

This file has been cleaned of potential threats.

If you confirm that the file is coming from a trusted source, you can send the following SHA-256 hash value to your admin for the original file.

4479e715aede99f43a8b8369b21b243af2c4bdb66fadb958b41580a16fb26490

To view the reconstructed contents, please SCROLL DOWN to next page.

# Proposed Coastal Preservation Area Designation Review: Area 5: Exmouth to Topsham

On behalf of Waddeton Park Ltd

Date: June 2024 | Pegasus Ref: P23-1717

Author: NEIL FURBER BSC (DUAL HONS) PGDip CMLI

---



## Document Management.

Version	Date	Author	Checked/ Approved by:	Reason for revision
Final	June 2024	NF	NF	



# Contents.

2. Executive Summary .....	3
3. Introduction .....	5
3. Coastal Protection Area: Planning Policy Background.....	8
4. Pegasus Review of the Proposed Coastal Protection Area 5 – Exmouth to Topsham.....	12

## Figures

FIGURE 1 – LANDSCAPE DESIGNATIONS AND LANDSCAPE CHARACTER

FIGURE 2 – ECOLOGICAL AND HERITAGE DESIGNATIONS

FIGURE 3 – TOPOGRAPHY PLAN

FIGURE 4 – SCREENED ZONE OF THEORETICAL VISIBILITY – VIEWS OF THE LAND FROM THE ESTUARY

FIGURE 5 – SCREENED ZONE OF THEORETICAL VISIBILITY – VIEWS OF THE ESTUARY FROM THE LAND

FIGURE 6 – VISUAL RECEPTOR ANALYSIS AND VIEWPOINT LOCATION PLAN

## 2. Executive Summary

### Background

- 2.1. This report has been prepared to support a representation against the proposed Coastal Protection Area (CPA) and to inform consideration of proposed sites for residential allocation as part of emerging EDDC Local Plan.
- 2.2. This report specifically applies to CPA Area 5 – Topsham to Exmouth, however many of the conclusions will be relevant to the justification of other CPA areas within the emerging EDDC Local Plan.
- 2.3. The report has been prepared via an examination of current national policy and review of relevant documents that form the evidence base supporting the emerging EDDC Local Plan, and best practice guidance.

### National Planning Policy

- 2.4. There is no evidence in either the adopted or emerging Local Plan that it is the intention of EDDC for the CPA to be considered a Coastal Change Management Area, as defined in the National Planning Policy Framework (NPPF).
- 2.5. The NPPF is silent on the development strategy for local (non-statutory) landscape designations such as the CPA.
- 2.6. The CPA between Topsham and Exmouth does not fall within a Heritage Coast, which is a non-statutory designation that amongst other objectives aims to conserve, protect, and enhance the natural beauty of the coastline.
- 2.7. Paragraph 180 of the NPPF requires policies and decisions to maintain the character of the undeveloped coast, while improving public access to it where appropriate.

### CPA: Background to Policy

- 2.8. At a county level the 'undeveloped coast' was originally covered in a Devon Structure Plan Policy CO5, dating from 1966.
- 2.9. The November 2022 Consultation Draft of the EDDC Local Plan contains Policy 76 – Coastal Preservation Areas which is similar to the adopted policy Strategy 44 that seeks to restrict development, noting the CPA is said to be defined on the basis of visual openness and views to and from the sea.
- 2.10. A report was prepared by EDDC in March 2024 that set out the review of Coastal Preservation Area policy boundaries in the new Local Plan. This report recommended a significant inland extension of the CPA that was contained in the Adopted Plan.
- 2.11. The methodology that EDDC has referenced to justify the original CPA boundary and extension is the DLPG Advice Note 3 (2013). This Advice Note predates latest best practice guidance, relevant when considering the definition of local landscape designations. The most critical omission in the EDDC approach is a lack of fieldwork evidence to test theoretical visibility of the sea from the land and views of land from the sea.

## Pegasus Appraisal

**2.12.** Following a more detailed desktop and field assessment of the proposed CPA between Topsham and Exmouth by the author of this report, the following observations are made:

- The Coastal Preservation Area between Exmouth and Topsham is not based on a 'logical and transparent assessment process' as claimed by EDDC;
- In line with DLPG Advice Note 3, there are no Landscape Character Types (LCT) with a '*distinct coastal component*' of their key characteristics that could be used when considering the landward extent of the proposed CPA.
- The majority historic built elements (and historic parkland) of the highest value that contributes to the rural 'undeveloped' character of the coastal landscape are located outside the proposed CPA.
- Detailed Zone of Theoretical Visibility Analysis indicates very limited visibility of the sea from the land within the CPA, and land from the sea, apart from a circa 300m wide strip closest to the estuary. The remaining land within the proposed CPA does not meet the EDDC's own criteria for inclusion i.e.

*"substantially unaffected by development, and should be generally either visible from cliff top, beach, sea or estuary, or form part of the view from significant lengths of an access road, public footpath or bridleway leading to the coast or from the long-distance coastal footpath"*

- The Pegasus field survey, supported by photographic evidence, indicates a very restricted pattern of visibility of the estuary from roads and public rights of way due to dense hedgerows and hedgebanks that follow these routes.
- Apart from land adjacent to the edge of the estuary, visibility of the water from publicly accessible parts of the proposed CPA is typically fully screened by intervening buildings and vegetation, with views being confined to occasional glimpses.

## Overall Conclusions

**2.13.** There is no evidential basis on landscape and visual grounds that would support the proposed CPA between Topsham and Exmouth.

## 3. Introduction

### Background

- 3.1. This report has been prepared on behalf of Waddeton Park Ltd, to support a representation against the proposed Coastal Protection Area (hereafter known as the 'CPA') to inform the consideration of proposed sites for residential and mixed use allocation as part of the East Devon District Council (EDDC) emerging Local Plan.
- 3.2. Waddeton Park Ltd. are promoting two sites for residential development through the EDDC Local Plan site allocation process. Both sites lie within the proposed CPA as identified on the plans at **Figures 1-6** of this report.
1. Land off Hulham Road, Lypstone, EX8 5DZ - a 'preferred site' assessed by the Council; and
  2. Land at Courtland Cross, Exeter Road, Lypstone, Exmouth, EX8 3NS - a 'second choice site' assessed by the Council.
- 3.3. This report has been prepared by a Chartered Landscape Architect from Pegasus Group who has over 25 years' experience of similar projects including regularly acting as a landscape expert witness at Appeals and Local Plan Inquiries, on behalf of both Local Planning Authorities and developers.
- 3.4. The objective of this report is to interrogate the landscape and visual justification for the proposed CPA Policy that represents a constraint to new built development. This assessment specifically applies to CPA Area 5 – Topsham to Exmouth, however many of the conclusions will be relevant to the justification of other CPA areas within the emerging EDDC Local Plan.

### Methodology

- 3.5. This report has been prepared via an examination of current national policy and review of relevant documents that form the evidence base supporting the emerging EDDC Local Plan, and best practice guidance, including:
- EDDC Local Plan – Consultation Draft – (Nov 2022);
  - EDDC Local Plan 2013-2031 (Adopted Jan 2016);
  - National Planning Policy Framework (December 2023);
  - Report to Strategic Planning Committee: Coastal Preservation Area policy boundaries in the new Local Plan (12/03/24);
  - Seascape assessment for the South inshore and offshore marine plans (MMO 1037) final report (June 2014);
  - Devon Landscape Policy Group Advice Note 3: Principles of defining and maintaining the character of Devon's undeveloped coast - November 2013 (Consultation Draft);

- Devon’s Landscape Character Assessment (DCLA) web-based resource published in March 2011<sup>1</sup>;
- East Devon and Blackdown Hills Landscape Character Assessment (March 2019);
- Christine Tudor – Natural England – An Approach to Landscape Sensitivity Assessment – to inform spatial planning and land management (2019);
- Christine Tudor – Natural England – An Approach to Landscape Character Assessment (2014);
- Landscape Institute and IEMA – Guidelines for Landscape and Visual Impact Assessment – 3<sup>rd</sup> Edition (2013)

**3.6.** As part of this report, mapping of relevant environmental constraints within and adjoining the proposed CPA and the generation of Zone of Theoretical Visibility (ZTV) Mapping (**Figures 4 and 5**) was undertaken. The desktop mapping helped to inform a review in the field of landscape and visual characteristics from publicly accessible locations in views both from, and also towards the proposed CPA.

**3.7.** Whilst all local landscape designations should be supported by a robust evidence base, there is currently no specific best practice methodology for reviewing or updating local landscape designations in England. Based on previous work undertaken by Pegasus and other leading landscape consultancies, the following approach is typically undertaken:

1. Review existing (or initial proposed) local landscape designation coverage against published landscape character assessments, and map the relationship with other environmental designations that may indicate elevated landscape value<sup>2</sup>;
2. identify the published key characteristics of component landscape character areas (and types) that apply to the area and can identify a) valued landscapes that require protection and b) if valued landscapes are present how this relates to the protection afforded by existing and proposed planning policy; and
3. Where valued landscapes are identified a ‘Statement of Significance’ should be prepared for the local landscape designation that has drawn upon a robust evidence base and directly relates to the Local Plan Policy wording.

**3.8.** Specific guidance on the approach to review of the CPA was provided in 2013 by the Devon Landscape Policy Group Advice Note No. 3, which stated at page 2:

***“...Coastal Preservation Area boundaries (or their local equivalent) should be used as a starting point for defining the extent of Undeveloped Coast. Any proposed boundary amendment should be agreed between neighbouring authorities and be based on***

---

<sup>1</sup> Devon County Council website [<https://www.devon.gov.uk/planning/planning-policies/landscape/devons-landscape-character-assessment/>] accessed 14.06.24

<sup>2</sup> Christine Tudor – Natural England – An Approach to Landscape Sensitivity Assessment – to inform spatial planning and land management (2019)



*criteria agreed with the Devon Landscape Policy Group that draws upon up to date and relevant evidence base.*

*Relevant landscape character assessment evidence base should be used in combination with seascape character assessments (where available) as a basis for understanding the character of the undeveloped coast and its likely sensitivity to new development...”*

### 3. Coastal Protection Area: Planning Policy Background

#### National Planning Policy

3.1. Under 'Coastal Change the NPPF (2023) at paragraph 177 states:

*“Plans should reduce risk from coastal change by avoiding inappropriate development in vulnerable areas and not exacerbating the impacts of physical changes to the coast. They should identify as a Coastal Change Management Area any area likely to be affected by physical changes to the coast, and: a) be clear as to what development will be appropriate in such areas and in what circumstances; and b) make provision for development and infrastructure that needs to be relocated away from Coastal Change Management Areas.”*

3.2. At paragraph 178 the NPPF goes on to state:

*“Development in a Coastal Change Management Area will be appropriate only where it is demonstrated that:*

*a) it will be safe over its planned lifetime and not have an unacceptable impact on coastal change;*

*b) the character of the coast including designations is not compromised;*

*c) the development provides wider sustainability benefits; and*

*d) the development does not hinder the creation and maintenance of a continuous signed and managed route around the coast (as required by the Marine and Coastal Access Act 2009).*

3.3. There is no evidence in either the adopted or emerging Local Plan that it is the intention of EDDC for the Coastal Protection Area to be considered a Coastal Change Management Area, as defined at page 68 of the NPPF:

*“An area identified in plans as likely to be affected by physical change to the shoreline through erosion, coastal landslip, permanent inundation or coastal accretion”*

3.4. Under conserving and enhancing the natural environment paragraph 180 of the NPPF states:

*“Planning policies and decisions should contribute to and enhance the natural and local environment by:*

*a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*

*b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the*

*economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;*

**c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;**

**d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures...**

(underlined: added emphasis)

- 3.5.** In relation to criterion c) the review in the following section considers whether, with reference to the published Devon Character Assessment, the extent of land within the proposed CPA meets the criteria for inclusion within the CPA as ‘undeveloped coast.’
- 3.6.** Paragraph 182 of the NPPF states:
- “Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.”***
- 3.7.** The NPPF is silent on the development strategy for local (non-statutory) landscape designations such as the CPA.
- 3.8.** Paragraph 184 of the NPPF states:
- “Within areas defined as Heritage Coast (and that do not already fall within one of the designated areas mentioned in paragraph 182), planning policies and decisions should be consistent with the special character of the area and the importance of its conservation. Major development within a Heritage Coast is unlikely to be appropriate unless it is compatible with its special character.”***
- 3.9.** The CPA between Topsham and Exmouth does not fall within a Heritage Coast, that is a non-statutory designation that amongst other objectives aims to conserve, protect, and enhance the natural beauty of the coastline.

### Background to CPA Policy<sup>3</sup>

- 3.10. At a county level the ‘undeveloped coast’ was originally covered in a Devon Structure Plan Policy CO5, dating from 1966, which stated:

***“Within the Coastal Preservation Area, development, other than that of a minor nature, will not be provided for except where it is required: for the benefit of the community at large, in connection with public access for informal recreation, or for the purposes of agriculture or forestry and only when such development cannot be reasonably accommodated outside the protected areas. Such development will only be provided for when it would not detract from the unspoilt character and appearance of the coastal area”***

- 3.11. In 1985 a redefined CPA was adopted as part of the Landscape Policies Local Plan. By 2011 the East Devon Consultation Local Plan had a policy: Draft Strategy 38 that covered the Undeveloped Coast in East Devon, and stated:

***“The Council will define an undeveloped coast policy with regard to views from both land and sea. Restrictive policy will place limits on development in this area that could damage this undeveloped/open status. This will be defined on the basis of visual openness and views to and from the sea. The boundary of the Coastal Preservation Area shown on the East Devon Local Plan will be used as a basis for informing area definition.”***

### Adopted Local Planning Policy

- 3.12. Strategy 44: ‘Undeveloped Coast and Coastal Protection Area from the Adopted EDDC Local Plan 2013–2031 (2016): states:

***“Land around the coast and estuaries of East Devon, as identified on the Proposals Map, is designated as a Coastal Preservation Area. Development or any change of use will not be allowed if it would damage the undeveloped/open status of the designated area or where visually connected to any adjoining areas. The Coastal Preservation Area is defined on the basis of visual openness and views to and from the sea”***

### Emerging Local Planning Policy

- 3.12.1. The November 2022 Consultation Draft of the EDDC Local Plan contains a Policy 76 – Coastal Preservation Areas which is identical to the adopted policy above with the inclusion of

***“...Appropriate proposals which increase public access to the coast will be supported”:***

- 3.13. The supporting text at paragraph 12.6 states:

***“The Coastal Preservation Area boundary is currently under review to take account of development and other changes which have occurred since the***

---

<sup>3</sup> Devon Landscape Policy Group Advice Note 3: Principles of defining and maintaining the character of Devon’s undeveloped coast – November 2013 (Consultation Draft)

***boundary was defined in the adopted Local Plan. This will ensure that it continues to be based on visual openness and views to and from the sea. As this work is not yet complete the Policies Map shows the currently adopted CPA boundary but this may change.”***

**3.14.** In conclusion, the definition of the CPA contained in the adopted and emerging Local Plan contains two important components:

1. the visual openness of land; and
2. views to and from the sea.

**3.15.** It follows therefore that should there be significant areas of land in the proposed designation land that are neither visually open nor contain views to and from the sea, this land should be excluded from the CPA.

## 4. Pegasus Review of the Proposed Coastal Protection Area 5 – Exmouth to Topsham

Coastal Preservation Area policy boundaries in the new Local Plan prepared by East Devon District Council (12/03/2024)

4.1. The reason for recommendation in the Council report are stated as:

**“To ensure that Coastal Preservation Areas are based on a logical and transparent assessment process and that the public are given an opportunity to comment on the proposals as part of the local plan production process.”**

(underlined: added emphasis)

4.2. The methodology is stated at paragraph 2.2 of the report:

***“The methodology is based on ‘An approach for defining undeveloped coast’ DLPG Advice note 3. The original Coastal Preservation Area designation provides a starting point or baseline for defining ‘Undeveloped Coast’ through the Local Plans and Local Development Documents. This reflects the approach already adopted by many coastal planning authorities to date and uses the criteria recommended by the Devon Landscape Policy Group.”***

4.3. Review of DLPG Advice Note 3 at paragraph 3.2 indicates that the definition of the original CPA areas considered landscape character and landscape value (quality), summarised as:

- Landscape character types with a ‘distinct coastal component’ of their key characteristics may be useful when considering the landward extent of the CPA;
- Historic built elements may be present that positively contribute to the rural ‘undeveloped’ character of the coastal landscape; and
- Visibility considerations (covered separately below).

### Landscape Character Types

4.4. There is no evidence that the landscape character baseline with respect to the Landscape Character Types (LCT) contained within the Exmouth to Topsham CPA has informed the extent of the proposed designation. With reference to **Figure 1** the proposed CPA includes three different LCT’s i.e., LCT 1C: Pebble Bed Heaths; LCT 3B: Lower Rolling Farmed and Settled Valley Slopes; and LCT 3E: Lowland Plains. The key characteristics of these LCT in the published Devon Landscape Character Assessment<sup>4</sup> are reproduced below and with a single underlined exception (of leisure based development often associated with the coast), the key characteristics do not contain any ‘distinct coastal component’ as suggested in the DLPG Advice Note 3.

---

<sup>4</sup> Revised by Devon County Council and DPLG in 2017

**LCT 1C: Pebble Bed Heaths:**

- *High, level to gently undulating open plateaux*
- *Extensive lowland heath, conifer plantations and some beech woods*
- *Mix of unenclosed heath and conifer plantations*
- *Mix of major and minor roads*
- *Mainly unsettled*
- *Distinctive geology influences vegetation and land use*
- *Extensive recreational and biodiversity use*
- *Panoramic views*

**LCT 3B: Lower Rolling Farmed and Settled Valley Slopes:**

- *Gently rolling lower valley slopes*
- *Pastoral farmland, with a wooded appearance*
- *Variable field patterns and sizes with either wide, low boundaries and irregular patterns or small fields with medium to tall boundaries and a regular pattern.*
- *Many hedgerow trees, copses, and streamside tree rows*
- *Settled, with varied settlement size, building ages and styles, sometimes with unity of materials in places through use of stone.*
- *Presence of leisure-related development often associated with coast*
- *Winding, often narrow sunken lanes with very tall earth banks. Main roads may dominate locally.*
- *Streams and ditches*
- *Some parts tranquil and intimate all year round, except near main transport routes.*
- *Enclosed and sheltered landscape and wider views often restricted by vegetation*

**LCT 3E: Lowland Plains:**

- *Level to gently sloping or rolling plain*
- *Mixed farmland with other land uses, possibly extractive industry, or commercial development.*
- *Orchards sometimes common*

- **Settlement pattern varies according to location, from sparsely to densely settled, with a mixed pattern of villages and hamlets**
- **Regular or irregular medium to large scale field pattern**
- **Local dominance of stone as building material, but great variety of materials and styles throughout**
- **Variable woodland pattern, sometimes with small discrete woodlands, large plantations, hilltop beech clumps or linear amenity planting.**
- **Roadside hedges. Hedgerow trees may be sparse or dominant**
- **Variable highway network from sparse to major roads**
- **Long views variable in quality, sometimes marred by pylons and communication masts**
- **Surprising feeling of remoteness in some parts**

#### **Historic Built Elements**

- 4.5.** The second criteria outlined in the DLPG Advice Note 3 for potential inclusion of land within the CPA was '**Historic built elements may be present that positively contribute to the rural 'undeveloped' character of the coastal landscape**'.
- 4.6.** The majority of historic built elements of highest value in the vicinity of the coast are located outside of the proposed CPA including the Lymphstone Conservation Area and a dense cluster of listed buildings, the Grade II\* Registered Park and Garden (RPG) at Powderham Castle on the western banks of the River Exe, and the Grade II RPG and National Trust gardens of A la Ronde on the northern edge of Exmouth (see **Figure 2**). Nutwell Park adjacent to the Exe Estuary and within the CPA is associated with the Grade II\* listed property of Nutwell Court and is on the local list of historic parks (i.e., not subject to statutory protection).

#### **Other considerations that may indicate elevated Landscape Value**

- 4.7.** The distribution of ecology designations, which have the potential to indicate a higher landscape value<sup>56</sup>, are mapped on **Figure 2**, noting that these all fall outside the proposed CPA, apart from a small area of ancient woodland within the grounds of Nutwell Park, close the estuary.

#### **Intended Constraints upon development of a Local Landscape Designation**

- 4.8.** Page 1 of Appendix 1 of the Council's 2024 report states:

---

<sup>5</sup> Landscape Institute and IEMA – Guidelines for Landscape and Visual Impact Assessment – 3<sup>rd</sup> Edition (2013) – Box 5.1 (page 84)

<sup>6</sup> Christine Tudor – Natural England – An Approach to Landscape Sensitivity Assessment – to inform spatial planning and land management (2019) – page 18

***"In East Devon the Undeveloped Coast is designated as Coastal Preservation Area (CPA) in the Local Plan. The CPA is a policy to protect the finite resource of the undeveloped coast from development. Restrictions against development in CPAs are stronger than those for Areas of Outstanding Natural Beauty (AONBs).***

(underlined: added emphasis)

- 4.9. The added emphasis in the above statement presents an apparent conflict with paragraph 181 of the NPPF that states:

***"Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework."***

- 4.10. At paragraph 2.3 at Appendix 1 of the 2024 Council report, the criteria for inclusion in the CPA are clarified:

***"Areas for inclusion within the CPA should be substantially unaffected by development, and should be generally either visible from cliff top, beach, sea or estuary, or form part of the view from significant lengths of an access road, public footpath or bridleway leading to the coast or from the long-distance coastal footpath. Members should be aware that several proposed development allocations are located within the CPA area and there could be potential for conflict between these allocations and the 'undeveloped' character of the CPA, this is discussed below."***

- 4.11. The stated Council test for inclusion of land within the CPA covers visibility from a cliff top and or beach/estuary or part of a view from a '**significant length**' of publicly accessible routes including public rights of way and roads.

- 4.12. As it is an established planning principle that there is no private right to a view, as expected there is no mention within the CPA Review of any consideration of private views from roads, gardens or dwellings. These views are largely confined, in any event to the built-up areas outside the CPA designation.

- 4.13. The references that informed the Council report, cover a range of desktop studies including a link to sea views mapping data. Important limits on the use and interpretation of the data are set out in the report<sup>7</sup> that accompanies the mapping are described at pages 27–29 and 47, as follows:

***"Views from the shoreline are often unimpeded by visual barriers such as buildings, trees, hedges, and other tall vegetation. Moving further inland introduces the possibility of views being disrupted by one or more of the above factors."***

***By using a bareground elevation surface Seascape assessment for the South marine plan areas model such as the OS data, the results will be an over-***

---

<sup>7</sup> Marine Management Organisation – Seascape assessment for the South Marine Plan Areas: technical report (June 2014)

*representation of views, as many could in reality be blocked by surface features not included in the model. This needs to be borne in mind when interpreting the VRM results – that they represent a general, strategic-scale pattern of visibility.*

*The resolution of the DEM will affect the processing time and computational power required to run the viewshed models in GIS and at this strategic scale, using a DSM would have been prohibitive in terms of both costs and processing resources required to run it.*

*A grid of points both onshore and offshore has been generated at 500m intervals.*

*The modelling is based on a bare ground digital representation of the Earth's surface without any surface features. Therefore visibility (and intervisibility) is likely to be an exaggeration of the actual situation. The addition of surface features such as buildings and vegetation would have the effect of disrupting some views. Adding in this information could be a future consideration to further refine the VRM results."*

#### Theoretical Visibility

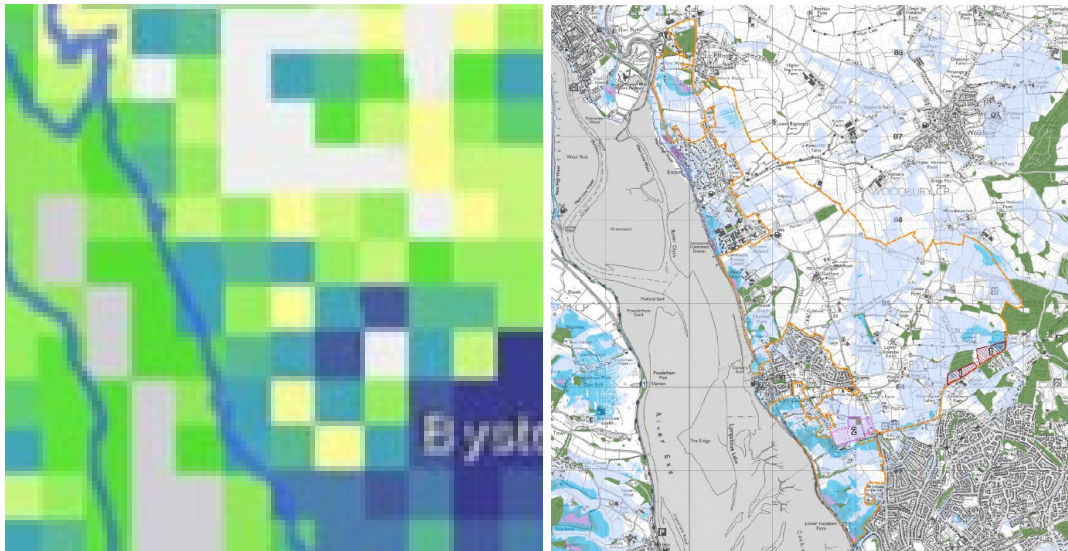
- 4.14.** The Pegasus ZTV mapping at **Figures 4** and **5** was created using more detailed terrain data at higher resolution than the MMO plans used to inform the Council judgements of visibility (e.g., the source points were at 100m apart not 500m apart). In addition, the Pegasus ZTV incorporates the screening effect of the key surface features of woodland and buildings which substantially reduce the theoretical visibility of the sea from land (and land from sea). A side by side comparison of the MMO viewshed used by the Council to define the boundary of the CPA is compared with the Pegasus ZTV at **Plate 1** below.
- 4.15.** In reality, actual visibility would be further reduced when the screening effect of roadside and field boundary hedgerows are taken into account. Whilst it is theoretically possible to include hedgerow data as screening elements in a ZTV, for large study areas, such as the CPA, it is typically omitted due to the size of the dataset and visibility is confirmed by field verification. The importance of field verification of both visibility and landscape character is highlighted in relevant best practice documents<sup>89</sup>

---

<sup>8</sup> Christine Tudor – Natural England – An Approach to Landscape Sensitivity Assessment – to inform spatial planning and land management (2019) – page 20

<sup>9</sup> Landscape Institute and IEMA – Guidelines for Landscape and Visual Impact Assessment – 3<sup>rd</sup> Edition (2013) – paragraph 5.15 page 79

**Plate 1: Comparison<sup>10</sup> of MMO Viewshed (left) with Pegasus ZTV (right)**



- 4.16.** As confirmed by the Council CPA review (see paragraph 4.10 above), the distribution of theoretical visibility away from publicly accessible routes/area i.e., from private farmland, that covers the majority of the proposed CPA, is not relevant to the inclusion of land within the CPA.

#### **Views of the sea (estuary) from the land**

- 4.17.** As part of this review, Pegasus have undertaken fieldwork to record the actual visibility of the estuary from the land from a representative range of publicly accessible locations within the proposed CPA, including public rights of way and public highways. The field assessment findings are presented on **Figure 6**. The likelihood of views of the sea for ‘significant lengths’ of roads or footpaths in winter when trees and hedgerows are not in leaf was considered. This professional judgement was based on over 25 years’ experience of comparing winter and summer views from the same locations.
- 4.18.** A series of representative photoviews were taken across the CPA and the description below describes the context of these views, with viewpoint locations indicated on **Figure 6**.
- 4.19.** Close to the edge of the estuary, there are panoramic views across the River Exe for users of the National Cycle Route 2 and the East Devon Way long distance footpath (**Viewpoints 1 and 2**). Parallel and very close to these routes the Avocet line railway that connects Exeter to Exmouth is located and train passengers would experience panoramic views across the estuary. There are a range of seating opportunities along the footpath cycleway adjacent to the sea wall and in places there is access to the beach at low tide (**Viewpoint 2**), with occasional elevated views from small pockets of green space (**Viewpoint 3**).
- 4.20.** North of Lympstone, close to the estuary, there are partially restricted views towards the estuary from a local recreation ground (**Photoviewpoint 4**), partially screened by perimeter

<sup>10</sup> The visibility categories are not directly comparable between the plan extracts, however darker colours indicate a greater visibility of the sea from the land.

tree cover and less restricted views across the estuary from the long distance footpath adjacent to the sea wall (**Photoviewpoint 5**).

- 4.21.** Further inland, the proposed CPA is located between the settlements of Exmouth and Lympstone, where views of the sea from the public minor road network including Courtlands Lane are typically fully restricted by roadside planting and built development. Potential views towards the estuary from the East Devon Way long distance footpath (EDW LDF) that passes through the Courtlands Way residential Site (second choice allocation) are restricted by intervening planting. Due to the maturity and density of the planting it is predicted to form an effective screen of views of the estuary, even in winter (**Photoviewpoint 6**). Occasional glimpses of the sea are available from the EDW LDF further north (**Photoviewpoint 7**), however these glimpses are typically limited in extent with intervening built development and planting combining to prevent any sustained and significant views of the estuary.
- 4.22.** Further inland, there are very occasional fleeting glimpses of the estuary from the northern end of Wooton Lane (**Photoviewpoint 8**), and from Hulham Road, across the Garden Center car park (**Photoviewpoint 9**). More typically views from both routes are fully screened by mature hedgerow and tree planting, such that the estuary would not be visible, and this situation is not predicted to change in winter months due to the maturity of the planting and the multi-layer nature of the screening present, along the route and intervening field boundaries.
- 4.23.** At the northeastern edge of the proposed CPA there is a solar farm within the proposed designation (**Photoviewpoint 10**), and views from the local road network including Stony Lane and the unclassified single track lane to Woodmanton are flanked by mature hedgerows that typically prevent any views towards the sea apart from a fleeting distant glimpse of the estuary, near the boundary of the proposed CPA (**Photoviewpoint 11**).
- 4.24.** The network of minor lanes south of Woodmanton within the proposed CPA include Tedstone Lane and Exe View Road (however it is noted that from the latter route, despite its name, due to tall flanking hedgerows, there were no discernible views of the River Exe). Views of the sea are extremely limited and include occasional glimpses of the estuary from lanes, where more typically visibility is fully restricted by hedgerows (**Photoviewpoints 12 and 13**).
- 4.25.** At the northwestern end of the proposed CPA, there are several single track country lanes east of Exton that run perpendicular to the coastline including Rydon Lane and Porter's Lane. Views of the sea are limited from these routes due to the maturity of the roadside hedgerows and hedgebanks, with infrequent glimpses occasionally available (**Photoviewpoint 14**). Further north towards the village of Ebford views from National Cycleway 2 near the coast are largely screened by intervening planting along the railway. Views from public footpaths crossing more elevated land to the east of Ebford are also typically screened by mature hedgerows along the routes. There are fleeting and oblique glimpses of the estuary through a hedgerow gap along the A376 Exmouth Road (**Photoviewpoint 15**).
- 4.26.** In conclusion within the proposed CPA, there are extensive views of the estuary for a significant length of public routes in the immediate vicinity of the shoreline as experienced by users of the railway, National Cycleway 2, the coastal section of the East Devon Way long distance footpath, and public open spaces close to the edge of Lympstone (as represented by **Photoviewpoints 1-5**) and identified in orange on the plan at **Figure 6**. All other routes further inland within the proposed CPA, including minor roads and a limited network of public rights of way are typically enclosed by mature hedgerows and hedgebanks, such that even

in winter following leaf fall, any views of the sea would be confined to occasional glimpses (**Photoviewpoints 6-15**).

#### **Views of the land within the CPA from the sea (estuary)**

- 4.27.** Views of the land from the sea are represented by photography taken from the Exe Valley Way long distance footpath adjacent to the railway just north of Starcross (see **Photoview 16** below).
- 4.28.** As indicated by the ZTV at **Figure 4** there is a limited proportion of land within the proposed CPA that is theoretically visible from the estuary. Closer inspection of **Photoview 16** below (including zoom view) demonstrates that the visible land is predominantly confined to the fields between the coastal settlements, west of the A367 and within circa 300m of the estuary. This area broadly coincides with the western part of the 'Exe Estuary and Farmlands' Landscape Character Area (LCA) as illustrated on **Figure 1**. The land within the proposed housing sites at Courtland Cross and Hulham Road is not discernible, being screened by intervening planting.

**Photoviewpoint 1: View from National Cycleway 2, north of Exmouth**



**Photoviewpoint 2: View from Sowden Lane, southwest edge of Lymington**



**Photoviewpoint 3: View from pocket park, southwest edge of Lymstone**



**Photoviewpoint 4: View from Recreation Ground, north of Lymstone**



**Photoviewpoint 5: View from East Devon Way, north of Lympstone**



**Photoviewpoint 6: View from East Devon Long Distance Footpath off Courtlands Lane (no views of sea)**



**Photoviewpoint 7: View from East Devon Long Distance Footpath south of Lymstone (distant glimpses of sea)**



**Photoviewpoint 8: View from Wotton Lane (distant and fleeting glimpses of sea)**



**Photoviewpoint 9: View from Hulham Road across Garden Centre (distant and fleeting glimpses of sea)**



**Photoviewpoint 10: View of Solar Farm off Stony Lane (distant and fleeting glimpses of sea set above solar panels)**



**Photoviewpoint 11: View from Stony Lane (distant and fleeting view of estuary)**



**Photoviewpoint 12: View from single track road near Higher Mallocks Farm (distant and fleeting view of estuary)**



**Photoviewpoint 13: View from Tedstone Lane over field access gate (distant and fleeting view of estuary)**



**Photoviewpoint 14: View from minor road north of Porter's Lane (distant and fleeting view of estuary)**



**Photoviewpoint 15: View from A376 on southern edge of Ebford (distant and fleeting view of estuary)**



**Photoviewpoint 16: View from Exe Valley Way on the northern edge of Starcross**



*Zoomed in extract of view overleaf*



**Viewpoint 16 (zoomed in view)** The view illustrates the limited proportion of land within the proposed CPA visible – the clearly visible land comprises fields closest to the coast – typically within 300m of the estuary. The proposed housing sites at Courtlands Cross and Hulham Road are screened by intervening tree cover.





**Figures (see separate volume)**

Town & Country Planning Act 1990 (as amended)  
Planning and Compulsory Purchase Act 2004

# Expertly Done.

DESIGN | ECONOMICS | ENVIRONMENT | HERITAGE | LAND & PROPERTY | PLANNING | TRANSPORT & INFRASTRUCTURE



All paper sources from sustainably managed forests

Pegasus Group is a trading name of Pegasus Planning Group Limited (07277000) registered in England and Wales.

Registered office: Querns Business Centre, Whitworth Road, Cirencester, Gloucestershire, GL7 1RT  
We are ISO certified 9001, 14001, 45001



[Pegasus\\_Group](#)



[pegasusgroup](#)



[Pegasus\\_Group](#)

**PEGASUSGROUP.CO.UK**