



Defence Infrastructure Organisation

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Your reference: East Devon Council - Regulation
19 Local Plan Consultation
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Dear Sir/Madam

I write to confirm the statutory safeguarding position of the Ministry of Defence (MOD) in relation to East Devon Council's Local Plan update (Regulation 19) consultation document.

The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the MOD as a statutory consultee in the UK planning system to ensure designated zones around key operational defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites are not adversely affected by development outside the MOD estate.

For clarity, this response relates to MOD Safeguarding concerns only and should be read in conjunction with any other submissions that might be provided by other parts of the MOD.

Paragraph 102 of the National Planning Policy Framework (December 2024) requires that planning policies and decisions take into account defence requirements by '*ensuring that operational sites are not affected adversely by the impact of other development proposed in the area.*' Statutory consultation of the MOD occurs as a result of the provisions of the Town and Country Planning (Safeguarded aerodromes, technical sites and military explosives storage areas) Direction 2002 (DfT/ODPM Circular 01/2003) and the location data and criteria set out on safeguarding maps issued to Local Planning Authorities by the Ministry of Housing, Communities & Local Government (MHCLG) in accordance with the provisions of that Direction.

Copies of these relevant plans, in both GIS shapefile and .pdf format are issued to Local Planning Authorities by MHCLG. An assurance review was conducted by the MOD in 2023 which confirmed that, at that time, Local Planning Authorities held the most recent relevant safeguarding data. Any subsequent updates to those plans were then issued by MHCLG. If there is a requirement for replacement data, a request can be made through the above email address.

The East Devon Council's Local Plan authority area contains a safeguarding zone that is designated to preserve the operation and capability of CTCRM Lympstone.

The review or drafting of planning policy provides an opportunity to better inform developers of the statutory requirement that MOD is consulted on development that triggers the criteria set out on Safeguarding Plans, and the constraints that might be applied to development as a result of the requirement to ensure defence capability and operations are not adversely affected.

To provide an illustration of the various issues that might be fundamental to MOD assessment carried out in response to statutory consultation, a brief summary of each of the safeguarding zone types is provided below. Depending on the statutory safeguarding zone within which a site allocation or proposed development falls, different considerations will apply.

- Statutory safeguarding zones are designated around Military explosives storage sites, to ensure that development and land uses will be compatible with MOD capability. Within these zones, where applicable, requirements relating to the siting, design, and construction of buildings, or changes to land use may apply. In principle, the MOD does not object to land in the outer explosives safeguarding zone being developed for residential, commercial, and industrial land use purposes. Any buildings within this zone must be 'non-vulnerable' to blast effects, that is of robust construction, so should an explosive event occur, the structure would not collapse or sustain damage that could cause critical injury to the occupants. Of particular concern within this zone are tall buildings (in excess of 3 storeys), light weight construction and large areas of glazing. The MOD will object to development proposals which support people living, working and congregating within the inner explosives safeguarding zone.

In addition to the safeguarding zones identified, the MOD may also have an interest where development is of a type likely to have any impact on operational capability. Usually this will be by virtue of the scale, height, or other physical property of a development. Examples these types of development include, but are not limited to:

- Any development that would exceed a height of 50m above ground level. Both tall (of or exceeding a height of 50m above ground level) structures and wind turbine development introduce physical obstacles to low flying aircraft
- Development, regardless of height, outside MOD safeguarding zones but in the vicinity of military training estate or property.

Within the Strategic Policy CC03: Promoting low carbon and renewable energy, the MOD notes the provision for Solar-Based and Wind-Based Energy Development. Section 6.6 identifies. "The policy promotes low carbon and renewable energy technologies, such as geothermal, hydro, wind, solar, and anaerobic digestion systems, to ensure a sustainable energy supply. It identifies suitable areas for solar and wind energy developments while protecting sensitive areas, ensuring minimal environmental impact"

The MOD has, in principle, no objection to any renewable energy development, though some infrastructure enabling renewable energy production, for example wind turbine generators or solar photo voltaic panels can, by virtue of their physical dimensions and properties, impact upon military aviation activities, cause obstruction to protected critical airspace surrounding military aerodromes, or impede the operation of safeguarded defence technical installations.

Where turbines are erected in line of sight to defence radars and other types of defence technical installations, the rotating motion of their blades can degrade and cause interference to the effective operation of these types of installations potentially resulting in detriment to aviation safety and operational capability. This potential is recognised in the Government's online Planning Practice Guidance which contains, within the Renewable and Low Carbon Energy section, specific guidance that both

developers and Local Planning Authorities should consult the MOD where a proposed turbine has a tip height of, or exceeding 11m, and/or has a rotor diameter of, or exceeding 2m.

Solar PV development which can impact on the operation and capability of communications and other technical assets by introducing substantial areas of metal or sources of electromagnetic interference. Depending on the location of development, solar panels may also produce glint and glare which can affect aircrew or air traffic controllers.


Additionally, it may be necessary in certain circumstances for MOD to require the removal of permitted development rights, where the use of these rights introduces elements that would not be compatible with MOD safeguarding requirements.

Strategic Policy SD17: Development allocations at Exton Land north and east of Exton Farm (Wood_28) with the site allocated for around 39 dwellings. The housing development boundary has a section that falls within the explosive Vulnerable Building Distance (VBD) statutory safeguarding zone with the outer extent defined by a purple line on the statutory safeguarding plan. Within this zone all inhabited buildings need to be deemed as being 'non vulnerable' structures. This means they should be of robust design and construction so that should an explosion occur at the MOD explosives storage facilities, buildings nearby will not sustain damage that could cause critical injury to the occupants. Developments and land use that directly support large gatherings of people outside can also be of relevance to the management of explosives safeguarding requirements for this zone. The MOD would wish to review and should be consulted on any development within the statutory safeguarding zones surrounding CTCRM Lympstone.

MOD recommend that any more detailed policies for these sites include wording which indicates that development should be designed to ensure that it would have no impact on the operation or capability of defence sites or assets.

I trust this clearly explains our position on this update. Please do not hesitate to contact me should you wish to consider these points further

Yours sincerely

A black rectangular box redacting the signature of Chris Waldron.

Chris Waldron
DIO Assistant Safeguarding Manager