

East Devon Local Plan 2020-2042: Second Regulation 19 Publication Draft

Response to Consultation by email from:

Blackdown Hills National Landscape
Riverside
Hemyock
Cullompton
Devon
EX15 3SH

Submitted by:
Lisa Turner
26/01/2026

REPRESENTATION:

What part of the plan does representation relate to?

Strategic Policy SP07: Delivery of infrastructure

Is this part of the plan sound?

Yes, we support the amendments to part E of this policy, which is clearer and firmer on expectations in relation to long-term maintenance and management of new infrastructure as part of development.

REPRESENTATION:

What part of the plan does representation relate to?

Policy HN05: Self-build and custom build housing

Is this part of the plan sound?

Yes, we support the amendments to this policy, clarifying that it relates only to settlements and as part of any housing permitted in other areas, which is helpful in terms of meeting other planning requirements and avoiding development in unsustainable locations.

REPRESENTATION:

What part of the plan does representation relate to?

Policy SE02: Employment development in the countryside

Is this part of the plan sound?

In part.

We welcome the addition of a section on new agricultural buildings into this policy, as we have previously highlighted the lack of this policy as a significant omission in respect of guiding development in the countryside.

If no, please give details of why you consider this part of the Plan is not sound. Please be as precise as possible.

We think that there should be clearer, more specific guidance on protecting the environment and amenity from unfettered and inappropriate employment development in the countryside.

Please set out the modification(s) you consider necessary to make this part of the Plan sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Plan sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.

Policy SE01 states that proposals will be permitted where proposals are compatible with neighbouring developments and land uses and will not give rise to adverse amenity impacts or undermine plan strategy or specific policies directly relevant to the use of the land in question. A similar statement should be included in SE02. Alternatively, an explanation of what is meant by 'socially and environmentally acceptable' should be included in the policy justification.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

Yes, I wish to participate in hearing session(s).

REPRESENTATION:

What part of the plan does representation relate to?

Strategic Policy DS01: Design and local distinctiveness

Is this part of the plan sound?

For the most part.

We support this policy as being strong and clear on high quality design and distinctiveness, and welcome the amendment to criteria E.4.

If no, please give details of why you consider this part of the Plan is not sound. Please be as precise as possible.

We noted previously that the Blackdown Hills Design Guide for Houses which was specifically referenced is due to be reviewed and revised, however we did not contemplate the reference being deleted. We consider the guidance helpful in seeking to conserve and enhance the designated AONB and as such relevant to this policy.

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Reinstate some reference to guidance specific to National Landscapes, for example the end of the second sentence could be amended thus, '...whether adopted as Supplementary Planning Documents or promoted through other means, *including the National Landscapes.*'

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s).

REPRESENTATION:

What part of the plan does representation relate to?

Policy DS02: Housing density and efficient use of land

Is this part of the plan sound?

Yes, we support the amendments to this policy. While it is right to use land efficiently by maximising numbers and density, it is important to recognise that other factors, such as landscape character and heritage may determine a different approach particularly in the National Landscapes.

REPRESENTATION:

What part of the plan does representation relate to?

Strategic Policy OL01: Landscape features
And paragraphs 12.3 and 12.5

Is this part of the plan sound?

For the most part.

We support this policy as being clear on protecting East Devon's landscape, countryside, and rural areas from harmful development.

If no, please give details of why you consider this part of the Plan is not sound. Please be as precise as possible.

The policy would be strengthened by amended wording to the final main paragraph, and corresponding justification. Clearer expectations regarding LVIA would add value, aligning with Landscape Institute guidance (GLVIA).

Please set out the modification(s) you consider necessary to make this part of the Plan sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Plan sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.

1. Amend part of the policy as follows:

All development in the countryside should have regard to the most up to date Landscape Characterisation Assessments as a basis for understanding, maintaining and enhancing local distinctiveness and landscape character as well as **other** up to date **landscape-related** strategy and guidance ~~for trees and woodlands~~.

2. Amend para 12.3 as follows:

12.3. This overarching policy aims to protect important landscape features, whether designated or not. A key objective of the Local Plan is to conserve and enhance the environment, landscape, historic character, archaeological value, wildlife, agricultural, recreational, and natural resource value of countryside areas. All development in the countryside should consider the ~~district~~ **Devon** Landscape Characterisation Assessment (LCA), **Management Plans for East Devon and Blackdown Hills National Landscapes**, and the Council's Tree Strategy to maintain and enhance local distinctiveness and landscape character.

3. Replacement/amended para 12.5 as follows:

Proposals **that raise concerns about adverse effects on the character of an area and/or visual amenity** should be **subject to a** proportionate Landscape and Visual Appraisal, conducted in accordance with the Guidelines for Landscape and Visual Impact Assessment and **related**

technical guidance published by the Landscape Institute. The level of detail required will depend upon the **scale and type of development proposed, the sensitivity of the landscape to such change, and the likely significance of effects.** If a full Environmental Impact Assessment (EIA) is required, a Landscape and Visual Impact Assessment (LVIA) by a **Chartered Member of the Landscape Institute** will be necessary. **Both types of appraisals should be objective and unbiased assessments that identify and assess the effects of a proposal on the landscape and visual resource and include measures to mitigate adverse effects. Carrying out such appraisals early in the design process is encouraged in order to inform a high standard of mitigation and enhancement design.**

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

Yes, I wish to participate in hearing session(s).

REPRESENTATION:

What part of the plan does representation relate to?

Strategic Policy OL02: National Landscapes
And paragraph 12.8

Is this part of the plan sound?

For the most part.

We support this policy as being clear on seeking to protect the National Landscapes and recognising the National Landscapes management plans in decision making.

If no, please give details of why you consider this part of the Plan is not sound. Please be as precise as possible.

The policy would be strengthened by amended wording and further clarification in the corresponding justification.

Please set out the modification(s) you consider necessary to make this part of the Plan sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Plan sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.

1. Amend wording of part A of policy to accord with purposes and align with management plans: Development in a NL, or outside but affecting its ~~setting or appearance~~, **natural beauty, special qualities and key characteristics**, will only be permitted where it avoids harm and contributes to the protection, conservation and enhancement of the special qualities, character and natural beauty of the NL.

2. Add a footnote/link from part B of the policy to the NPPF criteria to test exceptional circumstances.

3. Amend para 12.8 as follows to better explain the duty:

This policy is necessary to ensure the protection and conservation of East Devon's NLs in accordance with the Countryside and Rights of Way (CROW) Act 2000, the Levelling Up and Regeneration Act 2023, and the NPPF. The Council, **and other relevant authorities**, has a duty to 'seek to further' the statutory purposes of Protected Landscapes, **which for NLs is to conserve and enhance natural beauty**, and recognise these in reaching decisions and undertaking activities that impact these areas.

[a footnote could give examples of pertinent 'relevant authorities', e.g. Devon County Council, South West Water, Environment Agency.]

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Yes, I wish to participate in hearing session(s).

REPRESENTATION:

What part of the plan does representation relate to?

CHAPTER 5. DEVELOPMENT IN THE TOWNS AND VILLAGES

And Topic Paper SAL – 049 (Rev) Major Development in National Landscapes

Is this part of the plan sound?

No.

If no, please give details of why you consider this part of the Plan is not sound. Please be as precise as possible.

Further to representations to the first Regulation 19 draft, we consider that the council's response has not fully addressed the issues raised regarding the overall approach to allocations within the context of the duty to seek to further the conservation and enhancement of the National Landscapes.

Please set out the modification(s) you consider necessary to make this part of the Plan sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Plan sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.

We previously advocated a landscape-led approach to informing site allocation choices. A landscape led approach, whether to all allocations or allocations in or affecting the National Landscapes, would look at landscape sensitivity and capacity and seek to understand the inherent landscape character and special qualities of that landscape, and thus whether the suggested mitigation measures would contribute to or erode natural beauty. There is no clear consideration of how development might further the purpose of designation and to what extent proposed measures simply mitigate harm.

It is not always clear how assessment has led to the allocation, and there remains questions where site assessments flag up need for further landscape or heritage appraisals.

For each site in/adjacent to National Landscapes, it should be possible to consider how it is conserving and enhancing natural beauty, cross reference with NPPF guidance on development in or affecting protected landscapes, and consider whether sites meet the requirements of policies elsewhere in the plan – if it doesn't meet all these then the allocation should be reconsidered.

Your response to our previous representation noted that strategic alternatives assessed were assessed in the sustainability appraisal. This is fine for pattern of development and settlement hierarchy, however, fundamentally other alternatives could be;

- a. Engage para 11 (b)1.) of NPPF – not possible to meet objectively assessed housing need where the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area.

- b. Consider alternatives where housing numbers can be provided in line with the settlement hierarchy without encroaching/affecting National Landscapes through design/density of other sites (within settlements or other sites) – for example at Honiton it is positive that Honi_12 is no longer proposed, but in terms of overall provision at Honiton the number allocated at GH/ED/39 has increased, which more than covers the removed site allocation.

Still more could be done though in relation to sites and seeking to further the purpose;

For example in Honiton, Sites Honi_7 and _13 were proposed to be removed alongside Honi_12, but were reinstated at Strategic Planning Committee in September 2025. The scale of these allocations (40) is a tiny part of the total, but deemed to have high impacts in relation to the National Landscape, and eroding the clear separation of town and country. It should be possible to incorporate this number of dwellings on alternative sites.

For example in Broadhembury, Site Brhe_09, an independent report for the parish council considered there had been inconsistent application of judgements of various potential allocation sites and issues around unresolved heritage and landscape impacts. Meanwhile one of the rejected potential allocation sites has secured planning permission for 6 dwellings. Although rejected, and within the National Landscape, there may be less impact overall if there were to be a small additional allocation at same site, instead of Brhe_09 (as it is further away from the historic core of village and limiting the loss of green field sites around the settlement) or a corresponding reduction in number at Brhe 09 on a less impactful site area.

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