

Report to: **Strategic Planning Committee**



Date of Meeting: 5 December 2023

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

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## **Teignbridge Local Plan – Publication Plan (Regulation 19) addendum consultation**

### **Report summary:**

Teignbridge District Council have already undertaken consultation on their local plan at the Regulation 19, Publication stage, of plan making. They have, however, now issued an addendum consultation for this stage of plan making work. In this report to Strategic Planning Committee the officer recommendation is that the Council object to a specific detail of the Teignbridge plan in respect of the way it addresses Suitable Alternative Natural Greenspaces (SANGs) and specifically the small physical extent/size of SANGs that are sought under plan policy.

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

Budget Yes  No

Policy Framework Yes  No

### **Recommendation:**

That committee endorse the proposed response to the Teignbridge local plan consultation and approves its submission to Teignbridge District Council.

### **Reason for recommendation:**

To ensure officer concerns are highlighted and that objections can be made to the Teignbridge local plan consultation.

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Portfolio(s) (check which apply):

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

**Equalities impact** Low Impact

**Climate change** Low Impact

**Risk:** Low Risk;

### **Links to background information**

The addendum Publication draft of the Teignbridge local plan, text in pdf format, can be viewed at: [teignbridge-local-plan-2020-2040-proposed-submission-addendum\\_opt.pdf](#)

Links to other documents that are referred to (if any) are set out in the body of this report.

### **Link to Council Plan**

Priorities (check which apply)

- Better homes and communities for all
  - A greener East Devon
  - A resilient economy
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## **1. Teignbridge local plan consultation**

- 1.1 Earlier in 2023 Teignbridge District Council undertook consultation on a Publication draft of their local plan. At that stage East Devon District Council made specific comments on the plan, see committee report at: [2. Response to Teignbridge Plan Reg 19 consultationV4.pdf \(eastdevon.gov.uk\)](#), around issues of housing provision in the plan and potential issues associated with the way the plan was addressing accommodation of possible unmet housing need arising from Torbay, in Teignbridge district. We had concerns about possible implications for East Devon in the way that Teignbridge had referenced Torbay matters and inferences that East Devon might accommodate Torbay housing.
- 1.2 Teignbridge council have now issued an addendum consultation document. This addendum includes changes to their plan that address the key concerns that East Devon District Council expressed around the housing numbers. Though there remains ambiguity around the issue of accommodation of any unmet housing need from Torbay. Objections already raised by East Devon District Council will be submitted to the planning inspector undertaking Examination of their plan.
- 1.3 The Teignbridge addendum consultations runs from 8 November 2023 to 5pm on 22 December 2023.

## **2. Habitat Regulations and mitigation measures in the Teignbridge Plan**

- 2.1 Members of Committee will be aware that East Devon District Council, Exeter City Council and Teignbridge District Council have an existing joint mitigation strategy that addresses adverse impacts from development, that in the absence of mitigation, would otherwise arise on key wildlife sites. The sites the strategy applies to are the Pebblebed Heaths, The Exe Estuary and Dawlish Warren, they are designated as Special Areas for Conservation/Special Protection Areas and as

such fall in the highest tier of wildlife sites in the United Kingdom. There are specific Habitat Regulations that apply to these site designations and compliance with the regulations, to avoid adverse impacts from development, has led to the collective joint approach to mitigation.

2.2 Having reviewed proposed changes in the Teignbridge local plan addendum we would wish to raise a matter related to how the plan deals with mitigation measures and specifically the provision of Suitable Alternative Natural Greenspaces (SANGs).

### **3. The proposed response to the consultation by East Devon District Council**

3.1 In the highlighted text below we set out a proposed response to the Teignbridge addendum local plan consultation by East Devon District Council. This response provides details of the concerns highlighted by officers.

3.2 Subject to Strategic Planning Committee approval we will submit this response to Teignbridge District Council.

East Devon District Council welcomes the addendum consultation on the Teignbridge local plan. However, we do wish to raise objection around the issue of Suitable Alternative Natural Greenspaces (SANGs) provision and referencing in the plan.

New text in the plan, at Paragraph 6.68, usefully references the fact that the partner authorities (East Devon, Exeter and Teignbridge) are currently updating the joint mitigation strategy. This work is being undertaken by consultants to cover new local plans running to 2040, and the work is progressing to strategy completion in the early part of 2024.

As you will be aware SANGs are now an established and widely used approach to providing mitigation. The basic principle behind SANGs is that they will provide an alternative destination to go to for people that would otherwise go to and undertake damaging recreational activities on the highest tier of designated wildlife sites. Of greatest concern is dog walking and the adverse impacts that dogs can have on wildlife interests. The SANGs provide an alternative destination, of lower (non-designated) wildlife value, thus reducing use and net negative impacts on the designated sites.

In the addendum plan, in Policy EN14, it is welcomed that new text now refers to provision of SANGs, in line with best practice, to levels that equates to 8 hectares of SANGs per every 1,000 persons that new developments will accommodate (equating to the equivalent of 184 square metres of provision for each new dwelling).

We endorse these levels of provision, however, to be effective any SANGs does need to be appealing to dog walkers (and to dogs) and to achieve this they need to be of at least a certain minimum size and generally speaking bigger is more effective and will be more appealing to dog walking and as such will draw more people/dogs away from the designated wildlife sites.

Natural England have issued guidance in respect of SANGs for the Thames Basin Heaths Special Protection Area and this guidance as now widely used and applied across England, it forms a standard benchmark to work to, see: [Natural England SANG quality guidance \(bracknell-forest.gov.uk\)](http://bracknell-forest.gov.uk)

The Natural England guidance advises, amongst other matters, that to be effective and work “SANG should aim to supply a choice of routes of around 2.3 - 2.5km in length with both shorter and longer routes of at least 5km as part of the choice, where space permits.” To achieve these lengths of walk requires SANGs, from our experience and looking at best practice elsewhere, to be at least around 10 hectares in size. This minimum 10 hectare size threshold should be specified in plan policy to ensure SANGs are of a viable size. Under item c. the plan policy wording should be amended to read (our proposed text in red):

*“c. In addition to the Habitat Mitigation Contribution, development of residential or holiday accommodation within 10km of one of more of the protected sites, as shown on the Policies Map, will be required to provide and maintain Suitable Alternative Natural Greenspace (SANG) in perpetuity, either:*

- i. In accordance with SANG provision as set out in a development plan allocation (which is equivalent to 8 ha per 1000 population or 184 square metres per dwelling), at the expense of the development and early in the delivery of the site, **with any new SANG measuring at least 10 hectares in size to ensure that viable walking trails of 2.3 to 2.5 km in length will be achieved;***
- ii. ....”*

East Devon District Council would wish to raise significant concerns about agreeing to a joint mitigation strategy without this SANGs size threshold in place. This may prevent a joint strategy being agreed and therefore render changes shown in paragraph 6.68 of the plan inaccurate. We would highlight that small scale SANGs, as allocation policies in your plan currently include, will not only fail to work they will also divert funding away from appropriately sized SANGs, thus threatening the delivery of genuine SANGs and prejudicing the ability to secure appropriate mitigation for the wildlife designated sites. The absence of mitigation could result in the stalling of housing delivery. We note that changes detailed above will require changes to specific development allocation policies in your plan, including EE4, V2, V3 and V16 and also changes proposed in paragraph 6.71 will need to be reviewed.

### **Financial implications:**

No current direct financial implications at this consultation stage. As a partner in the joint Habitat Mitigation Strategy, East Devon currently jointly funds SANGs and other mitigation strategies through received Section 106 and CIL contributions.

### **Legal implications:**

There are no legal implications arising other than as set out in the report.