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Second Regulation 19 Consultation – East Devon Local Plan – Responses by Chapter

Filtered Data Export

12.1

Full name: Dee Woods

Organisation (where relevant): Otter Valley Association

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

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

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.: We welcome these protective policies for designated areas, the inclusion of rivers, water courses and water bodies. The enhancement of Policy OL09 is very welcome. However we do not agree that all the housing site allocations within the NLs can be justified as having exceptional circumstances. We believe that the nutrient neutrality requirements of the river Axe should be extended to encompass all of East Devon's rivers and water bodies, but especially the river Otter which is a potential SPA.

12.1 - 12.36

Full name: Sara Davies

Organisation (where relevant): Lymestone 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: Chrissy Howick

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

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.: Why lay down all these policies in 'our outstanding landscape' - only to ignore your own policies when it comes to EXMO_20 and many other sites in East Devon - makes a mockery of the whole thing

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.: Adhere to your own policies so they can be trusted!

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 check that the policies in the plan are actually adhered to

Full name: Robin James Meadwell

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?: No

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.: The protection which this chapter seeks to assert is encouraging, but the large scale housing development which is proposed entirely contradicts this chapter. Housing development on the scale proposed across the region will have a significant and irrevocable impact on the landscape and the surrounding areas where developments have been proposed and in particular the substantial housing development proposed for Exmouth, Axminster, Honiton, Topsham and Seaton. If these developments proceed as planned and all properties are occupied it will substantially increase the population and condense the region, the required infrastructure to accommodate such an increase in population would also see the landscape irrevocably altered and damaged. Protecting the landscape as desired should be paramount and the large scale housing developments proposed are incompatible with this policy.

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)

12.3

Full name: Nicola Wilson

Organisation (where relevant): Devon County Council

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.: 12.3

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.: DCC has two layers of data that comprise the shared Devon-wide evidence base called Devon’s Landscape Character Assessment. It comprises generic Landscape Character Types that can occur anywhere in Devon, and ‘Devon Character Areas’ that are geographically unique and highlight what is distinctive and gives a ‘sense of place’ to a particular area. The ‘district Landscape Characterisation Assessment’ referred to in paragraph 12.3 covers only Landscape Character Types. To allow both layers to be used as evidence base for the local plan it is suggested that paragraph 12.3 refers to both Landscape Character Types and Devon Character Areas, and that a link is embedded to the DCC landscape webpage. Again, DCC suggests the word “Characterisation” is changed to “Character”. To reflect these changes, DCC suggests the following amended wording for the last sentence of paragraph 12.3: “All development in the countryside should consider the Devon Landscape Character Assessment (footnote to be inserted) and district Landscape Character Assessment (LCA) and the Council’s Tree Strategy to maintain and enhance local distinctiveness and landscape character.” Footnote to be inserted: Devon's landscape character assessment (DLCA) - Planning

12.5

Full name: Nicola Wilson

Organisation (where relevant): Devon County Council

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.: 12.5

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

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.: DCC suggests amending the wording of paragraph 12.5 to align with Guidelines for Landscape Visual Impact Assessment 3rd Edition as follows: “Proposals that raise concerns about adverse effects on the character of an area and/or visual amenity should be subject to a proportionate Landscape and Visual Appraisal, conducted in accordance with the Guidelines for Landscape and Visual Impact Assessment and related technical guidance published by the Landscape Institute. The level of detail required will depend upon the scale and type of development proposed, the sensitivity of the landscape to such change, and the likely significance of effects. If a full Environmental Impact Assessment (EIA) is required, a Landscape and Visual Impact Assessment (LVIA) by a Chartered Member of the Landscape Institute will be necessary. Both types of appraisals should be objective and unbiased assessments that identify and assess the effects of a proposal on the landscape and visual resource and include measures to mitigate adverse effects. Carrying out such appraisals early in the design process is encouraged in order to inform a high standard of mitigation and enhancement design”.

12.11

Full name: Chrissie Hunn

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.: 12.11

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.: Very minimal information is on the National Landscape and Coastal Preservation Areas. Exmo_17 was part of the CPA which was removed against the community wishes.

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.: Give Exmo_17 CPA status. Exmo_17 is a very large precious protected area of National Landscape farmland that is legally protected from large scale development. EDDC duty is to conserve and enhance it, not build over 400 houses and industrial units on it. The proposed vehicle access across the current cycle path and walkway, would make it very unsafe for children, families, walkers, runners, cyclists, people in wheelchairs and mobility scooters, dogs and wildlife. It is a dangerous prospect and a loss of a peaceful amenity within the National Landscape. There is also the potential domino affect of opening the doors to further development in the National Landscape, as the landowner has recently terminated the lease of pasture fields to a local farm.

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.: As per previous answer

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.: Protect Exmo_17 from development by following legislation that is against large scale development of more than 10 houses in the National Landscape. Give Exmo_17 CPA status again.

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

12.16

Full name: Chris Davis

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.: 12.16

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.: I am not sure of the legalities. I want to make a comment

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.: The new development foresees hundreds of new houses. How will the transport infrastructure be improved to allow for much more traffic on narrow country roads?

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.: The new development foresees hundreds of new houses. How will the transport infrastructure be improved to allow for much more traffic on narrow country roads?

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.: The new development foresees hundreds of new houses. How will the transport infrastructure be improved to allow for much more traffic on narrow country roads?

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 new development foresees hundreds of new houses. How will the transport infrastructure be improved to allow for much more traffic on narrow country roads?

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)

OL01

Full name: Iwan Easton

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Taylor Wimpey UK Ltd

Proposal: 12. Our Outstanding Landscape

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: OL01

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

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.: Strategic Policy OL01 states that development will only be permitted where the applicant is able to demonstrate that it will protect and enhance features and qualities that contribute to the character of East Devon’s landscapes.

The policy then identifies a number of landscape qualities, including land and water forms and pattern of settlement; important natural and man-made features (including topography, field boundaries, trees and woodlands, areas of importance for nature conservation, and rural buildings); adverse disruption of a view; and aesthetic and perceptual factors such as tranquillity, wildness, and dark skies. As the latter are characteristics rather than physical features of the landscape, the policy should be renamed to “Landscape Features and Character” to reflect its full scope.

*** Personal details have been removed *** reiterates that, whilst the importance of several of the identified features and qualities is accepted, it is not considered that a failure to protect or enhance every existing feature, such as a single existing tree, should in itself be sufficient grounds to refuse permission for development. Development can, in many cases, deliver substantial new green and blue infrastructure (including a range of new planting), and can enhance positive landscape characteristics, both of which can secure a notable overall betterment to the existing landscape. The policy must be reworded accordingly.

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.: the policy must be reworded and should be renamed to “Landscape Features and Character” to reflect its full scope [see explanation in response to 3(b)].

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.: Our attendance is necessary to effectively discuss the points raised in these representations.

Full name: Sarah R Smith

Organisation (where relevant): Rapleys LLP

Other party name (if relevant): The Crown Estate

Proposal: 12. Our Outstanding Landscape

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: OL01

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

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.: The policy requires that development ‘would not harm’ the distinctive landscape. – This is an absolute position which means no development for any purpose would be granted planning permission. Impact on the landscape is very subjective and in reality all development has some level of harm to the countryside/landscape. Some form of qualification or rewording is therefore necessary in the policy and its justification.

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.: The following policy revision is suggested -

East Devon Local Plan Landscape Mitigation Policy

1. Purpose and Scope This policy ensures that all developments within East Devon safeguard and enhance the district's unique landscape character, biodiversity and visual amenity, particularly in National Landscape Character Areas (previously Areas of Outstanding Natural Beauty AONBs). It applies to all new developments with potential landscape impacts.

2. Policy Principles

- a. Landscape Character Preservation: Proposals must respect the East Devon Landscape Character assessment and integrate harmoniously with the area's natural and built features.
- b. Mitigation Hierarchy: Developers must follow the mitigation hierarchy - avoidance, minimization, restoration, and offsetting - to address potential landscape impacts.
- c. Biodiversity Enhancement: Developers should aim for a net gain in biodiversity within or adjacent to the development area, aligning with the Environment Act 2021 and East Devon's Green Infrastructure Strategy.
- d. AONB Protection: Proposals within or near National Landscape Character areas, must demonstrate minimal harm to the area's special qualities.

3. Assessment and Requirements

- a. Landscape Impact Assessment: Applications must include a Landscape and Visual Impact Assessment (LVIA) that identifies potential impacts and mitigation measures.
- b. Mitigation Plans: Developers must submit detailed plans outlining how landscape impacts will be mitigated, including:

- Planting Schemes: Use of native species to enhance ecological value and provide screening
- Topographical Adjustments: Measures to harmonize the development with the natural landform.
- Green Infrastructure: Integration of features such as woodlands, watercourses as well as green roofs, living walls, and tree-lined corridors.
- Ongoing Management: Proposals for the long-term maintenance and monitoring of landscape features.

4. Design Standards

- a. Developments must adopt sustainable design principles, prioritising materials and colours that blend with the East Devon Landscape.

5. Community Engagement

Developers are required to engage with local communities and stakeholders at an early stage to identify landscape concerns and incorporate feedback into their proposals.

6. Monitoring and Enforcement a. East Devon District Council will monitor approved developments to ensure compliance with submitted mitigation plans. Non-compliance will result in enforcement actions.

Full name: Margaret Leppard

Proposal: 12. Our Outstanding Landscape

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: OL01

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

3. Do you consider that this part of the Our Outstanding Landscape chapter is sound?: Yes

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

Thank you for including waterbodies, rivers and watercourses specifically

Full name: Lisa Turner

Organisation (where relevant): Blackdown Hills National Landscape

Proposal: 12. Our Outstanding Landscape

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: OL01

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.: For the most part.

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

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

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.:

1. Amend part of the policy as follows: All development in the countryside should have regard to the most up to date Landscape Character(isation) Assessments as a basis for understanding, maintaining and enhancing local distinctiveness and landscape character as well as other up to date landscape-related strategy and guidance (for trees and woodlands).

2. Amend para 12.3 as follows: 12.3. This overarching policy aims to protect important landscape features, whether designated or not. A key objective of the Local Plan is to

conserve and enhance the environment, landscape, historic character, archaeological value, wildlife, agricultural, recreational, and natural resource value of countryside areas. All development in the countryside should consider the (district) [Devon] Landscape Character(isation) Assessment (LCA), [Management Plans for East Devon and Blackdown Hills National Landscapes,] and the Council's Tree Strategy to maintain and enhance local distinctiveness and landscape character.

3. Replacement/amended para 12.5 as follows: Proposals [that raise concerns about adverse effects on the character of an area and/or visual amenity] should be [subject to a] proportionate Landscape and Visual Appraisal, conducted in accordance with the Guidelines for Landscape and Visual Impact Assessment and [related technical guidance published by the Landscape Institute]. The level of detail required will depend upon the [scale and type of development proposed, the sensitivity of the landscape to such change, and the likely significance of effects]. If a full Environmental Impact Assessment (EIA) is required, a Landscape and Visual Impact Assessment (LVIA) by a [Chartered Member of the Landscape Institute] will be necessary. [Both types of appraisals should be objective and unbiased assessments that identify and assess the effects of a proposal on the landscape and visual resource and include measures to mitigate adverse effects. Carrying out such appraisals early in the design process is encouraged in order to inform a high standard of mitigation and enhancement design.]

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)

OL02

Full name: Dee Woods

Organisation (where relevant): Otter Valley Association

Proposal: 12. Our Outstanding Landscape

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: OL02

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

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.: Far too many housing allocation sites are within the National Landscapes, so they cannot all be exceptions to this policy.

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.: Policy OL02 provides strong protection for the NL areas. Quote: "The highest level of protection will be given to the landscape and scenic beauty of the National Landscapes (NLs) in East Devon: A. Development in a NL, or outside but affecting its setting or appearance, will only be permitted where it avoids harm and contributes to the protection, conservation and enhancement of the special qualities, character and natural beauty of the NL (including the coastline, where relevant); B. Major development in a NL will only be permitted in exceptional circumstances and where it can be demonstrated to be in the public interest; and East Devon Local Plan 2020 to 2042 – Second Regulation 19 Publication Draft 223 C. Any relevant National Landscape Management Plans will be a material consideration in decision making. This policy will also apply to the Heritage Coast. This policy applies across the whole plan area including the Cranbrook Plan area". However there are a significant number of proposed development sites which are within the NLs, or have an affect upon its setting or appearance. • Exmo_20: (P85 Local Plan) - this site is outside the NL, with a buffer strip at the top of the site, but does not avoid harm to its character and beauty. • Exmo_17: 410 new homes within the NL • Gitti_3, 4 and 5: 310

homes within or adjoining the NL • Honi_07 and Honi_13: 40 new homes inside the NL, so difficult to mitigate harm on smaller sites • Two other Honiton developments are close to NL boundary (Honi_18: 136 homes and GH/ED/39b: 195 homes) • Sidm_01 : 160 new homes - again, inside the NL • Two other smaller Sidm_31 and Sidm_06a - also within the NL • Budl_02: 35 new homes at Barn Lane, again inside the NL boundary • Dunk_05: 43 new homes inside NL at Dunkeswell • SD16: 16 new homes at East Budleigh - again, inside the NL • Newt_04 and NEWT_05: 20 new homes at each location at Newton Pop, again inside the NL • Otto_01: 10 new homes at Otterton (Behind Hayes), again inside the NL boundary • Otry_21: 70 new homes (or 140 see 25/2468/MOUT) close to NL Most, if not all, of these sites cannot be justified as exceptional circumstances. In relation to the very large housing allocations on the eastern side of Exmouth, (Exmo_17 and Exmo_20) the OVA are very concerned about the lack of infrastructure and necessary support facilities, such as medical, dental, social, educational and highway capacity to accommodate the large increase in population arising from 1,110 new homes in this area. These developments will be closer to Budleigh Salterton than Exmouth town centre, so detailed consideration of the significant impacts this will have on this much smaller settlement must be undertaken, with full public discussion and consultation. The OVA request that this cannot be allowed to proceed without watertight and absolute guarantees for relevant infrastructure to accommodate this planned growth.

4. Do you consider that this part of the Our Outstanding Landscape 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)?: Yes, I wish to participate in hearing session(s)

Full name: Nicola Wilson

Organisation (where relevant): Devon County Council

Proposal: 12. Our Outstanding Landscape

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: OL02

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.: It is suggested that point A where it states “but affecting its setting or appearance” is amended to read “but affecting its natural beauty, special qualities and key characteristics”. It is considered that using this terminology allows linkage to the National Landscape Management Plans and associated Landscape Character Assessments.

Full name: Philip Parsons

Proposal: 12. Our Outstanding Landscape

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: OL02

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

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 text in Policy in OL02, National Landscapes, follows the wording in the Countryside and Rights of way act that was recently updated in 2023. The council should be congratulated for documenting their responsibilities. It states that “development in a NL will only be permitted where it avoids harm and contributes to the protection, conservation and enhancement of the special qualities , character and natural beauty of the National Landscape”. In putting together the local plan the council has clearly not followed this policy, and taken steps directly opposed to the policy. I am most familiar with the land at Sidbury Sid_34 which is entirely inside the National Landscape, but the council has proposed over 40 houses on an agricultural field - no mention was made in the sessions of it avoiding harm or contributing positively to the landscape. The council records all their sessions, and it is informative if one views the sessions where Sid_34 was debated. On youtube the Strategic planning committee meeting Sept 11 2024 (starts at 1hr 34m) and Nov 1 2024 (starts 2hr 6m) is where Sid_34 is debated. During the discussion there is no mention from anyone on the committee about how the proposed development would enhance the landscape; in fact in the discussion the only mention is about how to minimise harm by different locations of the new houses on the existing green fields. I simply can not understand how a council can write clearly down their responsibilities and then totally ignore them when putting the plan together. I am sure Sid_34 is not the only site in the National Landscape be earmarked for new developments. There might be a real need for extra housing in East Devon, but the council should follow the law in where it plans to locate these new houses.

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.: The wording is OK in the document. However to be legally compliant they need to demonstrate that they are following the Countryside and Rights of way act that was recently updated in 2023. To do this they would need to revisit all the sites in the National Landscape that are in the current emerging plan and either explain how they re enhancing the landscape, or remove them.

3. Do you consider that this part of the Our Outstanding Landscape chapter is sound?: Yes

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.: They have not cooperated with the National body that looks after the National Landscapes, as when they saw one of the sites included reached planning application stage they complained vigorously.

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 the council understands that they have to behave differently and act in accordance with the Countryside and Rights of way act that was recently updated in 2023

Full name: Lisa Turner

Organisation (where relevant): Blackdown Hills National Landscape

Proposal: 12. Our Outstanding Landscape

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: OL02

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

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.: For the most part.

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

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

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.:

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

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

3. Amend para 12.8 as follows to better explain the duty: This policy is necessary to ensure the protection and conservation of East Devon’s NLs in accordance with the Countryside and Rights of Way (CROW) Act 2000, the Levelling Up and Regeneration Act 2023, and the NPPF. The Council, [and other relevant authorities,] has a duty to ‘seek to further’ the statutory purposes of Protected Landscapes, [which for NLs is to conserve and enhance natural beauty,] and recognise these in reaching decisions and undertaking activities that impact these areas. [a footnote could give examples of pertinent ‘relevant authorities’, e.g. Devon County Council, South West Water, Environment Agency.]

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: Neil Butler

Organisation (where relevant): Natural England

Proposal: 12. Our Outstanding Landscape

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: OL02

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

3. Do you consider that this part of the Our Outstanding Landscape chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Our Outstanding Landscape chapter, please use this box to set out your comments.:
Strategic Policy OL02: National Landscapes (formerly AONBs):

We welcome the policy reflecting the strengthened duty under the Levelling Up and Regeneration Act 2023 to "seek to further" the purposes of the National Landscape.

OL03

Full name: Stuart Houlet

Organisation (where relevant): PCL Planning Ltd

Other party name (if relevant): Andrew and Philip Cork

Proposal: 12. Our Outstanding Landscape

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: OL03

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

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.: We are disappointed to note that the extent of the proposed CPA remains unchanged and the Council continue to provide no justification for their position regarding its extent. This is despite previous representations (at the Further Regulation 18 stage and initial Regulation 19 stage) on behalf of our clients questioning the evidence base for defining the extended areas of the CPA included in the Plan. This also included a comprehensive review undertaken by Pegasus in relation to the extended CPA Area 5 – Topsham to Exmouth.

The review highlighted significant flaws with the Council's approach, highlighting an over reliance on the CPA designation, placing it higher in the hierarchy of designations than National Landscapes, despite being a local designation.

The appraisal within the Pegasus review sets out that there is no evidential basis on landscape and visual grounds to support the proposed extension of the CPA between Topsham and Exmouth.

Critically the CPA extension is not supported by fieldwork evidence to test visual connectivity and instead relies on desktop assessment which do not fully represent actual views. In contrast the Pegasus review includes ZTV mapping and field work that

give a more accurate appraisal of views. The review concludes that further inland between Exmouth and Lypstone views of the sea are typically fully restricted by roadside planting and built development. It confirms that whilst there are extensive views of the estuary in the immediate vicinity of the shoreline, further inland views are reduced to occasional glimpses as a result of mature hedgerows and hedgebanks. Similarly the field work confirms views of the land within the CPA from the sea is very limited and confined to the fields between coastal settlements, west of the A367 and within 300m of the estuary. It is frustrating that the evidence base for the Plan does not include any acknowledgement or response to the review that we have provided. We remain concerned that the Council continues to take a blanket approach to CPA as a designation and has failed to appropriately justify its extent and purpose within the Plan.

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.: For Strategic Policy OL03 relating to the CPA the extent of the designation needs further evidence and justification or the policy needs to be modified to provide the opportunity for alternative evidence to be provided and taken into account in windfall situations.

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 elaborate further on these and previous representations made on the Plan, including providing evidence to support the necessary Modification of the Plan.

Full name: Tamsin Robertson

Proposal: 12. Our Outstanding Landscape

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: OL03

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

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.: Chapter 12: Landscape

Exmo_17 had two protections until EDDC , without any justification, recently removed its Coastal Preservation area status, despite hundreds of objections from residents. It is a very large, precious area of National Landscape farmland that is protected against large-scale developments.

EDDC's duty is to 'conserve and enhance' it. (***) Personal details have been removed (***) on behalf of the Housing Minister, (***) Personal details have been removed (***) has confirmed this in a letter to our MP, (***) Personal details have been removed (***) of 18th August 2025). In no way is building a large estate on Exmo_17 conserving or enhancing it.

There is no reason to build the proposed industrial units on this land. Logically, they should be built on the Trading Estate opposite or Exmo_18, both of which have the same landowner.

The proposed vehicle access road would go straight across the existing Exmouth to Budleigh cycle/foot path and would require the felling of mature trees and bushes. This well-used path gives safe, tranquil access to cyclists, dog walkers, children, recreational walkers and people in wheelchairs and on mobility scooters. We think this is dangerous and a loss of a peaceful amenity within the National Landscape.

The landowner has recently terminated the lease to a nearby farm of National Landscape pastureland adjacent to Exmo_17. Could it be that they are hoping for a domino effect, building further estates on our irreplaceable National Landscape?

OL04

Full name: James McMurdo

Organisation (where relevant): McMurdo Land Planning and Development Ltd

Other party name (if relevant): Stuart Partners Ltd

Proposal: 12. Our Outstanding Landscape

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: OL04

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

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.: McMurdo Land Planning and Development Ltd on behalf of Stuart Partners Ltd.

Objection (maintained) Reasons (as per previous representations)

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.: Delete the policy

Full name: James McMurdo

Organisation (where relevant): McMurdo Land Planning and Development Ltd

Other party name (if relevant): Stuart Partners Ltd

Proposal: 12. Our Outstanding Landscape

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: OL04

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

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.: McMurdo Land Planning and development Ltd on behalf of *** Personal details have been removed ***

Objection (maintained) Reasons (as per previous representations))

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.: Delete the policy

Full name: Kim Miller

Organisation (where relevant): Historic England

Proposal: 12. Our Outstanding Landscape

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: OL04

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

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.: While we appreciate the intension of the additional text at 12.13 which suggests that the policy ‘...ensures that views relating to heritage assets are protected for their contribution to the asset’s significance’, the text in Policy OL04 does not achieve this aim. We suggest that the supporting text is further adjusted, better reflecting the change requested in our response to the Regulation 19 Local Plan.

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.: The suggested wording below takes the amended text as a starting point:

Text to be added is shown in square brackets [] and to be deleted is shown in brackets ()

"It ensures development does not detract from the visual integrity, identity, and scenic quality characteristic of East Devon. (and ensures) [It should be noted] that views relating to heritage assets (are protected for their) [can be a feature of the setting that makes a] contribution to the asset’s significance, [which in turn is protected by heritage policies in the NPPF and Local Plan.]"

OL05

Full name: Claire Alers-Hankey

Organisation (where relevant): Greenslade Taylor Hunt

Other party name (if relevant): Waddeton Park Ltd

Proposal: 12. Our Outstanding Landscape

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: OL05

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.: The proposed green wedge is far too extensive, including vast swathes of land that performs no function in terms of maintaining the separation and identity of settlements.

The stated purpose of the green wedge designation is to prevent the coalescence of settlements and maintain their separate identities. An Officer report to the Strategic Planning Committee on 13th February 2024 advised that green wedges “are not intended to cover large swathes of land, or completely fill the space between settlements, instead they are intended to protect features or areas that are key to preventing coalescence or loss of identity”. The report goes on to explain that, in other locations outside of settlement boundaries or site allocations, “the countryside protection policies will continue to apply and there will continue to be a presumption against development in these areas”. The report then reminds the Strategic Planning Committee of its own resolution on 11th January 2022 that “Extensive areas of Green Wedge that go beyond the area needed to achieve this aim would unnecessarily restrict development that would otherwise be acceptable”.

The report also presented green wedge assessments to the Strategic Planning Committee. These were focussed on identifying and protecting the features that are key to safeguarding character and identity and preventing coalescence. A robust methodology was applied to these assessments and this can be seen in Appendix 1 of the report to the Strategic Planning Committee on 13th February 2024. The assessments concluded that, in most cases, the green wedge designations in the

current Local Plan should be scaled back to more accurately reflect their desired function and in line with the Committee’s resolution on 11th January 2022 (see 2.2.2).

The assessment concluded that the East of Exeter Green Wedge designation should be withdrawn and replaced with a more focussed green wedge on the west side of Clyst St Mary. The remainder of the East of Exeter Green Wedge was deemed to “not meet the designation criteria because it does not separate two or more settlements”. A review of the detailed assessment undertaken by Officers is helpful in understanding how this conclusion was drawn and the following extracts from the assessment are considered particularly relevant:

“Overall, the area of search is characterized by sweeping open countryside, though with substantial developed areas within, and the River Clyst, which meanders through the area from north to south, primarily in the central portion. This creates a diverse landscape with a blend of rivers, vegetation cover, and manicured lawns. The sense of separation is pronounced, enhanced by the mature trees surrounding Sowton village, the intervening distance, and the major roads (A30, M5, and A376), which play a significant role in defining the area's distinct character.”

“Low visibility exists between settlements due to the distance and the intervening motorway and main roads.”

“The three main sub-areas within the area of search, and the perception and actual distances between them, is such that they have a distinct sense of separation from one another.”

“The proposed green wedge is located on the western side of Clyst St. Mary village next to the river Clyst and alongside Sidmouth Road (A376). On account of the substantial size of the area of search and the real and perceived existing sense of separation of settlements there are no alternative options identified.”

Despite the robust assessment process undertaken by Officers, Members of the Strategic Planning Committee resolved not to agree with the proposed recommendation to reduce the extent of the green wedges (including the East of Exeter Green Wedge). No

robust reasons were given for this decision, albeit reference is made in the Minutes of the meeting that the methodology did not address “the aspirations of residents”.

A report to the Strategic Planning Committee on 30th April 2024 makes reference to a workshop between Officers and Members where the topic of green wedges was discussed. In that meeting Members stressed the length of time that existing green wedges have been in place and the level of public support and public understanding that they enjoy. It was also highlighted that green wedges help establish and positively shape a sense of place and that an intrinsic sense of separation of settlements is a critical concern in their definition. None of these claims are supported by robust evidence, however Officers were ultimately left with the clear impression (as noted in the Committee report) that Members wished to “retain the existing green wedges as much as possible”.

As a consequence, the East of Exeter Green Wedge (and other green wedges) presented in the consultation document has reverted more or less to its previous expansive form. No robust justification for this approach is provided within the consultation document or within the report to the Strategic Planning Committee on 30th April 2024. It can therefore be reasonably concluded that this decision simply reflects a preference among Members to retain expansive green wedge designations, rather than being grounded in any robust assessment or policy basis.

The Committee report rightly warns Members that planning policies must be evidence based and accord with national policy and guidance as they will ultimately be scrutinised at Examination. This is particularly significant in the case of policies relating to green wedges, as this is not a form of designation that is endorsed by the National Planning Policy Framework (NPPF) or Planning Practice Guidance (PPG). This advice is of course correct and highlights the clear shortcomings of the approach now presented within the consultation document.

To conclude, a robust assessment undertaken by Officers advised that the current green wedge policy is not fit for purpose and that the policy should be amended to reduce the extent of green wedges to those areas that provide a genuine function in maintaining the separation and identity of settlements. The findings of that assessment have been ignored, with Members opting to retain expansive green wedges against the advice of Officers and without robust justification.

Waddeton Park Ltd maintains its objection to the extent of the East of Exeter Green Wedge in the strongest terms.

The land north of Sowton village was included as a draft employment allocation under Strategic Policy 12 in the previous Local Plan consultation. The site was proposed as a high quality employment site comprising a mix of B2, B8, E(g) and other complimentary uses including indoor sports, recreation, crèches and cafes. Waddeton Park Ltd submitted comments to support that draft allocation at the time. Although the current consultation does not specifically seek comments in respect of the proposal to allocate the land north of Sowton village for employment development, this is relevant in the context of the land north of Sowton village, which is currently proposed to be included within the expansive East of Exeter Green Wedge.

The land north of Sowton village should be removed from the green wedge in order to provide certainty over the development potential of this site. The land north of Sowton village performs no function in maintaining the separation and identity of settlements and so its removal from the green wedge is entirely appropriate. The land north of Sowton village is not located between Sowton and Clyst St Mary. Its development will therefore have no impact upon the perception of openness and separation between the settlements. There is no intervisibility between Sowton and development to the north including Clyst Honiton, Blackhorse and Exeter Science Park. This is due to the significant distance between the relevant built up areas and the nature of intervening topography and physical features within the landscape e.g. the A30. Intervisibility between the land north of Sowton and the village of Sowton is extremely limited by virtue of the distance between them and the nature of intervening topography and physical features within the landscape. In the few instances where the site is visible from the village, the visual impact of development in this location can be effectively mitigated/avoided through the implementation of landscaping measures and by leaving certain areas undeveloped.

Taking the above into account, it can be reasonably concluded that the land north of Sowton village does not perform any genuine function in maintaining the separation of settlements or the individual identity of Sowton. It has also been demonstrated that the site can be developed in a manner that effectively mitigates and avoids any perception of physical encroachment upon Sowton.

Concluding Remarks

This response has been submitted on behalf of Waddeton Park Ltd and seeks to secure reallocation of the land north of Sowton as an employment site.

The Second Reg 19 consultation Local Plan as it currently stands, is unsound for the reasons outlined in this response and significant alterations are required in order for the Local Plan to be found sound at Examination.

Land north of Sowton represents a sustainable location for employment development, which is suitable, available and achievable for development within an early stage of the new Local Plan period. Accordingly, consideration should be given by EDDC to releasing this land from the proposed Green Wedge designation and reallocating it for employment development, to meet the identified employment need.

It is respectfully asked that the comments made within this document are taken into consideration and acted upon. It is also requested that Greenslade Taylor Hunt, on behalf of Waddeton Park Ltd, is notified of future planning policy consultation events.

Full name: Claire Alers-Hankey

Organisation (where relevant): Greenslade Taylor Hunt

Other party name (if relevant): Waddeton Park Ltd

Proposal: 12. Our Outstanding Landscape

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: OL05

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

Full name: James McMurdo

Organisation (where relevant): McMurdo Land Planning and Development Ltd

Other party name (if relevant): Stuart Partners Ltd

Proposal: 12. Our Outstanding Landscape

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: OL05

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

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.: McMurdo Land Planning and Development Ltd on behalf of Stuart Partners Ltd.

Objection (maintained) Reasons (as per previous representations)

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.:

- Because the policy is ineffective and not sound in this regard, amend it to consider Policy WS01; and,
- Because there is no merit in the identification of our Client's land as part of Green Wedge at Pinhoe, as it would not reflect the criteria for identification as set out within the proposed policy nor would its development be restricted by the proposed policy, remove this land from the Green Wedge designation.

Full name: James McMurdo

Organisation (where relevant): McMurdo Land Planning and Development Ltd

Other party name (if relevant): Stuart Partners Ltd

Proposal: 12. Our Outstanding Landscape

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: OL05

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

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.: McMurdo Land Planning and Development Ltd on behalf of *** Personal details have been removed ***

Objection (maintained) Reasons (as per previous representations))

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.:

- Because the policy is ineffective and not sound in this regard, amend it to consider Policy WS01; and,
- Because there is no merit in the identification of our Client's land as part of Green Wedge at Pinhoe, as it would not reflect the criteria for identification as set out within the proposed policy nor would its development be restricted by the proposed policy, remove this land from the Green Wedge designation.

Full name: Cara Chambers

Organisation (where relevant): Stantec

Other party name (if relevant): KCS Development

Proposal: 12. Our Outstanding Landscape

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: OL05

1(b). Does your comment relate to one of the changes listed above?: 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.: Our previous representations, particularly to the Regulation 19 consultation (2025) highlighted the Green Wedge policy and boundary at Ottery St Mary are unsound and not based on robust evidence. The council reviewed options for green wedges and the need for such designations in particular locations but has then disregarded that evidence when it comes to the plan policies. Chronology

4.3.4 The adopted East Devon Local Plan does not include a green wedge between Ottery St Mary and West Hill, although green wedges are proposed elsewhere in the district. Therefore, it is evident from the adopted plan the council considered the overall approach to green wedges and soundly concluded a green wedge between Ottery St Mary and West Hill. The matter then moved on within the Neighbourhood Plan for the area.

4.3.5 Green Wedges were then reviewed by the council as part of the previous Regulation 18 consultation and following a robust evidential based approach officers advised on the potential extent of Green Wedges across the local plan area in a Green Wedge assessment document (February 2024). The Green Wedge assessment document concludes of the Ottery St Mary / West Hill Green Wedge that: Part of this area, as defined on the map above, performs strongly against the majority of Green Wedge criteria and so this area should be designated. The area meets the purposes of protecting the local identities and distinctive characters of Ottery St Mary and West Hill and preventing coalescence. The designation does not extend beyond the area needed to achieve the purposes of the Green Wedge.

4.3.6 The February 2024 report recommended the below Green Wedge boundary edged in red: However, the Regulation 19 plan proposes a Green Wedge which includes all land between Ottery St Mary and West Hill, apart from the allocation to the north-east of the Green Wedge (Otry_01b). This change in approach is contrary to all published

evidence and is unsound. There have been no in detailed assessments or new evidence provided with the Regulation 19 consultation documents in relation to the designation of Green Wedges.

4.3.8 The Sustainability Appraisal supporting the second Regulation 19 document takes a broad and district wide approach to keep the current Green Wedges with only minor adjustments excluding areas of development allocation. However, a finer grained approach should be taken in the assessment and designation of Green Wedges.

4.3.9 The broad approach taken is despite the robust evidence base, methodology and assessment seen in reports to the Strategic Planning Committee in 2024 recommending that the Ottery/ West Hill Green Wedge should be reduced in size. Therefore, the Council's approach to the designation of Green Wedges in the emerging plan is unsound as it is not justified or positively prepared and not based on the evidence carefully prepared by the Council. Very limited evidence was provided to identify green wedges which are entirely contrary to the February 2024 recommendation.

4.3.10 The council's evidence is clear that much of the Green Wedge assessment area, and particularly the area to the east where it adjoins the Ottery St Mary settlement boundary, does not function as a Green Wedge and specifically should not be included within the Green Wedge designation. It is unclear why the council has departed from this approach.

4.3.11 It is evident the proposed green wedge between Ottery and West Hill is not necessary. The absence of a green wedge would not lead to sporadic or isolated development, development to the west of Ottery St Mary would not damage the individual character or identity of a settlement, nor would it lead to or encourage settlement coalescence (which are the stated aims of the green wedge policy).

Full name: Rachel Danemann

Organisation (where relevant): Home Builders Federation

Proposal: 12. Our Outstanding Landscape

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: OL05

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.: The policy is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy.

For the Plan to be deliverable the policy should be clear that development of, and to support, biodiversity net gain units within Green Wedges is acceptable. As we said in our response to the East Devon Further Draft Local Plan Consultation back in June 2024 “HBF do not comment on individual site allocations and would therefore not wish to comment on the individual boundaries of Green Wedges. However, HBF would highlight that the proposed wording of the Green Wedge policy may have an unintended consequence of hampering off-site BNG or SANGS delivery within Green Wedges, which may be suitable for such uses.” We are unclear if and how the comments made in response to the June 2024 consultation have been considered and responded to and how they have informed this version of the Plan.

HBF continues to suggest the current proposed wording is not comprehensive enough and needs expanding to say more on what development is acceptable in Green Wedges. For example, the digging of ponds and other earth works, the development of footpaths or public access gates may require planning permission.

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.: For the Plan to be deliverable the policy should be

clear that development of, and to support, biodiversity net gain units within Green Wedges is acceptable.

needs expanding to say more on what development is acceptable in Green Wedges. For example, the digging of ponds and other earth works, the development of footpaths or public access gates may require planning permission.

OL07

Full name: Nicola Wilson

Organisation (where relevant): Devon County Council

Proposal: 12. Our Outstanding Landscape

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: OL07

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

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.: To ensure that Policy OL07 remains up to date, DCC requests that the policy wording is amended to state: “Development on or in close proximity to active, permitted or former waste management sites will only be permitted where it can be demonstrated that there will be no harm to future occupiers of the site from leachate or landfill gas or other waste arising in consultation with Devon County Council as the waste planning authority and in accordance with Policy W10 (Protection of Waste Management Capacity) of the Devon Waste Plan, or equivalent policy within a subsequent or amended plan”.

OL10

Full name: James McMurdo

Organisation (where relevant): McMurdo Land Planning and Development Ltd

Other party name (if relevant): Stuart Partners Ltd

Proposal: 12. Our Outstanding Landscape

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: OL10

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.: McMurdo Land Planning and Development Ltd on behalf of Stuart Partners Ltd.

Objection (maintained) Reasons (as per previous representations)

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.: Either:

- Delete the policy and rely on Paragraph 187 (and footnotes) of the NPPF (which should be the preference, we respectfully suggest); or
- Redraft the policy based on Paragraph 187 of the NPPF (but all that would do is duplicate policy provision).

Full name: James McMurdo

Organisation (where relevant): McMurdo Land Planning and Development Ltd

Other party name (if relevant): Stuart Partners Ltd

Proposal: 12. Our Outstanding Landscape

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: OL10

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

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.: McMurdo Land Planning and Development Ltd on behalf of *** Personal details have been removed ***

Objection (maintained) Reasons (as per previously)

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.: Either:

- Delete the policy and rely on Paragraph 187 (and footnotes) of the NPPF (which should be the preference, we respectfully suggest); or
- Redraft the policy based on Paragraph 187 of the NPPF (but all that would do is duplicate policy provision).

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury Manor Estate

Proposal: 12. Our Outstanding Landscape

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: OL10

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

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.: We note that no changes have been proposed to this draft policy since the first Regulation 19 consultation draft, and we therefore continue to object to the inclusion of this policy on the basis of a complete lack of justification. We explained our reasons for the objection in our representations to the first Regulation 19 consultation draft and these points still stand. We maintain that the draft policy should be removed in its entirety.

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

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.: In order to represent the interests of The Sidbury Manor Estate in relation to their interests in the Land west of Two Bridges Road, Sidford (Sidm_06a), and other draft policies in the plan.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury LVA LLP

Proposal: 12. Our Outstanding Landscape

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: OL10

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.: See enclosed representations

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.: See enclosed representations

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 enclosed representations We note that no changes have been proposed to this draft policy since the first Regulation 19 consultation draft, and we therefore continue to object to the inclusion of this policy on the basis of a complete lack of justification.

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.: See enclosed representations We explained our reasons for the objection in our representations to the first Regulation 19 consultation

draft and these points still stand. We maintain that the draft policy should be removed in its entirety.

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.: See enclosed representations

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.: In order to represent the interests of Sidbury LVA LLP in relation to their interests in the Land south of Furzehill, Sidbury (SIDM_34), and other draft policies in the plan.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): 3West Developments Ltd

Proposal: 12. Our Outstanding Landscape

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: OL10

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.:

Strategic Policy OL10: Development on high quality agricultural land We note that no changes have been proposed to this draft policy since the first Regulation 19 consultation draft, and we therefore continue to object to the inclusion of this policy on the basis of a complete lack of justification. We explained our reasons for the objection in our representations to the first Regulation 19 consultation draft and these points still stand. We maintain that the draft policy should be removed in its entirety.

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.: Delete policy

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.: Strategic Policy

OL10: Development on high quality agricultural land We note that no changes have been proposed to this draft policy since the first Regulation 19 consultation draft, and we therefore continue to object to the inclusion of this policy on the basis of a complete lack of justification. We explained our reasons for the objection in our representations to the first Regulation 19 consultation draft and these points still stand. We maintain that the draft policy should be removed in its entirety.

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.: Delete policy

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

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.: In order to represent the interests of 3West Group in relation to their interests in the Land north and east of Exton Farm (Wood_28), and other draft policies in the plan.