



4 January 2023

Local Plan Team  
East Devon District Council  
Border Road  
Heathpark Industrial Estate  
Honiton  
EX14 1EJ

By Email to: [planningwest@eastdevon.gov.uk](mailto:planningwest@eastdevon.gov.uk); [planningeast@eastdevon.gov.uk](mailto:planningeast@eastdevon.gov.uk)

Dear Local Plan Team,

### **Consultation on East Devon Draft Local Plan 2020-2040 – Devon Wildlife Trust Comments**

Thank you for the opportunity to comment on the East Devon Local Plan. We confine our comments to those relating to nature and environment.

#### **General comments**

We are impressed with the breadth and detail provided within Chapter 13 'Protecting and enhancing our outstanding biodiversity and geodiversity' and applaud East Devon District Council for their commitment to exceed minimum national levels with regard to biodiversity net gain.

Whilst we recognise and welcome the inclusion of reference to the environment in discrete sections within the draft Local Plan, we also urge the need for environment, nature, nature recovery and climate to be embedded throughout the plan and given the weight and level of resource needed to deliver this. It is essential that the County Ecologist, or person with similar knowledge and skills, comment on the entirety of this document to ensure that the importance of nature is woven into each and every section. This is required in order to ensure that the vision for a '*Greener East Devon*' becomes a reality. A 'nature everywhere' approach should be reflected within every policy.

The Local Plan should include a strategic policy on environment. Environment is one of the three main themes of the Local Plan and the omission of a strategic policy on this theme is at odds with the thrust of the stated aims of EDDC.

#### **Wildlife corridors**

Although the protection and provision of wildlife corridors is referred to within discrete policies within the Local Plan, we believe that a dedicated overarching policy for the protection and creation of wildlife corridors is required. All forms of development from the creation of new neighbourhoods to additional employment land benefit hugely from having natural features that support wildlife; this should be intrinsic to any locality and take account of local habitats and variation in nature.

Furthermore, it is key that the balance between wider Natural Infrastructure and Natural Green Space/Natural Corridors is made to ensure benefits are genuinely enabled for wildlife and people. Functionally effective corridors with a minimum width of 20m should be encouraged in all developments to benefit biodiversity.





### **Native Species**

We would welcome a commitment to use only native and locally appropriate species for landscape planting, which are locally sourced – from Devon and preferably East Devon - and, to enable this, a commitment to developing local tree nurseries and seed hubs. These are critical elements of a resilience strategy to climate change and essential for biodiversity. The Devon Nature Recovery Network Habitat Suitability Mapping describes habitats to a high level of detail which can be used to create suitable species mixes.

### **Photographs**

Photos which are utilised throughout the document are an opportunity to demonstrate good practice. Relatively few pictures are utilised in the draft Local Plan, and those that are frequently do not send the right message. In particular, Figure 7 showing new housing at Cranbrook provides a poor example of green space within new development, with green space limited to tightly mown grass and the occasional non-native shrub. Photographs should aim to show good integration of semi-natural habitats into developments, with a diversity of habitats included. Habitats such as woodland, wetlands and heathlands are part of the wider East Devon landscape and should be fully integrated within developments, providing space for wildlife, adding interest and place-making to developments, providing engagement and wellbeing opportunities with local communities and providing other ecosystems services. It would be good to start this process by including the right messaging within this document.

### **Para 2.3**

*'A Greener East Devon, which prioritises issues arising from climate change and supports our natural environment.'* We welcome the inclusion of reference to the environment at this early stage in the document. However, this statement could be strengthened by rewording to state '...and enhances our natural environment'.

*'Better Homes and Communities for all with a priority on the importance of good quality, affordable housing suitable in size and location'* should be reworded to include reference to the importance of providing sustainable housing. Accreditation schemes such as Building with Nature can be utilised to demonstrate best practice.

### **Para 2.5 Table I Plan Objectives**

Objective 2 *'...moves the district towards delivering net-zero carbon emissions by 2040'* should be strengthened to state that net-zero carbon emissions **will** be achieved by 2040. We would also urge the council to revise their targets to 'net-zero/positive'.

Objective 3 *'To provide high quality new homes to meet people's needs'* should be reworded to state 'sustainable, high quality new homes'.

Objective 5 *'To promote the vitality of our town centres, encourage investment, greater flexibility and a wider range of activities to increase footfall and spend.'* Reference to the need for 'green' town centres should be included here.



Objective 6 '*To promote high quality beautiful development that is designed and constructed to meet 21st century needs*' should be reworded to 'sustainable, high quality'.

Objective 8 '*To protect and enhance our outstanding natural environment and support an increase in biodiversity*' should be strengthened to read 'and deliver an increase'.

**3. Strategic Policy - Levels of future housing development**

**4. Strategic Policy - Employment Provision and Distribution Strategy**

**5. Strategic Policy – Mixed use developments incorporating housing, employment and community facilities**

Each of these three policies is missing reference to the environment. The benefits that nature brings to health and wellbeing are well recognised and specific targets should be included within these policies to ensure that these benefits are realised within every development. Targets should detail a minimum size of green space which should be provided, which ensures accessible nature-rich greenspace which is enticing to all who live and work in the area. Reference to the inclusion of green corridors is also required.

**7. Strategic policy - Development beyond Settlement Boundaries**

*'...where it would not harm the distinctive landscape, amenity and environmental qualities of the area within which it is located.'* This policy should be strengthened by the inclusion of an additional sentence stating 'Development beyond Settlement Boundaries must deliver a minimum 25% biodiversity net gain. Appropriate justification for this should be included within the subsequent paragraphs.

**8. Strategic Policy – Development of a second new town east of Exeter**

We welcome the commitment to deliver a minimum of 254 hectares of land for green infrastructure provision as part of the new town. However, a greater level of detail is required within this policy to ensure that high quality nature-rich infrastructure is delivered. We would like to see reference to the creation of local natural habitats (not just 'green space') including a wide range of semi-natural habitats and features. These bring biodiversity, carbon, water-environment and wellbeing benefits and can be integrated to help define neighbourhoods. The Nature Recovery Network should be utilised to inform the creation of green infrastructure. Buildings should also incorporate homes for wildlife and lighting must be carefully planned to be sensitive to wildlife and provide dark areas/corridors for nocturnal wildlife.

**9. Strategic policy – Development within the Enterprise Zone**

We would welcome the inclusion of reference to the requirement for protection and enhancement of our natural environment within this section.

**17. Strategic Policy – Development next to the M5 and north of Topsham**

Whilst we appreciate that a masterplan is yet to be produced for this site, we would like to see the inclusion of targets for the creation of local natural habitats included within this policy, in line with the figures provided for new homes and employment land.

**29. Strategic Policy – Promoting renewables and zero carbon energy**

**30. Strategic Policy – Suitable areas for solar energy developments**

**31. Strategic Policy – Suitable areas for wind energy developments**



**32. Strategic Policy – Energy Storage**

**37. Policy – Relocation of uses affected by coastal change**

**38. Strategic Policy – Development affecting coastal erosion**

These policies should be reworded to include reference to the requirement for enhancement of our natural environment.

**39. Strategic Policy – Housing to address needs**

Reference is needed here to the requirement for enhancement of the natural environment and building to achieve net-zero carbon.

**51. Policy – Employment development within settlement boundaries**

Natural context is missing from this policy. Reference should be made to the inclusion of the natural environment within employment areas in order to ensure that people are able to work in areas where they are connected with nature.

**57. Policy - Town Centre development**

The requirement for enhancement of the natural environment should be included within this policy. The provision of well designed, connected, diverse natural corridors through town centres can act as important flagship projects showcasing the benefits of the natural environment.

**61. Policy – Holiday Accommodation Parks in designated landscapes**

We would like to see this policy reworded to include for the requirement to deliver a minimum 25% biodiversity net gain to account for the impacts on these sensitive landscapes.

**62. Policy – Design and Local Distinctiveness**

We would encourage EDDC to strive for more than *‘to reduce carbon emissions over the lifetime of the development’*. We recommend the inclusion of the requirement for the provision of net-zero homes within this policy and would like to see EDDC strive for carbon positive homes.

*‘Trees and hedgerows worthy of retention’* should be reworded to *‘habitats of ecological value’*.

*‘Provide biodiversity enhancement appropriate to the scale of development in accordance with Local Plan policy. Where possible, development proposals should include landscaping that prioritises habitat creation.’* All development must follow the mitigation hierarchy of avoid, minimise, mitigate. It is critical to be clear at all points that the first and preferable option is to avoid damage. Only where this cannot be wholly achieved should minimising, mitigating and replacing the damage be considered. The mitigation hierarchy should be referred to within this policy. Furthermore, the latter sentence within this statement should be removed and replaced with *‘development must deliver a minimum 20% biodiversity net gain’*.

*‘Appropriate ‘greening’ measures relating to landscaping and planting, open space provision and permeability of hard surfaces’*. This statement is a missed opportunity for a much greater benefit to wildlife. The text should be replaced with wording which states that the landscaping must be designed to form ecological networks throughout the built environment, which are of benefit to both nature and the establishing community of residents. Native species should be utilised.



An additional statement is required within this policy relating to lighting. Lighting should be minimised, designed to be sensitive to wildlife and to provide dark areas/corridors for nocturnal wildlife. Permanent physical barriers should be utilised as robust, enforceable and effective barriers to lighting, e.g. using walls, hedges and shrubs/trees to create dark areas/corridors - rather than relying mainly on lighting strategies which are difficult to enforce post development and are of limited effectiveness. Reference should be made to DCC guidance note 'Maintaining dark corridors through the landscape for bats'.

#### **64. Policy – Display of Advertisements**

*'Where illuminated, the type and level of illumination should reflect the general level of lighting in the area.'* 'and must consider potential impacts on biodiversity' should be added to this statement.

#### **74. Policy – Landscape Features**

The list of features that contribute to the nature and quality of East Devon's landscapes should be expanded to include wildlife corridors which must not be subject to impacts from lighting. Furthermore, the list should include 'the development must deliver a minimum 20% biodiversity net gain'.

*'The Council will seek the retention of important hedgerows. Where retention is not possible and a proposal seeks the removal of a hedgerow, the Council will require compensatory planting with a mixture of native hedgerow species'.* 'Important' should be removed from the first sentence. Many hedgerows which are not specifically categorised as important provide a significant feature for wildlife. The extent of compensatory planting required should be in line with the most recent DEFRA biodiversity metric. A minimum of seven native species should be utilised in hedgerow planting.

Fragmentation of hedgerow habitats is also an important consideration that needs to be addressed by this policy. Whilst the removal of 5m of hedgerow habitat may appear of little consequence, if removal severs a bat flightline, for example, the results of habitat removal would be the functional loss of a much larger area of habitat to bat species.

#### **78. Policy – Green wedges**

*'Proposals for policy compliant development that include measures that will create or enhance wildlife habitats and biodiversity within the Green Wedges, or will improve the quality of the Green Wedges by providing high quality public amenity space will be supported.'* We would like to see the addition of a further requirement: 'Development within Green Wedges must deliver a minimum 25% biodiversity net gain'.

#### **79. Policy – Land of Local Amenity Importance or Local Green Space**

We would like to see the addition of a further requirement: 'Development within LLA1 or LGS must deliver a minimum 25% biodiversity net gain'.

#### **84. Policy – Protection of Internationally and Nationally important wildlife sites**

*'...suitable biodiversity net gain of at least 20% is proposed'* is repeated twice within this policy. We would like to see this strengthened to '25% is required'.

#### **85. Policy – Protection of irreplaceable habitats and important features**

We would like to see a requirement for habitat replacement to be in line with the most recent DEFRA biodiversity metric in order to compensate for the time taken for these habitats to establish.



### **87. Policy – Biodiversity Net Gain**

As previously discussed, we are delighted to see the Council include the requirement to exceed minimum national levels with regard to biodiversity net gain. However, in order to ensure that biodiversity net gain is delivered in a meaningful way, further information is required either within the Local Plan, or as a supplementary planning document. In order to ensure that habitats created, managed and monitored under the umbrella of BNG are maintained to high standards across East Devon, further information required includes the requirement for: a stand-alone Habitat Creation and Management Plan; written commitment from the landowner; details of an appropriate management company/organisation who has been appointed to carry out the works; the method of monitoring; and details for the funding of the creation, long-term management and monitoring regime for the duration of management period (minimum 30 years).

While we support the use of a metric to establish a BNG, it can create a 'black box' effect where the calculations are seen as too complex to interrogate and so scrutiny is reduced. It is essential that (a) EDDC planners and biodiversity officers are familiar and expert in scrutinising metric calculations, (b) ecologists using the metric follow best practice (e.g. CIEEM) and (c) when planning applications use the metric, a plain-English/simplified version is available to enable public scrutiny. We would recommend that ecological assessments are required to demonstrate throughout the report how metric scores have been derived. Each habitat should be broken down into sections that include the relevant metric score, with a photograph and text description. A full section on the metric calculations should also be included separately within the assessment.

### **88. Strategic Policy – Local Nature Recovery Strategy and Nature Recovery Network**

*'...in excess of the standard policy requirement'*. We are concerned that an open-ended statement such as this is open to misuse. We would recommend that the Council provide a firm statement of their requirement and would like to see a minimum of 25% net gain required in these circumstances.

### **89. Policy – Ecological Impact Assessment**

*'Surveys should not be conditioned as part of a granted permission'*. We would like to see the use of stronger language in this sentence; 'will or must' would be more robust, with additional comment stating 'Unless in exceptional cases'.

### **91. Policy – Ecological enhancement and incorporation of design features to maximize the biodiversity value of proposals**

We welcome the inclusion of the requirement for a minimum of one bird box per dwelling, but would like to see this extended to cover both bat and invertebrate boxes/bricks in addition to bird boxes. Gap provision for small mammals should be specified as 13cm to account for hedgehogs.

This section should include reference to the Building with Nature accreditation.

### **92. Policy – Tree policy**

*'Development schemes should seek to'*. Again, we would prefer to see 'will' or 'must' utilised here. We would like to see the requirement for native species referred to here – please see General Comments above.

It is unclear whether this may be an early draft with missing information as sentences appear incomplete. We would recommend this policy is rewritten to be more user friendly.



**96. Strategic Policy – Access to open space and recreation facilities**

We would welcome the inclusion of reference to the requirement for enhancement of our natural environment within this section.

**98. Policy – Location of facilities for sport and recreation, open spaces and allotments**

*'provided that unacceptable adverse amenity or environmental impacts do not arise from development'*. We would like to see this sentence reworded to include reference to the requirement for enhancement of our natural environment.

**100. Policy – New allotments and avoiding the loss of existing ones**

*'and will avoid adverse environmental or amenity impacts'*. Comments as above.

**101. Policy – Leisure and recreation developments in the countryside**

*'and do not conflict with countryside, nature or landscape policies'*. Comments as above.

Yours sincerely,

Carly Ireland MSc. MCIEEM  
Devon Wildlife Trust