

08 February 2012

Our ref: 40045



Ross Sutherland
Planning Policy Section
East Devon District Council
Knowle
Sidmouth
EX10 8HL

Customer
Services
Hornbeam House
Crewe Business
Park Electra Way
Crewe
Cheshire CW1
6GJ

T 0300 060 3900

BY EMAIL ONLY

Dear Ross

**The new East Devon Local Plan 2006 - 2026: Consultation Draft (December 2011)
Response from Natural England (respondent 141)**

1. Thank you for your consultation dated 1 December 2011, which we received on the same date. Thank you for kindly allowing additional time in which to respond.
2. Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Overview:

3. We would have preferred to be advising on the content of the Consultation Draft Local Plan (hereafter referred to as "the consultation draft") once the new National Planning Policy Framework (NPPF) has been confirmed or otherwise. The inclusion of an accompanying Proposals Map, including significant environmental constraints and opportunities, would also have been helpful.
4. None the less, the consultation draft has much to commend in terms of our remit and the increased emphasis on the outstanding natural environment of East Devon and its vital importance for the social, environmental and economic wellbeing of communities is welcome - and appropriate to both current planning policy and the emerging NPPF.
5. The consultation draft provides for a scale of future growth that represents an increase on past rates and which will inevitably place an additional burden on the natural environment. A key challenge for the plan will be whether it is able to deliver planned growth while at the same time achieve a more sustainable environment and quality of life.
6. The consultation draft contains many policies and proposals to safeguard and enhance the natural environment and which are worthy of support. However, whether it can be considered sound in relation to the natural environment must be regarded as uncertain at this stage since the evidence base is incomplete and further environmental testing is required.
7. In particular, the Sustainability Appraisal (SA) of the consultation draft has yet to be undertaken and the results of further Habitats Regulations Assessment (HRA) work are also awaited. Earlier SA and HRA work has undoubtedly informed the consultation draft but there is a need to update and

expanded this to meet the full requirements of both the Strategic Environmental Assessment Directive (2001/42/EC) and the Habitats Directive (92/43/EEC).

8. We note the most recent published HRA work concluded that a number of the proposals that have been incorporated within the consultation draft would give rise to either significant or uncertain effects upon international sites. Appropriate Assessment was recommended to inform the first iteration of the Core Strategy.

9. The consultation draft has superseded the Core Strategy but the recommendations of the earlier HRA are still relevant. We encourage the Council to progress the HRA and, if necessary, amend the consultation draft to include any additional measures to ensure that all development flowing from, or controlled by, the plan would not have an adverse effect on the integrity of any international site.

10. We recognise that the Council has made a commitment to advancing the SA and HRA work (paragraphs 5.5 and 5.6) and recommend it does not move to the next stage of plan preparation until these have been progressed and their findings taken into account. We would be pleased to be re-consulted and comment further in light of these studies.

11. Finally, there is one aspect of the consultation draft that we would like to highlight as particularly welcome - namely, the introduction of new policies in relation to coastal change management that better reflect the new emphasis on a sustainable approach, as indicated, for example, within the emerging NPPF.

12. The policies have doubtless been informed by the findings of the recent Jurassic Coast Pathfinder Spatial Planning Research Project (July 2011)¹. In addition to suggesting model policies this report made recommendations for local planning authorities on the Jurassic Coast, for example, around collaboration with neighbouring authorities. If the Council has not already done so, we encourage it to consider those recommendations.

Detailed comments:

Chapter 3: Vision for East Devon to 2031

13. We note the vision does not refer directly to sustainable development, although it is covered within the strategic policies that follow. Given that sustainable development is of such central importance we recommend making specific reference to it.

14. We are broadly supportive of the natural environmental content of the vision. It may be helpful for paragraph 3.11 to refer directly to landscape and nature conservation and we recommend the following:

“Protecting existing open space and areas designated for environmental purposes, including landscape and nature conservation, as well as protecting and enhancing the undesignated countryside”

Chapter 5: Policy Context and Public Engagement

15. The list of key documents, at paragraph 5.4, that the consultation draft will need to comply with or acknowledge, lacks balance because it does not include any local strategies that relate to the natural environment.

16. We appreciate that the list is not intended to be comprehensive but recommend referencing at least some of the relevant natural environment strategies. These include: District-wide Green Infrastructure Strategy, Exeter and East Devon New Growth Point Green Infrastructure Strategy, Devon and East Devon Local Biodiversity Action Plans and South West Nature Map.

¹ http://www.jurassiccoast.com/downloads/spatial_planning_research_project_-_luc.pdf

Draft Strategy 1 - Overall spatial strategy

17. We are conscious that future growth forecasts behind the proposed levels of housing and employment growth are the source of debate. That is beyond our remit, suffice to say that we believe the amount and type of development to be provided should be based upon the clearest evidence of what is required to meet local needs.

18. The key question for us is whether the growth outlined in the overall spatial strategy can be delivered without compromising the natural environment. While the overall spatial strategy appears to be based upon an analysis of settlements and services, the consultation draft contains limited explanation on how it has been informed by environmental constraints to development, such as statutory landscape and biodiversity designations

19. The updated SA and HRA will enable the consultation draft to be checked against such constraints in more detail and we recommend finalising the overall spatial strategy only after these studies are complete.

Draft Strategy 2 - Scale and Distribution of Development in East Devon

20. Similar issues arise in relation to the proposed future pattern of distribution. The consultation draft contains limited explanation about how this has been informed by environmental constraints to development, such as statutory landscape and biodiversity designations.

21. Here, too, the updated SA and HRA will enable the consultation draft to be checked against such constraints in more detail and we recommend finalising the proposed future pattern of distribution only after these studies are complete.

22. Landscape Sensitivity and Capacity studies around settlements in sensitive landscape settings, such as Honiton, could inform the SA. Establishing the scope for settlement growth without compromising the character of the landscape, notably within the East Devon and Blackdown Hills Areas of Outstanding Natural Beauty Area of Outstanding Natural Beauty (AONB) designations.

23. The supporting text, at paragraph 6.18, explains that some forms of development will be permitted outside of Built-up Area boundaries. We understand that development control policies such as Policy S5 would apply environmental safeguards in those circumstances. None the less, we recommend some more detailed explanation to underline the requirement for environmental protection:

“The development management policies of the Local Plan will provide more details of this and other development types relating to employment, recreation and other uses that can be acceptable under specified circumstances, including the need to avoid harming the local environment.”

Draft Strategy 3 - Sustainable Development

24. The inclusion of strategic policy relating to sustainable development is supported. Following this through at all levels of the planning process can help meet the Government expectation that development should not compromise sustainable development principles.

25. The wording in relation to the environmental “pillar” could be strengthened to reflect the need to avoid harm to biodiversity and the quality of the landscape rather than simply minimise it. We recommend:

“Conserving and Enhancing the Environment - which includes ensuring development is undertaken in a way that ~~minimises~~ avoids harm and enhances biodiversity and the quality of the landscape.”

26. Consideration might also be afforded to extending the reference to prudent use of natural resources to and ensuring that natural resources such as air, water and soil are protected, including through the avoidance of pollution.

Draft Strategy 5 - Environment

27. The inclusion of a strategic policy on the environment is supported. It follows from the above that this is a cross cutting theme that warrants a strategic policy context. We are pleased to see that recognition has also been afforded to public access and enjoyment.

28. We suggest the policy could be improved through incorporating local distinctiveness and making specific reference to landscape - a key aspect of the East Devon environment. We recommend amendment along the following lines:

“All development proposals will contribute to the delivery of sustainable development and respect local distinctiveness. They will ensure protection and enhancement of natural and built environmental assets, including landscape and geodiversity.”

29. For clarity we recommend making specific reference to the areas of biodiversity importance that will be “*protected from damage*” e.g. International sites, Sites of Special Scientific Interest, Local Nature Reserves and Local Sites, other important habitats and habitat networks.

Draft Strategy 6 - Major Development at East Devon’s West End

30. The earlier HRA work identified that the group of schemes comprising the strategic West End developments could give rise to a significant effect upon international sites - namely, the Exe Estuary, East Devon Pebblebed Heaths and Dawlish Warren.

31. The potential activities identified included increased recreational pressure. In that regard the proposed Clyst Valley Regional Park is a most welcome as potentially Suitable Alternative Natural Green Space (SANGS) that is likely to relieve pressure from these more sensitive locations.

32. In order to underpin this measure we recommend the Council consider gathering evidence on the likely effectiveness of the Regional Park in drawing new residents and existing visitors away from sensitive locations. This could be addressed through the updated HRA.

Draft Strategy 7 - Green Infrastructure in East Devon's West End

33. The inclusion of this policy is supported. Green infrastructure is essential to support growth and we agree that it is especially important in East Devon's West End. Effective delivery requires a strategic approach - including cross boundary links and joined up and comprehensive approach to future management.

34. We would appreciate clarification of what is meant by “*highest green urban design standards*” in relation to the Clyst Valley Regional Park. In order to properly fulfil the envisaged SANGS function it will be necessary for the Regional Park to incorporate appropriate areas of appropriately managed natural green space.

35. We also note the reference to “*multi agency support and funding to enable the provision of the park*”. Given the Regional Park is undoubtedly an essential measure to enable development to proceed it seems reasonable to suggest that it should also be the subject of developer contributions.

36. We recommend indicating within the plan that development will be expected to play a substantive role in the delivery of the Regional Park. Consideration might be afforded to the identification of those elements that each quantum of development will provide. For instance, development of Land North of Blackhorse/Redhayes to provide for park creation between Mosshayes Lane and the River Clyst.

Draft Strategy 15 - Development at Axminster

37. The reference to “Axminster AONB” (paragraph 8.9) should be amended to “nearby AONBs” but is welcome. Given that land to the North, South and West of the town is designated AONB we recommend an addition to the policy itself to reflect the need to protect this exceptional setting:

“Environment - make sure that any development does not harm wildlife and habitats or the special qualities of the nearby AONBs in the Axminster area.”

Draft Strategy 16 - Budleigh Salterton

38. The high priority that the policy affords to the conservation of the outstanding natural environment at Budleigh Salterton is supported. The town is unique in forming part of an AONB and it is important that development within the town is in accordance within the Design Statement.

39. While it is recognised that the scale of proposed development is not large the possibility remains that proposals may come forward beyond the Built-up Area. We recommend inserting a suitable additional safeguard into the wording of the policy itself to the effect that any development must not harm important species and habitats or the special qualities of the AONB.

Draft Strategy 17 - Development at Exmouth

40. The HRA work so far (paragraph 10.2) indicates that development at Exmouth has the potential to impact upon international sites - namely, the East Devon Heaths, Exe Estuary and Dawlish Warren, through increased traffic movements, pressure for recreation, and water quality and supply.

41. There is a commitment to conserve and enhance the natural environment of Exmouth at paragraph 10.8 but this has not been translated into the wording of the policy itself. We recommend inserting a suitable additional safeguard into the wording of the policy itself to the effect that any development must not harm important species and habitats or the special qualities of the nearby AONB.

42. The supporting text (paragraph 10.8) also refers to the promoting the completion and use of the Valley Parks. It is likely that these will perform an important SANGS role in relation to diverting recreational pressure away from the international sites and we recommend reference to securing this facility and other green infrastructure provision within the policy itself.

Draft Strategy 18 - Development at Honiton

43. Honiton falls between two AONB designations and there is a commitment, at paragraph 11.10, to avoid allowing inappropriate development within these areas. We recommend incorporating this into the policy itself to indicate that any development must not harm important species and habitats or the special qualities of the nearby AONBs.

Draft Strategy 20 - Development at Seaton

44. The policy is supported and we are pleased to see the recognition of the towns stunning natural environment within the policy and supporting text (paragraph 13.6). The concept of the town as a green tourist destination is also supported - the value of which has been enhanced by the excellent Axe Wetlands Project. This is a model that we believe could have wider applications within East Devon.

Draft Strategy 21 - Development at Sidmouth

45. Sidmouth benefits from a similarly high quality natural environment to neighbouring Seaton, with international and national recognition of its geological, wildlife habitat and landscape value.

46. The scale of proposed development is not large, and the *preferred* strategy is to accommodate this within the town, but it is possible that proposals may come forward beyond the Built-up Area. We recommend adding to the policy itself to the effect that any development must not harm important species and habitats or the special qualities of the East Devon AONB.

Draft Strategy 22 - Development at the Small Towns and villages with Built-up Area Boundaries

47. We are pleased to note the recognition in the supporting text (paragraph 15.8) that the countryside settings of these settlements, many of them in Areas of Outstanding Natural Beauty, will need to be carefully conserved and enhanced and trust that this principle will inform the assignment of Built-up Area boundaries.

Draft Strategy 23 - Mixed Market and Affordable Housing outside Built-up Area Boundaries

48. We understand that development control policies such as Policy S5 would apply environmental safeguards in those circumstances where mixed market and affordable housing outside Built-up Area Boundaries. None the less, we recommend consideration is afforded to re-enforcing within the policy the requirement that any such development will need to avoid harming the local environment.

Draft Strategy 32 - Sustainable Design and Construction

49. The inclusion of policies aimed at tackling the causes and effects of climate change is supported in principle. Climate change is the biggest long term threat to our natural environment. Although it is, of course, important that local solutions also respect the local environment.

50. Green infrastructure has a role at neighbourhood level in climate change mitigation and adaptation and might be referred to. For example, green roofs have a role in urban cooling, in addition to slowing rates of rainfall runoff.

Draft Strategy 36 - Green Infrastructure Provision and Strategy

51. This inclusion of this policy is supported and we welcome the fact that the District-wide Green Infrastructure Strategy will be afforded SPD status. We recommend the addition of a commitment to delivery of the strategy within the policy:

“We will develop and implement a District wide Green Infrastructure Strategy . . . “

52. We also recommend the identification of strategic green infrastructure opportunities on the Proposals Map. Including those projects that are necessary to support growth and to which development can reasonably be expected to contribute through either Section 106 contributions or CIL.

53. The production of the District-wide Green Infrastructure Strategy might usefully draw upon the evidence provided by the emerging Devon Green Infrastructure Strategy and Natural England has also produced green infrastructure guidance².

54. We note the emerging NPPF sets out a new right for local communities to protect green areas of particular importance to them. Assuming this is confirmed it may be appropriate for the protection of such areas to be included in the final version of the plan within the green infrastructure theme.

Draft Strategy 37 - Open Space Standards

55. The inclusion of this policy is supported. Open spaces standards will help in the delivery of green infrastructure and ensure that everyone has the opportunity to experience the associated benefits. We particularly support the recognition of the importance of natural and semi natural green

² <http://naturalengland.etraderstores.com/NaturalEnglandShop/NE176>

space.

56. We welcome the reference to the ANGSt standards developed by Natural England³ and encourage the Council to consider adopting them in the final version of the plan. Please note, the correct term should be amended to “*Accessible Natural Green Space*” rather than “*Alternative Natural Green Spaces*”.

Draft Strategy 38 - The Undeveloped Coast in East Devon

57. The inclusion of a policy for the undeveloped coast is supported. It is consistent with the emerging NPPF stance on the undeveloped coast and apposite here because of the geological and landscape importance of the Dorset and East Devon Coast (Jurassic Coast) World Heritage Site.

58. The undeveloped coast involves landscape and nature conservation interests and we question whether defining it on the basis of visual openness and views to and from the sea is sufficient. We recommend considering nature conservation designations within the definition of undeveloped coast.

59. We also recommend considering inclusion of the World Heritage Site within the policy. Or developing a standalone policy that reflects the level of protection required for such sites as set out in the emerging NPPF. This would also take forward the English Heritage guidance mentioned at supporting paragraph 18.23.

Draft Strategy 39 - Coastal Erosion

60. The incorporation of the key aim of the Jurassic Coast World Heritage Site Management Plan of allowing natural processes to continue is supported. The outstanding conservation value of this coast is dependent upon the continuation of natural processes.

61. The remainder of the policy could be more clearly expressed. We recommend a link to Shoreline Management Plan 2 so as to be more precise about where exceptions to allowing natural marine erosion to continue might apply. For example:

“Along the Jurassic Coast WHS, the outstanding universal value of the WHS will be conserved by allowing natural processes to continue. Exceptions may only be allowed unless otherwise indicated within where indicated by Shoreline Management Plan 2 and the safety and economic well being of any coastal community would be undermined, provided that the implications of this for the Jurassic Coast have been fully considered.”

Draft Strategy 40 - Landscape Conservation and Enhancement and AONBs

62. This policy is supported. East Devon enjoys landscape of exceptional quality, two thirds of the District falls within one of two AONBs - which have been confirmed by the Government as having the highest status of protection in relation to landscape and scenic beauty.

Draft Strategy 41 - Nature Conservation and Geology

63. The inclusion of policy for nature conservation and geology is supported. It is consistent with the emerging NPPF - which advises planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats.

64. We welcome the emphasis placed upon enhancement and restoration of biodiversity in addition to site and species safeguard. We recommend ensuring that strategic opportunities for habitat creation - such as Strategic Nature Areas - are shown on the Proposals Map.

³ <http://naturalengland.etraderstores.com/NaturalEnglandShop/product.aspx?ProductID=887a3e18-5296-4f1f-ae0c-15e02debf0e5>

65. We note that only internationally and nationally important sites have been included within the site specific elements of the policy. They are not the only assets that make up the strategic nature conservation resource of the District. In our view, some of the environmental assets that are covered within the development management policies also warrant coverage here. As do a number of other strategic assets that have not been mentioned in either strategic or development management policies.

66. We recommend strategic policies cover all of the following assets: International sites; Sites of Special Scientific Interest; legally protected species and species of principal importance for the conservation of biodiversity in England (Section 41 of Natural Environment and Rural Communities Act, 2006); sites of local biodiversity and geological interest; habitats of principal importance for the conservation of biodiversity in England (Section 41 of Natural Environment and Rural Communities Act, 2006), ancient woodland and habitat networks.

67. We recommend the level of protection and criteria against which applications affecting each type of asset is described - it may be most appropriate to cover these under the development management policies since they might be seen as constituting finer grain policy detail (paragraph 21.1).

67.1 *International sites* - are the most important sites for biodiversity and benefit from the highest order of statutory protection. The circumstances under which planning permission that might cause harm can be approved are extremely limited and require the involvement of the Secretary of State. We suggest separate wording is developed to describe the criteria to be applied to international sites that makes clear that development proposals that would cause a likely significant effect, either directly or indirectly, on such sites will not be permitted and that proposals affecting them will be subject to the strict legal provisions of the Habitats Regulations, 2010.

67.2 *Sites of Special Scientific Interest* - are of national importance and should be given a high degree of protection under the planning system. We suggest strengthening the wording applied to them to reflect their importance. We suggest indicating that development proposals that would cause a direct or indirect adverse effect to Sites of Special Scientific Interest will not be permitted. An exception only being made where the national benefits of the development clearly outweigh both the impacts that it is likely to have on the qualifying features of the site and any broader impacts on the national network of SSSIs, and where there are no alternative solutions or sites that would cause less harm.

67.3 *Protected and other important species* - Legally protected species and species of principal importance for the conservation of biodiversity in England (Section 41 of Natural Environment and Rural Communities Act, 2006) are an important material planning consideration. We suggest indicating that development proposals that would cause a direct or indirect adverse effect to protected species or species of principal importance will not normally be permitted. These species to be protected from the adverse effects of development and their favourable conservation status maintained and enhanced, where necessary, by using planning conditions or obligations. Applications that may affect such species being supported by up to date surveys undertaken by suitably qualified ecologists. An indicative list of the species of principal importance that are of particular relevance within East Devon would be helpful.

67.4 *Local Nature Reserves and Local Sites* - Sites of local biodiversity and geological interest - County Geological Sites, County Wildlife Sites and Local Nature Reserves, have a fundamental role to play in meeting overall national biodiversity targets. Our recommendations on the criteria to be applied are set out in our comments on Development Management Policy EN5.

67.5 *Other important habitats and habitat networks* - Habitats of principal importance for the conservation of biodiversity in England (Section 41 of Natural Environment and Rural Communities Act, 2006), ancient woodland and habitat networks are also contribute to wider ecosystem function. Our recommendations on the criteria to be applied are contained in our comments on Development Management Policy EN6. An indicative list of habitats of principal importance that are of particular relevance within East Devon would be helpful.

68. As currently worded the policy could more clearly reflect the best practice sequential approach to offsetting adverse biodiversity impacts in any exception cases. That is to say, avoidance first, then adequate mitigation with compensatory measures only employed as a last resort. We recommend this “mitigation sequence” be applied in all exception cases involving any of the above assets.

69. Paragraph 18.50 explains the risk that any proposal for residential development of at least one net additional dwelling within 5 km (3 miles) of the East Devon Heaths or the Exe Estuary is likely to have a significant effect. For clarity, we recommend the addition of “in combination with other impacts” at the end of the sentence. We should also explain that we are currently using 10km in respect of the Exe and the figure for East Devon Heaths is still under consideration.

70. By way of another minor correction, paragraph 18.40 should record the presence of 5 rather than 4 Special Areas of Conservation in East Devon District.

Draft Strategy 44 - Infrastructure Delivery

71. Green infrastructure is recognised within the consultation draft and Government policy as part of the infrastructure that is necessary to support growth. We recommend the inclusion of key projects already identified through the planning process and others that will be identified through the District-wide Green Infrastructure Strategy within the Infrastructure Delivery Plan.

Development Management S5 - Development in the Countryside

72. The inclusion of this policy is welcome. It is important to ensure that development outside of Built-up Areas should not harm the distinctive landscape, amenity and environmental qualities of the countryside.

Development Management D4 - Landscape Requirements

73. The requirements with regard to existing features of landscape or nature conservation value are supported and will help give force to relevant strategic policies such as Strategic Policies 40 and 41. The wording might be strengthened further:

“ . . . ~~Where appropriate, existing habitat should be improved and where possible new areas of nature conservation value should be created . . .~~”

74. Consideration might also be afforded to promoting the use of native plant species that are typical of the local area and, preferably, of local provenance. Landscaping schemes incorporating these features make the greatest contribution to local distinctiveness and nature conservation.

Development Management EN5 - Protection of Local Nature Reserves, County Wildlife Sites and County Geological Sites

75. The policy is supported in view of the fundamental role of these sites. The latter part of the policy might draw a clearer distinction between the concepts of mitigation and compensation. We see mitigation as essentially about reducing negative impacts that cannot be avoided. While compensation comprises measures to replace lost or adversely impacted assets. We recommend amendment of the policy along the following lines:

“Where development is permitted on such sites mitigation will be required to reduce negative impacts and where this is not possible adequate compensatory habitat enhancement or creation schemes will be required and/or measures required to be taken to ensure that the impacts of the development on valued natural features and wildlife have been mitigated offset to their fullest practical extent”

Development Management EN6 - Wildlife Habitats and Features

76. The inclusion of this policy is supported since these features contribute to ecosystem function. Consideration might be given to strengthening the policy, as follows:

~~“Wherever possible sites supporting important wildlife habitats or features not otherwise protected by policies will be protected from development proposals . . . Where potential arises positive opportunities for-habitat creation will be encouraged through the development process.”~~

Development Management EN14 - Development on High Quality Agricultural Land

77. The inclusion of this policy is supported. Soil is an important natural resource and the best and most versatile agricultural land (Grades 1, 2 and 3a) should be protected from development not associated with agriculture or forestry.

Development Management EN15 - Control of Pollution

78. The inclusion of this policy is supported. Pollution has the potential to degrade the natural habitats and the services that they provide to communities. Planning has an important role to play in the control of pollution complementary to other pollution control regimes.

Development Management EN17 - Maintenance of Water Quality and Quantity

79. The inclusion of this policy is supported. Development that has an adverse effect on water quality or quantity has the potential to adversely impact natural habitats, such as rivers and wetlands and here, too, planning has an important role to play.

Development Management Policy EN21A (Surface Run-Off Implications of New Development)

80. The reference to sustainable urban drainage systems (SUDS) within this policy is supported. We recommend making their provision a stronger requirement. Current planning policy requires that local planning authorities give priority to the use of such systems when determining planning applications.

“ . . appropriate remedial measures are included as an integral part of the development, (~~where practicable~~ these will normally comprise sustainable urban drainage systems in accordance with Environment Agency recommendations ~~are encouraged~~) . . ”

81. It seems to us that there are few situations in which at least some SUDS measures cannot be applied. Naturally, we prefer the use of measures that make use of natural systems and processes rather than engineered hard solutions.

Development Management New Proposed Policy EN22 - Development in Coastal Change Management Areas

82. The identification of a Coastal Change Management Area (CCMA) facilitating “rollback” and specifying criteria for such proposals is supported. We recommend the addition of a criterion to safeguard the natural environment along the following lines:

“ . . All other development, including redevelopment, extensions and change of use of land will only be permitted if it has been satisfactorily demonstrated that no increased risk to life or significant risk to property or to sustainable management of the natural environment would result.”

83. Consideration might also be afforded indicating the planning consents for any development within the CCMA would be time limited, in line with the guidance in the emerging NPPF.

Development Management New Proposed Policy EN24 - Relocation and Replacement of Development Affected by Coastal Erosion Risk

84. The inclusion of a „roll back’ policies for commercial and community uses/buildings and houses affected by erosion is supported. The policy addresses the circumstances under which roll back will be allowed, including protection of landscape and biodiversity, and the after use of the original site.

85. The second criterion of the policy potentially provides for replacement development elsewhere within the CCMA and might be seen as in conflict with the purposes of designating such an area. We recommend considering a requirement that all new development should be located outside of the CCMA.

H5 - Affordable Housing on Exception Sites

86. We understand that development control policies, such as Policy S5, would apply environmental safeguards in those circumstances where mixed market and affordable housing is considered outside Built-up Area Boundaries.

87. None the less, we recommend consideration is afforded to incorporating a requirement that any such development will need to avoid harming the local environment - along the lines of criterion 4 of Development Management H11.

Development Management TA4 - Footpaths, Bridleways and Cycleways

88. The inclusion of the policy is supported. The Rights of Way network is an important means of protecting and extending access to the natural environment and - provided provision is within the capacity of the environment to accommodate it - is something we strongly encourage.

89. We recommend extending the policy - or drafting a standalone policy - to make specific mention of the need to protect and enhance the South West Coast Path National Trail, given its outstanding value as a means of accessing the coast and contribution to the local economy.

90. That would be consistent with the guidance within the emerging NPPF around promotion of coastal access and requirement that development should not curtail a continuous signed and managed route around the coast for all to enjoy.

91. We suggest including requirement that the South West Coast Path National Trail will be protected from insensitive uses or non compatible neighbouring uses. Footpath links to and from it could also be encouraged.

Development Management LEX1 - The Valley Parks, Exmouth

92. This policy is supported. The Valley Parks are an important asset and we agree should be protected from development other than that to provide a safe corridor for pedestrians and cyclists. It is likely that the Parks will perform an important SANGS role in relation to diverting recreational pressure away from the internationally protected sites.

Neighbourhood Planning - Sustainability Appraisal and Appropriate Assessment

93. The reference to the legal requirement to undertake a Sustainability Appraisal on planning documents, before they become part of the adopted development plan for an area is supported.

94. However, we recommend amending the various references to “*Appropriate Assessment*” to “*Habitats Regulations Assessment*”. Appropriate Assessment only becomes necessary if after screening it is concluded the plan would give rise to a likely significant or an uncertain effect upon any international site.

[REDACTED]

[REDACTED]

Yours sincerely

[REDACTED]

David Westbrook
Land Use Operations

[REDACTED]

[REDACTED]