

Filtered Data Export

Full name: Sara Davies

Organisation (where relevant): Lymestone Water Quality Group

Proposal:

1. Introduction

1. To which part of the Introduction chapter does your representation relate?:

Figure/Image

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: Figure 2

1(b). Does your comment relate to one of the changes listed above?: Yes

2. Do you consider that this part of the Introduction chapter is legally compliant?:

No

2(b). If no, please give details of why you consider this part of the Introduction chapter is not legally compliant. Please be as precise as possible.: The list of key facts in Figure 2 does not reflect the importance of the natural watercourses (rivers, streams, and estuaries) to East Devon, or the increasing pressures on water quality and biodiversity in Figure 2.

2(c). Please set out the modification(s) you consider necessary to make this part of the Introduction chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Introduction.: Refer to the importance of the water environment in East Devon (to communities and the economy), and the impact of climate change on water quality and biodiversity, as well as flood risk. These are vital issues to address in a holistic, joined up way.

3(a). If yes, and you wish to support the soundness of this part of the Introduction chapter, please use this box to set out your comments.: No

3(b). If no, please give details of why you consider this part of the Introduction chapter is not sound. Please be as precise as possible.: The introduction sets the scene for the whole Local Plan. The fact that Figure 2 on key facts completely misses the importance of the water environment, and the impact of climate change on water quality and biodiversity is not sound.

3(c). Please set out the modification(s) you consider necessary to make this part of the Introduction chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Introduction chapter 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.: See comments above.

4(a). If yes, and you wish to support this part of the Introduction chapter's compliance with the duty to co-operate, please use this box to set out your comments.:

-

4(b). If no, please give details of why you consider this part of the Introduction chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The omissions indicate that there has been inadequate cooperation on these interconnected issues. They are highly relevant to development planning in East Devon.

5. 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)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: The draft Local Plan still doesn't address the fundamental importance of the water environment in East Devon, and the need for a holistic integrated approach to adapt to climate change. It does not comply with the NPPF, and does not have any clear vision on these vital issues for East Devon.

Full name: Sara Davies

Organisation (where relevant): Lympstone Water Quality Group

Proposal: 12. Our Outstanding Landscape

1. To which part of the Our Outstanding Landscape chapter does your representation relate?: Paragraph

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: 12.1 - 12.36

1(b). Does your comment relate to one of the changes listed above?: Yes

2. Do you consider that this part of the Our Outstanding Landscape chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Our Outstanding Landscape chapter is not legally compliant. Please be as precise as possible.: The chapter does not fully comply with the Environment Act, the Habitats Regulations, or the NPPF in relation to the water environment (which is so integral to the natural landscape and sustainable development). It is inaccurate in several places (e.g., the reference to pollution prevention in OL09, the requirement for Construction Environmental Management Plans, the requirements of the Habitat Regulations [it incorrectly only refers to air quality], and the importance of green wedges). It also does not demonstrate a clear understanding of the interlink between the landscape, water environment, and climate change. Consequently, it will not enable clear, accurate, and consistent decision-making.

2(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Landscape chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Our Outstanding Landscape chapter legally compliant. 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.: Review the whole chapter - considering how it connects with Chapter 7 on adapting to climate change, and Chapter 13 on biodiversity. Make them much more joined up - reflecting the risks associated with climate change (extreme rainfall, heatwaves and droughts), and the opportunities to enhance the environment and economy in East Devon. Integrated water management is one such opportunity that brings multiple benefits to water quality, biodiversity, flood risk, drought risk, and amenity. Correct OL09 which is inaccurate in places - see comments in 3(b).

3. Do you consider that this part of the Our Outstanding Landscape chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Our Outstanding Landscape chapter is not sound. Please be as precise as possible.:

See comments above in 2(b), and specific comments on OL01, OL09 and 12.16 below: OL01 (Landscape features) - The reference to rivers and other watercourses and water bodies is not clear. It reads very much like an after thought (which it seems it was). OL05 & 12.16 (Green wedges) - The description of green wedges in OL05 and 12.16 does not refer to their importance for integrated water management (based on SuDS principles) in helping East Devon to adapt to climate change (extreme rainfall and drought) - not just for storing flood water but bringing multiple benefits to water quality, biodiversity, and amenity. OL09 (Control of pollution) - see the comments below: (1) The introductory sentence of OL09 stating 'Permission will not be granted for development which would result in pollution that cannot be adequately mitigated' is ambiguous. Our experience reviewing planning applications over the past 2 years is that planning officers often think that ANY pollution can be mitigated, and if the statutory consultees don't object, then they can't object (which is incorrect). The Local Plan should state more clearly that permission will not be granted without a robust assessment and plan demonstrating how pollution will be prevented. If pollution cannot be prevented, permission should be refused. If the planning application demonstrates an accurate assessment of the risk and robust controls to prevent pollution, then planning conditions should be used to ensure that the necessary control and management systems are implemented. (2) The requirement for a Construction Environment Management Plan (CEMP), including SuDS, should be for EVERY development involving construction. Construction is a high risk activity for the environment, and the risk is increasing due to climate change. For example, in our catchment, we have had numerous incidents of sediment pollution from construction sites during and after heavy rainfall (which is increasing due to climate change). Oil, cement, and other chemical pollution are also a risk. (3) The new text regarding the Habitats Regulations only refers to air quality, not water or noise pollution or other environmental impact. This is clearly incorrect because the Habitats Regulations refers to development that could affect the European site (not just air quality).

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Landscape chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Our Outstanding Landscape chapter 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.: Correct the above.

4. Do you consider that this part of the Our Outstanding Landscape chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Our Outstanding Landscape chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The above indicates that there has been no cooperation on addressing important strategic issues, particularly adapting to climate change and facilitating integrated water management (based on SuDS) which is a key element.

5. 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)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: The comments above demonstrate the need for a clearer vision and a more joined up Local Plan (connecting the chapters) with the need to adapt to climate change at its core. There are also inaccuracies in this chapter regarding legal requirements.

Full name: Sara Davies

Organisation (where relevant): Lymestone Water Quality Group

Proposal: 13. Our Outstanding Biodiversity and Geodiversity

1. To which part of the Our Outstanding Biodiversity and Geodiversity chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: PB04

1(b). Does your comment relate to one of the changes listed above?: Yes

2. Do you consider that this part of the Our Outstanding Biodiversity and Geodiversity chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Our Outstanding Biodiversity and Geodiversity chapter is not legally compliant. Please be as precise as possible.: PB04 on Habitats Assessment and Mitigation Strategies is misleading. We are particularly interested in the Exe Estuary so have focused on this. The policy only refers to the South East Devon Wildlife - Joint Habitats Sites Mitigation Strategy for the Exe Estuary. Dawlish Warren and the East Devon Heaths. However, the strategy document states that it covers the mitigation requirements relating to the impacts from recreation only - it 'does not address other impacts from plan-led growth, for example impacts associated with air quality or water quality'. This is very important. PB04 is therefore not compliant with the Habitats Regulations.

2(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Biodiversity and Geodiversity chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Our Outstanding Biodiversity and Geodiversity chapter legally compliant. 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.: Review and amend PB04 to ensure that it states clearly that the SE Devon Wildlife Strategy only covers recreational impacts, not other environmental impacts (e.g., associated with water and air quality). Links to other reference documents should be provided, e.g., Natural England documents on the Exe Estuary. References for other SPAs should also be checked to ensure that the correct and comprehensive information is provided

3. Do you consider that this part of the Our Outstanding Biodiversity and Geodiversity chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Our Outstanding Biodiversity and Geodiversity chapter is not sound. Please be as precise as

possible.: See 2(a) and (c) above. The introduction section of the Chapter is also not sound. It neglects to explain the interlinks between the chapters on adapting to climate change, landscape, and biodiversity, and the importance of an integrated approach, e.g., integrated water management (based on SuDS) which brings multiple benefits, including increased biodiversity.

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Biodiversity and Geodiversity chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Our Outstanding Biodiversity and Geodiversity chapter 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.: See 2(a) and (c).

The introduction section of the Chapter is also not sound. It neglects to explain the interlinks between the chapters on adapting to climate change, landscape, and biodiversity, and the importance of an integrated approach, e.g., integrated water management (based on SuDS) which brings multiple benefits, including increased biodiversity.

4. Do you consider that this part of the Our Outstanding Biodiversity and Geodiversity chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Our Outstanding Biodiversity and Geodiversity chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The fact that the policy on the Habitats Regulations is misleading, and the introduction neglects to communicate the integrated approach, indicates that there has not been effective cooperation on environmental protection.

5. 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)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To ensure compliance with the Habitats Regulations - particularly regarding the Exe Estuary (since the draft Plan is misleading on this), and stress the importance of an integrated approach to biodiversity, water quality, flood risk, drought risk, etc. to achieve sustainable development in East Devon.

Full name: Caroline Lewis

Organisation (where relevant): Lymestone Water Quality Group

Proposal:

2. The Vision

1. To which part of the Vision chapter does your representation relate?:

Figure/Image

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: Figure 3

1(b). Does your comment relate to one of the changes listed above?: Yes

2. Do you consider that this part of the Vision chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Vision chapter is not legally compliant. Please be as precise as possible.: Figure 3 does not provide the number of homes and development land for tier 3 and tier 4 areas and is therefore not an accurate representation of the vision and therefore can't be legal.

2(c). Please set out the modification(s) you consider necessary to make this part of the Vision chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Vision chapter legally compliant. 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.: All proposed new homes numbers and development land areas must be included in figure 3 otherwise it can be changed after the plan is accepted.

3. Do you consider that this part of the Vision chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Vision chapter is not sound. Please be as precise as possible.: One of the objectives of the plan is to help protect and enhance villages but the vision for large development in villages does not meet the Plan's own objective. However, Figure 3 does not inform people of the number of homes and land development planned for villages (including tier 3 villages) so people have not been able to provide accurate feedback on the vision.

3(c). Please set out the modification(s) you consider necessary to make this part of the Vision chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Vision chapter 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.:
Make clear in figure 3 how many homes and land development are planned in tier 3 and

tier 4 areas then provide people with the opportunity to to feedback when they have clear data.

4. Do you consider that this part of the Vision chapter complies with the duty to cooperate?: Yes

5. 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)

Full name: Sara Davies

Organisation (where relevant): Lymptone Water Quality Group

Proposal:

2. The Vision

1. To which part of the Vision chapter does your representation relate?: Paragraph

1(a). Please write down the paragraph, policy or figure number that your representation relates to.:

2.2 and Table I

1(b). Does your comment relate to one of the changes listed above?: No

2. Do you consider that this part of the Vision chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Vision chapter is not legally compliant. Please be as precise as possible.: It is not consistent with national policy on adapting to climate change. It makes no reference to the importance of integrated water management, based on the national Sustainable Drainage Systems (SuDS) standards (with multiple benefits to flood risk, water quality, biodiversity, and amenity). In Paragraph 2.2, it only states 'Communities in East Devon will be adapting to a changing climate', and there are no clear objectives on this issue in Table 1. There needs to be a much more robust vision reflecting the growing impact of climate change on our environment, communities, and economy - and the need for a holistic, integrated approach.

2(c). Please set out the modification(s) you consider necessary to make this part of the Vision chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Vision chapter legally compliant. 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.: Provide a vision of integrated water management to adapt to climate change effectively - using the national Sustainable Drainage Systems (SuDS) standards and the catchment-based approach to bring multiple benefits (to flood risk, water quality, biodiversity, and amenity).

3. Do you consider that this part of the Vision chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Vision chapter is not sound. Please be as precise as possible.: It will not ensure cost-effective action to adapt to climate change, and the opportunities associated with integrated water management and SuDS will be missed. Consequently, it will result in increased financial costs and greater impact on the environment and local communities.

3(c). Please set out the modification(s) you consider necessary to make this part of the Vision chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Vision chapter 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.:

Update the vision so it reflects the importance of the national SuDS standards (required under NPPF) to drive integrated water management. See 'Planning Advice for Integrated Water Management', <https://catchmentbasedapproach.org/wp-content/uploads/2018/09/Planning-Advice-Note.pdf>

4. Do you consider that this part of the Vision chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Vision chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The fact that the vision does not provide more detail on how East Devon will adapt to climate change (i.e., using SuDS to deliver integrated water management on developments, in line with the catchment-based approach) indicates that there has been inadequate cooperation on these issues.

5. 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)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: The vision is not consistent with national policy on climate change adaptation, and it completely misses the vital role of planning authorities in driving integrated water management (with multiple benefits) - in line with SuDS standards and the catchment-based approach. It will not ensure sustainable development and, consequently, this will cause considerable harm to the local environment, economy, and communities in East Devon.

Full name: Caroline Lewis

Organisation (where relevant): Lymestone Water Quality Group

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Paragraph

1(a). Please write down the paragraph, policy or figure number that your representation relates to.:

3.44b

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

2. Do you consider that this part of the Spatial Strategy chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not legally compliant. Please be as precise as possible.: Paragraph 3.44b refers to working with relevant infrastructure and service providers but does not include water and sewage providers.

2(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter legally compliant. 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.: Paragraph 3.44b should include all infrastructure providers, not just the short list in this paragraph. It is essential that development is not carried out without ensuring that there is sufficient water and sewage infrastructure.

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: The spatial strategy must include sufficient involvement of water and sewage infrastructure providers to prevent pollution.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter 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.: Include water and sewage infrastructure within the terms of paragraph 3.44b.

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Spatial Strategy chapter fails to comply with the duty to co-operate. Please be as precise as possible.: To meet the duty to do-operate the spatial strategy needs to include the requirement to work with the water and sewage infrastructure providers

5. 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)

Full name: Sara Davies

Organisation (where relevant): Lymptstone Water Quality Group

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP01

1(b). Does your comment relate to one of the changes listed in the table above?: No

2. Do you consider that this part of the Spatial Strategy chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not legally compliant. Please be as precise as possible.: The policy does not comply with the Environment Act or the NPPF for sustainable development. It does not refer to the findings of the Water Cycle Study or the Sustainability Appraisal, or consider the vulnerability of sites that are protected under the Habitats Regulations. Consequently, it will lead to unsustainable development in, for example, Exmouth, Lymptstone, and Woodbury – because it will significantly impact the Exe Estuary. The Exe Estuary is both a European wildlife site (Special Protection Area) and a ‘critical area’ in the Water Cycle Study due to the high risk from nutrient loading.

2(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter legally compliant. 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.: Ensure the spatial strategy reflects the requirements of the Habitats Regulations, and the findings and recommendations of the Water Cycle Study.

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.:

-

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: It does not take account of the findings and recommendations of the Water Cycle Study, or consider the

vulnerability of sites that are protected under the Habitats Regulations (e.g., the Exe Estuary). There is no evidence in the 'Evidence Library' to indicate that a catchment-based risk assessment has been completed (considering pollution hazards, pathways, and the sensitivity of the receiving water bodies).

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter 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.: Ensure the spatial strategy reflects the requirements of the Habitats Regulations, and the findings and recommendations of the Water Cycle Study. Consider the catchment-based approach when determining the spatial strategy.

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?: No

4(a). If yes, and you wish to support this part of the Spatial Strategy chapter's compliance with the duty to co-operate, please use this box to set out your comments.: The above demonstrate that EDDC has failed in its duty to cooperate.

5. 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)

Full name: Caroline Lewis

Organisation (where relevant): Lympstone Water Quality Group

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD10

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
GH/ED/72a

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: First I want to point out that your description of the change in the wording ie flood risk, and the reason for the change ie clarity on footpath, do not match. This may have prevented some people from realising the significance of the change in wording and therefore not given them the opportunity to comment. Have you confirmed that there are no sites available for 42 house development across the whole of East Devon which would not have a risk of flooding and which could be included in the Plan so that this site could be deleted from the plan. Any development in Lympstone which has a risk of flooding should be deleted from the plan as Lympstone village is already at high risk of flooding and cannot cope with any additional risk.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. 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.:

Delete GH/ED/72a from the Local Plan as the site is unsuitable.

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

Lympstone village is at very high risk of flooding and cannot have any development which creates any additional risk of flooding in the area.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter 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.: Delete GH/ED/72a from the Local Plan as the site is unsuitable.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. 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)

Full name: Sara Davies

Organisation (where relevant): Lympstone Water Quality Group

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: The land allocations have been based on a flawed decision-making process, specifically: (1) an inaccurate sustainability appraisal (it does not include up to date information on risks to the water environment, and the impact of climate change, (2) an inaccurate Habitats Regulations assessment (e.g. for the Exe Estuary, there is only consideration of the impact of recreation, not water quality), (3) a very weak evidence base on the impacts of climate change (beyond flood risk), and the specific risks to the water environment, (4) no or limited consideration of the existing evidence, including the findings and recommendations of the Water Cycle Study regarding the Exe Estuary, and the latest information from catchment-based projects in East Devon, (5) an overall poor understanding of the impacts of climate change, particularly on the water environment, and (6) inadequate consultation with the community and other stakeholders. Our focus is particularly on the development around the Exe Estuary (Lympstone, Exmouth, and Woodbury), and we have clear evidence to show that the allocation of large numbers of houses in these areas is not sustainable and does not comply with the Habitats Regulations designed to protect the Exe Estuary (a European wildlife site/ SPA).

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter legally compliant. 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.:

Address the fundamental flaws in the Local Plan. Use an integrated catchment-based approach to assess risks to the water environment, and the impact of climate change

(e.g., regarding the Exe Estuary, including the streams draining to the estuary). Review and update the allocations around the Exe Estuary (Lympstone, Exmouth, and Woodbury).

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: See comments in 2(b).

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter 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.: Same as 2(c) - Address the fundamental flaws in the Local Plan. Use an integrated catchment-based approach to assess risks to the water environment, and the impact of climate change (e.g., regarding the Exe Estuary, including the streams draining to the estuary). Review and update the allocations around the Exe Estuary (Lympstone, Exmouth, and Woodbury).

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Our comments in 2(b) demonstrate that EDDC has failed in its duty to cooperate in environmental protection.

5. 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)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: We have identified significant fundamental flaws in the decision-making process for the East Devon Local Plan - particularly regarding the sustainability appraisal, compliance with the Habitats Regulations, and compliance with national policy and NPPF on protecting the water environment and adapting to climate change.

Full name: Caroline Lewis

Organisation (where relevant): Lymptone Water Quality Group

Proposal:

7. Adapting to Climate Change

1. To which part of the Adapting to Climate Change chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: AR01

1(b). Does your comment relate to one of the changes listed above?: Yes

2. Do you consider that this part of the Adapting to Climate Change chapter is legally compliant?: Yes

3. Do you consider that this part of the Adapting to Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Adapting to Climate Change chapter is not sound. Please be as precise as possible.: Paragraph 7.4 refers to the Water Cycle Study (WCS). This study is being relied upon to advise on planning proposals and to determine the mitigating infrastructure that may or may not be required. I believe the the WCS is inaccurate and cannot be relied upon without further and more accurate work being undertaken.

3(c). Please set out the modification(s) you consider necessary to make this part of the Adapting to Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Adapting to Climate Change chapter 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.: The wording should include reference to the WCS as a draft document that is subject to challenge and revision.

4. Do you consider that this part of the Adapting to Climate Change chapter complies with the duty to cooperate?: Yes

5. 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)

Full name: Caroline Lewis

Organisation (where relevant): Lymptone Water Quality Group

Proposal:

7. Adapting to Climate Change

1. To which part of the Adapting to Climate Change chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: AR02

1(b). Does your comment relate to one of the changes listed above?: Yes

2. Do you consider that this part of the Adapting to Climate Change chapter is legally compliant?: Yes

3. Do you consider that this part of the Adapting to Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Adapting to Climate Change chapter is not sound. Please be as precise as possible.: Paragraph D allows proposals to negotiate to not include any measures. All the measures identified should be required to be implemented.

3(c). Please set out the modification(s) you consider necessary to make this part of the Adapting to Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Adapting to Climate Change chapter 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.: In paragraph D replace incorporate 'any agreed measures' with incorporate 'these measures' in the development.

4. Do you consider that this part of the Adapting to Climate Change chapter complies with the duty to cooperate?: Yes

5. 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)

Full name: Caroline Lewis

Organisation (where relevant): Lymptone Water Quality Group

Proposal:

7. Adapting to Climate Change

1. To which part of the Adapting to Climate Change chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: AR02

1(b). Does your comment relate to one of the changes listed above?: Yes

2. Do you consider that this part of the Adapting to Climate Change chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Adapting to Climate Change chapter is not legally compliant. Please be as precise as possible.:
Paragraph B - no effect on a European Wildlife Site should be allowed.

2(c). Please set out the modification(s) you consider necessary to make this part of the Adapting to Climate Change chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Adapting to Climate Change chapter legally compliant. 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.: From paragraph B remove the word 'significant'

3. Do you consider that this part of the Adapting to Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Adapting to Climate Change chapter is not sound. Please be as precise as possible.: No effect on a European Wildlife site should be allowed.

3(c). Please set out the modification(s) you consider necessary to make this part of the Adapting to Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Adapting to Climate Change chapter 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.: From Paragraph B remove the word 'significant'.

4. Do you consider that this part of the Adapting to Climate Change chapter complies with the duty to cooperate?: Yes

5. 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)

Full name: Caroline Lewis

Organisation (where relevant): Lymestone Water Quality Group

Proposal:

7. Adapting to Climate Change

1. To which part of the Adapting to Climate Change chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: Ar02

1(b). Does your comment relate to one of the changes listed above?: Yes

2. Do you consider that this part of the Adapting to Climate Change chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Adapting to Climate Change chapter is not legally compliant. Please be as precise as possible.:

The end of paragraph A says that ‘consideration will be given to imposing a Grampian condition to ensure that mitigating infrastructure is completed. This implies consideration but no enforcement. Previous major development relied on significant mitigation with a new water treatment plant and this has never been built.

2(c). Please set out the modification(s) you consider necessary to make this part of the Adapting to Climate Change chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Adapting to Climate Change chapter legally compliant. 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.: Remove the wording ‘consideration will be given to imposing’.

3. Do you consider that this part of the Adapting to Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Adapting to Climate Change chapter is not sound. Please be as precise as possible.: Wording does not provide for enforcement at the end of paragraph A.

3(c). Please set out the modification(s) you consider necessary to make this part of the Adapting to Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Adapting to Climate Change chapter 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.: Remove the words ‘consideration will be given to

imposing' so that a Grampian order will be included to ensure that mitigating infrastructure improvements do happen.

4. Do you consider that this part of the Adapting to Climate Change chapter complies with the duty to cooperate?: Yes

5. 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)

Full name: Caroline Lewis

Organisation (where relevant): Lymptone Water Quality Group

Proposal:

7. Adapting to Climate Change

1. To which part of the Adapting to Climate Change chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: AR02

1(b). Does your comment relate to one of the changes listed above?: Yes

2. Do you consider that this part of the Adapting to Climate Change chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Adapting to Climate Change chapter is not legally compliant. Please be as precise as possible.:

Paragraph A is unclear and has unnecessary wording in it which is likely to prevent it from being enforceable. It doesn't matter how the proposal causes one of the four reductions in water quality.

2(c). Please set out the modification(s) you consider necessary to make this part of the Adapting to Climate Change chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Adapting to Climate Change chapter legally compliant. 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.: Remove from paragraph A 'because of inadequate provision of water services or inadequate or untimely provision of foul water and surface water and drainage and disposal'. The sentence can read 'planning permission will not be granted for any proposal which would' and then be followed by the four causes of a reduction to water quality.

3. Do you consider that this part of the Adapting to Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Adapting to Climate Change chapter is not sound. Please be as precise as possible.: See above.

3(c). Please set out the modification(s) you consider necessary to make this part of the Adapting to Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Adapting to Climate Change chapter 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.: Remove unnecessary wording.

4. Do you consider that this part of the Adapting to Climate Change chapter complies with the duty to cooperate?: Yes

5. 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)

Full name: Sara Davies

Organisation (where relevant): Lymestone Water Quality Group

Proposal:

7. Adapting to Climate Change

1. To which part of the Adapting to Climate Change chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: AR02

1(b). Does your comment relate to one of the changes listed above?: Yes

2. Do you consider that this part of the Adapting to Climate Change chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Adapting to Climate Change chapter is not legally compliant. Please be as precise as possible.:

AR02 and the whole chapter on adapting to climate change are not consistent with national policy or best practice. The NPPF requires compliance with the national SuDS standards. This means taking an integrated and natural approach to water management - bringing benefits to water quality, flood risk, biodiversity, and amenity. Although it is good to see more reference to water quality in Policy AR02, there is no reference to the national SuDS standards either in the policy or in the Evidence Library, and the Chapter does not convey the integrated approach required (including biodiversity and amenity). (<https://www.gov.uk/government/publications/national-standards-for-sustainable-drainage-systems/national-standards-for-sustainable-drainage-systems-suds>).

2(c). Please set out the modification(s) you consider necessary to make this part of the Adapting to Climate Change chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Adapting to Climate Change chapter legally compliant. 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.:

The whole chapter should be reviewed and re-written because it does not reflect the now established approach to climate change adaptation and sustainable development. The SuDS standards require a robust water quality risk assessment (considering the pollution hazard and sensitivity of receiving waters), and a site-wide integrated approach to design. This should follow a natural approach to managing water, and bring multiple benefits to water quality, flood risk, biodiversity, and amenity.

3. Do you consider that this part of the Adapting to Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Adapting to Climate Change chapter is not sound. Please be as precise as possible.: Chapter 7 does not provide a clear framework for adapting to climate change, i.e., the integrated approach described in the national SuDS standards. Policy AR02 makes no reference to the SuDS standards. The 'Evidence Library' includes very little information on water quality and does not include the national SuDS standards (2025).

3(c). Please set out the modification(s) you consider necessary to make this part of the Adapting to Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Adapting to Climate Change chapter 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.: See 2(c) above.

4. Do you consider that this part of the Adapting to Climate Change chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Adapting to Climate Change chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The lack of reference to the SuDS standards, and the interrelationship between water quality, flood risk, biodiversity, and amenity, strongly indicates a lack of effective co-operation.

5. 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)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Chapter 7 does not provide a clear framework for adapting to climate change, i.e., the integrated and natural approach described in the national SuDS standards (bringing benefits to water quality, flood risk, biodiversity, and amenity). This is vital for East Devon. In the Wotton Brook catchment on the Exe Estuary, we are already experiencing the negative consequences of low awareness of the national SuDS standards (i.e., the integrated approach).

Full name: Sara Davies

Organisation (where relevant): Lympstone Water Quality Group

Other party name (if relevant):

-

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.:

The land allocations have been based on a flawed decision-making process, specifically: (1) an inaccurate sustainability appraisal (it does not include up to date information on risks to the water environment, and the impact of climate change, (2) an inaccurate Habitats Regulations assessment (e.g. for the Exe Estuary, there is only consideration of the impact of recreation, not water quality), (3) a very weak evidence base on the impacts of climate change (beyond flood risk), and the specific risks to the water environment, (4) no or limited consideration of the existing evidence, including the findings and recommendations of the Water Cycle Study regarding the Exe Estuary, and the latest information from catchment-based projects in East Devon, (5) an overall poor understanding of the impacts of climate change, particularly on the water environment, and (6) inadequate consultation with the community and other stakeholders. Our focus is particularly on the development around the Exe Estuary (Lympstone, Exmouth, and Woodbury), and we have clear evidence to show that the allocation of large numbers of houses in these areas is not sustainable and does not comply with the Habitats Regulations designed to protect the Exe Estuary (a European wildlife site/ SPA).