

Table of proposed changes to the East Devon Local Plan for consultation from 16 October 2015 to 12 noon 30 November 2015

The table that follows identifies proposed changes to the local plan discussed at hearing sessions in July 2015 and from subsequent work. Amendments are shown in sequential plan order and the column headings are:

Change Ref	Changes listed in this table are numbered sequentially.
Policy/Para No	This is the policy or paragraph number in the draft of the plan referred to below.
Plan Page	This is the page number in the draft of the plan referred to below..
Proposed Change to the Plan	This is the proposed amended wording. New text is shown in <u>underlined</u> and deletions as struck through . The changes have been applied to the revised draft of the plan (available for consultation in April 2015), see: http://eastdevon.gov.uk/media/1060693/psd2015a-local-plan-tracked-changes-consultation-apr-2015.pdf In the schedule the proposed changes are set out on the basis of an assumption that all tracked changes from previous consultation are accepted. On this basis only the proposed August 2015 changes are shown in the table below.

The proposed changes are subject to consultation running from Friday 16 October 2015 to 12.00 noon on Monday 30 November 2015. All responses should be received by the Council before this date and time and can be:

emailed to: localplan@eastdevon.gov.uk

or posted to: Planning Policy Section, East Devon District Council, Knowle, Sidmouth, EX10 8HL

Find out more about this consultation at: <http://eastdevon.gov.uk/planning/planning-policy/emerging-plans-and-policies/the-new-local-plan/examination-and-hearing-sessions-and-further-consultation/work-programme-autumn-2015/#article-content>

Please note that we have produced a separate form for making comments which is also available on this web page and from the council.

Change Ref	Policy/ Para No	Plan Page	Proposed Change to the Local Plan
01	Para 5.5	26	<p>Para 5.5 amended to read.</p> <p>Habitat Regulations are concerned with the potential adverse impacts that development could have on the best and most significant wildlife sites designated under European legislation include the Exe Estuary, the Pebblebed Heaths, the River Axe corridor and the un-developed coastline between Sidmouth and Lyme Regis. An initial Habitat Regulations Screening report was produced and published.¹ A final Habitat Regulations Report has also been was published in 2014 and it has informed final policy wording in the plan.² <u>Plan refinement is supported by a final Habitat Regulation Assessment.</u>³ Habitat assessment work clearly shows that any development that could lead to extra visitor pressure on the Exe Estuary or the Pebblebed Heaths would be likely to have adverse nature conservation impacts unless mitigation measures are put in place.</p>
02	Para 6.6 (para after this)	30	<p>Below paragraph 6.6 and under the heading reading – ‘Justification for Scale of Residential Development in the Plan’ the text is amended to read:</p> <p>An Exeter Housing Market Area Strategic Housing Market Assessment by DCA dated 2015 has been completed and this, taken in conjunction with supporting work by Edge Analytics (Policy-on work) and Ash Futures - Employment Projections for East Devon – Supporting Technical Evidence dated – 2015 - sets out an Objectively Assessed Housing requirement for the local plan that provides for 17,100 new dwellings over the 2013 to 2031 period. Planned provision at March to 2015 is expected to provide 48,244 <u>18,318</u> homes and this provides flexibility in respect of policy.</p>
03	Para 6.8	31	<p>Para 6.8 amended to read:</p> <p>East Devon's West End will be a focal point for job provision with a particular focus on encouraging strategic inward investment. We are allocating 23.4 <u>21.4</u> hectares of employment land in the West End which will be in</p>

¹ Land Use Consultants (2010) “The Draft Screening report under the Habitats Regulations” - [ID: General Evidence – Gen004]

² Footprint Ecology (2012) “Habitat Regulations Assessment of the East Devon Local Plan” [ID: Environment Evidence – ENV025]

³ See – <http://eastdevon.gov.uk/media/1287191/psd2015v-hrachangestolocalplanaug2015.pdf>

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			addition to sites with planning permission that already exist for development of the following proposals: <ul style="list-style-type: none"> a) Land at Cranbrook - 5 hectares already committed. b) Land at Science Park - 25 hectares already committed. c) Land at Skypark - 40 hectares already committed.
04	7.13	47 and 48	Para 7.13 amended to read: The Clyst Valley Regional Park will be a contiguous wildlife corridor and be one part of the solution and is considered necessary to enable <u>and support</u> major development in the West End of East Devon without generating adverse biodiversity impacts that would lead proposals falling foul of habitat regulation requirements. The Habitats Regulations require the Appropriate Assessment of any project where the likelihood of significant effects on European wildlife sites cannot be ruled out. The definition of a project should be taken in its widest sense, including any development that would normally need to have the benefit of planning permission, and could include projects where planning permission is not required. The timely delivery of a suitably sized, appropriately designed Clyst Valley Regional Park needs to be secured within this Plan in order to enable a conclusion that the Plan’s housing allocations will not adversely affect the integrity of the Exe Estuary and East Devon Heaths Natura 2000 and Ramsar sites. <u>Suitable Alternative Natural Greenspace (SANGS) will be provided within, adjoining or with appropriate accessibility to the Clyst Valley Regional Park. Only some parts of the overall park will be SANGS.</u>

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05	Clyst Valley Map	48	<p>Map on Page 48 of the plan is amended to show the location of possible West End SANGS sites.</p> <div data-bbox="568 331 1205 395"> <p><u>Areas in/adjoining the Clyst Valley Regional Park with Potential for SANGS</u></p> </div> <ol data-bbox="568 427 1205 1225" style="list-style-type: none"> <u>1. Land understood to be in New Community Partners control with limited potential for built development. Site has SANGS potential.</u> <u>2. Land that adjoin/forms part of application 15/0371/MOUT that was not proposed for built development. Site has SANGS potential.</u> <u>3. Land predominantly in National Trust ownership with ongoing discussions with the Trust that through agreement could have SANGS potential.</u> <u>4. Ashclyst Forest, which is in National Trust ownership, and discussions are ongoing in respect of opening up extensive areas as SANGS.</u> <u>5. Land north of Old Park Farm housing development sites will provide extensive open space. Scope for links to SANGS and possible provision.</u> <u>6. Land south of Mosshayne/Tithebarn Green may have open space and SANGS potential.</u> <u>7. Woodland Trust site. Scope for SANGS provision</u> <p data-bbox="568 1249 1115 1281"><u>Note all areas and boundaries are indicative only.</u></p> <div data-bbox="1227 319 1953 1380"> <p data-bbox="1236 331 1572 379">National Trust Land and Proposed Clyst Valley Regional Park</p> <p data-bbox="1608 1273 1944 1343"> Key: ■ Proposed Clyst Valley Regional Park (Strategy 10) ■ National Trust ownership </p> </div> <p data-bbox="1003 1337 1415 1369" style="text-align: center; font-size: small;">Crown Copyright. All rights reserved. 100023746.2015</p>

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06	Strategy 10	50	<p>Final paragraph of Strategy 10 amended to read:</p> <p>Mitigation measures in respect of the West End established as needed to comply with Habitat Regulation related assessment will need to accord with emerging and ultimately adopted measures set out in the ‘South-east Devon European Site Mitigation Strategy’. <u>Provision of SANGS will be an essential part of the overall West End development. Where possible SANGS should dovetail with wider Green Infrastructure policies and be compatible with neighbouring authorities’ plans. The functionality of any potential SANGS and its contribution to the avoidance of a likely significant effect must be clearly demonstrated.</u></p>
07	Para 7.27	54	<p>A new paragraph is added after paragraph 7.27 to read:</p> <p><u>In Spring 2015⁴ the Council published a draft Economic Development Strategy for Cranbrook that included reference to levels of B-class uses (office/ industrial/ warehousing). Paragraph 7.3 the strategy advises that in terms of employment land there is a total requirement for B-class uses of up to 8.7ha by 2030; and of 9.7ha for town centre and neighbourhood centre uses by 2030, making a total of 18.4ha in all. This level of provision is translated into plan policy with a phasing approach that requires quantified provision to be directly proportionate and linked to numbers of homes being occupied.</u></p>
08	Strategy 12	55	<p>An additional criteria to be added to Strategy 12 (between Criterion 1 and Criterion 2):</p> <p><u>1b. Gypsy and Traveller Provision - provision will be made for new gypsy and traveller sites to accommodate up to 30 pitches on land allocated for Cranbrook development. Provision will be required concurrently with (though in the early years of) the ‘bricks and mortar’ housing development of the allocated land.</u></p>
09	Strategy 12	55	<p>Item 2 of Strategy 12 amended to read:</p> <p>Jobs - provision of at least 18.4 hectares of employment land shall be made throughout the town to provide a</p>

⁴ see: <http://eastdevon.gov.uk/media/990961/cranbrook-econ-devt-strat-draft-doc-2015.pdf>

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			<p>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 Cranbrook and surrounding areas. <u>Serviced or otherwise available land should be available for occupation by employment uses on a phased based that is directly proportionate to house building:</u></p> <ul style="list-style-type: none"> • <u>4.5 hectares at/before 2,500 homes are occupied;</u> • <u>9 hectares at/before 5,000 homes are occupied;</u> • <u>13.5 hectares at/before 7,500 homes are occupied;</u> • <u>The remainder after 7,500 homes.</u> <p><u>Monitoring of take up of employment land and jobs provided will allow for future policy adjustment. Nearby West End employment sites will also provide jobs for Cranbrook residents and some will travel to other locations for work purposes including Exeter City.</u></p>
10	Strategy 20	69 and 70	<p>The final paragraph of Strategy 20 is deleted and replaced with new wording as set out below;</p> <p>Any new development which discharges into the River Axe may need to be subject to the measures of a Nutrient Management Plan, should one need to be produced. Should the capacity of existing sewage treatment work permits which discharge into the River Axe need to be re-examined, then a Habitats Regulations Assessment should be undertaken. The findings of which may require a review of the levels of development outlined in this plan. The District Council (as local planning authority), Natural England and Environment Agency will need to ensure new development does not cause deterioration in water quality and that the objective of achieving SAC targets in the future is met. Account will also need to be taken of the interim Diffuse Water Pollution Plan produced by the Environment Agency in 2014 which has been prepared to take action to reduce phosphorus entering the Axe river system from diffuse sources.</p> <p><u>Prior to the granting of planning permission for any major residential schemes at Axminster, the Council will agree, with the Environment Agency and Natural England, a timetable for the review or development of a Nutrient Management Plan for the River Axe. This plan will set out detailed actions that allow for new growth at Axminster to progress with adequate mitigation in place to negate the additional phosphate load that would be caused. The Nutrient Management Plan will work in collaboration with the diffuse Water Pollution Plan, and will seek to restore water quality for the River Axe SAC to enable it to meet its conservation objectives within a</u></p>

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			<p><u>specified timescale, and in accordance with commitments to European Directives. Depending on the findings of the plan, growth will only proceed in accordance with the mitigation delivery set out within that plan. Growth at Axminster will also be informed by the current status of the relevant discharge consents for waste water treatment works, and any upgrade required to support new growth will be the subject of Habitats Regulations Assessment prior to planning permission being given. The determination of such development applications will be informed by Habitat Regulations Assessment that takes account of the consent requirements.</u></p>
11	Paras 10.9	75	<p>Paragraph 10.9 and the paragraph that follows are amended to read:</p> <p>10.9 The Exmouth Seafront is recognised as a key asset for the town and the Council is a key driver in its further enhancement. To this end, along with Devon County Council, the District Council appointed LDA Design to undertake a town centre and waterfront design study to identify opportunities for renewal and improvement in the physical, economic and environmental quality of the town. The Final LDA study⁵ and recommendations and conclusion have been endorsed by the Council. <u>The implementation of some projects in the Masterplan is underway but the Council also recognises that it is time to re-evaluate the Masterplan. The future intention is that a new or refreshed Masterplan will be produced with this becoming a Supplementary planning Document (SPD).</u> and under strategic Local Plan policy land is designated to secure the implementations of schemes detailed in the masterplan work. The masterplan has proposed 27 different project opportunities large and small. These are being taken forward in a priority order.</p> <p>In 2014 the Council commissioned a Habitat Regulations Assessment of the Exmouth Town Centre and Seafront Masterplan by Footprint Ecology. Amongst other matters this assessment reviewed the differing projects making up the overall Masterplan work and made a series of project specific recommendations in respect of the Habitat Regulations. The assessment work notes that recreation activity and pressure has a negative impact on the European Sites. The Masterplan seeks to promote greater levels of recreation activity and the expectation is that, without appropriate mitigation and policy safeguards, further adverse impacts could well arise. Adverse impacts from individual projects, or through cumulative effects, would run counter to Habitat Regulation requirements. <u>This past assessment and future Habitat Regulations assessment work will inform a future</u></p>

⁵ LDA Design for EDDC (2011) Exmouth Masterplan – [ID: Regeneration – Rgn001]

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			<p><u>Masterplan and SPD, noting that</u> The effective implementation of the policies of the Local Plan, and the proposals of the Masterplan, should not result in an increase in disturbance of the SPA birds and their habitats. Roosting and feeding areas can be especially sensitive to activity and development pressure and the possible existence of high tide roosts could impact on the ability to deliver some masterplan <u>development potential and proposals</u>. Investigation of potential for any such roost should precede proposals or applications for development on a number of the <u>and be part of the work to inform a future</u> Masterplan schemes.</p>
12	Para 10.10	76	<p>Paragraph 10.10 deleted:</p> <p>10.10 The District Council has long identified the Imperial Road car park, Rugby Club site, bus station, former British Rail Club, estuary car park, Camperdown Creek and access roads as offering redevelopment potential for provision of a mix involving retail and commercial development, new homes, community facilities, high quality public realm and improved public transport interchange facilities. Any regeneration investment would involve significant improvements to the pedestrian link from this area to the town centre to ensure a close connection with existing services, leisure and shops. Relocations of facilities, such as the bus depot, could be needed as part of any redevelopment. The Habitat Regulations assessment (paragraph 3.30 onward) does identify, however, that increased human activity (especially if this leads to more dogs) in this estuary side area could cause significant adverse disturbance impacts. Sensitive screening and fencing, especially of the linear park area, could offer scope for negating potential adverse impacts and any built development should be designed in a way that avoids adverse impacts. Schemes coming forward will need to be informed by further survey work to more fully understand issues and inform design of mitigation measures. Redevelopment and use of the Mamhead slipway should draw water sports activity away from more sensitive estuary areas and should direct and focus recreational activity away from the waterfront area.</p>
13	Para 10.11	76	<p>Paragraph 10.11 deleted:</p> <p>10.11 Queens Drive – Exmouth Splash aims to provide a fully integrated tourism/leisure zone focused around ‘play’ for all ages and updating Exmouth’s rather dated play venues and facilities. An opportunity exists through Exmouth Splash to bring leisure and tourism uses into a revitalized seafront site, which extends to approximately 3 hectares on Queens Drive. The area incorporates the existing Harbour View Cafe to the west, all of the land</p>

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			<p>and buildings up to the Bowling Club boundary to the north, the Cricket Ground and The Maer to the east and includes the Queens Drive Car Park. The area is identified as ‘Exmouth Splash’ in the Exmouth Masterplan as a development opportunity for regeneration.</p>
14	Para 10.12	76	<p>Paragraph 10.12 deleted:</p> <p>The London Inn Car Park, Post Office and yard, former gas holder site in Union Street and the builders merchant premises in Fore Street have potential to provide additional retail and commercial development, together with short stay car parking to support the regeneration of the town centre. It is recognised that the former gas holder site and adjoining land, which forms part of a gas works, may be contaminated.</p>
15	Para 10.13 –	77	<p>Text under heading of ‘Habitat Mitigation in Exmouth’, after paragraph 10.13 is amended to read:</p> <p>Mitigation measures in respect of Exmouth established as needed to comply with Habitat Regulation related assessment will need to accord with emerging and ultimately adopted measures set out in the ‘South-east Devon European Site Mitigation Strategy’. <u>The strategy provides for one or more SANGS in Exmouth and this provision will need to be provided ahead of or in parallel with residential development in the town and further afield.</u> Where possible SANGS should dovetail with wider Green Infrastructure policies and be compatible with neighbouring authorities’ plans. The functionality of any potential SANGS and its contribution to the avoidance of a likely significant effect must be clearly demonstrated.</p> <p>The implementation of proposals set out in the Exmouth Masterplan and strategic proposals elsewhere in the town will need to demonstrate Habitat Regulations compliance through provision of appropriate mitigation in accordance with the ‘South-east Devon European Site Mitigation Strategy’ or as otherwise can be demonstrated to be technically robust <u>be supported by their own assessment with mitigation identified and measures guaranteeing delivery, where appropriate, identified.</u> Component projects within the Masterplan should also seek to maximise opportunities to deliver relevant measures set out in the Mitigation Strategy.</p>
16	Strategy 22	78	<p>Wording of Item 7, in Strategy 22, is amended to read:</p>

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			<p>Provision of SANGS - Suitable Alternative Natural Green Space (or SANGS) will be essential in Exmouth to mitigate, under the Habitat Regulations, against adverse impacts that would otherwise arise from development at <u>on the Exe Estuary and Pebblebed Heath sites. Enhancement and extension of parts of the Valley Parks in the town will be one significant option for , specifically for SANGS provision, will form part of the overall delivery with longer terms SANGS provision being secured on additional land at, around or beyond the town.</u></p> <p>Wording change in respect of Item d), in the policy is deleted::</p> <p>Waterfront Redevelopment Site – Land is shown for mixed use developments, to include provision for employment, retail and commercial uses as well as open space, recreation, tourism and cultural, community uses and potentially residential and other allied uses. A new supermarket is envisaged on land close to the town centre of Exmouth in this area.</p> <p>This change will also require the deletion from the Proposal Map (Exmouth inset) of the red hatched notation labelled “Exmouth Regeneration Area”.</p>
17	Strategy 32	113	<p>Wording in Strategy 32 amended to read:</p> <p>In order to ensure that local communities remain vibrant and viable and are able to meet the needs of residents we will resist the loss of employment, retail and community uses. This will include facilities such as <u>buildings and spaces used by or for job generating uses and community and social gathering purposes, such as pubs, shops and Post Offices.</u></p> <p>Permission will not be granted for the change of use of current or allocated employment land and premises or social or community facilities, where it would harm <u>social or community gathering and/or</u> business and employment opportunities in the area, unless:</p> <ol style="list-style-type: none"> 1. <u>Employment uses Continued use (or new use on a specifically allocated site)</u> would significantly harm the quality of a locality whether through traffic, amenity, environmental or other associated problems; or 2. The new use would safeguard a listed building where current uses are detrimental to it and where it would otherwise not be afforded protection; or

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			<p>3. Options for retention of the site or premises for employment uses <u>its current or similar use</u> have been fully explored without success for at least 12 months (and up to 2 years depending on market conditions) and there is a clear demonstration of surplus supply of employment land <u>or provision</u> in a locality; or</p> <p>4. The proposed use would result in the provision or restoration of retail (Class A1) facilities in a settlement otherwise bereft of shops. Such facilities should be commensurate with the needs of the settlement.</p> <p>Employment uses include those falling into Class B of the Use Classes Order or similar uses classified under planning legislation as ‘Sui Generis’ uses. Redundant petrol filling stations and associated garage facilities will fall within the scope of this policy as do public and community uses and main town centre uses and other uses that directly provide jobs or employment, <u>community meeting space or serve a community or social function</u>.</p>
18	16.28 and 16.30	121	<p>The title preceding paragraph 16.28 is amended to read:</p> <p><u>Lifetime Accessible and Adaptable Homes and Housing for the Elderly and Disabled</u></p> <p>Paragraph 16.30 is amended to read:</p> <p>It is proposed that the Local Plan will require all significant developments to make provision for a changing population. This will occur through a specific policy requirement to build dwelling homes to Lifetime Homes Accessible and Adaptable dwelling standards <u>(as set out in Part M(2) of the Building Regulations or any comparable updated nationally set standards such as the proposed Category 2 accessible and adaptable dwellings)</u>. The approach follows the detailed considerations of the Strategic Housing Market Assessment on demographic pressures and the needs and preferences of local residents. Enabling people to remain in their own home and building in the potential for future simple adaptations is considered a major initiative to ensure quality of life of residents of all ages and mobility. The Council will consult with health and social care services on larger planning applications and/or those that could have service provision implications. Lifetime Homes importantly meet the needs of families with disabled children, working age disabled adults, and various mobility constraints suffered by many individuals at times of crisis/accident as well as the elderly.</p>

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19	Strategy 36	122	<p>Title of Strategy 36 and first two paragraphs are amended to read:</p> <p>Strategy 36 - Life-time (accessible and adaptable)– Homes and Care/Extra Care Homes:</p> <p>Life Time (accessible and adaptable)– Homes</p> <p>On residential development schemes for 10 dwellings or more developers should demonstrate that all of the affordable housing and around 20% of market units will need to meet Lifetime Home standards <u>Part M4(2) of the Building Regulations, Category 2: accessible and adaptable dwellings</u> (or any comparable updated nationally set standards such as the proposed Category 2 accessible and adaptable dwellings) unless viability evidence indicates it is not possible.</p> <p>Where there are elderly population levels in a settlement that substantially exceed East Devon average levels, for any housing planning application in that settlement, the council will seek to negotiate a greater proportion and/or a lower threshold for lifetime homes <u>Category 2 accessible and adaptable dwellings</u> (or any comparable updated nationally set standards such as the proposed Category 2 accessible and adaptable dwellings). The expectation is that the majority of units would be of two bedrooms or more.</p>
20	Para 16.31	122 and 123	<p>Paragraph 16.31 amended to read:</p> <p>East Devon has relatively few permanent sites for Gypsies and Travellers and unauthorised sites are occasionally reported but this tends to be a short-term seasonal problem. An (Interim Draft) A Devon Partnership Gypsy and Travellers Accommodation Assessment 2014, by RRR Consultancy Ltd, was completed in early 2015. <u>This study has identified a need in East Devon, in the period up to 2034, for a total of 37 gypsy and traveller pitches and 3 plots for travelling showpeople. During the first 5 years, from 2014-2019, at least 22 of the gypsy and traveller pitches should be provided and 1 of the travelling showpeople plots (there is a travelling showperson site at Clyst St Mary that has sufficient capacity to accommodate identified need). The study also identified a need for 4-5 short-term stopping places (each consisting of 4-5 pitches) up to 2019, but did not specify where these should be located.</u> Additional pitches and plots will be provided through appropriate intensification/expansion of existing sites, <u>the provision of a local authority/RSL owned/managed site or sites and</u></p>

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			through land allocations in a Gypsy and Traveller Development Plan Document, production of which will commence in June 2015 <u>to be submitted for examination by the end of 2016.</u> Until such a time as the Gypsy and Traveller DPD is finalised, decisions on gypsy and traveller sites will be determined in accordance with national policy and with reference to policy H7.
21	17.16	132	<p>Paragraph 17.16 amended to read:</p> <p>The potential renewable energy resource in the District has been assessed by the Council⁶. There is the potential to adopt a variety of technologies at different scales, from domestic to commercial, across the District. This ranges from a relatively modest number of commercial scale wind turbines, which could provide a quarter of all carbon savings from renewable energy, to a very large number of much smaller on-site installations such as photo voltaic panels to produce domestic electricity and hot water, and heat pumps. <u>In accordance with Government Guidance, wind turbines will only be permitted where they are allocated; this may be through a Neighbourhood Plan or a separate Development Plan Document. The District Council will regularly review the need to produce a DPD to address the requirement for such development.</u></p>
22	Strategy 39	133	<p>A final sentence is added to the end of Strategy 39 (after existing final sentence) to read :</p> <p><u>Wind turbines will only be permitted where they are in accordance with a Neighbourhood Plan or Development Plan Document.</u></p>
23	Para 18.45	157	<p>The final sentence of paragraph 18.45 is amended to read:</p> <p><u>Working with key partners</u> The Council will undertake further work <u>has commissioned production of a Pebblebed Heaths Management Plan (to be completed in 2015), with a focus on understanding and responding to visitor levels and activities,</u> to inform appropriate mitigation for the Pebblebed Heaths SAC/SPA. Priority will be given to the development of a visitor management plan.</p>

⁶ D Lash and A.D.S Norton, University of Exeter Centre for Energy and the Environment (2011) “An Initial Review of Renewable Energy Potential in East Devon” – [ID: Infrastructure – Inf003]

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24	Strategy 47	160 (and 161)	<p>Strategy 47 - Nature Conservation and Geology amended to read</p> <p>All development proposals will need to:</p> <ol style="list-style-type: none"> 1. Conserve the biodiversity and geodiversity value of land and buildings and minimise fragmentation of habitats. 2. Maximise opportunities for restoration, enhancement and connection of natural habitats. 3. Incorporate beneficial biodiversity conservation features. <p>Development proposals that would cause a direct or indirect adverse effect upon internationally and nationally designated sites will not be permitted unless:</p> <ol style="list-style-type: none"> a) They cannot be located on alternative sites that would cause less or no harm. b) The public benefits of the development clearly outweigh the impacts on the features of the site and the wider network of natural habitats. c) Prevention, mitigation and compensation measures are provided. d) In respect of Internationally designated sites, the integrity of the site will be maintained. <p>Development proposals where the principal objective is to conserve or enhance biodiversity or geodiversity interests will be supported in principle.</p> <p>Where there is reason to suspect the presence of protected species applications should be accompanied by a survey assessing their presence and, if present, the proposal must be sensitive to, and make provision for, their needs.</p> <p>Habitat Regulations and <u>Mitigation of Potential Adverse Impacts of Development</u></p> <p>Where development or the occupants of development could lead to adverse biodiversity impacts due to recreational or other disturbance, we will seek <u>require</u> mitigation measures and contributions to allow for measures to be taken to offset adverse impacts and to create new habitats. This will be of particular importance where development could impact upon ‘European Designated Sites’ (In the case of other impacts to internationally, nationally and locally designated sites, we will seek appropriate mitigation measures). Where <u>European</u> designated sites might be affected there will be a need for Appropriate Assessment in line with Conservation and Species Habitat Regulation requirements. Mitigation measures will be required if harmful</p>

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			<p>impacts are predicted or could arise.</p> <p>In respect of the Exe Estuary and the Pebblebed Heaths (and Dawlish Warren in Teignbridge) an over-arching strategic approach to habitat mitigation measures has been established through the Disturbance Study. <u>All residential development schemes within a straight line 10 kilometres distance of any part of the SAC and/or SAC designated areas of the Exe Estuary or Pebblebed Heaths will be required to provide mitigation. The onus will rest on developers demonstrating that mitigation can and will be provided and granting of planning permission will be linked to clear evidence that delivery will actually happen to agreed timescales.</u> The Disturbance study work and associated assessments will typically negate the need for residential development schemes to be subject to individual Appropriate Assessment. Through this strategic approach monies collected through CIL, negotiated separately through Section 106 agreements or potentially otherwise paid or contributed through other means will address mitigation requirements. <u>Non-residential development schemes within the 10 kilometres catchment (and potentially beyond) will need to be subject to project level assessment to establish potential need for and form of any mitigation. The Council has commissioned technical advice in respect of tourism accommodation development that will parallel that for residential schemes.</u></p> <p>Payment as part of the CIL contribution will typically be the expected approach and habitat mitigation will form a the first primary draw on CIL funds. Mitigation will include on-site and off-site measures, to include (though this list is not exhaustive):</p> <ul style="list-style-type: none"> • Improved wardening and management of sites; • Information and education; • Changes to access arrangements and points; • Habitat improvements and provision ; and • Provision of Suitable Alternative Natural Green Space (SANGS). <p><u>On-site mitigation measures are likely to be most appropriate in the very early years of the Local plan’s life. Off-site provision in the form of SANGS should aim for a target level of provision of around 8 hectares of open space provision for every net new 1,000 residents accommodated through development. At a residential density averaged at 2.2 persons per each new home built this will equate to around 176 SqM of SANGS space per each net extra dwelling. However actual space standards will depend on the quality, character and location of</u></p>

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			<p><u>provision. SANGS will need to include substantial open space areas ideally of semi-natural character and should specifically be appealing to dog walkers. They can utilise land previously inaccessible to the public or arise from improvements of currently accessible but under-used spaces. To help ensure and secure timely delivery of mitigation, specifically SANGS, the Council has the option of exercising Compulsory Purchase Order powers to ensure availability of land.</u></p> <p>Developments on the western side of the District – including potential further development in the West End, Ottery St Mary, Budleigh Salterton, and Sidmouth will all fall under the coverage of this policy.</p> <p>To help preserve the integrity of the East Devon Pebblebeds Heath, specifically on account of the impacts of domestic cats through bird predation, new dwellings residential uses will not be allowed on or within 400 metres of the Pebblebed Heaths Special Protection Area.</p> <p>The mitigation proposals, <u>including those of the ‘South-east Devon European Site Mitigation Strategy’, (as set out in the draft document and upon completion) will need to be implemented alongside or ahead of development being occupied and must provide for mitigation in perpetuity to ensure that development does not have a net adverse impact on the integrity of European designated wildlife sites. This will include provision of on-site, off-site and cross-site measures and monitoring. The delivery and success of mitigation will be monitored alongside development (specifically new housing development) and changes in population. Where mitigation lags behind development it will be a potential indicator that the worth and integrity of European sites could be being eroded. This will provide a policy basis and justification for resisting further development or occupation until effective mitigation is delivered in accordance with past development/occupancy. Work will be undertaken to establish effective trigger points or markers against which to formally assess delivery of mitigation and therefore establish a basis to refuse planning permissions with a formal first review planned for April 2018.</u></p>
25	Para 22.4	183	<p>Paragraph 22.4 amended to read:</p> <p>The Council will seek to protect the landscape and wildlife habitats in the Valley Parks and improve access. Development, other than for outdoor recreation, appropriate agriculture or forestry purposes, will be opposed.</p>

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			<p>Where land is not owned or to be acquired by the Council management agreements will be sought with the landowners to protect the landscape and wildlife value. Detailed proposals for the Valley Parks and their future management will be drawn up and be subject to public consultation. Comments received will be considered and any amendments made before the proposals are adopted and implemented. Expansion and enhancement of the Valley Parks will need to be considered alongside and could form a valuable mechanism to help deliver recommendations that will be in the detailed habitat regulations joint mitigation and delivery strategy. <u>Though the Valley Parks will serve a wider function than just being SANGS.</u></p>
26	Policy EN2	183	<p>Second sentence of Policy EN2 amended to read:</p> <p>Initiatives to improve access to, enjoyment of and the physical extent of the Valley Parks in Exmouth, to include existing adjoining open space and new open space, will form part of a Suitable Alternative Natural Green Space (SANGS) mitigation measure for relieving visitor pressure and adverse impacts on the Exe Estuary and the Pebblebed Heaths. A particular onus will be attached to measures that will attract dog walkers away from the more sensitive estuary and Pebblebed heath sites and into less wildlife sensitive valley Park locations. <u>Though the Valley Parks will serve a wider function than just being SANGS.</u></p>
27	Policy H7	210	<p>An additional paragraph is added to the start of Policy H7 to read:</p> <p>H7 - Sites for Gypsies and Travellers:</p> <p><u>In the period up to 2034, 37 gypsy and traveller pitches and 3 plots for travelling showpeople should be provided. During the first 5 years, from 2014-2019, at least 22 of the gypsy and traveller pitches should be provided and 1 of the travelling showpeople's plots (with this to be accommodated on an existing permitted site with spare capacity at Clyst St Mary).</u></p>