

## Chapter 03 - The spatial strategy of the plan

The spatial strategy of the local plan is concerned with establishing an overarching picture of the amounts, types and distribution of future development that will be accommodated in East Devon. This chapter of the plan is specifically concerned with broad issues of how much development should occur and where it should be located



We set out an overarching strategic policy that addresses the spatial strategy.

### 1. Strategic policy - Spatial strategy

New development will be directed towards the most sustainable locations in East Devon, consistent with the spatial strategy to:

- Focus new development on the western side of the district, including a new town and other major strategic developments close to Exeter
- Promote significant development at the Principal Centre of Exmouth and the Main Centres of Axminster, Honiton, Ottery St Mary, Seaton, and Sidmouth to serve their own needs and that of the wider surrounding areas
- Support development at the Local Centres of Broadclyst, Budleigh Salterton, Colyton, Lypstone, and Woodbury that meets local needs and those in the immediate surroundings
- Allow limited development to meet local needs at the Service Villages of Beer, Branscombe, Broadhembury, Chardstock, Clyst St Mary, Dunkeswell, East Budleigh, Exton, Feniton, Hawkchurch, Kilmington, Musbury, Newton Poppleford, Otterton, Payhembury, Plymtree, Sidbury, Stoke Canon, Tipton St John, Uplyme, Westclyst, West Hill and Whimble.

Settlements not listed above are considered to be 'open countryside' for the purposes of the Local Plan, where more restrictive planning policies apply.

### How do you feel about Strategic Policy 1 : Spatial Strategy?



Why do you feel this way and do you have any comments?

#### Comment

**Members feel that the vision reflects the District Council's Plan well and broadly agree with the objectives but feel that objective 10 (infrastructure) is not clearly defined in the emerging local plan in enough detail. Exmouth's infrastructure is under severe pressure (esp. primary care health services, road congestion along the A376, SWW issues etc. etc.) and there is no ambition in the plan to deliver infrastructure improvements BEFORE new development is given permission.**

## 2. Strategic Policy - Housing Distribution

Strategic Policy 2 in the local sets out details of projected housing development in East Devon for the period from 2020 to 2040. The policy in the pdf version of the plan should be read in full for a complete picture. However, a key part of the future provision will be land that is allocated for development.

Through this local plan, and as included in the adopted Cranbrook Plan, land allocations are made, on preferred sites and 2<sup>nd</sup> choice sites, to accommodate the numbers of new homes listed below:

### Western side of East Devon

New town 2,500, North of Topsham 580, Cranbrook 4,170

### Principle and Main Centres

Exmouth 1,033, Axminster 1,050, Honiton 471, Ottery St Mary 288, Seaton 217, Sidmouth 168

### Local Centres

Broadclyst 175, Budleigh Salterton 152, Colyton 49, Lympstone 197, Woodbury 173

### Service Villages

Beer 0, Branscombe 0, Broadhembury , Chardstock 30, Clyst St Mary 102, Dunkeswell 43, East Budleigh 0, Exton 50, Feniton 42, Hawkchurch 38, Kilminster 52, Musbury 25, Newton Poppleford 0, Otterton 23, Payhembury 0, Plymtree 0, Sidbury 38, Stoke Canon 0, Tipton St John 45, Uplyme 0, Westclyst 0, West Hill 57, Whimple 33

The above allocations give a total of 11,811 new homes. In addition to these there have been 1,953 homes that were built between 2020 and 2022 and 4,403 homes that have a planning permission for development. Adding these numbers together gives a grand total of 18,167. The Grand total does not however include projected future windfalls. Windfalls are sites that come forward during the plan period that we have not planned for. They maybe small infill developments or redevelopments that were not foreseen. Including windfalls would add around an extra 2,335 dwellings to the overall grand total.

**How do you feel about Strategic Policy 2: Housing distribution?**



**Why do you feel this way and do you have any comments?**

### **Comment**

**Exmouth Council members support Exmouth's categorisation as a principle centre on the basis of existing facilities and its relative hierarchy; however any *new* housing must be supported by appropriate infrastructure investment and there is a belief that infrastructure investment has not kept pace with development. Members understand the geographical constraints posed by the estuary and sea boundaries which mean that the town has limited growth potential (except to the north and east of the Town), but the concept of allocating land for low-density residential, commercial, and industrial development into areas at the fringes of the town's boundary is strongly opposed on the basis that this will create urban sprawl and result in the geographic separation of residential areas with inadequate access to local facilities. This will ultimately result in a high dependence on cars for work, school, shopping, leisure etc. Members would like the special strategy for the District re-examined with more emphasis on delivering housing in the other main centres and in declining rural villages.**

### **Levels of future housing provision**

Delivering a sufficient supply of homes is a key theme in national planning policy. In a document called the National Planning Policy Framework the Government requires Local Plans to identify and meet as a minimum the objectively assessed development needs for their area. The purpose of strategic policy is to set out what the housing development requirements are for East Devon for the plan period.

### **3. Strategic Policy - Levels of future housing development**

***This is a brief summary of the policy only – please refer to the full PDF version of the plan for all policy content.***

In this policy we set out that, to accord with Government requirements, we need to plan for development of at least 18,920 new homes, with at least:

1. 4,070 to be affordable housing; and
2. 14,850 to be market housing.

This equates to 946 new dwellings per year, however we see the need to make allocations to provide for an additional 10% 'headroom' to this total (i.e. that adds an extra 10% to this figure).

We will favour the use of brownfield land but recognise the need to maintain housing supply and wider policy aspirations in the plan.

Provision will be made in the district for at least 10% of housing supply over the plan period to be met on small and medium sized sites and we will seek a mix of affordable housing types.

We will also seek to establish housing requirement figures for areas that are designated for making Neighbourhood Plans.

**How do you feel about Strategic Policy 3: Levels of future housing development?**



**Why do you feel this way and do you have any comments?**

**Comment**

**Members feel that there are too many houses proposed for the District and that the distribution is wrong. We need to encourage the retention and in-migration of younger people in order to maintain a balanced population and it is felt that the proposed policy will exacerbate the impact of an ageing population, with its associated pressures on inequality, the job market and healthcare. There is not enough affordable housing proposed and members believe that a minimum 25% should be delivered. Also, more social housing is needed as most affordable housing is not actually affordable!**

**Policy for employment provision and distribution**

In order to ensure there are good opportunities for people to gain jobs and for business to grow, thrive and prosper it is key for the local plan to ensure that there is a strategic approach to employment provision and distribution, especially in respect of making sure that land will be supplied.

## 4. Strategic Policy - Employment Provision and Distribution Strategy

*This is a brief summary of the policy only – please refer to the full PDF version of the plan for all policy content.*

The Council is committed to achieving high quality, high value jobs in East Devon, close to people's homes.

Provision will be made for a net increase of sufficient new employment floorspace within the plan period (1 April 2020 to 31 March 2040) to meet need and ensure that a choice of appropriate land is available in sufficient quantity, and of the right quality, to drive the economic growth of, and support prosperity in, East Devon. The level of need will be informed by the ongoing Economic Development Needs Assessment.

Policy advises of a range of employment uses and types being accommodated.

### Location of Development

Existing employment areas that will continue to be the primary locations for industrial, warehousing, offices, distribution development and other B Class Uses are identified on the Policies Map.

Sufficient additional employment land to meet East Devon's requirements will be identified:

- on the western side of the District, including the Exeter and East Devon Enterprise Zone, for high value uses, including those in transformational sectors.
- at the towns (Tiers 1 and 2 plus the new settlement in the Settlement Hierarchy) to provide jobs and workspace for new and existing residents, to improve settlement self-containment, and to reduce the need to commute to work.
- In the Tier 3 and 4 settlements on mixed use sites, to provide small-scale jobs and workspace for new and existing residents, to improve settlement self-containment, and to reduce the need to commute to work.

The Council will monitor the achievement of employment development on existing commitments, from planning permissions and on site allocations in the development plan.

The scale of new windfall employment development will also be monitored, regarding its support for and consistency with the economic vision and strategy, and the plan's vision, objectives and spatial strategy.

### How do you feel about Strategic Policy 4: Employment provision?



**Why do you feel this way and do you have any comments?**

### **Comment**

**Members agree with the principles of this policy but feel that more emphasis should be placed on providing job opportunities in locations that are easily accessible by existing residents to prevent the out-migration of workers to Exeter that we experience in Exmouth.**

**How do you define high quality, high value jobs?!**

**Employment provision should not cause harm to the environment and should seek to contribute to the Council's carbon reduction targets.**

**What evidence is there that more Class E offices are required in Exmouth?**

**Also, greater protection needs to be given to existing employment land – we have already lost employment land in Exmouth as a result of weak policies!**

### **Mixed use - housing, employment and other uses sites**

To help secure sustainable patterns and forms of development it is identified as essential that we secure some mixed use development where delivery of housing will also help secure employment uses and community and social facilities. We have, therefore set out policy for such development and this relates to a number of allocations found within the plan.

### **5. Strategic Policy – Mixed use developments incorporating housing, employment and community facilities**

In order to promote sustainable patterns of development we will require mixed use developments schemes in line with the requirements set out below:

**For any development comprising of 100 homes or more (noting that the new town proposal has specific policy levels), specifically including at Tier 1 and 2 settlements, including where land is allocated for development and on windfalls sites.**

- We will require at least 0.4 hectares of employment land for each 100 homes proposed (with this ratio of provision applied on a pro-rata basis and applying for any homes numbering over 100); and
- We will require on-site social and community facilities in line with needs specifically generated by the development.

**At tier 3 and 4 settlements or development in the countryside whether on allocated sites or windfall sites we will apply a threshold of 25 homes.**

- We will require at least 0.1 hectares of employment land for each 25 homes proposed (with this ratio of provision applied on a pro-rata basis and applying for any homes numbering over 25)

Sites will be taken to comprise of proposed windfall developments and full allocations in the local plan and will not be restricted to separate plots of land irrespective of whether there is single or multiple ownership or control. This will resist the splitting of sites in order to come in below thresholds.

Planning permission will not be granted for residential development falling under the above unless at least one of the following apply:

- Specific employment only allocations at that settlement provide a quantum of employment land that exceeds the ratio of 0.25 hectares of employment land per 100 houses allocated (0.1 hectares per 25 homes) when taking into account firstly total quantum needs generated by the level of housing allocations proposed for a settlement in the local plan and in addition to this the quantum needs generated by the proposed scheme.
- It can be clearly demonstrated that off-site provision of employment land at a settlement and at a quantum to meet or exceed above thresholds, will be delivered and is better located to meet needs.
- The nature of the housing being proposed (for example elderly person housing) will not generate the need for employment provision.
- The site, by way of non-typical characteristics or clear constraints, is wholly unsuited to provide for employment needs.

Exceptionally, if sufficient viability or other evidence may be provided which precludes the delivery of necessary employment provision within mixed use sites. Developers will be required to make a financial contribution to the Council to support the off-site delivery of a sufficient and comparable degree of employment provision. The Council will use these developer contributions to help deliver Council-owned employment land elsewhere in the district, and where possible, within commuting proximity to the application site. The methodology for calculating this contribution is to be determined. A Viability Statement and verifiable assessment must be provided to evidence the unviability of the employment provision.

**How do you feel about Strategic Policy 5 : Mixed use developments?**



**Why do you feel this way and do you have any comments?**

**Comment**

**Members are broadly in agreement with the concept of this policy and feel that development sites do need to be properly planned and well laid out to incorporate integrated natural areas. They agree with the ambition to provide onsite facilities and agree with the site splitting clause. However, they also note that the ambition mixed use developments often plays into the hands of developers because they can then challenge affordable housing provision on the basis of viability!**

## How has 0.4 ha been derived and is it sufficient?

### 6. Strategic Policy – Development inside Settlement Boundaries

Within the settlement boundaries defined on the Policies map development will be supported in principle. This does not mean that all development will be acceptable within settlement boundaries: proposals will be considered on their own merits having regard to other policies in this plan and any made neighbourhood plan.

This is a strategic policy and significant changes to the boundaries defined through neighbourhood planning would be incompatible with it. However, neighbourhood plans that propose modest adjustments to the settlement boundaries to increase the opportunities for additional development may be considered to be compatible with this policy.

**How do you feel about Strategic Policy 6: Development inside settlement boundaries?**



Why do you feel this way and do you have any comments?

**Comment**

### 7. Strategic policy - Development beyond Settlement Boundaries

In locations outside of the defined settlement boundaries, development will not generally be supported, except where it is in accordance with a specific Local or Neighbourhood Plan policy that explicitly permits such development and where it would not harm the distinctive landscape, amenity and environmental qualities of the area within which it is located.

**How do you feel about Strategic Policy 7: Development beyond settlement boundaries?**



Why do you feel this way and do you have any comments?

**Comment**



**In this chapter we have tried to cover all relevant policy matters for this subject. But if you think there is anything missing please advise us in the box below.**

## Chapter 04

### Addressing housing needs and identifying sites for development

#### We have set out in our consultation:

- Preferred sites, 1st Choice sites, for development; and also
- 2nd best sites that are not considered to be ideal but may be required as allocations in order to ensure that there could be sufficient sites allocated to meet the housing need

The policies in the plan directly relate to the policies map and we colour code sites as preferred and 2nd best choices as well as showing currently rejected alternative options.

Please do note that there are questions and opportunities to comment on specific sites elsewhere in the plan consultation so at this stage we are especially interested in your comments on the logic of the approach we are following rather than specific details.

#### How do you feel about our approach to undertaking site assessment work?



Why do you feel this way and do you have any comments?

#### **Comments**

**Members feel that this process was developer driven and it should not be.**

**In this chapter we have tried to cover all relevant policy matters for this subject. But if you think there is anything missing please advise us in the box below.**

## Chapter 05

### Future growth and development on the western side of East Devon

The western side of East Devon, close to the City of Exeter, has seen considerable levels of development in recent years and in this new local plan we plan to continue with accommodating high levels of growth in this western area. Projects and schemes that have supported development so far, and which have formed part of the growth agenda, have included district heating, high quality green infrastructure, a full Growth Point programme, the Enterprise Zone designation, new and improved highways and proactive responses to the climate emergency.

Past policy concentrating development in the west of the District, close to Exeter, has reflected:

- the constraints to development elsewhere in the District, specifically the fact that two thirds of East Devon, including much of the north, west and south of East Devon fall in designated AONBs; and
- in East Devon, close to Exeter and in the City itself, there is a lot of existing built development providing jobs, services and facilities, there is supporting infrastructure and there is a market demand for housing and larger strategic scale development, not the least for employment uses.

These considerations still apply today and much of what will be built on the western side of East Devon over the years ahead is already committed development, either through already planned development at Cranbrook or through sites that are under construction or have planning permission for development.

The western side of East Devon has seen a considerable amount of infrastructure put in place in recent years to support, promote and facilitate new growth and development. A pattern of on-going growth will be able to capitalise on existing infrastructure provision but will also generate, in its own right, the need for additional provision and facilities, this is especially so in respect of proposals for a second new town.

## **8. Strategic Policy – Development of a second new town east of Exeter**

Land is allocated, as shown on the Policies Plan, for the development of a new town on the western side of East Devon. The new town will be a long-term strategic development scheme that will start being built during the life span of this local plan but development will extend beyond the life of this plan

Development will need to occur and proceed on an agreed phased basis. The town will be built to distinctive high quality design standards with an explicit focus on sustainable construction and building operation and renewable energy production and use. Open spaces and facilities will be readily accessible to all residents with convenient and attractive pedestrian and cycle links to local destinations and access to high quality public transport services.

Working with our partners we will promote development starting in this plan period but also extending over the longer term (beyond the lifespan of this local plan) to accommodate the following:

### 1) New Homes

- Up to 2040 - Around 2,500 new homes on allocated land.
- Beyond 2040 – Around 5,500 additional new homes on allocated land.
- New homes will need to be of the highest standards in terms of energy and resource efficiency, quality of design and access to services and facilities.

### 2) Gypsy and Traveller Provision

- Up to 2040 – Numbers are to be determined but we would envisage at least one site accommodating up to 15 pitches.
- Beyond 2040 – Numbers are to be determined but we would envisage at least one site accommodating up to 15 pitches.
- Provision will be required in line with 'bricks and mortar' housing development and must be integrated with overall development proposals.

### 3) Jobs

- Up to 2040 – Around 17.5 hectares of land in office, industrial and warehouse sectors.
- Beyond 2040 – Around 38.5 hectares of land in office, industrial and warehouse sectors.
- employment shall be made throughout the town to provide a range of business spaces suitable for the needs of businesses as they develop and grow and to accommodate a range of employment opportunities for residents of the new town and surrounding areas.

Serviced or otherwise available land should be available for occupation by employment uses on a phased based that is directly proportionate to house building

#### 4) Town Centre

- Up to 2040 – Allocation of 15 hectares of land for a town centre with completion of at least 5 hectares of land with completed and operation al town centre uses, specifically to include retail.
- Beyond 2040 – Completion of additional town centre development to occupy a grand total of at least 15 hectares of land (pre and post 2040 development).
- A town centre will provide a focal point for retail, business and leisure activities and will be designed to create a vibrant day and night-time economy and this will be complemented by a series of smaller neighbourhood centres.

#### 5) Social, Community and Education Facilities

Accommodate a full range of social, leisure, health, community and education facilities (including new schools) to meet the needs of all age groups that will live at the new town. To specifically include 23 hectares of land for education provision.

#### 6) Infrastructure

Infrastructure provision will need to come forward with overall development proposals. This will include at least 254 hectares of land for green infrastructure provision The Council will produce an Infrastructure Delivery Plan that will set out key requirements recognising the need for improved transport links and road improvements, district heating connections, new education provision, high speed broadband and other services and facilities to ensure sustainable development is delivered.

Developments shall be developed in a phased and co-ordinated manner alongside the required infrastructure and in accordance with parameter plans for the new town which will be developed in partnership with the developers and the community.

**How do you feel about Strategic Policy 8: Development of a 2<sup>nd</sup> New Town?**



Why do you feel this way and do you have any comments?

#### **Comments**

**Members are not in support of another new town but of all the options, OPTION 1 is the most palatable in terms of impact on existing communities.**

**If you have views on the actual site options, please comment on the site forms:**

[Option 1](#)

[Option 2](#)

[Option 3](#)

**If in addition, or as an alternative, you wish to comment on the suggested policy wording for the new town, answer the questions on Strategic Policy 8 above**

## **9. Strategic policy – Development within the Enterprise Zone**

Within the designated Enterprise Zone as shown on the Policies Plan (excluding the area at Cranbrook which is not addressed in this local plan), support will be given for inward investment and development for business and allied uses.

All new development will need to be complementary to the existing use and purposes of the Enterprise Zone area and its specific vision for development.

All new buildings and supporting infrastructure will need to be of the highest standard to include buildings to BREEAM Excellent or equivalent standard. New buildings will need to connect to the district heating network on Science Park and Sky Park.

Planning applications will need to demonstrate through a Travel Plan how the development will support the use of active travel and public transport. There will be a requirement for active travel routes throughout the designated sites, linking to the surrounding settlements, including Exeter. New developments will be required to be accessible by walking, cycling and public transport, and must not generate traffic of a type or amount inappropriate for the character of existing or improved access roads.

Planning applications will need to show how proposals will include and promote high quality digital connectivity ensuring infrastructure reflects the most modern speeds and technologies.

In the designated Enterprise Zone a range of building types and sizes, to maintain a flexible and competitive offer will be allowed for. However, other than at Exeter Logistics Park large-scale warehousing and distribution development within the Enterprise Zone, will only be allowed:

- as a limited part of a mixed use scheme and
- providing it will not compromise the ability of those sites to deliver significant high value employment

**How do you feel about Strategic Policy 9 : Development within the Enterprise Zone?**

**No Comment**

## **10. Strategic policy – Exeter Science Park**

At the Exeter Science Park, as shown on the Policies Map the following uses will be acceptable:

- research and development of products or services;
- active collaborations with universities, higher education, institutes, research or similar organisations;
- technology based services;

Uses which support the above primary activities and supporting green and grey infrastructure will also be accommodated.

New business developments will need to be of the highest quality built in a campus style setting, to reflect the existing Science Park development, with a particular emphasis on provision of high environmental quality and standards.

Other than for supporting infrastructure planning permission will not be granted for built development that comprises of non-business or for businesses that do not accord or align with Science Park objectives.

**How do you feel about Strategic Policy 10 : Exeter Science Park?**

**No Comment**

## **Development of land north of Exeter Science Park**

Land to the north of Exeter Science Park offers scope for high quality employment growth in this part of the district and is allocated accordingly.

## **11. Strategic policy – [Land north of the Science Park](#)**

A land area of around 4.3 hectares, as shown on the Policies Map, is allocated for job generating uses in the business, research and technology related sectors and supporting green and grey infrastructure will be accommodated. New business developments will need to be of the highest quality and should reflect forms of development in the surrounding area, notably Science Park development to the south, with a particular emphasis on provision of high environmental quality and standards.

Other than for supporting infrastructure planning permission will not be granted for built development for non-business job generating uses.

**How do you feel about Strategic Policy 11: Land north of Science Park?**

**No Comment**

## High quality development north of Sowton village

We have identified the need for a further major strategic land allocation for employment uses close to junction 29 of the M5 Motorway and land is allocated directly to the north of Sowton village (south–east of Junction 29 of the M5 and south of and alongside the A30).

### 12. Strategic policy – [High quality employment north of Sowton village](#)

An area of around 17 hectares of land, as shown on the Policies Map, to the north of Sowton village, is allocated for employment uses.

High quality development of the site will be essential given both its proximity to the village of Sowton and its built heritage importance and the more general open setting of the site and visual proximity to the A30 at a gateway entrance point to East Devon when leaving the M5 motorway and the city of Exeter.

The site will form a mixed-use business park at which the following uses will be considered appropriate;

- a mix of B2, B8 and E(g)
- A limited element of ancillary uses such as indoor sports, recreational, crèche or café will be permitted

Other than for supporting infrastructure, and exceptions noted above, planning permission will not be granted for built development that comprises of non-business uses.

### How do you feel about Strategic Policy 12 : High quality employment area north of Sowton?

**No Comment**

## Exeter Airport and development in the environs

Exeter Airport is of strategic importance for travel and communications for the south-west of England and it forms a key asset for East Devon and surrounding areas. Plan policy supports its future operation and growth of the airport as a key gateway to the region and in providing the opportunity for highly skilled, high value job creation in aviation and other sectors.

### 13. Strategic policy – Exeter Airport and its future operation and development

Growth and expansion of the airport and airport related businesses and operations will be supported within its current operational boundaries.

The role of the Airport as a test bed for new technologies will be supported through promoting the development of a sustainable aviation cluster. Land to the north of the runway will be allowed to support aviation related development including



research and development activity alongside maintenance/ repair/ overhaul and new freight/cargo operations.

Land to the south will be allowed to accommodate further aviation related, employment and training/education uses. This can include occupiers who rely on proximity to an Airport or who benefit from a transferrable skill base as well as to support the developing logistics cluster.

Any new developments must not, however, prejudice or adversely impact on the core operational role and functions of the airport as a travel facility handling the air bound movements of passengers and freight.

Noise sensitive development within the 57db noise contour around the airport will be restricted (in order to ensure future airport operations are not adversely impacted) alongside ensuring that any development proposals do not have a material impact on the operation of navigational and safety systems.

The transition to net zero carbon operations at the airport will be supported through enhanced public transport surface access and the installation of renewable energy generating capacity

### **How do you feel about Strategic Policy 13: Exeter Airport & its future operations**

**No Comment**

### **Employment land to the east of Power Park (east of airport buildings)**

Land is allocated, it currently has Enterprise Zone status, for employment uses to the east of airport terminal buildings, and the site is shown on the Policies Map and is expected to accommodate a range of business uses.

### **14. Strategic Policy - [Employment land to the east of airport buildings](#)**

An area of 7.7 hectares of land, as shown on the Policies Map to the east of existing airport buildings, is allocated for employment uses. The site will form a mixed-use business park and the following uses will be considered appropriate;

- The site will accommodate a mixed use scheme of employment generating uses, which may include - B2, B8 and E(g)
- A limited element of ancillary uses such as indoor sports, recreational, crèche or café will be permitted

Other than for supporting infrastructure, and exceptions noted above planning permission will not be granted for built development that comprises of non-business uses.

### **How do you feel about Strategic Policy 14 : Employment land to east of airport buildings?**

## **No Comment**

### **Employment land east of the Airport and north of the A30**

Land is allocated for employment uses to the east of the training academy/hotel, and the site is shown on the Policies Map. The site is specifically earmarked for high technology airport related uses and clean green technology forms of development.

### **15. Strategic Policy – Employment land east of the Airport and north of the A30**

An area of 12 hectares of land, as shown on the Policies Map to the east of existing airport buildings, is allocated for employment uses.

The following uses will be considered appropriate;

- B2 and E(g);
- A limited element of B8;
- Sui-generis uses which comply with this policy
- A limited element of ancillary uses such as indoor sports, recreational, crèche or café.

The development will need to come forward in accordance with an approved phasing plan and promote active travel measures and other than for supporting infrastructure, and exceptions noted above planning permission will not be granted for built development that comprises of non-business uses.

With its proximity to Exeter Airport the site is well positioned to assist the role of the airport. Uses which relate to the aviation sector and its wider supply chain will be supported alongside other high value employment uses that facilitate economic growth within the area.

### **How do you feel about Strategic Policy 15 : Employment land to east of airport and north of the A30?**

## **No Comment**

### **16. Strategic Policy – Green infrastructure and the Clyst Valley Regional Park**

***This is a brief summary of the policy only – please refer to the full PDF version of the plan for all policy content.***

Development proposals, and specifically larger scale schemes on the western side of East Devon, will individually and collectively need to contribute to the implementation and long-term management of green infrastructure initiatives through appropriate contributions and/or on-site provision.

### **Clyst Valley Regional Park**

Policy in the plan specifically promotes expansion of the Clyst Valley Regional Park though boundaries for this expansion are still to be defined.

Within the park (existing and any extended area), development proposals should promote park objectives which (in summary form) are to:

- a) To enhance the health and wellbeing of residents through the provision of high quality publically accessible natural green/blue space is complementary to built development.
- b) Ensure natural ecosystems function with linked benefits to health, education and food production.
- c) Take recreation pressure away from more environmentally sensitive locations.
- d) To protect irreplaceable habitats, restore natural processes, ensure that internationally important wildlife sites achieve their conservation objectives,
- e) Promote cycling and walking opportunities to link habitats and sustainable movement networks that promote the overall recreational experience.
- f) Conserve and enhance heritage assets and their setting.
- g) To create opportunities for people of all ages and abilities to learn outside the classroom.
- h) To rapidly reduce greenhouse gas emissions, sequester carbon in soils and vegetation, and increase resilience to extreme weather events and rising sea levels.
- i) To achieve good ecological status in the River Clyst and tributaries, enhance natural flood storage, and restore soil health.
- j) To restore landscape character and promote local distinctiveness and to maintain the high landscape setting of Killerton.
- k) Provision of public art and the promotion of culture and customs in connection with the above objectives.

Where development occurs outside of but close to the park any green space provision associated with the development should be linked to and provide pedestrian and cycle access into the park

**How do you feel about Strategic Policy 16 : Green Infrastructure and Clyst Valley Regional Park?**

**No Comment**

**Development north of Topsham and east of the M5 Motorway**

Taking advantage of proximity to the City of Exeter and links with neighbouring Topsham, in the city, we are allocating land for an urban extension to the north of Topsham.

### **17. Strategic Policy – Development next to the M5 and north of Topsham**

Land shown on the Policies Map is allocated for a strategic development scheme for an urban extension to the north of Topsham.

A mixed use development scheme is required at this site which will:

- Require a comprehensive masterplan for the whole site to be produced and agreed before specific parcels of land come forward and allied to this will be a need for an infrastructure needs and delivery plan to ensure required infrastructure will be delivered;
- Joint working across the City boundary to align development in East Devon with that in the City;
- A range of facilities to meet and address East Devon and cross boundary needs - needs to be determined in the context of East Devon and Exeter collective needs and provision and capacity in Exeter city (existing and planned) services and facilities.
- Around 580 new homes and at this level at least 2.4 hectares of employment land (to be pro-rata increased at 0.4 hectares of land per 100 extra new homes (or part of) should the homes number increase.
- Transport and especially pedestrian and cycle links including potential for a new rail crossing; and
- Require that any development respects the landscape quality of the lower Clyst and provides links with the Clyst Valley Regional Park.

Planning permission will not be granted for any individual parcel of land in the allocation in the absence of a comprehensive development scheme with clear mechanisms outlined for full policy requirements to be met and delivered.

### **How do you feel about Strategic Policy 17: Development north of Topsham and east of the M5 Motorway?**

**No Comment**

### **Gypsy and traveller site east of the M5 and south of the Exeter-Waterloo line**

Land has been promoted for development through the HELAA process that is east of the M5 and south of the Exeter-Waterloo line. One option identified in the submission was for a gypsy and traveller site.

There is an unmet need for further gypsy and traveller provision and there are strong historic ties with the western side of East Devon and gypsy and traveller movement patterns and homes. The site would lend itself to an allocation for extra provision.

## **18. Strategic Policy – Gypsy and traveller site east of the M5 and south of the Exeter-Waterloo line**

Land shown on the Policies Map that lies to the east of the M5 and south of the Exeter-Waterloo line is allocated for a gypsy and traveller site.

Planning permission will be granted for development of a gypsy and/or traveller site to address need for provision specifically on the western side of East Devon District. The allocated site benefits from good highway access roads to the south though any proposal will need to be carefully designed to avoid adverse impacts on surrounding uses and the high quality of commercial and residential development in this part of East Devon.

An area of floodplain covers part of the site and as such built development will need to be within central and northerly parts of the site. Development for non gypsy and traveller uses and occupation, other than for supporting infrastructure, facilities and landscaping will be resisted.

### **No Comment**

**In this chapter we have tried to cover all relevant policy matters for this subject. But if you think there is anything missing please advise us in the box below.**

## Chapter 06

### Strategy for development at Principal Centres, Main Centres, Local Centres and Service Villages

#### Principal Centres

This chapter of the plan refers to towns and villages in East Devon that fall into the tiers 1 to 4 categories. It sets out details of proposed land allocations for development at these settlements.

The text that follows can be read alongside the Policies Map of the plan (and settlement inset maps) which show:

- Sites proposed as allocations;
- Sites that have been assessed but at this stage of work have been rejected as possible site choices; and also
- Settlement boundaries drawn around settlements within which, subject to wider planning policy considerations, development may be acceptable.

Any of the above can be commented on in the consultation.

However, for seeing possible site choices for housing and housing/mixed use developments in more detail, please see a map for the whole of East Devon and navigate around to different locations. From this map you will see the site boundaries and you find a link to more details assessments of sites. You will also be able to submit comment about any assessed site.

***In the text and policies that follow there are also links, for proposed land allocations, to the same site details and comments form that the map link above takes you to.***

#### 20. Strategic Policy - Exmouth and its future development

The sites/areas listed below are potential sites for allocation at Exmouth as shown on the Policies Map. On the policies map sites are colour coded to indicate whether they are preferred or 2nd choices sites and we also show sites that have been assessed and at this stage rejected as possible choices for allocation for development.

- Land on the north-eastern side of Exmouth – this land on the north-eastern side of Exmouth is proposed for a mixed-use development to provide around 258 new homes and 1 hectare of employment land. The land area is made up (parts or all) of sites under HELAA references – Exmo\_04 (the proposal is to allocate [Exmo\\_04a](#) on the Policies Map), [Lymp\\_09](#), [Lymp\\_10](#) (the proposal is to allocate [Lymp\\_10a](#) on the Policies Map), [Lymp\\_14](#) – and these sites will form an extension to the town which must be master planned as a coherent overall development scheme. Development of sites [Lymp\\_09](#) and [Lymp\\_10](#) lie to the north of Hulham Road which is a busy road, any

development of these sites will be dependent upon provision of new and safe pedestrian and cycle crossings for this road.

- Land at Douglas Gardens (Exmo\_06) – this land at Douglas Gardens will form a small-scale residential extension on the southern side of Exmouth to accommodate around 44 new homes.
- Littleham Fields (Exmo\_08 and Exmo\_16 combined) – this land close to Littleham will form a small-scale residential extension on the southern side of Exmouth to accommodate around 45 new homes.
- Land to the South of Courtlands Lane (Exmo\_23) – this land south of Courtlands Lane will form a small-scale development on the northern side of Exmouth to accommodate around 12 new homes.
- Land to the South of Littleham (Exmo\_17) – this land on the northern eastern side of Exmouth is proposed for a mixed-use development to provide 410 new homes and 1.6 hectares of employment and community uses land.
- Land directly to the East of Liverton Business Park (Exmo\_18) – this land east of Liverton Business Park is allocated for employment uses and will form an extension to the existing business park and extends to around 3 hectares in size.
- Land at St John's (Exmo\_20 the proposal is to allocate Exmo\_20b as shown on the Policies Map) – this land to south of St John's on the eastern side of Exmouth is proposed for proposed for 150 new homes and 0.6 hectares of employment land.
- Land at Courtlands Cross (Lymp\_07) – this land at Courtlands Cross is proposed for 100 new homes and 0.4 hectares of employment land.
- Land off Summer Lane (Lymp\_08) – this land off Summer Lane is proposed as an allocation for 14 new homes.

In the event that all preferred allocations and 2nd choice sites being consulted on were allocated this would lead to the following:

- Total new homes proposed for allocation at Exmouth = 1,033
- Total land area proposed for employment at Exmouth = 6.6 hectares

**How do you feel about Strategic Policy 20: Spatial Strategy – Exmouth ?**



Why do you feel this way and do you have any comments?

### **Comments**

**Members feel strongly that the number of homes proposed for Exmouth is unachievable in the context of:**

- Existing infrastructure pressures incl. congestion on A376, primary healthcare provision, secondary school capacity etc.

- Dubious sustainability of most of the proposed development locations; esp. access to public transport, local amenities etc.
- The adequacy of the sewerage system to cope with any new development in the context of a recently opened enforcement case against South West Water
- Contrary to objectives 8, 9 and 10 of the Plan

**Specifically:**

**Land to the north eastern side of Exmouth is opposed for development as the area is already over-developed and the proposed locations represent an unwelcome extension to the Goodmores Farm development.** The sites are considered too remote and outside the current BUAB and in close proximity to the Pebblebed Heaths. There is a risk that these development sites will become satellite communities with little or no access to necessary public amenities.

**Land at Douglas Gardens has recently been opposed by Exmouth Town Council's Planning Committee on the basis that the proposed site is considered to be contrary to several Neighbourhood Plan policies: EN1 – BUAB, EN3 (Maer Valley Park), EN5, EN6 (Impact from additional Surface Water), EN8.**

**Land at Littleham Fields is felt to impinge on the historic core of Littleham Village and there is a fear that this development will damage the amenity provision of local residents.** Road access is difficult and it represents a further encroachment towards the valued Maer Valley.

**Land to South of Courtland Lane is opposed due its status as a green wedge and its proximity to National Trust land / the CPA.**

**Land to South of Littleham is opposed due its impact on the AONB.** Work on Exmouth Playing Pitch Strategy in 2016 highlighted that the site is on Grade 1 agricultural land within the AONB and particularly sensitive to re-profiling esp. the hedge-banks, which were considered a constraint against the use of the site for pitches as their impact could not be satisfactorily mitigated.

**Land Directly to the East of Liverton Business Park is deemed the most acceptable in terms of sustainability.**

**Land at St Johns is opposed due to the impact on public amenity/ green space.** The above-mentioned playing pitch strategy sited that the bordering woodlands have a known active badger sett and presence of bats and it is considered that the potential impact on this valuable natural habitat is unacceptable.

**Land at Courtland Cross is opposed due it being in a green wedge.** The Playing Pitch Strategy identified this site as sensitive due to its close proximity to the Exe Estuary / in the CPA and the presence of Cirl Buntings was noted during assessment work. It has previously been rejected by a planning inspector at Appeal.



**Land off Summer Lane is opposed due to its sensitive proximity to A La Ronde and its remoteness.** However, Members could see that the delivery of the Dinan Way extension might open up sustainable opportunities for small scale development in this area.

## **21. Strategic Policy – Honiton and its future development**

How do you feel about Strategic Policy 21: Honiton development?

**No Comment**

## **22. Strategic Policy – Ottery St Mary and its future development**

**No Comment**

## **23. Strategic Policy – Seaton and its future development**

**No Comment**

## **24. Strategic Policy – Sidmouth and its future development**

**No Comments**

## **25. Strategic Policy – Development at Local Centres**

The sites/areas listed below are considered to be potential sites for allocation for development in/at East Devon's Local Centres. On the policies map sites are colour coded to indicate whether they are preferred or 2nd choices sites and we also show sites that have been assessed and at this stage rejected as possible choices for allocation for development.

List of local Centres and details – not listed here

### [Lympstone](#)

- [Lymp 01](#) - Little Paddocks, 22 Underhill Crescent, Lympstone, is proposed for 14 new homes.
- [GH/ED/72](#) - Land at Meeting Lane, Lympstone, is proposed for 131 new homes and 0.52 hectare of employment land.
- [GH/ED/73](#) - Land north west of Strawberry Hill, Lympstone, is proposed for 46 new homes and 0.18 hectare of employment land.
- [GH/ED/75](#) - Land off Grange Close, Lympstone, is proposed for 6 new homes.

## **26. Strategic Policy – Development at service villages**

The sites/areas listed below are considered to be potential sites for allocation for development in/at East Devon's service villages. These are listed by settlement with a potential total number of homes and land area for employment spaces for

that settlement listed beneath. These totals are in the event that all identified site options within that settlement were to come forward as allocations.

List of Villages & details – not listed here

**No comment**

## Chapter 07 - Tackling the climate emergency and responding to climate change

### Reducing emissions and promoting zero carbon development

The climate is in crisis. The latest warnings from the 2021 IPCC sixth assessment report are stark. Human-induced climate change is already affecting many weather and climate extremes in every region across the globe, the atmosphere and seas are warming at rates unprecedented in human history, and some of the consequences are irrevocable. Time is running out and these trends are set to continue without drastic cuts in carbon emissions in the next decade. It is clear that now is the time for bold collective action.

No organisation or individual is exempt from responsibility, and in 2019 the Council declared a climate emergency where it committed to become carbon neutral by 2040. The Local Plan has a key role to play and it is imperative that we go further than ever before by introducing a suite of ambitious and implementable policies which addresses the severity of the crisis that we are all facing.

### Climate Emergency

We have set out an overarching policy as part of our response to the climate emergency.

### 27. Strategic Policy – Climate Emergency

The East Devon target is to become carbon neutral by 2040, this overarching strategic policy for climate emergency requires developments to support East Devon becoming carbon neutral by 2040, through:

1. Delivering net-zero development;
2. Maximising opportunities for delivery of renewable energy, district heat networks, zero-carbon energy and energy storage facilities; and
3. Calculating the impact of embodied carbon and retaining existing buildings where possible.

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How do you feel about Strategic Policy 27: Climate Emergency?



Why do you feel this way and do you have any comments?

### Comments

**Councillors are broadly in support of this policy and agree that it is strongly worded but some members feel that the target date is not ambitious enough.**

**It was also noted that net-zero allows for carbon offsets which don't address emissions reductions now**

## **Net-Zero Carbon Development**

Net-Zero Carbon Development is concerned with seeking to ensure that overall, in their use and occupation, new buildings make a net zero carbon contribution to the environment. This can be achieved to a great extent through very high efficiency standards and incorporation of renewable energy generation technology.

### **28. Strategic Policy – Net-Zero Carbon Development**

All new residential and commercial development will deliver net-zero carbon emissions. Developers will be required to submit a “carbon statement” to demonstrate how this will be achieved, in accordance with the energy hierarchy.

In addition, homes will be required to be future proofed to avoid temperature discomfort as a result of rising temperatures.

There will also be requirements to maximise opportunities for renewable energy and ensure that in-use energy performance is as close as possible to design intent.

Finally, there will be a requirement for major development to calculate the whole life-cycle carbon emissions, through a nationally recognised Whole Life Cycle Carbon Assessment.

**How do you feel about Strategic Policy 28 - Net-Zero Carbon Development?**



**Why do you feel this way and do you have any comments?**

#### **Comments**

**Members are in support of this policy but feel that “requirements to maximise opportunities for renewable energy” is vague and it is not clear what the expectations are. Does this policy apply to ALL new residential development including extensions or only development sites above a certain size? What is the trigger point?**

**There are also concerns about the vagueness of the wording of temperature discomfort and members feel that this could rightly or wrongly apply to air-conditioning installations. Is that the intention? There is an increasing amount of attention being paid to the massive climate risk posed by the air conditioner.**

**Promoting renewables and zero carbon energy**

We have drafted policy that seeks to ensure that as much of our energy as possible comes from zero-carbon sources. This will play a crucial role in achieving climate objectives. Renewable energy makes up an ever-increasing proportion of the energy supply and this is a trend which is set to continue.

## **29. Strategic Policy – Promoting renewables and zero carbon energy**

Development of zero carbon and renewable energy schemes within the District will be supported. We will encourage the use of community-led schemes and promote their use within Neighbourhood Plans.

The Local Plan will support renewable and low carbon energy proposals where there are no unacceptable impacts on:

- Landscape, visual or residential amenity
- Noise, air, water, highways or health
- Biodiversity, the natural or historic environment
- Radar, telecommunications or the safety of aircraft operations

Planning permission will only be granted for development of non-renewable forms of energy generation where it can be demonstrated that there are clear and compelling circumstances that generate the need for the proposal and that all reasonable opportunities for using renewables to supply the need are non-credible and exploration of alternative options have been exhausted.

**How do you feel about Strategic Policy 29 Promoting renewables and zero carbon energy?**



**Why do you feel this way and do you have any comments?**

### **Comments**

**Members agree that zero carbon and renewable energy schemes should be supported but feel that “unacceptable” impacts is subjective and will ultimately be a judgement call.**

**A recent appeal in Exmouth relating to the refusal of a proposal for the installation of a synchronous gas-powered standby generation facility at Liverton Business Park was upheld by a planning inspector. Due to the complex technical, environmental and economic factors associated with applications of this type, Exmouth Town Council believes that the policy wording needs to be as tight as possible.**

**The sentence containing “Biodiversity” should reference “geodiversity” too.**

**Also, the final paragraph potentially opens the way for non-renewable forms of energy generation and members feel that there should be a strong and definite statement about NOT supporting fossil fuel driven solutions, unless absolutely necessary, although it was noted that the net zero transition and investing in the green infrastructure we need does give cause to flexibility.**

## **Solar energy and electricity generation**

Solar energy has become increasingly important in supplying electricity and of lesser importance for direct heating in recent years. Many smaller-scale installations, for example on the roofs of some residential dwellings, do not require planning permission. However, large-scale solar farm installations would require permission and can be, unless sensitively sited and designed, intrusive in the landscape.

Plan policy sets out considerations with respect to supporting new solar installations.

### **30. Strategic Policy – Suitable areas for solar energy developments**

Solar photovoltaic development will be supported in the identified solar energy suitable area, as shown on the Policies Map, where there are no unacceptable impacts on any of the following:

- Landscape, visual or residential amenity;
- Noise, air, water, highways or health;
- Biodiversity, the natural or historic environment;
- Radar, telecommunications or the safety of aircraft operations;

And subject to not leading to direct conflict with any local plan policy that allocates land for an alternative development type or specifically affords safeguarding protection to land (unless development can be accommodated within the policy terms of the safeguarding).

**How do you feel about Strategic Policy 30. Suitable areas for solar energy developments?**



**Why do you feel this way and do you have any comments?**

#### **Comments**

**Members have a few misgivings about this policy in so far as the map shows all permissible areas and it is felt that it should show restricted areas instead. Also with respect to the reference to solar photovoltaic, the policy does not reference domestic uses of solar energy .e.g for water heating / solar thermal.**

## Energy from wind and wind farms

Windfarms can be found on-shore and off-shore, sometimes many miles out to sea. Off-shore windfarms largely fall outside of the remit of the Council as the relevant planning authority, though there may be planning implications associated with any on-shore infrastructure or connections that are required.

Plan policy sets out considerations in respect to supporting new on shore windfarms.

### 31. Strategic Policy - Suitable areas for wind energy developments

Wind energy development will in principle be supported in the identified wind energy suitable area, as shown on the Policies Map, where there are no unacceptable impacts on:

- Landscape, visual or residential amenity
- Noise, air, water, highways or health
- Biodiversity, the natural or historic environment
- Radar, telecommunications or the safety of aircraft operations

And subject to not leading to direct conflict with any local plan policy that allocates land for an alternative development type or specifically affords safeguarding protection to land (unless development can be accommodated within the policy terms of the safeguarding).

The impacts of any development on key landscape characteristics must be acceptable. Proposals must have regard to the landscape sensitivity and be of a scale and type where landscape sensitivity has been identified as being low/moderate or moderate.

**How do you feel about Strategic Policy 31. Suitable areas for wind energy developments?**



**Why do you feel this way and do you have any comments?**

#### Comments

**Members are supportive of this policy but feel that reference should be made to potential micro / domestic installations and noted that offshore energy potential is not mentioned.**

**Energy storage**

One of the challenges associated with renewable energy generation is that the time when it is 'made' is not necessarily the same time as when consumers want to use it. Much of the electricity consumed by households is done so in the evening, often after sunset, but this of course is the time when solar panels cease to generate electricity or at least production starts to rapidly fall.

Policy in the plan therefore sets out considerations that are relevant to storage of electricity.

### 32. Strategic Policy – Energy Storage

Planning permission will be granted for energy storage facilities to help to achieve carbon neutrality and support renewable energy production and use in East Devon subject to such schemes not having adverse impacts on account of noise, environmental considerations or amenity impacts. And not being in direct conflict with any policy in the plan that allocates land for a different specified use or safeguards land unless the energy storage facility can be accommodated without compromising the policy intent of the safeguarding.

**How do you feel about Strategic Policy 32. Energy storage?**



**Why do you feel this way and do you have any comments?**

#### Comments

**Members are supportive of this policy and believe that due to the cutting-edge nature of battery and smart systems, flexibility is needed to support technological advances as they come forward.**

### Strategic heat networks

Strategic heat networks are created from systems where a central plant or plants will generate heat and this will then be distributed along pipe networks to residential, business and other consumers. Strategic heat networks provide a more efficient way of producing heat than individual properties having their own separate boilers.

### 33. Strategic Policy – Heat Networks

For all major developments proposed within 1km of an existing heat network a connection will be required in order to secure planning permission. In addition, where no heat network currently exists, a new heat network will be required for proposals above 1,200 homes or 10 ha of commercial floorspace.

**How do you feel about Strategic Policy 33. Heat Networks?**





Why do you feel this way and do you have any comments?

### Comments

In principle, this policy is sound but it needs strengthening; there is no mention of heat networks using renewable energy and the one at Cranbrook does not – it is gas powered! The policy should stipulate that heat networks should use renewable and carbon neutral energy sources. There are also concerns about the need for such networks to be well maintained.

Members feel that there may be scope to link this policy to the emerging Energy Security Bill.

Members were also unclear how the threshold of 1200 homes had been established?

### Embodied carbon

One of the major sources of greenhouse gases is the manufacture of building materials. We see, therefore, real benefits in using all or key parts of the existing building stock in development projects.

### 34. Strategic Policy – Embodied carbon

All developments shall demonstrate actions taken to reduce embodied carbon and developers should retain existing buildings, or at least the foundations unless it can be demonstrated that refurbishment is either unviable or impractical.

Replacement of existing habitable buildings with new developments will only be supported in exceptional circumstances and will need to demonstrate that the full lifecycle carbon emissions will be net-zero.

How do you feel about Strategic Policy 34. Embodied carbon?



Why do you feel this way and do you have any comments?

### Comments

Members are supportive of this policy but feel that there are significant training implications due to the overtly technical nature of the subject.

There is no mention of the need to recycle building materials.

## Flood Risk

Government policy makes clear that development should be directed away from areas at highest risk of flooding now and in the future. The level 1 strategic flood risk assessment will help us to show how this can be done. It will (amongst other things): set out the relevant issues; give advice on the need for local policies; highlight any cross-boundary issues; identify any land needed for future flood risk solutions and map flood risk from all sources for the whole of East Devon. A level 2 strategic flood risk assessment may be required to inform strategic allocations at the next plan making stage. This draft plan generally avoids areas currently known to be at risk of flooding, although there are areas within existing settlements that are at risk of flooding that may be considered suitable for redevelopment, subject to detailed flood risk assessments (in a level 2 strategic flood risk assessment).

There is extensive national policy on flooding, which was recently updated. We will need to await the outcome of the strategic flood risk assessment before finalising flood related policies that are necessary in an East Devon context. A draft policy to [highlight the issues likely to be covered is included here as an interim measure.](#)

### 35. Strategic Policy – Flooding

The policy will require development proposals to:

- Meet the sequential and exception tests as set out in the NPPF;
- Avoid land required for flood management, including natural floodplains;
- Be safe over its lifetime, taking into account the increased risk of flooding due to climate change and without increasing flood risk elsewhere;
- Ensure that any flooding measures respond to the specific requirements of the site and respect the character and biodiversity of the area;
- Preferably reduce or at least not exceed existing run-off rates;
- Manage site surface water run-off as close to the source as possible.

How do you feel about Strategic Policy 35. Flooding?



Why do you feel this way and do you have any comments?

#### Comments

**Members agree with this policy but feel that the sequential test potentially jeopardises development in Exmouth Town Centre and is contrary to Placemaking aspirations for Exmouth town centre in terms of it retail, hospitality, leisure, and sustainability offering. It was also noted that the flood risk maps need updating as they do not reflect the recent addition of new flood defences in Exmouth.**

**It was also noted that development at Cranbrook this policy is seemingly at odds with this policy!?**

**It is felt that additional policies are needed to address risk from heat and fire etc. as well as flooding.**

### **Coastal change management areas**

We have worked with the University of Plymouth on a way to predict coastal erosion and flooding and have published a briefing [paper](#) and a topic [paper](#) on coastal change. The University of Plymouth have mapped areas that may be vulnerable to coastal change over the next 20, 50 and 100 years using the agreed methodology, which takes account of potential impacts from climate change through sea level rises. This work has been used to identify coastal change management areas (CCMAs) in accordance with the National Planning Policy Framework.

This is a highly complex topic, and it is recommended that the local plan is supported by supplementary planning guidance to give more details of how the CCMA approach would work in practice.

### **36. Strategic Policy – Coastal change management areas (CCMAs)**

Applications for non-residential development within the CCMA will be assessed in relation to the most up-to-date evidence available for when coastal change can be expected so that:

In parts of the CCMA expected to be at risk within a 0-to-20-year time horizon, only the following developments will be allowed: -

- temporary development directly related to the coast, such as beach huts, cafes, car parks or sites used for touring caravan and camping;
- temporary modifications to other existing commercial facilities where a positive link can be made to the local economy;
- mitigation measures for dealing with coastal change that are in accordance with the relevant coastal strategy or
- nationally significant infrastructure projects related to offshore development that are constructed to withstand the impacts of the expected coastal change.

In parts of the CCMA expected to be at risk within a 20-to-50 year time horizon, in addition to the development allowed in the 0 to 20 years zone the replacement, relocation and adaptation of infrastructure, commercial and community uses will be permitted, providing they require a coastal location and provide economic and social benefits to the local community.

In parts of the CCMA expected to be at risk within a 50 to 100 year time horizon, in addition to the development allowed in the 0 to 50 year zones, extensions to residential properties and householder applications may be acceptable.

*All applications for development within a CCMA must show that it would not result in an increased risk to life or any property through the submission of a coastal change vulnerability assessment, which should be proportionate to the scale and nature of the development.*

*Planning permission for all development in a CCMA will be time limited according to the risk identified in the coastal erosion vulnerability assessment.*

### How do you feel about Strategic Policy 36. Coastal Change management areas?



Why do you feel this way and do you have any comments?

#### Comments

**Members are supportive of this policy but note that it will have limited impact on Exmouth.**

### Relocation of uses affected by coastal change

Where evidence shows that certain existing uses would be vulnerable to coastal change in the short term, we propose to maintain our current approach of allowing relocation in some circumstances to areas where development would otherwise be unacceptable.

### 37. Strategic Policy – Relocation of uses affected by coastal change

Where there is robust evidence to demonstrate that permanent homes (with unrestricted occupancy) or community facilities, commercial or business uses that are considered important to coastal communities are likely to be affected by coastal erosion within 20 years of the date of the proposal, proposals for relocation/replacement may be considered favourably subject to the following criteria:

1. The new development is located in an area at less risk of coastal erosion;
2. The replacement property is located close to the community from which it is displaced and has an acceptable relationship with it in terms of character, setting, local amenity and any special landscape designations;
3. Overall, taking both the existing and proposed buildings into account, the proposal should not have an additional detrimental impact on the landscape, townscape or biodiversity of the area, taking into account any special designations;
4. The existing site is either cleared and restored with enhancements for nature conservation or put to use to benefit the local community within three months

of the first use of the replacement. The future use of the site should be secured in perpetuity and provision made for public access to the coast where appropriate;

5. The development is consistent with the criteria set out in Policy 6 - Development Beyond Settlement Boundaries; and
6. In the case of a residential proposal, the gross volume of the replacement dwelling is no larger than the one it is to replace.

**How do you feel about Strategic Policy 37. Relocation of uses affected by coastal change?**



**Why do you feel this way and do you have any comments?**

### **Comments**

**Members believe that this policy is good in principle and especially for domestic properties but wonder if this policy will inadvertently offer disproportionate protection for sites such as Devon Cliffs Holiday Park**

### **Development affecting coastal erosion**

The broad national and local approach to coastal erosion (as set out in the Shoreline Management Plan (SMP)) is to defend the centres of the main settlements and allow natural processes to continue in the more rural areas. Large parts of our coastline are designated as a World Heritage Site, the integrity of which would be undermined if natural processes were not allowed to continue.

### **38. Strategic Policy – Development affecting coastal erosion**

Where compatible with the most up-to-date coastal policy (as expressed in the SMP or a strategy such as a beach management plan), the Council will promote proposals for sustainable coastal change management such as improvements to coastal defences or managed realignment, provided that they would not have an unacceptable adverse economic, social or environmental impact, including an unacceptable detrimental visual impact on a protected landscape.

To protect the integrity of the Dorset and East Devon World Heritage Site, the natural processes that created it will be allowed to continue, unless the safety and economic well-being of any coastal community would be undermined, provided that the implications of this for the World Heritage Site have been fully considered.

Where there is a conflict between allowing coastal erosion and protecting coastal communities from that erosion both interests will be recognised and wherever possible impacts will be mitigated where they arise. Schemes that are incompatible with coastal policy are unlikely to be supported.

How do you feel about Strategic Policy 38. Development affecting costal erosion?

Why do you feel this way and do you have any comments?



**Comments**

**Yes – this policy is acceptable and the statement about the protection of the Jurassic Coast is bold.**

In this chapter we have tried to cover all relevant policy matters for this subject. But if you think there is anything missing please advise us in the box below.

## Chapter 08 - Meeting housing needs for all

People need homes not just for shelter, but for health and well-being. They need decent housing that they can afford to live in, where they can be warm, safe and secure, that provide stability and meet the household's needs now and as their needs change.

### Housing to address needs

We have included a strategic policy which addresses the Council's aspirations towards meeting the housing needs of East Devon. It is an overarching approach for the suite of policies in this chapter.

### 39. Strategic Policy - Housing to address needs

1. All proposals for housing, including those affecting the existing housing stock, will contribute to creating sustainable, inclusive and mixed communities in East Devon. This will be achieved by providing an appropriate mix of decent, good quality homes which meet identified needs for housing over the plan period, at locations consistent with the settlement hierarchy and the spatial strategy.

2. To achieve this the Council will:

- a. Seek to maximise the delivery of affordable housing across East Devon in order to meet identified needs of people who are not able to access the general housing market, and support a range of approaches to delivering affordable housing
- b. Support proposals for the development of specialist accommodation that increase choice for older, vulnerable and disabled residents
- c. Seek the use of good quality adaptable housing designs that provide flexible internal layouts and allow for cost-effective alterations to meet changing needs over a lifetime and reduce fuel poverty
- d. Work with developers registered providers, landowners and relevant individuals or groups to address identified local demand for self and custom build homes as identified in the East Devon Self and Custom Build Register
- e. Support the retention and improvement of private rented accommodation, the provision of shared accommodation for single people, and proposals for the development of community-led housing schemes.

3. A proposal for housing development will be supported where it broadens choice and reflects and responds to the existing and future needs of the district's households as identified in the Local Housing Needs Assessment or successor documents, and in up-to-date local housing need evidence.

4. A proposal for housing development will provide a mix of house types, tenures and sizes appropriate to the area. This will be subject to detailed policies in this plan and other Development Plan Documents, as well as evidence of the ability of the site to accommodate a mix of housing, and relevant, up to date evidence of market conditions. Housing mix will be achieved by:

a) A mix of affordable housing through social rent, affordable rent, and affordable home ownership (First Homes and other products) to meet affordable housing needs over the plan period, particularly the needs of younger people and key workers.

b) A range of housing suitable for households with specialist needs, including:

- Dwellings for older people who want to retain independent living;
- Adaptable and accessible housing and wheelchair user housing
- Use Class C2 accommodation including care homes

c) Market housing for rent as well as for home ownership

d) Serviced plots of land for self-build and custom housebuilding

e) Gypsy and Travellers and Travelling Showpeople accommodation

**How do you feel about Strategic Policy 39: Housing to address needs?**



**Why do you feel this way and do you have any comments?**

### **Comments**

**Members are concerned that policy 2b will give the green light to developers such as McCarthy Stone to deliver more age restricted/ retirement accommodation in Exmouth that is then marketed out of region. This is contributing to our unbalanced age demographic. If there is an identified need for age-restricted accommodation, this should have a local connection restriction to ensure that the policy facilitates the freeing up of family homes locally.**

**Members felt that the impact of unregulated AirBnB accommodation on the local rental market has not been addressed and that support needs to be given by the District Council needs to get involved in the government's review into short-term lets in order to regulate home rentals effectively.**

### **Affordable housing**

Affordability and lack of sufficient affordable housing is a major issue in East Devon. Some people describe it as a housing crisis. We have a combination of high house prices, high private rents and a low proportion of social and affordable rent properties. With an affordability ratio of 10.9, this is one of the highest in Devon, well above the national average and the south west average.

Additional affordable housing is needed particularly from newly forming, young households. National planning and housing policy, and the Council Plan are



seeking to increase the delivery of affordable housing. The amount of affordable housing changes through losses from Right to Buy and demolitions, but also through stock additions and tenure changes.

#### **40. Strategic Policy - Affordable Housing**

We have included a lengthy policy in the local plan that seeks to secure affordable housing in the District (the full policy should be read for a complete picture), however policy seeks (amongst other things) to:

1. To foster balanced and mixed communities we will seek a mix of market and affordable housing with 15% affordable housing at the new town and at least 35% elsewhere. A mixed range of affordable housing types will be sought.
2. Secure affordable housing on developments for new market housing:
3. Affordable housing will be required on residential development schemes of 10 or more dwellings (gross), including specialist housing for older people where the site is delivering a net gain of 10 or more self-contained units.
4. In cases where the 35% calculation provides a fraction of an affordable dwelling, such provision will be collected through a financial contribution of broadly equivalent value to that which would have been required on-site.
5. Housing provision on major sites (10 or more dwellings) will be made for at least 10% of affordable housing to be affordable home ownership products (with some very specific exemptions).
6. Where affordable housing is required, it will be provided on site and dispersed in small clusters across the site, indistinguishable in terms of design and materials from any market housing
7. Exceptional we may accept a financial contribution for use towards offsite affordable housing provision.
8. Exceptionally, the Council may consider land gifted to the Council in lieu of affordable housing provision or financial contribution.
9. Developments of 5 to 9 dwellings (gross) located within a parish defined as a designated rural area will be required to make a financial contribution.
10. Where it can be demonstrated that the requirements above are not viable, due to specific site conditions or other material considerations affecting development of the site, an alternative dwelling or tenure mix that meets local need or a lower level of provision may be acceptable.
11. As part of residential development proposals, where vacant buildings are brought back into any lawful use, or are demolished to be replaced by new buildings, the affordable housing requirement for the proposal will be discounted by a proportion equivalent to the existing gross floorspace of the vacant buildings.
12. Planning permission will be refused where a site is under the relevant dwelling number thresholds and does not achieve optimum capacity, or where a larger site has been sub-divided into smaller parcels and so avoids developer contributions for affordable housing.
13. Provide a mix of property sizes and types across the site, demonstrating how the site responds to robust, up to date evidence about housing need, including the following mix of property sizes for affordable housing shown in the East Devon Local Housing Need Assessment 2022:

Property size	Percentage of affordable housing provided
1 bedroom	12%
2 bedrooms	37%
3 bedrooms	40%
4+ bedrooms	11%

### How do you feel about Strategic Policy 40: Affordable housing?



Why do you feel this way and do you have any comments?

#### Comments

**Members are broadly in agreement but feel that percentages need to be rounded up**

#### Housing to meet the needs of older people

Planning for the housing needs of older people is important because East Devon has an ageing population that is growing. The evidence we have concludes that the number of over 75s in East Devon is projected to increase by around 13,300 in the period 2020-40; of which approximately 5,300 will be over 85 years old.

In addition to the national and local trend of an ageing population, people are attracted to East Devon by its environmental qualities, including those looking to retire here. This increases demand for housing and impacts on local house prices and affordability.

#### 41. Strategic Policy - Housing to meet the needs of older people

We have included a lengthy policy in the local plan that seeks to secure Housing to meet the needs of older people in the District (the full policy should be read for a complete picture), however policy seeks (amongst other things) to:

Support development that widens choice by securing a more diverse supply of housing where this meets the identified needs of older people in East Devon, and supports healthy, safe and independent lives.

At least 1,630 net additional specialist dwellings in East Devon to meet older person needs is expected to be delivered in the form of adapted housing. The Council will monitor the delivery of specialist housing for older people.

Suitable locations for specialist older person accommodation will be where the site is within 400m walking distance of local shops and easily accessible by walking or by public transport to town centres and to health, care and community facilities.

Where there is up to date evidence of specialist accommodation need in East Devon and subject to viability, development will be required to deliver one or more of the specialist types of accommodation for older people as follows:

1. On local plan site allocations development proposals for 20 to 199 dwellings will include at least 20% of those dwellings on-site as specialist older person dwellings (Use Class C3)
2. On local plan site allocations, development proposals for 200 or more dwellings will include at least 20% of those dwellings on-site as specialist older person dwellings as C3 dwellings or C2 equivalents

Exceptionally, a lower percentage of specialist accommodation for older people may be considered where there is evidence of abnormal costs or site conditions not anticipated by the plan or the Overall Plan Viability evidence.

Specialist older person housing will provide adequate communal facilities, including accommodation for essential staff, on site.

Proposals for specialist older person housing will demonstrate how design and layout addresses the health and well-being needs of older people including those with dementia and other long-term conditions, consistent with Policies 61 and 62.

**How do you feel about Strategic Policy 41: Housing to meet the needs of older people?**



Why do you feel this way and do you have any comments?

### **Comments**

**Members strongly oppose this policy as it stands and feel that it gives a green light to specialist retirement housing developers to exploit the development potential of our popular seaside towns. This is leading to in-migration of elderly people from outside the district and is contributing to our unbalanced demographic, thereby creating extra pressure on our health services. Members feel that the policy needs to be more robust in terms of identifying local need, securing developer contributions towards health costs and insisting on a local connection condition to ensure that such homes meet the needs of *local* people not in-migration.**

**Members are also sceptical about the care class uses definitions and the extent to which this can be exploited by developers to argue that they are providing care accommodation.**

## Accessible and Adaptable Housing

The Government's approach to health and adult social care is underpinned by the principle of sustaining people at home for as long as possible. This is reflected in building regulations relating to adaptations and wheelchair accessible homes, with 3 categories of dwellings:

1. M4(1) Category 1: Visitable dwellings – mandatory, broadly about accessibility to all properties
2. M4(2) Category 2: Accessible and adaptable dwellings – optional, similar to lifetime homes, and
3. M4(3) Category 3: Wheelchair user dwellings – optional, equivalent to wheelchair accessible standard

The Council's evidence demonstrates that an additional 12,959 households will either need adaptations to their existing housing or suitable new housing to be provided by 2040.

### 42. Strategic Policy - Accessible and Adaptable Housing

To ensure that new homes provide quality living environments for residents both now and in the future, the following standards from Building Regulations Approved Document M: Volume 1 (Access to and use of dwellings) (or replacement standards) will apply to new dwellings, subject to consideration of site suitability and site viability:

1. 100% of all new dwellings will meet building regulation M4 (2) requirements (accessible and adaptable dwellings).
2. 100% of all new specialist accommodation for older people will meet regulation M4 (3) requirements (a) or (b) (wheelchair user dwellings).
3. 100% of new specialist accommodation for older people will meet regulation M4 (3) (2) (b) requirements (wheelchair accessible dwellings) for those dwellings where the local authority is responsible for allocating or nominating a person to live in a dwelling.
4. At least 15% of all new affordable housing for rent will meet building regulation M4 (3) (2) (a) requirements (wheelchair adaptable).
5. At least 10% of all new affordable housing for homeownership will meet regulation M4 (3) (2) requirements (a) or (b) (wheelchair user dwellings).
6. At least 10% of all new market housing dwellings will meet regulation M4 (3) (2) requirements (a) or (b) (wheelchair user dwellings).

When providing for wheelchair user housing, early discussion with the Council is required to obtain the most up to date information on specific need for this type of housing in the local area.

The Local Planning Authority will prepare a Supplementary Planning Document to set out details about how this Policy will be implemented.

### How do you feel about Strategic Policy 42: Accessible and Adaptable Housing?



Why do you feel this way and do you have any comments?

### Comments

**Members feel that all new homes should be designed as homes for life and that these targets will produce a very small number of accessible and adaptable homes, even on large developments.**

### Market housing mix

A policy on market housing mix refers to housing types and sizes across the District. It enables a wide choice of homes to address the needs for all types of housing of the plan period, meeting the needs of the whole community. It also contributes towards creating more interesting and diverse environments. The policy takes account of the current housing stock and projected demographic changes which impact on the need to address issues relating to market housing need and supply with regard to:

- Housing types (e.g. houses; flats)
- Dwelling size (number of bedrooms)
- Sectors within the private sector market e.g. private rented, ownership

Government policy is for local plans to boost housing supply. Delivery of 4,070 affordable housing requirement to 2040 in East Devon means that the remaining 14,850 dwellings requirement would therefore be met by market housing for sale and rent in the plan period. This is about 75% of the total policy requirement.

### 43. Strategic Policy - Market housing mix

To provide choice and meet needs, through achieving a mix of housing types and sizes across East Devon, residential proposals for use Class C3 dwellings will:

1. Be at locations consistent with the spatial strategy and settlement hierarchy.
2. The type of market housing for sale or rent will address housing needs in the area, and take account of the location and context of surrounding development
3. Provide a mix of property sizes across the site, demonstrating how the site responds to robust, up to date evidence about housing need, including the following mix of property sizes for market housing shown in the East Devon Local Housing Need Assessment 2022:

Property size	Percentage of market housing provided
1 bedroom	5%
2 bedrooms	19%
3 bedrooms	53%
4+ bedrooms	22%

4. Where the development is not consistent with evidenced needs, the proposal will need to demonstrate why the departure is justified, for example:
  - Physical constraints reducing the number of dwellings;
  - Cost and design of conversions
  - Locations such as town centres where low density development with larger, higher value dwellings may not be appropriate
  - Severe site constraints and abnormal costs impacting on viability
  - Particular housing types and forms needed to sustain or enhance a heritage asset or its setting
  - Local up to date evidence of housing need in the parish or parish group
5. Exceptionally, if a proposal is not meeting policy requirements, applicants will need to provide robust market conditions evidence demonstrating lack of marketability
6. The Local Planning Authority will prepare a Supplementary Planning Document to set out details about how this Policy will be implemented.

### How do you feel about Strategic Policy 43: Market housing mix?



Why do you feel this way and do you have any comments?

### Comments

**Members are supportive of this policy but feel that the devil is in the detail and look forward to seeing the SPD in due course.**

### Promoting self-build housing

We want to increase opportunities for people to build their own homes in East Devon. This will enable greater diversity of housing supply and could lead to improvements in affordability, quality of design and choice.

Custom and self-build is part of the overall housing supply picture. This is additional to the mainstream supply housing delivered by large house builders and registered providers. Not only is it a route into home ownership, including

affordable homeownership, but it also enables housing to be tailored to meet individual needs and specifications. It can benefit individuals and communities. For example, self-build can lead to savings relative to buying a 'ready-made' product because there is no developer profit (often at least 20% of the cost of a new home). It also has the potential to boost and accelerate the supply of housing and can diversify the land supply, widening choice.

Communities benefit from homes with a better design, build quality and environmental footprint and a more diverse and resilient housing supply. By using modern methods of construction and building to high specifications, self-builders often improve the sustainability of the housing stock. Self-build can also be good for local businesses and provide additional employment opportunities. It can form an attractive market to small and medium house builders because there is less risk, since contracts are settled earlier in the development process. This enables construction to be financed through the customer's mortgage stage payments, which reduces business finance and improves profitability. Supporting smaller builders can help local economies by using more local supply chains than volume house builders and creating opportunities for local tradespeople.

#### **44. Strategic Policy – Self-Build and Custom Build Housing**

As part of meeting housing needs, securing greater housing diversity and encouraging high quality design, proposals for custom and self-build housing, to be occupied by those persons commissioning or undertaking the construction, will be supported through the following measures:

1. 5% of dwellings on sites of 20 homes or more, including all local plan housing and mixed-use allocations, must be delivered as serviced custom and self-build plots. The agreed plots should:
2. Be actively marketed to individuals and custom build companies (as appropriate) in accordance with a marketing and pricing strategy that shall be agreed in writing with the Local Planning Authority in advance of a plot/s being first marketed. All plots shall be marketed at a reasonable price to reflect market conditions for at least 24 months from being fully serviced and developable. Any plots that have not been sold after 2 years of being continuously marketed in accordance with this policy shall be made available for development on the open market;
3. Have suitable road access delivered at an early stage in the development;
4. Be made available for sale before 50% of the dwellings on the site have been commenced;
5. Be of a size that reflects local demand and, where more than one plot is provided, a variety of sizes should be offered to reflect the range of local demand;
6. Be offered for sale with no legal or physical restrictions that would prevent immediate purchase and development;
7. On sites of over 250 dwellings, a proportion of plots must be made available for affordable housing, to be secured through legal agreement, subject to viability;
8. On sites of over 100 dwellings, design codes should be used flexibly to encourage high quality housing design;

9. On sites of over 100 dwellings, the agreed design code should be used to provide 'plot passports' that provide a simple, succinct summary of each plot as a reference point for the purchaser.
10. Be completed within 3 years of the self or custom builder purchasing the serviced and developable plot.
11. Encouraging communities preparing Neighbourhood Plans to consider identifying sites for custom and self-builders

### How do you feel about Strategic Policy 44 : Self and custom build Housing?



Why do you feel this way and do you have any comments?

#### Comments

**Members are supportive of this policy but wondered if there is an unforeseen consequence on viability when combined with affordable housing policies?**

#### Sub-dividing or replacing existing dwellings

Self-contained flats resulting from house conversions can be a valuable addition to the housing stock. They can be effective in meeting some households' changing needs for housing. The reuse of existing dwellings and building conversions significantly reduces the embodied carbon footprint of the development, as well as re-using existing resources, and locating development within existing communities.

The replacement of existing buildings is restricted by the proposed policy on embedded carbon. This seeks to promote the retention of existing buildings, so that their replacement will only be supported in exceptional circumstances. The following policy sets out the criteria that should be met if a replacement dwelling meets the exceptional circumstances set out in the embedded carbon policy.

#### **45. Strategic Policy – Residential Sub-division of Existing Dwellings and Buildings and Replacement of Existing Dwellings**

Any residential Sub-division of existing dwellings or buildings should:

- Avoid any materially adverse impact on the character and amenities of the surrounding area or on the existing building;
- Minimise hard surfacing of front gardens and ensure hard surfaced areas are permeable and/or discharge to a soakaway (subject to soil conditions being suitable);
- Ensure that adequate space is provided for bicycle/mobility scooter storage; and
- Provide an adequate external area for car parking, waste/recycling storage and for any shared use area such as outdoor drying of washing.



Outside of a settlement boundary, any applications for residential subdivision or conversion that involves extensions to accommodate the conversion will be judged against the relevant criteria set out below for replacement dwellings outside of a settlement boundary.

### Replacement of existing dwellings

Exceptionally, where replacement dwellings can be justified (including under the embedded carbon policy) all the following criteria should be met:

- Prior to the first occupation of any replacement dwelling, the dwelling which is to be replaced must be demolished;
- The replacement dwelling must be positioned on the footprint of the existing dwelling, unless there is a clear planning or environmental benefit to justify an alternative location within the existing curtilage; and
- The height of the replacement dwelling should be no higher than the dwelling to be replaced unless it can be demonstrated that an increase in height will be compatible with neighbouring residential amenities, the street scene or the wider landscape.

Additionally, outside of a settlement boundary, the following criteria should also be met:

- The footprint of any replacement dwelling (or subdivided building) must not exceed by more than 30% of the external volume of the dwelling to be replaced (or the building to be converted/subdivided) and
- The curtilage of the proposed replacement (or sub-divided/converted) building should be no greater in area than that of the existing dwelling/building.

A Supplementary Planning Document will be produced to set out details about how this Policy will be implemented

### **How do you feel about Strategic Policy 45: Residential Sub-division of Existing Dwellings and Buildings and Replacement of Existing Dwellings/**



Why do you feel this way and do you have any comments?

### **Comments**

**Members support the principle of this policy but feel that the wording is subjective. How do you define adequate?**

**Every development should have adequate off-street parking without the need to hard surface over front gardens.**

## **Householder Annexes, Extensions, Alterations and Outbuildings**

The Council receives many planning applications for householder extensions and alterations, and for annexes and outbuildings. This type of development enables occupiers to meet their changing needs and lifestyles without the need to move.

This policy contributes to meeting the changing housing needs of households. It aligns with Government policy on making effective use of land and it is part of the local plan's strategy for supporting the transition to a low carbon future. Continuing the use of existing dwellings reduces the embodied carbon footprint of the development by avoiding the need for additional new build, as well as re-using existing resources, and locating development within existing communities. The policy also aligns with the approach that all developments should maintain acceptable living standards.

### **46. Strategic Policy – Householder Annexes, Extensions, Alterations and Outbuildings**

Proposals for ancillary or incidental annexes, extensions, alterations, and outbuildings, relating to existing dwellings shall:

- provide a written justification detailing the existing use of the main dwelling and the proposed use and requirement for the development; and
- be of a subordinate scale, form, and mass to the main dwelling and curtilage, and shall accord with the design principles of the Local Plan; and
- be located entirely within the existing curtilage of the main dwelling; and
- not increase the habitable Gross Internal (floor) Area of the original dwelling by more than 30%, unless the increase is required to enable the host dwelling to conform to nationally described technical housing standards for its original intended use. In exceptional circumstances, development may be considered where a minor increase above 30% is justified to improve design standards.

The development of annexes, extensions, alterations, and outbuildings, will not usually be permitted where the host dwelling is:

- an affordable dwelling
- an agricultural worker's dwelling
- in use as a dwelling house permitted only by virtue of The Town and Country Planning (General Permitted Development) (England) Order 2015 or any subsequent version of that order

A condition and/or legal agreement may be required to control future use as incidental or ancillary to the use of the main dwelling, preventing subdivision or use as a separate planning unit, in perpetuity. Permitted development rights for future extensions or outbuildings may also be restricted by condition.

**How do you feel about Strategic Policy 46: Householder Annexes, Extensions, Alterations and Outbuildings?**



Why do you feel this way and do you have any comments?

### Comments

**Members feel that annexes need to be conditioned so that they cannot be used as independent / AirBnB accommodation and are concerned about associated enforcement issues.**

**How was the 30% arrived at? Is this an arbitrary figure or is it defined in planning legislation?**

### Hostels and Houses in Multiple Occupation

Houses in Multiple Occupation (HMOs) are properties occupied by unrelated individuals who share basic amenities such as a kitchen or bathroom. The traditional source of HMOs tends to be larger, older single family dwelling houses, located in areas with good access to public transport (in particular bus routes) and local services as well as large single dwelling houses that can be sub-divided into much smaller and more affordable accommodation.

### 47. Strategic Policy - Hostels and Houses in Multiple Occupation (HMOs)

In circumstances where planning permission is required for the conversion or change of use of existing homes and buildings in other uses to shared accommodation including hostels and houses in multiple occupation, permission will be granted on sites at locations that are suitable for the use, where it can be demonstrated that there will be no significant impact on the following:

1. Privacy of existing homes and gardens of neighbours - must be maintained and ensured for new occupiers. The existing home or building must be capable of conversion without causing harm to the amenities of future occupants, neighbours and the wider area;
2. Vehicular access or car parking – both in terms of highway safety or visual, noise or light impact on neighbours. Provision must be made for on-site car parking and cycle storage facilities, unless it can be demonstrated that the site is sustainably located with access to regular public transport or is within an 800 metre walking distance of a defined town centre;
3. Service provision – there should be sufficient space for communal areas at an appropriate standard, to accommodate adequate bin storage and collection, and accommodate other ancillary functions for the increased number of residents;
4. Internal standards for living space and good communal facilities are suitable for the intended occupiers, individually and in total
5. Housing stock – to protect the existing small family housing stock, and to allow for adequate residential space standards in the proposed subdivided

dwelling. The subdivision of existing properties of less than 4 bedrooms will not be permitted.

6. Applicants will be expected to submit evidence to demonstrate that there will be no significant impact on the criteria outlined above.
7. Hostels and Houses in Multiple Occupation will need to evidence how a good standard of management will be provided.
8. A financial contribution towards affordable housing will be sought from large HMO development of 20 or more units, subject to negotiation and viability
9. The Council will resist the loss of existing hostels and HMOs, unless there is evidence of a lack of demand for this type of accommodation within the settlement, or there is viability and building condition evidence to demonstrate that retention and improvement of the accommodation is not viable or achievable.
10. A Supplementary Planning Document will be produced to set out details about how this Policy will be implemented.

### **How do you feel about Strategic Policy 47: Hostels and Houses in Multiple Occupation (HMOs)?**



**Why do you feel this way and do you have any comments?**

#### **Comments**

**Members are supportive of this policy but feel that there needs to be greater specification for internal standards. Who sets the standards?**

### **Provision for Gypsy and Travellers, and Travelling Showpeople Sites**

National planning policy requires that we assess the accommodation needs of Gypsies, Travellers and Travelling Showpeople and to set pitch and plot targets for Gypsies and Travellers and for Travelling Showpeople that address the likely permanent and transit site accommodation needs of travellers in the District, working collaboratively with neighbouring local authorities.

#### **48. Strategic Policy – Provision for Gypsy and Travellers, and Travelling Showpeople Sites**

At this stage we are awaiting the findings of the Gypsy and Traveller Needs Assessment and we will refine policy when full evidence is available. At this stage we have a policy approach in the plan that is summarised below (though full plan text will need to be read for a complete picture),

This proposed policy will need to address the following issues:

- Making provision for the plan period for Gypsy and Traveller and Travelling Showpeople site accommodation;

- An identified five year supply of gypsy and traveller pitches on deliverable sites within East Devon;
- Identifying the overall scale of site allocation(s) of Gypsy and Travellers and Travelling Showpeople sites in the local plan .

### **New Sites**

- Provision will be made at the new settlement.
- Elsewhere:
- Suitable locations, to be inside or adjoining a settlement boundary, or within 15 minutes travel time by safe, walking, cycling or public transport providing access to a range of services including school and health services.
- Sites proposed in the countryside to require evidence that proven District need cannot be met elsewhere in East Devon.
- Size of site and number of pitches appropriate in scale and size to the nearest settlement in the settlement hierarchy and its range of services and infrastructure.
- Preference for site expansion and intensification, subject to maximum site threshold.
- Assimilate sites into surroundings/landscape without significant adverse effect
- Requirement for acceptable vehicular access, on site turning, parking and servicing
- Avoid sites vulnerable to flooding or affected by any other environmental hazards that may affect the residents' health and welfare
- Site to access essential utilities - water supply, sewerage, drainage, waste disposal

### **Safeguarding Sites**

Safeguard existing authorised sites, new permissions, allocations for Gypsy and Traveller Use and for Travelling Showpeople use for the number of pitches/plots permitted.

Only exceptionally permitting changes of use or redevelopment to uses other than for residential use by Gypsy and Travellers or by Travelling Showpeople on new, allocated or authorised sites and requiring alternative provision if proven need exists.

### **How do you feel about Strategic Policy 48: Provision for Gypsy and Travellers, and Travelling Showpeople Sites**



Why do you feel this way and do you have any comments?

### **Some comments**

**Members are supportive of this policy but questioned the District Council's plans for vanlifers and wondered how you differentiate legally between travellers, showpeople and vanlifers?**

**There needs to be adequate provision for travellers.**

## **Rural Exception Sites and First Homes Exception Sites**

Exception sites are sites brought forward outside of development plans, beyond settlements, in order to deliver affordable housing. Exception sites deliver housing as an 'exception' to other policies in the development plan which otherwise restrict development. Following the change in Government policy which came into effect in June 2021, there are now two types of exception sites: 'Rural Exception' sites and 'First Homes' Exception sites.

The policy is essential in this rural area, where affordability is such an issue. It enables the local plan to support the Council Plan's aim to deliver more affordable housing and aligns with the East Devon Housing Strategy, offering new opportunities for the emerging models for affordable housing delivery. As the local plan's response to NPPF 2021 and the Written Ministerial Statement (WMS) of 24 May 2021, the policy supports opportunities to bring forward exception sites providing affordable housing to help meet identified needs. It complements the policy on affordable housing for on affordable housing needs in East Devon.

## **49. Strategic Policy – Rural Exception Sites and First Homes Exception Sites**

### **Rural Exception Sites**

A development proposal for a Rural Exception site will be supported, provided that:

1. the site is less than 15 dwellings or 0.5 hectares
2. It provides a mix of types of affordable housing meeting proven, unmet need of the local community, evidenced by the latest East Devon Local Housing Needs Assessment, Housing Needs Surveys produced by Devon Communities Together, and other local data such as a Neighbourhood Plan, Parish Survey or Parish Plan; and
3. Occupiers to have a local connection with the settlement or group of settlements

### **First Homes Exception Sites**

A development proposal for a First Homes Exception site will be supported subject to the provisions for First Homes in Policy 39 (Affordable housing) including local eligibility criteria, provided that:

1. The site is not allocated for housing and is beyond, and either abutting or physically closely related to, the settlement boundaries of villages, or

- physically very well related to the built form of villages where there is no settlement boundary;
2. The site is not in an Area of Outstanding Natural Beauty and not at settlements in Designated Rural Areas
  3. The site size is proportionate to the existing settlement, that is no more than 10 per cent of the number of households at the time of the planning application
  4. The affordable housing meets proven, unmet needs of the District, as evidenced by the latest LHNA; and
  5. There is only a small proportion of other types of affordable housing included on the site

### **For Rural Exception Sites and First Homes Exception Sites**

A development proposal for a First Homes Exception site will be supported, provided that; and provided that:

1. evidence demonstrates secure arrangements will be achieved ensure the housing will remain affordable and available to meet the continuing needs of local people
2. A small element of market housing may be included, to provide sufficient cross-subsidy to enable the delivery of affordable homes without grant funding. At least 66% of dwellings proposed must be affordable dwellings.
3. If occupiers meeting the relevant local connection criteria cannot be found then a cascade approach is applied [details of local connection criteria to be set out in the Supplementary Planning Document]
4. The policy applies to conversion or replacement of dwellings on these sites
5. Preclude extensions of dwellings on Exception sites where this would result in the affordable housing on the site becoming too expensive compared to disposable incomes in the area, or where proven need exists for smaller affordable dwellings.
6. The dwellings are retained in perpetuity, subject to national policy provisions.

A Supplementary Planning Document will be produced to set out details about how this Policy will be implemented, including clarifying what is meant by close proximity, and abutting or physically close to a settlement boundary.

### **How do you feel about Strategic Policy 49: Rural Exception Sites and First Homes Exception Sites?**



Why do you feel this way and do you have any comments?

**Comments**

## **Agreement in principle but percentage of market value housing seems high.**

### **Housing for rural workers**

Housing need includes the need for new dwellings for rural workers. For the purposes of this policy, a rural worker is a person whose place of work is located in, and related to, the countryside and is a person employed in agriculture, forestry or a similar, land-based rural enterprise. Employment on an assembly or food packing line, or the need to accommodate seasonal workers for example, will generally not be sufficient to justify building isolated rural dwellings.

To promote sustainable patterns of development rural workers will usually be expected to find housing in existing rural towns and villages. However, an exception can be justified where it can be demonstrated that a rural worker has an essential need to be available at most times as part of the operation of a rural business in accordance with national policy and PPG regarding the need for isolated homes in the countryside for essential rural workers.

### **50. Strategic Policy – Housing for rural workers**

1. Applications for rural workers dwellings outside settlement boundaries will be permitted where:
  - It can be demonstrated that the nature and demands of an existing rural business are such that a full time worker has an essential need to be permanently resident at or near their place of work so they are available at most times;
  - The need cannot be met within a nearby settlement, or by existing housing at or near the site or through the conversion of a suitable redundant or disused rural building at the site;
  - The size and scale of rural workers dwellings will be commensurate with the scale of the operation and designed to reflect the location and setting of the proposed site;
  - The development will minimise the visual and environmental impact by locating the dwelling close to existing buildings /dwellings, where practical for its purpose;
  - The dwelling size is a maximum of 150 sq.m (gross internal area). Exceptionally a larger dwelling may be considered where evidence demonstrates that this is commensurate with the scale of the established functional need; and
  - The rural enterprise has been established for at least three years, is currently financially sound based on functional and economic tests, and the business has clear prospects of remaining viable.
2. The Council will take into account the history of the holding, the recent pattern of land use and building and, recent disposals of land and property when determining a planning application for housing for rural workers.
3. Where an agricultural, horticultural, forestry or other rural business is not yet established or the need is unproven, then a temporary dwelling such as a mobile home or caravan, may be permitted for a time limited period of up to



three years, until the economic viability of the enterprise is established, subject to:

- Meeting the criteria of 1b) to 1e) above;
  - A firm intention and ability to develop the enterprise; and
  - The business has realistic prospects of meeting functional and economic tests.
4. Permission for a rural worker dwelling will be subject to an occupancy condition to ensure that it cannot be sold on or sublet for general accommodation unrelated to the enterprise. Removal of such a condition will only be permitted where there is clear evidence that there is no need for the condition to remain in place.
  5. Any permission granted will be tied through legal agreement to the business holding.
  6. Extensions to or replacement of agricultural or forestry or rural business-related dwellings will require a reassessment of need, excluding minor works.
  7. Exceptionally, temporary or seasonal accommodation requirements to serve rural enterprises will be considered on a case-by-case basis.

*A Supplementary Planning Document will be produced to set out details about how this Policy will be implemented.*

**How do you feel about Strategic Policy 50: Housing for rural workers?**



Why do you feel this way and do you have any comments?

### **Comments**

**Some Members are concerned that this policy might be open to abuse at the cost of the countryside and have unforeseen consequences down the line when change of use applications result in rural properties being used as holiday accommodation. As such the policy seems to be potentially at odds with the diversification policy. Also, 150sqm seems excessively large compared to standard sized accommodation.**

## Chapter 09 - Supporting jobs, the economy and vibrant town centres

*This chapter includes the Strategic Policy on the town centre hierarchy and retail provision. Those policies are supported by a suite of non-strategic policies which provide a clear basis for development management and the determination of employment and other economy related development proposals.*

### Employment development within settlement boundaries

The local plan promotes larger scale development on the western side of the District but elsewhere most new development will occur within settlement boundaries and as such will be focussed in and at the existing main centres of population. We have included plan policy that specifically addresses development within settlement boundaries and which seeks to be supportive of employment growth.

#### 51. Strategic Policy – Employment development within settlement boundaries

Within defined settlement boundaries, as shown on the Policies Map, development for employment uses will be permitted where proposals are compatible with neighbouring developments and land uses and will not give rise to adverse amenity impacts or not undermine plan strategy or specific policies directly relevant to the use of the land in question.

On existing employment and business parks, and on employment allocated land, uses other the E(g), B2 and B8 (offices, research and development, industrial processes and storage and distribution) will not be permitted unless they can be shown to be subordinate to, directly compatible with and complementary to the overall business use and will enhance job provision and the effective operation and business appeal of the park or site.

**How do you feel about Strategic Policy 51: Employment development within settlement boundaries?**



Why do you feel this way and do you have any comments?

#### Comments

### Employment development in the countryside

Whilst existing settlements, and the western side of East Devon, will remain the focus for future employment development there are cases where businesses located in countryside areas will need to expand. Policy provides for such expansion and for qualified starts-ups of new businesses.

## **52. Strategic Policy – Employment development in the countryside**

### **Intensification of existing employment businesses in the countryside**

Building on land within the existing operational site boundaries of a business for Intensification of that business and its works and outputs will be allowed in the countryside where the business:

- Is operating in premises that are at or close to full occupancy, OR
- The business has a need arising from new or expanding operational functions but only if it can be demonstrated that there are no suitable alternative sites that the business can use that are available in a nearby settlement with a development boundary, that are allocated for employment use or that are otherwise clearly suited for employment use.

to be acceptable under plan policy the:

- Expansion will need to be proportionate to the existing size and scale of site operations and
- The proposal will need to prioritise reuse or adaptation of existing buildings to reduce the need for additional built development.

Noting these two considerations:

- Extending existing buildings or new buildings will only be acceptable if evidence demonstrates that re-use or adaptation of current buildings is not viable or practical

For this policy, development includes any of the following :

- Development of new buildings for any use;
- Spatial intensification through development of extensions to existing buildings increasing the footprint, or vertical expansion from raising the height of the building, or adding floorspace in additional storeys or in mezzanines;
- Development that leads to longer hours or more 24 hours of operation;
- Development increasing HGV and other vehicular movements on local roads;
- Development through higher density such as replacement buildings extending on to current outdoor storage areas.

For avoidance of doubt this policy applies to specific companies or businesses and their operational premises and is not applicable to business parks, industrial

estates or similar where the business in question is the operation of that park or site.

### Re-use of existing rural buildings

Proposals for small scale employment development through re-use and adaptation of existing rural buildings not currently used or last used for employment, will be permitted where the buildings are

- readily accessible to the Tier 1 and 2 settlements via a range of modes of transport;
- of sound and permanent construction,
- capable of adaptation or re-use without major re-building, alteration, or extension; and
- where compatible with overall plan strategy and other local plan policy considerations.

### **How do you feel about Strategic Policy 52: Employment development in the countryside ?**



Why do you feel this way and do you have any comments?

### **Comments**

**Members support this policy in principle but wonder what it means in practice and expressed concerns about mis-use.**

### **Farm Diversification**

Agriculture underpins the District's rural economy and supports a considerable number of ancillary businesses. The agricultural industry and the rural economy in general have undergone considerable changes in recent years, remaining a very important sector for the East Devon economy. Agriculture not only provides direct jobs but also underpins many other economic activities in rural areas. Agriculture remains the major user of rural land in East Devon and the use that most influences the physical appearance and character of the countryside.

The Council recognises the importance and changing role of agriculture and the need for new employment in rural areas. Changes in agriculture have made diversification increasingly important for the economic viability of farm holdings.

### **53. Strategic Policy – Farm Diversification**

Farm diversification will be supported through the introduction of new E(g), B2 and B8 employment uses onto established farm holdings. Where such uses would not be viable or would lead to adverse impacts then other uses, such as tourism,

leisure, recreation, other employment uses may then be appropriate subject to this constituting sustainable development and ensuring the development supports the long term financial sustainability of the farm holding.

Criteria on what should be considered in the viability statement will be published and available online via the Council's website.

Proposals for farm diversification will be permitted providing they meet the following criteria:

- the proposal is compatible with, and an ancillary and subordinate component of, an existing and active farm enterprise and contributes to the continuing viability of the farm as a whole, retaining existing or providing new employment opportunities and services for the local community;
- the scale, siting and appearance of buildings and activities associated with the proposed development is appropriate to the rural character of the area and will not adversely impact local amenity
- development, in terms of its scale, nature, location and layout, does not detract from or prejudice the existing agricultural undertaking or its future operation;
- any existing suitable buildings are re-used or adapted and, where appropriate, redundant buildings which are derelict or offer no opportunity for beneficial use are removed;
- any new building (and parking and other structures/storage) is modest in scale, sited in or adjacent to an existing group of buildings, compatible design and blends into the landscape (design, siting and materials), enclosed with an appropriate boundary feature, taking into account the special characteristics of the farmstead and local area;
- no unacceptable adverse impacts arising from vehicle movements and where it is likely to create significant vehicular movements to and from the site it should be well located in relation to sustainable tier 1-4 settlements
- foul drainage facilities are adequate;
- no adverse impacts arising from increased noise, smells, or other form of pollution. It may be necessary, for example, to limit the scale of on-farm anaerobic digesters;
- no adverse impact on the character of surrounding natural or historic environment;
- no adverse impact on protected species and opportunities to improve biodiversity are maximised

Any adverse impacts stemming from employment development will be considered against any positive economic, environmental and social impacts gained from that development.

### **How do you feel about Strategic Policy 53: Farm Diversification**



Why do you feel this way and do you have any comments?

## Comments

**Members are supportive of this policy but feel that there is potential conflict with the rural workers accommodation policy in so far as rural farm accommodation could be used as holiday accommodation under a diversification application. How will this be controlled?**

### **Resisting the loss of Employment sites**

Land is a finite resource and land suitable for employment is a relatively scarce commodity. Competition for land from higher value uses can make delivering employment development very challenging, whether new build or for redevelopment. The plan therefore includes a policy aimed at retaining existing or proposed employment sites and land provided that they are available, suitable and achievable over the plan period. Supporting analysis of employment sites will provide vital information in justifying the identification of existing and proposed employment sites in East Devon.

This policy focuses on protecting employment land in order to maintain sufficient supply of employment land, providing a range and choice of sites over the plan period.

### **54. Strategic Policy – Resisting the loss of Employment sites**

Loss of employment sites to other uses will not usually be permitted. Employment sites are considered to be those currently in employment use, last used for employment and those which are allocated, permitted or conditioned for employment development.

Exceptionally, those sites in B2 and B8 uses will only be permitted for other types of employment use, if it can be demonstrated that:

- Development relates to ancillary services which will support an employment area by making it more sustainable, viable and/or attractive; or
- Development results in mixed use urban regeneration designed to maintain or increase net job opportunities through alternative employment uses, guided by master-planning; or
- The site is no longer viable for the current type of employment use but is viable for an alternative type of employment use, evidenced by a viability statement; or
- There is a lack of demand for the current type of employment use at the site, evidenced by a marketing statement showing that the site has been appropriately marketed; and that a suitable supply of available (actively marketed) comparable employment sites/land can be demonstrated within the local area, evidenced by a supply statement; and
- The alternative use is in accordance with or does not undermine the plan's overall Spatial Strategy.

Exceptionally, the use of employment sites for non-employment uses will be permitted if it can be demonstrated that:

- The site is no longer viable for any employment use but is viable for an alternative use, evidenced by a viability statement; or
- There is a lack of demand for any employment use at the site, evidenced by a marketing statement showing that the site has been appropriately marketed; and that a suitable supply of available (actively marketed) comparable employment sites can be demonstrated within the local area, evidenced by a supply statement; and
- The alternative use is in accordance with or does not undermine the plan's overall Spatial Strategy.

Criteria on what will be considered an adequate viability, marketing and supply statement will be published and available online via the Council's website.

If an alternative use is acceptable, then applicants will be required to demonstrate that they have endeavoured to incorporate an appropriate (in terms of scale and type) element of employment floor space as part of the new development

### How do you feel about Strategic Policy 54: Resisting the loss of Employment sites?



Why do you feel this way and do you have any comments?

#### Comments

**In Exmouth, the existing policy relating to the loss of employment land has not proved effective and we have lost several employment land allocations in favour of housing development. More robust protection is needed.**

#### Employment and Skills Statements

Development provides opportunities for employment and improving skills within East Devon, not just in from the building of the development but from the local supply chains, and the opportunity for apprenticeships and extended skills in the local labour supply.

As the economy transforms, development provides an opportunity to improve access to employment and to widen and raise skills in the local workforce. This policy supports the increase employment opportunities by

- helping local businesses to improve, grow and take on more staff
- helping businesses to find suitable staff and suppliers, especially local ones
- Improving the skills of local people to enable them to take advantage of the resulting employment opportunities
- helping businesses already located in East Devon to grow and attract new businesses into the area

## 55. Policy – Employment and Skills Statements

At this stage we are still gathering evidence to inform detailed policy wording. It is intended that the proposed policy will address the following issues:

- Requiring developments over a certain threshold to commit to maximising the provision of skills and employment opportunities, to benefit the local population as well as the employer
- Evidencing the commitment through a statement to be submitted with the planning application for development
- Thresholds relating to this requirement - to be determined but could be applied to proposals of 100 houses or more, or employment development of 1000sqm or more
- Exceptionally, making a financial contribution in lieu of the employment and skills obligation (if circumstances justify it),
- Implementation of the commitment to be sought through a planning obligation
- Commitment to producing a Supplementary Planning Document to guide implementation of the policy

### How do you feel about Strategic Policy 55: Employment and Skills Statements?



Why do you feel this way and do you have any comments?

#### Comments

### Town centre hierarchy, sequential approach and impact assessment

East Devon's town and village centres provide more than just retail opportunities, they function as the heart of the community offering a wide range of facilities often including: leisure and entertainment; sport and recreation; offices; cultural spaces and tourism development. The vitality and viability of these centres is fundamental to the support that they provide for local communities in the settlement and in adjoining areas, who rely on those centres. Government policy is clear that planning policies for town centres should be positive, promote competitive town centre environments and set out policies for the management and growth of centres over the plan period.

This is a strategic policy because it establishes the network and hierarchy of centres. Maintaining the vitality and viability of the town centres in East Devon is a strategic priority in the plan. This policy is also the starting point for the suite of non-strategic policies on town centres and primary shopping frontages, local shops and services, and rural shops.



## 56. Strategic Policy – Town centre hierarchy, sequential approach and impact assessment

The tier one and two town centres will be the preferred location for the development of main town centre uses as defined in the NPPF. Proposals must be appropriate in terms of their scale and design to the centre in which they are proposed, as well as the function of the centre and accord with other policies in the plan.

The hierarchy of centres in East Devon is defined as follows:

- Tier one Town Centre: Exmouth
- Tier two Town Centre: Axminster, Cranbrook, Honiton, Ottery St Mary, Seaton, Sidmouth
- Tier three Local Centre: Broadclyst, Budleigh Salterton, Colyton, Lypstone, Woodbury
- Tier four Village Centre: Clyst St Mary, Uplyme, Beer, West Hill, Newton Poppleford, Feniton, Whimble, Kilmington, Otterton, East Budleigh, Stoke Canon, Tipton St John, Musbury, Sidbury, Chardstock, Broadhembury, Payhembury, Branscombe, Plymtree, Dunkeswell, Hawkchurch, Exton.

Settlements shown in bold text have defined Town Centre Areas to which town centre development policy will apply.

Applications for main town centre uses that are not proposed in the defined town centres and are not allocated for development through other policies of this Plan will only be permitted where the applicant can demonstrate that:

- The proposal accords with (satisfies) the sequential test as set out in the NPPF, and flexibility has been demonstrated on issues such as the format and scale of development.
- For retail proposals greater than 500sq.m, and other town centre use proposals greater than 2,500sq.m, an impact assessment has been undertaken, which shows that the proposal will not have a significant adverse impact in line with requirements set out in the NPPF, either alone or cumulatively. Neighbourhood Plans may set different thresholds where local considerations, supported by evidence, indicate this is appropriate.
- Retail development will not only be allowed on sites allocated for other uses if equally suitable alternative provision can be accommodated in the immediate locality.

Edge-of-centre and out-of-centre sites, which satisfy the sequential test, should be accessible by public transport, bicycle and foot and well-connected to the centre. In order to ensure that land is retained for the benefit of the local economy, permitted development rights allowing changes to alternative uses will be withdrawn.

Edge-of-centre locations are defined for retail purposes, as locations that are well connected and within 300 metres of the Primary Shopping Area. For all other main

town centres uses, it is a location within 300 metres of a town centre boundary, however for office development this includes locations outside of the town centre but within 500 metres of a public transport interchange. Local circumstances should be taken into account when determining whether a site falls within the definition of edge-of-centre.

### **How do you feel about Strategic Policy 56: Town centre hierarchy, sequential approach and impact assessment?**



Why do you feel this way and do you have any comments?

#### **Comments**

##### **Town Centre Development**

With the exception of Cranbrook, where the town centre is embryonic, the District's town centres are compact, have a retail offer that focuses on convenience and service provision, and are characterised by a predominance of independent shops fringed by supermarkets. Regular streetmarkets in Honiton and Axminster, and occasional farmers or artisan markets in all of the towns, draw in trade and along with street performers and other temporary events in the public realm create vibrancy and are to be encouraged. In addition to the town's identified in tier one and tier two, the smaller settlements of Budleigh Salterton, Beer and Colyton contain a similar range of shops and other uses typically found in the larger towns, albeit at a smaller scale, and so Policy 56 will also be applicable to them.

##### **57. Strategic Policy - Town Centre development**

Town Centre Areas and Primary Shopping Areas are defined for the tier one and two towns and the settlements of Budleigh Salterton, Beer and Colyton.

Proposals for development within the town centre areas, as defined on the Policies Map, will be permitted where they improve the quality and/or broaden the range of retail and leisure facilities, enhance the role of the town centres as sustainable shopping and leisure destinations and strengthen their vitality and viability. Proposals must not undermine the shopping character or visual amenity of the town centre, either alone or cumulatively, or adversely affect the amenity of the surrounding area through noise, smell, litter, traffic or disturbance arising from operating hours. Development proposals should make a positive contribution to the townscape of the centre in which it is proposed.

The Primary Shopping Areas as defined on the Policies Map will be the focus for retail and appropriate leisure uses. Development proposals for other town centre uses within the Primary Shopping Areas will only be permitted where the majority of the total ground floor units are facilitating retail or leisure uses. Unless it can be

demonstrated that there is no longer a retail or leisure demand, other town centre uses will not be permitted on the ground floor within the Primary Shopping Areas. Unless it can be demonstrated that there is no demand for any town centre use. Residential uses will not be permitted on the ground floor within the Primary Shopping Areas. Evidence of demand should be outlined in a marketing statement. Criteria on what will be considered an adequate marketing statement will be published and available online via the Council's website.

Where change of use of a shop is permitted within the town centre and the shopfront, entrance or other features are considered to be of architectural or historic merit they should be retained and incorporated into the new development scheme.

Throughout the Town Centre Area appropriately designed development proposals for residential or community use of upper floors will be encouraged. Such use should be independently accessed, have provision for refuse storage and should not result in adverse impacts on any retail use of the building

#### **How do you feel about Strategic Policy 57: Town Centre development?**



Why do you feel this way and do you have any comments?

#### **Comments**

**The reference to shop frontages is welcome as it is consistent with the current SPD relating to Exmouth's shop front policy.**

#### **Policy – Local shops and services**

Throughout the District there are small groups of shops and services which are invaluable in meeting the basic, everyday needs of the communities they serve. These vary greatly- from the more comprehensive offer in the tier three and four town and village centres, to neighbourhood shops outside the urban centres of the towns, and village shops in the rural communities. The extent and diversity of provision makes it impractical to define neighbourhood or local centres on the Policies map (or provide specific measures that could be used to define them) but these are areas where a group of shops and facilities, typically supplying a range of everyday goods and services is located. There is some scope for improving the local centres and for the provision of new shops, post offices and services in those areas which lack retail facilities. The opening hours of shops and services within residential areas may be restricted to ensure that local amenity is safeguarded.

## 58. Strategic Policy – Local shops and services

### Provision of new shops or services

Proposals for shopping and service development (including Public Houses and Post Offices) will be supported in tier 3 and 4 settlements, villages and neighbourhood centres provided it enhances their retail or service role and is accessible by walking and by bicycle and will not result in excessive traffic generation. New shops should sell predominantly convenience goods, be of a scale to serve the local area without, alone or cumulatively, impacting on the vitality or viability of any nearby centre.

The operation of the shop or service must not be detrimental to the amenity of neighbouring residents by reason of undue noise, smell or traffic.

### Loss of existing local shops or services

Proposals which would result in a significant or total loss of shops, Post Offices, Public Houses or other services to the community will not be permitted except where the existing provision of a use of this nature is no longer viable and there is no market for the business as a going concern. This will apply to stand-alone facilities or services and to those operating within or as part of a different use.

A marketing statement is required to evidence that there is insufficient demand and no market for the shop or service to be sustained, including under community acquisition/operation or within, or as part of, a different use. Criteria on what will be considered an adequate marketing statement will be published and available online via the Council's website. Permission to change the use of a shop will be subject to the retention of the shopfront.

### How do you feel about Strategic Policy 58: Local shops and services?



Why do you feel this way and do you have any comments?

### Comments

#### Rural shops

Rural shops (including farm shops and plant nurseries) are defined as shops in which the majority of goods sold are produced on the premises. This is suggested as being defined as a minimum 50% to ensure that any shop is reasonably linked to the use of the land instead of forming a general retail outlet. Farm shops can provide a valuable local facility, an additional source of income for farms and can help sustain the rural economy. However, they should not become an alternative to shops which are better located and more accessible and convenient in town and village centres.

## 59. Strategic Policy – Rural shops

In order to support local rural businesses whilst protecting the viability of town centres and shops available to the local community, retail development in rural areas, outside villages, will be permitted only where it directly relates to an existing rural business (such as a farm or plant nursery),

subject to:

a) a minimum of 50% of the produce/products for sale being produced on the premises or holding, and:

b) the majority of the remaining produce/products for sale being sourced and produced from within a 30 mile radius of the business; or

c) there being an essential functional need or relationship between the production process or the products to be sold and the rural business location which demonstrably increases the overall sustainability of the business. (Examples could include a wood powered smokery located within a fuel producing coppice; equestrian equipment sold at a riding school).

and provided that:

1. The scale and type of retail shop proposed will not adversely affect easily accessible convenience shopping available to the local community.

2. The proposal does not harm the rural character of the surrounding natural or historic environment, or the amenities of the locality.

3. The local road network and access to the site can safely accommodate the extra traffic generated by the proposal.

4. The car parking will be proportionate to the scale of the development and the layout and siting will be sympathetic to the surroundings.

5. The scale and scope of any additional services will be restricted to ensure that they are ancillary to the main use.

Applications for extensions or additional facilities will be subject to a retail impact assessment to ensure that existing town centres and local shops are not adversely affected to an unacceptable degree.

**How do you feel about Strategic Policy 59: Rural shops?**



Why do you feel this way and do you have any comments?

**Comments**

## Sustainable Tourism

Tourism is a key part of East Devon's economy and it is important that visitors continue to be drawn by the unique environment and offered good quality accommodation and services to meet their needs and encourage longer stays. Policy aims to secure a high quality, sustainable tourism experience for the wide range of visitors to East Devon, and ensure that proposals benefit local communities and businesses, whilst conserving, enhancing and promoting the natural beauty, wildlife and cultural heritage of the District.

### 60. Strategic Policy – Sustainable Tourism

This policy seeks to ensure that the Council's strategic vision for tourism, that East Devon be the leading, year-round tourism destination in Devon, whose diverse ecosystem of outstanding natural environments, distinctive, high-quality businesses, towns and villages, all thrive and grow through a commitment to Net Zero, accessibility and collaboration, is supported.

Applications for the provision of high quality, sustainable and accessible appropriately located accommodation, visitor facilities and attractions will be supported and encouraged. In this Policy "visitor accommodation" means serviced tourist accommodation (Class C1 use) and un-serviced tourist accommodation, as well as ancillary staff buildings to support the provision of tourism services.

#### Proposals for new Tourist Attractions/Facilities or Accommodation

In line with the Council Plan's focus on 'green tourism' capitalising on the breadth of the natural environment and biodiversity within the area, the development of new permanent and temporary visitor accommodation and attractions will be permitted in locations where reliance on the private car is minimised, where there is evidence to show customer demand and a commitment to:

- Developing facilities of high quality;
- Working towards Net Zero; and
- Improving accessibility provision (accessibility in terms of providing suitable access to those with physical and non-physical impairments/disability)

In order to provide such evidence, applicants will be required to submit a Sustainable Tourism Statement outlining their commitment to the above criteria. Criteria on what should be addressed in the Sustainable Tourism Statement will be published and available online via the Council's website.

Within the protected landscapes designated as Areas of Outstanding Natural Beauty, Coastal Preservation Areas or Green Wedges and outside of the settlement boundaries, new buildings to provide overnight visitor accommodation will not usually be permitted, although temporary structures such as yurts, glamping pods, towing caravans and tents may be acceptable. In exceptional circumstances, if a new building is permitted it would need to be built to the highest passive/green building standards and clearly outline how impact on the natural environment will be minimised.

Any proposal for new tourist attractions, facilities or accommodation should meet the following criteria in full:

- the scale, siting, intensity and appearance of buildings and activities associated with the proposed development is appropriate to the character of the area and will not adversely impact local amenity;
- any existing suitable buildings are re-used or adapted and, where appropriate, redundant buildings which are derelict or offer no opportunity for beneficial use are removed. If existing buildings cannot be reused or adapted then this should be fully justified;
- no unacceptable adverse impacts arising from vehicle movements or parking and where it is likely to create significant vehicular movements to and from the site it should be well located in relation to sustainable tier 1-4 settlements and local public transport provision
- foul drainage facilities are adequate;
- no unacceptable adverse impacts arising from increased noise, smells, or other form of pollution
- no unacceptable adverse impact on the character of surrounding natural or historic environment;
- no adverse impact on protected species and opportunities to improve biodiversity are maximised

#### Tourism development in the countryside

- Outside settlement boundaries new development must positively contribute to the natural beauty, wildlife and cultural heritage of the District. Development will need to be closely associated with other attractions/established tourism uses, including the public rights of way network; or be a subordinate part of farm diversification schemes.
- Where visitor accommodation or attractions are to be located in the countryside, development must be located very close to the main dwelling from which it will be serviced/managed (e.g. as part of a farm diversification scheme) to avoid the need for a permanent new managers dwelling or multiple daily car journeys to manage the site. Criteria will address matters such as transport, amenity, bio-diversity net-gain, staff accommodation and landscaping.

Policy will support and encourage the development of a year-round visitor economy, while ensuring the facility remains for visitor use only.

#### Loss of Existing Visitor Accommodation

- The loss of visitor accommodation to other uses will only be permitted in exceptional circumstances. For example, converting holiday accommodation into low-cost staff accommodation (rented residential accommodation for local workforce), which will address recruitment challenges for the tourism sector.
- Where loss is proposed, applicants will need to demonstrate that the site/land is no longer viable for visitor accommodation, cannot be refurbished or redeveloped for visitor accommodation but is viable for an

alternative type of employment use, evidenced by a viability statement. Criteria on what will be considered an adequate viability statement will be published and available online via the Council's website.

## How do you feel about Strategic Policy 60: Sustainable Tourism?



Why do you feel this way and do you have any comments?

### Comments

#### **Holiday Accommodation Parks in designated landscapes**

The majority of East Devon lies within one or more designated landscapes. Holiday accommodation parks, comprising static caravans, chalets and/or lodges and associated facilities, are a key feature within the tourism sector and the expansion of existing parks, and potential development of new parks will have a positive effect on the economy of East Devon. This should not, however, be to the detriment of the natural environment or local communities and so a policy is required to establish how applications will be determined. This is particularly important given the large scale, range of facilities, lengthy operational hours and prominent coastal locations of many existing parks and their detrimental impact on both the seascape and the landscape.

Outside designated landscapes, new or expanded parks for holiday accommodation purposes will be acceptable in principle, in accordance with the Sustainable Tourism policy.

#### **61. Strategic Policy – Holiday Accommodation Parks in designated landscapes**

Within the District's most sensitive landscape areas, including Areas of Outstanding Natural Beauty, Coastal Preservation Areas and Green Wedges, new caravan, chalet or other holiday parks will not be permitted.

Proposals for the extension of, or related and ancillary facilities on, existing sites will be permitted provided they meet the following criteria in full:

1. No additional permanent pitches or accommodation are to be provided.
2. The proposal relates sensitively in scale and siting to the surroundings and includes extensive landscaping and visual screening to mitigate against adverse impacts.
3. The proposal would not have an adverse impact on local character or the amenities of adjoining residents.



4. The proposal would not use the best and most versatile agricultural land.
5. The proposal will be provided with adequate services and utilities
6. Traffic generated by the proposal can be accommodated safely on the local highway network and safe highway access to the site can be achieved.
7. The proposal will be subject to the provisions of plan policy in terms of sustainable construction, on site renewable energy production and biodiversity net gain.
8. Any structures beyond the existing boundary of the site are temporary and any visual or other harm can be satisfactorily mitigated.

**How do you feel about Strategic Policy 61: Holiday Accommodation Parks in designated landscapes?**



Why do you feel this way and do you have any comments?

**Comments**

## Chapter 10 - Designing beautiful and healthy spaces and buildings

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

### Design and Local Distinctiveness

We have included an over-arching policy in the local plan that seeks to promote high quality design and local distinctiveness.

#### 62. Strategic Policy – Design and Local Distinctiveness

In order to ensure that new development, including the refurbishment of existing buildings to include renewable energy, is of a high quality design and locally distinctive, a formal Design and Access Statement, should accompany applications setting out the design principles to be adopted. Proposals should clearly respond to local policy and guidance including Neighbourhood Plans, Village Plans, Design Guides, Design Briefs, and Design Codes, whether adopted as Supplementary Planning Documents or promoted through other means.

Proposals will only be permitted where they:

1. Identify opportunities for design that minimises risks associated with climate change, including consideration of a fabric first approach, the use of appropriate materials, techniques, and technologies to reduce carbon emissions over the lifetime of the development.
2. Include measures to secure the management of waste in accordance with the waste hierarchy (reduce, reuse, recycle, recovery, disposal) during the construction and operational phases.
3. Ensure the appearance of buildings, including scale, massing, density, height, fenestration, and materials, relate well to their context.
4. Do not adversely affect:
  - The distinctive historic or architectural character of the area.
  - The urban form, in terms of significant street patterns, groups of buildings and open spaces.
  - Important landscape characteristics and prominent topographical features.
  - Trees and hedgerows worthy of retention.
  - The amenity of occupiers of adjoining residential properties.
  - The operation of existing uses outside of the proposed development.

- The future amenity of occupants of proposed residential properties, with respect to access to open space; protection from noise and pollution; provision of adequate internal light; storage space for bins, bicycles, prams, and other uses.

5. Provide biodiversity enhancement appropriate to the scale of development in accordance with Local Plan policy. Where possible, development proposals should include landscaping that prioritises habitat creation.

6. Meet nationally described space standards.

7. Provide:

- Secure and attractive layouts with safe and convenient access for the whole community, including disabled users.
- Measures to create a safe environment for the community and reduce the potential for crime.
- Necessary and appropriate street lighting and furniture and, subject to negotiation with developers, public art integral to the design.
- Features that maintain good levels of daylight and sunlight into and between buildings to minimise the need for powered lighting.
- Appropriate 'greening' measures relating to landscaping and planting, open space provision and permeability of hard surfaces.

8. Mitigate potential adverse impacts, such as noise, smell, dust, arising from developments, both during and after construction.

*Technical Housing Standards - [www.gov.uk](http://www.gov.uk)*

**How do you feel about Strategic Policy 62: Design and Local Distinctiveness?**



Why do you feel this way and do you have any comments?

### **Comments**

**Members commented that “high quality design” is very subjective and open to interpretation / in the eye of the beholder! Also that Design and Access statements vary in quality but are often treated as a tick box exercise as part of the planning application process.**

**Members support introduction of space standards but raised concerns about achieving this in the context of viability challenges by developers and increasing costs of building materials.**

**Also risk that the same houses are built all over the country to the point where every new community is starting to look the same. As a result, the distinctiveness of places gets forgotten and communities lose their identity.**

**Will design codes be produced by EDDC and will they have any legal status?**

**Concerns were also raised about broader enforcement operations relating to the mitigation of noise, smell dust etc.**

## **Housing Density and Efficient Use of Land**

Paragraphs 119 – 125 of the NPPF (the national planning guidance) deal with making effective use of land and achieving appropriate densities. In order to meet our sustainability goals we need to ensure that we make efficient use of land and build at the maximum density that is compatible with the character of the surrounding area. Where there is an anticipated shortage of land for meeting identified housing needs, the NPPF (paragraph 125) advocates minimum density standards for town centres and other locations well served by public transport that significantly increase the average residential density of such areas. The NPPF also suggests that a range of densities could be set to reflect the accessibility of different areas. Further work is needed to provide evidence of what the minimum density standards should be.

### **63. Strategic Policy – Housing Density and Efficient Use of Land**

Proposals for residential development will be permitted provided that the development optimises the density of the site in a manner that conserves or enhances the character of the area and makes efficient use of land.

In further refinement of this policy, we intend to set minimum density standards to support the efficient use of land.

Proposals for major development schemes and those in environmentally or heritage sensitive locations will be required to be supported by a design code agreed with or produced by the council as planning authority. Codes, amongst other matters, will specify density recommendations for key allocations,

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

**How do you feel about Strategic Policy 66: Protecting transport sites and routes?**



Why do you feel this way and do you have any comments?

## Comments

Members are broadly in favour of a minimum density standard but feel that a tiered system may be needed to reflect optimum densities in built up versus rural areas.

Also, that the efficient use of land is potentially in opposition with environmental sensitivity!

It was also noted that there are unforeseen consequences with optimising housing density. i.e. extra pressure on already-stretched primary healthcare services! The impact of development needs to be borne in mind – not just how efficiently the land is used.

Will we be reconsulted when supporting work is complete?

## Advertisements

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

### .64. Strategic Policy – Display of Advertisements

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

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

How do you feel about Strategic Policy 64: Display of Advertisements?



Why do you feel this way and do you have any comments?

## Comments

Members are supportive of this policy but commented that there is no reference to the need for advertisements to be environmentally friendly – e.g. type of illumination.



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

East Devon is a largely rural district and travel patterns generally reflect this, with relatively low levels of walking, cycling and public transport; and higher levels of car ownership than the national average. Nevertheless, there is a difference between urban and rural areas in East Devon. There are many villages and hamlets with limited jobs and services, where a degree of car travel is a necessity; but there are also lots of urban areas that offer a range of jobs, facilities, and services, suitable for day-to-day life, which can be accessed using sustainable travel modes. The spatial strategy in chapter 3 reflects this distinction.

### **Walking, Cycling and Public transport**

The spatial strategy in Chapter 3 of this plan focusses development on those places which are or can be made sustainable, through limiting the need to travel to jobs, facilities, shops, schools and leisure; and offering a genuine choice of transport modes. National policy makes clear that the Local Plan should identify and pursue opportunities to promote walking, cycling and public transport. Much Government guidance has been published in recent years on designing places to promote sustainable travel.

Studies have shown that most people will choose to walk only if their destination is less than 1.6 km (a mile away), with 800m (half a mile) being a typical distance. Nevertheless, distance is just one of several factors to consider – others include topography, surveillance, directness, attractiveness of the environment, and the intended destination. Given the rural nature of much of East Devon, it is not realistic to require all new development to be within 800m of a range of uses, but this should be the aim at the larger settlements and within larger scale developments.

The idea of “20-minute neighbourhoods” has been gaining momentum for several years. Interest in this idea has grown as the COVID-19 pandemic meant people spent more time locally working at home, using public open space, and walking and cycling.

### **65. Strategic Policy – Walking, cycling, and public transport**

New development should incorporate the features of a “20-minute neighbourhood” either within the site at larger scale development, or through links to features outside the site for smaller scale development

Walking and cycling links should be prioritised in new development – such links should be coherent, direct, safe, comfortable and attractive. Cycle paths should be segregated from pedestrians to reduce the potential for conflict.

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

It is recognised that opportunities to deliver this policy will be more challenging in rural areas compared to urban areas.

**How do you feel about Strategic Policy 65: Walking, cycling, and public transport?**



**Why do you feel this way and do you have any comments?**

**Members felt that this policy provides ambition but there are details missing and raised concerns about implementation and enforcement.**

**This policy relies to some extent on existing public transport networks and existing networks are not always adequate with issues concerning control, funding and different providers.**

**How will contributions be sought and managed on a site-specific basis when CIL contributions get distributed across the District according to EDDC's 123 List?**

**It was also felt that new developments on the outskirts of town should incorporate extra provision for new *and existing* developments. i.e. there is a backfill requirement due to under investment in some areas.**

**Members highlighted the challenge of how to influence bus priority measures in the context of Exmouth Transport Partnership's ongoing frustrations with trying to achieve improvements to public transport in the absence of a regulated bus system; and more dedicated cycle paths.**

**It was highlighted that there is a need for a more coordinated approach to bus shelter specifications and a bus stop policy.**

**It was also noted that it is just as challenging in urban areas as rural areas!**

### **Protecting transport sites and routes**

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



Evidence indicates protecting the sites/routes listed in the following policy, but we are seeking comments on this through public consultation. At the next stage (the 'publication' Local Plan), the sites and routes that remain in this policy will be shown on the Policies map.

## 66. Strategic Policy – Protecting transport sites and routes

The following sites and routes will be protected from other development:

Strategic cycle network schemes:

- Seaton to Colyton
- Feniton to Sidmouth
- Clyst Valley Trail
- Sidford to Sidbury

Public transport:

- Railway passing loops as necessary at Axminster; Honiton; and Whimple to Cranbrook
- Bus priority route at A3052/A376 to M5 Junction 30
- Park and Ride areas of search at A30/Heavitree Road corridor; A376/A4052 Clyst St Mary corridor; and A377 Cowley Bridge Road corridor

How do you feel about Strategic Policy 66 : Protecting transport sites and routes?



**Why do you feel this way and do you have any comments?**

**Members feel that the protection of transport sites and routes *is* important but were unclear on what this policy is actually trying to achieve and could not understand the criteria for specifying some strategic cycle network schemes but not making mention of the Exe Estuary Trail? Members also highlighted that Bapton Valley Park should be protected as an evolving walking / cycling route in Exmouth and wished to highlight that there is a strong campaign among residents in Exmouth around the need to protect the active travel potential associated with Summer Lane.**

**It was noted that there is no mention of the relationship between the County Council, as Highways Authority, and EDDC as the Local Planning Authority and the complexities of widening transport choice when privately owned stakeholders such as Stagecoach are involved. How can the Local Planning Authority influence operators to create new stopping points on bus routes?**

## How does the work of the LPA tie in with transport planning at Devon County Council?

Also - the potential for a Park and Ride at Sowton to serve Exmouth seems to have been overlooked.

### Travel plans, Transport Statements and Transport Assessments

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

National policy states that all development that will generate significant amounts of movement should provide a travel plan and be supported by a transport statement or transport assessment so that the likely impacts of proposals can be assessed. Travel plans are long-term management strategies for integrating proposals for sustainable travel into the planning process. Transport assessments are thorough assessments of the transport implications of development, whilst transport statements are a lighter-touch approach where there are limited transport impacts. “Significant” is not defined in national policy – our preferred policy approach is to set a threshold on when a transport statement or assessment and travel plan is required, to provide greater certainty. Alternatively, it may be more appropriate not to set a threshold to allow greater flexibility. We will gather evidence and consider public consultation responses before finalising this policy.

### 67. Strategic Policy – Travel Plans, Transport Statements, Transport Assessments

Where development schemes, in the absence of mitigating actions, would generate substantive scales of additional vehicle movements planning permission will not be granted for development unless submissions are accompanied by a Transport Assessment and subsequent Travel Plan that identifies measures to secure new sustainable travel arrangements taking into account:

- the scale of the proposed development;
- availability of public transport;
- proximity to environmental designations; impact on promoting walking and cycling;
- cumulative impacts of multiple developments in the area; and
- whether there are particular types of impacts that require further evaluation.

Through future work the plan will establish size or quantity thresholds at which policy will apply.

**How do you feel about Strategic Policy 67: Travel Plans, Transport Statements, Transport Assessments ?**



**Why do you feel this way and do you have any comments?**

**Members favour thresholds being set but feel that the policy needs to be evidence based. Transport assessments may be more appropriate than statements on the outskirts of town but Members again raised concerns about the scope to influence public transport providers and highlighted the need to make absolutely sure that statements or assessments actually meet local need and are not just a box-ticking exercise on the part of developers. They often pay lip service to different components of public transport.**

**The assessments that Exmouth Town Council see in its role as a planning consultee are often inadequately produced and Members feel strongly that there should be a requirement to produce statements and assessments to a minimum certain standard.**

**Sustainable travel needs to be built into new developments from the outset and infrastructure needs to be in place for sustainable travel to be the travel method of choice with adequate cycle links, cycle parking and capacity for access to public transport. New developments should assume that residents will use active travel and *not* cars.**

### **Parking standards**

Provision is made in the plan to manage and control parking provision of car parking in association with new development.

The methodology for calculating the provision is based on guidance set out in Department for Communities and Local Government (DCLG) Residential Car Parking Research (May 2007) and East Devon car ownership data from the census 2011. The calculation has considered the local car ownership and the visitor space needs. The result shows a minimum standard of 1.6 parking spaces. For example, a development of 100 dwellings, 160 parking spaces should be provided. In town centres where there is access to public car parks and/or on-street parking lower levels of parking and in exceptional cases where there are also very good public transport links, car parking spaces may not be deemed necessary.

### **68. Strategic Policy – Parking standards**

[Residential car parking standards](#)

New residential developments will be required to provide parking provisions to an average of not less than 1.6 car parking spaces per dwelling and 2 cycle parking spaces per dwelling (rounded up to the nearest whole number in individual applications). In town centres where there is access to public car parks and/or on-street parking lower levels of parking and in exceptional cases where there are also very good public transport links, car parking spaces may not be deemed necessary.

### Electric Vehicle Charging points

All new residential developments (for one or more new or replacement dwelling) will be required to provide Electric Vehicle (EV) Charging points, the EV charging points in accordance with the Building Regulations 2010 (Part S of Schedule 1) and any other relevant latest Government guidance.

### Non-residential Parking Standard

At this stage, we are still gathering evidence to inform detailed non-residential parking standards and policy. The proposed policy will set the parking standard for different land use in East Devon

**How do you feel about Strategic Policy 68: Strategic Policy – Parking standards?**



**Why do you feel this way and do you have any comments?**

**Members feel that this policy is not fit for purpose and needs re-drafting. How do you define “ very good transport links”?! It is too subjective.**

**The policy seems to be relying on data which is woefully out of date. Is the 2010 schedule the latest relevant schedule?!**

**Members also commented that layout planning is often predicated on two cars per household and is not looking at future proofing. The target of 1.6 car parking spaces is too generous in the context of the climate emergency and that the current policy is unsustainable. There should be greater focus on planning for centralised car parking facilities rather than individual spaces and it was highlighted that this would also help to facilitate the installation of electric charging points.**

### **Service yards**

To facilitate the reduction in traffic congestion along main shopping streets it is an aim to improve rear service provision for shopping and commercial areas where opportunities for doing so arise. This may involve improvements to existing highways.

## 69. Strategic Policy - Rear Servicing of Shopping/Commercial Development

In determining applications for shopping and commercial developments, including redevelopment in town centres, development proposals, where possible, should seek to provide rear service access. Adverse congestion, amenity or safety impacts will form material considerations in determining planning applications where dedicated service space is not provided or available and could lead to refusal of planning permission

**How do you feel about Strategic Policy 69: Rear Servicing of Shopping/Commercial Development?**



**Why do you feel this way and do you have any comments?**

**Members were in agreement with this policy and felt it was particularly important when you have pedestrianised areas such as the Magnolia Centre in Exmouth to make adequate provision but also wanted to highlight that different methods of distribution may gain popularity in future – e.g. cargo bikes / rail freight / electric vans. This policy should encourage better use of the transport network and the wording: “where applicants can demonstrate alternative, environmentally-friendly delivery methods, they will be supported”.**

### **Vehicular access to sites and land**

Many new development schemes will need to have safe road and vehicle access and working with the relevant highway authority (Devon County council and/or National Highways) development proposals will be scrutinised to ensure safe and effective access can be achieved.

## 70. Strategic Policy – Safe vehicular access to sites

Where development proposals will attract or accommodate new or additional vehicles proposals for development must demonstrate how safe access will be achieved.

Planning permission will not be granted where safe access to a site cannot be achieved.

**How do you feel about Strategic Policy 70: Safe vehicular access to sites?**



**Why do you feel this way and do you have any comments?**

**Members were in agreement with this policy but feel that “safe access” is again subjective. Who is going to determine “safe” access? This is in the context of Devon County Council often issuing standing advice, referring to statutory guidance or not commenting at all when / if they are consulted on applications.**

### **Aerodromes and Safeguarding**

The Civil Aviation Authority has identified a safeguarded area around Exeter International Airport and Dunkeswell Airport in East Devon. In addition, a further safeguarded area around a MoD facility in Mid Devon affects the Northern part of the plan area. In these areas the Council will consult with the Civil Aviation Authority and airport operators on planning applications for developments that could compromise operation and safety of the airfield, in accordance with guidance set out in ODPM Circular 1/2003. Built development involving high structures, buildings which may interfere with radio signals, or development which may create a bird strike hazard may be subject to restrictions or refusal of planning permission.

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

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

Planning permission will not be granted for developments in the vicinity of an airport (or that could impact on safe operation of aeroplanes) that would compromise air safety by creating physical obstructions that could interfere with flight paths or navigational aids.

Built development involving high structures, buildings which may interfere with radio signals, or development which may create a bird strike hazard may be subject to restrictions.

**How do you feel about Strategic Policy 71: Aerodrome Safeguarded Areas and Public Safety Zones?**



**Why do you feel this way and do you have any comments?**

**In agreement but doesn't really apply to Exmouth.**

**Digital Connectivity**

East Devon faces challenges in delivering communications infrastructure in a rural area. East Devon is part of the Connecting Devon and Somerset (CDS) programme. CDS comes under the Government's Superfast Broadband Programme to deliver next-generation broadband infrastructure to areas where the commercial market has failed to invest.

According to Ofcom, in 2021 89.5% of the addresses in East Devon have super-fast broadband coverage and 35.7% have ultra-fast broadband coverage, in comparison the mean for all English district local authorities are 94.55% and 48.02%.

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

## 72. Strategic policy – Digital Connectivity

Planning permission for new development (size thresholds and development types at and which policy will apply need to be established) will not be granted unless the scheme will have access to superfast broadband and high-quality communications. Superfast broadband is looked upon as the fifth utility and is identified as an essential requirement.

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

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

### How do you feel about Strategic Policy 72: Digital Connectivity?



Why do you feel this way and do you have any comments?

**Members are in support but stressed the need for community resilience in respect of possible over-reliance on electronic communications.**

### Wireless connectivity and telecoms infrastructure

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

connectivity is reliant on a robust telecoms infrastructure including freestanding or building-based masts and antennas, ground based cabinets and compounds.

Local Plan policy seeks to be supportive of and encourage better connections.

centres and local shops are not adversely affected to an unacceptable degree.

### **73. Policy – Wireless connectivity and telecoms infrastructure**

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

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

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

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

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

**How do you feel about Strategic Policy 73: Wireless connectivity and telecoms infrastructure?**



**Why do you feel this way and do you have any comments?**

**Members are in support.**



## Chapter 12 - Caring for our outstanding landscape

### Caring for our outstanding landscape

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

### Landscape Features

This overarching policy aims to protect important features in the landscape, whether designated or not. The landscape of the District includes deep valleys, wooded hills, ancient woodlands, historic parkland, low-lying farmland, riverside meadows and a variety of urban forms. The whole of East Devon is rich in biodiversity, including international, national and locally protected sites and habitats and forms a part of a wider ecological network across the County. Maintaining sustainable agricultural land and practices is important in preserving the district's rural character and landscape.

### 74. Policy – Landscape Features

East Devon's landscape, countryside and rural areas will be protected against harmful development. Development will only be permitted where the applicant is able to demonstrate that it will protect and enhance features that contribute to the nature and quality of East Devon's landscapes, in particular:

1. trees (including individual trees, groups of trees and woodlands), hedgerows and field boundaries;
2. irreplaceable habitats such as ancient woodland and aged or veteran trees found outside ancient woodland;
3. best and most versatile agricultural land;
4. rivers, tributaries and flood plains;
5. other watercourses and water bodies;
6. seascapes and coastline;
7. the landscape setting of settlements;
8. topographical features;
9. areas or features of cultural and historic value;
10. important views and visually sensitive skylines;
11. dark skies; and
12. aesthetic and perceptual factors such as tranquillity, wildness, intactness, rarity and enclosure.

The Council will seek the retention of important hedgerows. Where retention is not possible and a proposal seeks the removal of a hedgerow, the Council will require compensatory planting with a mixture of native hedgerow species.

**How do you feel about Strategic Policy 74: Landscape Features?**



Why do you feel this way and do you have any comments?

## Comments

### Areas of Outstanding Natural Beauty

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

Policy is required to ensure that the District's AONBs are protected and conserved in accordance with the Countryside and Rights of Way Act 2000

### 75. Policy - Areas of Outstanding Natural Beauty

The highest level of protection will be given to the landscape and scenic beauty of the Areas of Outstanding Natural Beauty (AONBs) in East Devon:

- Development in an AONB, or outside but affecting its setting or appearance, will only be permitted where it conserves and enhances the character and natural beauty of the AONB;
- Development in an AONB will only be permitted where it is appropriate to the economic and environmental wellbeing of the area or promotes understanding or enjoyment of the AONB;
- Major development in an AONB will only be permitted in exceptional circumstances and where it can be demonstrated to be in the public interest; and
- Development proposals that could affect the special qualities of an AONB (including its setting or appearance) either individually or in combination with other developments, should be accompanied by a proportionate Landscape and Visual Impact Assessment.

AONB Management Plans will be a material consideration in decision making.

**How do you feel about Strategic Policy 75: Areas of Outstanding Natural Beauty?**



Why do you feel this way and do you have any comments?

## Comments

### Coastal Preservation Areas

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

The Coastal Preservation Area boundary is currently under review to take account of development and other changes which have occurred since the boundary was defined in the adopted Local Plan. This will ensure that it continues to be based on visual openness and views to and from the sea. As this work is not yet complete the Policies Map shows the currently adopted CPA boundary but this may change.

#### 76. Policy - [Coastal Preservation Areas](#)

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

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

#### How do you feel about Strategic Policy 76: Coastal Preservation Areas ?



Why do you feel this way and do you have any comments?

## Comments

**How does this tie in with the rural farm diversification policy?**

## Areas of Strategic Visual Importance

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

### 77. Policy - Areas of Strategic Visual Importance

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

The following view types are considered to be particularly important:

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

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

### How do you feel about Strategic Policy 77: Areas of Strategic Visual Importance ?



Why do you feel this way and do you have any comments?

Comments

## Green Wedges

Green wedges are a long-standing local landscape designation that recognises the importance of maintaining open green networks between settlements in close proximity, for wildlife, flood storage capacity, leisure and recreation and preventing settlement coalescence in order to maintain a sense of place and identity for local communities.

The Green Wedge locations and boundaries are currently under review to take account of development and other changes which have occurred since the boundaries were defined in the adopted Local Plan. The review will ensure that the identities of settlements at risk of physical or visual coalescence are suitably protected and ensure that Green Wedges are not so excessive as to unnecessarily restrict development that would otherwise be acceptable. As this work is not yet complete the Policies Map shows the currently adopted Green Wedge boundaries, excluding any sites now proposed for allocation, but noting the number and extent of green wedges may change following the review.

### 78. Policy - Green Wedges

Within Green Wedges, as defined on the Policies Map, development will not be permitted if it would conflict with the purposes of the Green Wedges, which are to:

1. prevent the coalescence of settlements and maintain a sense of place and identity for neighbourhoods
2. maintain the open character of a green lung contributing to health and wellbeing for residents and visitors
3. provide accessible formal and informal recreation, sport and play space
4. provide valuable wildlife corridors and habitat
5. protect areas of landscape importance and visual amenity

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

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

Community, open sports, play and recreational uses will be supported in principle. If granted, any associated built development must be kept to a minimum, essential, small in scale and be necessary to support the main use. It should also be well related to adjacent built form and sensitively located to retain openness of the area.

Proposals for policy compliant development that include measures that will create or enhance wildlife habitats and biodiversity within the Green Wedges, or will

improve the quality of the Green Wedges by providing high quality public amenity space will be supported.

### How do you feel about Strategic Policy 78: Green Wedges?



Why do you feel this way and do you have any comments?

### Comments

### Land of Local Amenity Importance or Local Green Space

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

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

### 79. Policy - Land of Local Amenity Importance or Local Green Space

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

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

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

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

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

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

### **How do you feel about Strategic Policy 79: Land of Local Amenity Importance or Local Green Space?**



Why do you feel this way and do you have any comments?

### **Comments**

#### **Contaminated Land and its Remediation**

East Devon is fortunate in not having large amounts of contaminated land but where present the safe decontamination of such land can be a desirable outcome that development can help facilitate.

The natural and local environment of East Devon will be enhanced by remediating and mitigating despoiled, degraded, derelict, contaminated or unstable land. The effective re-use of land that has been previously developed (brownfield land) will be encouraged. An application for planning permission must demonstrate that the site is suitable for its new use, taking into account the ground conditions, natural hazards or former activities, the proposals for remediation or mitigation and impacts on the natural environment. As an absolute minimum, after remediation, land must not be capable of being determined contaminated land under Part 2a of the Environmental Protection Act 1990.

#### **80. Policy - Contaminated Land**

Where it is anticipated that contamination may be present on or near to a development site, the granting of planning permission will require that a contaminated land assessment is submitted. The assessment must:

- a) Identify and characterise the contamination;
- b) Identify the risks; and

c) Identify remediation and/or mitigation measures.

Where identified as necessary, agreed measures must be taken to remediate the site prior to or during development.

Development on or in close proximity to active or former waste sites will only be permitted where it can be demonstrated that there will be no harm to future occupiers of the site from leachate or landfill gas or other waste arising.

### How do you feel about Strategic Policy 80: Contaminated Land?



Why do you feel this way and do you have any comments?

#### Comments

### Potentially Hazardous Developments

Certain sites and pipelines are designated as notifiable installations by virtue of the quantities of hazardous substance stored or used. The Plan area already contains a number of high-pressure natural gas pipelines and other sites where hazardous substances are stored or used.

### 81. Policy - Potentially Hazardous Developments and Notifiable Installations

Proposals for development within a notified consultation zone around a hazardous installation will be permitted only if there is no health and safety risk to that development.

How do you feel about Strategic Policy 81 : Potentially Hazardous Developments ?



Why do you feel this way and do you have any comments?

#### Comments

### Pollution control

Pollution in the environment has significant implications for people's health and quality of life. The possible pollution effects from proposed development can be a material consideration in determining planning applications in so far as they affect development and the use of land. Where the Council considers a proposal may raise such issues the relevant statutory pollution control authorities will be consulted at an early stage.



## 82. Policy - Control of pollution

Permission will not be granted for development which would result in unacceptable levels, either to residents or the wider environment of:

1. Pollution of the atmosphere by gas or particulates, including: smell, fumes, dust, grit, smoke and soot.
2. Pollution of surface or underground waters including:
  - a) Rivers, other watercourses, water bodies and wetlands.
  - b) Water gathering grounds including water catchment areas, aquifers and groundwater protection areas.
  - c) Harbours, estuaries or the sea.
3. Noise and/or vibration.
4. Light intrusion, where light overspill from street lights or floodlights on to areas not intended to be lit, particularly in areas of open countryside and areas of nature conservation value.
5. Fly nuisance.
6. Pollution of sites of wildlife value, especially European designated sites or species.
7. Odour.

**How do you feel about Strategic Policy 82: Control of Pollution?**



Why do you feel this way and do you have any comments?

**Comments**

**Who defines unacceptable levels? Can this policy be used to address issues with South West Water?**

**Best and most versatile agricultural land**

East Devon contains a substantial amount of agricultural land, much of which is of high quality. Some of the areas of highest quality land are in close proximity to settlements where pressures for development are amongst the greatest. Local Plan policy specifically seeks to conserve and protect the highest grades of agricultural

land though this aspiration is balanced against the recognition of the need to accommodate development.

### **83. Policy - Development on High Quality Agricultural Land**

The best and most versatile agricultural land (Grades 1, 2 and 3a) will be protected from development not associated with agriculture or forestry. Unless allocated for development under another plan policy Planning permission for development affecting such land will only be granted if there is an overriding need for the development and either:

1. Sufficient land of a lower grade (Grades 3b, 4 and 5) is unavailable or available lower grade land has an environmental value recognised by a statutory wildlife, historic, landscape or archaeological designation and outweighs the agricultural considerations. Or
2. The benefits of the development justifies and clearly outweighs the loss of high quality agricultural land.

If best and most versatile land needs to be developed and there is a choice between sites in different grades, land of the lowest grade available must be used except where other sustainability considerations, including intrinsic nature conservation value of a site, outweigh land quality issues.

**How do you feel about Strategic Policy 83: Development on High Quality Agricultural Land?**



Why do you feel this way and do you have any comments?

#### **Comments**

**Members think this policy is weak and open to exploitation.**



## **Chapter 13 - Protecting and enhancing our outstanding biodiversity and geodiversity**

East Devon benefits from an exceptional abundance of biodiversity and geodiversity interest. From our Internationally Designated Sites to our extensive network of priority habitats and protected species. East Devon recognises the value of these resources for nature conservation, health and wellbeing, education, climate change mitigation, flood risk management, air and water purification and the economy.

Our biodiversity and geodiversity is intrinsically linked to and often threatened by a range of factors, including climate change, agriculture, pollution, land use change, urbanisation and increasing human populations. These impacts can arise through complex direct and indirect mechanisms.

### **Protection of wildlife sites**

Many sites are protected on account of their intrinsic importance and value for the wildlife they support. At the highest level sites can be nationally designated and there is considerable legal protection that is afforded to them, though such protection is expanded on and further articulated through planning policy. There are, however also local sites that are afforded wildlife protection.

### **84. Policy – Protection of Internationally and Nationally important wildlife sites and locally important sites**

Proposals and plans that would cause a direct or indirect adverse effect upon internationally and nationally designated sites will not be permitted unless all of the following criteria are met:

1. They cannot be located on alternative sites that would cause less or no harm.
2. The public benefits of the proposal clearly outweigh the impacts on the features of the site and the wider network of natural habitats and designated sites.
3. Suitable avoidance, mitigation and compensation measures are proposed, in accordance with the mitigation hierarchy.
4. Where permanent or long-term temporary habitat loss or direct reduction of habitat condition is identified, suitable biodiversity net gain of at least 20% is proposed, which should be ecologically relevant and connected to the site affected as to not result in a net reduction of the condition of the site.
5. In respect of internationally designated sites, the integrity of the site will be maintained.

Sites falling under this aspect of policy include:

- Special Areas of Conservation (SAC)
- Special Protection Areas (SPA)
- Proposed SACs
- Potential SPAs

- Ramsar sites
- Areas secured as compensation for damage to an internationally or nationally designated site
- Sites of Special Scientific Interest (SSSI)
- Marine Conservation Zones (MCZ)
- National Nature Reserves (NNR)

It should be noted that there is also specific policy, where applicable, in this plan in respect of Habitats Regulation Assessment requirements.

### Protection of Regionally and Locally important wildlife sites and features

Development proposals that would cause a direct or indirect adverse effect upon Regionally and Locally important wildlife sites and features will not be supported unless all of the following criteria are met:

1. They cannot be located on alternative sites that would cause less or no harm.
2. The public benefits of the proposal clearly outweigh the impacts on the features of the site and the wider network of natural habitats and designated sites.
3. Suitable avoidance, mitigation and compensation measures are proposed, in accordance with the mitigation hierarchy. Destruction of habitats of principle importance should be avoided as fully as possible. When destruction of these habitats is proposed, proof of there being no satisfactory alternative should be provided. Suitable mitigation and compensation measures should then be identified.
4. Where permanent or long-term temporary habitat loss or direct reduction of habitat condition is identified, suitable biodiversity net gain of at least 20% is proposed.

Such sites include:

- Local Nature Reserves (LNR)
- County Wildlife Sites (CWS)
- Special verges
- Habitats of Principle Importance, as listed under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006 (identified through site survey work or as identified through existing mapped resources)

**How do you feel about Strategic Policy 84: Protection of Internationally and Nationally important wildlife sites and locally important sites ?**



Why do you feel this way and do you have any comments?

## Comments

**Members agree with this policy.**

### **Irreplaceable habitats and important features**

Whilst many sites are designated for the species and habitats they support there are also areas and features that are not specifically designated and have not necessarily been surveyed and assessed but nonetheless are of great importance to wildlife interest. Of particular importance and value are trees and hedgerows and plan policy seeks to afford specific protection to these assets.

### **85. Policy – Protection of irreplaceable habitats and important features**

Proposals which result in the destruction or degradation of irreplaceable habitats will be refused, unless an absolutely exceptional reason and exceptional mitigation/compensation strategy exists. This includes impacts through direct or indirect pathways, including lighting and pollution. The evidence burden for this would be high.

Such habitats include ancient woodland, ancient and veteran trees (within and outside of ancient woodland), very mature trees showing early signs of veteranisation, blanket bog, mires, sand dunes, salt marsh and lowland fen.

#### Hedgerows

Important hedgerows (as defined by the Hedgerow Regulations 1997) are considered to have very high intrinsic biodiversity value. Proposals resulting in the loss of important hedgerows, or sections of important hedgerows, will only be permitted where the mitigation hierarchy has been applied and evidenced in earnest.

Impacts should first be avoided, and where this is not possible, justification for impacts should be provided in full. Following this, suitable avoidance and mitigation measures should be proposed, followed by compensation measures as a last resort.

With all hedgerows types, hedgerow translocation should always be considered first, as a preferential option to hedgerow destruction followed by compensation.

**How do you feel about Strategic Policy 85 : Protection of irreplaceable habitats and important features?**



**Why do you feel this way and do you have any comments?**

### **Comments**

**Members agree with his policy but believe there is lots of scope to strengthen the hedgerow policies to avoid exploitation and have concerns about enforcement for non compliance.**

### **Habitat Regulation Assessment**

The most significant wildlife sites in East Devon benefit from an international designation and for these sites and where adverse impacts may be possible from development there is a need for assessment under the Habitat Regulations to determine the acceptability of proposals. Plan policy set out details of the approach to be taken.

#### **86. Policy – Habitats Regulations Assessment**

We have a lengthy policy in the plan about Habitat Regulations which apply to the most significant wildlife sites that we summarise below, but the full policy should be read for a complete picture.

Proposed plans or projects must not adversely affect the integrity of sites protected under the Conservation of Habitats and Species Regulations 2017. Where potential adverse impacts are identified, suitable avoidance, mitigation and compensation measures will be required. Mitigation measures are to be secured for the lifetime of the proposed impact. Adverse impacts that cannot be avoided or adequately mitigated will not be permitted other than in exceptional circumstances.

In respect of the Exe Estuary and the East Devon Pebblebed Heaths an overarching strategic approach to mitigation has been established. All residential development schemes within a straight line 10 kilometers distance of any part of the European sites will be required to provide mitigation to offset increased recreational pressure associated with new development. Developers must clearly demonstrate that mitigation can and will be provided to ensure no adverse effect on the integrity of the sites.

In order to reduce phosphate discharge into the River Axe SAC, East Devon District Council requires development proposals within the River Axe catchment to demonstrate how nutrient neutrality will be achieved. The Council will seek to provide mitigation measures that developers can buy into, or mitigation can be secured through other provider's services or directly through or by development.

Protection of Beer Quarry Cave bat pinch points between Seaton and Colyford, and between Colyford and Colyton - In order to protect the pinch points and secure

their long term suitability for the bat species, planning permission will not be supported for any development proposals within the pinch points, and the council will not support any applications which reduce the quality of the bat foraging and commuting habitats within these pinch points. The objective is for these pinch points to be retained in perpetuity, and enhanced where possible in order to guard against potential future development pressure

Predation of birds by domestic cats is already identified as a particular concern on the East Devon Pebblebed Heaths. Any increase in the number of homes could result in increased cat numbers, which would further exacerbate adverse impacts and predation. To help preserve the integrity of the East Devon Pebblebed Heaths, specifically on account of the impacts of domestic cats through bird predation, new dwellings will not be allowed on or within 400 meters of the Pebblebed Heaths.

**How do you feel about Strategic Policy 86: Habitats Regulations Assessment ?**



**Why do you feel this way and do you have any comments?**

### **Comments**

**Members agree broadly with this policy but feel it is very long.**

### **Biodiversity Net Gain**

Biodiversity net gain is the principle that the net result (the end position) after development had occurred is that the biodiversity or wildlife value is greater than that of any site that is being developed. The Government support biodiversity net gain and in East Devon we recognise the importance and are seeking to exceed minimum national levels.

### **87. Policy – Biodiversity Net Gain**

Development proposals will need to result in a Biodiversity Net Gain of at least 20%, to be calculated and reported in accordance with published best practice local and national guidelines at the time of the application (except where published exemptions apply, de minimis or otherwise).

This is in recognition of:

The combined biodiversity and climate emergency

- The large volume of development predicted within the district (particularly within the west end of the district) during the period of this local plan, and the potential significant biodiversity impact of this volume of development



- Requirement to identify measures to further the biodiversity objective under the Environment Act 2021
- The intrinsic health and well-being community benefits of habitat creation
- The flood risk mitigation benefits of habitat creation
- The water and air purification benefits of habitat creation
- Requirement to implement and support the Local Nature Recovery Strategy (LNRS)
- Commitments to implementing the recommendations of the Lawton Report

Where off-site habitats are created or enhanced in order to provide 20% BNG, these should be located within East Devon District, unless proven and evidenced to be undeliverable.

**How do you feel about Strategic Policy 87: Biodiversity Net Gain?**



**Why do you feel this way and do you have any comments?**

### **Comments**

**Members are supportive of this policy but feel that it needs to be strengthened. In particular, they feel that the concept of biodiversity net gain is complex and that you sometimes need to consider the interim period of destruction before there is any gain. i.e. there can be real timescale implications.**

**How is 20% going to be demonstrated and across what time scales?**

**How will net gain be protected on new developments and for how long?**

**What are the trigger points? How do you quantify “Development proposals”?**

### **Local Nature Recovery Strategy and Nature Recovery Network**

Local nature recovery is the concept that environmental quality and biodiversity can be enhanced by improving areas for wildlife and creating green links between habitats to allow wildlife value to be enhanced and increase. The concept of nature recovery is increasingly gaining ground and is being actively promoted across Devon.

### **88. Strategic Policy – Local Nature Recovery Strategy and Nature Recovery Network**

In accordance with the LNRS and Environment Act 2021, all proposals must contribute to the strategic objectives of the LNRS in order to facilitate meaningful, strategic nature recovery where possible.

In practice, this means that development within the mapped NRN areas (including the proposed nature recovery areas) will not be supported, unless it is proven that the need cannot be met elsewhere in the district, is of overriding public interest, and that the proposals will result in a significant net gain to biodiversity, in excess of the standard policy requirement. Retention and enhancement of habitats in these areas is therefore considered to be of strategic significance, and must be entered inputted as such within the biodiversity net gain metric tool.

Proposals which result in enhancement of existing NRN features, expansion of existing features within NRN areas, and increase landscape scale connectivity of ecological features within NRN areas will be supported. Biodiversity Net Gain (BNG) credit creation and BNG delivery within NRN areas is encouraged. BNG delivery in these areas is therefore formally identified as being in an area of strategic significance within the biodiversity net gain metric tool.

### **How do you feel about Strategic Policy 88: Local Nature Recovery Strategy and Nature Recovery Network?**



**Why do you feel this way and do you have any comments?**

#### **Comments**

**Members agree with the concept but feel that more information and training is needed about the network and strategy to fully understand the benefits of this policy.**

#### **Ecological Impact Assessment**

Ecological Impact Assessment is an exercise undertaken, to support development proposals, to understand the impacts that schemes may have on biodiversity assets and to ensure adverse impacts are minimised and opportunities for enhancements are gained.

#### **89. Policy – Ecological Impact Assessment**

To ensure that potential ecological impacts and mitigation measures are properly considered, Ecological Impact Assessment (EclA) should be carried out in accordance with published best practice guidance, such as the published Chartered Institute of Ecology and Environmental Management (CIEEM) EclA guidelines.

Protected species survey work should follow published best practice guidelines. Any deviation from best practice should be clearly stated within the EclA, with reasoning as to why best practice guidance has not been followed. Cost of survey effort and potential for delays are typically not valid reasons to deviate from best practice guidelines.

Deviations from best practice can include (but are not limited to):

- Surveying outside of designated optimal survey periods.
- Insufficient frequency/number of surveys to inform an accurate categorisation of the ecological feature.
- Insufficient equipment, i.e., use of equipment which does not meet the standard required.
- Surveys carried out by insufficiently experienced staff.
- Inability to access key areas of the site in order to carry out survey.
- Lack of consideration of ecological links with nearby features of ecological importance.

Proposals should contain all relevant ecological survey information required for the council to make an informed decision. Surveys should not be conditioned as part of a granted permission, as doing so would mean that the council has not fully considered and assessed the ecological impacts of the proposal prior to granting consent, and have therefore not fulfilled our biodiversity duty - to have regard to conserving biodiversity. Any necessary avoidance, mitigation, compensation or enhancement measures could have an impact on the layout of the site, and therefore should be included within the applications in a suitable level of detail according to the type of application.

#### The mitigation hierarchy

All proposals should be developed in line with The Mitigation Hierarchy. This is a hierarchal process whereby proposals should first seek to avoid biodiversity impacts. Where impacts cannot be avoided, measures should be proposed to mitigate (lessen the impact) of the proposals. Where residual impacts exist (following mitigation), impacts should be compensated for. Compensation is a last resort and should only be considered once avoidance and mitigation measures have been fully considered and are reasoned to be unachievable.

#### The precautionary principle

The precautionary principle is a tenet of environmental decision making. The precautionary principle has four central components: taking preventive action in the face of scientific uncertainty; shifting the burden of proof to the proponents of an activity; exploring a wide range of alternatives to possibly harmful actions; and increasing public participation in decision making.

The precautionary principle should be applied to decision making within planning applications, particularly where non-standard survey work or mitigation/compensation is proposed (i.e., decisions relating to ecological impacts and mitigation/compensation where guidance does not exist or is lacking in specificity or certainty). This is to ensure that positive outcomes to biodiversity are likely to occur where there is scientific uncertainty as to the accuracy of ecological impact assessments, baseline information provided, or the likely success of proposed mitigation/compensation measures.

In practice, this means that where there is reasonable doubt as to the certainty of ecological impacts, or the success of mitigation/compensation measures, then EDDC decision makers will err on the side of caution. This could mean requesting further ecological survey information or improving mitigation/compensation design in order to remove or reduce scientific doubt.

### How do you feel about Strategic Policy 89: Ecological Impact Assessment?



Why do you feel this way and do you have any comments?

#### Comments

##### Protected and notable species

A number of wildlife species are especially important and are afforded particular attention. Plan policy highlights how this protection will be applied in practice in respect of planning applications and their determination.

#### 90. Policy – Due consideration of protected and notable species

##### Protected and notable species

Proposals should adequately consider all relevant direct and indirect impacts on protected and notable species, in order to maintain and enhance the conservation status of these species at the relevant geographic scale.

For avoidance of doubt, these species include (but are not limited to):

- European Protected Species (species listed under Annex II and IV of the Habitats Directive).
- Section 41 species of Principle Importance (those listed under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006).
- Species listed under schedules 1, 5 and 8 of the Wildlife and Countryside Act 1981.
- Red and Amber listed birds within Birds of Conservation Concern 5
- Any Red Data Book, Nationally or Regionally Notable species.
- In all circumstances the mitigation hierarchy should be applied, and the precautionary principle applied to the provision of suitable avoidance, mitigation and compensation measures.

Development that is likely to have an adverse impact on European Protected Species will only be permitted if the three relevant licensing tests are likely to be met:

- That there is not satisfactory alternative
- That there is a purpose and genuine need for the proposal

- That the proposal, including mitigation, is considered to have no impact on the favourable conservation status of the species concerned.

### **Invasive species**

Proposals should adequately consider their impacts on invasive non-native species, such as those listed under Schedule 9 of the Wildlife and Countryside Act 1981. Where Schedule 9 species are present within an application boundary, EDDC expect that the proposal would include a full invasive species removal plan, in order to remove the species from the site in perpetuity and guard against future spread on site, prevent re-establishment following removal, and prevent potential colonization of adjacent habitats.

**How do you feel about Strategic Policy 90: Due consideration of protected and notable species ?**



**Why do you feel this way and do you have any comments?**

### **Comments**

#### **Design feature for wildlife enhancement**

Through new development it is very sensible to seek to create new areas and feature in which wildlife can thrive. We have therefore established policy to promote wildlife enhancement in development proposals.

#### **91. Policy – Ecological enhancement and incorporation of design features to maximize the biodiversity value of proposals**

In addition to any features provided as part of required mitigation or compensation measures, all proposals are required to include functional features of biodiversity value which are tailored to specific proposals and relevant local receptors. These features should be proposed in accordance with best practice, in locations which maximize the potential benefits of the provided features, such as areas with high habitat connectivity, low human disturbance and low lighting levels.

As a minimum, the following features are required within new proposals where relevant:

1. Integrated bird boxes in suitable locations at an average of one per dwelling, or a relevant number to be agreed with EDDC for flats or non-dwelling applications, to be provided in accordance with BS42021:2021.
2. A range of integrated bat boxes in all locations suitable for use by bats (i.e., adjacent to suitable habitats and not significantly impacts by artificial lighting).

3. An integrated bat loft within all Major planning applications, if ecologically relevant (i.e., if the site is a suitable location for a bat loft to be constructed - not too isolated or within unsuitable habitat such as heavily urbanized well-lit areas).
4. Overhanging eaves suitable for nesting house martins in all Major applications
5. Gaps in the bases of garden fences (between gardens, and within fences between gardens and wider ecological networks, to facilitate movement of hedgehogs and other protected and notable species).
6. Other features that should be included where relevant include (but are not limited to):
  - Reptile/amphibian hibernacula.
  - Brash piles.
  - Invertebrate bricks.

The location and specification of biodiversity features should be designed with input from a qualified ecologist. Bat and bird boxes should be integrated within the fabric of the building to ensure longevity and retention when ownership changes (i.e., to avoid removal by new owners).

**How do you feel about Strategic Policy 91: Ecological enhancement and incorporation of design features to maximize the biodiversity value of proposals?**



**Why do you feel this way and do you have any comments?**

### **Comments**

**This is considered a good policy and stronger than what exists currently but it is felt that the trigger point needs to be low and very clear.**

**Members were also curious as to why there is no mention of swift tubes.**

### **Trees in East Devon**

Trees form a hugely important wildlife asset and are attractive features in their own right. We are promoting enhancement of trees and tree coverage in the district.

### **92. Policy – Tree policy**

East Devon District Council has recently committed to contributing to the Devon Tree Strategy, which is a Devonwide strategy being prepared by all Devon

Authorities (except Plymouth). The Tree strategy will outline high level tree objectives which will be split by district. The strategy will be used to inform future redrafting of tree policy:

Development schemes should seek to:

- Protection of existing tree stock and new landscaping schemes via tree preservation orders.
- Provide increased tree planting within proposals, including street tree planting minimum specification.
- Provide Potential net gain in canopy cover and contribution towards local canopy cover goals (to be confirmed by the tree strategy) as a result of development.
- Provide Minimum standard tree numbers for new hedgerows in proposals
- Encourage appropriate natural or enhanced natural regeneration
- Deliver Expectation for tree retention during development
- Take into account climate change and local characteristics within selection of appropriate trees
- Take into account Appropriate consideration of Ash dieback within internal practice and developments, including potential retention of trees and deadwood, and consideration of appropriate replacement stock.

**How do you feel about Strategic Policy 92: Tree Protection ?**



**Why do you feel this way and do you have any comments?**

### **Some comments**

**Members support the principle of this policy but feel it needs strengthening and more detailed and specific targets need to be determined at a local level.**

**It was noted that individual tree protection orders do not protect the tree canopy.**

### **The Dorset and East Devon Coast World Heritage Site**

Most of the East Devon coastline forms part of the Dorset and East Devon Coast World Heritage Site (often referred to as the Jurassic Coast). This coastline was given international recognition in 2001 on account of its exceptional geological importance and as such joined a global family of unique and exceptional places that illuminate humanity's collective history, identity and relationship with nature.

### **93. Policy – Protection and enhancement of the Jurassic Coast World Heritage site**

Development within the Jurassic Coast World Heritage site, or that could adversely impact on its setting, will only be permitted if it can be demonstrated that the Outstanding Universal Value of the coastline and specifically its geological importance, will not be adversely affected.

Applications for planning permission that could give rise to adverse impacts, will be assessed in respect of:

- The setting and importance of the site;
- The inherent attributes and geological qualities of the site, specifically relating to the its 'Outstanding Universal Value';
- The grounds and reasons for its inscription; and
- Its overall integrity (including possible incremental loss) and local impacts of development.

The international importance of the site and its setting is such that development proposals will be rigorously reviewed in determination of planning applications and this policy will sit alongside other affording coastal and countryside protection and enhancement.

**How do you feel about Strategic Policy 93: Protection and enhancement of the Jurassic Coast World Heritage site?**



**Why do you feel this way and do you have any comments?**

### **Comments**

#### **Sites designated for their geological importance**

Geological sites may benefit from national designation, specifically as Sites of Special Scientific Interest (putting them equal to wildlife sites with the same designation) on account of their geological value and importance. Plan policy specifically seeks to afford protection to these designated sites.

#### **94. Policy – Protection of designated geological sites**

Proposals and plans that would cause a direct or indirect adverse effect upon nationally designated geological sites will not be permitted unless all of the following criteria are met:

1. They cannot be located on alternative sites that would cause less or no harm.
2. The public benefits of the proposal clearly outweigh the impacts on the features of the site and the wider network of natural habitats and designated sites.



3. Suitable avoidance, mitigation and compensation measures are proposed, in accordance with the mitigation hierarchy.
4. Where possible the integrity of the site will be maintained.

**How do you feel about Strategic Policy 94 : Protection of designated geological sites ?**



**Why do you feel this way and do you have any comments?**

**Comments**

### **Regionally Important Geological and Geomorphological Sites**

At the local level there are sites or areas that are designated as Regionally Important Geological and Geomorphological Sites (RIGS). These sites are identified for their scientific and educational value and provide a valuable local asset to complement nationally designated or recognised sites.

### **95. Policy – Regionally Important Geological and Geomorphological Sites**

The granting of planning permission for development or land-use changes that may have an adverse effect, either directly or indirectly, on Regionally Important Geological and Geomorphological Sites will only be permitted if the justification for the proposed development clearly outweighs any harm to the intrinsic scientific or educational value of the site.

Where development is permitted mitigation will be required to minimise the negative impacts and where this is not possible adequate compensatory enhancement or new site creation schemes will be required.

**How do you feel about Strategic Policy 95: Regionally Important Geological and Geomorphological Sites ?**



**Why do you feel this way and do you have any comments?**

**Comments**

## Chapter 14. Open space and sports and recreation facilities

### The importance of open space and sport and recreation facilities

Having ready and easy access to attractive open spaces for all people at all stages of life is critical for mental and physical wellbeing. In East Devon we are blessed with an exceptionally attractive environment with many high quality and accessible open space areas. However, this does not translate to everyone having readily accessible open space available to use and enjoy.

### Access to open space and recreation facilities

We have, therefore, set out an over-arching strategic policy position in respect of open space and sports facility provision. Policy seeks to set an agenda for provision of open space and recreation provision to match and be aligned with new development coming forward and if or where possible to address deficits in current provision.

### 96. Strategic Policy – Access to open space and recreation facilities

Support will be given for the provision of new and enhanced access to high quality open space and sports and recreation facilities.

A key consideration in accommodating new development will be to ensure that residents, visitors to or users of any new scheme must be able to access open spaces and sports facilities and enjoy the benefits that such spaces and facilities offer. Such an outcome will require that availability of space and safe and easy access for all to it for all will need to be fully taken into account at the outset of designing any development scheme or proposal.

Qualitative (how good it is) and quantitative (how much there is of it) assessments of open space provision, in respect of what exists now and what is planned will be determining considerations in the decision-making process. Securing planning permission for development will require meeting and ideally exceeding specified standards of provision.

#### How do you feel about Strategic Policy 96: Access to open space and recreation facilities?



#### Why do you feel this way and do you have any comments?

Members are broadly supportive of this policy in so far as it aims to support new open and recreation space; however, experience in Exmouth has shown us that “access” is key and that it is challenging to provide accessible new recreation space of a decent size and quality within our built up area boundary due to:

- landscape impact including AONB and Coastal Preservation Area,
- sustainable travel and accessibility,
- protection of Green Wedge,
- agricultural land quality,
- impact on wildlife/biodiversity and trees/hedgerows,
- sports pitch site sustainability and viability.

Are the envisaged accessibility (time) standards based on walking or driving?

### **Quantified open space standards applicable for new development**

Where new development schemes come forward, especially for housing development, it will be essential that they have access to appropriate levels of existing open space (and will not in their own right generate a shortfall through using up spare capacity) or that they will provide or contribute to new open space provision.

Plan policy sets out quantified open space standards.

### **97. Policy – Land and buildings for sport, recreation and open space areas in association with development**

In the full policy we set out the actual quantified levels of different types of open space provision but they are excluded from this on-line summary version. The full policy and full plan should be read for a complete picture, noting that policy wording below is an abbreviation of the full wording.

Planning permission for new housing development will only be granted where there is, or there will be, land and space for sports pitches. Noting that further work is being undertaken on quantified needs and this will be undertaken in 2023.

Developments proposing net new dwellings will be expected to provide for open space on-site where there is a demonstrable need for such open space. Developments will be assessed against existing provision in the parish in which they are proposed. Where existing provision of specific types of space exceeds quantity standards, on-site provision will only be required where the existing open space is of poor quality or is in some other manner deficient such as not matching up to the accessibility standard.

Developments which do not meet policy requirements will be refused planning permission though there will be scope through negotiation to vary types and quantities of space if the net benefits achieved can be clearly shown to be greater than the tabulated need figures,

Provision of outdoor sports pitch requirements (grass and artificial) will be guided by work that is to be completed on a new Playing Pitch Strategy.

**How do you feel about Strategic Policy 97: Land and buildings for sport, recreation and open space areas in association with development?**



**Why do you feel this way and do you have any comments?**

Members feel that this policy is too vague and “demonstrable need” will be subjective in the context of not having an adopted playing pitch strategy. The scope for “negotiation” to vary types and quantities of space leaves the policy open to abuse. Also, if onsite provision is not possible due to the quality of land, for example, the option of securing a financial contribution for offsite provision is not specifically defined and reference to “money collected being pooled to fund publicly accessible open space projects” is concerning if said financial contributions are collected under the terms of Community Infrastructure Levy, as there is no guarantee that the money will be used for open space and recreation projects *specifically, or in the parish which produces the levy.*

The policy should be drafted with sufficient clarity that it can be applied consistently and it should be supported by appropriate evidence.

### **Location for new facility provision**

New facilities for formal and informal recreation should be located where they will meet needs, are accessible to the population and where the uses proposed and types of activities that will be accommodated will be compatible with neighbouring uses and any wider plans for a general area. Providing safe and attractive links between open space areas can be an especially beneficial outcome of plan policy.

### **98. Policy – Location of facilities for sport and recreation, open spaces and allotments**

Within or adjoining urban or built-up areas, planning permission will be granted for new open space areas, allotments, sports facilities and parks and for the upgrading or enhancement of existing facilities provided that unacceptable adverse amenity or environmental impacts do not arise from development.

Any new or enhanced provision should be readily accessible to all people with a particular emphasis attached to ensuring safe pedestrian and bicycle accessibility and any building works should be at most modest in scale and within or well related to the built form of settlements or development boundaries.

**How do you feel about Strategic Policy 97: Location of facilities for sport and recreation, open spaces and allotments?**



### Why do you feel this way and do you have any comments?

Members feel that this policy could be detrimental to the provision of new facilities for formal recreation space in Exmouth due to the environmental constraints associated with the Pebblebed Heaths, SSSI status, AONB and Coastal Preservation Area. Also, that the use of the word “accessible” is again very subjective.

How do you define “unacceptable adverse amenity or environmental impacts”?

What are the envisaged accessibility (distance) standards that will be applied under this policy?

### Avoiding the loss of existing facilities

Facilities used for sport and recreation can come under pressure for reuse or redevelopment for non-sporting and recreational uses or changes from one type of sporting use to another. Policy of the local plan will seek to resist such losses unless, under plan policy, there is clear justification.

### 99. Policy – Retention of land and buildings for sport and recreation use

Proposals that would result in the loss of open space currently or previously used for recreation and/or sports uses, play areas or playing fields will not be permitted unless at least one of the tests below is satisfied:

1. Local Plan policy compliant alternative provision of equivalent community benefit is made available and will be appropriately laid out by the applicant as a replacement.
2. Sports and recreational facilities can best be retained and enhanced through the redevelopment of a small part of an overall site.
3. Locally (within the parish where it is located) there is an excess of public open space, children's play areas or sports pitch provision – the excess will be measured on the basis of a generic space type reference – e.g. grass area suitable for team sport – rather than a space for a specific sport.

### How do you feel about Strategic Policy 99: Retention of land and buildings for sport and recreation use?



## Why do you feel this way and do you have any comments?

Again, Members are supportive of a policy which protects recreation land from development but believe the scope for some sites to be treated as exception sites leaves this policy open to abuse. The use of words like “equivalent community benefit” and “small part of an overall site” are too loosely worded. In Exmouth, the historical examples of Rolle Playing Fields and St Johns Playing field demonstrate that the loss of recreational land is hard to resist unless there is a strict policy in place to protect the site, in perpetuity.

## New allotments and avoiding the loss of existing ones

Allotments are a valuable asset in promoting greater sustainability within local communities and are recognised as being of particular importance in urban areas, especially where individual gardens may be small in size.

The need for additional allotments depends on local factors though the council would be supportive of new provision. Proposals involving the development and thus resulting in the loss of allotments must have regard to considerations of demand and conveniently located alternative sites.

## 100. Policy – New allotments and avoiding the loss of existing ones

New allotments will be granted planning permission where they are well related to settlements and will avoid adverse environmental or amenity impacts.

Planning permission will not be granted for developments that would result in the loss of existing allotments unless at least one of the test set out below is satisfied:

- A development proposal will create a new provision that is equal to or better than that being lost: or
- There is a demonstrable over-supply in a locality (need to define what we mean by locality).

## How do you feel about Strategic Policy 100: New allotments and avoiding the loss of existing ones?



## Why do you feel this way and do you have any comments?

Members are supportive of this policy but feel that it paints a rather simplified view of the provision of allotments and their management.

Allotment sites owned by *local authorities* can be designated as 'statutory' or 'temporary' where 'statutory' sites are already subject to some protection under the Allotments Act 1925. 'Temporary' sites have no security beyond the usual planning system requirements. However, there are also a number of private allotment sites in the District and these are much more likely to be the subject of development plans. As a result of these differences, the designation of a site is important to local authorities and allotment holders alike and we feel that the policy should be clearer in its intent.

Consideration also needs to be given to the ongoing management of allotment sites. In many cases, this will fall to the Town or Parish Councils and ideally, they should be consulted when the associated S106 agreement is being drawn up to ensure that the new provision is managed consistently.

### **Sport and recreation facilities in the countryside**

The changing nature of agriculture and the need for rural diversification has focused attention on alternative uses of land within the countryside. In this respect the provision of outdoor recreation facilities is of particular relevance. This type of development can have a significant visual impact on the character of the landscape and the surrounding countryside. It is also acknowledged that proposals can provide opportunities to improve the environment and to create wildlife habitats.

Some uses, such as horse riding, will be encouraged where they can be accommodated safely and are not detrimental to the countryside but their associated services and paraphernalia will need to be controlled. Dwellings in the open countryside will not be justified on the basis of a recreational need.

### **101. Policy – Leisure and recreation developments in the countryside**

Planning permission will be granted for outdoor recreation facilities in the countryside and on the coast provided that the nature of the activities undertaken or the space requirements of the proposal require a countryside or coastal location and all of the following tests are met:

1. The facilities or development proposals are in scale with the character, environmental characteristics and setting of the area and do not conflict with countryside, nature or landscape policies, nor detract from the amenities of the area.
2. The proposals allow for safe access and discreet parking arrangements, particularly in environmentally sensitive areas, and do not result in the loss of or cause unacceptable disruption to existing public rights of way.
3. On site facilities are appropriate to meet the needs of the proposal and links with adjacent footpaths and bridleways should be suited to any proposed site uses.

The clear policy expectation is that low impact uses only will be accommodated and such uses should be countryside related activities

Any building work should be small scale and subservient to wider site use and where possible existing building reuse rather than new development should take place,

Any new buildings and necessary extensions should be limited in scale and be in close proximity to existing groups of buildings or an existing settlement.

Where it is proposed to extend or intensify an existing use the proposals and any net cumulative additional impacts will be considered in the context of and be required to be compatible with all of the above.

**How do you feel about Strategic Policy 101 : Leisure and recreation developments in the countryside?**



**Why do you feel this way and do you have any comments?**

Members believe that there is a real risk of creep with this type of development. e.g. Woodbury Park Hotel and Golf Club started out as a golf course and club house but has grown massively and diversified over the years to incorporate a hotel and other accommodation. The hotel is arguably in a sensitive area, close to the Pebblebed Heaths. The relevant policies in the Local Plan need to ensure that the principle of development does not pave the way for expansion beyond the initial intended use.



## **Chapter 15 - Our outstanding historic environment**

East Devon is fortunate in having a rich heritage and distinctive vernacular architecture which makes it a unique place to live in and visit. Local materials such as chert, cob, thatch and clay tiles are used extensively as well as local limestone and Beer stone. East Devon's historic environment isn't just limited to man-made buildings, monuments, standing stones and archaeological sites, but landscapes and wildlife habitats resulting from millennia of human interaction with nature.

National policy emphasises the importance of heritage assets for their contribution to quality of life, and as an irreplaceable resource which should be conserved in a manner appropriate to their significance. Local planning authorities are required to set out in their plans, "a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats" and to make information on the historic environment, gathered as a part of policy-making or development management, publically accessible. Policy implementation will be informed by the East Devon Heritage Strategy, which presents a summary of the District's heritage, its significance and its benefits whilst developing objectives for the future, with an action plan for the delivery of recommendations. The strategy runs for 12 years from 2019 – 2031 and will be updated during the life of the local plan. The strategy focuses on the heritage assets of the district where the Council has a direct role and responsibility, or influence, in the decision making or management process. However broader designations that inform the strategy are also considered, such as the Areas of Outstanding Natural Beauty, which have a positive influence on the enhancement and management of the district's heritage.

### **Historic Environment**

We identified it as important to have an over-arching policy in respect of the historic environment.

#### **102. Policy – Historic Environment**

Proposals for new development that may affect heritage assets should take account of the desirability of sustaining and enhancing the significance of those assets and putting them to viable uses consistent with their conservation.

Particular encouragement will be given to schemes that will help secure the long term conservation of vacant and under-used buildings and bring them back into appropriate use. Heritage assets include statutorily designated Scheduled Monuments, Listed Buildings or structures, Conservation Areas, Registered Parks and Gardens, Registered Battlefields, archaeology of national and local interest and non-designated buildings, structures or historic landscapes that contribute to local historic and architectural interest of the district's historic environment, and also includes those heritage assets listed in the Devon Historic Environmental Record.

Proposals for new development must be sensitively designed and not cause harm to the historic environment. Proposals that have an impact on heritage assets (whether they are designated or non-designated) will only be supported where they:

1. conserve or enhance the significance of the heritage asset and its setting. The more important (or significant) the heritage asset, the greater the weight that will be given to its conservation;
2. make a positive contribution to local character and distinctiveness (through high standards of design, reflecting its significance, including through the use of appropriate materials and construction techniques);
3. make a positive contribution towards wider public benefits;
4. provide a viable future use for a heritage asset that is consistent with the conservation of its significance; and/or
5. protect a heritage asset that is currently at risk.

Non-designated heritage assets, where identified through local or neighbourhood plan-making, Conservation Area Appraisal or review or through the planning application process, will be recognised as heritage assets in accordance with national guidance and any local criteria. Development proposals that directly or indirectly affect the significance of a non-designated heritage asset will be determined with regard to the scale of any harm or loss and the significance of the asset.

Applicants will be required to describe, in line with best practice and relevant national guidance, the significance of any heritage assets affected including any contribution made by their setting. The level of detail should be proportionate to the asset's importance. In some circumstances a planning condition will require further survey, analysis and/or recording.

Alterations to historic buildings, for example to improve energy efficiency or reduce carbon emissions, should respect the integrity of the historic environment and the character and significance of the building.

### How do you feel about Strategic Policy 102: Historic Environment?



Why do you feel this way and do you have any comments?

#### Comments

**Members are broadly supportive of this policy but feel that clear definition is required of a “heritage asset” and that the term could be used, for example, in reference to Exmouth promenade and its heritage as a victorian seaside promenade as well as distinct architectural features.**

**Concerns have been expressed about reference at an early stage to sources of historic information and further surveys being required. This is fine in principle but it needs to have the appropriate enforcement powers and staffing.**

## **Listed buildings**

Within East Devon around 4,600 buildings and structures are “listed” (included on a register known as the List of Buildings of Special Architectural or Historic Interest) due to their special architectural or historic interest at a national level. When a building or structure is listed, it is listed in its entirety, which means that both the exterior and the interior are protected which includes interior features and fabric such as staircases, panelling, roof structures, floors, walls, fireplaces, doors etc. In addition, any object or structure fixed to the building, and any object or structure within the curtilage of the building, which although not fixed to the building, forms part of the land and has done so since before 1 July 1948, are treated as being part of the listed building. Occasionally land will form part of the setting of a heritage asset despite lying some distance away, for example where there is a historical or functional association.

### **103. Policy – Listed buildings**

1. Proposals for development, including change of use, that involve any alteration of, addition to or partial demolition of, a listed building or within the curtilage of, or affecting the setting of a listed building will be expected to:

i) conserve, enhance or better reveal those elements which contribute to the heritage significance and/or its setting;

ii) respect any features of special architectural or historic interest, including, where relevant, the historic curtilage or context, such as burgage plots, or its value within a group and/or its setting, such as the importance of a street frontage or traditional shopfronts; and

iii) be sympathetic to the listed building and its setting in terms of its siting, size, scale, height, alignment, materials, building methods and finishes (including colour and texture), design and form, in order to retain the special interest that justifies its designation

2. Development proposals affecting the significance of a listed building or its setting that will lead to substantial harm or total loss of significance will be refused unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that demonstrably outweigh that harm or loss or where the applicant can demonstrate that:

i) the nature of the heritage asset prevents all reasonable uses of the site; and

ii) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and

iii) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and

iv) the harm or loss is outweighed by the benefit of bringing the site back into use.

3. Development proposals that would result in less than substantial harm to the significance of a listed building will be expected to:

i) minimise harm and avoid adverse impacts, and provide justification for any adverse impacts, harm or loss of significance;

ii) identify any demonstrable public benefits or exceptional circumstances in relation to the development proposed; and

iii) investigate and record changes or loss of fabric, features, objects or remains, both known and unknown, in a manner proportionate to the importance of the change or loss, and to make this information publicly accessible.

4. Changes of use will be supported where it can be demonstrated that the new use can be accommodated without any adverse effect on the significance of the building and its setting

#### How do you feel about Strategic Policy 103: Listed buildings?



Why do you feel this way and do you have any comments?

#### Comments

**Members agree with this policy but feel that it should be possible to introduce energy efficient measures in listed buildings without too much red tape.**

#### Conservation Areas

There are 33 Conservation Areas in East Devon, covering parts of all the main towns (except Cranbrook) and the historic cores of many smaller settlements. Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 describes Conservation Areas as “areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance”. Inevitably, these areas will vary greatly. Attractive groups of buildings, open spaces, trees and hedgerows, an historic settlement pattern, or features of archaeological interest, may all contribute to the special character of an area, and it is that character, rather than individual buildings, which Conservation Area legislation seeks to preserve and enhance. This does not mean that they cannot develop; change is often necessary to accommodate the demands of modern living as our historic towns and village centres are always likely to attract new development. Any development would, however need to preserve or enhance the

character of the area and may require planning permission and/or planning permission for demolition in a conservation area.

#### **104. Policy – Conservation Areas**

1. Proposals for development within or affecting the setting of a Conservation Area must conserve or enhance its special interest, character, setting and appearance. Development will be expected to:

i) contribute to the Conservation Area's special interest and its relationship within its setting. The special characteristics of the Conservation Area (such as existing walls, buildings, trees, hedges, burgage plots, traditional shopfronts and signs, farm groups, medieval townscapes, archaeological features, historic routes etc.) should be preserved;

ii) take into account important views within, into or out of the Conservation Area and show that these would be retained and unharmed;

iii) respect the local character and distinctiveness of the Conservation Area in terms of the development's: siting; size; scale; height; alignment; materials and finishes (including colour and texture); proportions; design; and form and should have regard to any relevant Conservation Area Character Appraisal;

iv) be sympathetic to the original curtilage of buildings and pattern of development that forms part of the historic interest of the Conservation Area;

v) be sympathetic to important spaces such as paddocks, greens, gardens and other gaps or spaces between buildings which make a positive contribution to the pattern of development in the Conservation Area;

vi) ensure the wider social and environmental effects generated by the development are compatible with the existing character and appearance of the Conservation Area; and/or

vii) ensure no loss of, or harm to any building or feature that makes a positive contribution to the special interest, character or appearance of the Conservation Area.

2. Where a proposed development will lead to substantial harm to or total loss of significance of a Conservation Area, consent will only be granted where it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh that harm or loss.

3. Where a development proposal will lead to less than substantial harm to the significance of a Conservation Area, this harm will be weighed against the public benefits of the proposal.

4. Wherever possible the sympathetic restoration and re-use of structures which make a positive contribution to the special interest, character or appearance of the

Conservation Area will be encouraged to prevent harm through the cumulative loss of features which are an asset to the Conservation Area.

### How do you feel about Strategic Policy 104: Conservation Areas?



Why do you feel this way and do you have any comments?

#### Comments

**This is a very pragmatic policy which has the support of Exmouth Town Councillors.**

### Archaeology and Scheduled Monuments

East Devon has a significant archaeological heritage which is a finite and non-renewable resource with great social, economic, cultural and educational value. Around 200 archaeological sites and monuments are designated as Scheduled Monuments and are legally protected under the terms of the Ancient Monuments and Archaeological Areas Act.

The Devon Historic Environment Record, maintained by the County Council, also includes numerous other sites of local interest but, due to their size, form and the large numbers added to the record annually, it is not practical for the Policies Map to identify them. The record is available for applicants to view.

A network of historic routes also exist as archaeological features in the district, ranging from pre-historic tracks, Roman roads, sunken lanes to later turnpike roads. These routes are integrated into the district's landscape and serve an important function in linking settlements and forming a unique setting for the district's distinctive landscape features and will therefore be protected.

### 105. Policy – Archaeology and Scheduled Monuments

1. Development must protect the site and setting of Scheduled Monuments or nationally important designated or undesignated archaeological remains, including ancient routeways and milestones.

2. Applicants will be expected to undertake an assessment of appropriate detail to determine whether the development site is likely to contain archaeological remains. Proposals must show how the development proposals have had regard to any such remains.

3. Where the assessment indicates archaeological remains on site, and development could disturb or adversely affect archaeological remains and/or their setting, applicants will be expected to:

- i) submit an appropriate archaeological desk-based assessment; or
- ii) undertake a field evaluation (conducted by a suitably qualified archaeological organisation), where necessary.

4. Nationally important archaeological remains (whether scheduled or demonstrably of equivalent significance) should be preserved in situ. Non-designated archaeological sites or deposits of significance equal to that of a nationally important monument will be assessed as though those sites or deposits are designated.

5. Where a proposed development will lead to substantial harm to or total loss of significance of such remains consent will only be permitted where it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

6. Where a development proposal will lead to less than substantial harm to the significance of such remains, this harm will be weighed against the public benefits of the proposal.

7. For other archaeological remains, the effect of a development proposal on the significance of the remains, either directly or indirectly, will be taken into account in determining the application.

8. In exceptional cases, where harm to or loss of significance to the asset is considered to be justified, the harm should be minimised, and mitigated by a programme of archaeological investigation, including excavation, recording and analysis. Planning permission will not be granted until this programme has been submitted to, and approved by, the Council and development should not commence until these works have been satisfactorily undertaken by an appropriately qualified organisation. The results and analysis of findings subsequent to the investigation should be published and made available to the relevant local and county authorities.

### How do you feel about Strategic Policy 105: Scheduled Monuments?



Why do you feel this way and do you have any comments?

#### Comments

#### Has the Local Planning Authority got a suitable qualified officer?

### Historic Landscapes, parks and gardens

Historic landscapes, parks and gardens are an important part of East Devon's heritage and environment. They comprise a variety of features including the open

space itself, views in and out, archaeological remains and, in the case of parks or gardens, a conscious design incorporating planting and water features, and frequently buildings. Historic landscapes are also important for their green infrastructure and biodiversity value. There is a need to protect such sites and their settings and to encourage sympathetic management wherever possible.

The most important sites have been included on the “Historic England Register of Historic Parks and Gardens of Special Historic Interest in England” and/or on the National Heritage List for England. In addition to the nationally important registered sites the district has several other sites of regional or local importance that should also be protected from harm, and enhanced where possible.

### **106. Policy – Historic Landscapes, parks and gardens**

1. Proposals should conserve or enhance the special historic interest, character or setting of a park or garden on the Historic England Register of Historic Parks and Gardens of Special Historic Interest in England.

2. Any harm to or loss of significance of any heritage asset requires clear and convincing justification. Substantial harm to or loss of these assets should be wholly exceptional in the case of Grade I and Grade II\* Registered Historic Parks and Gardens and exceptional in the case of Grade II Registered Historic Parks and Gardens.

3. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, consent will only be granted where it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. All other options for their conservation or use must have been explored.

4. A balanced judgment, having regard to the scale of any harm or loss and the significance of the heritage asset, will be required in assessing proposals affecting non-designated historic parks and historic landscapes (including historic routes and battlefields).

5. Applicants will be required to describe, in line with best practice and relevant national guidance, the significance of any heritage assets affected including any contribution made by their setting. The level of detail should be proportionate to the asset’s importance. In some circumstances planning conditions will require further survey, analysis and recording.

**How do you feel about Strategic Policy 106 : Historic landscapes & Gardens Monuments?**



**Why do you feel this way and do you have any comments?**



## Comments

Members are in agreement with this policy but note that sub section 3 is very subjective. How do you quantify substantial harm? How do you measure the balance between *substantial* harm and *substantial* public benefits?! Who decides?