

East Devon Local Plan – Topic Paper

Chapter 7b. Adaptation and Resilience to Climate Change

October 2024 – Version 01



East Devon – an outstanding place

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1 Introduction

- 1.1 This is one of a series of topic papers that will sit behind and help explain the content of and evolution of the Publication draft of the East Devon Local Plan.
- 1.2 There may be new versions of this topic paper as plan making progresses to Publication and thereafter into and through plan Examination.
- 1.3 This topic paper specifically addresses Chapter 7b of the plan – Climate Change Adaptation and Resilience.

2 The Publication draft of the Local Plan

- 2.1 At the date that we published this draft topic paper we are moving towards production of the Publication draft of the local plan. There are specific Government regulations¹ that apply to local plan making and these set out actions that need to be undertaken at different regulatory stages (this report specifically relates to Regulations 18, 19 and 20).
- 2.2 The proposed Publication draft text of the local plan will be an edited and amended draft of the consultation draft plan published in November 2022². The draft plan was consulted on under plan making Regulation 18 and it should be noted that further limited additional consultation under this regulation took place in the late Spring of 2024.
- 2.3 The Publication plan, under Regulations 19 and 20, will be made available for any interested party to make representations on. The period for making such representations is currently planned to be from December 2024 to January 2025. The Publication plan, representations received and other relevant paperwork will be submitted for Examination, to a target date of May 2025. One or more Planning Inspectors will undertake the plan examination.
- 2.4 The first drafts of what is proposed to become the Publication plan will be considered by the Strategic Planning Committee of East Devon District Council through 2024. The expectation is that text will then be refined as the year progresses with a view to the Committee being asked to approve the final Publication plan in November 2024.

3 Summary of proposed redrafting of Chapter 7b of the consultation plan

- 3.1 This chapter was originally included as part of the ‘Tackling the climate emergency and responding to climate change’ and contained a series of policies on and low carbon, renewable energy, flooding and coastal change. This chapter has now been split into two, with Chapter 7b focussing on adaptation to rather than mitigation of climate change.
- 3.2 In the consultation draft Local Plan (November 2022) there were a total of 4 policies covering these matters, one draft flooding policy and three policies relating to coastal change. This reflected the more advanced evidence base for coastal change that was available in 2022 when

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

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

compared with ongoing work on water supply, water quality, wastewater infrastructure and flooding.

3.3 Chapter 7b has been updated to take account of the emerging evidence base and the feedback received.

4 Issues and Options consultation

4.1 Prior to production and consultation on the draft local plan the Council consulted on a local plan Issues and Options³ report. This included a series of questions that responses and comments were invited on. A feedback report was published⁴. The issues and options consultation included references to flooding in the climate change and infrastructure chapters, but no specific questions. Responses received included references to not building on floodplains, considering ways of adapting to climate change and including more detail on/ensuring that infrastructure is resilient to flooding and coastal change.

5 Draft plan consultation

5.1 In the Draft Plan consultation, climate change was addressed in Chapter 7. The feedback report, summarising the issues raised in the consultation can be read here (starting on page 325) [accessible-reg-18-consultation-feedback-report-spring-2023.pdf \(eastdevon.gov.uk\)](https://eastdevon.gov.uk/accessible-reg-18-consultation-feedback-report-spring-2023.pdf).

5.2 Responses to the flooding and coastal change policies were received from a variety of individuals and organisations as summarised in Section 9 of this paper.

5.3 There was general support for the flooding policy, but it was noted that additional work was required. The need for policies relating to water supply and quality based on evidence was noted by the environment agency. The coastal change policies were generally welcomed by bodies such as the environment agency and some individuals, but there was also concern about how and where coastal change management areas had been designated.

6 Further Regulation 18 consultation Spring 2024

6.1 None of the relevant policies were included in this consultation.

7 Sustainability Appraisal feedback

7.1 The draft local plan was supported by a Sustainability Appraisal⁵ (SA). This SA will be updated and refined as plan making progresses and it will be one of the documents that is submitted as part of the submission for Examination.

³ [issuesandoptionsreport-jan2021.pdf \(eastdevon.gov.uk\)](https://eastdevon.gov.uk/issuesandoptionsreport-jan2021.pdf)

⁴ [2a. Consultation feedback report Ver 03.pdf \(eastdevon.gov.uk\)](https://eastdevon.gov.uk/2a-Consultation-feedback_report_Ver_03.pdf)

⁵ [sa-of-pos-consultation-draft-lp_2022.pdf \(eastdevon.gov.uk\)](https://eastdevon.gov.uk/sa-of-pos-consultation-draft-lp_2022.pdf)

7.2 The SA noted that there was only one reasonable alternative for flood risk (Strategic Policy 35) and coastal change policies (Strategic Policy 36, 37, 38), as they are consistent with national policy and an option of not having a policy was not considered as being reasonable. No negative effects were noted for these policies.

8 Habitats Regulations Assessment

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

9 Assessment of policies in chapter 7b

- 9.1 Chapter 7b of the draft plan set out a series of policies that are reviewed below.

General issues raised on Chapter 7b	
<p>This chapter seeks to ensure that new development is resilient climate change by avoiding the most vulnerable locations and requiring higher water efficiency measures. It also considers measures to help existing communities adapt to changes to the coastline and flood risk.</p>	
<ul style="list-style-type: none">• Key technical evidence sources• Strategic Flood Risk Assessment Level 1 Evidence Base and Supporting Documents - Climate Emergency and Response - East Devon• Strategic Flood Risk Assessment Level 2 Evidence Base and Supporting Documents - Climate Emergency and Response - East Devon• Planning Policy Briefing Paper - Coastal Change (eastdevon.gov.uk)• Planning Policy Topic Paper - Coastal Change November 2021 (eastdevon.gov.uk)• ccma-methodology-summary.pdf (eastdevon.gov.uk)• Final Sidmouth and East Beach Management Plan Report - East Devon• Water Cycle Study – awaiting final report.	
Issues and options consultation	
No flooding and coastal specific policies in consultation.	
• Draft Plan consultation	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none">• The Environment Agency (EA) consider that the plan contains many good statements, objectives and policy interventions regarding climate change and the natural environment. However, it could be bolder and more ambitious and requires a completed evidence base in several areas to ensure it helps to deliver sustainable and resilient development. This	<ul style="list-style-type: none">• The EA responses were taken into account either in the writing the Chapter 7b policies or elsewhere in the plan.

includes: preventing deterioration and restoring the water environment; ensure new development and existing communities are adapted to and resilient to the challenges of climate change and achieving biodiversity net gain informed by the local nature recovery strategy.	
Supplementary Regulation 18 consultation Spring 2024	
No specific additional matters were identified in feedback that relate directly to this policy.	
Sustainability Appraisal	
See Sustainability Appraisal table below.	
Habitat Regulations Assessment	
Commentary on habitat assessment...	
Strategic Policy 35 – Flooding	
This policy sets out the requirements for demonstrating that flood risk has been properly taken into account in development proposals.	
Key technical evidence sources	
See general sources above	
Issues and options consultation	
See general issues above.	
Draft Plan consultation	

<ul style="list-style-type: none">• Key issues raised in consultation:<ul style="list-style-type: none">• The Environment Agency suggest that paragraph 7.33 should be clear that development in areas of flood risk, in addition to a Strategic Flood Risk Assessment Level 2, need to meet the sequential test and here necessary the exception test in accordance with the NPPF.• The Environment Agency note that this is an interim draft policy highlighting the issues likely to be covered in advance of the SFRA being completed. Their comments focus on what the new flooding policy should address, including adding:<ul style="list-style-type: none">○ Delivering developments and communities which are resistant and resilient to future floods.○ When it will be expected that development helps to reduce flood risk overall.○ Tighter standards for development within Critical Drainage Areas (CDA).○ Where use of natural flood management (with associated BNG opportunities) would be appropriate for land further up a catchment from communities at risk of flooding.○ Daylighting of culverts within sites and buffers of at least 8m from watercourses which are free of development.○ Making space for flood defence mitigations and relocation of unsustainable communities.• The Environment Agency recommend that in the fifth bullet point regarding run-off rates 'preferably' is removed. The expectation is that SuDS is implemented on all sites	<ul style="list-style-type: none">• Officer commentary in response:<ul style="list-style-type: none">• The Environment Agency, Natural England and South West Water comments have generally been incorporated into the new flood risk policy.• A separate policy on water quality is proposed (Devon County Council comments)• Sequential testing is established national policy• Most of the other relevant points raised have been dealt with through the amended policy wording or policies elsewhere in the plan.
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<p>to provide betterment wherever possible, in all locations not just in CDAs.</p> <ul style="list-style-type: none">• The Environment Agency note that Critical Drainage Areas are only referred to in the draft plan in relation to the Clyst Valley Regional Park. They are in the process of reviewing and renewing the CDAs and will seek to ensure these included in the plan if there are any updates for East Devon.• The Environment Agency note that Natural Flood Management (NFM) is listed in the glossary but not actually mentioned within the local plan. There is NFM work ongoing or planned within East Devon and the plan offers an opportunity for new development to contribute to future NFM projects as part of schemes to reduce flood risk and/or achieve BNG.• Natural England advise that the policy should include reference to the importance of SuDS in managing the flood and pollution risks resulting from urban runoff.• South West Water would like policies to promote flood protection measures such as sealable airbricks.• South West Water advocate the slow dispersal of surface water combining SuDS with green infrastructure.• Devon County Council support this policy but suggest further detail on water quality and water re-use.• Exmouth Town Council agree with the policy but are concerned that the sequential test jeopardises development in the town centre.• Newton Poppleford and Harpford Parish Council does not support any development on land at risk of flooding.	
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- Clyst Honiton Parish Council suggests that sequential testing should be done before land is allocated in the Local Plan to ensure that only sites with lower flood risk are developed. They also propose rainwater storage for toilet flushing and other uses, as well as dredging of the rivers Exe and Clyst to reduce flooding.
- Several respondents thought this was a good policy.
- Flood risks likely to increase.
- Should consider nature based solutions to flood management.
- Natural flood management and SUDs on estates would be good.
- Climate change will bring more droughts limiting access to water.
- Broadly in agreement but don't agree with any building on land at risk of flooding.
- Strengthen policy to meet NPPF, avoid land needed for flood management, account for climate change, respect character and biodiversity, reduce run off and manage water holding habitat measures.
- Happy with policy but concerned that many allocations are close to rivers.
- Should consider disruption of drainage and natural carbon sink of deep soils and how development disrupts this.
- Should require planting in flood prone catchments to reduce run-off and increase infiltration.
- Concerned that policy will have no teeth and that the Environment Agency is often ignored.
- Many respondents raised concerns about the flood risk caused by solar farms, particularly run-off.

- Several respondents noted that surface water flooding is a serious problem in East Devon.
- Surface water flooding should be shown on maps.
- Concern about the lack of certainty of future flooding and if people don't take notice of the experts will compensation be given to those whose homes are flooded?
- A few respondents suggested planting more trees.
- Include beavers in the policy because they are part of the solution.
- Large green areas should be retained to act as sink to capture flash floods.
- Permission should only be granted where SUDs are required.
- Developers must address water management from the outset.
- Should be no building below sea level or close to floodable rivers.
- Should make clear that sequential test requirements on allocated sites have been undertaken.
- Should already have been done so homes could be insured.
- Needs to be applied to new developments.
- Do more to stop non-porous surfaces in urban areas.
- Greywater should be used for toilet flushing and surface water separated from sewage.
- Flooding is just a river following its winter channel.
- Seaton Tesco and surrounding housing?

- Policy should be more specific so that land needed for flood management is totally off limits.
- Please enforce this policy.
- Households should have rainwater storage tank.
- Policy incompatible with plans to build on 251 hectares of farmland in area already subject to surface water flooding and sewage overflows.
- Areas at risk of flooding are opportunities for biodiversity net gain and other green spaces.
- Policy is unnecessary as it just duplicates NPPF and PPG, contrary to NPPF para 16f.
- Good in theory but permissions have been granted in flood plains despite Environment Agency advice.
- Lower Otter Restoration Project has increased flood risk.
- Although building in areas at risk of flooding should be avoided, sometimes mitigation is possible.
- The National Trust is supportive of the aims of this policy, however, considers that the policy wording should be strengthened from wording for policy requirements such as 'preferably' and 'ensure' to 'development must...' or other similarly robust wording.
- Clyst Hydon parish council is concerned that the EDDC local plan does not address water management issues. The plan does not mention how the increase in population will be accommodated within the water cycle, how the extra sewage requirements will be coped with, and where the extra water supply will come from.

Supplementary Regulation 18 consultation Spring 2024

No specific additional matters were identified in feedback that relate directly to this policy.	
Sustainability Appraisal See Sustainability Appraisal below.	
Habitat Regulations Assessment	
Commentary on policy redrafting for the Publication Plan Redrafted policy title: Policy FR01 – Flooding The policy is more detailed and prescriptive than that included in the draft plan because it is based on the evidence provided by the Strategic Flood Risk Assessment.	

Paragraph 7.35 - Water quality and supply and proposed Water Efficiency Policy	
This policy requires new development to incorporate the higher Building Regulations water efficiency standards in the interests of water conservation and water quality.	
Key technical evidence sources	
Water Cycle Study	
Issues and options consultation	
No policy was included in the draft plan because there was no evidence on which to base one. However, paragraph 7.35 noted that the water cycle study would examine and provide recommendations on a range of water supply, infrastructure and	

quality issues that would underpin future policies. Several comments were made in respect of this paragraph.	
Draft Plan consultation	
<ul style="list-style-type: none">• The Environment Agency advise that the plan is more definite and require that the results of the Water Cycle Study <u>will</u> feed into site allocations and inform the distribution strategy.• The Environment Agency suggest that other water quality issues should be acknowledged in the plan, including:<ul style="list-style-type: none">○ Detailing how development will protect and where possible improve the 8 bathing waters in East Devon,○ How development will protect and where possible improve the Exe Estuary and Outer Exe shellfish waters, which are known to be affected by activities and operations in Exmouth and other urban areas.○ The cumulative impacts on water quality of development within East Devon and other local authority areas draining to the same catchments. The cumulative scale of housing growth planned by East Devon, Exeter City and Mid Devon mean that existing pressures on the water environment will be exacerbated. The plan therefore needs to be clear about how development will not cause a deterioration in these waterbodies and help secure improvements instead.• The Environment Agency advise that there will be increased pressure on water supply from a growing population and hotter drier summers predicted due to	<ul style="list-style-type: none">• Officer commentary in response:• The proposed new policy requires higher water efficiency standards in accordance with part of the Environment Agency comments. Consideration will be given to other issues following the publication of the final water cycle study.

climate change. They assume that the housing and economic developments envisaged in the plan will primarily connect to the public water supply and so the water for these will be managed through South West Water's (SWW) Water Resources Management Planning and the longer term Regional Water Resources plan up to 2050. However, where a development needs a water supply which is not provided by SWW (e.g. an onsite borehole or surface abstraction) an environmental permit may be required. The Agency are involved in wider, strategic discussions with SWW in relation to resilience and maintaining a secure supply of water for the future. As a result of the trend towards staycations over the last two years due to the Covid19 pandemic, SWW reported unprecedented water demand in the Mid to East Devon areas during the holiday period. This increase in demand combined with the hot dry weather experienced in the summer of 2022 and the drier than normal autumn that followed has put strain on the water supply infrastructure and sources used for abstraction. This is a foretaste of the pressures that are likely to be felt in the future regarding water supply as we experience more of the effects of climate change. Under climate change scenarios up to 2050, the Devon, Cornwall & Isles of Scilly area is modelled to potentially be impacted by much lower summer flows due to lower rainfall. It will be essential for public authorities to work with the water company and other abstraction licence holders to mitigate for and adapt to these changes. In light of the evidence of emerging trends towards water being an increasingly scarce

resource, the Environment Agency strongly encourage the plan to include a policy requiring all new developments to demonstrate water efficiency, including grey and rainwater recycling, especially on major developments. In line with guidance, all new residential units shall demonstrate compliance with the more water efficient maximum use of 110 litres per person per day in line with Building Regulations approved document G, to be secured by planning condition.

- South West Water proposes policy wording to reduce flood events eroding soil and strengthening disposal of surface water on site.
- Lyme Regis Town Council support measures to specifically improve water quality in the river Lym and note the negative impact that relatively poor water quality is currently having on bathing water quality at Lyme Regis.
- The National Trust is supportive of the aims of this policy, however, considers that the policy wording should be strengthened from wording for policy requirements such as 'preferably' and 'ensure' to 'development must...' or other similarly robust wording.
- Clyst Hydon parish council is concerned that the EDDC local plan does not address water management issues. The plan does not mention how the increase in population will be accommodated within the water cycle, how the extra sewage requirements will be coped with, and where the extra water supply will come from.

Supplementary Regulation 18 consultation Spring 2024	
No specific additional matters were identified in feedback that relate directly to this policy.	
Sustainability Appraisal	
See Sustainability Appraisal below.	
Habitat Regulations Assessment	
Commentary on policy redrafting for the Publication Plan	
A new policy is proposed that reads “Strategic Policy AR 02: Water Efficiency - To minimise impact on the water environment all new dwellings should achieve the Optional Technical Housing Standard of 110 litres per day per person for water efficiency as described by Building Regulation G2”.	
No significant changes are made to overarching introductory references to the chapter.	

Strategic Policy 36 – Coastal change management areas (CCMAs)	
This policy seeks to control development in areas at risk of coastal change so that there is no increased risk to life.	
Key technical evidence sources	
See evidence sources above.	
Issues and options consultation	
The natural environment objectives noted that “with increasing coastal erosion we will need to plan for areas that are potentially	

<p>going to be lost to the sea. These are called coastal change management areas and in them we will need to consider what types of development may be acceptable and also whether and where we need to relocate existing uses”.</p>	
Comments received related to the need for more details.	
Draft Plan consultation	
<ul style="list-style-type: none">• Key issues raised in consultation:• The Environment Agency are pleased to see multiple policies relating to coastal change reflecting the good work that has been undertaken to understand and identify the areas that will be at most risk. They are fully supportive of Policy 36 which establishes CCMAs for East Devon and sets out policy on how new proposals within them will be considered. The policy is robust and unambiguous; they especially welcome the strong position that residential development (including changes of use) will not be permitted in CCMAs and that all other permissions will be time limited.• Natural England Natural England supports policy and the designation of Coastal Change Management Areas as a key coastal planning tool. Sea level rise and coastal change are inevitable and bring both challenges and opportunities for people and nature. They consider the approach used and the methodology produced (policy justification 7.37) as clear, concise, and scientifically robust and would also highlight it as best practice for an evidence base for Local Planning Authorities to demarcate and designate their CCMA's	<ul style="list-style-type: none">• Officer commentary in response:• The strong endorsement of the Environment Agency and Natural England for the policy and the evidence underpinning the proposed Coastal Change Management Areas is welcomed.• Points relating to the use of the most up-to-date evidence are noted and the new National Coastal Erosion Risk Map (NCERM) will be taken into account when it is available.• The comments relating to the consideration of the implications of Beach Management Plans is noted and has resulted in a revised CCMA for Sidmouth. The CCMA line to the east of the River Sid has been re-drawn to run along Cliff Road, which is generally in line with the 20 – 100 year erosion rate shown in the BMP.

- Pleased to see managed retreat and sustainable community planning in this policy – cannot hold back the sea indefinitely.
- Several respondents considered it a good policy approach.
- Agree with policy but requires careful management.
- Agree new developments should be banned but should not restrict changes to existing buildings.
- Will have to concede land to the sea as sea levels rise.
- 'Get on with it please, we are already 20 years behind'.
- Economic and social benefits should not outweigh environmental considerations.
- Need explicit constraints on huts, cafes, car parks and caravan/camping sites.
- Community and environmental benefits should be secured for temporary modifications to existing commercial facilities.
- Coastal areas need to be conserved for landscape and amenity – important for tourism and employment.
- Blanket ban on development fails to take account of many different situations residents may encounter and more consideration and detail is needed.
- Not based on best available evidence in accordance with NPPF.
- Does not include margins of error in mapping contrary to normal practice.
- Whilst policy 36 is consistent with NPPF (paras 172 and 173) they are not appropriate because they are not supported by best available evidence.

- No provision to account for future coastal defence schemes that would reduce size of CCMA.
- Policy relies on computer models and should have reality checks.
- No case for restricting planning permission as should be judged on their own merits.
- Not sure policy based on best advice.
- ‘Temporary’ caravan sites need to be controlled to protect the beauty of coastal areas.
- Unsure if policy means that coastal erosion will be accepted.
- Sea level rises should be predicted in conjunction with flood risk – current road drainage cannot cope.
- Support Plymouth University involvement but more environmental impact assessors should be deployed to verify decisions.
- A few representors commented that the plan should be flexible when new information becomes available.
- Ban on new homes disproportionate to the threat and property owners should be allowed to take the risk.
- Criticism of lack of justification for prohibiting new building and conversions in the CCMA.
- Proposals not in best interests of residents and businesses.
- The sea level will rise and there are models to predict this that should be used at the front of the planning process and not as an add-on.

- A couple of respondents raised concerns about projections of erosion beyond 20 years as there is too much uncertainty.
- Conversely, one representor thought it was a sensible precautionary approach and another thought it not sustainable to think in terms of less than 50 years for mitigation and adaptation.
- Property owners should be allowed to make their own decisions at their own risk providing that they do not affect other coastal areas.
- Planning permission is still given for coastal schemes.
- The South West Coastal Path needs to be maintained as it moves inward with erosion.
- The National Trust is supportive of this policy which is generally consistent with our own coastal policies/strategy. The opening statement for the policy clearly sets out the aims. In relation to the second bullet point, the policy wording could be strengthened further to set out that developers 'must demonstrate that they require a coastal location' or 'providing they absolutely require a coastal location.'

Comments relevant to Budleigh Salterton

- The Lower Otter Restoration Project already brings the coast close to residential homes

Comments relevant to Exmouth

- Exmouth Town Council supportive of policy but note it will have limited impact on Exmouth.

- Coastal plains in Exmouth should not be built on – previously floodplain.
- Good in theory, but don't want Devon Cliffs moving further back into the Maer Valley – already difficult for local community to access the beach.
- Agents for Bourne Leisure advise that parts of Devon Cliffs Holiday Park are located within the proposed CCMAa but it is considered that there are ways to more actively plan for changes within the coastal zone, particularly in relation to existing holiday parks. Bullet 1 of the draft policy helpfully provides a sensible risk-based approach to uses within the 0-20 year time horizon. We suggest that temporary static caravan pitches should also be allowed within this horizon. This would allow benefits associated with additional temporary holiday accommodation to be realised, whilst recognising the ability for static caravans to be removed or repositioned relatively quickly. Bourne Leisure also requests that 'tourism uses' are included within the second bullet point of draft Policy 36. Commercial development does not typically cover tourist uses and, as tourist uses are typically situated in coastal locations, it is important, for the avoidance of doubt, that the replacement, relocation and adaptation of other such uses at risk of coastal erosion are explicitly permitted within the emerging Policy.

Comments relevant to Sidmouth

- Welcome focus on coastal erosion but evidence for Policy 36 is too narrow and significantly different to Sidmouth Beach Management Plan.

- CCMA 100 year recession line is 6 times further in land than Beach Management Plan.
- Many representors commented that the CCMA map at Sidmouth not based on best available evidence and risks blighting many properties.
- Several respondents commented that the Plymouth University work was a nationwide study and not specific to Sidmouth.
- Will petrify an attractive 'green lung' based on general data from the University of Plymouth when EDDC has Sidmouth specific data.
- Plymouth study does not take local factors into account.
- Should wait for 5 years to see how sea defence works change erosion rates.
- Many respondents felt that the CCMA designated does not take account of Beach Management Plan works.
- Challenge not being able to make alterations to properties.
- Opposed because would blight both properties and town as a whole.
- Economic impact report should be provided.
- Several respondents expressed concern about property blight.
- Class action could be taken against the Council for property devaluation due to negligence.
- Why is a more dramatic study than the Beach Management Plan being used for the local plan?
- Large part of town would be abandoned on spurious evidence.

<ul style="list-style-type: none">• Plymouth approach is experimental.• Devon County Council rebuilt the Alma bridge on the basis that it had a life expectancy of at least 50 years.• More accurate erosion rate should be calculated.• Accelerated cliff erosion caused by previous sea defences and canalisation of River Sid preventing recharging of protective shingle by natural means.• The over steep cliff formation cannot be seen as a natural process that should be allowed to continue unchecked so the Beach Management Plan needs to be implemented to return the erosion of the cliff to a natural level.• Even if Beach Management Plan is abandoned it should be for owner to decide if they want to take financial risk of building.• Erosion rates will be much slower once the Beach Management Plan is implemented.• This doomsday scenario must be challenged.• Mid point between Plymouth University and Beach Management Plan erosion line should be used.	
Supplementary Regulation 18 consultation Spring 2024	
Key comments from consultation: No specific additional matters were identified in feedback that relate directly to this policy.	
Sustainability Appraisal	
See Sustainability Appraisal for chapter above.	

Habitat Regulations Assessment	
Commentary on policy redrafting for the Publication Plan	
Redrafted policy title: Policy AR02 – Coastal Change Management Areas (CCMAs)	
No changes have been made to the policy wording for reg 19, but the line of the proposed CCMA to the east of Sidmouth has been redrawn to reflect the evidence prepared for the Sidmouth Beach Management Plan.	
Strategic Policy AR37 – Relocation of users affected by coastal change	
This policy sets out the circumstances in which it may be appropriate to allow development at risk of coastal change to be ‘relocated’ to an area that would not otherwise be considered suitable for development in planning policy locational terms.	
Key technical evidence sources	
See evidence sources above.	
Issues and options consultation	
See general issues above.	
Draft Plan Consultation	
<ul style="list-style-type: none">Key issues raised in consultation:The Environment Agency welcome this policy but are concerned that no provision has been made to allocate land for existing uses to relocate to and without a mechanism in place to provide land and/or compensation it is not clear	<ul style="list-style-type: none">Officer commentary in response:It is acknowledged that the policy relies on private arrangements to be made to facilitate relocation, but in the absence of public funding to which the plan could refer, it would be beyond the scope of the plan to include this.

<p>how functional this policy will be. As a minimum the plan should ensure that space is available for homes, businesses, facilities, infrastructure and habitats to relocate to.</p> <ul style="list-style-type: none">• Natural England advise - In addition to built assets, this policy should also provide for the relocation of valued environmental assets away from areas of risk, with the provision of rollback of European protected sites and SSSIs, where the effects of sea level rise and coastal squeeze will cause condition to decline.• A few respondents agree with policy.• Acceptable in principle but detail will need to be considered on a case by case basis.• Policy is appropriate but unlikely to be used.• Policy should only be used when alternatives exhausted and like for like.• Should not be misused to allow development on otherwise unsuitable land.• Doesn't take account of local data.• Should be no development within 2 metres of the coast.• Predictions are not robust evidence, but continuing trends could be.• Where property owners have offered to pay for defences and been refused the council should pay compensation for any losses.• Exmouth Town Council agree with principle but concerned it will offer disproportionate protection for holiday accommodation sites.	<ul style="list-style-type: none">• The Natural England comments are noted, but the relocation of habitats, rather than built development, would not generally require other plan policies to be 'set aside' to enable the work to be undertaken.• Point e of the criteria has now been removed.
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<ul style="list-style-type: none">• Better to clear sites than make local community responsible for dangerous structures.• Support relocation rather than spending a lot of public money protecting a few properties.• Supported for homes but now to allow holiday site to expand inland.• Support relocating residents in their own community but not at expense of biodiversity.• Agents for Bourne Leisure consider that tourism uses should be included in policy wording to allow for relocation of losses and as such to ensure that there is continued and ongoing investment in such facilities in East Devon, and so that the benefits to the local economy. They consider the amendments should be made as large sites need a phased period relocation period (3 months is too short). Bourne Leisure strongly objects to point 5 of Policy 37 and requests that this point is removed from the emerging policy. Tourism development, by its nature, is often located beyond settlement boundaries, and requiring relocated uses affected by coastal change to be consistent with the criteria set out in Policy 7 (Development beyond settlement boundaries), would be overly restrictive.	
<p>Supplementary Regulation 18 consultation Spring 2024</p> <p>No specific additional matters were identified in feedback that relate directly to this policy.</p>	
<p>Sustainability Appraisal</p>	

See Sustainability Appraisal below.	
Habitat Regulations Assessment	
Commentary on policy redrafting for the Publication Plan Redrafted policy title: Policy AR03 – Relocation of uses affected by coastal change This policy has been amended to omit one of the criteria which required schemes to comply with another policy – this is unnecessary because the local plan policies should be read as a whole.	

Strategic Policy 38 – Development affecting coastal erosion	
This policy seeks to balance support for sustainable coastal change management schemes with the need to protect the integrity of the Dorset and East Devon World Heritage Site.	
Key technical evidence sources	
See evidence sources above.	
Issues and options consultation	
See general issues above.	
Draft Plan Consultation	
<ul style="list-style-type: none">Key issues raised in consultation:A number of respondents support the policy.	<ul style="list-style-type: none">Officer commentary in response:The comments reflect some of the inherent tensions that the policy deals with.

<ul style="list-style-type: none">• Correct balance needs to be struck between allowing natural processes on undeveloped coast and protecting people.• Exmouth Town Council think the policy is acceptable and the statement about the protection of the Jurassic Coast bold.• Not all coastal erosion is natural and may have manmade; that needs to be taken into account.• A problem created by manmade interventions in Sidmouth should not then be treated as a natural process that carries equal weight with protecting coastal communities with all people being involved in making decisions.• Natural coastal erosion must be allowed to happen – sea defences either fail or have an impact elsewhere.• Need to conserve coastal areas for landscape and amenity which helps tourism and local employment.• Should be strategic policy.• Should reference vegetation helping to consolidate land.• Should address on site by site basis.• Changes over past 20 years caused by the like of English Heritage and the National Trust, who should be made to pay.• Properties should be protected.• Wooden breakwaters should be considered.• Defences should be provided and houses not allowed to fall into the sea.• Concern about cost to tax payer.	
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<ul style="list-style-type: none">• Policy seems to imply natural processes that created the attractive landscape should continue unless there is a cost.• Difficult to protect from natural process forever.• Not right to use the Shoreline Management Plan here but disregard it elsewhere in plan.	
Supplementary Regulation 18 consultation Spring 2024 No specific additional matters were identified in feedback that relate directly to this policy.	
Sustainability Appraisal See Sustainability Appraisal below.	
Habitat Regulations Assessment	
Commentary on policy redrafting for the Publication Plan Redrafted policy title: Policy AR04 – Development affecting coastal erosion	
No changes are proposed.	

Policy omissions from Chapter 7b		
Key technical evidence sources		
See evidence sources above.		
Issues and options consultation		
See general issues above.		
Draft Plan consultation		
<ul style="list-style-type: none">• Key issues raised in consultation:• Need to consider river pollution.• Natural England, in referencing paragraph 7.45 - Links to marine planning – advise - Links to marine planning could reference that developments impacting the intertidal environment may require a licence from the Marine Management Organisation (MMO). Natural England would recommend that East Devon District Council adopts the Coastal Concordat A coastal concordat for England (revised: December 2019) - GOV.UK (www.gov.uk) for England to streamline decision-making in the coastal environment.	<ul style="list-style-type: none">• Officer commentary in response:• Comments relate to matters outside of the remit of the local plan.	
Supplementary Regulation 18 consultation Spring 2024		
No specific additional matters were identified in feedback that relate directly to this policy.		

Sustainability Appraisal	
See Sustainability Appraisal below.	
Habitat Regulations Assessment	

Sustainability Appraisal	
Policy numbers/titles:	
<ul style="list-style-type: none">• 35. Strategic Policy – Flooding• 36. Policy – Coastal Change Management Areas (CCMAs)• 37. Policy – Relocation of uses affected by coastal change• 38. Strategic Policy – Development affecting coastal erosion	
Outcome of sustainability appraisal:	Officer commentary in response:
<p>There is only one reasonable alternative for flood risk (Strategic Policy 35) and coastal change policies (Strategic Policy 36, 37, 38), as they are consistent with national policy and an option of not having a policy was not considered as being reasonable.</p> <p>Preferred alternative: Policies 35 – 38.</p> <p>Reasons for alternatives being preferred or rejected:</p> <ul style="list-style-type: none">• The preferred policies (27 – 38) are likely to have wide-ranging positive effects on minimising carbon emissions, climate change adaptation,	<ul style="list-style-type: none">•

health, and the economy. Negative environmental effects can be effectively mitigated.	
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10 Conclusions

- This topic paper has explained the content of and evolution of the Publication draft East Devon Local Plan, in relation to Chapter 7b – Flooding considerations.
- This topic paper may be updated as necessary, plan making progresses to Publication and Examination.