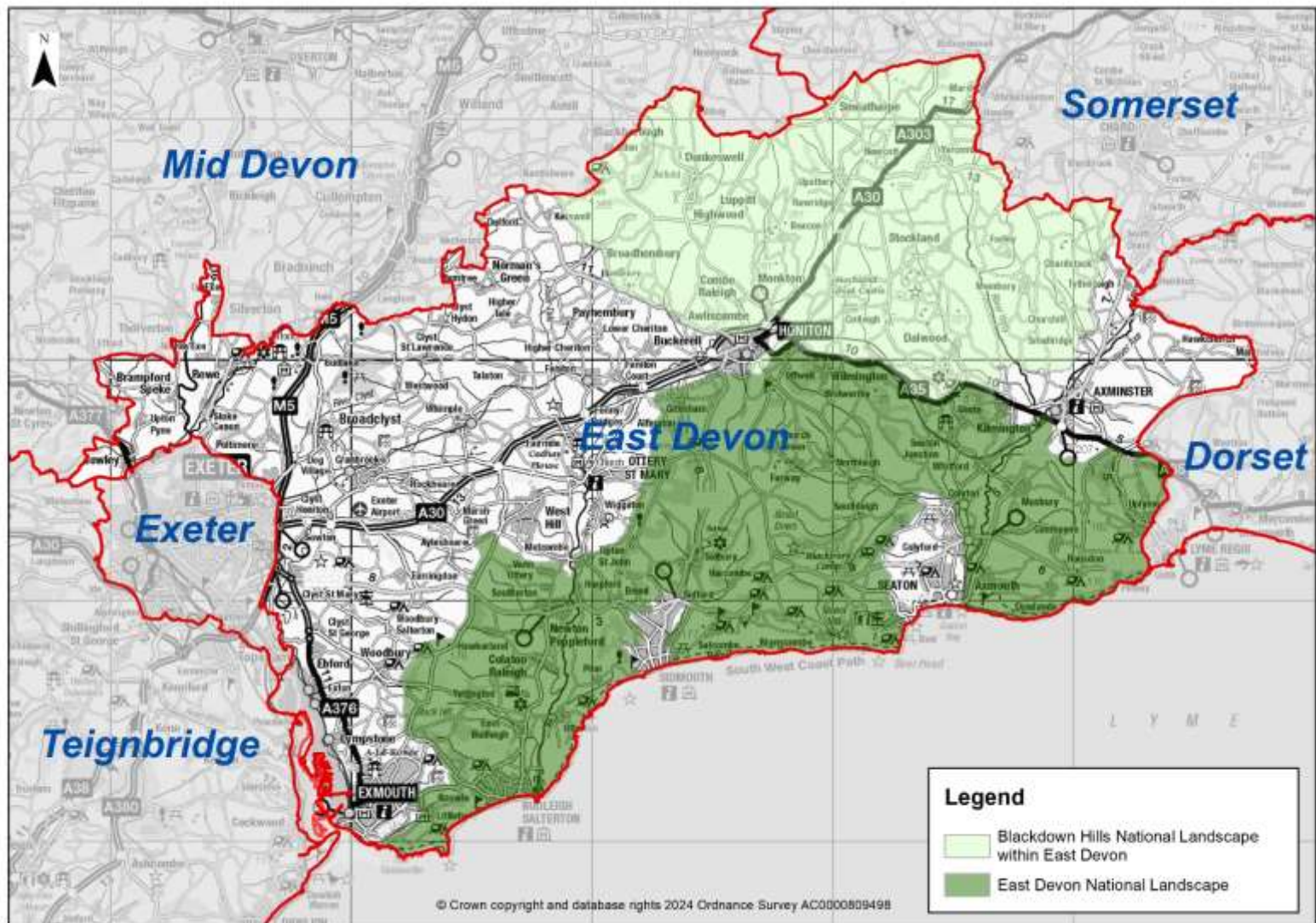


# East Devon Local Plan - Key Supporting Document KSD - 002

## Duty to co-operate

Regulation 19 consultation version 01



To request this information in an alternative format or language please phone 01395 516551 or email [csc@eastdevon.gov.uk](mailto:csc@eastdevon.gov.uk)

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## 1 Introduction

- 1.1 This key supporting document sets out key matters relating to the 'duty to co-operate' in relation to the evolution and preparation of the Publication draft (Regulation 19) of the East Devon Local Plan. There will be new versions of this paper as plan making progresses into and through plan Examination and the information in this report will form the basis of a statement of common ground to support the submission plan. An updated statement will be prepared for the Regulation 19 consultation on the new community scheduled for later in 2025.
  - 1.2 The duty to cooperate is a legal requirement introduced by the Localism Act 2011 that requires local planning authorities and other public bodies to engage constructively, actively, and on an ongoing basis when preparing Local Plans.
  - 1.3 As part of the preparation of the local plan, East Devon District Council (EDDC) has collaborated extensively with other Councils, prescribed bodies, and other relevant organisations.
  - 1.4 This statement summarises the key issues, describes how these have been addressed and by whom, and identifies any outstanding issues, together with how they may be resolved. The Council remains committed to continued collaboration with relevant bodies on strategic planning matters.
  - 1.5 Appendix 1 includes a summary of key stages where the duty to co-operate has been formally considered in the plan making process, but joint evidence gathering, and discussion of issues have continued throughout.
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## 2 Background to the duty to co-operate

- 2.1 The duty to cooperate was introduced by the Localism Act 2011 and incorporated into Section 33A of the Planning and Compulsory Purchase Act 2004. It places a legal duty on local planning authorities, county councils, and other prescribed public bodies to engage constructively, actively, and on an ongoing basis to maximise the effectiveness of local plan preparation relating to strategic cross-boundary matters.
- 2.2 Paragraphs 24 to 27 of the National Planning Policy Framework (NPPF)<sup>1</sup> stress the need to meet the duty to cooperate throughout plan preparation. The NPPF refers to addressing matters which cross administrative boundaries, the importance of co-operation in terms of delivering an appropriate strategy and the need for partnership working in terms of infrastructure planning.
- 2.3 The bodies which are subject to the duty to co-operate are set out in Section 33A of the Planning and Compulsory Purchase Act 2004. In the case of the East Devon local plan these comprise:

- Devon County Council
- Somerset Council
- Dorset Council
- Exeter City Council
- Mid Devon District Council
- Teignbridge District Council
- Environment Agency
- Historic England
- Homes England
- Natural England
- Highways England
- Office of Rail and Road
- Civil Aviation Authority
- NHS England
- NHS Devon Integrated Care Board.
- Marine Management Organisation

- 2.4 In addition, we have a statutory duty to involve the Devon Local Nature Partnership. Given the importance of landscape and wider environmental issues to the local plan, we have also treated the National Landscape partnerships as duty to co-operate partners.

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<sup>1</sup> [\[ARCHIVED CONTENT\] National Planning Policy Framework - GOV.UK](#)

2.5 The National Planning Guidance gives advice on how the duty to co-operated should be undertaken and recorded<sup>2</sup>. It requires the relevant bodies to co-operate in the preparation of policies which address strategic matters, including in local plans. The guidance also requires the plan making authority to record a statement of common ground that sets out the progress made on strategic cross-boundary matters during plan preparation. This document comprises the duty to co-operate statement for the first Regulation 19 local plan consultation.

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<sup>2</sup> [Plan-making - GOV.UK](#)

### 3 Strategic Geography

- 3.1 East Devon is located in a two-tier area, where Devon County Council provide many services, including education and transportation. The Government has announced proposals for local government reorganisation<sup>3</sup> in Devon that will result in the formation of a new unitary council by April 2028 under current timescales<sup>4</sup>.
- 3.2 The District lies to the southeast of Devon, having boundaries with Exeter City, Teignbridge and Mid Devon and extending eastwards to the county borders with Dorset and Somerset.
- 3.3 East Devon is primarily a rural area with an outstanding natural environment, reflected in the designation of its southern coastline as part of the Dorset and East Devon Coast World Heritage Site and 57% of the District being designated as National Landscapes. However, the close proximity of the city of Exeter to the western boundary of East Devon has helped to fuel demand for major developments.
- 3.4 The Exeter and East Devon Growth Point was formed in 2008 to help deliver strategic growth of around 25,000 new homes and over 25,000 jobs in the period up to 2026. The majority of the major strategic developments delivered and promoted in the Growth Point Area fall in East Devon, including: Cranbrook new community; Exeter Science Park; Urban Extensions/new housing east of Exeter; Skypark Businesses Park; and Strategic Transport Schemes. These developments formed a focus for growth in the adopted local plan and have partly been delivered. Since starting as a green field in 2011, Cranbrook has grown to around 3,000 dwellings and the Cranbrook Plan<sup>5</sup> includes policies for expansion to nearly 8,000 homes. The Exeter and East Devon Enterprise Zone<sup>6</sup> was launched in 2017 and has four separate sites: Exeter Science Park, Skypark, Power Park and Cranbrook town centre.
- 3.5 The western part of East Devon continues as the strategic growth focus in the new local plan, with a second new community planned that will commence during the plan period and extend beyond it to around 10,000 homes. Additional developments are included in the plan at the Enterprise Zone, Science Park and at and around Exeter Airport (which is in East Devon). An urban extension on land north of Topsham on the boundary with Exeter City will require joint working to ensure development and infrastructure needs progress in a coordinated cross-boundary manner.
- 3.6 Development in the western half of East Devon has the potential to impact the designated European wildlife sites of the Exe Estuary, East Devon Pebblebed Heaths and Dawlish Warren

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<sup>3</sup> [Letter: Devon, Plymouth and Torbay - GOV.UK](#)

<sup>4</sup> [Devolution and local government reorganisation frequently asked questions | Local Government Association](#)

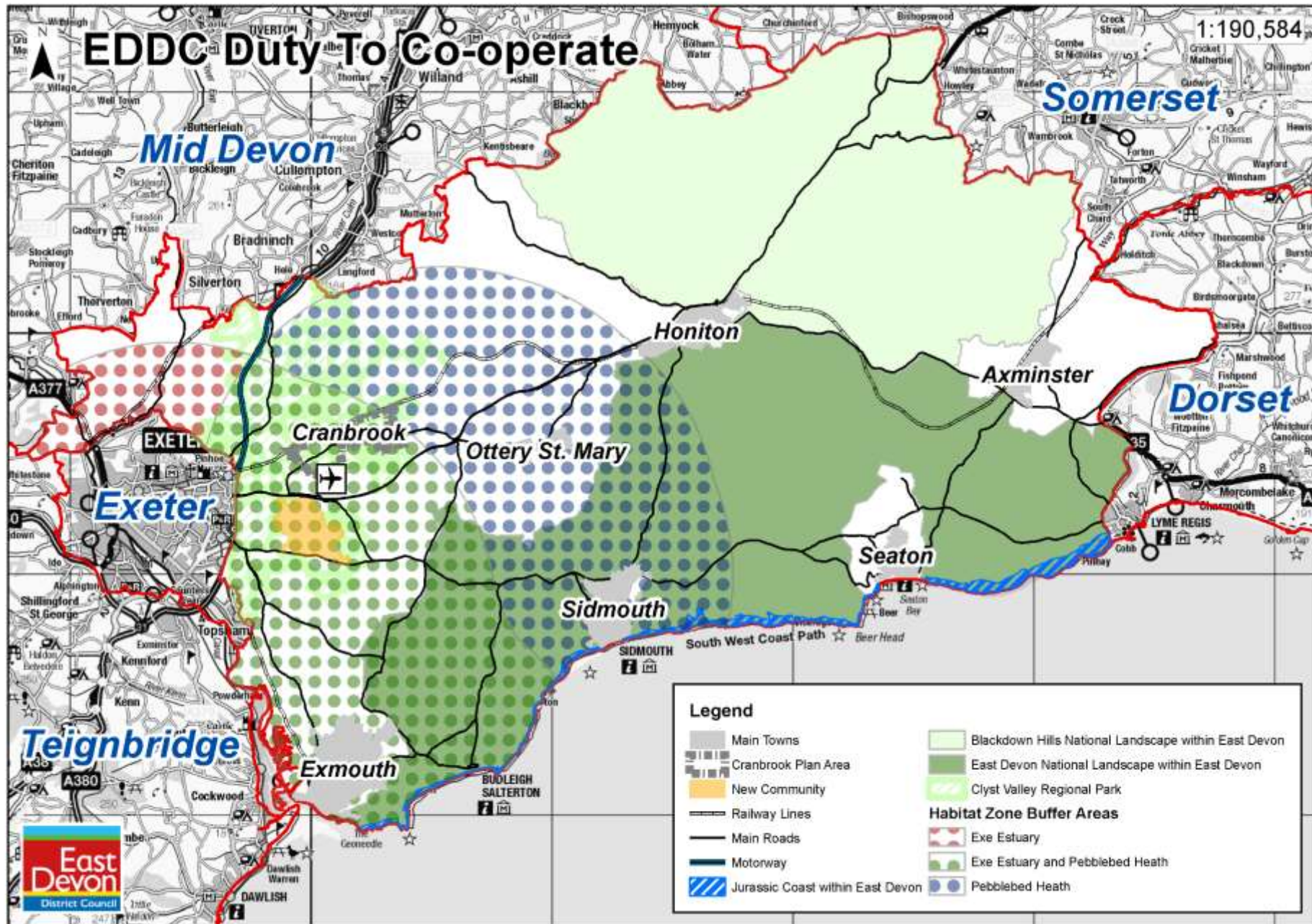
<sup>5</sup> [Cranbrook Plan - East Devon](#)

<sup>6</sup> [Enterprise Zone](#)

(in neighbouring Teignbridge). Since 2015, housing and tourist accommodation developments within 10 kilometres these designated areas have had to pay for habitat mitigation through the provision of Suitable Alternative Natural Green Space (SANGS). The Clyst Valley Regional Park is the largest SANG in East Devon and is being developed to provide high quality green space at a large scale to compliment strategic growth in the area.

- 3.7 The River Axe is designated as a SSSI for most of its length in East Devon and extending over the County border into Somerset (the Axe also extends into Dorset). However, its wildlife interest is deteriorating as a result of excess phosphates in the river, most of which come from agricultural run-off, though a sizable proportion is from treated sewage. A River Axe Nutrient Management Plan has been produced that finds that mitigation measures will be needed if further development in the catchment is not to have a detrimental impact.
- 3.8 There are two railway lines with stations in East Devon. The 'Avocet Line' runs along the banks of the Exe Estuary from Exeter and terminates at Exmouth. It has stops at the Commando Station and small settlements along the estuary and provides a half hourly service. The London Waterloo to Exeter railway line provides, at best an hourly service to the towns of Cranbrook, Honiton and Axminster and the villages of Feniton and Whimble. There are plans for a passing loop to improve reliability and increase train frequency.
- 3.9 The strategic road network in East Devon comprises the M5 motorway running north/south to the west of the District and the A.30/303 running northeast/southwest with the A.35 branching off to the southeast from Honiton. The A373, A375, A376 and A378 provide north south links with the A3052 being the main southern route from east to west. Traffic volumes on the strategic road network is seasonally varied and there can be significant capacity issues related to tourist traffic. The wider road network is quite rural and does not experience significant congestion, although there are capacity issues on the road links in the east of Exeter that can feed back into East Devon, particularly around the village of Clyst St. Mary.
- 3.10 Map 1 – East Devon Strategic Geography illustrated some of the key factors, including the main settlements, proposed new community, national landscapes, World Heritage Site, key transport routes, Clyst Valley Regional Park and the habitat mitigation zones.

Map 1 – East Devon Strategic Geography



## 4 Strategic matters

4.1 Table 1 sets out the strategic matters that are considered to be relevant to the Regulation 19 local plan, including an indication of whether the issues are resolved, or further work is required.

4.2 Table 1 – Summary of strategic matters

<b>Matter</b>	<b>Issue</b>	<b>Partners</b>	<b>Resolved or ongoing</b>
Housing	Meeting our requirement	N/A	Resolved
	Meeting others requirement	Neighbouring LPAs	Resolved
	Gypsy and Traveller pitches	Neighbouring LPAs	Resolved
	Relationship between Uplyme and Lyme Regis	Dorset Council	Resolved
Climate change	Mitigation	Devon County Council	No outstanding local plan issues but measures will continue over plan period.
	Adaptation	Environment Agency	Resolved
Employment	Meeting our needs	N/A	Resolved
	Meeting others needs	Exeter City	Ongoing
Transport	Impact of development upon the transport network in the Greater Exeter area	Devon County Council Exeter City Council Teignbridge District Council Mid Devon District Council National Highways	Ongoing

<b>Matter</b>	<b>Issue</b>	<b>Partners</b>	<b>Resolved or ongoing</b>
	Increasing sustainable travel - rail	Network Rail Devon County Council	Ongoing
	Increasing sustainable travel – walking and cycling	Devon County Council Exeter City	Ongoing
Infrastructure	Delivery of supporting infrastructure	Devon County Council Environment Agency Natural England Historic England Highways England NHS England	Ongoing
Water Quality	River Axe	Natural England Environment Agency Dorset Council Somerset Council	Ongoing
	River Exe	Natural England Environment Agency Exeter City Teignbridge	Resolved
	All waterbodies	Natural England Environment Agency	Resolved

<b>Matter</b>	<b>Issue</b>	<b>Partners</b>	<b>Resolved or ongoing</b>
Biodiversity	Nature recovery	Natural England Devon County Council Other Devon LPA's	Resolved
Habitat mitigation	In combination impacts on Exe Estuary SPA and Pebblebed Heaths SAC	Natural England Environment Agency Exeter City Teignbridge	Resolved
	Air pollution	Natural England Devon County Council	Ongoing
Landscape Seascape	Potential impact of wind farms on heritage assets	Historic England National Landscape Partnerships	Resolved
Site allocations	New Settlement		To follow in separate Regulation 19 consultation
	North of Topsham	Exeter City Council Devon County Council	Ongoing

#### 4.3 Housing - meeting East Devon's housing requirement

The Publication local plan and supporting documents, particularly the Housing Need, Supply and Requirement Interim Topic Paper<sup>7</sup>, demonstrate that we can meet our housing need. This issue is **resolved**.

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<sup>7</sup> [ksd-017-housing-need-supply-requirement-interim-topic-paper.pdf](#)

#### 4.4 Housing – meeting neighbouring housing requirements

There are no requests to meet the housing requirements on other local planning authorities at this stage. Early in the plan making, Torbay Council requested that the Exeter Housing Market Area (which includes the western part of East Devon) help to meet its housing requirement. This issue has been **resolved** through the examination of the Teignbridge Local Plan, which borders Torbay.

#### 4.5 Housing – relationship with Lyme Regis

The town of Lyme Regis is located in Dorset, but on the boundary with East Devon and the built-up area between Uplyme (which is in East Devon) and Lyme Regis is contiguous. Various constraints limit development options in Dorset and Dorset Council has asked that options to provide additional housing in East Devon to help meet the needs of Lyme Regis are promoted in the local plan. A joint assessment<sup>8</sup> of development options around both Lyme Regis and Uplyme was undertaken in 2014 to inform the currently adopted plan and no credible options were identified in East Devon. The site assessment work for this Regulation 19 plan identified only one reasonable alternative at Uplyme. This has been rejected for several reasons, as it was (as part of a larger site) in the 2014 joint assessment. Uplyme is identified in the Regulation 19 plan as a ‘service village’ where settlement boundaries have been defined and limited development is promoted. The settlement boundary defined in the Regulation 19 plan is larger than the existing boundary as shown in KSD – 11 Settlement Boundary Topic Paper<sup>9</sup>. This should enable additional, small scale growth in Uplyme. This issue is **resolved**.

#### 4.6 Housing – provision of gypsy and traveller pitches

A needs assessment for permanent pitch provision has been undertaken jointly with Exeter, Mid Devon and Teignbridge. At the point of receiving the final report<sup>10</sup>, Teignbridge were at examination, so their approach was fixed but had been informed by draft versions of the study. East Devon and Mid-Devon agreed to allocate to each meet their whole need and include policy criteria for any additional applications, whilst Exeter had a very low level of need and will meet this through a criteria-based policy approach only. Need for a transit site/s is being addressed jointly between all four authorities. This requires a joint approach to data recording and collection over at least a one year period. A joint methodology has been agreed between the partner authorities with advice from DCC and work on this is **ongoing**.

#### 4.7 Mitigating climate change

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<sup>8</sup> [west-dorset-and-east-devon-final-141118.pdf](#)

<sup>9</sup> [ksd-011-settlement-boundaries.pdf](#)

<sup>10</sup> [East Devon Gypsy and Traveller Accommodation Assessment September 2024](#)

East Devon District Council, Devon County Council and all of the neighbouring councils have declared a climate emergency and have strategies for dealing with this. East Devon, Exeter City, Mid Devon and Teignbridge have signed up to the Devon Carbon Plan, which is the roadmap for how Devon will reach net-zero by 2050 at the latest. East Devon District Council has committed to carbon neutrality by 2040. The Regulation 19 plan includes Strategic Policy CC01: Climate emergency, which supports net zero development and commits to maximising opportunities for the delivery of low carbon and renewable energy, district heat networks, and energy storage facilities. Chapter 6 of the plan on mitigating climate change includes specific policies to meet the overarching goal of achieving carbon neutrality in East Devon by 2040. In terms of the local plan, there are no outstanding issues, but clearly work on mitigating climate change will be ongoing over the lifetime of the plan.

#### 4.8 Adapting to climate change – resilience and safeguarding space

At the Regulation 18 consultation, the Environment Agency suggested<sup>11</sup> that more emphasis should be given to adaptation and resilience (extreme heat, flooding, water supply). The Regulation 19 plan includes a chapter (7) on adapting to climate change. This includes Strategic Policy AR01 which sets out resilience measures related to flood risk and Strategic Policy AR02, which requires all new dwellings to achieve the higher standards for water efficiency set out in the Building Regulations. In addition, Chapter 6 (climate change mitigation) includes Strategic Policy CC02, which requires all new homes to be designed to avoid temperature discomfort as a result of rising temperatures. At Regulation 18, the Environment Agency suggested that space should be safeguarded to help accommodate the potential impacts of climate change (coastal squeeze compensation, bigger, joined natural spaces including open functional floodplains). The Regulation 19 plan has dealt with this through Strategic Policy WS09, which allocates land for the Clyst Valley Regional Park (CVRP), 40% of which is within a floodplain and requires contributions to enhanced natural flood storage. Additionally, Strategic Policy AR01 includes requirements for development to protect land required for flood management, including natural floodplains. This issue is **resolved**.

#### 4.9 Employment – meeting East Devon’s employment needs

The Publication local plan and supporting documents<sup>12</sup>, demonstrate that we can meet our employment needs. This issue is **resolved**.

#### 4.10 Employment – meeting neighbouring employment needs - potential for displacement of employment generating uses from Exeter

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<sup>11</sup> [env-agency\\_redacted.pdf](#)

<sup>12</sup> [Evidence and Examination Library - Economy \(ECN\) - East Devon](#)

There is potential for the draft Exeter Local Plan to result in the displacement of existing employment uses from Exeter City. The Exeter Plan finished Regulation 19 consultation on 6th February 2025. EDDC made a representation on the plan objecting to employment land provision as summarised below.

4.11 The Exeter Plan fails to allocate or otherwise make sufficient land available to accommodate the future employment needs of the city. The City Council's approach appears to rely on employment land provision outside of the city boundary but within the wider Functional Economic Market Area in order to meet the economic needs of the area. However, no request has been made under the duty to co-operate for East Devon District Council to assist in meeting the employment land needs identified by the EDNA<sup>13</sup>. The land identified in the emerging East Devon Local Plan 2020 – 2042 is considered to be necessary to meet the needs of East Devon and does not seek to address wider needs. To overcome and address these concerns the Exeter Plan should explicitly quantify, citing appropriate evidence, city employment land needs and also all sources of supply, specifically including land allocations in the plan. Any shortfalls in land provision arising between this supply and need assessment should be addressed through additional provision, specifically land allocations for development, in the Exeter plan.

4.12 This issue is **ongoing**.

4.13 Transport - Impact of development upon the transport network in the greater Exeter area

The Local Authorities in the Greater Exeter area are currently preparing new local plans that will broadly cover the period up to around 2040. A vital part of the evidence to support the progress of the plans through Examination will be regarding transport; Inspectors will need to be satisfied that the combined development strategies and development requirements across the wider area are supported by an appropriate transport strategy and that the impacts are appropriately mitigated. This will help to ensure that the area continues to grow efficiently and that the transport network enables this growth.

4.14 Devon County Council as Local Highway Authority has commissioned consultants to prepare 2040 forecasts for the Greater Exeter traffic model, which includes all development from the emerging Exeter, East Devon, Mid Devon and Teignbridge Local Plans. The project working group includes Devon County Council, National Highways and the constituent districts. A series of reports have been published that forecast traffic flows on the roads and junctions in the Greater Exeter area. This shows the largest increases in traffic flow are forecast to occur on the strategic road network routes such as the A30 between M5 Junction 29 and Honiton, and the M5 between Junction 29 and 31. Other large increases are seen on Honiton Road between M5 J29 and Cranbrook and on the A3052 between M5 J30 and the East Devon new community.

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<sup>13</sup> [ecn-001-greater-exeter-edna-final-report.pdf](#)

Several junctions are forecast to be over capacity including the A30 airport junction, M5 J29 and J30, Clyst St Mary roundabout, and the A376/Topsham Road roundabout.

- 4.15 Further work is being undertaken as part of the Greater Exeter Transport Study to consider a range of sustainable transport measures, and the degree of mitigation these will provide. Physical improvements to road networks will be considered where sustainable transport mitigation measures are not sufficient to address congestion and safety to an appropriate degree. This issue is **ongoing**.

4.16 Transport - Increasing sustainable travel – rail

Another cross-boundary transport issue specifically relates to increasing sustainable travel. Network Rail are investigating how to improve the frequency of rail services along the Exeter – Waterloo line. The provision of one or two passing loops would enable one extra train per hour from Honiton or Axminster to Exeter. This is reflected in Local Plan Strategic Policy TR02: Protecting transport sites and routes. This issue is **ongoing**.

4.17 Transport - Increasing sustainable travel – walking and cycling

- 4.18 Walking and cycling. Devon County Council are preparing the Clyst Valley and New Communities Local Cycling and Walking Infrastructure Plan, which includes walking and cycling routes in the West End of East Devon travelling into Exeter. This is reflected in Local Plan Strategic Policy TR02: Protecting transport sites and routes. At the time of writing this plan has not been finalised, so this issue is **ongoing**.

4.19 Delivery of supporting infrastructure

To support the delivery of the development strategy, we have produced an Infrastructure Delivery Plan which sets out the required supporting infrastructure. Significant engagement has been undertaken with a number of duty to cooperate bodies, most notably with Devon County Council (as Local Transport Authority, Local Education Authority, Minerals and Waste Planning Authority, Lead Local Flood Authority and Council responsible for various adult and young people's services). Further iterations of the infrastructure delivery plan will be produced as more evidence gathering and discussions occur. This issue is **ongoing**.

4.20 Water Quality - River Axe Catchment

Developments in the catchment of the River Axe in Somerset, Dorset and Devon have the potential to have a negative impact on the water quality to the detriment of the River Axe Special Protection Area. Natural England requires that new development affecting vulnerable water bodies must achieve 'nutrient neutrality'. There is a significant issue with phosphate levels, which are having a detrimental impact on the River Axe SAC. The Habitat Regulations

Assessment<sup>14</sup> (HRA) has found that Strategic Policy PB04, which requires nutrient neutrality for all development within the River Axe catchment, should theoretically ensure no adverse effects, but there is uncertainty about whether this can be relied upon as mitigation is yet to be secured and there is concern that mitigation measures may need to involve measures that would otherwise be necessary to restore the SAC. Further work with Natural England and the Environment Agency is needed to understand the extent to which measures to deliver restoration and the necessary reductions in nutrient loading are achievable in practice. This issue is **ongoing**.

#### 4.21 Water Quality - River Exe Catchment

The Environment Agency comments<sup>15</sup> on the Regulation 19 plan highlighted potential impacts from cumulative growth projections in East Devon, Exeter and Mid Devon on the Exe Estuary Special Protection Area. The Habitat Regulations Assessment<sup>12</sup> (HRA) Regulation 19 version found that there were no credible risks to the Exe Estuary SPA/Ramsar with respect to water quality. This issue is **resolved**.

#### 4.22 Water Quality - Improving all East Devon water bodies

The Environment Agency comments<sup>13</sup> on the Regulation 19 plan suggested that the plan should aim to improve water bodies throughout plan area. In 2023, East Devon committed to a Nature Recovery Declaration to support Devon County Council in the production of a Devon Local Nature Recovery Strategy. We are working with Natural England and other councils in Devon to improve our natural environment, including water quality. Strategic Policy PB06 of the Regulation 19 plan supports proposals that enhance existing Nature Recovery Networks. Policy DS04 requires all major development proposals to contribute to the achievement of excellent ecological status of rivers and watercourses, through enhanced natural flood storage, capture of run-off and restoration of soil health. Strategic Policy WS09 requires major development within and adjacent to the Clyst Valley Regional Park to contribute to the achievement of excellent ecological status in the River Clyst and tributaries, through enhanced natural flood storage, capture of run-off and restoration of soil health. This issue is **resolved**.

#### 4.23 Biodiversity – nature recovery

On major developments we have local plan policy seeking 20% net gain, with 10% for non-major schemes. It envisioned that BNG provision on major developments can be accommodated on-site. Where full BNG delivery on-site is not achievable, off-site provision will be required and can provide greater ecological gains. There are currently over 50 ha of

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<sup>14</sup> [csd-006-se-devon-local-plan-hra-reg-19-300125.pdf](#)

<sup>15</sup> [env-agency\\_redacted.pdf](#)

registered BNG habitat banks within the adjoining districts and same character area as East Devon, with further habitat banks becoming registered in East Devon in 2025. BNG can also be provided on land used for Suitable Alternative Natural Greenspace (SANGS), with over 100 ha of SANG also required to be delivered over the local plan period. Therefore, it is considered there is a pipeline of BNG delivery that can accommodate the predicted level of growth over the next plan period. This issue is **resolved**.

4.24 Habitat mitigation – in combination impacts of proposed development on Exe Estuary SPA and Pebblebed Heaths SAC

The impact of growth levels in East Devon, Teignbridge and Exeter on three designated European wildlife sites was a key issued in the preparation of the adopted plan. A joint strategic approach to mitigation has been in place since 2014 and is applied consistently across Exeter City, East Devon and Teignbridge. This strategic approach applies to residential and some tourist development within a zone of influence drawn around each European site. The mitigation strategy is long running, well established and ensures mitigation can be delivered. The strategy was revised and updated during 2023 and 2024 (in a joint commission by East Devon, Exeter City and Teignbridge District) with the new strategy set up to continue indefinitely with reviews and updated scheduled at five-year intervals. The new strategy will therefore cover the period 2025-2030 at which point it will be revised and updated as necessary. Key parties, including Natural England and stakeholders involved in the delivery of the strategy (such as the Pebblebed Heaths Conservation Trust) have been consulted and commented on early drafts. The HRA<sup>16</sup> finds that the mitigation strategy provides a robust and established means to address impacts arising from the cumulative effects of development across a wide area. Natural England have reviewed the updated strategy and are supportive of the approach. This issue is **resolved**.

4.25 Habitat mitigation - impact of pollution from additional traffic using roads on Pebblebed Heaths SAC

The HRA has highlighted concerns relating to adverse impacts resulting from vehicle emissions on the East Devon Pebblebed Heaths, which are designated as both a Special Area of Conservation and Special Protection Area. The heaths are bisected by two main roads, the A3058 running east-west and the B3180 running north-south. The focus of concern arises from emissions from vehicles using these roads and the deposition of emissions along these road corridors. A bespoke strategy for addressing adverse biodiversity impacts is currently being commissioned. This issue is **ongoing**.

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<sup>16</sup> [csd-006-se-devon-local-plan-hra-reg-19-300125.pdf](#)

4.26 Landscape/seascape/heritage assets - potential impacts of wind farms on heritage assets and the national landscapes

The local plan policy map identifies areas with potential for wind power generation. Discussions with both Historic England and the national landscape teams (East Devon and Blackdown Hills) have considered whether the heritage and landscape aspects of wind farms should be assessed for each site as evidence for the local plan, given that these areas are quite small and could be considered to be tantamount to an allocation. However, there is a wide variety of turbine designs and scales, and the impacts are likely to be design specific. It is therefore considered to be more appropriate to assess any impact on a scheme-by-scheme basis if proposals are brought forward. A criteria based policy is included in the Regulation 19 Plan (Strategic Policy CC03) which requires that, for renewable energy generating schemes to be supported, there should be no significant adverse impacts on the local environment that cannot be satisfactorily mitigated, including individual and cumulative landscape and visual impacts, as well as the character of wider historic townscapes, landscapes and seascapes. This issue is **resolved**.

4.27 Allocations with cross boundary impacts – new settlement

To follow with specific Regulation 19 consultation on the new settlement.

4.28 Allocations with cross boundary impacts – Next to the M5 and north of Topsham

The local plan includes an allocation for mixed use residential, employment, and supporting infrastructure on land adjoining the border with Exeter City (Strategic Policy WS10: Development next to the M5 and north of Topsham). Land is also safeguarded for education purposes. Nearby sites are also being allocated in the Exeter Local Plan (the Regulation 19 consultation for which finished in February 2025). Also close by and in Exeter are recently consented development sites. There has been an appreciation that sites on both sides of the administrative boundary should come forward in a co-ordinated way to ensure that infrastructure is delivered appropriately. The Exeter Plan includes reference at Policy T11 to production of an Infrastructure Delivery Framework to address this issue, but does not require a joint masterplan or site delivery to ensure the delivery of the agreed Infrastructure Delivery Framework. The consequence of this is that the opportunity to deliver necessary infrastructure on the sites would be lost and the opportunity to secure Section 106 contributions towards the delivery of infrastructure identified through this work would also be lost. An objection has been made to the Exeter Plan on the following grounds.

“Policy T11 – Topsham Infrastructure Delivery Framework.

The co-ordinated approach to the delivery of infrastructure on sites north of Topsham within the city and within East Devon District under Policy T11 is welcomed, however the wording of this policy does not prevent the development of the allocated sites within the

city from coming forward ahead of production of the envisaged Infrastructure Delivery Framework or require them to only come forward in accordance with an agreed framework.

Suggested modifications to the plan - to address this concern the City Council should add the following wording (or similar) to Policy T11: “Development of allocation sites ref: 90, 91, 94, 153, shall only be permitted where in accordance with the formally agreed Infrastructure Delivery Framework”. If the City Council is in agreement, then wording could be agreed through a statement of common ground and this change recommended to the examination.”

4.29 This issue is **ongoing**.

## **5 Timetable for on-going co-operation and statements of common ground.**

- 5.1 The Regulation 19 Plan will be subject to consultation until the end of March 2025. A second Regulation 19 consultation will be undertaken focussing on the new community proposals in the Spring of 2025.
- 5.2 It is anticipated that the local plan will be submitted for examination in the Autumn of 2025.
- 5.3 The production of a statement/statements of common ground will follow the completion of the first regulation 19 consultation. All statements will be complete by the time of plan submission.
- 5.4 It may be that not all matters can be resolved by plan submission. In this case, the statement of common ground will highlight any outstanding issues where it has not been possible to reach agreement and the reasons for this.

## Appendix 1 – Key milestones in co-operation in plan preparation

Consultation on an Issues and Options [Report](#) was undertaken in January 2021. At the same time, an email was sent to all the ‘duty to co-operate bodies’ – these comprised the neighbouring local planning authorities and ‘prescribed bodies’, together with the South West Local Enterprise Partnership (the functions of which have now been transferred to Devon County Council), the Devon Local Nature Partnership and the National Landscape teams for East Devon (East Devon, Blackdown Hills and Dorset Partnerships). The email set out the timetable for plan preparation and asked for views on which ‘substantive matters’ relating to cross boundary strategic issues needed to be addressed in the local plan. The responses received were reported to the Strategic Planning Committee (SPC) meeting of [22/06/21](#), together with a summary of the issues relevant to the duty to co-operate that would need to be considered through plan making. These matters were worked through on a topic basis through various contacts and meeting with the relevant bodies and fed into a consultation on a draft plan from November 2022 to January 2023. Following the consultation, responses from the duty to co-operate bodies that raised relevant cross boundary strategic issues were summarised and reported (in Appendix 1) to the SPC of [05/09/23](#). Appendix 2 of that report included a table of the issues that needed to be addresses, together with the partners involved, links to the available evidence and actions that had been or would need to be undertaken. In September 2023, this was sent out to the duty to co-operate bodies asking for comments and suggestions of any issues that had been missed. The responses received were fed into the ongoing work undertaken on the plan to address the strategic cross boundary issues identified. The results of the ongoing work and resolved issues are included in Section 4 of this report.