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At page 5 of the Local Plan it states that the local plan has reached the Regulation 19 stage and this forms the second planned phase of Regulation 19 consultation which introduces “limited new material to the plan”. It refers to the transitional arrangements in the National Planning Policy Framework (December 2024) which allows Local Plans which reach Regulation 19 stage by 12 March 2025 to be examined against the NPPF (December 2023). Accordingly, the Council has prepared the plan in accordance with the 2023 version of the NPPF.

At the time of publication of the first Regulation 19 plan, the transitional arrangements within NPPF December 2024 at paragraph 234 applied. This states that to have reached Regulation 19 the planning authority must have made a copy of each of the proposed submission documents available and sent to consultation bodies (footnote 82). Due to the phased consultation on the Regulation 19 Plan, the Council did not comply with paragraph 234.

The National Planning Policy Guidance (paragraph 86, Reference ID:61-086-20250616) was updated on 26 June 2025. It advises that in cases where LPAs undertake more than one round of Regulation 19 consultation on a plan, for the purposes of the transitional arrangements in Annex 1, a plan is normally to be taken as reaching Regulation 19 stage at the date on which the first round of Regulation 19 consultation commenced. However, where the content of the emerging plan has changed significantly from the one presented at the initial Regulation 19 stage, the plan should be taken to have reached Regulation 19 stage at the date of the subsequent round of consultation.

This second Regulation 19 plan includes substantive and significant changes to its policies, in particular relating to the infrastructure requirements associated with policies SP07, WS01, policy requirements for housing allocations under policies SD01- SD29, comprehensive re-writing of Policy AR02, PB01 and PB04 and the introduction of new policy requirements for electric vehicle charging under Policy TR04. Having regard to the NPPG and Annex 1 of the 2024 NPPF, the plan should be regarded as reaching Regulation 19 stage at this second round of consultation (November 2025) and therefore the plan should be examined against the 2024 NPPF.

The Government published a consultation draft NPPF in December 2025. Paragraph 8 of Annex A states that any local plans should be prepared in accordance with the December 2024 NPPF unless any of the transitional arrangements in Annex 1 of that Framework apply. Once again, this points

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Representations on behalf of Place Land Limited

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towards the 2024 version of the NPPF as the appropriate Framework against which to examine the East Devon Plan.

The Plan should refer to the 2024 version of the NPPF within the introduction and throughout the plan and the implications of the application of the 2024 NPPF should be taken into full account throughout the plan.

Strategic Policy SD20 - Development Allocations at Kilmington

These comments should be read in conjunction with Place Land Limited’s representations on this policy at the first phase of the Regulation 19 plan.

We object to the revised wording regarding careful design to conserve and enhance the natural beauty of the site.

The NPPF (2024) requires planning policies to contribute towards and enhance the natural and local environment by protecting and enhancing valued landscapes, recognising the intrinsic character and beauty of the countryside (paragraph 187). Great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscapes (paragraph 189).

These policy requirements recognise the need to identify features of particular character and beauty, which are intrinsic to the value of the protected landscape. A policy requirement to conserve and enhance the natural beauty of the site introduces a local policy requirement which is inconsistent with national policy. To conserve and enhance the natural beauty of the site could go beyond the national policy requirement and impose an onerous requirement on the site allocation which could unduly restrict development.

As drafted, the wording is not consistent with the NPPF and could prove ineffective in respect of the delivery of this housing allocation.

The policy should be amended to comply with national policy as follows:

“The site is in the East Devon National Landscape and requires careful design to conserve and enhance the natural beauty of the protected landscape.”