

Filtered Data Export

Full name: Chrissie Hunn

Organisation (where relevant): -

Other party name (if relevant): -

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

2. Do you consider that this part of the Our Outstanding Landscape chapter is legally compliant?: Yes

2(a). If yes, and you wish to support the legal compliance of this part of the Our Outstanding Landscape chapter, please use this box to set out your comments.: I believe the Our Outstanding Landscape chapter is legally compliant, however, the plan overall is not compliant with this chapter or the overarching planning framework and legislation.

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.: -

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 inclusion of EXMO_17 is not in compliance with this chapter therefore should be removed from the local plan.

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

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.: -

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.: Whilst the Our Outstanding Landscape chapter is sound, the plan as a whole does not comply with either the chapter or the wider planning framework.

The statutory duty needs to be considered in tandem with the National Planning Policy Framework (NPPF), in particular paragraphs 11, 182 and 183. Paragraph 182 of the NPPF (2023) sets out that great weight should be given to conserving and enhancing landscape and scenic beauty in national Landscapes, whereas conservation and enhancement of wildlife and cultural heritage are important considerations. However, it is important to remember that natural beauty is not just the look of the landscape, but includes landform and geology, plants and animals, landscape features, and the rich history of human settlement over the centuries. It includes landscape and scenic quality and natural heritage such as species, habitats, geology and physical such as wildness, tranquillity and dark skies, and cultural heritage (including cultural traditions and the historic and other built environment that makes the area unique). (Levelling-up and Regeneration Act 2023 section 245; Countryside and Rights of Way Act 2000 section 85).

Natural England (2023) states enhanced duty in relation to Protected Landscapes refers to National Landscapes (AONBs) and National Parks. Natural England's Planning policies and decisions must also reflect relevant international obligations and statutory requirements.

Historic England make clear that the historic environment is fundamental to the distinctive character, sense of place and natural beauty of each National Landscape. It is the conservation and enhancement of all this natural beauty (usually defined in the specific statutory AONB Management Plan) that is the primary purpose of designation, and that Local Planning Authorities must consider in discharging their duty under CROW Act (2000) s.85.

LPAs are advised to ensure internal Local Authority legal teams are aware of the s.85 duty. Use of the relevant AONB Management Plan • The Management Plan, which is a statutory document, which will have been adopted by the Local Authority and which formulates their policy for the management of the area and for the carrying out of their functions in relation to it. It is the key principle for ensuring that the statutory purposes of the National Landscapes are met, and is a material consideration in the planning process.

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.: -

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

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

4(b). If no, please give details of why you consider this part of the Our Outstanding Landscape chapter fails to comply with the duty to co-operate. Please be as precise as possible.: -

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)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: -

Full name: Richard John Eley

Organisation (where relevant): -

Other party name (if relevant): -

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

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

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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.: In my view, the language is inappropriate. Specifically, it is not reasonable to describe Coastal Preservation Areas and Green Wedges as 'protected' when Local Plan policy is to allocate development in large areas that have these designations.

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 above.

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

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.: -

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 above.

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 above.

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

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

4(b). If no, please give details of why you consider this part of the Our Outstanding Landscape chapter fails to comply with the duty to co-operate. Please be as precise as possible.: By effectively misrepresenting these designations, the Plan is misinforming other authorities and organizations.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: -

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: -

Full name: John Loudoun

Organisation (where relevant): -

Other party name (if relevant): -

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

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

Protected landscapes must be appropriately respected. Submissions to build within an area under a National Landscape designation, should immediately bring into question such applications, especially for large scale developments. Ignoring the protections that the National Landscape designation is designed to guarantee, not only diminishes the value of such schemes and could certainly bring legal challenges to East Devon Council, which would be a waste of time and expensive. Such designations should be a valid reason for rejecting applications and used with confidence that there is a legal basis for doing so.

Legislation applying to National Landscapes has recently been updated and strengthened and the Local Plan does not respect this change. As it stands the local plan is not legally compliant with the designation of National Landscapes. Specifically, section 245 (Protected Landscapes) of the Levelling Up and Regeneration Act 2023, which now requires all public bodies to 'seek to further' the purposes of protected landscapes.

Only local authorities or the Secretary of State can give permission for development in, or affecting, an AONB. As a local authority, EDC must make sure that any proposals seek to further the purpose of conserving and enhancing the natural beauty of the AONB, for example when adding utility services, such as gas pipes and telecommunications cables or creating public access as part of rights of way improvement.

The policy needs to accurately reflect the current legislation to conserve and enhance the natural beauty of the AONB. It should specify what this means in practice and give examples. It should be clear that adherence to the law must be explicitly discussed during local plan deliberations and if there is any doubt about the ability of a submission to enhance the landscape then such plans should not be included.

Full name: Sam Scriven

Organisation (where relevant): Jurassic Coast World Heritage Site (hosted by Dorset Council)

Other party name (if relevant): -

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

2. Do you consider that this part of the Our Outstanding Landscape chapter is legally compliant?: -

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

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.: -

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.: -

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

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.: -

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.: incomplete wording in reference to the World Heritage Site

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.: Setting of the WHS should be referenced. Recommend simply changing the wording of the paragraph to read 'This policy protects the character of the undeveloped coast, including the WHS and its setting...'

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

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

4(b). If no, please give details of why you consider this part of the Our Outstanding Landscape chapter fails to comply with the duty to co-operate. Please be as precise as possible.: -

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)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: -

Full name: Robert Maynard

Organisation (where relevant): -

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1(a). Please write down the paragraph, policy or figure number that your representation relates to.: 12.11

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

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

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.: 1.

Introduction

I would like to bring to your attention that the Further Draft Local Plan Consultation (16 May/June 2024), particularly with regard to the consultation about the Coastal Preservation Area, was not fit for purpose in terms of the East Devon Local Plan being “legally compliant” and “sound”.

2. Background

In March 2024, the Strategic Planning Committee resolved that the draft Coastal Preservation Area Report be subject to public consultation (Minute 85). (See: East Devon Coastal Preservation Area – technical assessment review

<https://eastdevon.gov.uk/media/l4ldnay3/cpa-technical-assessment-review.pdf>

From 16 May to 27 June 2024, the Further Draft Local Plan Consultation purported to seek public comment about proposed changes to the Coastal Preservation Boundaries.

In early June 2024 (during the Consultation period) EDDC Officers were informed the Consultation Questionnaire:

a) Failed to illustrate the proposed additions or deletions presented in the Background Technical Review,

b) Failed to ask for the public to comment on proposed changes or make other suggestions to the Coastal Preservation Areas in: Area 1 - Lyme Regis to Seaton, Area 2 - Seaton to Sidmouth and Area 3 - Sidmouth to Budleigh.

c) Failed to provide a consistent approach to illustrating the changes or seeking public comment across the whole of the CPA.

EDDC Officer response (dated 5 June 2024) stated:

“The proposed amendments to the CPA, as highlighted in the background technical report, are completely separate to the proposed site allocations within the CPA that we are specifically asking for feedback on (i.e whether or not they should be included within the CPA).

To clarify, we have only asked specific questions on whether or not the site allocations should be in the CPA – not the amendments as proposed in the technical report. Asking specific questions on the ten proposed amendments AND the nine proposed site allocations within the proposed CPA would have made for an overly complex topic ‘tile’ on Commonplace; using the ‘catch all’ question at the end of the topic for comments on the amendments featured in the technical paper was an attempt to make the process of answering questions as simple as possible.”

About 10 June 2024, EDDC some made changes to the mapping illustrations in Commonplace, however the advice to ask specific questions about the 10 proposed amendments was not addressed.

The Feedback Report on the draft East Devon Local Plan (Regulation 18)

Further Consultation (16 May to 27 June 2024) dated October 2024 was presented to the Strategic Planning Committee on 29 October 2024 (see:

<https://democracy.eastdevon.gov.uk/documents/s25213/2a.%20Reg%2018%20Further%20Consultation%20feedback%20report%20Summer%202024.pdf>)

3. Coastal Preservation Area Consultation

The Further Draft Local Plan Consultation, with regard to the Coastal Preservation Area, was not fit for purpose in terms of being “legally compliant” and “sound” for the following reasons:

1. The Strategic Planning Committee resolution that the draft Coastal Preservation Area Report be subject to public consultation (Minute 85). The consultation failed to ask specific questions on the amendments proposed in the “Coastal Preservation Area - Technical Assessment Review”.

2. The Consultation Questionnaire on “Commonplace” failed to provide the public with a robust opportunity for the public to comment on the proposed changes to the Coastal Preservation Areas. The ‘catch-all’ question to seek a public response to the proposal in the draft Coastal Preservation Area Report was ineffective in terms of canvassing and quantifying public opinion and informing local plan decisions.

3. The Commonplace platform:

a) Is not user-friendly on its own in seeking a diversity of public comment.

b) Does not provide the public or Councillors with an opportunity to examine the responses; for example, no attempt is made to group the responses according to the questions or indicate the name of the respondents.

d) The 234 email or letter responses have not been summarised/combined with Commonplace comments or made more easily accessible.

4. This consultation was limited to a 6-week period. No extra allowance was made for the half-term week during the consultation. This is considerably less than the initial 10-week Local Plan Consultation undertaken between Monday, November 7th, 2022, and Sunday, January 15th, 2023.

In accordance with the Gunning 2nd Principles - there must be sufficient opportunity for consultees to participate in the consultation. See <https://www.local.gov.uk/sites/default/files/documents/The%20Gunning%20Principles.pdf>

5. The Feedback Report :

a) Did not provide an adequate summary of the responses to the proposed changes to Coastal Preservation Area.

b) Did not quantify the responses to CPA “Other Comments.”

c) Failed to summarise and have regard to the content of email/letter responses.

d) Failed to comment on or outline the action to be taken.

Officer comments made in the Feedback Report such as:

“Summary comments on responses received are highlighted in this feedback report but at this stage we do not provide comment on or suggest responses to issues raised. (Feedback Report, page 2)

“It was considered too challenging and time-consuming to add all the responses received offline into Commonplace.” (Feedback Report, page 6)

These comments provide no confidence that any account has been taken of the issues raised by the public.

5. The lack of officer comment on or suggested responses to issues raised and the failure to add all the responses received offline into “Commonplace” demonstrates that the public comments have not been used to inform decisions on the Local Plan.

In accordance with the Gunning 4th Principle - ‘conscientious consideration’ must be given to the consultation responses before a decision is made. Decision-makers should be able to provide evidence that they took consultation responses into account. See <https://www.local.gov.uk/sites/default/files/documents/The%20Gunning%20Principles.pdf>

The above issues illustrates the consultation about the Coastal Preservation Area is likely to be “legally noncompliant” and “unsound”.

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.: 4. Recommendation

1. Delay approving the Regulation 19 Local Plan for submission to the Planning Inspectorate, due to inadequate public consultation and consideration (Gunning Principles 2 & 4), especially regarding the Coastal Preservation Area (CPA).

2. Undertake a genuine (12-week) public consultation on the Coastal Preservation Areas Technical Assessment Review (to accord with Min 85, 12 March 2024).

3. If no further public consultation is undertaken. Reinstate the CPA changes/designations prior to approving the East Devon Local Plan (Regulation 19) for submission to the Inspectorate.

4. Ensure the Authority assesses the soundness and legal compliance of the Local Plan before publishing it under Regulation 19. (See Section 1 - Procedure Guide for Local Plan Examinations.)

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

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.: -

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4. Ensure the Authority assesses the soundness and legal compliance of the Local Plan before publishing it under Regulation 19. (See Section 1 - Procedure Guide for Local Plan Examinations.)

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

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

4(b). If no, please give details of why you consider this part of the Our Outstanding Landscape chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Information will be presented in more detail when responding to Strategic Policy OL03: Coastal Preservation Areas

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 provide further evidence if needed.

Full name: Philip Parsons

Organisation (where relevant): -

Other party name (if relevant): -

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.: 12.6

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

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

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.: Although the document correctly writes down the policy. The planning department and committee have not followed this in the way they put together the emerging plan. Their behaviour was at best following the old legislation and not “seek to further” the AONB. As an explanation I found the following regarding the recent changes to the legislation with respect to AONB or National Landscape:

In December 2023, the legislation was updated to:

“In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty in England, a relevant authority other than a devolved Welsh authority must seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.”

What does this actually mean?

The changes to AONB (National Landscape) legislation may seem minor but it's actually quite significant. Whilst the previous duty – to “have regard to” – was a passive duty, the new duty – to “seek to further” – is an active one.

In practice, the previous duty only really required relevant authorities* to take impacts on the AONB (National Landscape) into account. By contrast, the new duty expects them to proactively take steps to positively conserve or enhance the special qualities of the AONB (National Landscape).

*relevant authorities include local councils, local planning authorities, highways authorities, county councils and more.

Natural England has written to AONB (National Landscape) Teams throughout the UK to advise them about what the changes to AONB (National Landscape) legislation mean in practice. DEFRA is also expected to publish further guidance shortly. Natural England's advice letter includes:

The new duty to "seek to further" is an active duty, not a passive one.

Relevant authorities must take all reasonable steps to explore how the natural beauty of the AONB (National Landscape) can be conserved and enhanced.

The new duty goes beyond mitigation, like-for-like measures and replacement.

Relevant authorities should take measures to avoid and mitigate the effects of development. Those measures should be appropriate and proportionate to the type/scale of development. They should also be in line with the AONB (National Landscape)'s management plan.

In all cases, the relevant authority must be able to demonstrate how they have actively sought to conserve and enhance the natural beauty of the AONB (National Landscape). And this should be open to scrutiny.

It is plain to see that East Devon County Council has not followed this instruction, for example in proposing the land at Sidbury for developing 43 new dwellings. They were behaving as though the old legislation was in place in only mentioning some minor mitigation measures on the harm of this potential development. This is surprising as the legislation is clearly referenced in Chapter 12 of the emerging local plan "Our Outstanding Landscape".

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.: They need to be stating what they are doing proactively to enhance and preserve the National Landscape. It needs to be proactive, not a reactive policy.

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

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.: -

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.: They do not

demonstrate with evidence what is being done to enhance the national landscape , AONB, and what proactive measures are in place to, or being put in place, to do this.

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 needs a major modification, not just a few words amended. There needs to be a complete, well thought out strategy and an actionable plan on what the council is planning to do to enhance the National Landscape in Devon.

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

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

4(b). If no, please give details of why you consider this part of the Our Outstanding Landscape chapter fails to comply with the duty to co-operate. Please be as precise as possible.: I can't see any mention of National bodies that have cooperated in putting this plan together.

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.: As the council has demonstrated how they do not follow the updated legislation, I would like to be reassured that they listen to our concerns, and understand their legal responsibilities.

Full name: Bethan Haigh

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Taylor Wimpey UK Ltd. C/O Boyer

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.: 2.94 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.

2.95 A number of landscape qualities are subsequently noted within the policy, including: landform 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. The latter are characteristics rather than physical features of the landscape and the policy should be renamed to Landscape Features and Character to account for this.

2.96 Whilst we agree with the importance of several of the features and qualities within the policy, we do not consider that the failure to protect or enhance existing features, such as an existing tree, is of sufficient grounds to prevent development from being permitted. It is also clearly the case that development can deliver substantial quantities of new green and blue infrastructure features, including planting of different types; and enhancement of positive characteristics, both of which can provide a notable betterment to the existing landscape.

Full name: Elliot Jones

Organisation (where relevant): Planning Potential

Other party name (if relevant): Bloor Homes

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.: 4.116. This policy states that East Devon's landscape, countryside and rural areas will be protected against harmful development. Development will only be permitted where the applicant is able to demonstrate through a proportionate Landscape Appraisal that it will protect and enhance valued landscape attributes and special features and qualities that contribute to the character of East Devon's landscapes, in particular where it would not harm the distinctive landscape, amenity and environmental qualities within which it is located, including:

- Land form and patterns of settlement.
- Important natural and manmade features which contribute [positively] to the local landscape character, including topography, traditional field boundaries, trees and woodlands, areas of importance for nature conservation and rural buildings.
- The adverse disruption of a view from a public place which forms part of the distinctive character of the area or otherwise causes significant visual intrusions; and
- Aesthetic and perceptual factors such as tranquillity, wildness and dark skies.

4.117. All development in the countryside should have regard to the most up to date Landscape Characterisation Assessments as a basis for understanding, maintaining and enhancing local distinctiveness and landscape character as well as an up-to-date strategy and guidance for trees and woodlands. This policy applies across the whole plan area including the Cranbrook Plan area.

4.118. "Protected" is not consistent with the NPPF 187 (b) which uses the term "recognised". "Distinctive" should be qualified with "positive" and again contributing "positively" to the local landscape character. Point C is worded poorly and is already covered in Policy OL04 as visual amenity.

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.: 4.119. Bloor Homes support this policy save for the need to make the suggested amendments as set out above in Paragraph 4.124.

Full name: Elliot Jones

Organisation (where relevant): Planning Potential

Other party name (if relevant): Bloor Homes

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

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

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

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.: A supporting Statement has been submitted on behalf of Bloor Homes in respect of the Land to the South of Littleham, Exmouth. It has been submitted in respect of Policy SP01 but considers Policy OL01 and others

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.: Please see Supporting Statement

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

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.: -

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.: Please see Supporting Statement

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.: Please see Supporting Statement

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

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

4(b). If no, please give details of why you consider this part of the Our Outstanding Landscape chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Please see Supporting Statement

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 matters raised in our representations affect matters of strategic importance that run to the heart of the East Devon Local Plan 2020 to 2042. In our capacity as a major housebuilder, we would welcome the opportunity to partake in the hearing session(s).

Full name: Sarah 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

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

Strategic Policy OL01 – Landscape Features – requires that development 'would not harm' the distinctive landscape. TCE supports a landscape led approach to master planning of its strategic

development sites but is concerned that this policy is currently expressed as an absolute position

and would ideally like to see further clarification as to what landscape design and mitigation would

be acceptable within the Landscape Visual Impact Appraisal to be submitted as part of development applications. TCE note that the proposed allocation at Prestaller Farm, Axminster is

outside of the protected national landscapes identified in Figure 14 of the Regulation 19 consultation draft plan.

6.2 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: Developments 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.

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)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: to emphasise and explain our point .

Full name: Harriet Fuller

Organisation (where relevant): Environment Agency

Other party name (if relevant): -

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(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.: There is no specific reference to rivers, watercourses or waterbodies (e.g. bathing waters) in this policy which feels like a missed opportunity.

Paragraph 12.4 refers to maintaining sustainable agricultural land practices which is positive. In some cases, establishing the sustainable practices is also needed.

Full name: Kim Miller

Organisation (where relevant): Historic England

Other party name (if relevant): -

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?: 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.: We welcome inclusion of a policy protect the character of rural landscapes.

Full name: Kate Bergin

Organisation (where relevant): -

Other party name (if relevant): -

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.: 2) Destruction of acres of arable farmland and beautiful countryside :

This humongous “new development” is quite frankly totally inappropriate for our beloved verdant county of Devon!! Given the substantial areas of outstanding natural beauty within the county, why is it expected to build the same number of houses as larger, more developed counties? Acres and acres of beautiful, rural countryside will be concreted over and destroyed forever! We all agree on housing needs but in the appropriate places with brownfield sites prioritised first. Local wildlife, ancient trees, arable farmland, hedgerows, natural fauna and habitat will be lost. Nature is vital for the survival of our planet and extremely important for our mental and physical wellbeing. The labelling of this new town as “sustainable” is farcical! It will be destroying everything that is good and then putting back tiny pockets of green! We are custodians of our planet and owe it to future generations to preserve our environment and natural heritage not partake in its very destruction!!

Full name: Devon Wildlife Trust (planning)

Organisation (where relevant): Devon Wildlife Trust

Other party name (if relevant): -

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

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

Full name: David Morgan

Organisation (where relevant): -

Other party name (if relevant): -

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(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: Landscape features. (pages 196-7).

Comment: I support the recommendations for this policy. However, it must be rigidly enforced by the Local Planning Authority rather than deliver a 'lip service' approach to protecting East Devon's landscape, countryside and rural areas against harmful development.

Policy OL06: Land of Local Amenity Importance and Local Green Space. (page 204). Quote: "This policy will apply to Local Green Spaces, designated through Neighbourhood Plans (and identified on maps in those documents), and to the established Land of Local Amenity Importance areas (as shown on the Policies Map)."

Comment: I do not support the recommendation that this policy can only apply to local green spaces that have been designated through existing and new Neighbourhood Plans. Many local green spaces in settlements, whether for formal or informal use purposes, will have built up a local known history of usage over many years, which might not be recognised through a Neighbourhood Plan consultation process (if such a Plan has been prepared by a parish settlement). Other evidence such as local knowledge and Right of Way affidavits confirming a history of access and usage of green open spaces, whether for formal or informal purposes, and whether in local authority or private ownership, should be given the same weight and consideration as sites identified in Neighbourhood Plans.

Full name: Kerin Hamill

Organisation (where relevant): -

Other party name (if relevant): -

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

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

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

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 aims of the policy are not being met as important landscape features will be built on and hidden from view. The key objective to the plan is not being met if EXmo 20 goes ahead. There cannot possibly be any enhancing of the environment, landscape, historic character, archaeological value, wildlife, agricultural and natural resource value of countryside areas.

Has the District Landscape Characterisation Assessment and the council's tree strategy been referred to maintain and enhance local distinctiveness and landscape character.

Furthermore 12.6, ABC, 12.7 12.8, 12.12 D, 12.15, 12.16 will not be adhered to.

12.28 says that light pollution where light overspill from street lights onto areas not intended to be lit, particularly in areas of open countryside and areas of nature conservation value should not be polluted. If we are to keep our dark skies then lights from houses, gardens, security lights in proposed EXMO 20 cannot provide this alongside street lighting.

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.: -

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

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.: -

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 above. It totally contravenes its own policy

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.: I cannot think of any way that could possibly allow light spill to mitigate this.

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

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

4(b). If no, please give details of why you consider this part of the Our Outstanding Landscape chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The strategic plan is at complete odds with building anything on EXMO20

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: -

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: -

Full name: Kerin Hamill

Organisation (where relevant): -

Other party name (if relevant): -

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

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

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

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 policy ensures that development proposals preserve the visual integrity, identity and scenic quality of East Devon by conserving key views and landmarks. The plan for the field to be used for EXMO 20 totally goes against this.

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.: -

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

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.: -

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.: It does not enhance anything in the field to preserve the views

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.: -

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

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

4(b). If no, please give details of why you consider this part of the Our Outstanding Landscape chapter fails to comply with the duty to co-operate. Please be as precise as possible.: A housing site on this piece of land containing 700 houses and 2 hectares of employment land will totally go against OL01.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: -

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: -

Full name: Kerin Hamill

Organisation (where relevant): -

Other party name (if relevant): -

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

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

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

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.: If these areas have the highest level of landscape protection and are designated by the Secretary of State, it means

their boundaries and statutory protection cannot be altered through the local plan process 12.7.

D. If light intrusion is spilled onto areas intended not to be lit, particularly in areas of open countryside and areas of nature conservation value then this part of the policy would be broken.

F. There will be pollution of sites of wildlife value if building goes ahead.

12.7 These areas of National Landscapes have the highest level of landscape protection and are designated by the Secretary of State, meaning their boundaries and statutory protection cannot be altered through the local plan process. EDDC has moved boundaries to create the EXMO_20 plan.

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.: -

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

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.: -

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.: boundaries have been changed

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.: -

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

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

4(b). If no, please give details of why you consider this part of the Our Outstanding Landscape chapter fails to comply with the duty to co-operate. Please be as precise as possible.: This chapter goes against EDDC's plan and methods

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.: so far no one from the council is listening

Full name: Francis Raymond Whiteley

Other party name (if relevant): -

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

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

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

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.: There is no mention of sequencing.

Activity that does not enhance nor conserve the NL is only permitted IF there is no other place outside the NL which will serve.

The Local Plan shows there are other areas outside the NLs that are available.

The local plan MUST STATE that the building on NL must be done AFTER ALL other options are exhausted.

The LivertonLand (March 6th) meeting shows that this land is the FIRST to be built on, while other areas remain undeveloped.

The plan is over many decades and many Parliaments.

The underlying drivers WILL change over time.

This means that there is real risk that NL/ANOB land could be unnecessarily destroyed should the housing in East Devon no longer be desired/

NL/ANOB must be the last to be developed.

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 SEQUENCE of the developments (outside NLs followed by inside NLs) must be indicated on the plan.

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

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.: -

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 chapter does not protect NLs as well as it should.

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.: All development on NLs should not be allowed until all other areas are COMPLETELY exhausted.

It is too easy to allow developments within NLs to become death by a thousand cuts or vaguely plausible justification.

This will be accelerated unless the premise that the NL is the LAST land to be developed is absolutely adhered to.

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

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

4(b). If no, please give details of why you consider this part of the Our Outstanding Landscape chapter fails to comply with the duty to co-operate. Please be as precise as possible.: -

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 this IMPORTANT aspect is addressed.

Full name: Bethan Haigh

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Taylor Wimpey UK Ltd. C/O Boyer

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. 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.: 2.97 Strategic Policy OL02 gives the highest level of protection to the landscape and scenic beauty of the National Landscapes (NL) within East Devon and addresses development affecting its setting or appearance.

2.98 The draft policy states that development affecting the setting or appearance of 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 NL.

2.99 Given that NLs account for two thirds of the district we consider the inclusion of a relevant policy that protects the landscape and scenic beauty appropriate to ensure their character and natural beauty is conserved and enhanced.

2.100 However, the current policy appears to refer to development affecting a NL's setting within the same policy clauses as development within a NL, despite being outside of the NL. Whilst the setting of NLs requires a careful and sensitive approach to development to avoid or minimise impacts on the designated landscape, National Policy is clear that the scale of development within NL should be limited, whereas development within its setting should be sensitively located and designed to avoid and minimise adverse impacts. National Policy does not require new development within the setting of a NL to enhance the special qualities, character and natural beauty of the NL.

2.102 It is welcomed that the policy recognises that development within the setting of a NL or indeed change to the setting of an AL will not necessarily cause harm to its character and natural beauty, noting that development will only be permitted where it "avoids harm".

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.: 2.101 In accordance with the NPPF, land outside of a NL but within its setting should not be given the same weight and level of protection as land contained within a NL. The policy should recognise this and be consistent with national policy and thereby be segregated appropriately.

Full name: Kim Miller

Organisation (where relevant): Historic England

Other party name (if relevant): -

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. 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.: We welcome the inclusion of a policy to protect National Landscapes including their identified special qualities.

Full name: Neil Butler

Organisation (where relevant): Natural England

Other party name (if relevant): -

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(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 OL02: National Landscapes (Areas of Outstanding Natural Beauty)

It should be noted that Section 245 (Protected Landscapes) of the Levelling-up and Regeneration Act 2023 (LURA) amends the duty on relevant authorities in respect of their functions which affect land in National Landscapes. It requires that authorities must now 'seek to further' the statutory purposes of protected landscapes. Guidance for relevant authorities on seeking to further the purposes of Protected Landscapes - GOV.UK It is not clear that the LPA have sought to further this duty in terms of the overall plan and some individual site allocations.

Full name: Lawrence Hunn

Organisation (where relevant): -

Other party name (if relevant): -

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

2. Do you consider that this part of the Our Outstanding Landscape chapter is legally compliant?: Yes

2(a). If yes, and you wish to support the legal compliance of this part of the Our Outstanding Landscape chapter, please use this box to set out your comments.: I believe this part of the plan is legally compliant, however other parts of the plan contradict this chapter, such as the proposal of EXMO_17 as a development site. Therefore the plan as a whole is contradictory and not legal.

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.: -

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.: Removal of EXMO_17 as a potential development site from the plan.

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.: I believe this chapter is sound but other parts of the plan contradict this chapter, such as the proposed development of EXMO_17. The inclusion of EXMO_17 is contradictory to the plan as a whole and should not be included.

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.: -

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.: Removal of EXMO_17 as a proposed development area.

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

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

4(b). If no, please give details of why you consider this part of the Our Outstanding Landscape chapter fails to comply with the duty to co-operate. Please be as precise as possible.: -

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)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: -

Full name: Philip Wragg

Organisation (where relevant): Sid Vale Association

Other party name (if relevant): -

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

2. Do you consider that this part of the Our Outstanding Landscape chapter is legally compliant?: Yes

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

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.: -

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.: -

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.: Protection of National Landscapes (former AONB) and the Jurassic Coast through the Coastal protection areas is a paramount planning objective.

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.: -

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.: -

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

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

4(b). If no, please give details of why you consider this part of the Our Outstanding Landscape chapter fails to comply with the duty to co-operate. Please be as precise as possible.: -

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 stress the importance of protecting the beautiful areas of National Landscapes and Coastal protection areas.

Full name: Helen S MUNDAY

Organisation (where relevant): -

Other party name (if relevant): -

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

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

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

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.: 5.

Protected landscapes have to be appropriately respected. Submissions to build within an area under a National Landscape designation, should immediately bring into question such applications, especially for large scale developments. Ignoring the protections that the National Landscape designation is designed to guarantee, not only diminishes the value of such schemes and could certainly bring legal challenges to East Devon Council, which would be a waste of time and expensive. Such designations should be a valid reason for rejecting applications and used with confidence that there is a legal basis for doing so.

Legislation applying to National Landscapes has recently been updated and strengthened and the Local Plan does not respect this change. As it stands the local plan is not legally compliant with the designation of National Landscapes. Specifically, section 245 (Protected Landscapes) of the Levelling Up and Regeneration Act 2023, which now requires all public bodies to 'seek to further' the purposes of protected landscapes.

Only local authorities or the Secretary of State can give permission for development in, or affecting, an AONB. As a local authority, EDC must make sure that any proposals seek to further the purpose of conserving and enhancing the natural beauty of the AONB, for example when adding utility services, such as gas pipes and telecommunications cables or creating public access as part of rights of way improvement.

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 policy needs to accurately reflect the current legislation to conserve and enhance the natural beauty of the AONB. It should specify what this means in practice and give examples. It should be clear that adherence to the law must be explicitly discussed during

local plan deliberations and if there is any doubt about the ability of a submission to enhance the landscape then such plans should not be included.

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

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.: -

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 in legality section

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.: -

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

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

4(b). If no, please give details of why you consider this part of the Our Outstanding Landscape chapter fails to comply with the duty to co-operate. Please be as precise as possible.: -

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.: I can give examples of where this policy is not being legally complied with.

Full name: Alice Gater-Wildgust

Organisation (where relevant): Budleigh Salterton Town Council

Other party name (if relevant): -

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

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

2(a). If yes, and you wish to support the legal compliance of this part of the Our Outstanding Landscape chapter, please use this box to set out your comments.: We are unable to determine if this policy is legally compliant

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.: -

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.: -

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

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.: -

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.: This part of the plan is not considered sound. BSTC raises concerns regarding the soundness of Strategic Policy OL02, specifically in relation to the potential environmental impacts of a large-scale development, such as Exmo_20, a site proposed to be situated on the boundary of the National Landscape. There is significant consternation about both the immediate and long-term effects of the development. During the construction phase, the development will lead to considerable ecological disruption including increased pollution, and disturbance to local wildlife. Moreover, there are ongoing concerns about the development's sustained environmental impact over its operational life, including issues such as increased traffic, resource consumption, waste generation, and potential degradation of the surrounding natural environment. These cumulative effects warrant careful evaluation and mitigation to ensure alignment with environmental sustainability objectives.

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 access to the site needs to be moved away from the National Landscape boundary.

Budleigh Salterton Town Council request that East Devon District Council (EDDC) adheres to the Protected Landscape Duty outlined in Section 245 (Protected Landscapes)¹ of the Levelling-up and Regeneration Act 2023 (LURA), particularly in relation to the proposed development. This section emphasises the obligation to consider the impact of activities outside a Protected Landscape that may have an adverse effect on land within the Protected Landscape. In light of this, Budleigh Salterton Town Council urges EDDC to thoroughly assess and mitigate potential impacts of the development of Exmo_20 on the adjacent protected landscape, ensuring that all and any consequences of development do not compromise environmental integrity or designated qualities of the Pebblebed Heaths and surrounding National Landscape.

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

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

4(b). If no, please give details of why you consider this part of the Our Outstanding Landscape chapter fails to comply with the duty to co-operate. Please be as precise as possible.: BSTC have questions about the cooperation that took place with National Landscapes (NL). There is insufficient information to confirm that NL have been sufficiently consulted as laid out in 2.4 of the 'East Devon Local Plan – Key Supporting Documents 002'

Furthermore, Budleigh Salterton Town Council notes, as documented in the referenced document and recorded in the minutes of the Strategic Planning Authority meeting on 5 September 2023, that Budleigh Salterton Town Council (BSTC) was not included within the Duty to Cooperate framework. Since that time, the Exmo_20 site was initially deemed unsuitable by EDDC planners. However, late in 2024, this site was subsequently included in the emerging local plan, with the proposed access road onto the B3179.

At the moment this decision began to take shape, a development located just 2 miles from the small Tier 3 town of Budleigh Salterton, positioned on the edge of the National Landscape, should have prompted consultation with and inclusion of BSTC in the discussions. The site allocation came to the Town Council's attention in early 2025, prompting immediate contact with EDDC to seek further information and express concerns about the potential impacts of this development. At that time, BSTC was informed that the Regulation 19 consultation would provide the appropriate forum to address these concerns further.

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.: Yes, BSTC would like to participate in any hearing related to this representation in order to hear the evidence, in full.

Full name: Sam Scriven

Organisation (where relevant): Jurassic Coast World Heritage Site (hosted by Dorset Council)

Other party name (if relevant): -

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

2. Do you consider that this part of the Our Outstanding Landscape chapter is legally compliant?: Yes

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

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.: -

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.: -

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

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.: -

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.: Potentially incomplete in reference to the protection and management provision for the World Heritage Site.

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 way World Heritage Site's are managed includes the use of existing designation to provide a legal framework for Site protection. This is especially relevant because World Heritage is not a statutory designation in the UK, in spite of the global importance of WHSs and the duty and obligations of the UK government towards the UNESCO World Heritage Convention. On the Jurassic Coast it is the network of SSSIs, National Landscapes, the Heritage Coasts, and local plans that provide the key legal framework for the sustainable protection and management of the Site's OUV. It may be prudent and useful therefore to make sure this relationship is noted in the local plan. Within the paragraphs tat set out the justification for this policy I recommend inserting an additional paragraph to note that both National Landscapes

and Heritage Coasts are identified as providing legal protection and management for the Jurassic Coast WHS and its setting.

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

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

4(b). If no, please give details of why you consider this part of the Our Outstanding Landscape chapter fails to comply with the duty to co-operate. Please be as precise as possible.: -

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)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: -

Full name: Dr Robert Murdoch

Organisation (where relevant): -

Other party name (if relevant): -

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

2. Do you consider that this part of the Our Outstanding Landscape chapter is legally compliant?: Yes

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

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.: -

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.: -

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

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.: -

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.: P201 National Landscapes 12.6. EXMO 20 is considered a major development and therefore only permitted in exceptional circumstances The case for this being exceptional is weak and should not be permitted.

It should also be seen in the context of the other EXMO projects which deliver hundreds if not thousands of homes. Exmo 20 is the size of a medium to large village with none of the benefits

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.: -

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

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

4(b). If no, please give details of why you consider this part of the Our Outstanding Landscape chapter fails to comply with the duty to co-operate. Please be as precise as possible.: -

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)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: -

Full name: Stuart Houlet

Organisation (where relevant): PCL Planning Ltd

Other party name (if relevant): Waddeton Park Limited (Honiton)

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

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 have previously (at the Further Regulation 18 stage) questioned the evidence base for defining the extended areas of the Coastal Preservation Area now included in the Plan and provided a review undertaken by Pegasus in relation to the extended CPA Area 5 – Topsham to Exmouth). This highlighted that the Council over relies on the CPA designation, seemingly 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 Lympstone 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. The Pegasus Review is attached at Appendix 3.

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.: Both Strategic Policy OL03 and Policy OL04 raise concerns regarding a blanket and

unevidenced approach towards designations which overly restricts the potential of windfall development.

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.

Full name: Stuart Houlet

Organisation (where relevant): PCL Planning Ltd

Other party name (if relevant): Waddeton Park Limited (Honiton)

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

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.: (PCL Planning on behalf of Waddeton Park Limited (Honiton)):

Both Strategic Policy OL03 [and Policy OL04] raise concerns regarding a blanket and unevidenced approach towards designations which overly restricts the potential of windfall development.

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.: in order to provide greater elaboration of the detail of these representations

Full name: Harriet Fuller

Organisation (where relevant): Environment Agency

Other party name (if relevant): -

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

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.: There is still no link between this policy and the CCMA policy which would provide clarity to DM officers, especially when managing development relocating out of the CCMA's.

Full name: Donna Crabtree

Organisation (where relevant): National Trust

Other party name (if relevant): -

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

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.: There is a proposal for a large extension to the Coastal Preservation Area (which is supported by current Local Plan Strategy 44) in this locality to the east of its current boundary, which the National Trust supports. However, it is noted that the Coastal Preservation Area would also be reduced in extent to exclude the areas of site allocations Lymp_07 and Exmo_23; to which the National Trust objects.

As set out above, the National Trust also maintains its objection to the proposed reduction of the Coastal Preservation Area to accommodate site allocations Lymp_07 and Exmo_23. It is noted that an East Devon District Council review of the CPA in 2023 (Appendix 1-Coastal Preservation Areas assessments full report.pdf) did not include a proposed omission in the locality of these site. The current proposal for a reduction in these areas, together with the introduction of housing would result in a harmful impact on the undeveloped character and visual openness of this part of the coast.

Full name: jane moffatt

Organisation (where relevant): -

Other party name (if relevant): -

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

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

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

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.: -

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.: -

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

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.: -

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 sites LYMP_07, GH/ED/72a and GH/ED/73 have been assigned in the local plan contrary to strategy OLO3 which states development will not be allowed in Coastal Preservation areas. The Exe area around the village of Lympstone has stunning views of the world renowned RAMSAR site on the Exe estuary. This area is visited by tourists and ornithologists from all over the world but EDDC have ignored the speeches by zoologists and environmental specialist and allowed these sites to be put forward.

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.: Remove these sites from the plan.

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

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

4(b). If no, please give details of why you consider this part of the Our Outstanding Landscape chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Nothing we said regarding the CPA and the Exe RAMSAR site around Lympstone was listened to. They actually said they were disregarding CPAs during the public sessions.

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)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: -

Full name: Robert Maynard

Organisation (where relevant): -

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

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

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

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.: Object to omitting land between Fortescue and the A3052 from the Coastal Preservation Area (CPA)

1. Introduction

I would like to draw your attention to the fact that the rationale for excluding the land between Fortescue and the A3052 from the coastal preservation area is:

- ?a) not legally compliant due to an ineffective consultation and failure to effectively consider it.
- b) not sound due to an unjustified interpretation of a Landscape Character Area boundary and use of unresolved principles and methodology for defining the undeveloped coast.

2. Background

The Undeveloped Coast and Coastal Preservation Area designation, as set out in the adopted East Devon Local Plan 2013-2031, included land previously identified as Coastal Preservation Area within the Devon Structure Plan. Within this Devon County context, the undeveloped coast was originally defined and protected through Devon Structure Plan 'Coastal Preservation Area' Policy CO5. Originating from 1966 in response to Government advice, the purpose of this designation was to protect the finite resource of undeveloped coastal land.

As part of the new East Devon Local Plan 2020 - 2042, the existing Coast Preservation Area boundaries have been subject to review to ensure they remain relevant. The review methodology and recommendations were set out in the East Devon Coastal Preservation Areas - Technical Assessment Review (Dated May 2024).

With regard to the review of the CPA between Fortescue and the A3052 - the Technical Assessment Review recommended amending the CPA boundary to omit land west of Solders Wood between Fortescue and the A3052, shown in Figure 1.

The Reviews explanation for the recommendation is:

“At its western end, CPA Area 2 drops steeply down from the coastal plateau to the Sid Valley through inland LCTs 2A and 3A. From the hamlet of Fortescue these afford views to High Peak and coastal promontories beyond (notably from the descent of Sidmouth footpath 117). North of Fortescue the valley slope assumes a northwesterly aspect and views of the coast are prevented by a combination of landform, vegetation and buildings and coastal character is lost. This is reflected in a change of LCA from the Sidmouth and Lyme Bay Coastal Plateau to the inland East Devon Central Ridge LCA. Despite this the CPA currently extends north from Fortescue to the A3052, which appears to be an anomaly.”

INSERT Figure 1 – Land outlined red recommended for omission from current CPA (blue hatch) (see attachment)

In March 2024, the Strategic Planning Committee resolved that the draft Coastal Preservation Area Report be subject to public consultation (Minute 85).

From 16 May to 27 June 2024, the Further Draft Local Plan Consultation about Coastal Preservation Areas purported to seek public comment about proposed changes to the Coastal Preservation Boundaries.

In October 2024 the Feedback Report on the draft East Devon Local Plan (Regulation 18) Further Consultation, summarised the consultation response. However due to the lack of specific questions about the recommendations in the Technical Assessment Review, the Feedback Report did not present an account of the responses. This demonstrates the consultation and feedback was not fit for purpose.

In February 2025 the East Devon Local Plan Regulation 19 was published for consultation (13th February to 31st March 2025).

The CPA boundary in the Regulation 19 Plan (i.e. omitting the Fortescue to A3052) shows the boundary from the middle of Fortescue (illustrated in Figure 2)

(Note - This is not consistent with the boundary illustrated in the East Devon Coastal Preservation Areas - Technical Assessment Review , which show the boundary from the south of Fortescue (illustrated in Figure 1))

INSERT Figure 2 - Coastal Preservation Area boundary - Regulation 19

(see attachment)

3. Objection to the Review and the omission of land from the CPA between Fortescue and A3052.

The reasons for objecting to CPA Technical Assessment Review and the omission of land from the CPA between Fortescue and A3052 are:

a) The Technical Assessment Review was based on 'unresolved' principles and methodology set out in the 'Devon Landscape Policy Group Advice Note No. 3: Principles of defining and maintaining the character of Devon's Undeveloped Coast (Consultation draft) dated 5 November 2013'.

A final version of Advice Note No 3 was not agreed due to a given the large divergence of comment (Source: According he Devon Landscape Policy Group - Terms of Reference)

It is therefore premature and inappropriate of EDDC to use such methodology until clear principles are established determine the extent of undeveloped coast.

b) The draft Advice Note No 3 does not take account of current:

i) National Planning Policy Framework (NPPF - Dec 2024 paragraphs 187 to 191) to protect and enhance the natural environment, including landscapes, biodiversity, and soils etc. or

ii) The requirements of the CroW Act Section 85 of the Countryside and Right of Way Act 2000 (CRoW Act) (as amended by the Levelling-up and Regeneration Act² in December 2023) in any policy-making, decision-making or actions that affect National Landscapes. The statutory duty needs to be considered in tandem with the National Planning Policy Framework (NPPF

c) The explanation in the Technical Assessment Review for deleting the CPA is a questionable interpretation of Landscape Character Areas (LCA's) (last updated in 2011) and Landscape

Character Types (LCT's) (described in the East Devon and Blackdown Hills Landscape Character Assessment, Fiona Fyfe Associates 2019).

d) There is no distinct change in the landform, contour direction, or wooded ridge line to the north and south of Fortescue in terms of Landscape Character Types (LCT's) to justify omitting about 30% the visible CPA hillside to the east of Sidmouth.

e) The Technical Assessment does not present evidence of fieldwork, illustrations or photographs, or public opinion to justify the omitting the land from the CPA .

f) The CPA to be omitted - falls within designated National Landscape, part of the area is identified as Heritage Coast area and as a Habitat Zone Buffer. In these areas policies aim to protect, manage, and enhance a nation's natural and cultural landscapes for current and future generations, and are consistent with the purpose of the CPA / undeveloped coast is to protect finite resource of the coast.

g) The area between Fortescue and the A3052 complies with the definition of the CPA in that the area is:

i) substantially unaffected by development

ii) be generally be visible from cliff top, beach, sea or estuary,

iii) forms part of the view from significant lengths of an access road, public footpath or bridleway leading to the coast or from the long-distance coastal South West Coast Footpath.

h) Previous Planning Inspectorate Report into the examination of the East Devon Local Plan - January 2016 concluded there was no need to modify the policy or the CPA boundaries. With regard to the coast the Inspector's Report stated:

Paragraph 100

".....The principles guiding the definition of the CPA boundaries are that the area should be largely unaffected by development and it should be generally visible from cliff top, beach or estuary or from significant lengths of an access road or right of way leading to the coast. The assessment methodology is set out in detail in the Council's hearing statement which explains that the Exe estuary is included to be consistent with the approach taken by Teignbridge District Council"

Paragraph 101

"The extent and boundaries of the CPA in certain places is challenged. I don't

doubt that some land included in the CPA does not conform exactly with the above guidelines. However, I am satisfied that the guidelines and assessment methodology are largely sound and see no need to modify the policy or the CPA boundaries.”

k) The CPA between Fortescue and the A3052 that has been in existence for nearly 60 years.

4. Visual Openness and Views

The interpretation of the Landscape Character Area (LCA) boundary to redefine the Coastal Preservation Area (CPA) Boundary should not override the CPA definition of visual

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.: Recommendation:

1. Reinstate omitted CPA between Fortescue and the A3052 from the Coastal Preservation Area (CPA). This will make the Plan legally compliant - due to unsound East Devon Coastal Preservation Areas - Technical Assessment Review, Public Consultation and Consideration in Feedback Report

INSERT Figure 1 Land outlined red recommended for omission from current CPA (blue hatch) (see attachment)

2. Request that a final version of the “Devon Landscape Policy Group (DLPG) Advice Note 3: Principles of defining and maintaining the character of Devon’s Undeveloped Coast” be agreed by the DLPG. This should help Planning Authorities to establish a consistent policy approach to identifying and maintaining the character of the undeveloped coast.

3. Defer reviewing the CPA boundary until the next review of the Local Plan.

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

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.: -

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.: Object to omitting land between Fortescue and the A3052 from the Coastal Preservation Area (CPA)

1. Introduction

I would like to draw your attention to the fact that the rationale for excluding the land between Fortescue and the A3052 from the coastal preservation area is: a) not legally compliant due to an ineffective consultation and failure to effectively consider it.

b) not sound due to an unjustified interpretation of a Landscape Character Area boundary and use of unresolved principles and methodology for defining the undeveloped coast.

2. Background

The Undeveloped Coast and Coastal Preservation Area designation, as set out in the adopted East Devon Local Plan 2013-2031, included land previously identified as Coastal Preservation Area within the Devon Structure Plan. Within this Devon County context, the undeveloped coast was originally defined and protected through Devon Structure Plan 'Coastal Preservation Area' Policy CO5. Originating from 1966 in response to Government advice, the purpose of this designation was to protect the finite resource of undeveloped coastal land.

As part of the new East Devon Local Plan 2020 - 2042, the existing Coast Preservation Area boundaries have been subject to review to ensure they remain relevant. The review methodology and recommendations were set out in the East Devon Coastal Preservation Areas - Technical Assessment Review (Dated May 2024).

With regard to the review of the CPA between Fortescue and the A3052 - the Technical Assessment Review recommended amending the CPA boundary to omit land west of Solders Wood between Fortescue and the A3052, shown in Figure 1.

The Reviews explanation for the recommendation is:

"At its western end, CPA Area 2 drops steeply down from the coastal plateau to the Sid Valley through inland LCTs 2A and 3A. From the hamlet of Fortescue these afford views to High Peak

and coastal promontories beyond (notably from the descent of Sidmouth footpath 117). North of Fortescue the valley slope assumes a northwesterly aspect and views of the coast are prevented by a combination of landform, vegetation and buildings and coastal character is lost. This is reflected in a change of LCA from the Sidmouth and Lyme Bay Coastal Plateau to the inland East Devon Central Ridge LCA. Despite this the CPA currently extends north from Fortescue to the A3052, which appears to be an anomaly.”

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(Note - This is not consistent with the boundary illustrated in the East Devon Coastal Preservation Areas - Technical Assessment Review , which show the boundary from the south of Fortescue (illustrated in Figure 1))

INSERT Figure 2 - Coastal Preservation Area boundary - Regulation 19
(see attachment)

3. Objection to the Review and the omission of land from the CPA between Fortescue and A3052.

The reasons for objecting to CPA Technical Assessment Review and the omission of land from the CPA between Fortescue and A3052 are:

a) The Technical Assessment Review was based on 'unresolved' principles and methodology set out in the 'Devon Landscape Policy Group Advice Note No. 3: Principles of defining and maintaining the character of Devon's Undeveloped Coast (Consultation draft) dated 5 November 2013'.

A final version of Advice Note No 3 was not agreed due to a given the large divergence of comment (Source: According he Devon Landscape Policy Group - Terms of Reference)

It is therefore premature and inappropriate of EDDC to use such methodology until clear principles are established determine the extent of undeveloped coast.

b) The draft Advice Note No 3 does not take account of current:

i) National Planning Policy Framework (NPPF - Dec 2024 paragraphs 187 to 191) to protect and enhance the natural environment, including landscapes, biodiversity, and soils etc. or

ii) The requirements of the CroW Act Section 85 of the Countryside and Right of Way Act 2000 (CRoW Act) (as amended by the Levelling-up and Regeneration Act² in December 2023) in any policy-making, decision-making or actions that affect National Landscapes. The statutory duty needs to be considered in tandem with the National Planning Policy Framework (NPPF

c) The explanation in the Technical Assessment Review for deleting the CPA is a questionable interpretation of Landscape Character Areas (LCA's) (last updated in 2011) and Landscape Character Types (LCT's) (described in the East Devon and Blackdown Hills Landscape Character Assessment, Fiona Fyfe Associates 2019).

d) There is no distinct change in the landform, contour direction, or wooded ridge line to the north and south of Fortescue in terms of Landscape Character Types (LCT's) to justify omitting about 30% the visible CPA hillside to the east of Sidmouth.

e) The Technical Assessment does not present evidence of fieldwork, illustrations or photographs, or public opinion to justify the omitting the land from the CPA .

f) The CPA to be omitted - falls within designated National Landscape, part of the area is identified as Heritage Coast area and as a Habitat Zone Buffer. In these areas policies aim to protect, manage, and enhance a nation's natural and cultural landscapes for current and future generations, and are consistent with the purpose of the CPA / undeveloped coast is to protect finite resource of the coast.

g) The area between Fortescue and the A3052 complies with the definition of the CPA in that the area is:

i) substantially unaffected by development

ii) be generally be visible from cliff top, beach, sea or estuary,

iii) forms part of the view from significant lengths of an access road, public footpath or bridleway leading to the coast or from the long-distance coastal South West Coast Footpath.

h) Previous Planning Inspectorate Report into the examination of the East Devon Local Plan - January 2016 concluded there was no need to modify the policy or the CPA boundaries. With regard to the coast the Inspector's Report stated:

Paragraph 100

".....The principles guiding the definition of the CPA boundaries are that the area should be largely unaffected by development and it should be generally visible from cliff top, beach or estuary or from significant lengths of an access road or right of way leading to the coast. The assessment methodology is set out in detail in the Council's hearing statement which explains that the Exe estuary is included to be consistent with the approach taken by Teignbridge District Council"

Paragraph 101

"The extent and boundaries of the CPA in certain places is challenged. I don't doubt that some land included in the CPA does not conform exactly with the above guidelines. However, I am satisfied that the guidelines and assessment methodology are largely sound and see no need to modify the policy or the CPA boundaries."

k) The CPA between Fortescue and the A3052 that has been in existence for nearly 60 years.

4. Visual Openness and Views

The interpretation of the Landscape Character Area (LCA) boundary to redefine the Coastal Preservation Area (CPA) Boundary should not override the CPA definition of visual o

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.: Recommendation

1. Reinstatement of CPA between Fortescue and the A3052 from the Coastal Preservation Area (CPA) This will make the Plan legally compliant - due to unsound East Devon Coastal Preservation Areas - Technical Assessment Review, Public Consultation and Consideration in Feedback Report..

INSERT Figure 1 Land outlined red recommended for omission from current CPA (blue hatch) (see attachment)

2. Request that a final version of the "Devon Landscape Policy Group (DLPG) Advice Note 3: Principles of defining and maintaining the character of Devon's Undeveloped Coast" be agreed by the DLPG. This should help Planning Authorities to establish a consistent policy approach to identifying and maintaining the character of the undeveloped coast.

3. Defer reviewing the CPA boundary until the next review of the Local Plan.

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

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

4(b). If no, please give details of why you consider this part of the Our Outstanding Landscape chapter fails to comply with the duty to co-operate. Please be as precise as

possible.: This part of the Our Outstanding Landscape chapter does not comply with the duty to cooperate for the following reasons.

1. The Technical Assessment Review was based on ‘unresolved’ principles and methodology set out in the ‘Devon Landscape Policy Group Advice Note No. 3: Principles of defining and maintaining the character of Devon’s Undeveloped Coast (Consultation draft) dated 5 November 2013’.

A final version of Advice Note No 3 was not agreed due to a given the large divergence of comment (Source: According he Devon Landscape Policy Group - Terms of Reference)

It is therefore premature and inappropriate of EDDC to use such methodology until clear principles are established determine the extent of undeveloped coast.

2. The draft Advice Note No 3 does not take account of current:

i) National Planning Policy Framework (NPPF - Dec 2024 paragraphs 187 to 191) to protect and enhance the natural environment, including landscapes, biodiversity, and soils etc. or

ii) The requirements of the CroW Act Section 85 of the Countryside and Right of Way Act 2000 (CRoW Act) (as amended by the Levelling-up and Regeneration Act² in December 2023) in any policy-making, decision-making or actions that affect National Landscapes. The statutory duty needs to be considered in tandem with the National Planning Policy Framework (NPPF

3. The explanation in the Technical Assessment Review for deleting the CPA is a questionable interpretation of Landscape Character Areas (LCA’s) (last updated in 2011) and Landscape Character Types (LCT’s) (described in the East Devon and Blackdown Hills Landscape Character Assessment, Fiona Fyfe Associates 2019).

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 assist with any specific issues

Full name: Sylvia Meller

Organisation (where relevant): -

Other party name (if relevant): -

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

2. Do you consider that this part of the Our Outstanding Landscape chapter is legally compliant?: Yes

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

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.: -

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.: -

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

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.: -

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.: No new developments should be granted on National Landscapes, Coastal Preservation Areas or Green Wedges under any circumstances

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.: We do have enough area which can be used for housing our locals. Before building up new areas we should first of all make sure all council flats/houses are used .Buildings/flats which stand empty need to be compulsory purchased and sold/rented out . The purchase of 2nd homes needs to be limited to a minimum. If new developments need to be build , apartment blocks with affordable 1-2 bedroom flats to buy or rent should be prioritised over developments of individual houses. Developments should not be granted outside settlement boundaries , on areas of National Landscape, Coastal Preservation Areas or Green Wedges

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

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

4(b). If no, please give details of why you consider this part of the Our Outstanding Landscape chapter fails to comply with the duty to co-operate. Please be as precise as possible.: See 3b and 3c

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)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: -

Full name: Bethan Haigh

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Vistry Group

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

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.: Whilst we agree with the need to safeguard the visual and scenic quality of the District, we consider that the policy wording should be revised to acknowledge that a change in a view does not necessarily result in an adverse effect. Development may impact a view, but this impact must be assessed. In such instances where the impact is not considered to be

adverse, this should not prevent development from being delivered. It is not always possible for new development to conserve and enhance views of important features in their entirety and/or from every location within a development site from which the view may be obtained; but that also development can open new opportunities for views of important features to be experienced by the public.

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 should be reworded to reflect these considerations.

Full name: Bethan Haigh

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Taylor Wimpey UK Ltd. C/O Boyer

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

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

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.: -

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.: 3.28 We agree that the visual integrity, identity and scenic quality of the District should be protected. 3.29 We also acknowledge the importance of views from publicly accessible areas and from recreational destinations. It should be acknowledged, however, that it is not always possible for new development to conserve and enhance views of important features in their entirety and/or from every location within a development site from which the view may be obtained; but that also development can open new opportunities for views of important features to be experienced by the public.

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 should be reworded to reflect these considerations.

3.30 Furthermore, it is noted that a change in a view will not necessarily cause an adverse effect. We consider that the policy wording should recognise this and should be revised to state that development which adversely affects key views of local landmarks will not be supported.

3.31 Finally, it is noted that views from public rights of way and other publicly accessible areas are not by definition views of any quality or merit.

3.32 For the policy to be justified it should be reworded to acknowledge that the types of views referred to are only subject to the policy where they are publicly accessible.

Full name: Elliot Jones

Organisation (where relevant): Planning Potential

Other party name (if relevant): Bloor Homes

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

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.: 4.120. This policy states:

“Development proposals will only be permitted where they preserve the visual integrity, identity and scenic quality of the district, in particular by conserving and enhancing key views and views of local landmarks, including those identified in Neighbourhood Plans.

The following view types are considered to be particularly important:

- A. Landmark views to and from viewpoints and tourism and recreational destinations, including the coast, woodland and open countryside.
- B. Views from publicly accessible areas which are within, to or from settlements which contribute [positively] to the viewers’ enjoyment of the local area.
- C. Views from public rights of way and other publicly accessible areas.
- D. Night-time views of dark skies, particularly where lighting is to be introduced in areas of low existing light pollution; and
- E. Views which include or otherwise relate to specific features relevant to East Devon and its special qualities, such as key landmarks, heritage assets (either in view or the view from) and biodiversity features.

Development proposals should conserve and enhance sequential views and not result in adverse cumulative impacts within views. This policy applies across the whole plan area including the Cranbrook Plan area.”

4.121. It is not clear if this policy relates to actual, identified “Areas.” If not, the policy should remove reference to the word “Areas.”

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.: 4.121. It is not clear if this policy relates to actual, identified “Areas.” If not, the policy should remove reference to the word “Areas.”

4.122. Bloor Homes support this policy save for the need to make the suggested amendments as set out above in Paragraph 4.121.

Full name: Elliot Jones

Organisation (where relevant): Planning Potential

Other party name (if relevant): Bloor Homes

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

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

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

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.: A supporting Statement has been submitted on behalf of Bloor Homes in respect of the Land to the South of Littleham, Exmouth. It has been submitted in respect of Policy SP01 but considers Policy OL04 and others

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.: Please see Supporting Statement

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

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.: -

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.: Please see Supporting Statement

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.: Please see Supporting Statement

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

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

4(b). If no, please give details of why you consider this part of the Our Outstanding Landscape chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Please see Supporting Statement

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 matters raised in our representations affect matters of strategic importance that run to the heart of the East Devon Local Plan 2020 to 2042. In our capacity as a major housebuilder, we would welcome the opportunity to partake in the hearing session(s).

Full name: Jess Perminter

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): CR Down Farming Ltd and 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

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 areas of strategic visual importance should be identified on the proposals map. The types of area identified in parts A – E are too vague and cannot be classified as strategically important in visual terms.

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 considered that the first paragraph could be retained, but that the remainder of the Policy should be deleted.

Full name: Simon Coles

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): C R Down Farming Ltd and 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

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 areas of strategic visual importance should be identified on the proposals map. The types of area identified in parts A – E are too vague and cannot be classified as strategically important in visual terms.

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 considered that the first paragraph could be retained, but that the remainder of the Policy should be deleted.

Full name: Stuart Houlet

Organisation (where relevant): PCL Planning Ltd

Other party name (if relevant): Waddeton Park Limited (Honiton)

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

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 intends to provide a framework to protect key views and views of local landmarks. Unfortunately, this policy is incredibly broad, and we are concerned that this will be used as a 'catch-all' policy to prevent windfall development that would otherwise be acceptable. Again, it raises concerns regarding the blanket approach to designations and requirements that the Plan relies upon. There are a number of other policy designations within the Plan that provide protection for areas of East Devon, and other heritage policies to protect the setting of listed buildings. This policy, if it is to be retained, requires greater clarity on its true extent.

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.: Policy OL04 needs further refinement to be clear as to its purpose as it currently appears to repeat aspects of other protectionist policies and reads as a list of ways to prevent any development that can be seen from any view, which is clearly unreasonable. The opening sentence of the policy is sufficient and does not need the further criteria to be listed.

Full name: Stuart Houlet

Organisation (where relevant): PCL Planning Ltd

Other party name (if relevant): Waddeton Park Limited (Honiton)

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

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 intends to provide a framework to protect key views and views of local landmarks. Unfortunately, this policy is incredibly broad, and we are concerned that this will be used as a 'catch-all' policy to prevent windfall development that would otherwise be acceptable. Again, it raises concerns regarding the blanket approach to designations and requirements that the Plan relies upon. Other policies like the Green Wedge (policy OL05) and Coastal Preservation Areas (Strategic Policy OL03) (notwithstanding our concerns regarding extent and definition) provide protection for areas of East Devon, and other heritage policies to protect the setting of listed buildings. This policy, if it is to be retained, requires greater clarity on its true extent.

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.: Both Strategic Policy OL03 and Policy OL04 raise concerns regarding a blanket and unevidenced approach towards designations which overly restricts the potential of windfall development.

Policy OL04 needs further refinement to be clear as to its purpose as it currently appears to repeat aspects of other protectionist policies and reads as a list of ways to prevent any development that can be seen from any view, which is clearly unreasonable. The opening sentence of the policy is sufficient and does not need the further criteria to be listed.

Full name: Stuart Houlet

Organisation (where relevant): PCL Planning Ltd

Other party name (if relevant): Waddeton Park Limited (Honiton)

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

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.: [Submitted on behalf of Waddeton Park Limited (Honiton)]

The policy intends to provide a framework to protect key views and views of local landmarks. Unfortunately, this policy is incredibly broad, and we are concerned that this will be used as a 'catch-all' policy to prevent windfall development that would otherwise be acceptable. Again, it raises concerns regarding the blanket approach to designations and requirements that the Plan relies upon. Other policies like the Green Wedge (policy OL05) and Coastal Preservation Areas (Strategic Policy OL03) (notwithstanding our concerns regarding extent and definition) provide protection for areas of East Devon, and other heritage policies to protect the setting of listed buildings. This policy, if it is to be retained, requires greater clarity on its true extent.

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.: Both Strategic Policy OL03 and Policy OL04 raise concerns regarding a blanket and unevidenced approach towards designations which overly restricts the potential of windfall development.

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.

Policy OL04 needs further refinement to be clear as to its purpose as it currently appears to repeat aspects of other protectionist policies and reads as a list of ways to prevent any development that can be seen from any view, which is clearly unreasonable. The opening sentence of the policy is sufficient and does not need the further criteria to be listed.

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 on these and previous representations made on the Plan

Full name: Stuart Houlet

Organisation (where relevant): PCL Planning Ltd

Other party name (if relevant): Waddeton Park Limited (Honiton)

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

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.: (PCL Planning on behalf of Waddeton Park Limited (Honiton)):

The policy intends to provide a framework to protect key views and views of local landmarks. Unfortunately, this policy is incredibly broad, and we are concerned that this will be used as a 'catch-all' policy to prevent windfall development that would otherwise be acceptable. Again, it raises concerns regarding the blanket approach to designations and requirements that the Plan relies upon. Other policies like the Green Wedge (policy OL05) and Coastal Preservation Areas (Strategic Policy OL03) (notwithstanding our concerns regarding extent and definition) provide protection for areas of East Devon, and other heritage policies to protect the setting of listed buildings. This policy, if it is to be retained, requires greater clarity on its true extent.

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.: Both Strategic Policy OL03 and Policy OL04 raise concerns regarding a blanket and unevicenced approach towards designations which overly restricts the potential of windfall development.

Policy OL04 needs further refinement to be clear as to its purpose as it currently appears to repeat aspects of other protectionist policies and reads as a list of ways to prevent any development that can be seen from any view, which is clearly unreasonable. The opening sentence of the policy is sufficient and does not need the further criteria to be listed.

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 provide greater elaboration of the detail of these representations

Full name: Stuart Houlet

Organisation (where relevant): PCL Planning Ltd

Other party name (if relevant): Waddeton Park Limited (Honiton)

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

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 - Our Outstanding Landscape

Policy OL04: Areas of strategic visual importance

The policy intends to provide a framework to protect key views and views of local landmarks. Unfortunately, this policy is incredibly broad, and we are concerned that this will be used as a 'catch-all' policy to prevent windfall development that would otherwise be acceptable. Again, it raises concerns regarding the blanket approach to designations and requirements that the Plan relies upon. Other policies like the Green Wedge (policy OL05) and Coastal Preservation Areas (Strategic Policy OL03) (notwithstanding our concerns regarding extent and definition) provide protection for areas of East Devon, and other heritage policies to protect the setting of listed buildings. This policy, if it is to be retained, requires greater clarity on its true extent.

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.: Modification required

Both Strategic Policy OL03 and Policy OL04 raise concerns regarding a blanket and unevidenced approach towards designations which overly restricts the potential of windfall development.

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.

Policy OL04 needs further refinement to be clear as to its purpose as it currently appears to repeat aspects of other protectionist policies and reads as a list of ways to prevent any development that can be seen from any view, which is clearly unreasonable. The opening sentence of the policy is sufficient and does not need the further criteria to be listed.

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 elaborate on these and previous representations made on the Plan

Full name: Will Ridalls

Organisation (where relevant): PCL PLANNING LTD

Other party name (if relevant): Simon Stokes

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

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 intends to provide a framework to protect key views and views of local landmarks. Unfortunately, this policy is incredibly broad, and we are concerned that this will be used as a 'catch-all' policy to prevent windfall development that would otherwise be acceptable. Again, it raises concerns regarding the blanket approach to designations and requirements that the Plan relies upon. Other policies like the Green Wedge (policy OL05) and Coastal Preservation Areas (Strategic Policy OL03) (notwithstanding our concerns regarding extent and definition) provide protection for areas of East Devon, and other heritage policies to protect the setting of listed buildings. This policy, if it is to be retained, requires greater clarity on its true extent.

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.: Both Strategic Policy OL03 and Policy OL04 raise concerns regarding a blanket and unevidenced approach towards designations which overly restricts the potential of windfall development.

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.

Policy OL04 needs further refinement to be clear as to its purpose as it currently appears to repeat aspects of other protectionist policies and reads as a list of ways to prevent any development that can be seen from any view, which is clearly unreasonable. The opening sentence of the policy is sufficient and does not need the further criteria to be listed.

Full name: James McMurdo

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

Other party name (if relevant): -

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

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 & Development Ltd on Behalf of Stuart Partners Ltd relating to Strategic Land at the “West End” of East Devon District made in the context of significant land holdings in this area. Representation to be read in conjunction with representations made by Turley on behalf of Stuart Partners Ltd and Bloor Homes Exeter on the proposed new and an expanded Hill Barton Business Park, and by Carney Sweeney on behalf of Stuart Partners Ltd and Down, relating to land being promoted for a village for up to 2,000 houses between Clyst St George and Clyst St Mary]

Object

Reasons:

The areas of strategic visual importance are unidentified and the criteria for selection could result in practically every area in the district being subjectively assessed as being in an area of strategic visual importance.

This policy is imprecise and unworkable.

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

Other party name (if relevant): -

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

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.: We welcome Policy OL04 which protects important views of and from heritage assets, amongst other things. These would also be protected for their contribution to the significance of the heritage asset, in line with Historic England's Good Practice Advice in Planning 3: The Setting of Heritage Assets. It would be helpful for the supporting text to highlight that views relating to heritage assets are also protected for their contribute to the 'significance' of the asset, perhaps with a cross reference to the Plan's heritage policies.

Full name: Hannah Gibbons

Organisation (where relevant): -

Other party name (if relevant): -

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

2. Do you consider that this part of the Our Outstanding Landscape chapter is legally compliant?: Yes

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

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.: -

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.: -

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

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.: -

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.: OL04 Areas of strategic visual importance:

(What is the point in designating coastal preservation areas if you then hold consultations about removing parts of the area and then ignore public consultee responses? e.g. what happened at EXMO17. It makes the whole designation pointless. What is to stop the boundary from being changed again? It therefore affords no real protection.)

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.: -

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

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

4(b). If no, please give details of why you consider this part of the Our Outstanding Landscape chapter fails to comply with the duty to co-operate. Please be as precise as possible.: -

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)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: -

Full name: Amy Roberts

Organisation (where relevant): Bell Cornwell LLP

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.: Please refer to the attached sheet.

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.: Please refer to the attached sheet.

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 emphasise that the approach that has been taken to define green wedges is flawed and not based on solid evidence.

Full name: Bethan Haigh

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Vistry Group

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(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.: We agree with EDDC's view on the importance of Green Wedges in that they are a 'longstanding local landscape designation that maintains open green networks between settlements'. It is agreed that Green Wedges play a vital role in preventing urban sprawl and settlement coalescence by maintaining green space separation between towns.

The importance of giving added protection against development in valued green areas is also agreed and therefore this Policy is supported.

Addlepool Farm is not located within a Green Wedge, therefore its delivery would meet this Draft LP Policy aspirations.

Full name: Daniel Rogers

Organisation (where relevant): Bell Cornwell LLP

Other party name (if relevant): Acorn Property Group

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(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.: ACORN PROPERTY GROUP

REPRESENTATIONS ON THE EAST DEVON LOCAL PLAN (2020 – 2042) REGULATION 19

CONSULTATION DRAFT (MARCH 2025) BY BELL CORNWELL LLP

1

INTRODUCTION

Acorn Property Group is a very well-established, locally based housing developer and land promoter with interests across the district.

Acorn Property Group has helped to facilitate new homes, affordable housing and other uses in the area. They are an independent development and regeneration specialist that has, successfully created a range of residential-led refurbishment and new build schemes.

Specifically, Acorn Property Group has interests in land at Hillhead, Colyton, which is an allocated site in the Emerging Local Plan which is suitable for residential development.

Given the nature of their long-standing delivery of housing in the district, Acorn Property Group is an important local stakeholder within interests in the proposals in the East Devon Local Plan for future development in the district.

Against this background, Bell Cornwell LLP has reviewed the policies and information set out in the East Devon Local Plan (2020 -2042) Regulation 19 Consultation Draft and makes the following representations.

CHAPTER 12. OUR OUTSTANDING LANDSCAPE

Policy OL05: Green Wedges

The Local Plan Policies Map identifies a number of Green Wedges in the district. Policy OL05: Green Wedges provides the policy for these designated areas.

Paragraph 12.16 of the supporting text to the policy explains that Green Wedges are a long-standing local landscape designation, in place to maintain open green networks between settlements to prevent coalescence and preserve local identity. New buildings are not prohibited in such areas, but are restricted to ensure the openness, role, and function of these landscapes are not adversely affected.

Land to the south of Coly_02, is shown on the Local Plan Policies Map as lying within the Green Wedge. Our client's land interests are obviously adjacent to but entirely outside of this allocation. As such, they are supportive of the Green Wedge as drawn in this location noting that, as drawn it will appropriately achieve its objectives, whilst enabling Coly_02 to achieve comprehensive development for the village.

Full name: Daniel Rogers

Organisation (where relevant): Bell Cornwell LLP

Other party name (if relevant): Acorn Property Group

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

2. Do you consider that this part of the Our Outstanding Landscape chapter is legally compliant?: Yes

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

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.: -

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.: -

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.: -

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.: -

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.: -

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

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

4(b). If no, please give details of why you consider this part of the Our Outstanding Landscape chapter fails to comply with the duty to co-operate. Please be as precise as possible.: -

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)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: -

Full name: Gerald Murton Strouts

Organisation (where relevant): -

Other party name (if relevant): For himself, and Mary Strouts

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

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 proposed plan includes the Property of Hillcroft, Burgmann's Hill in the green wedge.

This Property is at the heart of the village, within metres of the village's shopping high street and the Lymestone train station.

To propose putting this Property in the green wedge whilst accepting development on the periphery of the village goes against the key sustainability aims of the local planning policy (building with easy access to public transport and shops).

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 green wedge should stop along the Avenue, to the north of the Property.

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 Property is at the heart of the village, within metres of the village's shopping high street and the Lymestone train station.

To propose putting the Property in the green wedge whilst accepting development on the periphery of the village goes against the key aims of planning policy (building with easy access to public transport and shops).

Sustainability is a key theme to the new local plan.

Including the Property in the green wedge which is located at the heart of the village, metres away from public transport, and all the village shops is completely contrary to sustainability and environmental values that the local plan is attempting to uphold.

Furthmore, the planning officer's expert opinion was not heeded.

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 green wedge should logically stop along the Avenue, to the north of the Property.

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 reasons for the proposed green wedge and settlement boundaries have not been clearly explained, even after having exchanged with senior planning officers.

I have understood that this proposal goes against the recommendations of the planning officer.

I therefore would like to be present to ensure that the proposals are in line with planning policy, especially concerning sustainability considerations, and furthermore, our interests are protected.

Full name: Hannah Cameron

Organisation (where relevant): HC Planning Ltd

Other party name (if relevant): Mr A Cork and Mr P 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.: OL05

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.: I am writing on behalf of Mr Andrew Cork and Mr Phillip Cork, the owners of Newcourt Barton Business Park, Clyst Road, Exeter, EX3 0BD. The business park and surrounding land are subject to a number of designations under the proposed Local Plan, specifically:

-

Housing and Employment Allocation WS10

-

Clyst Valley Regional Park WS09

-

Green Wedges OL05

A consultation response was submitted in respect of the Regulation 18 draft and the views expressed in the earlier consultation response are reiterated, as it does not appear that the Council have sought to amend the Green Wedge and Clyst Valley Regional Park allocations as a result of the aforementioned response. In addition, the Council appear to have overlooked the opportunity to allocate employment land to the south of the existing business park, subject to planning application 24/1356/FUL.

For the avoidance of doubt, the land subject to this consultation response is outlined and stippled in red on the reproduced Development North of Topsham Policies Map, in Appendix 1 below. This land includes the approved business park (planning reference: 17/2357/MFUL) and the land subject to a retrospective planning application, for the change of use of land to B8 storage, (planning reference: 24/1356/FUL).

Newcourt Barton is a well-established and successful business park which is operating at capacity on its permitted site. Newcourt Barton Business Park supports a significant number of small and medium sized businesses and as a result is a key employer in the local area. The area subject to the current application (planning reference: 24/1356/FUL) alone supports 17 businesses and employs 54 people. There is a huge demand for the small and affordable yard

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Company Registration Number: 14705897

areas available to rent and this need is not met elsewhere in the District. Therefore it is crucial that the site is recognised by the Local Plan and protected as employment land. The green wedge designation under policy OL05 incorporates the approved business park within the allocation, it is considered entirely inappropriate for the business park to be included within the green wedge, the two uses are incompatible and given the established nature of the business park, such designation will impede any future re-development. It is unclear why the Council have included this developed land in the green wedge and it should be removed.

My client also wishes to object to the extension of the Clyst Valley Regional Park (CVRP) policy WS09 to include land at Newcourt Barton Business Park. It is considered entirely inappropriate for land at Newcourt Barton, which is already in use for industrial purposes, to be included within the CVRP, as there is conflict between the CVRP policy objectives and the existing permitted and proposed uses across the Business Park, the loss of which would have severe implications for the local economy and established local businesses.

It is requested that Newcourt Barton Business Park, as outlined and stippled in red on the map in Appendix 1, is removed from both the CVRP designation (policy WS09) and the green wedge (policy OL05). The removal of the site would not result in the fragmentation of these designations given the location of the site on the edge of the designated areas and would reinforce the purpose of these policies.

Full name: James McMurdo

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

Other party name (if relevant): -

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.: [McMurdo Land Planning & Development Ltd on Behalf of Stuart Partners Ltd relating to Strategic Land at the “West End” of East Devon District made in the context of significant land holdings in this area. Representation to be read in conjunction with representations made by Turley on behalf of Stuart Partners Ltd and Bloor Homes Exeter on the proposed new and an expanded Hill Barton Business Park, and by Carney Sweeney on behalf of Stuart Partners Ltd and Down, relating to land being promoted for a village for up to 2,000 houses between Clyst St George and Clyst St Mary]

Object

Reasons:

A Green Wedge designation is carried on from the current Local Plan, and this designation conflicts with Policy WS01 now.

The proposed policy implies that Green Wedges are identified as areas between settlements where constraints on development are essential to prevent physical or visual coalescence and/or to maintain the character and identity of those settlements or a sense of intrinsic separation.

Land between Poltimore and West Clyst has been allocated as a Green Wedge. This includes land owned by our Client which forms Phase 3 to the Pinhoe urban extension to Exeter and reflects the Green Wedge identified in the current adopted Local Plan (An application for 165 houses and the restoration of Poltimore parkland has been submitted to the Council).

The development of our Client’s land, as demonstrated by the extensive technical work underpinning the live planning application, would not create sporadic or isolated development, damage the identity of Pinhoe nor lead to settlement coalescence in any way.

Further, our Client's land represents a sustainable location for development, adjoining existing development and is without significant environmental or physical constraints. The development of this land would result in benefits to the setting of Poltimore House and the wider character of the area.

There is no merit in the identification of our Client's land as part of a Green Wedge 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.

We therefore respectfully ask that our Client's land at Pinhoe be removed from the Green Wedge designation.

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. Because the policy is ineffective and not sound in this regard, amend it to consider Policy WS01; and,

2. 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: Harriet Fuller

Organisation (where relevant): Environment Agency

Other party name (if relevant): -

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(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.: This policy has been streamlined significantly from Reg 18 stage, and through that there has been a loss of reference to climate change and flood storage which demonstrate the multi-benefits of green wedges and justifies further the need to protect them.

Full name: Donna Crabtree

Organisation (where relevant): National Trust

Other party name (if relevant): -

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(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.: Para 12.16 which supports this policy states that Green wedges are a long-standing local landscape designation that maintains open green networks between settlements to prevent coalescence and preserve local identity.

It is noted that the extent of the Green Wedge (which is supported by current Local Plan Strategy 8) as shown on the policy maps for the emerging local plan, has been reduced most notably by the extent of emerging Local Plan allocations Lymp_07 (Land at Courtlands Cross) and Exmo_23 (Land to the South of Courtlands Lane).

Green Wedges are designated in the Districts most sensitive areas, and a reduction of the extent in this instance, together with the introduction of housing, would lead to unacceptable landscape harm as has been documented by the Planning Inspectorate when considering previous appeals for housing at the site. The Planning Inspectorate has previously assessed housing at this site to 'seriously harm the character and appearance of the area'. The National Trust therefore maintains its objection to the reduction of the extent of the Green Wedge in this location, to protect this site from inappropriate development.

Full name: Rachel Danemann

Organisation (where relevant): Home Builders Federation (HBF)

Other party name (if relevant): -

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

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

104. 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.: 103. 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.

Full name: Devon Wildlife Trust (planning)

Organisation (where relevant): Devon Wildlife Trust

Other party name (if relevant): -

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(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.: In areas where existing nature value is high, where land forms important nature corridors/buffers and where land has high potential for nature recovery alongside other uses, then DWT would urge higher BNG expectations such as 25%.

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.: In areas where existing nature value is high, where land forms important nature corridors/buffers and where land has high potential for nature recovery alongside other uses, then DWT would urge higher BNG expectations such as 25%.

Full name: Ian Priestley

Organisation (where relevant): Colyford Parish Council

Other party name (if relevant): -

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.: COLYFORD Parish Council do not support building on Green wedges or to sacrifice it for any reason . We respect future generations and want them to enjoy this fantastic countryside, as was stated by a Government inspector the last time this arose and EDDC chose not to support development of SEAT 05. We understand you are under pressure to find building plots but there are over 150 unsold houses in the area, there is limited local demand and the second home issue needs to be addressed primarily by the Government before forcing the destruction of our countryside. Also devolution will bring about a whole new set of rules and goals.

Full name: Cara Chambers

Organisation (where relevant): Stantec

Other party name (if relevant): -

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.: [Details Page10-12]

4.3.2

As outlined in our previous representations on Matter 8 of the further Regulation 18 consultation in June 2024, the approach taken by the Council in the designation of the Green Wedge boundary at Ottery St Mary/ Westhill is unsound and is not based on robust evidence. An in-depth assessment of the Green Wedge has taken place but its conclusions were not followed in the placement of the boundary.

4.3.3

Green Wedges were 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.

4.3.4

The February 2024 report recommended the below Ottery St Mary to Westhill Green Wedge boundary edged in red:

4.3.5

However, the council is now proposing 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 2025 consultation document in relation to the designation of Green Wedges.

4.3.6

This is despite the robust evidence base, methodology and assessment seen in reports to the Strategic Planning Committee recommending that the Green Wedge should be reduced in size. Therefore, this approach to the designation of Green Wedges 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 make a decision entirely contrary to the February 2024 recommendation.

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.: 4.3.7

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.

Full name: -

Organisation (where relevant): -

Other party name (if relevant): -

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

2. Do you consider that this part of the Our Outstanding Landscape chapter is legally compliant?: Yes

2(a). If yes, and you wish to support the legal compliance of this part of the Our Outstanding Landscape chapter, please use this box to set out your comments.: Protect green wedges - do not allow development on these spaces!

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.: -

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.: -

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

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.: -

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.: -

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.: -

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

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

4(b). If no, please give details of why you consider this part of the Our Outstanding Landscape chapter fails to comply with the duty to co-operate. Please be as precise as possible.: -

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: -

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: -

Full name: Sylvia Meller

Organisation (where relevant): -

Other party name (if relevant): -

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

2. Do you consider that this part of the Our Outstanding Landscape chapter is legally compliant?: Yes

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

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.: -

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.: -

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

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.: -

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.: No new developments should be granted on National Landscapes, Coastal Preservation Areas or Green Wedges under any circumstances

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.: We do have enough area which can be used for housing our locals. Before building up new areas we should first of all make sure all council flats/houses are used .Buildings/flats which stand empty need to be compulsory purchased and sold/rented out . The purchase of 2nd homes needs to be limited to a minimum. If new developments need to be build , apartment blocks with affordable 1-2 bedroom flats to buy or rent should be prioritised over developments of individual houses. Developments should not be granted outside settlement boundaries , on areas of National Landscape, Coastal Preservation Areas or Green Wedges

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

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

4(b). If no, please give details of why you consider this part of the Our Outstanding Landscape chapter fails to comply with the duty to co-operate. Please be as precise as possible.: See 3b and 3c

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)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: -

Full name: Claire Alers-Hankey

Organisation (where relevant): GTH

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

2. Do you consider that this part of the Our Outstanding Landscape chapter is legally compliant?: Yes

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

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.: -

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.: -

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

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.: -

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.: Response to Our Outstanding Landscape

This chapter looks at the various landscape features across East Devon, recognising that approximately two thirds of the administrative area falls within two National Landscapes. This leaves about one third of the East Devon area unrestricted by a National Landscape designation.

Policy OL05: Green Wedges

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.

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 objects to the extent of the East of Exeter Green Wedge in the strongest terms and will retain this objection throughout the plan making process.

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.

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 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.

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

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

4(b). If no, please give details of why you consider this part of the Our Outstanding Landscape chapter fails to comply with the duty to co-operate. Please be as precise as possible.: -

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 present the case for the inclusion of land north of Sowton as an employment allocation.

Full name: Devon Wildlife Trust (planning)

Organisation (where relevant): Devon Wildlife Trust

Other party name (if relevant): -

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.: OL06

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.: In areas where existing nature value is high, where land forms important nature corridors/buffers and where land has high potential for nature recovery alongside other uses, then DWT would urge higher BNG expectations such as 25%.

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.: In areas where existing nature value is high, where land forms important nature corridors/buffers and where land has high potential for nature recovery alongside other uses, then DWT would urge higher BNG expectations such as 25%.

Full name: Robert Maynard

Organisation (where relevant): -

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.: OL06

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.: 1.

Introduction

I would like to bring to your attention that the Byes (in Sidmouth) up to the A3052 has a significant amenity, nature conservation, and recreational value to the town and should continue to be protected for its Local Amenity Importance. The failure to include Policy EN3 - Land at the Byes included in East Devon Local Plan 2013-2031 (adopted on 28 January 2016) or a similar level of protection would:

i) Undermine the need to protect the area for the population of the area.

ii) Result in a policy vacuum due to the lack of an up-to-date Neighbourhood Plan.

The failure to protect it for its Local Amenity importance undermines the legal compliance, effectiveness, and soundness of the Local Plan.

2. Background

The East Devon Local Plan 2013-2031 (adopted on 28 January 2016) describes the Byes as:

22.5 The wedge of agricultural land and open space along the valley of the Sid, known as the Byes, has a significant amenity, nature conservation, and recreational value to the town. Within the Built-up Area Boundary land in the Byes is public open space or owned by the National Trust. The agricultural land outside the Built-up Area Boundary should be protected because of its amenity, nature conservation, and recreational value. An Article 4 direction has been made in respect of the Byes so that a specific grant of planning permission is required for agricultural buildings which would normally be erected as permitted development.

22.6 A section of cycle track has been constructed in The Byes between Sid Park Road and Salcombe Road, and the Council proposes the continuation of this route to Sidford.

Policy EN3 - Land at the Byes in Sidmouth

Land at the Byes is designated on the Proposals Map. The only development which will be permitted in this area is that which will not detract from its amenity, nature conservation, and/or recreational value to the town.

Diagram 1: The area of the Byes to be protected (horizontal hatch in red)

3. Land at the Byes - amenity, nature conservation, and recreation value

The Byes has a significant amenity, nature conservation, and recreational value to the town (Sidmouth).

Initiatives such as those at:

Seaton Wetlands (Axe Valley) (Seaton - population 7,500),

Otter Estuary Nature Restoration Project (Budleigh Salterton - population 6,500)

These are examples of initiatives that improve the conservation and recreational value.

A similar type of initiative needs to be developed for Sidmouth in the Sid valley/Byes to meet the current and future needs of Sidmouth (population 13,500). Sidmouth being the second-largest town in East Devon.

It is therefore essential that the Byes continues to be safeguarded for its amenity, nature conservation, and/or recreational value to the town.

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 Regulation 19 Plan needs to designate the Byes on the Policies Map and include a Policy to protect this important amenity, nature conservation, recreation value, and flood plain from inappropriate development.

Diagram 1: The area of the Byes to be protected (horizontal hatch in red)

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.: 1. Introduction

I would like to bring to your attention that the Byes (in Sidmouth) up to the A3052 has a significant amenity, nature conservation, and recreational value to the town and should continue to be protected for its Local Amenity Importance. The failure to include Policy EN3 - Land at the Byes included in East Devon Local Plan 2013-2031 (adopted on 28 January 2016) or a similar level of protection would:

i) Undermine the need to protect the area for the population of the area.

ii) Result in a policy vacuum due to the lack of an up-to-date Neighbourhood Plan.

The failure to protect it for its Local Amenity importance undermines the legal compliance, effectiveness, and soundness of the Local Plan.

2. Background

The East Devon Local Plan 2013-2031 (adopted on 28 January 2016) describes the Byes as:

22.5 The wedge of agricultural land and open space along the valley of the Sid, known as the Byes, has a significant amenity, nature conservation, and recreational value to the town. Within the Built-up Area Boundary land in the Byes is public open space or owned by the National Trust. The agricultural land outside the Built-up Area Boundary should be protected because of its amenity, nature conservation, and recreational value. An Article 4 direction has been made in respect of the Byes so that a specific grant of planning permission is required for agricultural buildings which would normally be erected as permitted development.

22.6 A section of cycle track has been constructed in The Byes between Sid Park Road and Salcombe Road, and the Council proposes the continuation of this route to Sidford.

Policy EN3 - Land at the Byes in Sidmouth

Land at the Byes is designated on the Proposals Map. The only development which will be permitted in this area is that which will not detract from its amenity, nature conservation, and/or recreational value to the town.

Diagram 1: The area of the Byes to be protected (horizontal hatch in red)

3. Land at the Byes - amenity, nature conservation, and recreation value

The Byes has a significant amenity, nature conservation, and recreational value to the town (Sidmouth).

Initiatives such as those at:

Seaton Wetlands (Axe Valley) (Seaton - population 7,500),

Otter Estuary Nature Restoration Project (Budleigh Salterton - population 6,500)

These are examples of initiatives that improve the conservation and recreational value.

A similar type of initiative needs to be developed for Sidmouth in the Sid valley/Byes to meet the current and future needs of Sidmouth (population 13,500). Sidmouth being the second-largest town in East Devon.

It is therefore essential that the Byes continues to be safeguarded for its amenity, nature conservation, and/or recreational value to the town.

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 Regulation 19 Plan needs to designate the Byes on the Policies Map and include a Policy to protect this important amenity, nature conservation, recreation value, and flood plain from inappropriate development.

Diagram 1: The area of the Byes to be protected (horizontal hatch in red)

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nicola Wilson

Organisation (where relevant): Devon County Council

Other party name (if relevant): -

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

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.: Development on, adjacent and close to active waste sites should be considered 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.

DCC requests that the following wording is added to Policy OL07 for the protection of waste management capacity:

“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 of the Devon Waste Plan.”

Full name: Harriet Fuller

Organisation (where relevant): Environment Agency

Other party name (if relevant): -

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.: OL09

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 supportive of the requirement for CEMPs on proposals/activities which have the potential to cause pollution. What is not clear is whether there is a process for requiring the CEMPs to be submitted at the time of the application, or as a condition.

Full name: Robert Jones

Organisation (where relevant): River Otter Fisheries Association

Other party name (if relevant): -

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.: OL09

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 – OUR OUTSTANDING LANDSCAPE

OL09 – Control of pollution.

It is our view that this policy should be strengthened by making specific reference to rainwater / roof water diversion. Most pollution events are related to this problem and the plan should recognise this in policy to ensure that development diverts this water elsewhere.

Full name: Digby Morrison

Organisation (where relevant): -

Other party name (if relevant): -

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.: OL09

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

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

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.: This policy is a carbon copy of the previous plan policy EN14 (other than the addition of the need for a CEMP) which has failed to ensure that permission is not granted for development which has resulted in unacceptable levels of pollution in the Exe Estuary and the sea, in coastal towns and villages in East Devon.

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 plan needs new policies or more robust drafting of the proposed policy and new enforcement measures to deal with this acknowledged issue.

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

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.: -

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.: this policy is not sound because further evidence should have been sought and used to develop more robust policy and enforcement to deal with the issue of new housing developments being built without the required waste water infrastructure to ensure permission is not granted for development which will result in unacceptable of pollution to the Exe Estuary and the sea at coastal towns and villages in east devon

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 plan needs new policies or more robust drafting of the proposed policy and new enforcement measures to deal with this acknowledged issue.

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

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

4(b). If no, please give details of why you consider this part of the Our Outstanding Landscape chapter fails to comply with the duty to co-operate. Please be as precise as possible.: I don't know. I haven't read any details of the collaboration the council has entered into with other councils on this. But it is clear that sufficient collaboration with South West Water has not been entered into

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 further reinforce the point that this policy is not legal, justified or effective

Full name: Dee Woods

Organisation (where relevant): Otter Valley Association

Other party name (if relevant): -

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.: OL09

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.: One of our main concerns is in respect of protection of the catchment of the Otter River, as it is in an ecologically poor condition. Policy OL09 (p 207) is very welcome, but does not address the current failings of SWW's sewage systems which are causing the most serious pollution of our rivers.

Some facts concerning the water quality of the River Otter and the sea at Budleigh:

- In 2024 SWW discharged untreated sewage of Otter Head over 10,000 times (average 30 times a day) - main sewer remains unrepaired
- 1,320 discharges recorded in January 2025 alone
- In 2024 SWW discharged almost 10,000 hours of untreated sewage into the River Otter (3 x total sewage pumped into Exmouth Bay)
- SWW solution is to increase pumping capacity throughout the Exmouth/Budleigh system so more sewage is transported to Maer Lane SWT when it rains

This is the reason why the Middle and Lower River Otter is in the worst 20% ecologically of all the UK's river systems, according to the EA, with significant impacts on plants, wildlife and fish.

We are very concerned that the lack of capacity of sewage treatment works along the Otter has not been adequately taken in consideration in respect of the housing allocations for the Otter catchment area. Is the council aware of the sewage facilities that are currently exceeding their capacity and breaching their over flow limits? Is the Council liaising with SWW to ensure that steps are being taken to upgrade these inadequate facilities before new household are added to the system? How many more households' waste can each of the current facilities safely process? It is our view that no new development should be approved without this crucial aspect being fully considered and adequately addressed. All the relevant assessments should be made available to the public.

We believe that the nutrient neutrality requirement of the river Axe should be extended to encompass all of East Devon's rivers and water bodies.

Full name: Alex Munday

Organisation (where relevant): Kitchener Land and Planning

Other party name (if relevant): Mr Lillie and Ms Blundell

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.: Alexander Munday of Kitchener Land and Planning (KLP) on behalf of Mr Lillie and Mrs Blundell.

We object to the inclusion of draft Policy OL10, and consider there to be a complete lack of justification for such a policy.

The policy as drafted is not consistent with the NPPF and in any case is not required and is instead in danger of duplicating matters covered by national policy and guidance.

The draft policy also seeks to stray beyond the requirements of national policy and guidance at a time when the Government have been clear about the need to significantly increase housing delivery.

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.: In our view this policy should be removed in its entirety.

Full name: Bethan Haigh

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Vistry Group

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(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 agree with the need to protect the best and most versatile land and support the acknowledgement that the protection of this should be balanced with the overriding need for development.

It is disappointing, however, that the policy text remains unchanged from the Regulation 18 Consultation Document. Our concerns therefore remain that the policy's reference that development on the best and most versatile land (Grade 1,2 and 3a) will only be permitted in instances where land of a lower grade is unavailable is not suitable. The policy fails to provide any certainty regarding how this assessment will be undertaken and whether it is for the applicant or decision maker to review other lower grade land within the vicinity of the application site. This leads to a lead to a lack of clarity for the decision maker, applicants and local community.

It is noted that the draft allocation at North of Topsham (WS10) is located on land identified as being Grade 1 (best and most versatile). Its allocation therefore does not accord with this draft policy.

Land at Addlepool Farm does not constitute best and most versatile agricultural land and would represent a more sustainable site that would be suitable for residential development.

Full name: Bethan Haigh

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Taylor Wimpey UK Ltd. C/O Boyer

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?: 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.: 3.36 This policy states that development will be limited on the best and most versatile land (Grade 1, 2 and 3a) unless allocated within another policy. The policy goes on to set out the exceptions to the above, stating that development on this land will be granted exceptionally if sufficient land of lower grades is unavailable if the benefits of the development clearly justify and outweigh the loss of high-quality agricultural land.

3.37 This policy is supported given it accords with National Policy.

Full name: Bethan Haigh

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Taylor Wimpey UK Ltd. C/O Boyer

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?: 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.: 3.33 It is agreed that Green Wedges can play a vital role in preventing urban sprawl and settlement coalescence by maintaining green space separation between towns.

3.34 We agree with EDDC's view on the importance of Green Wedges in that they are a 'long-standing local landscape designation that maintains open green networks between settlements'. The importance of giving added protection against development in valued green areas is also agreed and therefore this Policy is supported.

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

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 object to the inclusion of draft Policy OL10, and consider there to be a complete lack of justification for such a policy.

The policy as drafted is not consistent with the NPPF and in any case is not required and is instead in danger of duplicating matters covered by national policy and guidance.

The draft policy also seeks to stray beyond the requirements of national policy and guidance at a time when the Government have been clear about the need to significantly increase housing delivery.

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.: In our view this policy is not consistent with the tests of soundness set out in paragraph 36 of the NPPF and 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.: It is important that Sidbury LVA LLP is present to participate in the hearing session for Policy OL10 owing to their interest in Land South of Furzehill (Sidm_34). It is important that they are given the opportunity to make their case in relation to this policy.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): 3West Group

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

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 object to the inclusion of draft Policy OL10, and consider there to be a complete lack of justification for such a policy.

The policy as drafted is not consistent with the NPPF and in any case is not required and is instead in danger of duplicating matters covered by national policy and guidance.

The draft policy also seeks to stray beyond the requirements of national policy and guidance at a time when the Government have been clear about the need to significantly increase housing delivery.

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.: In our view this 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.: It is important that 3West Group is present to participate in the hearing session for Policy OL10 owing to their interest in the Land north and east of Exton Farm (Wood_28). It is important that they are given the opportunity to make their case in relation to this policy.

Full name: Jess Perminter

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): CR Down Farming Ltd and 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.: Policy OL10 is overly restrictive and does not balance the protection of best and most versatile land (BMV) with accommodating development. It will be used to prevent housing and other development from coming forward on sustainable sites that will support the Council in maintaining its housing land supply and meeting its Local Plan housing targets.

It is also inconsistent with the Framework, which requires the economic and other benefits of BMV to be recognised (paragraph 180 b). Footnote 62 states that “Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.

The availability of agricultural land used for food production should be considered, alongside the other policies in this Framework, when deciding what sites are most appropriate for development.” The tone of the Framework does achieve the balance claimed in the Justification and should be reflected in Policy OL10.

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 should be amended to better reflect the NPPF.

Full name: Nick Guildford

Organisation (where relevant): C G Fry & Son

Other party name (if relevant): Mr & Mrs Cowling

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.: Policy OL10 is overly restrictive and does not balance the protection of best and most versatile land (BMV) with accommodating development. It will be used to prevent housing and other development from coming forward on sustainable sites that will support the Council in maintaining its housing land supply and meeting its Local Plan housing targets.

It is also inconsistent with the Framework, which requires the economic and other benefits of BMV to be recognised (paragraph 180 b). Footnote 62 states that “Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. The availability of agricultural land used for food production should be considered, alongside the other policies in this Framework, when deciding what sites are most appropriate for development.” The tone of the Framework does achieve the balance claimed in the Justification and should be reflected in Policy OL10.

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 should be amended to better reflect the NPPF.

Full name: Simon Coles

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): C R Down Farming Ltd and 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(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.: Policy OL10 is overly restrictive and does not balance the protection of best and most versatile land (BMV) with accommodating development. It will be used to prevent housing and other development from coming forward on sustainable sites that will support the Council in maintaining its housing land supply and meeting its Local Plan housing targets.

It is also inconsistent with the Framework, which requires the economic and other benefits of BMV to be recognised (paragraph 180 b). Footnote 62 states that “Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. The availability of agricultural land used for food production should be considered, alongside the other policies in this Framework, when deciding what sites are most appropriate for development.” The tone of the Framework does achieve the balance claimed in the Justification and should be reflected in Policy OL10.

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 should be amended to better reflect the NPPF.

Full name: Simon Coles

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): C G Fry & Son 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(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.: Policy OL10 overly restrictive and does not balance the protection of best and most versatile land (BMV) with accommodating development. It will be used to prevent housing and other development from coming forward on sustainable sites that will support the Council in maintaining its housing land supply and meeting its Local Plan housing targets.

It is also inconsistent with the Framework, which requires the economic and other benefits of BMV to be recognised (paragraph 180 b). Footnote 62 states that “Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. The availability of agricultural land used for food production should be considered, alongside the other policies in this Framework, when deciding what sites are most appropriate for development.” The tone of the Framework does achieve the balance claimed in the Justification and should be reflected in Policy OL10.

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 should be amended to better reflect the NPPF.

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

Full name: James McMurdo

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

Other party name (if relevant): -

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(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.: [McMurdo Land Planning & Development Ltd on Behalf of Stuart Partners Ltd relating to Strategic Land at the “West End” of East Devon District made in the context of significant land holdings in this area. Representation to be read in conjunction with representations made by Turley on behalf of Stuart Partners Ltd and Bloor Homes Exeter on the proposed new and an expanded Hill Barton Business Park, and by Carney Sweeney on behalf of Stuart Partners Ltd and Down, relating to land being promoted for a village for up to 2,000 houses between Clyst St George and Clyst St Mary]

Object

Reasons:

Paragraph 187 of the NPPF refers and this policy as drafted is at odds with it; it is imbalanced and could prevent potential required sustainable development sites from coming forward in the district.

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.: Either:

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

Full name: Jozie Bannister

Organisation (where relevant): Devonshire Homes

Other party name (if relevant): -

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

2. Do you consider that this part of the Our Outstanding Landscape chapter is legally compliant?: -

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

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.: -

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.: -

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

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.: -

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.: There are many situations where the most sustainable locations for housing development are on good agricultural land, which we have plenty of in this country and limited sites for housing that are sustainable. We are in a housing crisis and housebuilding is needed to provide much needed homes. This policy will likely result in homes not being built in locations that need them and are sustainable, there is plenty of high grade and fertile farming land that is not being fully utilised across the country. In reality, it is a very small percentage that is put forward and ultimately lost to housing. This policy will likely be used as an anti development tool for those opposed to new housing.

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.: -

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

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

4(b). If no, please give details of why you consider this part of the Our Outstanding Landscape chapter fails to comply with the duty to co-operate. Please be as precise as possible.: -

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: -

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: -

Full name: Angie Hurren

Organisation (where relevant): Broadclyst Parish Council

Other party name (if relevant): -

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(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.: Agricultural Land Protection (Strategic Policy OL10)

-

High-quality Grade 1 and 2 farmland is protected from development to ensure food security.

-

This aligns with Broadclyst's rural economy policies, supporting farm diversification into agroforestry and regenerative farming.