workshops and meetings.

## 2. Impacts of development

- 2.1 Impacts of development and the particular risks to the relevant European sites are discussed in detail in a range of previous reports (see Lake, 2010; Liley *et al.*, 2014; Liley, Panter and Underhill-Day, 2016) and are summarised here in Table 1. This strategy focuses on the cumulative effects of housing growth in terms of recreation impacts. It does not address other impacts from plan-led growth, for example impacts associated with air quality or water quality, which are beyond the scope of this strategy.
- 2.2 It should be noted there is uncertainty around the scale of potential impacts, given the length of time the development will last and factors such as climate change which are likely to impact the distribution of the qualifying features, exacerbate risks such as fire incidence, change recreation patterns and fundamentally change the coast and surrounding habitats. The legislation requires the Local Planning Authorities to be able to rule out harm, and the strategy provides a means to address such uncertainty.

**Table 1: Summary of risks to the relevant European sites from recreation and urban effects**

Impact	Exe Estuary SPA/Ramsar	Dawlish Warren SAC	East Devon Heaths SPA/SAC	Notes	References and examples
Disturbance to breeding birds			✓	Risks from reduced breeding success and avoidance of otherwise suitable habitat.	Murison (2002); Liley & Clarke (2003); Murison <i>et al.</i> (2007).
Disturbance to wintering waterbirds	✓			Risks from avoidance of otherwise suitable areas, reduced feeding rate, stress and increased energetic costs.	Goss-Custard & Verboven (1993); Stillman <i>et al.</i> (2001); West <i>et al.</i> (2002); Liley <i>et al.</i> (2011)
Increased fire risk		✓	✓	Fire risk linked to recreation through discarded cigarettes, BBQs etc.	Kirby & Tantram (1999); Lake (2010)
Trampling and wear		✓	✓	Heavy footfall can result in vegetation wear, soil compaction & erosion.	Lowen <i>et al.</i> (2008); Lake (2010)
Interaction with predators	?		✓	Species such as Crows and Magpies may be drawn to areas with greater human activity or occur at higher densities; redistribution of birds may result in greater vulnerability to predation.	Marzluff & Neatherlin (2006)
Nutrient enrichment from dog fouling		✓	✓	Risks from dog fouling resulting in increased soil nutrient levels and changes in vegetation.	Bonner & Agnew (1983); Taylor <i>et al.</i> (2005); De Frenne <i>et al.</i> (2022)
Fly tipping/litter		?	✓	Short-term impacts to interest features likely to be minimal but risks of long-term contamination, particularly from introduced species from garden waste a risk. Also risks of staff time drawn from other essential duties.	

Impact	Exe Estuary SPA/Ramsar	Dawlish Warren SAC	East Devon Heaths SPA/SAC	Notes	References and examples
Contamination of water bodies from dogs		✓	✓	Dogs swimming in ponds and other waterbodies brings potential risks from increased turbidity and pollution from flea treatments etc	Groome <i>et al.</i> (2018); Denton & Groome (2017); Perkins <i>et al.</i> (2020)
Disruption of management		✓	✓	Disruption such as dog attacks to livestock; gates left open; theft of equipment/material; all issues to be expected at more urban sites or those with more recreation	
Public opposition/objection to management	✓	✓	✓	Management interventions such as tree or scrub removal, water level management etc. can be sensitive and opposed by local residents, leading to issues achieving the necessary management	Woods (2002)
Damage to infrastructure, vandalism etc.	✓	✓	✓	Direct damage can occur through graffiti and deliberate vandalism which tend to be issues at more urban sites	
Predation by pet cats			✓	Increased housing may lead to increases in local cat population; pet cats can range widely and predate a variety of bird and mammal species. Unlikely as a risk for Exe Estuary?	Hall <i>et al.</i> (2016);

### 3. Mitigation delivery to date and implications looking forward

#### Overview

3.1 In this section we consider the potential for the strategy to evolve to address the additional housing levels and consider the wider context that might be relevant in bringing the strategy up to date.

#### Mitigation delivery to date

3.2 Mitigation to date, in line with the current strategy, has achieved:

- Recruitment of a dedicated Delivery Manager, responsible for implementing the strategy;
- Two wardens: 'Wildlife Wardens' (roles started in October 2016; staff changes / changes to job titles have occurred since) with a dedicated vehicle. The two wardens spoke to over 2,000 people between November 2016 and November 2017<sup>7</sup> and they have become a familiar sight at the relevant European sites. Their role has been to talk to visitors and engage with those undertaking potentially damaging activities (such as not picking up after their dog). They have done training with the police and are certificated to issue warnings to people about infringements.
- A dedicated website<sup>8</sup> and social media presence now established including Twitter<sup>9</sup>, Facebook<sup>10</sup> and Instagram<sup>11</sup>.
- The 'Devon Loves Dogs' project launched in July 2017, with a dog walking code, recommended walks and information for dog walkers. The project has its own website<sup>12</sup> and its own social media presence that includes Facebook<sup>13</sup>, Twitter<sup>14</sup> and Instagram<sup>15</sup>

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<sup>7</sup> Figures from Annual Business Plan report, see [minutes of Habitats Mitigation Executive Committee](#) Jan 2018

<sup>8</sup> <https://www.southeastdevonwildlife.org.uk/>

<sup>9</sup> See [@SEDwildlife](#), with 858 followers as of December 2022

<sup>10</sup> See <https://www.facebook.com/SEDwildlife/> South East Devon Wildlife with 557 followers as of December 2022

<sup>11</sup> See with [sedwildlife](#) 554 followers as of December 2022

<sup>12</sup> <https://www.devonlovesdogs.co.uk/>

<sup>13</sup> See [Devon Loves Dogs](#) with 1,600 followers as of December 2022

<sup>14</sup> See [@DevonLovesDogs](#) with 515 followers as of December 2022

<sup>15</sup> See [devonlovesdogs](#) with 1,189 followers as of December 2022

- A patrol boat, purchased for use on the Exe Estuary to ensure people remain within the speed limit and follow codes of conduct.
- Wildlife Refuges on the Exe Estuary, near the Duck Pond and at Dawlish Warren, these were subject to a public consultation, have been marked out with buoys and monitoring has been undertaken (Saunders. and Liley, 2021).
- Codes of conduct<sup>16</sup> for the Exe Estuary to help promote a safe and responsible approach to carrying out activities in the area.
- A Pebblebed Heaths Visitor Management Plan, including visitor survey data and recommendations for mitigation measures specific to the East Devon Heaths.
- Pebblebed Heaths visitor access improvements, consisting of a car park strategy, stakeholder and public consultation and a multi-year programme of construction/landscaping spanning the heaths.
- Redesign and installation of new interpretation boards across the Heaths, at each of the main car parks, including car park entrance signage.
- Additional dog bins on the East Devon Heaths at 6 parking areas.
- Provision of SANGs, with Dawlish Countryside Park SANG (26ha) opened to the public in 2017 and other sites including the Ridgetop Park Exeter, Old Park Farm and Pinbrook Country Park. A complete list of current and proposed SANG is provided in Appendix 1.
- Liaison with other strategic mitigation projects, such as Dorset Heaths, Thames Basin Heaths and the Solent, developing links and sharing best practice.
- A visitor survey of the three European sites (Caals, Panter and Liley, 2022)

## Commentary on measures in place and opportunities to expand

3.3 From discussion with various parties involved in setting up and running the current Strategy, and a review of information and literature available, the following points are relevant.

### ***Visitor numbers and need for a package of mitigation measures***

3.4 Visitor survey results from the European sites in South east Devon have shown a marked increase compared to previous years (Caals, Panter and Liley, 2022). In general, this pattern reflects the national picture, whereby greenspaces in the UK have seen a marked surge in recreation as a result of the Covid pandemic (McGinlay *et al.*, 2020; Burnett *et al.*, 2021; Natural

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<sup>16</sup> Available to download from the [Exe Estuary Partnership Website](#)

England and Kantar Public, 2021) and many changes, such as increased dog ownership (Morgan *et al.*, 2020) may have long-lasting effects.

- 3.5 Recreation patterns, in terms of types of activity will also change over time. Wild swimming (Bates and Moles, 2022), paddleboarding (Baker *et al.*, 2021) and e-bikes (Rérat, 2021) are becoming increasingly popular while improvements in wetsuit materials and technology can allow people to spend more time in the water. Such changes may mean people access sites in novel ways, at different times of day or different weather conditions.
- 3.6 In order to ensure resilience in the face of such change and the necessary confidence to conform with the regulations, a range of mitigation measures are likely to be necessary. It is unlikely that any one single intervention will work on its own to address all possible risks.

### ***Climate change***

- 3.7 Climate change adds to uncertainty through changes to the estuary and adjacent areas. Dawlish Warren will continue to change with the beach continuing to lower, increasing flood and erosion risk across the estuary. The spit is anticipated to lose its wave barrier function making the estuary less sheltered and more vulnerable to storm events and there is some disagreement about the how site should be managed (see Environment Agency, 2023 for background).
- 3.8 Dawlish Warren holds one of the major wader roosts on the estuary and the changes to the estuary may affect the distribution of birds, availability of roost sites and distribution of food (Clausen and Clausen, 2014). In addition, climate change will affect the distribution of birds and choice of wintering location at a fly-way/regional level (e.g. Maclean *et al.*, 2008).
- 3.9 Climate change is also likely to be a driver of change in recreational use (McEvoy *et al.*, 2008; Coombes and Jones, 2010), for example milder winter weather could lead to increased watersport use.

### ***Functionally linked-land and resilience***

- 3.10 There have been some marked changes on and around the estuary in recent years. Both mussel and cockle stocks (a key food for some SPA bird species such as Oystercatcher) have crashed (Morten *et al.*, 2022) and there have been major erosion events at Dawlish Warren. In the context of climate change with more storms and rising sea-levels, the dynamic nature of the coast means that the distribution of birds within the SPA/Ramsar is likely to



shift. Low-lying land around the SPA has the potential to provide safe roost and feeding sites for the bird interest and such functionally-linked land<sup>17</sup> may become more important in the long-term in terms of providing feeding and roost sites.

- 3.11 Facilitating management of these areas and ensuring disturbance is minimised is likely to help relieve pressure on the SPA that may be subjected to changes in key habitats over time. By securing greater habitat capacity outside site boundaries, there can be greater confidence in maintaining the favourable conservation status of the bird interest into the long term.
- 3.12 There is on-going research to understand Oystercatcher movements around the Exe Estuary, and birds have been colour-ringed and some have been fitted with GPS trackers (Morten *et al.*, 2022). Such studies will help to show how birds move around the estuary and identify any key locations outside the SPA that are functionally-linked to the SPA, by providing habitat that is essential to the SPA birds.
- 3.13 As the strategy evolves and as the estuary changes, there may be opportunities to focus on functionally-linked land more. Increasing the resilience of the SPA will contribute towards site conservation objectives and there will be a level at which this should clearly be done in order to meet the maintain and restore duties within the legislation, rather than mitigation. Careful consideration of whether there are additional opportunities that could form part of the strategy warrants further investigation, for example through mapping functionally-linked land. Clear demonstration of additionality will be paramount.

### **Long-term security**

- 3.14 The need for mitigation is likely to last indefinitely. A long-term perspective is clearly important. Proactive work around influencing dog walkers and managing dogs off leads has taken place at Dawlish Warren since the 1970s and the restrictions on dogs beyond groyne 9 on the beach were first instigated in the 1990s (P. Chambers, *pers. comm.*). The need to keep promoting and reinforcing the messaging still remains, highlighting how important it is that measures are implemented for the long-term.

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<sup>17</sup> 'Functional linkage' refers to the role or 'function' that land or sea beyond the boundary of a European site might fulfil in terms of ecologically supporting the populations for which the site was designated or classified. See Chapman & Tyldesley (2016) for further background.

- 3.15 A consistent challenge across this and other European site mitigation strategies has been how best to ensure effective mitigation for the lifetime of the development, particularly when measures involve the management of green infrastructure or employment of staff that need funding on an annual basis. Securing in-perpetuity funding means ring-fencing money for future delivery, yet it can be hard to determine the right amounts to set aside. Clarity on the duration that measures are required for clearly has a major impact on the overall cost of mitigation.
- 3.16 The current mitigation strategy does not include any security in terms of the Delivery Manager's post, which was envisaged to be a 5-year post. Given the continuing need to bring a wide range of stakeholders together, report to the Executive Committee, manage the budget and oversee mitigation delivery, there is scope for this post to be extended. Without this post, there is the risk that the Wildlife Wardens spend less time out on site and are stretched too thinly.
- 3.17 There have also been some delays in delivering mitigation, for example in the case of the purchase of the patrol boat and in establishing the wildlife refuges. Sufficient resources and staff time are necessary to enable measures to happen. As such there is scope for ensuring enough staff and sufficient budget to make sure measures can be implemented. In addition, there needs to be sufficient flexibility to easily redistribute resources to respond to particular circumstances or opportunities.

### ***Wildlife wardens***

- 3.18 Wildlife wardens undertake a ranger role as well as undertaking awareness raising work around the sites. They patrol in pairs due to health & safety concerns and while this works well it does mean that spatial coverage is essentially limited. In recent years there have been lengthy periods of time where only one wildlife warden has been in post and this has required other staff (e.g. delivery manager) to join them on patrols at least 1 day per week, taking time away from other duties.
- 3.19 There is clear scope to expand the warden team to provide better coverage. To date, warden time has been split seasonally, with a focus on the Heaths during the spring/summer and the Estuary during the autumn/winter. While this has helped ensure the right focus, the restriction of only being able to cover one place at a time due to staffing and the challenges of organising leave and sickness cover mean the current team of two is stretched.

Furthermore, attendance at events, shows and more public-facing elements, while important in themselves, can mean that time actually on the European sites themselves is further reduced. The travel time and distances also add to the challenges as the estuary makes it harder to switch locations quickly and efficiently (i.e. moving between Dawlish Warren and the East Devon Heaths).

3.20 It is perhaps useful to compare other mitigation strategies to check the level of provision. On the Solent (where a mitigation ranger team has been long established), the ranger team has included around 7 staff over the winter (covering some 250km of coast) and the level of annual growth (around 3,400 dwellings), equates to around 30 minutes ranger time per new dwelling per winter (Liley *et al.*, 2023). That figure takes into account the actual time rangers spend out and on the Solent coast, and the rangers are not paired. That level of provision was considered relatively low in the review by Liley *et al.* (2023).

3.21 In South East Devon the wardens need to cover around 27km of shoreline along the Exe Estuary plus an area of around 1,200ha (the combined area of the East Devon Heaths and Dawlish Warren). A team size of just 2 wardens, if out patrolling around 25 hours a week, might achieve around 1,300 hours<sup>18</sup> on patrol per year. With levels of development around 1,941 per annum, that level of coverage is around 40 minutes per new development per year and would seem low. Wardens on the Solent can engage with around 6 groups of people per hour (Liley *et al.*, 2023), assuming similar timings for the South East Devon sites would suggest 2 wardens might achieve the equivalent of 4 interactions with visitors for each new dwelling built. These calculations are relatively simplistic but highlight the current provision is too low and is likely to need to at least double to achieve a better level of coverage.

### **Monitoring**

3.22 Monitoring data reflect the level of mitigation achieved, website hits, social media engagement etc. and have also included visitor surveys (Caals, Panter and Liley, 2022) and monitoring of wildlife refuges on the Exe Estuary (Saunders. and Liley, 2021).

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<sup>18</sup> i.e. 25 multiplied by 52, made on the assumption the rangers operate as a pair rather than separately

- 3.23 Looking to the future, there is scope to review the monitoring that is integrated within the mitigation strategy and potential for additional monitoring to help target warden time, the patrol boat time and other measures, in order to help hone and inform mitigation delivery. The original strategy included visitor questionnaire work at five-year intervals and regular counts of visitor numbers, however the budget was not sufficient to allow these to be fully implemented as planned.

### ***Stakeholders and engagement***

- 3.24 A key element in the mitigation delivery has been stakeholder engagement and the need to involve and work closely with a wide range of people and organisations. These include both internal stakeholders (within the relevant local authorities) and external parties. For the mitigation package to work smoothly and be successful it has to involve local landowners, the public, visitors to the sites, community groups, user groups, developers, nature conservation bodies, statutory agencies, relevant forums and partnerships, local authority staff (including those involved in green infrastructure, communications, strategic planners, development management, legal and tourism) and elected Council members. The Wildlife Wardens and Delivery Manager clearly have an important role to play in bringing stakeholders together and keeping them informed, however there is potential to communicate to the various groups further, extending reach and ensuring the mitigation package works in its totality.
- 3.25 The Exe Estuary Management Partnership ran the consultation on the wildlife refuges, as well as the code of conduct consultation. Having a third party able to bring together users, local businesses etc. was potentially very important in this instance. Looking to the future, bringing together different groups and establishing opportunities to communicate widely to stakeholders will be important.
- 3.26 Exeter City Council is seeking a Harbour Revision Order (HRO) which is likely to be in place in the 5 year period covered by this strategy. The HRO will provide new powers including the potential to update byelaws and apply Special Directions for specific instances or occasions. This will involve consultation with users and the potential for new updated legislation and guidance for users.
- 3.27 Looking ahead, the Devon Local Nature Recovery Strategy (LNRS) will provide supporting evidence for local plans and cover the whole of the county. The

LNRS will set priorities for future focus in terms of geographic areas, species and habitats and will involve planners, developers and others. There may well be opportunities within the LNRS to link to the measures in this mitigation strategy.

### ***Devon Loves Dogs***

- 3.28 Devon Loves Dogs has been successful and has been gathering momentum and recognition. It is however constrained by resources in terms of staff time, vehicle etc. The original strategy included an annual cost to run the Project of £2,000 and there is clearly scope for this to be increased and for more events and greater levels of engagement to be achieved. The county-wide branding brings recognition and scope for growth (e.g. funding to include cover at other sites), but this risks the core sites for mitigation delivery being missed.

### ***Parking on the Pebblebed Heaths and visitor infrastructure***

- 3.29 Given that the majority of visitors come by car, the car parking capacity on the East Devon Heaths provides a means ultimately to limit visitor numbers. Verge parking is minimal now and there have been reductions in the number of car-parks, from 22 car parks around 2000, to about 17 now. There is a difficult balancing act to ensure in the long-term sufficient, adequate parking for a sustainable amount of visitor use, with those car-parks in the right places so that visitor footfall is not focussed in the most sensitive places and is distributed appropriately across the site.
- 3.30 Clinton Devon Estates have been formalising some car parks, improving efficient use of space/routing of traffic, so that they know better what their total capacity is, and can monitor how close to full they actually come. New signs, height restriction barriers and changes to layout and design have also been incorporated. The redesign helps with mitigation as it provides a physical limit to the amount of parking at particular locations, facilitates engagement (by ensuring signs, bins, path routing etc is all integrated into the design) and makes it clear to visitors the site is well managed and looked after, reducing the risk of antisocial behaviour.
- 3.31 One factor potentially influencing visitor use of the heaths is the lack of parking charges, meaning it is one of the few countryside areas in the region where it is possible to park for free. There is scope to review how this might influence visitor use and to consider the implications and relative merits of changing this over time. Charging for parking may help visitors appreciate

the challenges in looking after the Heaths and may influence visitor perceptions of the site, as well as possibly changing how often and when people visit. It should however be noted that charging may not necessarily reduce visitor numbers (Weitowitz *et al.*, 2019), but it may also generate revenue to help with the long term funding of management on the Heaths.

### ***Suitable Alternative Natural Greenspace (SANGs)***

- 3.32 SANGs provide additional greenspace for recreation, providing space for recreational use away from European sites. As such they work as mitigation when they provide an alternative that draws users who would otherwise visit the European site. There are various approaches to how SANGs can be delivered, for example new (or enhanced) green space can be created and managed strategically by a local authority, or new open space can be provided by developers alongside new housing. A list of existing, emerging and potential SANGs is provided in Appendix 1.
- 3.33 The main SANG site so far established is Dawlish Countryside Park, which has been purchased by Teignbridge District Council. The site has been flagged in the dog walking code of conduct for the Exe Estuary, and as such it is being actively promoted to dog walkers using the estuary. Visitor data (Caals, Panter and Liley, 2022) shows the SANG to be working well. For example, 44% of interviewees on the Exe Estuary had visited Dawlish Countryside Park. Furthermore, when asked which single alternative location visitors at the SANG would have gone to instead, Dawlish Warren was the most popular alternative (cited by 13 interviewees, 19% of interviewees at the SANG). Postcode data show the SANG draws visitors from the local area, including Dawlish and from as far afield as Exeter and Newton Abbot.
- 3.34 Other SANGs include Ridgetop Park near Matford. The total SANG area that has been secured will be almost 40ha and is being delivered by the local authority (partnership). Phase 1 was formally opened in 2023 and is around 21ha.
- 3.35 There has been limited SANG delivery to date on the east side of the Exe Estuary. This may in part be due to it proving difficult to find suitable locations, and means that there is a disparity in SANGs provision and the SANGs element of the existing strategy has not worked smoothly. The gap in SANGs east of a line between Exmouth and Exeter is a priority for the future.
- 3.36 In other areas such as the Thames Basin Heaths a formulaic approach to SANGs is clearly set out and rigidly adhered to. The formulas set out the level

of SANG provision per dwelling (8ha per 1,000 new residents) alongside detailed prescriptions of how SANGs should work, including guidelines for site size, parking provision, distance from development, design etc. In the original South East Devon strategy such an approach was avoided as it was recognised that there were different issues around the coast, where SANGs potentially play less of a role in an overall mitigation package due to the unique draw of the coast. Evidence is growing on the effectiveness of SANGs in a coastal location (e.g. Caals, Panter and Liley, 2022) and looking to the future there is a need to provide greater clarity about the level of SANG provision required from different developments and clear guidance on what SANG should look like and how it should work.

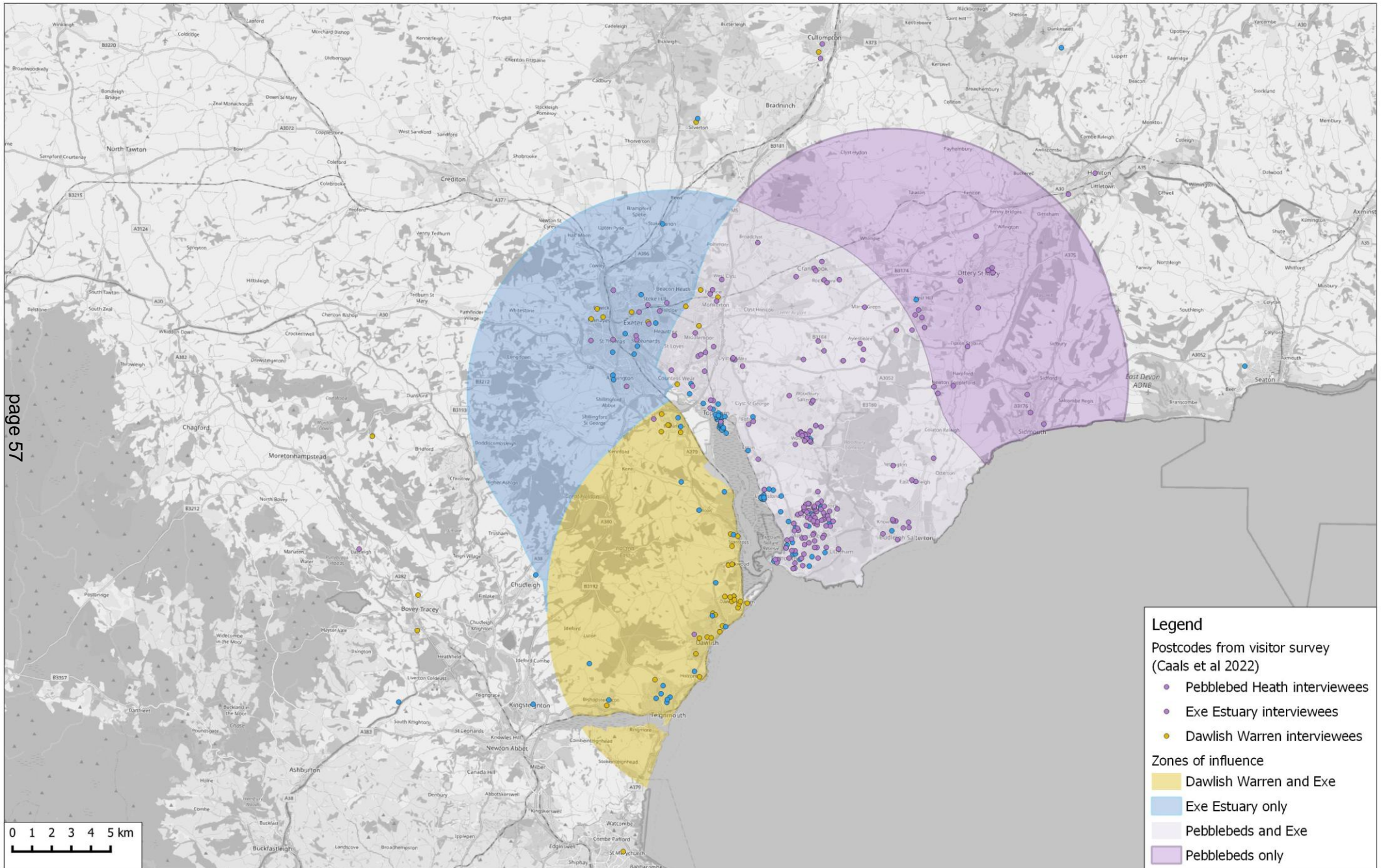
- 3.37 It is also now becoming increasingly recognised that there is a role for SANGs to be multi-functional in that they can provide for some other benefits alongside a primary purpose of mitigation for recreation impacts. Defra's Environmental Improvement Plan (2023) recognises the importance of spending time in nature and sets a commitment that everyone should live within a 15 minute walk of a green or blue space. Access to the countryside is now recognised as bringing wide benefits to society that include benefits to mental/physical health (Pretty *et al.*, 2005; White *et al.*, 2019; Kondo *et al.*, 2020; Mental Health Foundation, 2021; Nghiem *et al.*, 2021) and economic benefits (ICRT, 2011; ICF GHK, 2013; Keniger *et al.*, 2013; The Land Trust, 2018). There is also scope for SANGs to provide benefits around ecosystem services (water quality, flood protection, carbon sequestration) or biodiversity net gain that are not incompatible with a primary aim of recreation provision. As such there are perhaps opportunities for wider funding and better promotion of the potential benefits of SANGs.

## 4. Zones of influence

- 4.1 The original strategy is based on zones of influence around each of the European sites. The zones reflect the area where new development is likely to result in increased access to the European sites and therefore trigger likely significant effects and a need to secure mitigation.
- 4.2 The zones were drawn at 10km, based on visitor survey data (Liley, Fearnley and Cruickshanks, 2010; Cruickshanks and Liley, 2012), primarily the results from a postal survey. The rationale behind the zones (and detailed consideration of alternatives) are described in the original strategy. In simple terms, 10km captured the majority of visitors, around 70-80% for the East Devon Heaths and the Exe Estuary and lower for Dawlish Warren. The zones resulted in a relatively complex, Venn-diagram like approach, with some areas falling within one zone of influence and other areas falling within two zones.
- 4.3 Since the previous mitigation strategy further visitor data have become available (Caals, Panter and Liley, 2022). The visitor postcodes from that survey are shown in Map 2, which shows the zones work well to reflect the more recent postcode data (which were collected at a relevant times of year for each European site). In total, 76% of those interviewed at the Exe survey points (including Dawlish Warren) had home postcodes within 10km of the SPA/Ramsar boundary. For those interviewees at Dawlish Warren 60% lived within 10km and for the East Devon Heaths 86% lived within 10km. Caals et al suggest no reason to change the zones of influence.



Map 2: Zones of influences and recent postcode data



## 5. Scale of future development

5.1 The scale of growth in the relevant local plans is summarised in Table 2 (period 2025-2040) and Table 3 (2025-2030). The totals are approximate and reflect the overall scale of growth that needs to be mitigated. These show nearly 30,000 new dwellings are likely to come forward 2025-2040 within one of the relevant zones, this equates to around 1,941 dwellings per annum. Within the first 5 years (2025-2030), the level of anticipated growth is slightly higher, at just over 2,000 dwellings per annum.

**Table 2: Approximate scale of growth in relevant plans within relevant zones of influence, 2025-2040.**  
Data provided by relevant local authorities to provide an estimate of level of growth requiring mitigation

Local authority	Anticipated housing 2025-2040 and within 1+ zones	Estimate within Exe Estuary 10km zone	Estimate within East Devon Heaths 10km zone	Estimate within Dawlish 10km zone
East Devon	14,400	12,486	14,392	0
Exeter	8,607	8,607	2,325	0
Teignbridge	6,104	6,104	0	2,395
<b>Total</b>	<b>29,111</b>	<b>27,197</b>	<b>16,717</b>	<b>2,395</b>
Yearly average	1,941	1,813	1,114	160

**Table 3: Approximate scale of growth in relevant plans within relevant zones of influence, 2025-2030.**  
Data provided by relevant local authorities to provide an estimate of level of growth requiring mitigation

Local authority	Anticipated housing 2025-2030 and within 1+ zones	Estimate within Exe Estuary 10km zone	Estimate within East Devon Heaths 10km zone	Estimate within Dawlish 10km zone
East Devon	4,374	3,821	4,370	0
Exeter	3,618	3,618	1,475	0
Teignbridge	2,033	2,033	0	1,281
<b>Total</b>	<b>10,025</b>	<b>9,472</b>	<b>5,845</b>	<b>1,281</b>
Yearly average	2,005	1,894	1,169	256

- 5.2 Table 4 summarises the potential level of growth (2025-2040) in relation to the number of dwellings (as of 2023) in each zone and the zones combined. It can be seen that the proposed level of growth represents a change of nearly 30% for the Exe Estuary and around 25% for the East Devon Heaths. This clearly represents a marked uplift in local housing around those sites. The proposed growth is more focussed on the east of the Estuary as opposed to the west.
- 5.3 Very large uplifts in housing at specific locations in East Devon (Cranbrook and the new town proposed west of Farringdon) to the east of Exeter will have particular implications for the East Devon Heaths. Housing growth is proposed in relatively close proximity and with good, direct road links marked uplifts in recreation use are likely. Rapid changes are likely at what are currently quite rural feeling heaths.

**Table 4: Potential change in housing numbers. Dwellings in 2023 extracted from national postcode database and reflect the number of residential delivery points.**

Local authority	Total in 2023	Anticipated 2025-2040	% change
All three zones combined	129,712	29,111	22.4
Estimate within Exe Estuary 10km zone	92,114	27,197	29.5
Estimate within East Devon Heaths 10km zone	66,722	16,717	25.1
Estimate within Dawlish 10km zone	21,734	2,395	11.0

## 6. Mitigation measures

6.1 Mitigation measures are split into:

- SAMMS (Strategic Access Management and Monitoring); and
- Off-site infrastructure (including SANGs – ‘Suitable Alternative Natural Greenspace’ and local projects).

6.2 Figure 1 provides an overview of the key elements of the strategy.



SAMM				
THEME	Engagement	Access Infrastructure & Projects	Monitoring	Off-site Infrastructure
AIMS	<ul style="list-style-type: none"> <li>Increased awareness of issues</li> <li>Influence behaviour change (e.g. dogs on leads)</li> <li>Deflect access (e.g. to SANGs)</li> </ul>	<ul style="list-style-type: none"> <li>Influencing distribution of access within European sites</li> <li>Containing access</li> <li>Increasing resilience of European sites</li> </ul>	<ul style="list-style-type: none"> <li>Information to inform mitigation</li> <li>Early warning of change and emerging issues</li> <li>Increased cost effectiveness by ensuring focus</li> </ul>	<ul style="list-style-type: none"> <li>Provide alternative visitor destinations</li> <li>Reduce visitor numbers of European sites</li> </ul>
ACTIONS	<ul style="list-style-type: none"> <li>Wardens</li> <li>Devon Loves Dogs</li> <li>Communications Officer</li> <li>South East Devon Wildlife (SEDW) Website</li> <li>Codes of Conduct</li> <li>Exe Leaflets</li> <li>Schools</li> <li>Patrol boat</li> <li>Stakeholder engagement</li> <li>New interpretation</li> <li>Web Camera</li> <li>Interpretation</li> <li>Education work around fire</li> <li>Visitor facility at Dawlish Warren</li> </ul>	<ul style="list-style-type: none"> <li>Review of signage and new/improved signage</li> <li>Managing access at sensitive locations</li> <li>Ongoing maintenance of buoys at refuge</li> <li>Additional dog bins</li> <li>Review of parking charging</li> <li>Special projects pot</li> <li>Signage</li> <li>Fire strategy work and review</li> <li>Advice/specialist input re management interventions around dog walking</li> <li>Resources for work with commercial dog walkers</li> <li>Maintenance of high tide roost at Dawlish Warren</li> <li>Flexible projects pot</li> </ul>	<ul style="list-style-type: none"> <li>Production of monitoring strategy &amp; monitoring support</li> <li>Visitor survey</li> <li>Refuge monitoring</li> <li>Vantage point counts</li> <li>Monitoring: ecology (birds, Southern Damselfly)</li> <li>Monitoring: people behaviour</li> <li>Monitoring: vehicle counter data collection</li> <li>Petalwort monitoring and survey</li> </ul>	<ul style="list-style-type: none"> <li>SANGs and Infrastructure Projects Coordination Officer</li> <li>Large alternative visitor sites ('SANGs') delivered by developers at large development sites</li> <li>Strategic SANGs (new and enhanced existing sites) delivered by LPAs</li> <li>Rolling list of local projects, enhancing green infrastructure and access opportunities away from European sites</li> </ul>

Figure 1: Summary of mitigation measures. Actions in blue text relate to those that are Exe Estuary specific, those in purple are East Devon Heaths specific and gold reflects those specific to Dawlish Warren. Actions in black apply across all 3 sites.

## Strategic Access Management and Monitoring (SAMMS)

- 6.3 SAMMs measures fall within three broad themes, namely:
- Engagement;
  - Access Infrastructure and Projects; and
  - Monitoring.
- 6.4 The measures are set out in Table 5.
- 6.5 The warden team is fundamental to the mitigation delivery. The warden team's core work will involve providing a presence on-site through their patrols of the relevant European sites. This provides the confidence that mitigation is targeted towards direct engagement with those visiting the European sites and the ability to directly influence those spending time on those sites. The funds provide the wardens with the necessary resources (such as vehicles and the patrol boat) to deliver this mitigation. Warden time should be ring-fenced and focussed on maximising their time out on the heaths, the estuary and at Dawlish Warren.
- 6.6 Warden time should be closely monitored and levels of engagement with visitors and interactions carefully logged. This will enable future updates of the strategy to ensure warden provision is adequate, with the team being increased (or decreased) over time as necessary.
- 6.7 Alongside the wardens, other mitigation measures include the refuges, signage, interpretation and funding that can be used for discrete 'special' projects and allows relevant delivery bodies to be able to draw down on funds.
- 6.8 The SAMM measures are able to shift and adapt with time, which is essential given likely changes at the sites, for example with respect to climate change. Warden time can be focussed as most relevant and project funds can be directed to where they are needed. Engagement for example through social media provides further opportunity to reinforce messaging and influence behaviour in a targeted and dynamic way.
- 6.9 The marked uplifts in housing growth proposed in the area to the east of Exeter mean the east side of the Estuary and the East Devon Heaths are likely to see particular changes in access. Alongside the flexible warden provision and other engagement (which can be ramped up/targeted as appropriate), it will be necessary for infrastructure changes to address issues as they arise. Parking around the East Devon Heaths is a particular case in

point. Managing parking will provide a means to influence visitor use in terms of both numbers of people and where they go. Reviewing parking charging and instigating measures to address roadside parking (such as establishing clearways on relevant roads) may be necessary. Developer contributions will be available to fund the costs as and when they are necessary.

**Table 5: SAMMs measures. Shading reflects those specific to the Exe Estuary (pale blue), East Devon Heaths (purple) and Dawlish Warren (yellow).**

Site	Mitigation measure	Description	Parties involved in delivery	Justification	Notes
All	Delivery Manager	Full time post managing warden team and providing overall steer for mitigation delivery and link to partners, stakeholders, planners etc. Role also proving strategic links and wider policy work/liaison	SEDHRP	Manager post key to ensuring smooth delivery and oversight of implementation	
All	Wardens, team to scale up to 5	Warden team expanded from 2 to 5 FTE and including team leader post. Key function is patrolling on the European sites and directly engaging with visitors to those sites	SEDHRP	Wardens are a cornerstone of the mitigation. Additional wardens needed to provide year round cover and work effectively. Requirement to be paired, plus scale of area and pivotal importance of the warden team means team size needs to increase. Team of 5 allows for 2 on the heath and 2 on the estuary.	Currently more emphasis in summer as bird breeding season. More presence in winter necessary and clear immediate priority to boost team size. Scope to have on bikes in future?
All	Vehicles for warden team	Running costs to cover vehicle and other running costs for events etc	SEDHRP	Budget required for transport and operational work	
All	Devon Loves Dogs staffing costs	Team to expand to 2 fte	SEDHRP	Additional staffing required to build project and focus on key user group. Dog walkers main user group to influence and one with biggest impact	
All	Resources for Devon Loves Dogs	Running costs to cover vehicle and other running costs for events etc	SEDHRP	Budget required for transport and operational work	
All	Communications Officer staffing costs	Mitigation relies on effective behaviour change through communication of key messages - focused, specialist work on social media, press, newsletters.	SEDHRP	Budget required for operational work, targeted comms planning, campaigns, social media, newsletter and	



# South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy

Site	Mitigation measure	Description	Parties involved in delivery	Justification	Notes
				promotional/networking opportunities.	
All	DLD Website	Website for Devon Loves Dogs	SEDHRP	Necessary to cover regular updates, refresh and content	
All	South East Devon Wildlife (SEDW) Website	Website for work of wardens	SEDHRP	Necessary to cover regular updates, refresh and content	
All	DLD Brand refresh	Pulse of work to update branding, covering graphic design and overall refresh	SEDHRP	Ensures public face of mitigation works and conveys right messages	Every 10 years
All	SEDW Brand refresh	Pulse of work to update branding, covering graphic design and overall refresh	SEDHRP	Ensures public face of mitigation works and conveys right messages	Every 10 years
page 65	Wardens projects	Operational budget for warden team	SEDHRP	Necessary to ensure warden team can utilise new ways of engaging and purchase required resources. Allows scope for seasonal campaigns and fresh material.	
All	Production of monitoring strategy & monitoring support	Consultancy support to work with SEDHRP and stakeholders to design monitoring programme and recording to cover data collection by warden team, other relevant data (e.g. volunteer bird surveys), reporting protocols and report production	SEDHRP	Will ensure monitoring is conducted efficiently and data available to feed into mitigation delivery	
All	Visitor survey	Visitor survey to cover all European sites and surrounding GI (SANGs etc) at 5 year intervals	SEDHRP	Provides data on changing use patterns, demographics, visitor numbers and visitor origins.	

# South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy

Site	Mitigation measure	Description	Parties involved in delivery	Justification	Notes
All	SANGs and Infrastructure Projects Coordination Officer	Post to oversee SANG provision, delivery, design and maintain oversight	SEDHRP, EDDC, ECC, TDC	Necessary to ensure coherent and joined up approach to SANG and alternative green infrastructure provision, with role liaising with developers, planners, Natural England and other stakeholders	
All	Admin and accountancy support	Budget to cover annual accounting and monitoring of housing totals	SEDHRP, EDDC, ECC, TDC	Necessary to ensure in-perpetuity costs set aside appropriately and administration of finances	
Exe page 66	Codes of Conduct	Codes updated, with potential for additional codes (drones/personal aircraft), also printing and distribution costs	SEDHRP, EEMP	Codes fulfil an important role in terms of information on how visitors are expected to behave and guidance. It is essential they are up to date, relevant and fit for purpose	Paper leaflets may be less likely to be used over time and essential information also available interactively on the web
Exe	Exe Leaflets	Budget for refresh and reprints of 4 existing leaflets: Exe Explorer, Exe Wildlife, Exe Activities and Exe Heritage.	SEDHRP, EEMP	Leaflets well used resource providing information on where to go, public transport, access etc alongside key messages such as location of refuges. Essential that they are up to date, accurate and relevant	Paper leaflets potentially less likely to be used over time and essential information also available interactively on the web. Update scheduled in 2023/24 so further update potentially necessary for around 2030
Exe	Schools	Review of education provision and material, and budget for creation of new material to support education work around estuary	EDDC, TDC, EEMP	Working with schools and young people a good way to reach local community	Work was undertaken prior to Covid and packs were produced at the time. There is a range of packs etc already on the web. EEMP and a range of other

# South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy

Site	Mitigation measure	Description	Parties involved in delivery	Justification	Notes
					bodies run existing education work. Scope for mitigation partnership to support through provision of material
Exe	Managing access at sensitive locations	Budget to cover series of small projects relating to access infrastructure around the estuary. Some initial work required to produce costed, prioritised plan (Delivery Manager). Locations/measures potentially relevant could include: Imperial Recreation Ground (measures relating to managing access onto the intertidal, creation of barrier/hedge or similar on the revetment to keep access back from shore), Eaels Dock (project relating to boat use and reducing disturbance risks), Cockwood steps (signage), Dawlish Warren (temporary fencing), range of locations (new/improved bird hides, screens or similar). Also potential to include measures to reduce disturbance on functionally-linked land outside Estuary.	various	Distribution of birds and ways people access shoreline change over time. Projects involve targeted interventions at specific locations to help influence behaviour and where people go. Options at Dawlish will allow quick response to changes in habitat there which may influence access and recreation impacts.	Some projects may require budget for annual maintenance, for example a low hedge at the Imperial Recreation Ground would need cutting. Projects on functionally-linked land should only be funded if they work to reduce disturbance on SPA birds, for example rerouting footpaths so as to avoid disturbance risks to existing roost site.
Exe	Patrol boat	Review of current patrol boat use and costs to implement changes following review. Potential to switch to different boat type to facilitate use.	SEDHRP	Boat can target watersports and those out on the water and provides a visible presence reducing particularly damaging/disturbing activities	Current boat has high sides and a cabin. Parking is difficult in the marina and the boat isn't ideal in strong winds. Review necessary to consider costs and explore options with budget to allow swap to a different craft.
Exe	Ongoing repair/maintenance of buoys at refuge	Upkeep of refuge buoys and new interpretation on the buoys		Refuges provide core areas with wildlife focus. Buoys mark these areas but need upkeep and	

# South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy

Site	Mitigation measure	Description	Parties involved in delivery	Justification	Notes
				repair. Interpretation/signage on buoys will make it clear what their role is	
Exe	Stakeholder engagement	Costs cover engagement with organisations, groups, clubs and businesses around the Estuary to ensure awareness and understanding of mitigation	SEDHRP, EEMP	Wide range of bodies, organisations etc with an interest in the Estuary. Regular dialogue ensures smooth delivery of mitigation.	
Exe	Review of signage and new/improved signage	Estuary wide review of signs followed by implementation of new signage as required	Multiple, including landowners	Signage needs to evolve and change over time. Signs help with wayfinding and inform behaviour (e.g. dogs on leads, launching points, shoreline access etc) and to direct people (e.g. to SANGs). Potential for new/improved signage at range of locations including groyne 9 at Dawlish Warren, Dawlish Warren car park and potentially other points around estuary.	A number of signs have been added to the Exe Estuary site by a variety of organisations since the last signage review in 2018 by the EEMP
Exe	New interpretation	Interpretation panels to provide information on wildlife interest, sensitivity and access information	Multiple including landowners	Scope for new panels outside the Centre on Dawlish Warren and in the buffer zone at Dawlish Warren and other locations around the estuary.	
Exe	Refuge monitoring	Core counts undertaken at 5 yearly intervals, as per previous monitoring		Checks of incursions into refuges, impacts of activities around periphery and check on bird use. Feeds into long term	Programming of this work potentially informed by monitoring strategy

# South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy

Site	Mitigation measure	Description	Parties involved in delivery	Justification	Notes
				provision, management and design of refuges.	
Exe	Vantage point counts	Vantage point counts (as used in refuge monitoring) extended to cover whole estuary, with counts undertaken by Wardens. Aim to provide monitoring protocol to pick up changes in activity and behaviour		Continuation of existing monitoring, undertaken by wardens and providing key baseline as to use of refuges and surrounding area	Design and scale to be informed by monitoring review, counts undertaken by wardens
Exe	Web Camera	Provision of web camera for 5 year period to highlight and showcase wildlife	Various	Cameras provide opportunity for people to experience the wildlife without undue disturbance. Camera could show wader roost and footage would help people understand frequency of disturbance and potential risks	Railway saltmarsh and the main roost at Dawlish Warren potential locations
East Devon Heaths	Additional dog bins	4 additional dog bins with costs to empty	CDE, RSPB, DWT	Bins are currently often full and overflowing. Need for additional capacity	Needs further consideration of the relevant locations
East Devon Heaths	Review of parking charging	Dedicated review to come up with recommendations relating to whether to charge for parking and any other parking considerations. Review would need to consider the impact of charging at other sites (coast, estuary, woods nearby) while the parking at the Pebblebeds remains free. Review would need to extend to consideration of infrastructure, charging approaches, messaging and provision of dedicated facilities such as charging for electric vehicles.	CDE, RSPB, DWT	Concern that current free parking provision results in site drawing recreation use from less sensitive locations that charge	
East Devon Heaths	Special projects pot	Mechanism available to fund mitigation measures in the future such as clearways (legal fees), projects relating to fire (e.g. hydrants), provision of	CDE, RSPB, DWT	Recognition that access patterns are changing and different opportunities may emerge, along	These projects dependent on other factors or monitoring results

# South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy

Site	Mitigation measure	Description	Parties involved in delivery	Justification	Notes
		alternative parking and further improvements or changes to parking		with some uncertainty around the outcomes from the parking charges review. Pot would allow part or complete funding for measures that have mitigation benefit and ensure mitigation targeted to maximise benefit.	
East Devon Heaths	Signage	Rolling budget to cover additional signs and waymarkers where required	CDE, RSPB, DWT	Low key markers and waymarkers to help people follow routes	
East Devon Heaths	Interpretation	New or updated interpretation at 5 locations	CDE, RSPB, DWT	Interpretation to convey key messages and raise awareness of conservation importance	
East Devon Heaths	Fire strategy work and review	Piece of work to review risks, emerging issues and recommendations for mitigation measures as necessary - e.g. around reducing fire load, better fire access, education/awareness raising etc	CDE, RSPB, DWT	Fire an increasing threat with climate change. Funds would cover specialist consultancy support to review current management and procedures	
East Devon Heaths	Education work around fire	Targeted awareness raising work, potentially extending to local schools and community groups to raise awareness of risks of fire and causes	SEDHRP, CDE	Fire an increasing threat with climate change. Important to ensure local community aware of risks	May be potential to learn from Firewise project undertaken around the Dorset Heaths
East Devon Heaths	Advice/specialist input re management interventions around dog walking	To date measures have been very much focussed around dog fouling and the need to pick up. Scope to expand measures to encompass dogs keeping to paths and responsible dog walking. Advice will be used to inform warden resources, campaign material and interventions through the special projects pot	CDE, RSPB, DWT	Dogs ranging widely off lead a potential issue in relation to livestock, Nightjar and Dartford Warbler. Specialist support needed to ensure messaging and communication approaches are right and proportionate.	

# South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy

Site	Mitigation measure	Description	Parties involved in delivery	Justification	Notes
East Devon Heaths	Resources for work with commercial dog walkers	Current system in place for permits etc. This needs to expand to provide clear guidance on behaviour requirements and as necessary scope to revoke permits	CDE, RSPB, DWT	Clear gap in current visitor management	
East Devon Heaths	Monitoring: ecology (birds, Southern Damsel fly)	Already undertaken but budget to ensure additional coverage/support for volunteers etc	CDE, RSPB, DWT	Ensures any gaps are filled and good coverage achieved	
East Devon Heaths	Monitoring: people behaviour	Observation survey	SEDHRP	Dedicated piece of work to assess current levels of compliance and prevalence of particular behaviours (such as not picking up, dogs off leads, bikes away from cycle routes etc); potential to check compliance with different signs and following particular campaigns	
East Devon Heaths	Monitoring: vehicle counter data collection	Vehicle counters in sample of main car parks to provide robust standardised data over time on levels of use	SEDHRP	Provides metric for how levels of use are changing, and means to check implications of different interventions	
Dawlish Warren	Visitor facility at Dawlish Warren	Some kind of focus for visitor engagement	TDC	There is a need for new facilities at Dawlish Warren to provide focal point for visitors, wardens and site-based staff for engagement.	Some uncertainty around design, function, location etc to be addressed over time
Dawlish Warren	Flexible projects pot	Budget to cover series of small projects relating to access management at the site, in particular scope to purchase and erect temporary fencing.	TDC	The dynamic front edge to the dune system creates a challenge in managing access. Infrastructure needs to change	

# South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy

Site	Mitigation measure	Description	Parties involved in delivery	Justification	Notes
				with time and needs can be unpredictable. Following storms and marked change, sudden response is often necessary, often requiring new fencing, temporary signage etc.	
Dawlish Warren	Petalwort monitoring and survey	Some funds for ongoing monitoring as needed	TDC	Regular and more systematic funding covered by Natural England but costs here to cover additional surveys and specialist support as needed and informed by monitoring strategy	Greenland lake the only population remaining. Translocation may take place in future.
Dawlish Warren	Maintenance of high tide roost at Dawlish Warren	Measures to improve, enhance and protect roost at Dawlish Warren with potential to add shingle, remove vegetation or better protect	TDC	The Dawlish Warren roost is one of the key roost sites on the estuary. Given changes at Dawlish Warren roost is vulnerable and over time there may be further opportunities to maintain in the short-term and ensure disturbance free roost site available.	



## Off-site infrastructure

6.10 Off-site infrastructure will provide access or enhance existing land away from the European sites, with the aim of drawing some visitors and recreation use to alternative destinations. Three different approaches (see Figure 2) are possible and relevant to different types of development.

Developer led SANG (greenfield)	Strategic SANG	Rolling list of LPA projects
<ul style="list-style-type: none"> <li>• Individual developments (not part of wider allocation) in the region of 300 or more dwellings and allocations in the region of 300 or more dwellings are expected to provide their own SANG as well as maintenance costs.</li> <li>• Developers providing part of a wider allocation will need to ensure suitable Master planning for a well-interconnected overall SANGS provision.</li> <li>• SANGs assessed as part of HRA and agreed with Natural England</li> <li>• Councils (or their nominee) should be given first refusal on delivery (developer-led delivery may be acceptable).</li> <li>• Guidelines set out in Appendix 2 and planning application principles in Appendix 3</li> </ul>	<ul style="list-style-type: none"> <li>• SANG delivered by LPAs to provide mitigation for multiple developments over a wide area, including in most cases developments of fewer than 300 dwellings.</li> <li>• New sites and/or enhancements to existing sites.</li> <li>• Funded through developer contributions.</li> <li>• Guidelines set out in Appendix 2.</li> </ul>	<ul style="list-style-type: none"> <li>• Rolling list of local projects enhancing green infrastructure and access opportunities away from European sites.</li> <li>• Tailored to local needs and specific circumstance.</li> <li>• Guidelines in Appendix 4.</li> </ul>

Figure 2: Different off-site infrastructure

6.11 Developer-led SANGs will be delivered directly by developers through on-site provision. Other types of infrastructure will be led by the local planning authority and funded from contributions. Guidelines for SANG design and implementation are provided in Appendices 2-4. These may be updated over time and/or supplementary guidance produced by the relevant local planning authority.

6.12 For large sites in the region of 300 or more dwellings, provision of SANGs should form part of the overall infrastructure provision of that site, particularly where urban extensions or new settlements are proposed. This approach would also be anticipated where adjacent sites or clusters of sites come forward separately. These developer led SANG will be incorporated

into the site design and master planning from the outset. SANGs provision should be delivered in advance of occupation of dwellings, however for larger proposals mitigation may be structured so as to tie in with development phasing.

- 6.13 The costs for establishment of these developer-led SANGs will be met by the developer and a means to secure the long-term maintenance and management will also need to be secured. This provision will need to be agreed with the relevant Planning Authority and Natural England, and checked as part of the HRA. The Councils (or their nominee) should be given first refusal on delivery to ensure long term security.
- 6.14 Small sites and brownfield sites within the built-up area are unlikely to be able to accommodate the scale of space required for a SANG and would therefore make a contribution towards strategic SANG or a contribution towards a range of discrete projects enhancing existing access.
- 6.15 Strategic SANG will provide large destination sites and are likely to be the most effective in drawing alternative recreation use. Dawlish Countryside Park provides an effective model to replicate. Such LPA led sites are likely to be better quality greenspaces and provide a different visitor experience to most developer-led greenspace which will be typically local to large developments. Such sites can have a council ranger presence ensuring community engagement.
- 6.16 A rolling list of projects will be produced by each authority, tailored to fit with the local needs for access and demand in the local area, and will fill any remaining mitigation need (alongside Developer-led SANG and Strategic SANG). How local greenspaces are managed will have implications for the European sites, for example dog bans on beaches could deflect use to the heaths, or footpaths that are poorly maintained are unlikely to be used. The rolling list of projects could include measures such as new footpath links, improved parking, fenced dog exercise/training areas, communication to visitors, improved path infrastructure, better access (road crossings or bridges) etc.
- 6.17 Such projects would be appropriate in the urban areas of Exeter where the recreational behaviour of urban residents may differ to those outside the city and there are limited opportunities to create large new greenspace. Such projects will also be more appropriate in more rural areas where small levels of growth and windfall come forward in locations where there is no strategic SANG.

- 6.18 Each authority will ensure a list of projects is agreed with Natural England and updated as needed. The list may well overlap with green infrastructure strategies but will be separate and clearly identified as mitigation. Costs and relevant levels of contribution will be determined by each authority. Potential projects within Exeter are listed in Appendix 5 (provided by the Council).
- 6.19 These different options provide a tiered approach to off-site infrastructure and over time will ensure robust mitigation by increasing the quality and availability of accessible natural greenspace outside European sites. The different options will mean a range of infrastructure is available to local residents including destination sites with car parks and a range of facilities, to more local and small-scale provision. The aim should be to deliver a network of inspiring greenspace that delivers the necessary mitigation and, as appropriate, fulfils a range of other functions such as climate change resilience, reduced need for car travel, nature recovery and health benefits.

## 7. Implementation

- 7.1 There is an already established approach to governance and implementation. The South and East Devon Habitat Regulations Executive Committee provides oversight and governance, and there is an officer working group that brings relevant organisations together and provides advice and recommendations. The Delivery Manager provides the key point of contact between the different groups and oversees the delivery of much of the mitigation on the ground.
- 7.2 It will be important, looking forward, that there is flexibility and regular review as to how money is spent and what is needed on the ground. A number of factors (such as Covid, extreme weather conditions, the cost of living crisis) have had an impact on visitor behaviour, visitor numbers, access infrastructure and/or the European sites themselves in recent years. Changes in housing delivery will affect how much mitigation revenue is collected. There is uncertainty as to how priorities might need to change in the future, and such uncertainty can only be addressed through good monitoring, adaptive mitigation and regular review.
- 7.3 Certain elements within the mitigation package have the scope to adapt and flex as conditions and priorities change. Furthermore, it is possible that additional opportunities may arise, for example as a result of changing land ownership. It is important therefore that the governance is flexible and responsive enough to enable developer contributions to be shifted to different components of the strategy easily. Annual reviews of budgets and the ability for the Delivery Manager to adjust finances as appropriate (with rapid approval from the Executive Committee) will be key.
- 7.4 We also highlight the importance of the various delivery partners, for example at Dawlish Warren, and on the East Devon Heaths there are experienced staff with the ability to deliver mitigation on the ground. It would be ideal for such organisations to work with the Delivery Manager and be able to directly bid to the Executive Committee for money for particular projects that have a clear mitigation benefit and fit with the strategy.

### Developer contributions and in-perpetuity costs

- 7.5 Mitigation is secured for the duration of the impact and it is assumed the implementation of the mitigation will run for as long as it is required, with money set aside to provide long-term stability and in-perpetuity delivery. The

strategy will operate on a rolling basis into the future, adjusting as necessary to changing levels of house building and impacts arising.

7.6 Some measures in this strategy are short-term, one-off measures while others need to run for many years, often extending well outside the Plan period. Changes to access infrastructure, the provision of SANGs (which are secured indefinitely) alongside the increased awareness raising and education work should ensure that the need and annual cost for SAMM can decrease with time. As SANGs become better used and the refuges etc more accepted, the need for the patrol boat, high levels of warden time and other such measures should change. It will be important for regular review and revision of costs as necessary to adjust the amount set aside for long term funding of mitigation measures. As such SAMM is highly unlikely to need to be constant over time. We have derived costs for different measures to cover different lengths of time (see Appendix 6) and these will be reviewed and adjusted on a 5 yearly basis.

7.7 Costs for the SAMM component of the strategy are summarised Table 6 and listed by measure in Appendix 6. The overall cost of the SAMM is £25,548,729 with this being split such that £23,907,129 relates to measures that are spread across all three European sites.

**Table 6: Summary of SAMM costs per European site**

SAMM components	Total cost	Total dwellings in relevant zone	Per dwelling cost
All sites	£23,907,129	29,111	£821.24
Exe specific	£832,600	27,197	£30.61
East Devon Heaths specific	£809,000	16,717	£48.39
Dawlish specific	£300,000	2,395	£125.26
<b>Total</b>	<b>£25,548,729</b>		

7.8 The figures in Table 6 enable the SAMM costs per dwelling to be determined for a given zone. All dwellings will contribute to the measures relating to all European sites, whereas only those within 10km of the Exe Estuary will contribute to the Exe Estuary specific components etc. Per dwelling costs based on location are given in Table 7.

**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

- 7.9 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. The tariff will be further adjusted on an annual basis to take into account inflation, any administrative costs and any other adjustments necessary (e.g. in relation to changing costs or variations in housing delivery).

## Types of development

- 7.10 This strategy applies to any future development granted planning permission that results in a net increase in residential units (i.e. C3 Use Class), located within 10km of the East Devon Heaths SAC/SPA, the Exe Estuary SPA/Ramsar and Dawlish Warren SAC.
- 7.11 While the strategy is focussed towards C3 Use Class, there are other uses and forms of development that may have impacts on the European site and could trigger likely significant effects for relevant European sites. Examples of other uses that may need to provide mitigation within the context of this strategy are listed below:
- Houses in Multiple Occupation (sui generis);
  - Residential institutions within the C2 Use Class where the residents are not severely restricted by illness or mobility;
  - Student accommodation;
  - Sites for gypsy, travellers and travelling showpeople;
  - Tourist accommodation, including self-catering, caravan and touring holiday accommodation.
- 7.12 For the above types of development, this strategy provides a means of ensuring effective mitigation can be delivered, but each will need to be assessed on a case-by-case basis. While in general each unit for the above could be considered a single dwelling, there may be a need to adjust the rate of SAMM contribution for different types and off-site infrastructure provision will need to be considered on a case-by-case basis. For example, the SAMM rate could be adapted according to occupancy rates for tourist

accommodation. Project level HRA for tourist applications will need to consider the location and type of use with respect to the relevant European sites, as for example a city centre hotel in Exeter would have a very different impact compared to accommodation focussed around watersports use in Exmouth.

## **Review and timing**

- 7.13 The strategy will operate indefinitely on a rolling basis, with this strategy commencing from spring/summer 2025 and running to 2030. The strategy has, however, been written in the context of local plans and the levels of growth likely to around 2040. The strategy will be reviewed and updated approximately every 5 years, with these reviews checking housing numbers, delivery, costs and mitigation priorities. The reviews will inform the 1 year and 5 year business plan that underpins the work of the partnership and their staff.

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## Appendix 1: Existing and potential SANGs

This Appendix summarises SANG sites, highlighting those that are existing and operational as well as those that have been formally proposed, and some key sites that may have potential for SANG, or where further evidence is required are also included.

Site Name	Existing area (ha)	Proposed area (ha)	Notes
Old Park Farm – Site A, (EDDC)	Approx. 6		Integrated with development
Pinbrook Country Park (Minerva) (Tithe barn) – Site B (EDDC)	9 approx		Integrated with development. 7 in Clyst Valley Regional Park
Dawlish Countryside Park SANG (TDC)	26		Well established SANG opened in 2017. Managed by the Land Trust.
Ridgetop Park, Exminster (TDC)	38	30	Now managed by the Land Trust. A further 30ha of SANG is allocated in the TDC Local Plan.
Cranbrook E – Cobdens (EDDC)		28	One quadrant of SANGs for expanded Cranbrook. At planning application stage.
Cranbrook SE – Grange (EDDC)		15	As above. Awaiting application.
Cranbrook W – Bluehayes plus NT Elbury land (EDDC)		18	As above. Planning application due for determination soon.
Cranbrook SW – Treasebeare (EDDC)		17	As above. Planning application.
HF1 Hayes Farm, Clyst Honiton – Site C (EDDC)		14	Possible SANGs in CVRP Masterplan. S106 already requires laying out of paths.
Broadclyst Station new SANGs (EDDC)	9		Recently purchased by EDDC but not yet open to public
Ludwell Valley Park (EC)	26		Existing site with potential for enhancement to provide some SANG capacity
Mincinglake Valley Park (EC)	13		Existing site with potential for enhancement to provide some SANG capacity
Northbrook Valley Park (EC)	5		Existing site with potential for enhancement to provide some SANG capacity
West Exe Country Park (TDC)		50	Potential proposal in Teignbridge Local Plan Review
Attewells Farm, Exeter (TDC)		6	Potential proposal in Teignbridge Local Plan Review. NE have raised concerns about accessibility.

## Appendix 2: Suitable Accessible Natural Greenspace (SANGs) guidelines

Developer led SANGs and strategic SANGs will be the main forms of off-site infrastructure. This appendix provides guidance on SANG design. The guidance may be superseded or updated at a later date by relevant partners.

The role of SANGs is to provide an alternative destination to those visitors who would otherwise visit the relevant European sites: Dawlish Warren, the Exe Estuary or the East Devon Heaths. They will be most effective if targeted to those visitors who have a big impact, such as dog walkers.

The effectiveness of SANGs will depend very much on the design and location, these need to work such that the SANGs has a draw equal to or greater than the European sites. In these guidelines we set out design and selection criteria for SANGs, drawing on that produced for other areas such as the Dorset Heaths (Dorset Council and BCP Council, 2020) or the Thames Basin Heaths (anon, 2021). The guidelines do not address or preclude other functions of green space, such as biodiversity net gain. Other functions may be provided within SANGs as long as these do not conflict with the specific function of mitigation.

SANGs may be created from:

- Existing land of suitable size and quality, with no existing or limited public access. Such sites would be 'opened' for public access and promoted as such.
- Land in other uses, such as golf courses, which could be converted into SANGs.

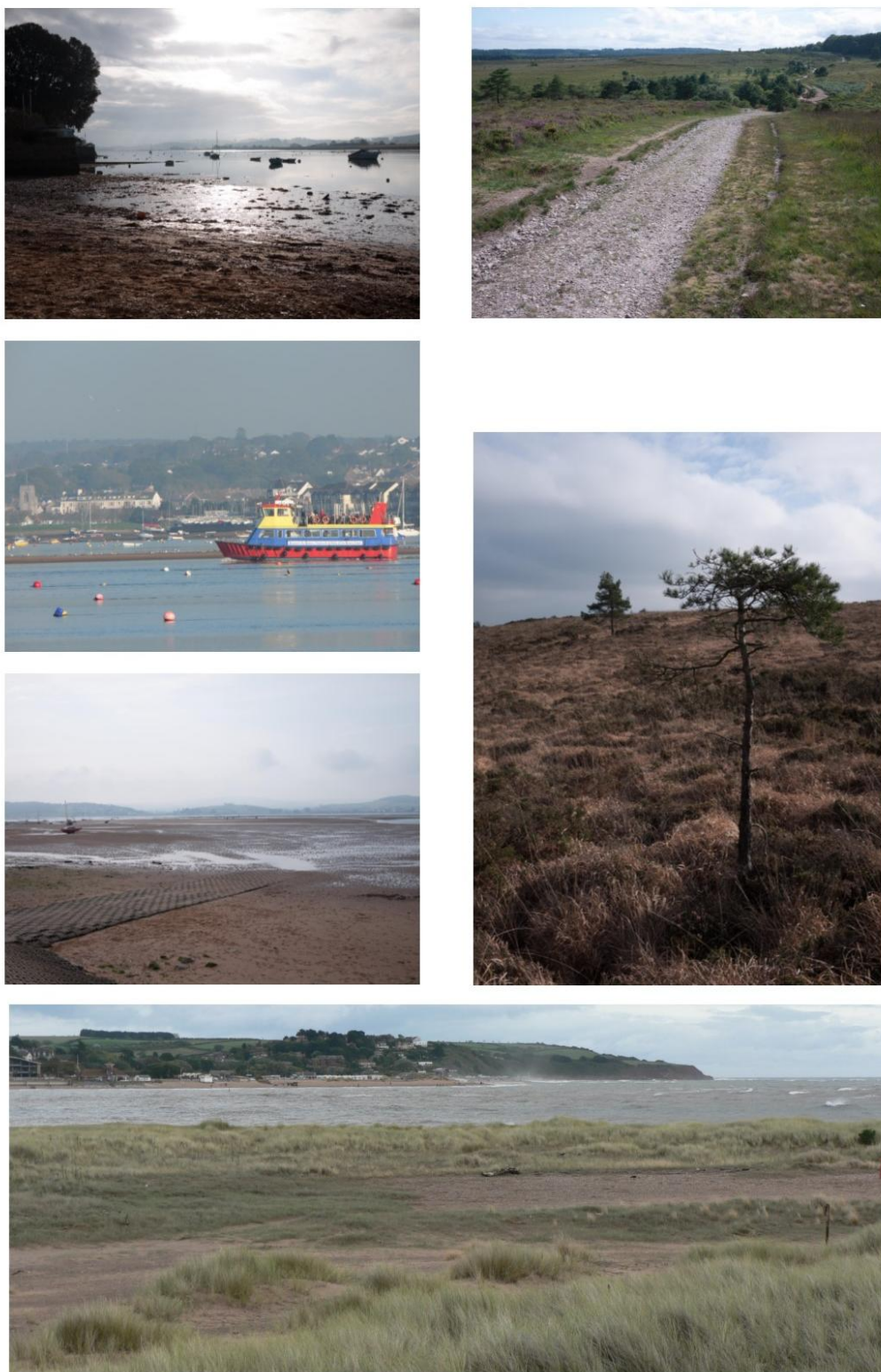
### Habitat & character of the relevant European sites

The East Devon Heaths cover some 1,400 ha and make up the largest block of lowland heath in Devon. They are open, relatively undulating and attractive heathlands, with patches of woodland, scattered trees and in places extensive views (Figure 3).

Archaeological interest includes the hill fort at Woodbury Castle and a tumulus. While part of the shoreline of the Exe Estuary is built up, most shoreline areas are attractive countryside, with shoreline paths providing views across the estuary and surrounding landscape of grazing marsh (Exminster Marshes) and rolling countryside comprised of pasture, hedges and woodland. There are extensive sand dunes at Dawlish Warren.



# South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy



**Figure 3: Character of relevant European sites. Top left: 3 images of Exe Estuary; top right: 2 images of the East Devon Heaths; lower image Dawlish Warren.**

## Access on the relevant European Sites

Visitor surveys on the relevant European sites have involved interviews with a random sample of visitors (Liley, Fearnley and Cruickshanks, 2010; Liley, Panter and Underhill-Day, 2016; Caals, Panter and Liley, 2022) and provide context for SANGs design. Drawing on the results from Caals, Panter and Liley (2022), dog walking is clearly a target group to focus on (the main activity for 69% of visitors at Dawlish Warren, 36% at the Exe Estuary and 63% at the East Devon Heaths). Visits are typically short (less than an hour) and interviewees tended to visit frequently (for example the percentage of interviewees visiting at least daily was 28% at Dawlish Warren, 14% at the Exe Estuary and 16% at the East Devon Heaths). The majority of interviewees (ranging from 46% at the Exe to 97% at the East Devon Heaths) travelled by car and the choice of location was driven by proximity to home as well as the scenery/variety of views and habit/familiarity. Median route length (i.e. length of walk/cycle/jog, all activities combined) was 2.1km at Dawlish Warren, 3.0km at the Exe Estuary and 2.5km at the East Devon Heaths. Home postcode data showed a median distance (postcode to survey point) of 9.2km for Dawlish Warren, 3km for the Exe Estuary and 5.3km for the East Devon Heaths.

## Attributes of SANGs

In order to have confidence that greenspace is of a suitable size and quality the following attributes will need to be met:

- SANG should be provided at a minimum target rate of 8ha per 1,000 new residents; this per ha standard is equivalent to 0.0192ha per dwelling (assuming an occupancy rate of 2.4 people per dwelling) or 1.9ha per 100 dwellings.
- SANGs should be effective and available to local residents at the point of occupancy.
- Sites with sports grounds, playing fields or children's play areas are unlikely to meet the criteria for SANG or if such features are present they should not be counted towards the per ha standard.
- Where sites have existing visitor use, this existing use will need to be taken into account when applying the per ha standard. This will require visitor survey data to be available. Sites are likely to have additional capacity where average visitor use is less than 1 person per ha per hour<sup>19</sup>. Where existing sites are already well used, there will be a need to demonstrate that the measures will be effective, and this may require some delivery upfront.

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<sup>19</sup> This provides a guide or approximate benchmark, typically busier than the relevant European sites but less than an urban park (see Liley, Panter and Rawlings, 2015). Sites will need to be considered on a case-case basis.

- The focus for the SANGs should be large sites of at least 40ha (which will accommodate suitably long routes), however smaller sites may work, depending on the location and quality.
- SANGs should provide parking that is free or significantly cheaper than parking at the European sites (noting that parking at all the East Devon Heaths car-parks is currently free). A guide to parking provision should be in the region of 1.5 spaces per ha of SANG<sup>20</sup>.
- They should be quiet countryside locations, away from traffic noise, industrial sites, the airport etc. They should have a sense of space, openness and be viable alternatives to the European sites.
- They should contain a variety of habitats and be scenic, ideally with views.
- They should provide attractive, informal areas for dog walking: a range of walk lengths on relatively dry terrain, including at least 3km where dogs can be safely off the lead during the whole walk.
- They should provide routes that attract walkers, potentially including families. Walks are likely to need to be circuits with some interest (such as viewpoints, heritage features etc.).
- The site(s) should provide access all year round, without paths becoming waterlogged or inaccessible due to wet or muddy terrain.
- They should provide routes that work for cycling, potentially accommodating family cycling groups and mountain bikes as a low-key destination.
- Access points to the SANG(s) should be primarily within a 5km radius or 10 minute drive and easily accessible by road from the development they are intended to mitigate. Some direct foot access and good access routes for cyclists would be ideal. Direct access on foot would mean some SANG provision within around 500m radius of proposed housing locations.
- New SANGs should be recognisable as a 'destination' such that sporadic visitors are drawn from a wide area and such that the site also attracts more regular (at least weekly) visitors. As such they will need to be positively promoted and welcoming.
- On-site infrastructure could include the following as appropriate:
  - Small scale visitor centre/shelter (not necessarily staffed);
  - Interpretation (providing information about the area);
  - Wayfinding infrastructure to direct people around the site;
  - Some surfaced paths/boardwalks;
  - Wildlife viewing facilities (such as screens);

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<sup>20</sup> This figure will depend on how close the SANG is to housing and the proportion of visitors that might arrive on foot or by bicycle. A busy SANG site might be expected to have up to 1 person visiting per ha per hour. Visitor data from the East Devon Heaths suggests on average a group would spend a little over an hour per visit and groups of 1.5 per car, suggesting a level of parking provision of around 0.6 spaces per ha to accommodate 1 person per ha per hour. Given that visitor numbers will not be constant every hour (i.e. there will be peak times of visiting) and easy parking is likely to be an important draw (meaning a need to ensure confidence to park), we suggest 1.5 spaces per ha.

- Range of paths (some waymarked) that provide a range of different routes and circuits, potentially including some longer routes for cycling (perhaps family groups and relatively low-key mountain bike circuits) but not such that other access (e.g. appeal to dog walkers) is compromised;
  - Access to water for dogs to drink, bathe and splash in;
  - Benches/informal seating;
  - Viewpoints;
  - Natural Play (particularly for larger, strategic SANG);
  - Catering facilities (particularly for larger, strategic SANG).
- SANGs will need to be promoted through a range of different ways, including signage, so that they are easy to find and local residents (both new and existing) are well aware of the site.
  - SANGs will need to provide access in perpetuity, and therefore require some legal mechanism to ensure this.
  - Sites with significant nature conservation interest (SSSI) or particularly vulnerable species present are unlikely to be suitable as SANG.
  - Provision of Sustainable Drainage Systems (SuDS) ponds within SANGs is not appropriate. SANGs provision is a separate obligation to public open space/SuDS policy requirements and is secured via different maintenance means other than resident fees.

## Appendix 3: SANGs planning application principles (where SANG delivery is developer-led)

The following principles are adapted from the advice issued in Dorset (Dorset Council and BCP Council, 2020), with changes to reflect the local circumstance. The principles summarise the details that will be required by Natural England and the Local Planning Authority (LPA) at the time at which a proposal is considered, this may be either at outline or a full application where outline has not been submitted. Natural England will need to advise the authority that full details of the mitigation proposed are considered and secured:

- 1) SANG maintenance and function should be secured and demonstrated to be in place for perpetuity (effectively the development needs to maintain a level of mitigation for the duration of any impact, extending to at least 80 years).
- 2) Applications for developments requiring a SANG are likely to require a Change of Use application for the SANG itself. This may be done through a separate planning application.
- 3) When the Local Authority considers the application for the development that the SANG is designed to mitigate, it will need to be certain that the SANG:
  - meets the SANG criteria;
  - is deliverable, i.e. ownership and appropriate management is secured;
  - can be managed in a suitable condition in perpetuity;
  - will be monitored for the first 5 years.

This typically involves a draft Section 106 agreement, an implementation plan, long-term management plan and monitoring arrangements being submitted for agreement with Natural England and the LPA.

- 4) Where the application for development is at an outline stage the applicant will need to provide sufficient information on the SANG to allow the SANG proposal to be considered.
- 5) The SANG land will have been assessed for its biodiversity features and the applicant will have confirmed that the proposal will not in principle lead to net harm to biodiversity. Where harm to biodiversity features is predicted then the capacity of the SANG will need to be adjusted.
- 6) A full SANG Management Plan will be required as part of a reserved matters application if not previously provided at outline stage. This will set out the implementation and maintenance of the SANG – it will record initial infrastructure (photographically) and management objectives by compartment. This will allow for future evolution of the SANG within the broad SANG criteria rather than a rigid approach.

- 7) If part or all of the SANG is already accessible to the public a visitor survey will need to be submitted as part of the application (outline or full where no-outline is submitted), and the SANG capacity discounted if necessary
- 8) Where a SANG is not co-located with a proposal Natural England will provide advice to the applicant concerning the SANG capacity/catchment on a case by case basis. Guidance is available from the Thames Basin Heaths mitigation approach.

Natural England will provide written confirmation to the relevant authority that the proposed measures (SANG, SAMM) are appropriate to secure the necessary avoidance and mitigation measures and have been secured for a duration proportionate to the timescale of the development's effects.

## **SANG Visitor Monitoring**

Large developments may come forward in phases, so monitoring should commence prior to first occupation where there is existing SANG use. It need not be when the land has no existing public access. Monitoring should be phased at two/three years after each substantive phase and also at five years after the development is completed. It may be the case that monitoring will need to include nearby European sites. The primary aims of visitor monitoring are to inform the SANG delivery and allow for adjustments as well as demonstrating the SANGs functionality and use by existing local residents. Effective monitoring will provide a robust baseline which can be observed in future strategic monitoring events.

From 5 years after the final phase of a development future SANG monitoring will be incorporated into the ongoing SAMM programme on a strategic basis. SANG monitoring methodology may include visitor questionnaires, remote sensors and observational studies.

## **Strategic Access Management and Monitoring (SAMM)**

SANGs are not intended to avoid all new residents accessing the protected sites, rather to enable a neutral level of visitor pressure with an equal proportion of existing European site visitors users being diverted. It is therefore necessary, as established in the Thames Basin Heaths area and Dorset, for applicants to secure SAMM relative to the level of residential development. As for SANGs, the mitigation needs to be secured in perpetuity.



## Appendix 4: Guidance for other off-site infrastructure projects

For small developments where there are no options for strategic SANG (and developments within Exeter where there is limited space and opportunities for new SANG), other infrastructure projects will be delivered by the LPA. These could include (but are not limited to):

- New footpath links, potentially joining up areas of existing space to make longer routes possible;
- Increases to the parking capacity or improvements to parking at existing sites;
- Dedicated facilities for dogs, such as fenced exercise areas, dog training areas etc;
- Improved access within sites – such as boardwalks, better paths, improved drainage etc to open up areas previously under-used or inaccessible;
- Better access to sites, such as road crossings, bridges, access routes etc.;
- Better promotion of existing sites, highlighting where new works or facilities have been undertaken (e.g. through events, gazetteers, road signs etc.);
- Making sites feel more safe and welcoming, for example by addressing anti-social behaviour, litter, dog mess or other issues.

Each LPA will maintain a rolling list of projects that will provide sufficient and effective mitigation for the growth coming forward and be in suitable locations to be relevant to new housing growth. The list could include projects within a green infrastructure strategy and ideas for projects could be generated from parish councils, community groups, NGOs and other suitable delivery bodies. Projects that are included on the list will need to have sufficient housing growth within a suitable catchment to ensure they can be funded, and delivery may need to be phased to ensure mitigation in line with local housing growth. Some projects may need to be established in advance of housing delivery if there is uncertainty around their effectiveness or potential for delivery. This would allow monitoring to determine the effectiveness.

## Appendix 5: Draft Exeter City Council Project List

The table below has been provided by Exeter City Council and is a list of potential mitigation projects providing off-site green infrastructure

Project Name/Location	Project Description
Riverside Valley Park  Access Improvement Project	<p><i>“There is significant value in attempting to increase the recreational capacity of the park, where appropriate, especially given that visitors numbers are expected to increase in the future due to nearby development allocations.”</i></p> <p>New unsurfaced paths in underutilised areas in the south of the survey area to spread usage.            Improve links, connectivity and signage between Riverside, Northbrook Valley Park and Ludwell Valley Park.            Improve signage outside the Valley Park to better advertise the location of the Valley Park and associated car parking.            Additional car parking facilities, where feasible</p>
Riverside Valley Park  Visitor Facilities and Information Hub Project	<p><i>“The creation of a visitor centre would likely encourage more visits from existing users and new users in the future. The centre could function as an educational hub as well as provide amenity services, including toilet facilities and food and drink provision”</i></p>
Riverside Valley Park  Water Sports Improvement Project	<p><i>“The possibility of improving the park for water sports users could also be considered, as this is one of the activities that causes disturbance to the European sites, particularly the Exe Estuary SPA”</i></p> <p>New access points            New routes            Work with businesses            Existing Exeter Quayside information point.</p>
Whitycombe Valley Park  Access Improvement Project	<p><i>“Whilst the site is not suitable for SANG, the site still has a strategic role in providing publicly accessible natural greenspace for the surrounding communities who have relatively limited access to such sites in their local area. As such, enhancing access into the site may encourage more people to visit the park, rather than travelling to other sites, potentially including more sensitive European sites.”</i></p> <p>Improvement to existing access points,            Measures to ameliorate muddy path surfaces            Provision of dog bins</p>
Duryard Valley Park  (Belvidere Meadows)	<p><i>“Whilst Belvidere Meadows is not suitable for SANG, the site still has a strategic role in providing naturalistic, nature-rich greenspace in close proximity to large residential areas. The site may provide some of the functions associated with a</i></p>



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Project Name/Location	Project Description
Access Improvement Project	<p><i>SANG site by allowing people to walk their dogs, access nature and enjoy far reaching views close to their homes, rather than travelling to other greenspaces such as European sites."</i></p> <p>Improve existing access points to make them suitable for wheelchairs, pushchairs, or other users with mobility issues. Additional signage / interpretation boards installation of dog bins could help encourage responsible use of the site by dog-walkers.</p>
Targeted Advertising Campaign	<p><i>"It is considered essential to advertise the presence of the Valley Parks, especially for new residents in Exeter who don't have familiarity with the local area. It is considered the deliverability of the option is high. This could be delivered through the Habitat Mitigation Strategy as LPA Projects."</i></p> <p>Leaflet to reach each new home with map. Function could be added to DWT's webpage page for the Valley Parks which could allow users to enter their postcode to determine which Valley Park is closest to their location.</p> <p>Estimated Cost: £20,000</p>

## Appendix 6: SAMM costs

The table below summarises the mitigation measures as set out in the strategy and the relevant costs for each. These have been used to calculate the overall cost of mitigation. Costs are estimates only and intended to provide the overall level to set tariff, costs to be reviewed and updated as strategy implemented, and budgets adjusted according to housing growth.

Site	Mitigation measure	One-off/ Capital cost	Rolling cost	Multiplier for rolling cost	Total cost	Notes on how cost calculated
All	Delivery Manager		£65,750	20	£1,315,000	£45,000 annual salary, plus 35% (to cover NI, superannuation, etc.) and £5,000 per annum support costs. 20 year timing covers plan period and just beyond, ensuring monitoring over key period taking place at least.
All	Wardens, team to scale up to 5		£210,625	80	£16,850,000	5 posts. £27,500 annual salary, plus 35% (to cover NI, superannuation, etc.) and £5,000 per annum support costs. 80 year period ensures large budget for warden team. Potentially scope for size of team to be regularly reviewed and potential for it to shrink or expand as priorities require and ensure in perpetuity coverage.
All	Vehicles for warden team		£15,500	80	£1,240,000	2 x vehicle costs at: £250 per month to lease per electric vehicle, £1,500 for livery, £2,000 p.a. insurance, 5,000 miles p.a. at 0.25p per mile running costs/charging.
All	Devon Loves Dogs staffing costs		£91,000	25	£2,275,000	2 posts. £30,000 annual salary, plus 35% (to cover NI, superannuation, etc.) and £5,000 per annum support costs. 25 year period ensures financial stability and long term employment well beyond current plan period
All	Resources for Devon Loves Dogs		£12,750	25	£318,750	vehicle costs at: £250 per month to lease per electric vehicle, £1,500 for livery, £2,000 p.a. insurance, 5,000 miles p.a. at 0.25p per mile running costs/charging. Additional costs of £5,000 to cover resources and equipment
All	Communications Officer staffing costs		£45,704	10	£457,039	1 post. £30,000 annual salary, plus 35% (to cover NI, superannuation, etc.) and £5,000 per annum support costs. 10 year period to cover pulse of enhanced engagement work shift in comms.
All	DLD Website	£21,420	£1,000	20	£41,420	Indicative, estimated budget to cover creation of content, design, coding etc Costs cover whole plan period and extend beyond
All	South East Devon Wildlife (SEDW) Website	£21,420	£1,000	20	£41,420	Indicative, estimated budget to cover creation of content, design, coding etc Costs cover whole plan period and extend beyond

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Site	Mitigation measure	One-off/ Capital cost	Rolling cost	Multiplier for rolling cost	Total cost	Notes on how cost calculated
All	DLD Brand refresh	£7,500	£7,500	3	£30,000	Indicative budget to cover basic design. Overall cost allows for 3 refreshes (assuming potentially every 5-10 years. New gazebo/table/display equipment cyclical replacement every 5 years - £1,500
All	SEDW Brand refresh		£7,500	3	£22,500	Indicative budget to cover basic design. Overall cost allows for 3 refreshes (assuming potentially every 5-10 years.
All	Wardens projects		£5,000	25	£125,000	Flexible budget to cover acquisition of equipment (temporary signage, banners, art work, optics, tables, gazebos, display boards etc) or external support as needed. Varying per year as to relevant campaigns etc.
All	Production of monitoring strategy & monitoring support	£7,000	£2,000	25	£57,000	Initial budget to cover support to warden team and delivery manager to ensure robust monitoring protocol and recording forms; with small annual budget to help with reporting in subsequent years
All	Visitor survey		£30,000	5	£150,000	Cost allows for 5 repeat surveys - potentially one survey every 5 years for 25 years.
All	SANGs and Infrastructure Projects Coordination Officer		£53,600	15	£804,000	£36,000 annual salary, plus 35% (to cover NI, superannuation, etc.) and £5,000 per annum support costs. 15 year timing covers plan period.
All	Admin and accountancy support		£3,600	50	£180,000	£3,300 per year for accounting and £300 per year for housing monitoring
Exe	Codes of Conduct	£14,000			£14,000	6 existing codes plus one new code; £2,000 per code to cover design, printing and distribution. Some consultation with user groups may be required. Potential for economies of scale (e.g. re distribution)
Exe	Exe Leaflets		£800	2	£1,600	4 leaflets, £1,500 for each leaflet to cover printing and design/refresh (SEDHRP/EEMP quote 2022).
Exe	Schools	£5,000	£2,000	20	£45,000	Rounded figure providing sufficient budget to allow review of existing education work around the estuary and work to produce new education material. Rolling costs allow annual budget to help cover cost of supporting school visits etc. Assumption is that other funding (e.g. from schools) may be available and delivery by existing staff/organisations, potentially with some input from warden team. Timing to cover at least Plan period
Exe	Managing access at sensitive locations		£10,000	20	£200,000	Some work required to confirm costs and nature of projects and these likely to change over time. Indicative budget that may need review and further refinement over time. Costs could be pooled across years.
Exe	Patrol boat	£10,000	£8,000	25	£210,000	Capital costs to cover necessary replacement. Estimated at £10k to cover swapping of current boat for RIB (Highfield Patrol 540 or similar). Over time likely requirement to

# South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy

Site	Mitigation measure	One-off/ Capital cost	Rolling cost	Multiplier for rolling cost	Total cost	Notes on how cost calculated
						change to electric outboard. Rolling costs to expand use and cover fuel, officer training, maintenance and other associated costs (marina berth). Costed to cover well beyond Plan period.
Exe	Ongoing repair/maintenance of buoys at refuge	£15,000	£2,000	25	£65,000	One off cost to cover repairs to existing buoys, design and production of lettering to go on buoys to ensure clear guidance for anyone approaching the refuge (e.g. canoeists, folk on paddleboards, walkers etc); rolling cost to provide budget for replacement, repair and maintenance (actual cost likely to vary between years)
Exe	Stakeholder engagement		£2,000	25	£50,000	Role of Delivery Manager to undertake more strategic engagement, additional costs required for wider costs on annual basis, such as venue hire and support for other bodies such as EEMP and the forum (held twice a year)
Exe	Review of signage and new/improved signage	£12,000			£12,000	Role for Delivery Manager to undertake review and identify locations, with budget to cover implementation where required. New signage likely to involve discs or similar to convey specific instructions (such as dogs on leads) or way-marking.
Exe	New interpretation	£30,000	£30,000	2	£90,000	£3,000 per board for production of timber frame and graphic panel, delivery and installation. Estimate of 10 boards across Warren and Exe. Rolling cost assumes 10 year lifespan per board with costs staggered over time
Exe	Refuge monitoring		£20,000	4	£80,000	Estimated cost of £20000 per survey by consultancy or similar in line with previous surveys to allow direct comparison, budget allows for 4 repeats
Exe	Vantage point counts		£250	20	£5,000	Low cost but budget necessary to provide printed forms or hosting/software etc if done on tablets. 20 year timing covers plan period and just beyond, ensuring monitoring over key period taking place at least.
Exe	Web Camera		£12,000	5	£60,000	Estimated cost based on other examples/projects. 5 year period provides opportunity to use as a novel way to raise awareness and promote importance of estuary for wildlife
East Devon Heaths	Additional dog bins	£2,000	£2,000	25	£52,000	Costs to cover provision and emptying
East Devon Heaths	Review of parking charging	£15,000			£15,000	Estimated budget for review

# South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy

Site	Mitigation measure	One-off/ Capital cost	Rolling cost	Multiplier for rolling cost	Total cost	Notes on how cost calculated
East Devon Heaths	Special projects pot		£25,000	15	£375,000	Estimated rolling budget to provide annual budget for specific projects, targeted as needed
East Devon Heaths	Signage		£2,000	25	£50,000	Rolling budget with potential to pool across years and extending well beyond plan period
East Devon Heaths	Interpretation	£44,000	£4,400	15	£110,000	£3,000 per board for production of "Primary" timber frame and graphic panels, estimate of 10 boards. £2,000 per board for production of "Secondary" timber frame and graphic panels, estimate of 7 boards. Rolling cost assumes 10 year lifespan per board with costs staggered over time
East Devon Heaths	Fire strategy work and review	£15,000			£15,000	Cost to provide budget for consultancy to undertake review
East Devon Heaths	Education work around fire	£10,000	£5,000	25	£135,000	Initial cost to provide funds to develop material with rolling budget to cover implementation (e.g. schools visits etc) and extending well beyond plan period
East Devon Heaths	Advice/specialist input re management interventions around dog walking	£5,000			£5,000	Budget to cover specialist consultancy input
East Devon Heaths	Resources for work with commercial dog walkers	£10,000			£10,000	Budget to cover specialist consultancy input
East Devon Heaths	Monitoring: ecology (birds, Southern Damsel fly)	£2,000			£2,000	Budget to simply help supplement existing work - e.g. mileage for volunteers
East Devon Heaths	Monitoring: people behaviour	£10,000			£10,000	Budget to commission single survey involving direct observation of visitors from a range of vantage points, to cover a range of times and days
East Devon Heaths	Monitoring: vehicle counter data collection	£20,000	£500	20	£30,000	Cost for around 10 counters for a selection of car parks, assuming £1,000 per counter, replaced every 10 years with additional budget for installation. Costs for basic counter with data logger in protective housing (post).

# South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy

Site	Mitigation measure	One-off/ Capital cost	Rolling cost	Multiplier for rolling cost	Total cost	Notes on how cost calculated
Dawlish Warren	Visitor facility at Dawlish Warren	£100,000			£100,000	Uncertainty around design, location etc. Indicative figure allowing contribution towards larger cost (e.g. match funding) for visitor centre or could be used to fund lower key shelter or similar to act as focal point for engagement. Budget sufficient to fund a roofed shelter rather than full-scale centre but how funding used dependent on opportunities and how Dawlish Warren continues to change.
Dawlish Warren	Flexible projects pot		£10,000	15	£150,000	Indicative budget that may need review and further refinement over time. Costs could be pooled across years.
Dawlish Warren	Petalwort monitoring and survey		£2,000	10	£20,000	Cost dependent on monitoring strategy; indicative cost allows for specialist consultancy and small surveys and assumption of 10 repeats.
Dawlish Warren	Maintenance of high tide roost at Dawlish Warren	£30,000			£30,000	Indicative cost and will be dependent on how the roost changes over time. Potential to implement anything will be dependent on the outcomes of Environment Agency work and may not be possible.

Report to: Strategic Planning Committee

Date of Meeting 19 May 2025

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



## East Devon Local Plan – Timetable production update

### Report summary:

The East Devon Local Plan was subject to consultation, that concluded on 31 March 2025, under Regulation 19 of the plan making regulations. Though it was previously agreed that there would be a second round of Regulation 19 consultation to address detailed matters in respect of new community policy and its development. It was also acknowledged that this second round may provide scope to address concerns that have arisen in representations at the first stage of Regulation 19 consultation.

The intent was that the second round of consultation would start in May 2025. This, however, is not now a realistic proposition as we await technical outputs and evidence to support the new community and other work areas are to be completed, specifically including the Water Cycle Study. The conclusion drawn, therefore, is that a delay in consultation starting would be appropriate (to later in the year). This delay will also allow time to fully consider representations received from the past consultation and offer scope to make plan changes to address these before submission for Examination.

Subject to committee endorsement to a delay in the next stage of consultation starting a revised plan making timetable and new Local Development Scheme will be produced and this will come to a subsequent meeting of the committee (the next scheduled one being the 8 July 2025).

### Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

### Recommendation:

That Strategic Planning Committee endorse the proposed review of the local plan making timetable with a new revised timetable for plan making to come to a future committee meeting and to include a second Reg 19 consultation in the Autumn to include the masterplan and further work on the New Community but also additional evidence and changes to the Local Plan itself.

### Reason for recommendation:

To reflect the matter that new community work is ongoing and also there is a desirability to seek to address concerns raised in objections at the last stage of plan making.

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

Portfolio(s) (check which apply):

☐ Climate Action and Emergency Response

- ☒ Coast, Country and Environment
- ☒ Council and Corporate Co-ordination
- ☐ Communications and Democracy
- ☐ Economy
- ☐ Finance and Assets
- ☒ Strategic Planning
- ☐ Sustainable Homes and Communities
- ☐ Culture, Leisure, Sport and Tourism

## Equalities impact

Low

**Climate change** Low Impact

**Risk:** No specific risk impacts are identified.

**Links to background information** Links 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
- 

## 1 The previous consultation

- 1.1 The previous local plan consultation, under Regulation 19 stage of plan making, concluded on 31 March 2025. Full assessment has not yet been completed but we can report that we received comments from around 1,200 individuals and organisations. Most people commenting on the plan did so through the on-line portal, the Commonplace platform, but a substantial number chose to not use this system and to make comment through submission of emails (many with attachments) or letters.
- 1.2 Where non-portal submissions were made officers are adding these to the consultation software. This is though a time consuming process. Amongst the challenges are that many people making comment on the plan have, by intended design or by default, commented on a number of different policies, land allocations for development or other parts of the plan. To meaningfully analyse and assess comments the non-portal submissions need to be broken down into the relevant or constituent parts of the plan that they relate to and then comments made need to be specifically logged against these. It is also the case that some comments made online may address matters featuring in differing parts of the plan but they were made under a single submission only.
- 1.3 Notwithstanding the complexity of the handling comments task we estimate that there were 3,400 separate comments logged on the differing parts of the plan in total.



## **2 Comments on the local plan from statutory agencies**

- 2.1 As well as receiving comments from the public and the development industry (as well as interest groups and others) we would wish to highlight that a number of bodies with statutory powers (including some we are legally required to consult) and other public organisations with specific responsibilities also commented on the plan. Some of these (and some of the comments made) are specifically relevant to legally defined Duty to Cooperate functions.
- 2.2 Some of these statutory bodies raise significant concerns and objections to the plan. In some cases these could be overcome with plan changes, mostly these would not be substantial in respect to actual wording changes. But such changes could overcome concerns highlighted and reduce the number of minor modifications to be considered at examination. There are other cases where respondents are seeking further evidence to justify policy wording (or potentially to form a basis to inform plan changes). We would also highlight that there have been some concerns raised about specific sites that are allocated for development in the plan, as a whole or in relation to certain aspects. We are currently working through these comments and will bring a feedback report in due course so that these can be considered by Members alongside recommendations for what changes, if any, should be made to the plan. .
- 2.3 It is stressed that the Council is not obliged to agree with comments made and may take a different view on matters from those making the comment. But especially where made from a technical process perspective, as opposed to a more planning judgement perspective, it would be prudent to consider matters carefully and review whether plan changes would be desirable and/or further assessment work is carried out which in some cases it is indicated is needed/desirable.
- 2.4 In doing a further Regulation 19 plan consultation we would bring a suggested set of potential changes to committee.

## **3 Evidence**

- 3.1 In the regulation 19 consultation we noted that a number of evidence documents were to follow and it is the lack of these documents that has generated a lot of the objections. Although in most cases on-going discussions with statutory consultees mean that they are aware of the position with these documents; they have seen fit to object to the plan in their absence.
- 3.2 The Environment Agency are concerned about the lack of a published Water Cycle Study despite this not being a requirement. This work has unfortunately been held up for over 6 months by South West Water wanting to submit further data to inform the study. At the time of writing that data has recently been received and we are awaiting a briefing paper from our consultants on the implications of that data on the work and how it is to be concluded.
- 3.3 The Environment Agency also note a small number of site allocations that have not to date been tested through the Strategic Flood Risk Assessment level 2 as they were late additions to the plan. The consultants who undertook this work are being asked to now consider the additional sites.

- 3.4 Natural England note that further work is needed with regard to habitats mitigation issues, in particular air quality impacts on the Pebblebed Heaths. Consultants have been appointed to consider these issues and produce a mitigation strategy.
- 3.5 These gaps in the evidence were known at the time the first Regulation 19 consultation was agreed. The production of evidence in support of a Local Plan is always an on-going process right through to the run up to the examination and so this was not seen as critical to the soundness of the plan overall. Members will recall that it was also necessary to launch the Regulation 19 consultation prior to the 12 March 2025 to progress under the transitional arrangements in the new NPPF.
- 3.6 We will not have all of the gaps in the evidence addressed in time for a late Spring second Regulation 19 consultation.

#### **4 New Community – planning policy work**

- 4.1 There has been considerable work undertaken, and still ongoing, in support of the new community proposals. Some of this is directly related to local plan policy work and content though a great deal is also geared around delivery vehicles and the means to ensure implementation occurs in the best way and ensures social and community facilities and mixed-use development, of the highest standard, designed to meet future resident's needs is secured and does so in a timely manner.
- 4.2 The overall work has proven complex and has also linked through and into the Government new town programme and bids for inclusion into this. A consequence has been that there are still some aspects to the technical work that need to be completed before the local plan can be finalised, these specifically include transport modelling and assessment work. But also, it would be desirable to understand more about preferred agreed delivery model the council wishes to pursue and the new town programme bid before advancing with the local plan. It is anticipated that announcements will be made regarding the New Towns Programme in the summer. A report is also being prepared for Cabinet in July to consider potential delivery vehicle options for the new town with a need for decisions on this key issue to be reflected in the Local Plan and consultation materials. A delay in consultation is, therefore, desirable, from a local plan perspective.

#### **5 The new suggested timetable and format for consultation**

- 5.1 As a tentative initial suggestion, we would suggest that consultation on a revised Regulation 19 plan should be after the completion of the summer holidays (noting a preference to not consult in the holiday period). This would still allow the plan to be submitted within 18 months of publication of the new NPPF in accordance with the transitional arrangements set out within the framework.
- 5.2 Bringing final papers to committee in September with consultation starting in October 2025 would appear a workable and logical timeframe. Working on this basis we would draw up a detailed plan of work to meet deadlines. Amongst other matters this will include a revised local Development Scheme setting out key milestones. A review of deadlines would push

back the plan submission dates but by hopefully ironing out objections at this stage of plan making, rather than at and through Examination, we would hope that the Examination itself would proceed in a more timely manner.

- 5.3 It is likely that the second Reg 19 consultation will need to take the form of not just the envisaged consultation on the new community masterplan and associated evidence but also some further evidence to support the wider plan and some amendments to the plan consulted on at the initial Reg 19 consultation stage. We would plan to do a tracked changes version of the plan, specifically seeking consultation comment on those changes (rather than revisiting original plan content in full for comment on everything). We would envisage making it clear that the inspector would receive all comments made at the first round of Regulation 19 comment so there is not the need to revisit and repeat past comments made.

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**Financial implications:**

There are no direct financial implications identified within the report. (AB/02/05/2025)

**Legal implications:**

There are no direct legal implications identified within the report (002533/06 May 2025/DH)



.Report to: **Strategic Planning Committee**

Date of Meeting 19<sup>th</sup> May 2025

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

## **Planning and Infrastructure Bill Update**

### **Report summary:**

The Planning and Infrastructure Bill was introduced to parliament on the 11<sup>th</sup> March 2025 and includes a number of provisions that will impact on the delivery of the planning service and its work moving forwards. Many of these measures have been the subject of working papers or previous consultations that the Council has responded to in the past as appropriate. This paper seeks to update Members on the proposals placed before parliament and their potential implications for Members to consider.

This report is also being considered by Cabinet on the 4<sup>th</sup> June. Any comments from Strategic Planning Committee will be verbally reported to Cabinet.

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

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

### **Recommendation:**

That Members note the provisions of the Planning and Infrastructure Bill and their potential implications for the delivery of the planning service and strategic planning.

### **Reason for recommendation:**

To ensure that Members are aware of potential changes to the planning system.

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

Portfolio(s) (check which apply):

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

**Equalities impact** Low Impact

**Climate change** Low Impact

**Risk:** Low Risk;

## **Links to background information**

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
- 

## **Report in full**

The Planning and Infrastructure Bill was introduced to Parliament on the 11<sup>th</sup> March 2025. This report seeks to summarise the key points and start to consider the potential implications for the Council.

## **PLANNING COMMITTEES**

A national scheme of delegation is proposed that would set out the types of planning applications that can be determined under delegated powers by planning officers and which should be considered by Planning Committee. Regulations are needed to set out the details of this but a working paper published in December set out that the intention was to fast track development. The paper set out options which included:

- All applications that are deemed to comply with the development plan would be delegated to officers;
- A default delegation to officers other than exceptions such as when approval is recommended for a development which is contrary to the development plan or the application is made by the authority itself;
- A default delegation to officers other than major schemes not on allocated sites; allocated sites where the scheme departs from the local or neighbourhood plan; or schemes which have been subject to a specified number of objections.

It made it clear that these options are not mutually exclusive and they were open to consider a hybrid approach. A full consultation on how this would work is expected. In the meantime, the bill would put in place the legislation to enable government to impose a national scheme of delegation and publish regulations to enact it.

It is proposed to give the secretary of state the power to make regulations setting out the size and composition of planning committees. The Bills explanatory notes suggest that government consider that smaller planning committees are favoured as they lead to more effective debates and decision making.

Members sitting on Planning Committee would have to undertake mandatory training and gain a certificate of training before considering any applications. The explanatory notes say that it, “aims to create consistency in training and ensure that key areas of law that are relevant to a planning committee’s decision-making functions are understood to an adequate standard”. The government highlights the high number of decisions made by planning committees against officer recommendations nationally that are overturned on appeal. The Council would need to ensure that all members of the committee successfully completed the training and publish a list of those who

had been trained on the website. Any members who have not received the training would be prohibited from taking part in decision making in planning committee.

A response to the working paper was submitted under delegated powers and is appended to this report for information.

### **Implications for EDDC**

As a result of these changes the Council may need to amend its own constitution to align with any national scheme of delegation, amend its processes accordingly and ensure that Members of Planning Committee are trained in accordance with the new requirements. It is likely that it would also lead to a reduced number of members sitting on planning committee.

### **PLANNING APPLICATION FEE SETTING**

Provision is made for local fee setting on planning application fees. This was consulted on as part of the new NPPF consultation last year and made it clear that this would work on a cost recovery basis. There were however views sought on whether this should simply be the costs associated with processing a planning application or whether authorities would be able to recover the costs of plan making and enforcement work. The government response indicates that it would only relate to the costs of determining planning applications stating that "It is not proposed that planning fees are increased beyond cost-recovery of the planning applications (development management) service to fund wider planning services at this time. However, the government will continue to investigate ways to better resource other areas of planning, such as statutory consultees, to enhance the resilience of the planning system".

The government indicated as part of the consultation that they would set a baseline fee rate to act as a default with local authorities having the option of setting their own fees. Respondents raised concerns about the work involved in setting local fees and potential variations that may then arise between authorities. Regulations will need to be issued to set out the requirements that LPAs must meet to set planning fees or charges, however it is clear that income from planning application fees would be ring fenced for the delivery of development management services. The secretary of state would retain a power to intervene if the charges were disproportionately high or low.

### **Implications for EDDC**

These provisions would allow the council to recover the cost of its development management service through local fee setting which would reduce the burden placed on the Council's overall budget since current fees do not come close to covering the cost of the service. However, it is considered that there would be significant resource implications in accurately calculating these fees on a cost recovery basis. It would be necessary to undertake large scale time recording over a significant period of time in order to set accurate fees for all of the different types of applications. The time taken and resources needed can vary substantially between different application types and different applications of the same type depending on the proposals and the issues raised as well as the level of controversy and the decision making route. Calculating an accurate fee would be challenging and time consuming. The benefits of doing this would need to be weighed against those of any revised national baseline fees set by government which in themselves may help to address the shortfall in income versus cost.

## **STRATEGIC PLANNING**

The bill would reintroduce strategic planning at a regional/sub-regional level through requiring combined authorities and combined county authorities whether mayoral or non-mayoral to produce a spatial development strategy (SDS). This would form part of the development plan for the area with local plans needing to be in general conformity with the SDS.

The SDS would include:

- Policies that are of strategic importance in relation to the development and use of land in the area;
- Set out infrastructure needed to support or enable the delivery of development, address climate change or address the economic, social or environmental well being of the area;
- Not allocate specific sites but would set housing numbers and the distribution of housing including affordable housing across the strategic authority area;
- Need to ensure that the “use and development of land in the strategy area contribute to the mitigation of, and adaptation to, climate change”;
- Need to be consistent with national planning policy.

Plans would be consulted on and examined by a government appointed examiner.

## **Implications for EDDC**

As things stand responsibility for producing the SDS would rest with the Devon and Torbay Combined County Authority and so this represents a potential loss of control to this authority. It is hoped that the district councils would be engaged in this work and so this would be likely to have resource implications but it is not possible to estimate what this would be at this stage.

## **NATURE RECOVERY**

The Bill enables the formation of a Nature Restoration Fund (NRF), to enable a more strategic approach to habitat mitigation. It would enable Natural England to produce Environmental Delivery Plans (EDPs), that set out strategic mitigations to address the impact that development has on a protected site or species. Where an EDP exists, the developer would no longer have to undertake their own assessments, or deliver project-specific interventions, for issues addressed by the EDP but could instead pay a contribution to the NRF.

The government states this approach “will facilitate a more strategic approach to the discharge of environmental obligations and result in improved environmental outcomes being delivered more efficiently. By reducing delays to development, this new approach may also facilitate faster delivery of housing across England”.

This proposal was included in a working paper published earlier this year to which officers wrote advising of the joint mitigation strategy for the Exe Estuary and Pebblebed Heaths and how the strategic mitigation and developer contributions approach has been successful at a local level. The response expressed concerns about resourcing this at a national level and the need for this to be done on a habitat or landscape scale. A copy of this response is attached to this report.

## **Implications for EDDC**

This proposal would potentially see control of strategic habitat mitigation pass to Natural England or a similar body and so this could lead to a loss of control and work involved in administering the current arrangements. It is not however clear at this stage whether the new approach would take on existing strategic mitigation approaches or just new strategies. It is also not clear what the timescales for implementation would be. The lack of certainty at this stage makes it difficult to understand the implications for EDDC at this time.

## **COMPULSORY PURCHASE**

The bill seeks to streamline the process for compulsory purchase orders to be made and extend existing powers to remove 'hope value' arising from planning permissions. It would extend the existing powers to remove 'hope value' so that these include where a town/parish council and community councils are using CPO powers to deliver affordable or social housing provision.

The proposed changes to CPOs add to changes in the 2022 Levelling Up and Regeneration Act (LURA) allowing land to be acquired more cheaply in certain circumstances. The LURA had introduced a power which allowed acquiring authorities to remove "hope value" from the price of a CPO, providing it is in the public interest. Such circumstances include where land is acquired to deliver a school, hospital, affordable housing or other community benefit. The Planning and Infrastructure Bill extends this to CPO's for the benefit of town/parish councils and community councils. This is designed to improve the viability of such schemes.

The bill also proposes changes to the system for making and confirming CPO's to modernise the process and enable acquiring authorities more powers to modify and confirm CPO's in certain circumstances and to take control of land more quickly.

## **Implications for EDDC**

The changes to 'hope value' provisions could be beneficial in certain circumstances although the changes in the LURA were more directly relevant. A streamlining of the process could also be beneficial in the event that the Council were to proceed with CPO's in the future.

## **DEVELOPMENT CORPORATIONS**

The bill seeks to make it easier to deliver large scale new communities through development corporations by creating a clearer and more flexible framework for development corporations.

The Bill says it will:

- "Enable greater flexibility for development corporations in terms of the variety, extent and types of the geographical areas over which they can operate.
- Ensure development corporations have due regard to sustainable development and climate change mitigation and adaptation.
- Update and standardise the types of infrastructure development corporations can deliver, including heat networks.
- Improve collaboration between development corporations and local transport authorities, through a new duty to cooperate, which will ensure that new towns are seamlessly integrated into the wider spatial plan for the area. Where appropriate, the Bill will ensure that development corporations are able to exercise transport planning functions to achieve this goal".



## **Implications for EDDC**

In the event that the Council were to seek to form a development corporation in the future, as is being considered in relation to the second new community, then these changes could be beneficial to the resulting development corporation. Consultants are currently producing a report considering the pros and cons of different delivery models for the new community which will be presented to Members at a future meeting.

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### **Financial implications:**

There are no direct financial implications identified at this time. The report is to ensure that Members are aware of potential changes to the planning system. However, as more detail is received there may be changes to fee collection. There is a lot of development work to be done, and we will work closely with the service to understand further financial implications.  
(AB/14/03/2025)

### **Legal implications:**

The legal implications are covered in this report (002533/17 March 2025/DH).

## Appendix 1 – Response to Working Paper on National Scheme of Delegation

Proposals include:

- a. a national scheme of delegation – bringing clarity and consistency to everyone about which applications get decided by officers and which by committees;
- b. dedicated committees for strategic development – allowing a dedicated and small group of councillors to dedicate energy to the most significant projects; and
- c. training for committee members – requiring that councillors undertake appropriate training before they can form part of a planning committee.

[Planning Reform Working Paper: Planning Committees - GOV.UK](#)

As discussed proposed response for comment is as follows:

### **a. Do you think this package of reforms would help to improve decision making by planning committees?**

It is agreed that it is important that planning committees focus on decisions that are strategically significant and do not debate small scale household and other minor developments. These should be delegated in all circumstances.

It is also important that the committee is not revisiting matters that have already been resolved through the plan making process. However, compliance with the local plan is often a subjective judgement in itself and is not straight forward so relying on this to determine if an application is delegated leaves a lot of scope for disagreement and criticism.

In terms of options 2 & 3 the list of matters that would not be delegated includes matters that we currently successfully determine under delegated powers. For example, the list includes sites that are subject to an EIA or which is likely to have a significant impact on a habitats site but such applications will only be unacceptable where the impacts are not to be acceptably mitigated. It would only make sense for such decisions to be made by committee where the proposal does not intend to adequately mitigate the impacts on the environment and it is still recommended for approval.

### **b. Do you have views on which of the options we have set out in regards to national schemes of delegation would be most effective? Are there any aspects which could be improved?**

In terms of options 1 and 2 compliance with the development plan is inevitably a subjective judgement and not something that can necessarily be agreed between the LPA and the applicant. Whether the development is in accordance with the development plan could be agreed with the chair of the committee or portfolio holder but even this is open to lobbying or being politically influenced. These options would not give the transparency and certainty that is sought. Option 3 is similar to many current local level schemes of delegation and so would not achieve the intended outcomes.

### **c. We could take a hybrid approach to any of the options listed. Do you think, for instance, we should introduce a size threshold for applications to go to committees, or delegate all reserved matters applications?**

It is considered that the simplest way of defining developments that should be delegated is simply through the scale of development and stating categories of development that must be delegated. It is considered that all 'other' category developments should be delegated and some of the less controversial 'minor' category developments should be delegated along with all reserved matters. The rest should be left to local discretion as they will rarely be a waste of the committee's time if they are debated by a committee.

**d. Are there advantages in giving further consideration to a model based on objections?**

The problem with this model is that some relatively minor applications can raise a high number of objections due to local campaigning by those affected. Equally an approach based on the number of objections received does not address the eventuality that many may not relate to planning matters and may actually be irrelevant. For example, we have controversial applications to replace public toilet blocks within the district at the moment where the objections relate to the intention to charge for the new toilets rather than any material planning consideration. It is also the case that some strategically significant developments raise few objections but would benefit from the wider input of a committee.

**e. Do you agree that targeted planning committees for strategic development could facilitate better decision making?**

Yes – The greater diversity of knowledge and views targeted to strategic developments through a dedicated committee would facilitate better decision making but such applications are often some of the least controversial. In East Devon we have Cranbrook new town and many of the strategic developments here are relatively uncontroversial and accord with the development plan and so there may be no need for them to be considered by the committee. As a result, there is less need for political oversight in decision making on these applications.

**f. Do you have a view on the size of these targeted committees?**

Agree in principle with keeping them quite small but committees of only 3 – 5 Members run the risk of them not being chorate at meetings and so it is considered that at least 5 to 7 Members are needed.

**g. How should we define strategic developments?**

This would need to be defined by the scale of the overall development rather than individual proposals. Cranbrook new town will be around 8,000 homes but individual parcels can be as little as a few hundred homes and key developments such as a community building or neighbourhood centre may be quite small in area but of key importance to placemaking and so significant to the overall delivery of the development. These kinds of developments need to be considered as strategic even though they may not be classed as such on any size measure alone.

**h. Do you think the approach to mandatory training is the right one?**

It is essential that Members are suitably trained before sitting on a planning committee and the proposed approach of formalising this with a nationally procured training programme with certification would help to deliver this and formalise it. It would ensure that the appropriate training is delivered to all members sitting on planning committee equally which would give certainty to applicants. There are however local level issues that can be specific to areas where there are National Landscapes etc that may also require some more locally specific training to take account of local circumstances.

## **Appendix 2 – Response to Working Paper on Development and Nature Recovery**

We are writing to provide a response on behalf of East Devon District Council to the Government's consultation on Planning Reform Working Paper: Development and Nature Recovery.

### **East Devon – delivering Development and Nature Recovery**

East Devon has an outstanding environment. Approximately two thirds of the district are designated as a National Landscape, there are seven international wildlife sites, important statutory and non-statutory designated wildlife sites, and is home to rare habitats and species. As such, there are several environmental regulatory challenges to comply with to facilitate development within the district.

East Devon is also a high growth District with the population increasing at a rate that is more than twice the national average. Effective joint working under a regional, strategic approach to Habitats Regulations mitigation with Exeter and Teignbridge Councils over the past decade has supported the delivery of major new developments whilst protecting and enhancing internationally protected habitats, increasing biodiversity and improving access to greenspace through provision of Suitable Alternative Natural Green Space (SANGs).

A major growth corridor extending eastwards from Exeter has been under development since 2010. This includes the freestanding new town of Cranbrook and an Enterprise Zone designation covering four commercial sites including Exeter Science Park. Overall nearly 6,000 homes and over 1 million square feet of commercial space has been delivered to date. Ultimately we expect to deliver 12,000 each of new homes and jobs as part of the current programme.

We are currently in the process of reviewing our Local Plan which will roll planning horizons forward to 2042. The key strategic proposal contained within this is to bring forward a second new town of up to 10,000 homes, with 2,500 delivered in the next plan period. By 2030 we will be in the unusual position of having two new towns under development concurrently.

This growth is supported by the South East Devon European Site Mitigation Strategy (SEDESMS) (in partnership with Exeter City, Teignbridge District Councils, Natural England, Pebblebed Heaths Conservation Trust, RSPB and Devon Wildlife Trust – see case study 1), which provides a single strategic assessment and delivery plan for the SE Devon European Sites (funded through planning contributions and CIL), and through the effective use of planning tools (such as the Cranbrook Masterplan DPD) to deliver high-quality sustainable development. Together these measures supporting the delivery of 30,000 homes and 150 Ha of SANGs: increasing substantially over the next local plan period to unlock another 30,000 homes and 300 Ha of SANGs across the three authorities.

In addition to the large growth areas in the 'West End' of the district, development in other areas is also subject to varying environmental regulations and tools to support sustainable growth. The Beer Quarry and Caves Special Area of Conservation (SAC) Habitats Regulation Assessment (HRA) Guidance (October 2022) provides a clear framework for developers and planners to assess and facilitate plans and projects within defined consultation zones based on rigorous scientific survey work. These guidelines are further supported by industry best practice and regional guidance to ensure that development can be accommodated while being regulatory compliant.

More recent and emerging environmental issues include nutrient neutrality applicable in the River Axe catchment (also encompassing Somerset and Dorset). East Devon successfully obtained funding in the Local Nutrient Mitigation Fund Round 2 to develop a nutrient mitigation scheme to discharge environmental obligations within the existing environmental regulatory framework in a strategic manner.

Other emerging issues being addressed within the district include consideration of air pollution impacts and water consumption.

## General Comments

We understand and support the potential for a strategic approach to nature recovery that unlocks sustainable development. This can provide the potential to drive nature recovery at the scale necessary to have meaningful impact, providing additionality including multi-functional Green Infrastructure with wider environmental and health and wellbeing benefits.

To the east of Exeter the Clyst Valley Regional Park (CVRP see case study 2) provides a connected green infrastructure network which links existing villages, Cranbrook and the second new town, as well as providing a green buffer on the eastern edge of Exeter. In the CVRP 4,000 hectares are prioritised as a focus for the delivery of ecosystem services and active travel – supporting and mitigating the significant economic and residential growth in the surrounding area. There is a clear opportunity for a strategic approach to be taken to focus investment in this area to accelerate the objectives of the CVRP and accelerate development across the sub-region.

It should be recognised that there are several established mechanisms for delivering sustainable development in line with existing environmental regulations. It should be considered that the working paper premise that legislative change is required to delivery strategic mitigation schemes to satisfy environmental obligations is at odds with existing successful strategic schemes, e.g., SEDESMS, and considering other schemes are being implemented across the country under the current regulations, e.g., nutrient neutrality, great crested newt district level licensing (DLL).

Other existing frameworks and guidance (non-exhaustive list) to ensure regulatory compliance include professional survey guidelines, supplementary planning documents, British Standards Institutes, professional membership bodies, e.g., Chartered Institute of Ecology and Environmental Management (CIEEM), Landscape Institute (LI), .GOV standing advice, Green Infrastructure Framework, protected species licencing (Low Impact Licence, Eared Recognition) etc.

The delay of development projects due to the requirements of environmental obligations, such as seasonal ecological surveys, can often be attributed due to poor program management and not embedding consideration of environmental obligations at the feasibility/design stage. When considered early, the mitigation hierarchy can be used to minimise risks, costs, and perceived delays. A joined-up strategic approach to understanding the ecological baseline (and other constraints) of key development areas could help to accelerate delivery, along with appropriate masterplanning and planning tools (such as the DPD prepared for Cranbrook, and emerging masterplan for our second new community).

In addition, planning authorities and statutory conservation bodies, e.g., Natural England, are often under resourced and having to deal with significant amounts of technical information and emerging requirements such as Biodiversity Net Gain (BNG) with often limited clear guidance on the application. With additional resourcing, training, and guidance, many perceived delays could be reduced without wholesale legislative reform.

Key to any nature recovery proposals is an understanding of baseline conditions through detailed desk studies and individual site surveys by professional ecologists to understand constraints and opportunities. The development of technology can aid and enhance decision making, such as remote sensing, artificial intelligence (AI), and Open Data but these measures cannot replace on the ground surveys and rigorous scientific method.

It is accepted that certain environmental obligations could be better addressed at a strategic scale, e.g., waterbody catchments, such as diffuse pollution and recreational impacts, administered by a strategic delivery body. However, it should also be recognised that this will not be applicable for every environmental issue and given an interdependence of wildlife and complex systems, a hybrid approach built on existing good practice is required. Often local wildlife sites, priority habitats, and species populations are small in scale in a fragmented environment. The loss of these localised important features should not be at the expense of accelerated development. They form the building blocks and genetic diversity required to maintain ecosystems.

To contribute towards meaningful nature recovery would require genuine enhancement measures that would reverse the decline and/or contribute towards the long-term restoration and

enhancement of designated sites. Until the implementation of statutory Biodiversity Net Gain (BNG), there has been no legislative approach to deliver environmental enhancements. In accordance with Lawton principles, any proposed measures should contribute towards 'bigger, better, more joined-up'. This cannot happen in isolation and requires strong regulatory and enforcement, monitoring, adaptive management, and long-term certainty for all stakeholders. Local Nature Recovery Schemes and the proposed Land Use Framework, currently under consultation, create the opportunity to identify strategic nature recovery areas at scale.

The proposed working paper provides examples of how strategic schemes could create a 'win-win' of development and nature recovery, for example referencing nutrient neutrality. It should be noted that nutrient neutrality, and other strategic schemes such as Suitable Alternative natural Greenspace (SANGs) are mitigatory measures to off-set development impacts. In the case of nutrient neutrality, designated sites are usually in an Unfavourable Declining status so although development may not result in an increase in environmental impacts, the effect is not contributing towards site restoration, rather than maintaining the status quo.

Issues affecting habitat sites, such as nutrient neutrality, can be attributed to failure of applying Habitats Directive 6(1) and 6(2) duties to ensure habitat sites are monitored and impacts to those sites are addressed before they fall into failing condition. A strategic approach should address this and ensure that habitat sites have sufficient headroom to accommodate environmental impacts from development plans and projects.

We note that the Habitats Regulations/Directive have been rigorously reviewed on three separate occasions and been found to be effective and fit for purpose on each occasion (The 2012 Defra review of the Habitats Regulations (Spelman Review), the Government Red Tape Initiative of 2018, and the EU's REFIT review of the Nature Directives in 2016).

Some other key tenants that must be retained in any strategic decision-making frameworks include the strict application of the mitigation hierarchy, protection and acknowledgement of irreplaceable habitats, e.g., ancient woodlands, and key environmental principles including the polluter pays, precautionary principle, and ensuring any legislative or regulatory changes do not weaken but enhance environmental protection.

The UK is one of the most nature depleted countries in the world. Climate and nature are intricately linked and nature-based solutions, such as natural flood management, use of trees for urban cooling, and multifunctional accessible green space will be key mechanisms to deliver sustainable growth and should be integrated with the strategic approach to nature recovery.

It is essential that the proposed Delivery Bodies are able to operate at appropriate scale (potentially at Strategic Authority level, supported by Natural England nationally) to ensure the delivery of strategic interventions whilst supporting local delivery that delivers best outcomes and supports and engages with communities. As we note in our introduction, existing Delivery Bodies such as the SE Devon Habitat Regulations Partnership and Wild East Devon (East Devon District Council's Countryside Team) are already delivering strategic mitigation and nature recovery whilst unlocking development and providing community and health and wellbeing benefits. These bodies have significant expertise and local knowledge and offer the opportunity to continue to deliver these services within the context of larger delivery bodies, either directly or in partnership, and to share knowledge and best practice.

There is a need to ensure that learning from existing successful strategies, such as SEDESMS, and other existing successful nature recovery models that support development are retained and supported within new delivery mechanisms

## **Responses to Consultation Questions**

*a) Do you consider this approach would be likely to provide tangible improvements to the developer experience while supporting nature recovery?*

Yes – our existing approach to mitigation is proof that carefully focused, strategic delivery removes perceived obstacles to growth and provides opportunities to unlock funding and land at scale, focused on the areas which offer best prospects for strategic mitigation, nature recovery and wider

benefits. However, it is critical to recognise the importance of timing and the need to deliver mitigation in advance of impact. Otherwise, conservation features which require protection will be lost or degraded before measures are in place.

For example the Clyst Valley Regional Park is a 400Ha landscape which follows the River Clyst from the Exe Estuary to Broadclyst, Whimble and the Killerton Estate which is managed by the National Trust. An appropriately funded strategic nature recovery scheme could link the Exe Estuary SPA/SAC to the Killerton Landscape Recovery Scheme and deliver cross-cutting environmental, economic and nature recovery benefits that would mitigate the impact of residential development and existing developed areas through habitat creation, carbon capture, water quality improvement, and enhanced active transport connections (supporting the Exeter and East Devon Enterprise Zone and Tourism/Leisure destinations).

Notwithstanding the above it is important to understand how the proposals would work in practice.

*b) Which environmental obligations do you feel are most suited to this proposed model, and at what geographic scale?*

It is our view that nature recovery is best delivered at the appropriate landscape scale (e.g. catchment area) and within the framework of LNRs. Existing mechanisms such as the existing Habitat Regulations mitigation strategy (on site and off site obligations), BNG, Woodland Grants, Nutrient Neutrality & Air-Quality mitigation could all combine to support this approach. Consideration of other approaches such as carbon credits could provide additionality.

The opportunity to identify and support cross-cutting benefits – carbon capture, woodland creation, health and wellbeing, active transport, community cohesion and partnership working should be taken.

*c) How if at all could the process of developing a Delivery Plan be improved to ensure confidence that they will deliver the necessary outcomes for nature?*

The Delivery Plan should align with the LNRs and integrate existing strategies (such as the SEDESMS). It is important to ensure that Delivery Plan incorporates Management, Monitoring and Review, and draws together existing evidence/monitoring bases, identifying where gaps exist, or updates are required. This must also ensure a clear understanding of required outputs and timeframes, independent review cycles/scrutiny.

*d) Are there any additional specific safeguards you would want to see to ensure environmental protections and / or a streamlined developer experience?*

Where existing, successful strategies and recovery programmes have been established, these should continue to operate as normal during any reorganisation. Funding sources need to be identified, profiled, and secured to enable long term planning and certainty of delivery in perpetuity.

There needs to be clarity in terms of clear remits for authorities and Delivery Bodies. If planning authorities will no longer be considered competent authorities according to the Habitats Regulations, legislative and policy changes will be required to confirm this position.

*e) Do you support a continued role for third parties such as habitat banks and land managers in supplying nature services as part of Delivery Plans?*

Yes – and there is a need to work with existing partners who are delivering nature recovery and mitigation at a local/regional level.

*f) How could we use new tools like Environmental Outcomes Reports to support this model?*

No comment

*g) Are there any other matters that you think we should be aware of if these proposals were to be taken forward, in particular to ensure they provide benefits for development and the environment as early as possible?*

LNRS, Natural England Green Infrastructure Framework and the emerging Land Use Framework need to inform the approach and be integrated with development proposals (such as the masterplans for Cranbrook and East Devon's second new community). The Delivery Strategy should be forward funded to ensure that mitigation is in place before developmental impacts are created – and to ensure that cross-cutting benefits of multi-functional Green Infrastructure are realised.

Decision-making should prioritise the precautionary principle to prevent irreversible damage when evidence is incomplete or uncertain. The mitigation hierarchy must be strictly followed to minimise harm before considering compensatory measures. Mitigation efforts should take place within the same catchment or location as the impact.