

Adopted Local Plan 2016, extracts concerning Sidmouth

Preface by Paul Diviani

These natural features are complemented by a rich heritage of fine historic buildings that define our towns and villages. The plan sets out how we will conserve and enhance these outstanding assets.

We therefore need to plan for new jobs and homes. Our plan shows where development should take place, how many homes are to be built and the sites where new jobs can be created to help our local communities thrive and prosper. We need to deliver a sustainable working legacy for future generations.

Other major initiatives that we are tackling include the expansive regeneration of the coastal resorts of Exmouth and Seaton and promoting housing and commercial development in other towns.

1.8 This new Local Plan will be the primary material consideration in determining planning applications in East Devon.

2.4 There are more deaths than births in the District and population increase occurs because of inward migration, largely from elsewhere in England.

2.5 East Devon is characterised by an elderly population profile. This is most noticeable amongst the 60/65 plus age groups and reflects the popularity of the District as a retirement destination, especially the coastal areas. 28% of the East Devon population are over 65, compared with a South West figure of 20% and an England figure of 16%. The coastal towns of East Devon (Seaton, Sidmouth, Budleigh Salterton and Exmouth) have a particularly elderly population profile.

2.7 The exceptional environmental assets of East Devon include two Areas of Outstanding Natural Beauty, part of a World Heritage Site, National Nature Reserves and a number of wildlife sites of national and inter-national importance. The natural features are matched by a rich tapestry of heritage assets that are often set in an historic environment

3.1 We want growth and investment with minimum damage to our outstanding environment so that the generations that follow us will not be compromised in their quality of life.

3.3 We intend, through the policies of this Local Plan, to keep East Devon as an outstanding place to live, and also to make it a place where job creation is raising average incomes and where homes will become more affordable. Affordable homes are a top priority for this Council. All of our residents, young and old, should prosper and younger people, in particular, are crucial to a vibrant future. We will promote opportunities for better education provision for our young people and residents across the District.

3.4 Our plans for strategic allocations for housing and workspace will be sited in the best places to create the jobs and homes. We will safeguard the rural country and coast and historic fabric of our urban environments for the enjoyment of residents and visitors. We will safeguard the rural country and coastal areas for the enjoyment of residents and visitors. We will also increase expectations for green space and recreational space in towns.

3.6 Our strategic allocations and policies will ensure that each community and settlement in East Devon will retain its distinctive character by careful attention to Local Plan allocations and Development Management policies.

3.7 We also aim to encourage more local jobs and jobs close to where people live, and homes close to jobs, to cut down commuting by cars and transport and infrastructure improvements are needed.

3.9 East Devon will provide for more balanced communities where homes and jobs are in better alignment by:

- a) providing major employment, housing and community facilities in Exmouth and vital housing growth at Axminster, with more modest growth at Budleigh Salterton, Honiton, Ottery St Mary, Seaton and Sidmouth;
- b) finding creative solutions to meeting affordable rural housing and employment needs; and
- c) ensuring services are provided to meet the changing needs of an ageing population by maintaining and supporting services that can be delivered locally.

3.10 East Devon will conserve and enhance its outstanding historic and natural environment which contributes to the economic and social wellbeing of its communities by:

- a) conserving existing open space and areas designated for environmental purposes as well as conserving the undesignated countryside;
- b) requiring that new development includes open space to meet locally defined targets requiring that development makes links to the surrounding countryside;
- c) seeking to create an ecological network; and
- d) protecting and enhancing our heritage assets.

3.11 In delivering growth at the market and coastal towns and rural communities the challenge will be to provide all the necessary facilities whilst conserving East Devon's outstanding quality of life and very special natural and historic environment. This includes the world heritage coast, as well as the Blackdown Hills and East Devon Areas of Outstanding Natural Beauty. The key is to respond sensitively to the needs for more balanced communities without damaging the environmental qualities that we cherish and recognising that environmental, social and economic considerations are all intrinsically inter-linked. The local distinctiveness of East Devon in both landscape and building traditions will be supported and we will set the agenda and design standards for future progressive development.

4.1.

1 Jobs and economic growth, key plan objectives.

- b) Diversify the sectors where jobs can be found.
- c) Improve local job opportunities.
- d) Reduce the need to travel by car to secure work and jobs.

4 Transport, key plan objectives

- j) Improve waterborne transport for residents, tourism and businesses and enhance fishing facilities.

6 Biodiversity, key plan objectives

- m) Planning Policies and mitigation strategies and measures will recognise the need to sustain and improve habitats suitable for biodiversity.

8 Landscape, AOANBs, and the Coastal Zone, key plan objectives

- o) Special protection is incorporated in the plan to ensure development in AONBs is compatible with national policy and AONB Management Plans, and the Coastline and sites and areas of biodiversity or other environmental importance are conserved and enhanced.

9 Heritage Assets,

Issue East Devon is rich in built heritage. It has high quality, beautiful villages and towns, and many listed buildings displaying the wide range of local building materials. We also have a rich heritage of archaeological remains.

Key plan objective

p) Design policies recognise Conservation Areas, settlement design statements and local building forms as material considerations in planning decisions, and in places with archaeological interest.

11 Older age, key plan objective

r) The provision of suitable retirement and downsizing accommodation has been added to our planning policies with the aim of encouraging health and independence of our older population, in addition to which their needs in the public realm for suitable street furniture and leisure facilities is to be fully recognised.

12 Safety and Crime issues, key plan objective

s) New developments will be expected to help reduce accidents and crime further.

13 Town Centre and Brownfield first

t) Town centres are essential with a key objective for enhancement with retail and office accommodation, while suitable Brownfield sites are the preferred areas for housing and commercial development. We aim to avoid greenfield development on grade 1, 2 or 3a land with the exception of the West End development and also avoid any loss of land of environmental value.

5.2

The Localism Agenda - Localism involves local people making local decisions about how and why their home places should change and therefore what development should happen. In the way we work as a Council we need to be responsive to the views of Parish Councils, local neighbourhoods and other local area bodies and organisations and of Neighbourhood Plans. Once adopted Neighbourhood Plans will have formal status as part of the Development Plan.

5.5

Habitat Regulations are concerned with the potential adverse impacts that development could have on the best and most significant wildlife sites designated under European legislation include the Exe Estuary, the Pebblebed Heaths, the River Axe corridor and the un-developed coastline between Sidmouth and Lyme Regis.

Part One Strategic Approach and Policies

This part of the Local Plan sets out strategic policies. These policies set the strategy for the rest of the plan and are of key relevance in the determination of planning applications. When considering a planning application the Council will assess whether the proposal accords with the strategic policies and will look at the proposal in the light of the more detailed development management policies of the plan (see Part Two of the plan for development management policies).

If a Neighbourhood Plan is produced it will be in accordance with and apply these strategic policies but it can supersede or overwrite the development management policies in Part Two of the Plan.

6.1 This section sets out details of the overall strategy (or big picture) for development in East Devon for the years ahead including how many new homes will be built, where development will be located and how the District's outstanding natural and built environment will be conserved and enhanced.

6.4 Towns, villages and the rural communities help define the character and special qualities of East Devon. We recognise that without some development, geared around local needs, many towns and villages will increasingly become communities of the retired and wealthy commuters travelling ever longer distances to work. The Council will aim to ensure that East

Devon is an outstanding place in which to live, work and enjoy, with social and community facilities and jobs. Development, particularly affordable housing and provision of jobs in towns and villages will help sustain, enhance and make them self supporting places to live and work where people will have access to amenities and services and enjoy their leisure time.

6.9 In the rest of East Devon employment provision will mostly be geared to serving local needs with a view to securing jobs close to existing homes so that people have the option of not needing to commute long distances to work. Local employment provision will be made at East Devon towns with an expectation that larger scale housing allocations will be matched with new jobs (around 1 for each home built). We estimate that, roughly speaking, 250 new homes could generate the need for around 1 hectare (or 2.5 acres) of employment land. We will take a broad view of the types of activity (retail, commercial, industrial, service sector, etc) that can be classed as 'employment' in making our land allocations; we do, however, see future B1 employment development (office developments), and jobs in this class, as being key.

6.10 monitor how many houses are being built and whether they are meeting our needs, especially for affordable housing.

6.13 at Seaton and Sidmouth where new additional proposed housing numbers are low and there are existing large commitments to residential development (sites with planning permission) we have included a modest future windfall component in housing numbers.

6.18 The natural and historic built environment is also a key driver for the District's economy, generating income for local businesses directly involved in tourism as well as the District's coastal and market towns with direct visitor spend. The contribution of the natural economy is critical to the economic well being of the whole of the district and therefore the conservation and enhancement of the natural environment is of considerable importance.

Strategy 1 - Spatial Strategy for Development in East Devon

The seven main towns of East Devon will form focal points for development to serve their own needs and the needs of surrounding rural areas.

Strategy 2 - Scale and Distribution of Residential Development

Strategic allocation for Sidmouth is 125 from 2013 to 2031. Sites in Sidmouth that have made significant progress through the planning system or have acknowledged development potential (including allocation sites) 0

4. Care/extra care bed spaces are counted as dwelling equivalents in the above assessment. Every 2 care bed spaces created is assumed to free up an existing dwelling. All extra care / sheltered housing units are counted as dwellings in their own right. This assumption is based on research undertaken within the Exeter Housing Market Area for the SHLAA methodology update 2015.

Strategy 3 - Sustainable Development

The objective of ensuring sustainable development is central to our thinking. We interpret sustainable development in East Devon to mean that the following issues and their inter-relationships are taken fully into account when considering development:

a) **Conserving and Enhancing the Environment** - which includes ensuring development is undertaken in a way that minimises harm and enhances biodiversity and the quality and character of the landscape. This includes reducing the risk of flooding by incorporating measures such as sustainable drainage systems. Developers should maximise the proportion of their developments that take place on previously developed land

- b) **Prudent natural resource use** - which includes minimising fossil fuel use therefore reducing carbon dioxide emissions. It also includes minimising resource consumption, reusing materials and recycling. Renewable energy development will be encouraged
- c) **Promoting social wellbeing** - which includes providing facilities to meet people's needs such as health care, affordable housing, recreation space and village halls.
- d) **Encouraging sustainable economic development** - which includes securing jobs.
- e) **Taking a long term view of our actions** - Ensuring that future generations live in a high quality environment where jobs, facilities, education and training are readily available.

Strategy 4 - Balanced Communities

By balanced communities we mean that in any area or neighbourhood there is a match between jobs, homes, education, and social and community facilities. Ideally these should compliment the range of ages of the resident population and have appropriate access for those with disabilities. Key components of a balanced community include:

- a) **Securing employment provision across East Devon** - this should reduce the need for commuting - where housing is proposed we will require new job provision.
- b) **Securing social, educational, green infrastructure and health and community facilities** - these facilities play a central part in community life and new housing should help secure their provision and keep the community vibrant and viable by making financial contributions towards their provision or by providing such facilities on site where necessary.
- c) **Getting more age-balanced communities** - many East Devon communities have an overtly aged population profile. Where this is the case we will encourage residential development that will be suited to or provide for younger people and younger families.

Strategy 5 – Environment

All development proposals will contribute to the delivery of sustainable development, ensure conservation and enhancement of natural historic and built environmental assets, promote ecosystem services and green infrastructure and geodiversity.

Open spaces and areas of biodiversity importance and interest (including internationally, nationally and locally designated sites and also areas otherwise of value) will be protected from damage, and the restoration, enhancement, expansion and linking of these areas to create green networks will be encouraged through a combination of measures to include;

- 1) Maximising opportunities for the creation of green infrastructure and networks in sites allocated for development;
- 2) Creating green networks and corridors to link the urban areas and wider countryside to enable access by all potential users;
- 3) The designation of Local Nature Reserves and County Wildlife Sites;
- 4) Minimising the fragmentation of habitats, creation of new habitats and connection of existing areas to create an ecological network that is identified within the East Devon District Council Local Biodiversity Plan;
- 5) Progress towards delivering the Biodiversity Action Plan targets and Local Nature Reserve Strategy;
- 6) Conservation and enhancement of Sites of Special Scientific Interest (SSSI) in accordance with the Wildlife and Countryside Act. and other statutory and non-statutory nature conservation and wildlife sites and areas of value;

7) Making use of and protecting from development areas that are vulnerable to surface water runoff and flooding.

8) Working in partnership with neighbouring authorities to implement a consistent and strategic approach to the protection and enhancement of the highest tier of wildlife sites.

New development will incorporate open space and high quality landscaping to provide attractive and desirable natural and built environments for new occupants and wildlife. It will contribute to a network of green spaces and ensure potential adverse impacts on the Exe Estuary and East Devon Pebblebed Heaths European wildlife sites are appropriately mitigated against. Where there is no conflict with biodiversity interests, the enjoyment and use of the natural environment will be encouraged and all proposals should seek to encourage public access to the countryside.

14 Sidmouth our vision for Sidmouth is one of:

Seeking to accommodate modest employment and limited housing growth to meet locally generated needs with the objective of retaining and consolidating the existing qualities and character of the town. The historic character of Sidmouth will be conserved and enhanced with sensitive redevelopment adding to the commercial vibrancy of the town. Park and ride provision will offer potential for management of traffic in the town. Provision will be made for improved existing employment sites and a new employment site or sites.

Sidmouth Now

14.1 Sidmouth originated as a small coastal fishing community and developed into a fashionable resort. Today it is nationally renowned as a Regency seaside town of exceptional charm, character and architectural value. The architectural and historic qualities justify large parts of the town being designated as Conservation Areas. The Esplanade and sea front areas are amongst the most attractive parts of the town and help to define its special charm and character. As well as its built heritage the town is notable for its exceptional environmental qualities. Attractive hilly and mixed arable and wooded countryside falling in the East Devon Area of Outstanding Natural Beauty abuts the Eastern, northern and Western sides of the town. The Byes is an important open parkland area that runs through the town alongside the River Sid down to the sea. Sidmouth is designated as a "Gateway Town" for the Dorset and East Devon Coast World Heritage Site which offers potential opportunities for sustainable tourism.

14.2 The Parish of Sidmouth has a population of around 14,106⁵⁶ residents most of whom live in the town. The population is swelled by a year round tourist population that peaks during the annual Sidmouth Festival in August. The town has an elderly population profile and is a very popular retirement destination but it does also have all round family appeal. Sidmouth supports a very wide range of facilities and is a commercially vibrant town with many independent and successful shops, bars and cafés. The town centre acts as a focal point for residents and visitors alike and also for people from surrounding areas and those employed in the town.

Sidmouth: The Future

14.3 We will conserve and enhance the overall quality and appeal of Sidmouth by:

- a) Meeting Sidmouth's housing needs through redevelopment opportunities within the town to accommodate 150 homes.
- b) Promoting opportunities for further development of high quality tourism in Sidmouth especially in respect of shoulder seasons and out of season visitor appeal.
- c) Improving sporting, cultural and community facilities to serve Sidmouth and the surrounding rural area by seeking new facilities or enhancements to existing facilities in parallel with other developments.
- d) Promote a mixed use redevelopment of the East End and Drill Hall site on the Esplanade.

- e) Promote an upgrading of or new access into the Alexandria Industrial Estate and a new employment site on the Northern edge of Sidmouth⁵⁷. Employment provision will help promote the commercial vitality of the town.
- f) Conserving and enhancing the built environment and historic qualities of Sidmouth, especially in the town centre and Seafront and continue to promote these as assets for visitors to the town and key resources for residents.
- g) Conserving and enhancing the special qualities of the Byes and promote footpath and pedestrian links. We will promote opportunities for sensitively planned, located and improved recreation provision.
- h) Working with partners we will seek to reduce the adverse impacts of traffic on the town centre, opening up potential for further pedestrianisation and promoting access into the town through "park and ride" (and park and change) proposals.
- i) We will seek to manage the impact of coastal change through designation of a 'Coastal Change Management Area'.

Access to Alexandria Industrial Estate in Sidmouth

14.4 Industrial traffic to and from the Alexandria Industrial Estate uses the residential Alexandria Road and Pathwhorlands and the latter road is narrow and without footways. An access road from Bulverton Road (B3176) into the estate would relieve these roads of industrial traffic and provide a safer access such an initiative would be supported by the Council.

Strategy 26 - Development at Sidmouth

The approach for Sidmouth will see limited housing development within the existing Built-up Area Boundary. Commercial development will be focused on complementing the high quality of the town and its importance as a year round tourism destination. Job opportunities will also be provided through the allocation of additional employment land. Proposals for development in Sidmouth should be consistent with the strategy which is to:

1. **New Homes** – allocate land to accommodate new homes to be provided on sites within the existing Built-up Area Boundary with a small, 50 home allowance, made for future windfall completions).
2. **Jobs** - provision of up to 5 hectares of additional employment land, with a particular onus on B1 space (with any retail "ancillary to primary use of each unit".). Land is allocated north of Sidford (Site 041A / 041B). This will be developed in 2 phases, the first of 3 hectares in the Southern part of the site (041B), and the second phase of 2 hectares in the Northern part of the site (041A) after the 5 year review of the Local Plan. The second phase will not be allowed to go ahead until after the 5 year review and only if the Southern part of the site has been fully developed and at least 90% occupied for employment uses first. If the first phase has not been developed by the first plan review, then the employment allocation for Sidmouth should be re-examined. Furthermore, the employment site must be subject to the highest design and landscaping standards with extensive planting and wide buffers around existing homes to minimise any amenity impacts. The proposed employment site will need to contribute a section towards the Sidmouth to Sidbury cycle route.
3. **Town Centre** - enhancement of the environment and promotion of business opportunities in the town centre,
4. **Social and Community Facilities** – facilities (to include schools) to match future development and new housing,
5. **Infrastructure** - better management of road space in the town centre to alleviate congestion, and park and change provision to incorporate car parking provision accessible to local bus routes and services.

6 Environment – Sidmouth’s outstanding natural environment is a key asset and conservation, enhancement and sensitive management of the landscape, heritage and wildlife of the area is critical.

Further land Allocations at Sidmouth – as part of the delivery mechanism sites are allocated and shown on the Proposals Map for development:

a) **Land at Current Council Office Site** – Land for residential use is allocated for 50 homes, site ED02A.

b) **Land at Current Manstone Depot** – Land for residential use is allocated for 20 homes, site ED01).

c) **Land at Port Royal Site** – Land for residential use is allocated for 30 homes (site ED03 (this site will incorporate mixed use redevelopment to include housing and community, commercial, recreation and other uses).

d) **Land at Alexandria Industrial Estate** – Land for employment use of 0.5 hectares, sites 001A and 001B.

16.2 Local communities have the opportunity to influence directly the planning decisions that affect them. In addition to making and commenting upon planning applications, many communities have produced local guidance and position statements in the form of Parish Plans, Design Statements and Local Appraisals which can inform decision making. Housing and employment needs assessments can also help to establish the level of development appropriate to a particular settlement, whilst a facilities and services audit can identify any shortfalls in provision. Provided such documents are representative and have a high degree of community support they can be very valuable in guiding future development and in ensuring that adequate supporting infrastructure is provided. The work that neighbourhoods and people have done in the past and will do in the future will be key to achieving the objectives of 'localism' and local decision-making, which are at the core of the Government's thinking and agenda.

16.3 We will consult and engage residents so that we can understand what is special to them about the places that they live in and the need for further maintenance, control, or development so that local people feel that they can be influential in the way developments are managed. This will avoid losing what is special about individual communities.

16.5 The East Devon Economic policies are designed to ensure:

a) The delivery of a wide range and type of employment land for potential investors. Care will be taken to avoid over provision where this might inhibit successful market delivery and local wealth and job creation.

b) The growth potential of existing local small and medium sized businesses is supported by encouraging the market delivery of suitable and accessible accommodation not only in the District’s coastal and market towns, but also in association with rural housing development.

c) That local agriculture and land based enterprise is enabled to respond successfully to changing market and environmental conditions and to sustain its pivotal role in the maintenance of the District’s outstanding natural landscapes.

d) That the District’s visitor economy adapts successfully to the changing requirements of holiday makers, leisure, business and other visitors. The renewal and improvement of the District’s stock of visitor accommodation will be encouraged as will investment in the maintenance and enhancement of local visitor attractions. Every effort will be made to maintain East Devon’s position as a high quality, year round visitor destination.

e) That residents and employers have access to skills training and development facilities that reflect their needs and the changing requirements of local businesses.

f) Young people have opportunities to secure good jobs, training and education.

16.6 The promotion of employment opportunities in East Devon will seek to retain young graduates through development of knowledge based businesses. Currently only 5% of East Devon's economic structure is represented by those employed in knowledge based sectors in comparison to 18% in Exeter and nationally. To secure a better paid more diverse local economy East Devon needs to secure and promote job opportunities in higher skilled, knowledge based industries.

16.7 The District Council recognises the need to provide a better match between education, skills training and the needs of existing and future employers. To facilitate the improvement of the local skill base there is a need to work with local colleges and secondary schools to identify and plan for the skills need of local and incoming businesses. Devon County Council will be consulted on residential applications over 10 dwellings regarding the provision of extra school places/education contributions through planning obligations.

Strategy 29 - Promoting Opportunities for Young People

Support will be provided for initiatives that promote enhanced opportunities for access to further education, housing suitable for first time buyers and training/apprenticeships posts for young people. Largescale major development proposals will be encouraged to incorporate measures to promote these outcomes/initiatives.

16.8 To secure more and better paid jobs for residents of East Devon it is seen as essential that we secure inward investment into the District and have better connections, in both traditional transportation terms and electronic media terms. In addition it is important that local residents (including young people and people who are disadvantaged in the labour market) and local businesses are fully able to benefit from the opportunities fostered through this plan and other initiatives. This extends through involvement in the construction phases of large scale developments, particularly in the 'west end', to being able to benefit from continuing contracts, end user and employment opportunities. Work undertaken by Roger Tym and Partners on behalf of the Exeter and Heart of Devon Employment and Skills Board (New Growth Point Employment and Skills Project)⁶³ identifies that Section 106 Agreements are powerful tools for delivering local employment linked to new developments.

Strategy 30 – Inward Investment, Communication Links and Local Benefits

Support will be given to promoting inward investment by businesses and service providers and to improvements of both transport links and electronic media links. The Council will seek to secure opportunities for local residents (including young people and people who are disadvantaged in the labour market) and local businesses to benefit from employment and procurement associated with largescale major developments and investment through a targeted recruitment, training and supply chain agreement with the developers. This may form part of a planning agreement.

16.9 To help new businesses there is a need to provide start-up business space. This will improve business survival rates by providing suitable accommodation and will help to integrate support and advice and make practical use of the Business Information Point (BIP) and other business providers.

16.10 Working with local stakeholders to understand and plan for the needs of small and medium sized businesses will aid the facilitation of business growth in the District. It will encourage businesses, through associations of business, local Chambers of Commerce and associations of small businesses to have their voice heard in the development of planning policy and to provide practical help to their members.

Encourage Mixed-Use Development Incorporating Employment

16.11 In the past, too much residential development has occurred without thought being given to where people will work. A consequence has been that often people will need to

commute longer distances to jobs and few people can walk or cycle to jobs unless close to their homes. This is particularly true in towns where substantial residential and employment estates have been permitted as entirely separate and distinctly self-contained entities and in rural areas where little, if any, employment land has been provided despite many small residential developments being constructed.

16.13 To help to secure local job provision we will seek to provide a new job for each new home, we will promote mixed use developments and we will encourage the provision of employment uses close to existing areas of housing. Housing strategy and policy in the plan inform on where residential development will occur and this helps inform a pattern for future projected job growth. The provision of sufficient employment land close to where people live will be done on a plan, monitor, manage basis.

Strategy 31 - Future Job and Employment Land Provision

Employment provision can potentially achieve greater education and skills development for the population of East Devon, particularly through work-based training opportunities. In order to secure local job provision we will promote mixed use developments and provision of employment uses close to where people live. Appropriate, sustainable, mixed use schemes of all scales incorporating housing and employment will be encouraged across the district. All large scale major housing developments (or parts/phases of any large scale major development) should be accompanied by employment provision to provide around:

1. One job for each new home built.
2. Around 1 hectare of employment land for each 250 homes proposed.

As part of any proposal for development of employment land evidence will be taken into account on suitability of existing available and unused or underused employment sites and the ability of these to meet the needs for proposed development.

On development between 50-199 units, applicants will be encouraged to make provision of 'live/work' units at 10% of the total units to be constructed and we will encourage the 'work' element to be appropriately secured by condition or S106 Agreement.

In the villages we may allocate mixed use development sites and encourage the provision of a range of employment types.

On smaller developments, provision for home working will be encouraged in individual dwellings.

Resisting the Loss of Employment Land and Social and Community Facilities

16.14 Proposals, particularly for residential development, may be received which would mean the loss of an employment use of a site or of a social or community facility. Without restrictive policies aimed at preventing the loss of sites and facilities it is likely that loss to other uses would increasingly undermine the employment base and job opportunities in East Devon.

Strategy 32 - Resisting Loss of Employment, Retail and Community Sites and Buildings

In order to ensure that local communities remain vibrant and viable and are able to meet the needs of residents we will resist the loss of employment, retail and community uses. This will include facilities such as buildings and spaces used by or for job generating uses and community and social gathering purposes, such as pubs, shops and Post Offices.

Permission will not be granted for the change of use of current or allocated employment land and premises or social or community facilities, where it would harm social or community gathering and/or business and employment opportunities in the area, unless:

1. Continued use (or new use on a specifically allocated site) would significantly harm the quality of a locality whether through traffic, amenity, environmental or other associated problems; or

2. The new use would safeguard a listed building where current uses are detrimental to it and where it would otherwise not be afforded protection; or
3. Options for retention of the site or premises for its current or similar use have been fully explored without success for at least 12 months (and up to 2 years depending on market conditions) and there is a clear demonstration of surplus supply of land or provision in a locality; or
4. The proposed use would result in the provision or restoration of retail (Class A1) facilities in a settlement otherwise bereft of shops. Such facilities should be commensurate with the needs of the settlement.

Employment uses include those falling into Class B of the Use Classes Order or similar uses classified under planning legislation as 'Sui Generis' uses. Redundant petrol filling stations and associated garage facilities will fall within the scope of this policy as do public and community uses and main town centre uses and other uses that directly provide jobs or employment, community meeting space or serve a community or social function.

Promoting the Commercial Prosperity and Vibrancy of our Town Centres

16.16 The main East Devon towns are commercially vibrant centres offering employment, community activity, transport links and shops. The town centres serve not just their immediate residents, but also support the surrounding rural hinterland and in some cases they form a major destination in their own right, notably Honiton in respect of antiques. The new market town of Cranbrook will also develop into this service centre role. Retail policy throughout the plan has been informed by a retail study produced for the Council by GVA Grimley in 2008⁶⁴ and updated in 2011⁶⁵.

16.17 Significant loss of retail and business activity from town centres, to other uses, could threaten the vitality and viability of towns. Accommodating new commercial and retail uses in towns, especially for uses that attract large numbers of people, should be encouraged. Failure to promote the retail and business opportunities in towns may result in loss of shoppers, visitors and business in general, to competing centres beyond East Devon. A better understanding of the dynamics of town centres will assist these areas in becoming viable and active places to shop and visit. By undertaking a 'health check' of town centres a record of unit vacancies can be identified and management solutions developed.

16.18 Activities and uses which contribute to the vibrancy, vitality and viability of town centres will be encouraged, whilst their loss will be resisted. Retail activity not easily accommodated in town centres, such as for bulky goods, will be encouraged to locate as close to town centres as possible.

Tourism in East Devon

16.19 Tourism is a key sector in the East Devon economy. The coastal towns of East Devon form one of the focal points for tourism but the draw to visitors extends beyond these resorts into the stunning coastline between them, the wonderful countryside and the picture postcard villages that East Devon has to offer. The Local Plan will support tourism throughout the District with the onus on encouraging high quality attractions, facilities and tourist accommodation. Tourism development will be encouraged, particularly where it enhances and capitalises on the geology, wildlife, coastline, countryside, historic environment and other assets that are unique to the District.

16.20 Tourism and the visitor economy is an important contributor to vitality and vibrancy of the District's coastal and market towns and of our rural communities. It is estimated that during 2008, staying visitors (2,857,000 visitor nights) spent some £132 million during their time in East Devon with day visitors (2,486,000 day visits) spending a further £110 million. This expenditure is key driver of local economic activity and sustains more than 7,000 jobs. Planning policy in the period to 2031 will seek to maintain and enhance the District's visitor appeal by:

a) Supporting East Devon's hospitality businesses as they respond to the challenges of a changing visitor market.

b) Reinforcing the District's image as a destination of high environmental quality with a strong focus on customer care.

c) Working in partnership with East Devon's tourism industry to promote the District as a year round destination.

16.21 Short breaks and activity breaks have grown substantially over recent years. The selection of water based activities and natural landscapes are a significant factor in this trend. However long holidays have declined in popularity over recent years and although families still make up the majority of the tourism market fewer families are now visiting.

16.22 Local Plan policies will seek to promote and enhance the District's tourism offer through the retention and enhancement of its accommodation stock while, at the same time, encouraging investment in new high quality visitor accommodation in sustainable locations. The policies also provide for the creation of new visitor attraction businesses where these can successfully complement the high quality environment of the District.

16.23 The promotion of a year round tourist industry in East Devon is important to maintain a vibrant visitor and business environment for the District. Tourism can help initiate regeneration of settlements and provide an environment for enterprise and innovation. The marketing of East Devon and its tourism assets through information technology is important as this will enable visitors to access information before and during their stay.

Strategy 33 - Promotion of Tourism in East Devon

The Council will support and facilitate high quality tourism in East Devon that promotes a year-round industry that is responsive to changing visitor demands. Tourism growth should be sustainable and should not damage the natural assets of the District but aim to attract new tourism related businesses that can complement the high quality environment of East Devon.

Affordable Homes

16.24 The majority of households in East Devon (around 80%) live in homes owned outright or being purchased by the occupants. Around 10% of homes are rented from private landlords and around 10% are classified as social rented homes, mostly Council owned but with some owned by Housing Associations. This last 10% makes up most of the 'affordable housing' stock of East Devon: There are though some affordable homes that fall into what is termed the 'intermediate sector'. Social rented homes have a regulated rent to ensure their affordability. Intermediate affordable housing can come in a variety of forms with the most common being where the home is part-owned by the occupant purchased at an open market value and the remainder being rented at a subsidised level.

16.25 Lack of affordable housing is a critical issue in East Devon and in order to retain younger people in our neighbourhoods and communities, as well as housing others in need, we need more affordable homes. A fundamental challenge is that affordable homes are expensive to build and typically do not generate a financial return on investment as most registered social landlords cannot pay full market prices for new homes. In most cases they require some form of subsidy or market intervention in order to be built. There is a diminishing pot of public subsidy to pay for affordable homes and increasingly the onus will need to rest on private sector developers subsidising and bringing forward provision or on other innovative solutions being found. Community self build schemes supported by Housing Associations and others, for example Community Land Trusts, can make a contribution to affordable housing and will be welcomed on sites that meet the policies of this plan.

16.26 Our preference is for affordable housing to be provided on site, but where this is not possible an off-site affordable housing contribution calculator will be used as a starting point for negotiation. Our policies have been developed in light of a Strategic Housing Viability Assessment⁶⁶ that shows that the general approach will not undermine viability and inhibit the delivery of new housing. However, the viability of individual sites can be affected by a range of site/development specific factors and the policy allows for such circumstances to be taken into account where the assessment process is completely transparent and where there is full financial disclosure by all stakeholders.

Strategy 34 - District Wide Affordable Housing Provision Targets

Affordable housing will be required on residential developments in East Devon as follows.

Within the areas defined below a target of 25% of the dwellings shall be affordable :

- a) Axminster;**
- b) Exmouth;**
- c) Honiton;**
- d) Ottery St Mary;**
- e) Seaton; and**
- f) Major strategic 'West End' development sites.**

Under this policy:

1 the towns listed above are defined by the area within the Built-up Area Boundary

2 the major strategic West End development sites to which policy will apply are

- a) Cranbrook,
- b) adjacent to Pinhoe and
- c) North of Blackhorse

as shown on the West End inset map (to the Proposals Plan)

Areas to which higher (50%) affordable housing targets apply: Outside of the areas listed above (i.e. all other parts of East Devon including all settlements not listed, coastal and rural areas and Budleigh Salterton and Sidmouth) 50% of the dwellings shall be affordable subject to viability considerations. The 50% figure applies to all areas that do not come under the 25% classification and which are permitted under Strategy 35 'Exceptions' policy.

Where a proposal does not meet the above targets it will be necessary to submit evidence to demonstrate why provision is not viable or otherwise appropriate. An overage clause will be sought in respect of future profits and affordable housing provision, where levels of affordable housing fall below policy targets.

Looking across the lifespan of the plan an affordable housing policy provision target of 70% social or affordable rent accommodation and 30% intermediate or other affordable housing is sought. However in periods of depressed markets an alternative negotiated mix to reflect viability considerations and help deliver schemes will be acceptable. The District Council will consider issues of development viability and housing mix including additional costs associated with the development of brownfield sites, mitigation of contamination and the provision of significant community benefits provided the assessment process is completely transparent and there is full financial disclosure by stakeholders.

The thresholds at which this policy shall apply will be the minimum set out in Government policy or guidance (including any lower thresholds which Local Planning Authorities have the discretion to establish) subject to an up to date Council viability assessment showing that these thresholds can be justified. Where there is no applicable Government Policy or Guidance there will be no minimum size threshold at which affordable housing will be sought, subject to there being up to date strategic evidence that the general delivery of housing would not be significantly undermined.

Affordable housing shall be provided on site unless it is exempted through Government Policy or Guidance, is not mathematically possible or where off site provision of equivalent value is justified by circumstances such as no registered provider being willing to manage the new affordable units or other planning reasons. In such cases a payment towards an off site

contribution will be required in lieu of on site provision. On any development site affordable housing should be 'pepper-potted' or dispersed throughout the scheme.

Schemes for Exceptions Mixed Market and Affordable Homes in Rural Areas

16.27 To assist with securing affordable housing provision the District Council will continue to take initiatives aimed at securing affordable housing by permitting development in locations where ordinarily, residential development would not be acceptable (notably outside Built-up Area Boundaries. For such land to be released, however, rigorous stipulations will be applied to avoid prejudicing the environmental conservation policies of the plan. Development of such sites will not be regarded as creating a precedent for future expansion to meet other housing needs.

16.28 To help provide for affordable housing, recognising that there can be a need to generate money to subsidise provision, mixed affordable/open market schemes will be permitted in rural areas where there is an identified need and new residents will be able to access facilities. Policy sets out the criteria for such schemes where they are located adjacent to, but outside, settlements with a range of facilities and services to meet the everyday needs of local residents. Preference will be given to locating new housing at settlements with Built-up Area Boundaries but this will not be possible for all the Parish groupings below and this policy may apply to settlements without a Built-up Area Boundary that meet the criteria set. In some instances due to the need to protect an important historic, landscape or nature feature, sites not immediately adjacent but physically well-related and within easy walking distance will be considered. All sites will need to be close to a range of facilities and meet a proven local need. Such schemes will be required to contribute towards community facilities and infrastructure to the same extent as other market residential development. Up to 15 houses may be built under this policy and the affordable housing must account for at least 66% of all the houses built, but the percentage can be higher (up to 100% affordable).

Parish Groupings for Affordable Housing

16.29 For affordable housing in rural areas account will be taken of the specific need within the Parish in which the application land is sited and in addition regard will also be paid to need in surrounding Parishes. The grouping of geographic parishes will be used for assessing housing needs is as follows:

Single Parishes

- a) Colyton.
- b) Exmouth.
- c) Honiton.
- d) Newton Poppleford & Harpford.
- e) Seaton.
- f) Sidmouth.

Strategy 35 – Exception Mixed Market and Affordable Housing At Villages, Small Towns and Outside Built-up Area Boundaries

Exception site mixed affordable and open market housing schemes, at villages and outside of Built-up Area Boundaries, for up to or around 15 dwellings will be allowed where there is a proven local need demonstrated through an up to date robust housing needs survey.

Affordable housing must account for at least 66% of the houses built.

For:

- a) Villages WITH a Built-up Area Boundary the scheme must be abutting or physically closely related to that boundary; or
- b) Villages WITHOUT a Built-up Area Boundary the scheme should be physically very well related to the built form of the village.

To be permitted evidence will need to show

1. The affordable housing need in any given locality would not otherwise be met, and
2. The village or small town has a population that falls below 3,000 persons, the scheme is well designed using local materials, close to a range of community services and facilities

(including four or more of a school, pub, village hall, shop/post office, doctors surgery, place of worship or public transport service) and sympathetic to the character of the settlement and has a satisfactory highway access.

3. Initial and subsequent occupancy of the affordable housing is restricted to a person(s) who:

- a) Does not have access to general market housing and is in housing need; and
- b) Is a resident of that Parish group, or has a local connection with that parish group because of family ties or a need to be near their workplace.

In the event that an occupier who fulfils both criterion (a) or (b) cannot be found within a reasonable period of time, then the criterion will be widened firstly to a person(s) with a local connection to the parish group because of family ties or a need to be near their workplace, and subsequently to a person(s) with an East Devon connection.

In this policy, local connection means one or more of the following connections in priority order in respect of parishes or the parish grouping:

- i) persons who have been permanently resident therein for a continuous period of three years out of the five years immediately prior to the Affordable Dwelling being offered to them; or
- ii) being formerly permanently resident therein for a continuous period of five years at some time in the past;
- iii) having his or her place of permanent work (normally regarded as 16 hours or more a week and not including seasonal employment) therein for a continuous period of at least twelve (12) months immediately prior to being offered the Affordable Dwelling; or
- iv) persons who can demonstrate a close family connection to the District in that the person's mother, father, son, daughter or sibling has been permanently resident therein for a continuous period of five years immediately prior to the Affordable Dwelling being offered to them and where there is independent evidence of a caring dependency relationship.

Self Build Housing Schemes

16.30 The contribution of self build plots to the supply of new housing is recognised and contributes to the range of homes available. A significant proportion of planning permissions for housing in East Devon are on individual plots, which are likely to be available to those wishing to build/have their own house built. Developers of larger sites will be encouraged to set aside a proportion of plots for sale to individuals or groups wishing to build their own homes (Policy H2 of the Development Management policies).

Accessible and Adaptable Homes and Housing for the Elderly and Disabled

16.31 East Devon has many elderly people and numbers will continue to increase. As people grow older and mobility decreases or other ailments affect them their homes may no longer be suited for their needs and might require adaptation. Disabilities in younger people can also affect mobility or require adaptations to assist living. In order to ensure that we provide homes for all people in our communities it is important to ensure that a range of housing types are provided as part of all major applications, including single storey dwellings, houses adapted for independent disabled living and sheltered accommodation⁶⁷.

16.32 In rural areas a lack of houses to meet the needs of all age groups is leading to a situation where some residents occupy unsuitable homes. Elderly single residents may live in large family houses which they are unable to maintain, afford or access upstairs, whilst there is a shortage of family homes. This may force residents to move away to towns where suitable accommodation exists but where residents are isolated from their friends and families.

16.33 It is proposed that the Local Plan will require all significant developments to make provision for a changing population. This will occur through a specific policy requirement to build dwelling homes to Accessible and Adaptable dwelling standards (as set out in Part M(2) of the Building Regulations or any comparable update nationally set. The approach follows the detailed considerations of the Strategic Housing Market Assessment on demographic pressures and the needs and preferences of local residents. Enabling people to remain in their own home and building in the potential for future simple adaptations is considered a major

initiative to ensure quality of life of residents of all ages and mobility. The Council will consult with health and social care services on larger planning applications and/or those that could have service provision implications.

Strategy 36 - Accessible and Adaptable Homes and Care/Extra Care Homes

Accessible and Adaptable Homes

On residential development schemes for 10 dwellings or more developers should demonstrate that all of the affordable housing and around 20% of market units will meet part M4(2) of the Building Regulations, Category 2: accessible and adaptable dwellings (or any comparable updated nationally set standards) unless viability evidence indicates it is not possible.

Where there are elderly population levels in a settlement that substantially exceed East Devon average levels, for any housing planning application in that settlement the council will seek to negotiate a greater proportion and/or a lower threshold for accessible and adaptable dwellings (or any comparable updated nationally set standards) unless viability evidence indicates it is not possible. The expectation is that the majority of units would be of two bedrooms or more.

Care/Extra Care Homes and Other Forms of Specialist Older Person's Housing

We will aim to secure Care and Extra Care homes in all of our Towns and Larger Villages in line with provision of:

- a) 150 Care/Extra Care Home Spaces at Exmouth;
- b) 50 Care/Extra Care Home Spaces at Axminster, Honiton, Sidmouth, Seaton and Ottery St Mary; and
- c) 10 (or more) at larger settlements with a range of facilities that have easy accessibility to a GP surgery.

Care/Extra Care home proposals will be acceptable on sites allocated for residential development (or which include residential uses as part of an allocation, though in such cases provision should be 'off-set' against the residential element/land). Proposals for specialist housing should be accompanied by a Care Needs Assessment which justifies the proposal's scale, tenure and accommodation type. Where such provision is proposed on an allocated housing site the actual need for provision should also be established. The Council will take account of financial viability considerations, and overall contributions for affordable housing, where older person housing is proposed on

Community Facilities

16.35 Community Facilities are at the heart of every town and village in the District and provide for the health and wellbeing, social, educational, spiritual, recreational, leisure and cultural needs of the community. They vary enormously but most offer meeting places hosting numerous social, cultural and other activities and space for sport and recreation, usually run and financed by the local community. Many settlements also offer a school and in some cases a library and medical facilities which tend to be funded through the County Council education and health authorities. Many residents use these facilities on a daily basis and for some, particularly the elderly, young and those without transport in the rural areas, they are an essential lifeline. Parish Plans and other community-produced documents consistently identify the retention of existing community facilities and the provision of additional ones as key issues, highlighting just how crucial they are to residents' lives.

16.36 We need to make sure that community facilities, especially village halls, schools, public transport and the facilities which are used on a daily basis, remain viable and that additional facilities accompany new development. Local communities must be involved in the way their homes and neighbourhoods are maintained or developed. We need to reduce the number of people who feel marginalised by their own communities or who find it difficult to access the services and facilities that they require. There are two main issues relating to community facilities:

- a) Providing new facilities, particularly in those areas where new development will add extra pressure or where there are already shortfalls.
- b) Resisting the loss of facilities where they do already exist.

16.37 The planning system aims to co-ordinate new development with the infrastructure it requires. Depending on the scale of new development, community facilities are provided by the developer as an integral feature of new areas of housing, or financial contributions are sought towards facilities elsewhere in the settlement. Developers cannot be expected to make up for an existing lack of facilities though, only to provide for the demand generated by their new development.

16.38 Some places have a shortage of community facilities but in others the existing buildings are in such a poor state of repair or are so physically constrained that improvement or extension is not viable. Lack of facilities is worsened by the loss of facilities in some settlements, for example where buildings and land are sold for higher value use particularly to residential development. This is compounded by high land values within settlements that make it difficult to purchase sites for relatively 'low value' community use. We will seek to resist the loss of any facilities where their loss would leave a local community without similar alternative provision.

16.39 Sharing buildings with other community groups can help to reduce costs. It is acknowledged that many community halls are so successful that they are already at capacity. Regular use by paying organisations for example post office, cyber-cafe, health visitor, play group, health facilities for the elderly can also reduce costs. Educational buildings have been shared successfully for a number of years, particularly by the District's Community Colleges, where the school has priority use of buildings and facilities but the community has access to them at agreed times. This makes an important contribution to recreation and education provision and reduces building and operational expenses. It also reinforces the importance of a school within the local community and encourages lifelong learning. To date, school libraries, halls, places of worship and sports facilities have been successfully shared with many schools offering evening and weekend vocational and non-vocational classes. There may be scope in some communities to increase access to private sports and recreation facilities by the public.

16.40 Some settlements have no centrally located sites which would be suitable for new community facilities, either due to lack of space or because alternative land uses will drive land purchase costs out of the community's reach. In some cases a house or other local building has been used on a temporary basis to prove that the perceived demand actually exists and to secure funding for a permanent building. In most cases though, edge of settlement sites might be considered suitable, and more affordable as they would not be designated for higher value development, whilst still being accessible to the local community. We will continue to promote the development of new community facilities whilst resisting the loss of existing facilities.

Education and Health

16.41 Education and health facilities are key to vibrant, self-contained communities and play a vital role in reducing social isolation, reducing the need to travel and improving quality of life. The District Council is not responsible for providing education or health care which are usually the responsibility of the Local Education Authority and the Local Health Authority respectively but financial contributions can be sought from developers where new development will place additional demand on their services. Health care and education will be integrated into large new developments at the planning stage. Devon County Council has produced an Education Infrastructure Plan that sets out strategy and policy for future education provision.

16.42 Many settlements in the District offer primary school education usually easily accessible by walking and cycling, reducing travel by private car. The education authority has a presumption against closing schools unless on education grounds. We are concerned that the ageing population trends in the District will reduce the numbers of young people attending schools and some, particularly the smaller, more rural primary schools, may be forced to close as pupil numbers become unsustainably low. In these settlements some additional

housing may help to maintain school numbers and support the retention of these schools. Sharing of school facilities, for instance by the local community outside school hours, can reduce overheads and generate additional income. Devon County Council advise that in the short term (to 2016) anticipated secondary school pupil numbers will fall but after this point they should rise. The potential exists for existing schools to have Academy status and new free schools may be established.

16.43 Secondary and sixth form education is available through community colleges in most towns across the District and a school bus network can reduce private car reliance by pupils travelling in from outlying areas. Falling pupil numbers in the short term (until 2016) may reduce the existing pressure on some secondary schools but they are expected to increase later in the decade. Higher Education is lacking in the District, since the closure of Rolle College in Exmouth, and residents travel outside the District or study by correspondence course to obtain higher qualifications. Bicton College still plays an important role in Further Education provision in countryside management and rural studies, with a strong emphasis on vocational training. Expansion of the services offered by Bicton will be encouraged and supported. Most of our secondary schools also offer courses to all age groups in a range of skills and subjects and can be instrumental in training local people for good quality jobs and apprenticeships.

16.44 There are GP surgeries and other health care professions such as dentists and opticians and alternative therapy practitioners in all towns across the District and accessing such facilities is straightforward for most residents. Most towns also have a small community hospital offering in and outpatient treatment and the opportunity to be seen by visiting specialists. This reduces the need to travel outside the District for health care and, as the elderly and disabled residents are both the greatest users of health care services and the least mobile, also reduces the stress and expense associated with appointments. As the population of East Devon ages and health care provision reaches capacity additional provision will have to be made. Some communities like Exmouth will have ambitions not only to retain existing facilities, but also to enhance health facilities. The Council will work with service providers to assist communities achieve such aspirations.

16.45 In rural areas health care provision is far more difficult to access with irregular public transport and few, if any, local surgeries or other care. Additional development in the villages is unlikely to achieve sufficient numbers to justify permanent provision of a surgery or dentist but there is scope for a mobile service to visit small towns and large villages on a regular basis. Private pharmacies will collect and deliver prescription medicines upon request meaning that regular prescriptions can be obtained without travelling. We will retain and continue to use East Devon Local Plan policies as a means to promote the development of new education and health care facilities whilst resisting the loss of existing facilities.

16.46 Many car users could easily walk or cycle short distances and benefit from the associated health benefits and financial savings, but lack of pavements and traffic calming measures are often cited as reasons not to do so. Provision of safe footpath and cycle path routes will be an intrinsic planning consideration in larger applications and smaller developments may be required to contribute towards nearby schemes.

16.48 The towns of the District are much better served by public transport than the rural areas, with Axminster, Honiton and Exmouth having railway stations with direct links to Exeter and all towns benefiting from frequent daily bus services. There are many local initiatives, such as hopper buses and ring-and-ride services, which are well used by residents but all the main towns have identified a need for park and ride schemes to reduce town centre congestion and demand for car parking. The Local Plan will support such schemes where it can be demonstrated that there is sufficient demand and that they will be viable.

16.49 As technology progresses there will be scope to include innovations which will make transport based on renewable energy and producing low carbon emissions more readily

available to the public. An example of this is the recent increase in electric car usage. Charging points for electric vehicles should be made available in new developments throughout the District to ensure that those residents and visitors who wish to use them can easily do so.

Safe Communities and minimising crime

16.50 In designing new development we will ensure that measures are taken to reduce the likelihood of crime and increase personal safety, for instance through lighting, overlooking of shared public spaces and deterrent planting.

16.51 We want to ensure that all of our communities are safe and cohesive, provide access for all and are designed to ensure community safety. We will provide and support measures and initiatives that strengthen the quality of life for new and existing residents of the district.

Strategy 37 - Community Safety

Through the East and Mid Devon Community Safety Partnership the Council will work to reduce crime and the fear of crime in the District. The Council will encourage new development that has been designed to minimise potential for criminal activity and incorporates the principles of 'Secured by Design' and will support development proposals aimed specifically at improving community safety.

17.2 all new development will be required to be "low carbon".

17.3 As demand for fossil fuel energy grows, energy prices are rising. This threatens the security of energy supply as well as increasing the likelihood of fuel poverty. An important means of mitigating this risk is by reducing the demand for energy from new and existing development through improved efficiency measures.

17.4 There is strong evidence that the climate is changing⁶⁹. The outcome for East Devon is predicted to be increases in summer temperatures, greater fluctuations in weather, uncertainty surrounding rainfall trends and an increased risk of flooding. These have the potential to increase risks to health and comfort, cause damage to buildings and infrastructure and increase building energy consumption from cooling. It is important that new development responds to these risks.

17.5 In addressing climate change and energy security the planning process can not only mitigate against the risks but can help to turn them into opportunities for local businesses, giving East Devon a competitive advantage and helping it to prosper in the future. The implementation of planning policy at a local level is crucial to deliver the radical reductions in energy demand and greenhouse gas emissions required to support the national transition to a Low Carbon Economy. The scope of policy can cover the appropriate location and layout of new development, and provide active support for energy efficiency improvements to existing buildings and the delivery of renewable and low-carbon energy infrastructure.

17.6 All development proposals must be planned over the lifetime of the development to ensure that the maximum potential for reducing carbon emissions and minimising the risks posed by climate change are achieved. Developers must be mindful of the carbon emission standards which will be required for later stages of the build programme as decisions taken at the outset can compromise the viability of emissions reduction in latter phases. In some parts of the District it will be possible to generate energy locally at a scale which could serve the local area, for instance through a Combined Heat and Power scheme. New development should include infrastructure to enable it to be connected to such CHP schemes, whether they already exist or may be provided in the future. Where low carbon technologies are not installed new buildings should be designed for easy installation and/or adaptation at a later date.

Development that Minimises the Demand for Energy

17.7 Buildings and their associated infrastructure perform essential economic and social functions, though they result in a significant environmental burden during their construction, occupation and demolition.

17.8 The Government has established that through Part L of the Building Regulations⁷⁰, emissions allowed from new buildings will be reduced incrementally and that "zero carbon" buildings will be required within the plan period. The definition of "zero carbon" has introduced three concepts: "energy efficiency", "carbon compliance" and "allowable solutions".

17.9 Evidence suggests that in spite of increasingly strict standards at the point of build new development often fails in practice to deliver expected carbon emissions reduction. This may be due to the way in which occupants subsequently operate their buildings rather than any fault with the building process. Developers will be expected to commit to extended periods of Post Occupancy Evaluation and commissioning of building systems to demonstrate their intent to ensure that new development operates as effectively as possible and that calculated carbon reduction is realised in practice.

17.10 The broader sustainability performance of a development is most commonly measured using either the Code for Sustainable Homes (CSH) for residential development or BREEAM for non-domestic development. It is expected that these standards would be used to demonstrate the environmental performance of developments greater than 10 homes or 1,000m² for non-domestic buildings.

17.11 Recent analysis by CLG (2011)⁷¹ has shown that the most significant cost to meeting the CSH is in reducing carbon emissions. The national timetable for "zero carbon" homes is expected to require Code Level 4 energy standard from 2013 and Code Level 5 energy standard from 2016. The CLG analysis has shown that the non-energy requirements for CSH Code 4 can be achieved with minimal cost uplift for a broad range of development types. It would therefore be reasonable to expect homes from 2013 to meet Code Level 4 of the CSH. Developers may feel there is additional value in obtaining Codes 5 or 6 of the CSH from 2016 or earlier.

17.12 Proposals for well designed, sustainable buildings will be supported unless it would cause harm to a heritage asset or its setting or existing mature trees, and this would not be outweighed by the proposal's wider social, economic and environmental benefits. This will also apply in the case of refurbishment of existing development, for example regarding the fitting of external insulation to properties with solid walls. Where conflict arises, for instance by the reduction of the effectiveness of photovoltaic cells due to overshadowing by mature trees or the impact of cells on the appearance of an historic building, the trees or historic building will usually take precedence and alternative forms of technology should be considered. Similarly, in planning for the lifetime of a building or development future conflicts should be considered, for instance the impact that tree planting to the south of buildings will have on the effectiveness of solar capture in the long term.

17.13 Higher levels of building sustainability, in advance of those set out nationally, will be sought for larger scale developments such as those in the West End or other localities in the District where there is the potential for over 10 hectares of new development either housing or other buildings.

17.14 Proposed development will demonstrate how the scheme presented will minimise vulnerability and provide resilience to impacts arising from climate change. Specifically, this will include the increased risk of summertime overheating and subsequent potential requirement for artificial cooling, water stress, and flooding. Evidence shows that decentralised energy networks are viable on schemes of 200 dwellings or more ⁷².

Strategy 38 - Sustainable Design and Construction

Encouragement is given for proposals for new development and for refurbishment of, conversion or extensions to, existing buildings to demonstrate through a Design and Access Statement how:

a) sustainable design and construction methods will be incorporated, specifically, through the re-use of material derived from excavation and demolition, use of renewable energy technology, landform, layout, building orientation, massing, use of local materials and landscaping;

b) the development will be resilient to the impacts of climate change;

c) potential adverse impacts, such as noise, smell, dust, arising from developments, both during and after construction, are to be mitigated.

d) biodiversity improvements are to be incorporated. This could include measures such as integrated bat and owl boxes, native planting or green roofs.

Until the adoption of nationally prescribed standards, developments of 10 or more dwellings or 1,000m² of commercial floor space should be assessed using the CSH or BREEAM, with housing developments meeting at least CSH Level 4 from 2013 and other uses BREEAM of at least 'Very Good'.

Due to their scale, developments in the West End and developments over 4 ha or 200 dwellings elsewhere in East Devon should achieve levels of sustainability in advance of those set out nationally. The Council will wish to see homes built to Code for Sustainable Homes Level 4 and this will be a material consideration. Proposals for water harvesting and sustainable waste management will be encouraged. In building refurbishments the Council will encourage and promote the integration of renewable energy into existing buildings.

Renewable and Decentralised Energy

17.15 Whilst reducing the demand for energy through efficiency measures will be crucial to lowering carbon emissions, reducing the carbon intensity of the energy we consume will also play a critical role in helping the UK to meet its climate change targets. The Renewable Energy Directive (2009)⁷³ sets a target for the UK to achieve 15% of its energy consumption from renewable sources by 2020. As well as reducing environmental impact, renewable energy can also offer diversity and security of supply. East Devon recognises its responsibility to contribute to energy generation from renewable or low-carbon sources in the District.

17.16 The potential renewable energy resource in the District has been assessed by the Council⁷⁴. There is the potential to adopt a variety of technologies at different scales, from domestic to commercial, across the District. This ranges from a relatively modest number of commercial scale wind turbines, which could provide a quarter of all carbon savings from renewable energy, to a very large number of much smaller on-site installations such as photovoltaic panels to produce domestic electricity and hot water, and heat pumps. In accordance with Government Guidance, wind turbines will only be permitted where they are allocated; this may be through a Neighbourhood Plan or a separate Development Plan Document. The District Council will regularly review the need to produce a DPD to address the requirement for such development.

17.17 A large proportion of East Devon's land area is covered by environmental designations such as Areas of Outstanding Natural Beauty. Much of the coastline is also designated as a World Heritage Site. Once these, and other constraints such as wind resource and exclusion zones around existing houses have been accounted for, there is still the potential for some commercial scale wind generation within the District. There is also the potential for a Centralised Anaerobic Digestion plant and large photovoltaic. In planning such development regard should be had to the most up-to-date best practice guidance or advice note⁷⁵ [currently: 'Guidance on the Siting, Design and Assessment of Wind and Solar PV Developments in Devon', LUC; January 2013]. In addition, and through future work to meet

NPPF paragraph 97 the Council will “consider identifying suitable areas for renewable and low carbon energy sources and supporting infrastructure, where this would help secure the development of such sources”.

17.18 Significant weight will be given to the wider environmental, social and economic benefits of renewable or low-carbon energy projects whatever their scale. Planning permission will not be refused for a renewable energy project because local renewable energy resources have been developed.

Strategy 39 - Renewable and Low Carbon Energy Projects

Renewable or low-carbon energy projects in either domestic or commercial development will in principle be supported and encouraged subject to them following current best practice guidance and the adverse impacts on features of environmental and heritage sensitivity, including any cumulative landscape and visual impacts, being satisfactorily addressed.

Applicants will need to demonstrate that they have;

1. taken appropriate steps in considering the options in relation to location, scale and design, for firstly avoiding harm;
2. and then reducing and mitigating any unavoidable harm, to ensure an acceptable balance between harm and benefit.

Where schemes are in open countryside there will be a requirement to remove all equipment from the site and restore land to its former, or better, condition if the project ceases in the future. Wind turbines will only be permitted where they are in accordance with a Neighborhood Plan or Development Plan Document.

17.19 Analysis by the Council has shown that there is great potential for on-site renewable energy technologies. As the requirements of Part L of the Building Regulations are tightened, increasing amounts of low or zero carbon technologies will be required. Incentive schemes such as the Feed-in Tariffs and the Renewable Heat Incentive have improved the viability of small scale renewable energy. As such specific percentage targets for the proportion of energy met by renewable energy sources are not stipulated. Reducing the demand for energy through efficiency measures still remains a cost effective means of helping to meet the regulations and could help reduce the size of required renewable technology.

17.20 The presumption will be made in favour of sustainable development for community-led initiatives for renewable and low carbon energy, including developments outside such areas, being taken forward through neighbourhood planning.

17.21 New development should come forward in locations and ways which reduce greenhouse gas emissions. This means locating development close to everyday facilities and public transport. The density and mix of building types and use proposed in a development should be mindful of the energy load across the development. Higher densities and combinations that provide a balanced heat load are likely to provide greater potential for cost effective low carbon energy solutions.

17.22 District Energy Networks enable the use of large scale heat and/or electricity generation technologies to supply a number of nearby homes and businesses. Networks can vary in size from 20 homes to 2,000 homes or more. Even when using natural gas, Combined Heat and Power (CHP) systems can provide significant carbon emissions reduction. However it is important the CHP systems are designed to avoid the situation where excess heat is not used while electricity is generated. Small gas CHP systems can be viable for as few as 200 homes. On a larger scale the district energy system East of Exeter is perhaps the best example of renewable CHP in the country. Evidence shows that decentralised energy networks are viable on schemes of 200 dwellings or more ⁷⁶.

17.23 In parts of the District where there is the potential for over 4 hectares of new development (either housing or other buildings), developers will be expected to contribute to community heating, hot water and cooling systems and CHP and provide the infrastructure required as an integral part of the development. Where it is proposed not to employ such

systems, developers must demonstrate why they are not viable over the life of developments in that locality.

17.24 District energy systems rely on high numbers of users to make them viable so it is essential that, where new development is happening within reach of an existing or potential heat network, that new users connect to the system and provide infrastructure to easily enable subsequent future development to also connect to the network. While heat is not regulated in the same way as gas or electricity, heat network operators offer competitive long term contracts typically at prices slightly under those of substitute fossil fuel systems. Capital costs are similar to traditional heating systems and equipment is much more compact compared to fossil fuel alternatives.

17.25 The West End is planned to contain approximately half the proposed housing and employment space in the District. Proposed development in this locality should connect to the District Energy Network.

Strategy 40 - Decentralised Energy Networks

Decentralised Energy Networks will be developed and brought forward. New development (either new build or conversion) with a floor space of at least 1,000m² or comprising ten or more dwellings should, where viable, connect to any existing, or proposed, Decentralised Energy Network in the locality to bring forward low and zero carbon energy supply and distribution.

Where there is no existing Decentralised Energy Network in the locality, proposals for larger developments of 4 hectares (either housing or other buildings) or 200 houses should evaluate the potential for such systems and implement them where they are viable over the life of the developments in the locality. Specific provision should be made at allocated sites at:

- a) Axminster – Land to the north and east of the Town;
- b) Exmouth – Land at Goodmores Farm;
- c) Honiton – Land at Reserve site – West of Hayne Lane.

Consumer choice of energy sources will be retained when decentralised energy networks are developed. Project level Habitat Regulation assessments may be needed to ensure that any new infrastructure needs are met without adverse impacts on European sites.

Offsite Energy Solutions

17.26 The requirement for new buildings to be “zero carbon” will occur within the timescale of this plan and is likely to require the adoption of Allowable Solutions. Allowable solutions is a concept that has been developed to account for the fact that it may not always be possible to achieve zero carbon on-site using carbon compliance measures (i.e. energy efficiency and renewable energy). Whilst the exact definition for measures that would meet the requirements for allowable solutions has not yet been established, it is likely to include additional measures that may be either “on-site” (but not duplicating carbon compliance measures), “near site” (within the Local Planning Authority area) or “off site” (outside the Local Planning Authority area). Analysis by the Zero Carbon Hub has shown these could be used to account for up to 56% of emissions from a flat or 40% of emissions from a detached house. The amount may be lower if increased carbon reduction can be achieved on-site and this would be the preferred route, in particular increased energy efficiency, as such measures are more robust as they are embedded in the design and fabric of the building.

17.27 Allowable solutions could make a significant contribution to delivering carbon reduction schemes within East Devon. The Council intends to establish a Community Energy Fund to use Allowable Solutions payments to deliver additional carbon reduction measures in East Devon. These measures may include, but are not limited to, energy efficiency measures in existing buildings, decentralised energy networks, or renewable energy schemes. The fund will deliver carbon reduction and maximise the benefits to local communities. This is in keeping with the developing Localism Agenda.

- 17.29 The District Council endorses Natural England's general recommendations which can already have a wide application and could increase carbon stocks. Among them:
- a) reducing disturbance and erosion of terrestrial soils and coastal and marine substrates and sediments;
 - b) maintaining and restoring biodiverse native habitats is preferable to (re)creating them;
 - c) even in intensively managed agricultural land, there should be scope for introducing native habitats and species that contribute to carbon sequestration in the most marginal areas;
 - d) reducing the waste from both, the agricultural and forestry production cycles, and from restoration activities by finding alternative use for biomass which is currently burnt or disposed of in landfills;
 - e) selecting appropriate species, such as perennial and deep rooted crops, or legumes can contribute to carbon sequestration in some circumstances;
 - f) using light to moderate grazing levels, both in semi-natural habitats and in intensive holdings; and
 - g) blocking drains and restoring water tables in peatlands.

18 Our Outstanding Natural, Built and Historic Environment

The Quality of the East Devon Environment

18.1 We are proud of East Devon's outstandingly beautiful environment and we regard it as essential that we conserve and enhance it so that future generations can have the same high quality of life as we do. The special and varied places within our District are recognised nationally and internationally for their landscape quality, biodiversity and historic environment. East Devon is an outstanding place to live, work in and visit due to the unique quality of its natural environment and these natural assets. These qualities in turn provide economic and social well being to residents, local businesses and visitors to the District⁷⁸.

Green Networks and Green Infrastructure

18.2 Green networks (also known as green infrastructure) comprise the spaces within and around settlements, and the movement routes within and between them, or to other destinations (such as the coastline) for both people (residents, workers, visitors) and wildlife. Green networks will create high quality, attractive settings for day-to-day living and recreation will enhance the character and diversity of the landscape and will protect heritage assets, and promote management and access and enjoyment of them recognising that they contribute to the area's unique sense of place and cultural identity. Green networks must enrich the area's wildlife value, offset negative impacts of habitat loss and fragmentation and retain or create habitat linkages. Where a water course is incorporated the corridor will serve numerous purposes such as sustainable drainage systems, wildlife routes, and leisure and recreation. We will:

- a) Develop a District-wide Green Infrastructure Strategy as a Supplementary Planning Document, with Area Frameworks for each town linked to its rural surroundings.
- b) Exploit fully the opportunities that green networks present to make leisure and recreation spaces throughout the district accessible to as wide a range of people as possible.
- c) Provide space for community allotments.

Promoting Green Infrastructure

18.3 A Green Infrastructure Strategy document is being prepared in collaboration with a broad range of organisations including Devon County Council and in particular to take account of their Rights of Way Improvements Plan. This will examine and promote opportunities to link green spaces together through footpaths and cycle links and will also help define schemes that can go into an associated Strategic Projects and Investment Programmes

18.4 The District Council in conjunction with Devon County Council and supporting the work of Sustrans has been keen to see provision of new cycle routes. The map below shows the

main strategic cycle routes in Devon that exist or are proposed (note that local routes, in towns, are not shown).

18.5 Green Infrastructure is seen as an essential part of our Vision for a long-term sustainable future for East Devon. The Council is committed to developing strategic networks of accessible, multi-functional sites (including parks, woodland, informal open spaces, nature reserves and historic sites) as well as linkages (such as river corridors and flood plains, wildlife corridors and greenways). These contribute to people's well-being and together comprise a coherent managed resource responsive to evolving conditions. The Axe Estuary wetlands are an example of a multi-functional green space which is currently an important wildlife habitat but in time will expand in terms of its size and value for recreation, biodiversity and community use.

18.6 We will develop a District wide Green Infrastructure Strategy and will focus on delivery of Strategic Projects and Investment Programmes. The document will produce separate sections for each town (Area Frameworks) linked to the rural parts of the District to ensure that consistency and a comprehensive output is achieved. The Green Infrastructure Strategy will promote the conservation and enjoyment of the natural and historic environment and be consistent with the detailed mitigation and delivery strategy arising from the Habitat Regulations Assessment work (of which Green Infrastructure is part of the solution).

18.7 Liaison with Town and Parish Councils will ensure local desires and needs are understood and inform the priorities for strategic projects and investment programmes.

Open Space, Sport and Recreation

18.8 As well as providing fun, exercise and a sense of achievement for all, participation in sport and active recreation underpins people's quality of life and is fundamental to the delivery of broader Government objectives. This would include the creation of sustainable communities, health and well-being, social inclusion and educational attainment. We want all residents in the District to have convenient access to open space and recreation facilities that are of good quality, safe and, if admission is payable, at a reasonable price⁷⁹.

18.9 We will promote better health and well-being for all by aiming to ensure that new housing developments are within walking distance of good quality formal and informal open space and recreational facilities. Exercise should be encouraged by the promotion of cycling and walking within developments and by enabling easy participation in sport through the provision and improvement of built sports facilities.

18.10 The relatively aged population structure of East Devon will affect demand for facilities that are suitable for older people, which Sport England identifies as swimming, bowls, tennis, golf and keep fit facilities. Formal parks and gardens are also important facilities for the elderly.

East Devon Open Space Standards

18.11 An Open Space Study⁸⁰ has been completed which comprises identification and mapping of open spaces; audits of quantity, quality, and accessibility; Geographic Information Systems analysis to establish current levels of provision and identify needs. The work helps to update work undertaken in 2002 on a Playing Pitch Strategy for East, Mid and West Devon and 2003 in a draft Recreational Areas Strategy. These earlier strategy documents quantify and assess quality of open space provision. Public consultation has helped to establish community aspirations and requirements for open space and has created local standards for both urban and rural areas. This is based on current provision, an assessment of national standards – including Fields in Trust, and ANGSt (Natural England's Accessible Natural Greenspace Standards), consultation results, and demographic analysis. The East Devon Playing Pitch Strategy 2015 has been developed to add detail to the sports pitch requirements set out in the Open Space Study. The strategy includes action plans for resolution of key issues and will be a constantly evolving live document.

18.12 The Open Space Study contains evidence based requirements for developer contributions towards the provision of open space, identified through the above processes.

18.13 The recommended open space standards provided by the Open Space Study 2012 will be adopted for the Plan area. Contributions of on-site open space will be required to meet the needs for open space of a particular development where there is an identified shortfalls in the quantity or quality of or accessibility to existing provision. Where on-site provision is not made, money raised through the Community Infrastructure Levy (CIL) will be used to mitigate the impact of a development on existing open space by enhancing existing or providing new facilities. The Playing Pitch Strategy will be used to inform on-site provision and evidence requirements for investment in off-site facilities where necessary.

18.14 We will conserve, where appropriate, existing open spaces and leisure facilities and will not permit their loss unless their whole or partial redevelopment would result in greater benefits to the community than retaining that facility. Most protected sites are identified in Chapter 22 of the New Local Plan and on the Proposals Map, but 'protection' policy applies to all qualifying open space areas. Open space standards are specifically to meet open space needs and do not meet European wildlife site mitigation needs, which is a requirement over and above open space provision.

Strategy 43 - Open Space Standards

Open space standards have been defined in the Open Space Study 2012 (including urban and rural standards) and are shown below. Standards are minimums that may be exceeded. Developments proposing net new dwellings will be expected to provide for open space on-site in line with the table below where there is a demonstrable need for such open space in the vicinity. Developments will be assessed against existing provision in the parish in which they are proposed. Where existing provision of specific typologies exceeds quantity standards, on-site provision will only be required where the existing open space typology is of poor quality or is in some other manner deficient such as not matching up to the accessibility standard. Developments will be expected to provide open space on-site through a Section 106 Agreement in line with the following thresholds:

- **9 dwellings or less** will not be required to provide any specific open space typologies on-site, however developers may choose to make such provision.
- **10 – 49 dwellings** will be required to provide amenity open space on-site as per the standards below.
- **50 – 199 dwellings** will be required to provide amenity open space, and children's and youth play space on-site as per the standards below.
- **200+ dwellings** will be required to provide for all open space typologies on-site as per the standards below.

It may be necessary or desirable to provide more of certain typologies and subsequently less of others depending on site specifics and an appropriate layout and arrangement will be considered during the planning application process. Where a developer considers an alternative mix is more appropriate evidence should be submitted with an application to demonstrate the justification for an alternative approach. Provision of new off-site open space or enhancement of existing off-site open space will be funded through the Community Infrastructure Levy (CIL) if considered necessary. Until adoption of CIL, off-site open space will be funded through financial contributions as part of a Section 106 Agreement where on-site provision is impractical or non-viable.

Developments which do not meet these requirements will be refused planning permission where the Council considers them capable of delivering the required open space on-site unless viability assessment proves otherwise.

Provision of outdoor sports pitch requirements (grass and artificial) will be guided by the Playing Pitch Strategy. Provision of tennis courts and bowling greens will be guided by the Open Space Study Fixed Sports Assessment.

All open space typologies must be delivered in appropriate locations as agreed with the Council and must not be located within land recognised as floodzone 2 (with the exception of natural and semi-natural greenspace which potentially it may be appropriate to provide this way).

Urban standards apply to the operative town (Parish) council areas of Axminster, Budleigh Salterton, Exmouth, Honiton, Ottery St Mary, Seaton and Sidmouth. Urban standards also apply to the allocated Cranbrook site. Rural standards apply to developments everywhere else in the district. Existing open space sites will be protected and, where appropriate, new sites designated.

| Open space type | accessibility standard (straight line distance) | | Recommended quantity standard (Ha per 1,000 popn) | | quantity standard (SqM per person) | |
|--|---|---------------------------|---|-------------|------------------------------------|-------------|
| | Urban | Rural | Urban | Rural | Urban | Rural |
| Allotments | 10 mins (480m) | 11-15 mins (600m) | 0.25 | 0.30 | 2.5 | 3.0 |
| Amenity Open Space (including general useable greenspace although not just space left over after planning) | 10 mins (480m) | 10 mins (480m) | 0.35 | 0.30 | 3.5 | 3.0 |
| Outdoor Pitches (including both open access and limited access grass pitches) | 11-15 mins (600m) | 11-15 mins (600m) | 0.65 | 1.50 | 6.5 | 15.0 |
| Parks and Recreation Grounds (including formal parks and gardens and informal areas for sports/recreation) | 10 mins (480m) | 10 mins (480m) | 1.00 | 0.40 | 10.0 | 4.0 |
| Play Space – Children (including play areas and informal play space) | 10 mins (480m) | 11-15 mins (600m) | 0.05 | 0.05 | 0.5 | 0.5 |
| Play Space – Youth (including Multi-Use Games Areas, skateparks, youth shelters and play space for older children / teens) | 11-15 mins (600m) | 11-15 mins (600m) | 0.05 | 0.05 | 0.5 | 0.5 |
| Natural and Semi Natural (accessible) (including areas accessible to the public and managed on a natural/semi-natural basis) | 15-20 mins (800m) & ANGST | 15-20 mins (800m) & ANGST | 1.00 | 1.00 | 10.0 | 10.0 |
| Fixed Sports Facilities (including tennis courts and bowling greens) | New on-site facilities or contributions towards new or enhanced facilities may be required, however district-wide standards are not currently set. The Assessment of Fixed Sport Facilities for East Devon addendum report to the Open Space Study 2012 should be consulted to understand whether such a facility / contribution will be required or not. | | | | | |
| TOTAL | | | 3.35 | 3.60 | 33.5 | 36.0 |

Developer Contributions to Open Space

18.15 The Open Space Study sets out developer contributions in its Appendix A. These seek to deliver new open space and enhancements to existing facilities in step with new residential development. Developments should provide open space on-site in line with Strategy 43 above. On-site open space will be delivered in compliance with an appropriate Section 106 Agreement. Where open space is not provided on-site money collected through the Community Infrastructure Levy (CIL) will be used to mitigate the impact of a development on existing open space by providing new facilities or enhancements to existing facilities off-site. Sites of less than 9 dwellings will not be expected to provide open space on-site as it is unlikely that sites of this scale will have a gross development area large enough to host meaningful facilities. This does not mean that such sites would not be permitted to have open space on-site. CIL will be used to fund amongst other things off-site open space to mitigate the impact of these developments. Sites of 10 to 49 dwellings should provide amenity open space on-site. Sites of 50 to 199 dwellings should provide some open space on-site. Strategy 43 suggests this would be amenity open space and play areas as facilities of a meaningful size/value could be delivered on such sites but depending on the site specifics and local needs it may be more appropriate to deliver other open space typologies instead. Sites of above 200 dwellings should provide the full suite of open space typologies on-site where possible. Developments of specialist accommodation such as for the active elderly will be considered using the same methodology as above, however where demands of occupiers can be shown to vary from normal/average demands alternative provision will be negotiable. On-site requirements for such housing will therefore be subject to negotiation during the planning application process in order to provide the most appropriate typology.

18.16 Population increase will be used to determine the relative demand created by different developments. For residential development contributions these will be on a per-dwelling basis and the level of contribution will be higher for larger housing than for small houses or flats.

This will be determined by the average occupancy rates where the average occupancy acts as a multiplier reflecting population increase. The assumed average occupancy rates are as follows:

- a 1 bed dwelling = 1.5 persons,
- a 2 to 4 bed dwelling = 2.22 persons,
- a 5+ bed dwelling = 2.5 persons.

18.17 Contributions will only be sought towards the open space typologies for which there is an established deficiency in the quantity, quality or accessibility of open spaces within the parish in which a development takes place. Money collected through CIL may be pooled to fund publicly accessible open space projects which have been identified by the town/parish council or which are evidenced as required through the Open Space Study, Playing Pitch Strategy or other relevant document. Lists of these projects will be publicly available. Applicants should consider how their development can meet the identified priorities, through on-site provision within the development.

18.18 When considering sites for new open space and leisure provision, priority will be given to sites which are easily accessible by a range of transport modes and which can be integrated into a network of green infrastructure.

Coastal Areas of East Devon

18.19 East Devon's exceptional coastline forms part of a World Heritage Site (WHS) and is mostly undeveloped. Parts of the coast are eroding and in some cases this impacts on people's livelihood and homes, the natural environment and heritage assets. We will:

- a) Discourage inappropriate development in undeveloped coastal areas if it would have adverse landscape and environmental impacts unless there are no alternatives available, (such as with established holiday parks) and development is essential.
- b) Support proposals for coastal change management where erosion could impact on people's livelihoods and homes where this aligns with the most up-to-date Shoreline Management Plan or prevailing coastal strategy and is environmentally acceptable and financially and technically feasible.

The Coastal Zone and Landscape

18.20 Although the Dorset and East Devon Coast World Heritage Site (Jurassic Coast) site status is justified on account of geological importance, UNESCO did note its landscape importance and the East Devon part of the site (for nearly all of its length) also lies in the East Devon AONB. Much of the East Devon coastline is undeveloped and the Local Plan shows a Coastal Preservation Area. We intend to rely on existing evidence and investment programmes for the Shoreline Coastal Zone to manage this precious resource properly. Further investigation and assessments of the Coastal Zone for very specific areas may be undertaken should the need arise⁸¹.

18.21 Circular 07/2009 on the protection of WHS advises that appropriate policies for the protection and sustainable use of WHSs including enhancement where appropriate, which supplement international and national policy and take account of the specific regional or local circumstances of a particular WHS, should be included in plans. Further, that such policies should apply both to the site itself and, as appropriate, to its setting, including any buffer zone or equivalent. The WHS Management Plan⁸² does not define a buffer zone for the site as the wider surrounding area is already afforded strong protection through existing systems of protective designation, in particular the Sites of Special Scientific Interest (SSSI), AONB and the Coastal Preservation Area (CPA).

18.22 English Heritage guidance on the protection and management World Heritage Sites and paragraph 10 of CLG Circular 07/2009⁸³ advises that it is essential that appropriate policies enabling control of development in the setting of each World Heritage Site, including any

buffer zone, in order to protect its Outstanding Universal Value, including authenticity and integrity, are included in plans.

18.23 Recent studies include assessment of the coastal zone area considerably further away from the shoreline than previously undertaken. This is to account for the potential increase in significant offshore and coastal energy schemes and the potential impacts caused. The Council has produced a technical study examining the undeveloped coastal area of East Devon to help define the extent of policy coverage^{84 85}.

Strategy 44 - Undeveloped Coast and Coastal Preservation Area

Land around the coast and estuaries of East Devon, as identified on the Proposals Map, is designated as a Coastal Preservation Area. Development or any change of use will not be allowed if it would damage the undeveloped/open status of the designated area or where visually connected to any adjoining areas. The coastal Preservation Area is defined on the basis of visual openness and views to and from the sea.

Shoreline Management Plans and Coastal Erosion and Defence

18.24 Parts of the East Devon Coastline are subject to erosion. It is anticipated that climate change will create increasing pressure on coastal and estuarine environments through accelerating rates of sea level rise and an increased number of storms. If this occurs it will have implications for the cost and effort involved in protecting coastal communities from risk of flooding and coastal erosion. The potential impacts are not only in terms of individual properties at risk of loss or damage, but also the wider impacts on the local economy and local communities.

18.25 The Dorset and East Devon Coast World Heritage Site - Site Management Plan⁸⁶ highlights the fact that coastal erosion is part of the natural process and part of what helps define and justify the status of the coast. A key aim of the WHS Management Plan is 'protecting the outstanding universal value of the WHS by allowing natural processes to continue'. This East Devon Local Plan seeks to balance this aim with the social and economic needs of our coastal communities.

18.26 Measures and policies for the management of East Devon's coastline are set out in the Shoreline Management Plan ²⁸⁷, which has recently been approved. This provides an objective, large scale assessment of the risks to people and the environment resulting from the evolution of the coast over the next 100 years. It is a non-statutory policy document for the planning and management of coastal defences. The Environment Agency describe Shoreline Management Plans as 'a route map for local authorities and other decision makers to move from the present situation towards meeting our future needs, and will identify the most sustainable approaches to managing the risks to the coast in the short term, medium and long term. Within these timeframes, the SMP will also include an action plan that prioritises what work is needed to manage coastal change into the future and where it will happen. This will form the basis for deciding and putting in place specific flood and erosion risk management schemes, coastal erosion monitoring and further research on how we can adapt to change'.

18.27 The broad approach of the SMP2 is to defend the centres of main settlements along the coast and allow natural processes to continue in the rural areas. However, some properties in the towns are likely to be affected by coastal erosion in the medium term (20-50 years) with substantially more likely to be affected in the longer term (50-100 years). Detailed policies for managing this change have been included in the proposed Development Management Policies (DM policy EN25).

Strategy 45 - Coastal Erosion

The Council will promote proposals for sustainable coastal change management such as improvements to coastal defences or managed realignment, where compatible with the most up-to-date Shoreline Management Plan or prevailing coastal strategy or plan and provided

they would not have an unacceptable adverse economic, social or environmental impact, including an unacceptable detrimental visual impact on a protected landscape.

To protect the integrity and outstanding universal value of the Dorset and East Devon World Heritage Site the natural processes that created it will be allowed to continue, unless the safety and economic well being of any coastal community would be undermined, provided that the implications of this for the World Heritage Site have been fully considered. Where there is a conflict between allowing coastal erosion and protecting coastal communities from that erosion both interests will be recognised and wherever possible impacts will be mitigated where they arise.

The AONBs in East Devon

18.28 East Devon is blessed with landscape of exceptional quality, two thirds of the District falls within one of two AONBs:

- a) The East Devon AONB falls wholly within East Devon and roughly covers the Southern third of the District.
- b) The Blackdown Hills AONB includes land in both Devon and Somerset and roughly covers the North-Eastern third of East Devon.

18.29 AONB's enjoy, with National Parks, the highest level of landscape protection in Britain. They are, therefore, a national asset. It should be noted that a very small part of the Dorset AONB also falls in East Devon.

18.30 Under Section 85 of the Countryside and Rights of Way Act 2000 we have a statutory duty to produce a management plan for the AONBs in our District⁸⁸. We will use these plans alongside the Local Plan to deliver our responsibility for due regard to these special landscapes and to help support sustainable development in these areas.

Development in the Landscape

18.31 It is recognised that we need to accommodate development in our district, but should do this in a way that minimises adverse impacts and enhances and improves landscapes that may have been degraded over the years. We will:

- a) Conserve and enhance the landscape of East Devon;
- b) Recreate and strengthen key landscape characteristics; and
- c) Ensure that new developments are appropriate in scale, form and design, are in keeping with their setting and take full account of the local natural and cultural heritage.

18.32 Emphasis will be placed on conserving and enhancing landscape assets of greatest importance for East Devon, in particular the AONBs. This approach will not mean we resist development automatically or take the view that landscape changes cannot occur but, especially in the more sensitive and important locations, we will expect high quality development that is in keeping with its landscape setting.

Landscape Character Assessment

18.33 A Landscape Character Assessment (LCA)⁸⁹ of East Devon was undertaken in 2008, which identifies and describes distinctive landscape character types throughout the district. This information will be used to ensure that development proposals reflect the distinctive character, qualities and sensitivities of the area and maintain local identity. The Council will use this and tools such as Historic Landscape Characterisation (HLC) to aid decision making and try to identify those aspects of a landscape that have been lost, undermined or require conservation and enhancement. The Council will ensure that landscape improvements are secured for the long-term through the development process. We will use the following documents and work areas to judge proposals affecting the landscape:

- a) European Landscape Convention – compliance with 'local distinctiveness' and a need to consult widely with local people to ascertain views⁹⁰.
- b) Natural England – National Character Areas (due 2011/2012)⁹¹.

- c) East Devon and Blackdown Hills AONB and East Devon District Landscape Character Assessment & Management Guidelines (2008)⁹².
- d) Historic Landscape Characterisation (DCC)⁹³.
- e) East Devon Biodiversity Action Plan⁹⁴.
- f) Sport and recreation studies.
- g) Exeter Area and East Devon Growth Point - Green Infrastructure Study (April 2009) and Strategy (December 2009)⁹⁵.
- h) East Devon and Blackdown Hills AONB Management Plans (AONB Management Plans are due for review in 2014 which is consistent with the LCA for the District)⁹⁶.
- i) Dorset and East Devon Coast World Heritage Site (Jurassic Coast) Management Plan⁹⁷.
- j) Dorset & East Devon Coastal Advisory Group – Shoreline Management Plan⁹⁸.
- k) Devon County Council – Landscape Character Areas Assessment 2013⁹⁹

18.34 The above documents and programmes will be monitored and assessed to ensure matters of relevance and significance to East Devon District are addressed in a timely and effective manner and opportunities to enhance landscape are exploited. Where there are opportunities to update information and influence these and other policy and national investment programmes we will play our part in developing appropriate action plans or DPDs to achieve this.

18.35 National Planning Policy will be referred to when considering applications for major development in AONBs. Within AONBs, consideration will also be given to proposals which serve to facilitate delivery of the Statutory AONB Management Plans and their Objectives and are desirable for the understanding and enjoyment of the area.

Strategy 46 - Landscape Conservation and Enhancement and AONBs

Development will need to be undertaken in a manner that is sympathetic to, and helps conserve and enhance the quality and local distinctiveness of, the natural and historic landscape character of East Devon, in particular in Areas of Outstanding Natural Beauty. Development will only be permitted where it:

1. conserves and enhances the landscape character of the area;
2. does not undermine landscape quality; and
3. is appropriate to the economic, social and well being of the area.

When considering development in or affecting AONBs, great weight will be given to conserving and enhancing their natural beauty and major development will only be permitted where it can be shown that it cannot be reasonably accommodated elsewhere outside of the AONB.

The current Area of Outstanding Natural Beauty Management Plans, the East Devon and Blackdown Hills Areas of Outstanding Natural Beauty and East Devon District Landscape Character Assessment & Management Guidelines 2008 and the Devon County Council Landscape Character Areas Assessment should be used in design and management considerations.

Biodiversity and Geological Protection

18.36 East Devon has an amazing diversity of wildlife habitats and geology. It contains a range of internationally, nationally, regionally and locally important wildlife and geological sites, including:

- a) 2 Special Protection Areas; one of these - the Exe Estuary - is also a Ramsar Site.
- b) 4 Special Areas of Conservation.
- c) 1 National Nature Reserve.
- d) 25 Sites of Special Scientific Interest.
- e) 8 Local Nature Reserves.
- f) Around 300 County Wildlife Sites.
- g) 21 Regionally Important Geological Sites (RIGS).

Natural England has standing advice on Protected species including European Species and some applications may require project level Appropriate Assessment.

18.37 The key designated Nature Conservation sites in East Devon are shown on the plan on the following page. This plan does not show the boundaries of all sites listed above (not the least because some overlay one-another and map clarity would otherwise be lost). But the map shows the wealth of important wildlife areas in East Devon. Included on the map are Ancient Woodlands in East Devon as defined by Natural England.

18.38 Our landscape contains a distinctive network of species-rich hedgerows, woodlands and river valleys linking up designated sites and Biodiversity Action Plan habitats. Priority UK

Biodiversity Action Plan species found in the District include dormouse, nightjar, Dartford warbler and a range of bat species. Protective designations are important not just for the sake of these species but because such assets add to people's quality of life and attract tourists to the District. To ensure we retain and enhance our biodiversity we will:

- a) Conserve and enhance the most valued habitats.
- b) Only permit developments that would cause no harmful impacts to important habitats (and the species they support), or that would include measures to mitigate or offset such impacts.
- c) Promote habitat creation, including provision of major new green spaces for wildlife and people to use.

18.39 We also need to enable wildlife and habitats to adapt to future climate changes. Many habitats in the District which used to be widespread are now broken up into small pockets. This affects the ability of wildlife and habitats to adapt to climate change and there is therefore a need to expand and reconnect existing areas and to restore habitats.

18.40 Many of the District's most important habitats are damaged or threatened by under-grazing and lack of active management, land use change and fragmentation, recreational pressure and by future climate change. Key losses have included reduction of open habitats such as lowland heath to scrub and rank vegetation. In the wider landscape, hedgerow removal and insensitive conversion of rural buildings can impact on species such as dormice and bats.

18.43 The Dorset and East Devon Coast WHS extends from Orcombe Point at Exmouth along the East Devon Coast to Lyme Regis and then on to Studland in Dorset and is designated for its outstanding geology representing 185 million years of the Earth's history.

18.44 Local wildlife sites, such as Local Nature Reserves and wildlife corridors, are also important and are highly valued at a local level throughout the District. Within our built-up areas, 'community greenspaces' are essential 'green lungs' which provide wildlife habitats and formal and informal recreation spaces. Phear Park and the Valley Parks in Exmouth, the Axe Estuary Wetlands and the Byes in Sidmouth are all examples of community greenspaces which, whilst different in character, contribute hugely to local biodiversity and residents' quality of life.

Strategy 47 - Nature Conservation and Geology

All development proposals will need to:

1. Conserve the biodiversity and geodiversity value of land and buildings and minimise fragmentation of habitats.
2. Maximise opportunities for restoration, enhancement and connection of natural habitats.
3. Incorporate beneficial biodiversity conservation features.

Development proposals that would cause a direct or indirect adverse effect upon internationally and nationally designated sites will not be permitted unless:

- a) They cannot be located on alternative sites that would cause less or no harm.

b) The public benefits of the development clearly outweigh the impacts on the features of the site and the wider network of natural habitats.

c) Prevention, mitigation and compensation measures are provided.

d) In respect of Internationally designated sites, the integrity of the site will be maintained. Development proposals where the principal objective is to conserve or enhance biodiversity or geodiversity interests will be supported in principle.

Where there is reason to suspect the presence of protected species applications should be accompanied by a survey assessing their presence and, if present, the proposal must be sensitive to, and make provision for, their needs.

Habitat Regulations and Mitigation of Potential Adverse Impacts of Development

Where development or the occupants of development could lead to adverse biodiversity impacts due to recreational or other disturbance, we will require mitigation measures and contributions to allow for measures to be taken to offset adverse impacts and to create new habitats. This will be of particular importance where development could impact upon 'European Designated Sites' (In the case of other impacts to internationally, nationally and locally designated sites, we will seek appropriate mitigation measures). Where European designated sites might be affected there will be a need for Appropriate Assessment in line with Conservation and Species Habitat Regulation requirements. Mitigation measures will be required if harmful impacts are predicted or could arise.

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Payment as part of the CIL contribution will typically be the expected approach and habitat mitigation will form the first draw on CIL funds. Mitigation will include on-site and off-site measures, to include:

- Improved wardening and management of sites;
- Information and education;
- Changes to access arrangements and points;
- Habitat improvements and provision ; and
- Provision of Suitable Alternative Natural Green Space (SANGS).

On-site mitigation measures are likely to be most appropriate in the very early years of the Local plan's life. Off-site provision in the form of SANGS should aim for a target level of provision of around 8 hectares of open space provision for every net new 1,000 residents accommodated through development. At a residential density averaged at 2.2 persons per each new home built this will equate to around 176 SqM of SANGS space per each net extra dwelling. However actual space standards will depend on the quality, character and location of provision. SANGS will need to include substantial open space areas ideally of semi-natural character and should specifically be appealing to dog walkers. They can utilise land previously inaccessible to the public or arise from improvements of currently accessible but under-used spaces. To help ensure and secure timely delivery of mitigation, specifically SANGS, the Council has the option of exercising Compulsory Purchase Order powers to ensure availability of land.

Developments on the western side of the District – including in the West End, Ottery St Mary, Budleigh Salterton, and Sidmouth will all fall under the coverage of this policy.

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The mitigation proposals, including those of the 'South-east Devon European Site Mitigation Strategy', will need to be implemented ahead of development being occupied and must provide for mitigation in perpetuity to ensure that development does not have a net adverse impact on the integrity of European designated wildlife sites. This will include provision of on-site, off-site and cross-site measures and monitoring. The delivery and success of mitigation will be monitored alongside development (specifically new housing development) and changes in population. Where mitigation lags behind development it will be a potential indicator that the worth and integrity of European sites could be being eroded. This will provide a policy basis and justification for resisting further development or occupation until effective mitigation is delivered in accordance with past development/occupancy. Work will be undertaken to establish effective trigger points or markers against which to formally assess

delivery of mitigation and therefore establish a basis to refuse planning permissions with a formal first review planned for April 2018.

Design and the Built Heritage

18.55 The underlying geology of East Devon and the agriculture it has supported have ensured we have an interesting range of local building materials which have been used traditionally to give an identifiable built heritage of exceptional quality. Regrettably, more recent development has often been of lesser quality, with little reference to the place. We see local distinctiveness, in building materials and form, as essential to the quality and appeal of East Devon and we will:

- a) Promote high quality locally distinctive design standards.
- b) Value, conserve and enhance our historic environment.
- c) Require sustainable construction techniques to be included in projects.

18.56 Buildings have traditionally been built from the materials that are close to hand and available. The fact that the geology of East Devon varies so much has resulted in a very broad range of materials being used in the construction process. In some cases availability of materials and therefore their use was very localised, for example Beer stone, and this has meant that settlements can vary greatly in their traditional look and feel.

18.57 In past years the cost and difficulty of transporting materials was so high that it was only the finest and most expensive buildings that were built from non-local supplies. As transport costs have gone down, use of non-traditional materials has expanded and standardisation of materials and their production has occurred. We feel that as a consequence the aesthetic quality of buildings and the built environment has suffered. Traditional materials can be, but not always are, more expensive than modern alternatives. However, over the life span of a building and given the overall costs involved in construction, such differences are often marginal or negligible and are outweighed by the long term visual and character benefits.

18.58 We wish to see the use of traditional materials and methods in buildings as we see this as a means to help define and enhance the quality of the built environment. The natural environment of East Devon is outstanding: it warrants matching high quality standards in the built environment. We want to ensure that, in the future, buildings in East Devon will make obvious use of local materials in sympathetic and traditional styles and forms. This emphasis on local distinctiveness will be a challenge to 'standardised' design approaches and 'off the peg' solutions. It does not mean that contemporary or modern designs cannot be used but it does require that designers think far more about how local materials and local traditions should inform and be integral to their work.

Strategy 48 - Local Distinctiveness in the Built Environment

Local distinctiveness and the importance of local design standards in the development process will be of critical importance to ensure that East Devon's towns and villages retain their intrinsic physical built qualities. Where towns or villages are or have been despoiled we will seek to have qualities reinstated through good design. Use of local materials and local forms and styles will be essential to this distinctiveness.

We will work with our partners and local communities to produce Design Statements to guide new development and ensure its appropriateness.

Historic Environment

18.59 East Devon has nearly 4,500 buildings and structures that are formally listed as of Special Architectural or Historic Interest. It shows that when well built, using quality local materials, buildings can last for centuries and adapt, within reason, to meet changing local needs and lifestyles. The District also has a rich archaeology and historic landscape.

18.60 We regard it as essential that we conserve and enhance the historic environment of East Devon. The traditional buildings of East Devon bring pleasure to residents and visitors

alike, they form a key part of the tourism appeal of the District and help define the identity of East Devon. We already have strong national guidance and legislation that protects listed buildings. The Council continues to survey the Listed Building stock of the District and are currently undertaking revisions to the Conservation Area Appraisals. We will continue to apply existing legislation and guidance in the most effective way to conserve the built environment.

18.61 We will adopt a positive, proactive strategy for the conservation and enjoyment of the historic environment taking into account the variations in type and distribution of heritage asset, as well as the contribution made by the historic environment by virtue of:

1. Its influence on the character of the environment and an area's sense of place.
2. Its potential to be a catalyst for regeneration in an area, in particular through leisure, tourism and economic development.
3. The stimulus it can provide to inspire new development of imaginative and high quality design.
4. The re-use of existing fabric, minimising waste.
5. Its mixed and flexible patterns of land use that are likely to be, and remain sustainable.

Strategy 49 – The Historic Environment

The physical and cultural heritage of the district, including archaeological assets and historic landscape character, will be conserved and enhanced and the contribution that historic places make to the economic and social well-being of the population will be recognised, evaluated and promoted. We will work with our partners and local communities to produce or update conservation area appraisals and conservation area management plans.

19 Delivery and Infrastructure Provision

Provision of Social, Physical and Community Infrastructure

19.1 Development of any kind can place demands on existing infrastructure and generate a need for new infrastructure. When new homes are built their occupants will need to use roads and sewers, new play areas may be important, community halls or new school places may be needed. In some cases private sector business will provide facilities and infrastructure, because there is money to be made in doing so, but for many facilities this will not be the case.

19.2 In the past, development in some parts of East Devon, particularly new house building, has not always been accompanied by the timely provision of social, physical and community infrastructure needed to ensure we have attractive and successful places and communities. We need to ensure this does not happen in the future. The Local Plan will play a key role in identifying infrastructure requirements, ensuring that provision and investment by infrastructure providers is co-ordinated with development and that efficient and effective use is made of existing infrastructure. We will also ensure appropriate contributions are secured from developers. We will produce an Infrastructure Delivery Plan which will provide clarity about what infrastructure is required, when it should be delivered and by whom and how it should be funded.

Understanding Other Organisations' Proposals and Plans

19.3 Coordinating planning policy with the investment strategies, policies and proposals of other bodies is a key element of effective planning. It is reflected in the requirements of the Duty to Cooperate and we need to ensure close liaison with infrastructure providers in the public, private and voluntary sectors so that we understand more fully what they are seeking to do and so that they understand more fully our plans and proposals. Creating a consistency of approach will be critical to making best use of limited public resources.

Developer Contributions and the Community Infrastructure Levy

19.4 It has been long established practice for Councils to seek contributions from developers in the form of facilities, infrastructure or financial contributions to address impacts arising

from development. Contributions have historically been collected under what are called 'Section 106 Agreements' (after Section 106 of the Town and Country Planning Act 1990).

19.5 The Government has now introduced the Community Infrastructure Levy (CIL). This allows local authorities to raise funds from developers undertaking new building projects in their area. The money can be used to fund a wide range of infrastructure that is needed as a result of development. This includes transport schemes, flood defences, schools, hospitals and other health and social care facilities, parks, district heating schemes, green space and leisure centres as well as local community facilities such as village halls.

19.6 The Council is committed to introducing the Levy alongside the Local Plan as a key means of securing the delivery of essential infrastructure improvements. The Levy will operate alongside traditional Section 106 Agreements as a means of collecting developer contributions. The Council will set out in the Infrastructure Delivery Plan which items of infrastructure are expected to be funded through the Levy and which will be secured through Section 106 Agreements. This will ensure that there is no double charging for the same item of infrastructure.

19.7 The critical document in introducing the Levy is the publication of a Charging Schedule. This will set out the charging rates (on a £ per SqM basis) for different types of development, potentially with different rates for different areas within the District. The Charging Schedule needs to be underpinned by a robust evidence base on the impact of proposed Levy rates on development viability. It is intended that the Local Plan and the Levy Charging Schedule will be at Examination together.

Partnership Working

19.8 The Council will work with partner organisations responsible for transport provision, education, health, social service and cultural and recreation provision to understand how we can best ensure that East Devon has the right level of infrastructure to create and sustain thriving communities. Through partnership working we will seek to balance:

- a) Provision of new housing in response to current / potential surplus and future infrastructure provision.
- b) Provision of new infrastructure to match demands arising from future population changes and also to address current shortfalls.

Infrastructure Provision

19.9 The infrastructure needed to support new development will often be of a small scale and may be localised on or close to a particular development site. However there are cases where we will also identify strategic infrastructure that is needed for large parts of the district and potentially areas beyond it. Residents of new development across East Devon (and beyond) can be expected to have impacts on larger scale (or strategic) infrastructure services and facilities. For example anyone driving on East Devon's roads will add extra traffic to roads and to road junctions. The impacts of an individual additional motorist might be of little relevance, but when the impacts of lots of new residents and their driving are added together they may add so much pressure that capacity levels of roads and junctions are exceeded.

19.10 The Council will identify major infrastructure schemes that are needed to support the whole of East Devon.

19.11 The joint detailed mitigation and delivery strategy arising from mitigation relating to Habitat Regulations, will describes a broad suite of mitigation measures that will need to be taken forward to prevent adverse effects arising from recreational pressure, which may need to be delivered via developer contributions. It is recognised that in order to comply with Habitat Regulations, development proposals that could adversely impact on European designated sites cannot go ahead without mitigation being in place. To ensure that mitigation measures are effectively secured it will be essential that funding or alternative provision, whether from Section 106 agreements, Community Infrastructure Levy collected monies or

alternative developer provision is explicitly and in all cases directly earmarked to deliver, manage and monitor the relevant mitigation measures.

19.12 All mitigation for impacts to European sites shall be considered as critical in the Infrastructure Delivery Plan and sufficient contributions, to ensure that provisions remain in the long-term, will be taken from the CIL funding (discounting contributions from 106 or other explicit developer contribution that meets regulatory requirements) for Habitat Regulations mitigation measures before funding is used for other types of infrastructure.

Strategy 50 - Infrastructure Delivery

The Council produced and consulted (in June/July 2013) on an Infrastructure Delivery Plan to set out how the implementation of Local Plan policies and proposals will be supported through the timely delivery of infrastructure improvements. It identifies schemes, sets out how much they will cost, indicates potential funding sources and establishes a funding gap. Developer contributions will be sought to ensure that the necessary infrastructure improvements are secured to support the delivery of development and mitigate any adverse impacts.

The Council will introduce the Community Infrastructure Levy (CIL) alongside the Local Plan. The Infrastructure Delivery Plan will inform the Council's Regulation 123 List which will establish items of infrastructure to be funded in whole or in part through the Levy Through Section 106 Agreements and negotiations over site development and where otherwise not met through alternative committed schemes or proposals the Council will ensure that:

1. Infrastructure requirements that arise as a direct consequence of developments are met in full to serve the needs of the proposal and occupants and users.
2. The loss of, or adverse impacts on, any significant amenity or resource present on the site prior to the development is offset by the provision of alternative facilities that are of at least equal value.

Infrastructure provision should be phased to meet development and failure to provide or absence of relevant infrastructure will be grounds to justify refusal of permission.

20.4 In East Devon we will work to two sub-areas for five year land provision:

1. **The West End** - to include Cranbrook and other big strategic housing sites on the Western side of the District. On current assessment (under Devon Structure Plan housing 'requirements') we have less than five years' land supply in this area.
2. **The Rest of East Devon** - that is, everywhere else within our District. On current assessment (under Devon Structure Plan housing 'requirements') we have considerably more than five years' land supply.

Monitoring

Objective

Provide affordable housing to retain younger people in our neighbourhoods and communities as well as housing others in need

Trigger for policy review or action

Less than 50% affordable housing delivered on or via residential schemes by the 5 year plan review in:

- Budleigh Salterton
- Sidmouth

Objective

Provide the resources to teach and develop skills in our population

Trigger

Primary and Secondary Schools are over capacity

Objective

New development to be accessible to health care facilities and supported by appropriate new provision

Trigger

Defined under capacity of facilities.

Objective

We want all residents in the District to have convenient access to open space and recreation facilities that are of good quality and safe

Trigger

Declining (or not improving) accessibility to open spaces.

Objective

To reduce the risk of flooding

Trigger

Increasing numbers of applications being granted contrary to Environment Agency advice.

Objective

To deliver Brownfield sites as the preferred areas for housing and commercial development

Trigger

The percentage of new homes built in East Devon, excluding Greenfield allocations, falling below **50%** of completions.

Objective

To conserve and enhance the historic environment of East Devon

Trigger

The number of heritage assets within East Devon on the 'Heritage at Risk Register' increases

Objective

Mitigation measures and strategies will recognise the need to sustain and improve habitats suitable for biodiversity

Trigger

Any loss of protected sites

PART TWO – DEVELOPMENT MANAGEMENT POLICIES

This part of the New Local Plan is specifically concerned with the local or development management policies. These policies provide more detail on the implementation and application of the strategic policies in the plan. Any planning application that is to be assessed will be done so under the strategic policies in Part One of the Plan and also these development management policies of Part 2 of the Plan.

The development management policies of the plan provide finer grain policy detail and are particularly relevant in the determination of planning applications.

However, through a Neighbourhood Plan a Parish Council or relevant neighbourhood group can produce a local plan for their area that supersedes some or all of the policies in this part of the local plan.

All planning applications submitted to the Council must meet the requirements of the Council's adopted Validation Checklist with regard to the information and plans required to support the application. Applications that do not meet these requirements will not be

registered for consideration. The validation checklist can be viewed on the Council's web-site at:

<http://eastdevon.gov.uk/planning/planning-permission/apply-for-planning-permission/general-validation-advice/>

21 Design Standards

Achieving High Quality and Locally Distinctive Design

21.1 Promoting high quality and locally distinctive design is of critical importance. We will seek to ensure the highest design standards to reflect local traditions and use of local materials. The varied geology of East Devon has helped to ensure we have a diverse range of traditions and style in development and we see it as essential that traditional vernacular is retained. This does not mean that building should not meet sustainability credentials and care with siting, orientation and layout of new buildings can help with promotion and utilisation of sustainable technologies.

D1 - Design and Local Distinctiveness

In order to ensure that new development, including the refurbishment of existing buildings to include renewable energy, is of a high quality design and locally distinctive, a formal Design and Access Statement should accompany applications setting out the design principles to be adopted should accompany proposals for new development. Proposals should have regard to Village and Design Statements and other local policy proposals, including Neighbourhood Plans, whether adopted as Supplementary Planning Guidance or promoted through other means.

Proposals will only be permitted where they:

1. Respect the key characteristics and special qualities of the area in which the development is proposed.
2. Ensure that the scale, massing, density, height, fenestration and materials of buildings relate well to their context.
3. Do not adversely affect:
 - a) The distinctive historic or architectural character of the area.
 - b) The urban form, in terms of significant street patterns, groups of buildings and open spaces.
 - c) Important landscape characteristics, prominent topographical features and important ecological features.
 - d) Trees worthy of retention.
 - e) The amenity of occupiers of adjoining residential properties.
 - f) The amenity of occupants of proposed future residential properties, with respect to access to open space, storage space for bins and bicycles and prams and other uses; these considerations can be especially important in respect of proposals for conversions into flats.
4. Have due regard for important aspects of detail and quality and should incorporate:
 - a) Secure and attractive layouts with safe and convenient access for the whole community, including disabled users.
 - b) Measures to create a safe environment for the community and reduce the potential for crime.
 - c) Use of appropriate building materials and techniques respecting local tradition and vernacular styles as well as, where possible, contributing to low embodied energy and CO₂ reduction.
 - d) Necessary and appropriate street lighting and furniture and, subject to negotiation with developers, public art integral to the design.
 - e) Features that maintain good levels of daylight and sunlight into and between buildings to minimise the need for powered lighting.
 - f) Appropriate 'greening' measures relating to landscaping and planting, open space provision and permeability of hard surfaces.

5. Incorporate measures to reduce carbon emissions and minimise the risks associated with climate change. Measures to secure management of waste in accordance with the waste hierarchy (reduce, reuse, recycle, recovery, disposal) should also feature in proposals during the construction and operational phases.

6. Green Infrastructure and open spaces should be designed and located in a way that will minimise any potential security concerns for users.

7. Mitigate potential adverse impacts, such as noise, smell, dust, arising from developments, both during and after construction.

21.5 Tree planting and retention should form an integral part of a landscaping scheme submitted with a development proposal either initially or at a detailed planning stage. Such a scheme may include ground and shrub cover together with hard surfaces and paving materials, adequate lighting and grass verges. Continuity of fencing, walling or hedging with existing boundary treatments, which contributes to the street scene, will be sought where appropriate. Schemes will need to include integration of areas of nature conservation value and provision of new areas into proposals.

D2 - Landscape Requirements

Landscape schemes should meet all of the following criteria:

1. Existing landscape features should be recorded in a detailed site survey, in accordance with the principles of BS 5837:2012 'Trees in Relation to Construction' (or current version)
2. Existing features of landscape or nature conservation value should be incorporated into the landscaping proposals and where their removal is unavoidable provision for suitable replacement should be made elsewhere on the site. This should be in addition to the requirement for new landscaping proposals. Where appropriate, existing habitat should be improved and where possible new areas of nature conservation value should be created.
3. Measures to ensure safe and convenient public access for all should be incorporated.
4. Measures to ensure routine maintenance and long term management should be included.
5. Provision for the planting of trees, hedgerows, including the replacement of those of amenity value which have to be removed for safety or other reasons, shrub planting and other soft landscaping.
6. The layout and design of roads, parking, footpaths and boundary treatments should make a positive contribution to the street scene and the integration of the development with its surroundings and setting.

Trees on Development Sites

21.6 The District Council recognises that trees, both individually and collectively, make an important contribution to the amenity, character and environmental value of the area. Accordingly the retention of woodlands, groups and individuals and trees will be encouraged and particular value is given to ancient and veteran trees. Where trees are inappropriate, have low amenity and environmental value or have short life expectancy, replacement with appropriate new planting may be preferable, especially if this would be beneficial to the landscape and/or biodiversity. In some circumstances the creation of other forms of landscaping and/or habitat may be more appropriate.

21.7 To ensure that trees on development sites are not threatened by building works, the construction of drainage systems or other services and that they will not be removed in the long term, the Council requires that all development conforms with the recommendations laid out in BS5837:2012. The Council require that no building or works will be permitted within the construction exclusion zone of trees that have been identified for retention. Only in exceptional circumstances or where there is no other alternative, will construction, hard surfacing, drainage, underground services or sub soil works be permitted within this construction exclusion zone.

21.8 Where there is no alternative to undertaking works within the construction exclusion zone it is the applicant's responsibility to provide clear evidence, from suitably qualified professionals, of the reasons and justification for the proposed work. The application should also specify the methods and details of construction necessary to minimise any damage to the tree(s) in question.

21.9 Where it is in the interests of amenity for trees and woodlands to be preserved, the District Council has powers to make Tree Preservation Orders. Under such orders permission is required for lopping, topping and felling work to the tree. The Council also has to be notified of proposals to carry out work on trees in Conservation Areas.

21.10 The Hedgerows Regulations 1997 require anyone proposing to remove a hedgerow in the countryside to notify the Council so that important hedgerows can be protected. In general, the system applies to hedgerows 20 metres or more in length, or which meet another hedgerow at each end. Garden hedges are not affected.

D3 - Trees and Development Sites

Permission will only be granted for development, where appropriate tree retention and/or planting is proposed in conjunction with the proposed nearby construction. The council will seek to ensure, subject to detailed design considerations, that there is no net loss in the quality of trees or hedgerows resulting from an approved development. The development should deliver a harmonious and sustainable relationship between structures and trees. The recommendations of British Standard 5837:2012 (or the current revision) will be taken fully into account in addressing development proposals.

No building, hard surfacing drainage or underground works will be permitted that does not accord with the principles of BS 5837 or Volume 4 National Joint Utilities Group (NJUG) Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees – Issue 2 (or the current revision or any replacement) unless, exceptionally, the Council is satisfied that such works can be accommodated without harm to the trees concerned or there are overriding reasons for development to proceed.

The Council will as a condition of any planning permission granted, require details as to how trees, hedges and hedge banks will be protected prior to and during and after construction. The Council will protect existing trees and trees planted in accordance with approved landscaping schemes through the making of Tree Preservation Orders where appropriate or necessary.

Planning permission will be refused for development resulting in the loss or deterioration of ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss.

Advertisements Signs

21.11 The quality and extent of advertisements significantly affects the character and appearance of many town centres and Conservation Areas in the District. Advertisements can contribute to life, vitality and colour which enhance the environment, or they can equally destroy or diminish the quality of individual buildings and whole streets. The scale and form of advertisements should harmonise and complement their surroundings and not dominate or appear visually incongruous. Excessive numbers of advertisements on a building can detract from the character of the property and the area.

21.12 In considering applications for advertisement consent the Council will seek to ensure the protection and enhancement of its designated conservation areas and will protect the character and setting of any listed buildings. In these cases, on amenity grounds internally illuminated fascia wall, projecting or box signs and 'A' boards are unlikely to be acceptable and the Council considers traditional painted fascia boards and hanging signs to be generally more appropriate.

D4 - Applications for Display of Advertisements

Consent will be granted for applications for the display of advertisements taking into consideration their merits in the interests of amenity and/or public safety and where the following criteria are met:

1. The advertisement is appropriately positioned in relation to the design of the building and is of an appropriate scale.
2. The advertisement does not create a hazard to traffic safety, whether vehicular or pedestrian.
3. Advertisements are kept to the minimum, and amalgamated wherever possible, to avoid clutter which would detract from the character of the building and the street scene.
4. Where a sign is lit the type and level of illumination is appropriate given the general level of lighting in the area.
5. The construction materials and the colours of the advertisement are sympathetic to the building and area.

22 The Natural and Historic Environment

Important Local Open Spaces

22.1 Open spaces within urban areas are often very important to the character and individual identity of a town because of their amenity value. In some cases such land is of intrinsically high environmental quality because of its form, tree and shrub cover or features such as a stream. In other instances it is important because of the view it gives of the surrounding countryside or a significant building or landmark. The fourteen sites identified on the Proposals Map as Land of Local Amenity Importance in Axminster, Budleigh Salterton, Exmouth and Sidmouth are open spaces of such particular quality and value to the character of the settlement and to the local community that they should be recognised and conserved and enhanced. In some circumstances the amenity value could be complemented by a community use of the land. Community uses will be supported, subject to such uses not undermining the open quality of an area. Such land areas can often be used for informal or formal recreation purposes though it is their general amenity importance and value to the community which is of greatest relevance. A background technical paper has been produced assessing appropriateness of sites which can be viewed on the Council evidence web pages¹⁰³.

22.2 The NPPF allows for local plans and neighbourhood plans to designate Local Green Spaces in order to rule out their development. Our Local Plan does not designate any Local Green Spaces, as areas identified for protection are mentioned in policy and are shown on the inset maps however policy provision for Land of Local Amenity Importance fulfils a similar purpose.

EN1 - Land of Local Amenity Importance

Development of land shown on the Proposals Map as being Land of Local Amenity Importance will not be permitted unless a clear community need for the proposal has been identified and where the development cannot be accommodated elsewhere and would either complement or not undermine the open character of the area.

The Byes in Sidmouth

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.

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.

22.8 Not all important features can be identified on the Proposals Map and designated sites form just one part of the great range and variety of habitats and species throughout East Devon. Many non-designated sites and features also add to the biodiversity interest, appeal and quality of the District. Wherever possible the Council will seek to support, encourage and promote opportunities for nature conservation, protection and promotion.

EN5 - Wildlife Habitats and Features

Wherever possible sites supporting important wildlife habitats or features not otherwise protected by policies will be protected from development proposals which would result in the loss of or damage to their nature conservation value, particularly where these form a link between or buffer to designated wildlife sites. Where potential arises positive opportunities for habitat creation will be encouraged through the development process.

Where development is permitted on such sites mitigation will be required to reduce the negative impacts and where this is not possible adequate compensatory habitat enhancement or creation schemes will be required and/or measures required to be taken to ensure that the impacts of the development on valued natural features and wildlife have been mitigated to their fullest practical extent.

Archaeological Features and Sites

22.9 Archaeological remains can contain irreplaceable information about our past and are valuable both for their own sake and for their role in education, leisure and tourism. Many archaeological remains are highly fragile and vulnerable to damage and destruction. East Devon has a significant archaeological heritage which is a finite and non-renewable resource.

22.10 There are nearly 200 nationally important Scheduled Monuments within the Local Plan area and these are identified on the Proposals Maps. Other sites of local interest are recorded in the Devon Historic Environment Record which is maintained by the County Council. Due to the large number of sites, their size and form and the large number of new sites added each year, it would be impracticable to show them on the Proposals Map.

EN6 - Nationally and Locally Important Archaeological Sites

Development that would harm nationally important archaeological remains or their settings, whether scheduled or not, including milestones and parish stones, will not be permitted.

Development that would harm locally important archaeological remains or their settings will only be permitted where the need for the development outweighs the damage to the archaeological interest of the site and its setting. There is a presumption in favour of preservation in situ in the case of nationally and locally important remains. Preservation of locally important remains by record will be required where the need for the development outweighs the need to preserve the remains in situ.

Potentially Important Archaeological Sites

22.11 Prospective developers should in all cases give consideration to the question of whether archaeological remains exist on a site where development is planned and the implications for the development proposal. Where a proposal involves a site of archaeological significance or of potential interest, it may be necessary for the developer to carry out an evaluation prior to the determination of a planning application. The County Council Historic Environment Service will be able to provide advice to the developers about areas where prior evaluation will be appropriate.

EN7 - Proposals Affecting Sites which may potentially be of Archaeological Importance

When considering development proposals which affect sites that are considered to potentially have remains of archaeological importance, the District Council will not grant planning permission until an appropriate desk based assessment and, where necessary, a field assessment has been undertaken.

Building Conservation and Listed Buildings

22.12 Listed Buildings and their settings are an important element of East Devon's character which the Council wishes to preserve.

22.13 Alterations to Listed Buildings must be carried out with the greatest skill and care in order to ensure that changes are not detrimental to the special architectural and historic interest of the building. Unacceptable or undesirable impacts to listed buildings can arise from the use of inappropriate modern materials such as UPVC, aluminium and stained hardwood unless there is an over-riding justification. The Council may request an analysis of the building to aid an assessment of the impact of the proposed changes.

EN8 - Significance of Heritage Assets and their Setting

When considering development proposals the significance of any heritage assets and their settings, should first be established by the applicant through a proportionate but systematic assessment following East Devon District Council guidance notes for 'Assessment of Significance' (and the English Heritage guidance "The Setting Of Heritage Assets"), or any replacement guidance, sufficient to understand the potential impact of the proposal on the significance of the asset. This policy applies to both designated and non-designated heritage assets, including any identified on the East Devon local list.

Development Affecting a Designated Heritage Asset

22.14 The National Planning Policy Framework states that substantial harm or total loss of significance of a designated heritage asset should only be permitted in exceptional circumstances. Where total loss is accepted the Council will seek to ensure that the building is retained until redevelopment is to commence and that the possibilities of relocating the building or salvaging features of interest are fully explored. An opportunity for recording the building must be given, and an archaeological investigation of the site may be required.

EN9 - Development Affecting a Designated Heritage Asset

The Council will not grant permission for developments involving substantial harm or total loss of significance of a designated heritage asset unless it can be demonstrated that it is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site.
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation.
- c) conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible.
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.

Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance should be wholly exceptional.

Where total or partial loss of a heritage asset is to be permitted the Council may require that:

- e) A scheme for the phased demolition and redevelopment of the site providing for its management and treatment in the interim is submitted to and approved by the Council. A copy of a signed contract for the construction work must be deposited with the local planning authority before demolition commences.

- f) Where practicable the heritage asset is dismantled and rebuilt or removed to a site previously approved.
- g) Important features of the heritage asset are salvaged and re-used.
- h) There is an opportunity for the appearance, plan and particular features of the heritage asset to be measured and recorded.
- i) Provision is made for archaeological investigation by qualified persons and excavation of the site where appropriate.

Where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, the harm will be weighed against the public benefits of the proposal, including securing its optimum viable use. Favourable consideration will be given for new development within the setting of heritage assets that enhance or better reveal the significance of the asset, subject to compliance with other development plan policies and material considerations.

Conservation Areas

22.15 The Council has a duty to determine which parts of the District are of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance and to designate them as Conservation Areas. Special attention has then to be paid to such areas in all planning decisions. For this reason, proposals for development, or other works within or likely to affect Conservation Areas, should be accompanied by detailed drawings indicating the type of development proposed and its form and materials. The position, scale and detailed design of any new buildings or extensions to existing buildings must have regard to adjoining buildings and to the local character. Conservation Area Appraisals have been published for all the Conservation Areas and these are being updated.

22.16 Within the Conservation Areas the Council will take positive steps to enhance the area by implementing schemes for landscaping and visual improvement and by seeking to remove features including advertisements and satellite dishes, which detract from the character and appearance of the area. The Highway Authority will also be requested to pay particular attention to paving, kerbing and all types of street furniture, such as lighting standards and direction signs, in order to protect the character of the area. In Conservation Areas the emphasis should generally be on renovation and re-use rather than demolition and redevelopment. The existing buildings within Conservation Areas usually reflect the historical and architectural importance of the area and their loss should be avoided wherever possible.

EN10 - Conservation Areas

Proposals for development, including alterations, extensions and changes of use, or the display of advertisements within a Conservation Area, or outside the area, but which would affect its setting or views in or out of the area, will only be permitted where it would preserve or enhance the appearance and character of the area. Favourable consideration will be given to proposals for new development within conservation areas that enhance or better reveal the significance of the asset, subject to compliance with other development plan policies and material considerations. Loss of a building or other structure that makes a positive contribution to the significance of a Conservation Area will be considered against the criteria set out in Policy EN9.

Water Quality, Sewerage, Flooding and Coastal Erosion

22.23 The Council recognises the importance of water quality to a wide range of uses, including abstraction for potable supply, industrial water supply, fisheries, livestock watering, spray irrigation, amenity, wildlife and conservation. Consideration must be given to any possible impact of development on groundwater recharge, flows and levels. Where it is anticipated that works might penetrate the natural winter water table the Environment Agency would expect a full hydro-geological assessment and impact statement to be undertaken. Further, where detrimental consequences for water resources were shown to be

likely there will need to be suitable mitigation measures. To help inform policy of water related issues the Council (with partners) commissioned a Water Cycle Study.¹⁰⁴

22.24 New development can have a significant impact on water quality as a result of surface and wastewater discharges, storage of potentially contaminated materials or other contaminated land uses. Initial construction activity can also influence or damage riverbanks, aggravate erosion and disturb contaminated land. In determining planning applications for new development the Council, in conjunction with the Environment Agency, will give close consideration to the possible implications for both surface and ground water. Development which threatens existing water quality or quantity will not be permitted. Due regard will therefore be given to the Environment Agency's Policy and Practice for the Protection of Groundwater (GP3)¹⁰⁵ which may impose constraints on development. The Environment Agency has derived Source Protection Zones for potable public water supply, and other human consumption uses. These zones represent the groundwater catchments of the sources and are derived by current techniques and methods and are dependent on the current abstraction and various physical parameters. As such they are not fixed and require both ongoing management and periodic review. Furthermore, Source Protection Zones have only been published for the above types of supply but exist for all other potable supplies. The published Source Protection Zones are available on the Environment Agency's website (www.environment-agency.gov.uk). There are a number of sources within the Otter Valley for which Source Protection Zones have been published.

22.25 A number of wildlife designated sites, of most importance being the European designated sites will be sensitive to water quality and quantity issues, protection of wildlife interests will require close working with the Environment Agency and Natural England.

EN18 - Maintenance of Water Quality and Quantity

The Council will require developers to take appropriate measures to ensure that development does not adversely affect the quality or quantity of either surface or groundwater. Development that would result in adverse impacts or potential for pollution will be restricted within Source Protection Zones.

Sewers and Water Treatment

22.26 Most of the settlements within East Devon are connected to main sewers. However, many existing sewerage systems and sewage treatment works are at or near capacity. Unless additional infrastructure is provided further demands placed on existing facilities may result in the pollution of controlled waters. Consequently development should only take place where existing infrastructure is adequate, or where new facilities will be provided to coincide with the new demand. Prospective developers should contact the Environment Agency regarding drainage restrictions.

22.27 The drainage restrictions currently operating in East Devon may change within the plan period and developers are therefore strongly advised to contact South West Water in order to obtain the latest information on drainage restrictions operating in the area they wish to develop. It is important to be aware that wildlife sites (of most importance European designated sites) can be sensitive to pollution and water quality and quantity issues can be critical. Close working with the Environment Agency and Natural England on this matter is essential and potential concerns relate to foul sewers and sewage treatment systems as well as private treatment works.

EN19 - Adequacy of Foul Sewers and Adequacy of Sewage Treatment Systems

New development will not be permitted unless a suitable foul sewage treatment system of adequate capacity and design is available or will be provided in time to serve the development.

Development where private sewage treatment systems are proposed will not be permitted unless ground conditions are satisfactory and the plot is of sufficient size to provide an adequate subsoil drainage system or an alternative treatment system.

22.29 Both the impact of flooding on future development and the impact that development could have on patterns of flooding elsewhere are important planning considerations. Climate change may lead to increased risks of flooding over the lifetime of new developments. A Strategic Flood Risk Assessment for East Devon was completed in 2008. The policy approach set out follows the advice in both documents to apply a sequential approach and, if necessary, an exceptions test.

EN21 - River and Coastal Flooding

A sequential approach will be taken to considering whether new developments excluding minor developments and changes of use (minor development includes non residential extensions with a footprint of less than 250 square metres, development that does not increase the size of the building or householder development unless it would create a separate dwelling) will be permitted in areas subject to river and coastal flooding.

Wherever possible developments should be sited in Flood Zone 1 as defined in the East Devon District Council Strategic Flood Risk Assessment¹⁰⁶. Only if there is no reasonably available site in Flood Zone 1 will locating the development in Flood Zone 2 and then Flood Zone 3 be considered. The flood vulnerability of proposed development, as set out in Appendix D of the East Devon Strategic Flood Risk Assessment will be taken into account.

If, after following this sequential approach, acceptable sites cannot be found and the development is necessary for wider sustainable development reasons, development may be permitted if all of the following criteria are met.

1. It is demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk.
2. The proposed development is on previously developed land that is suitably located and available for development, unless no reasonable alternative sites are available.
3. A flood risk assessment demonstrates that the development will be safe, without increasing flood risk elsewhere and, where possible, will reduce flood risk overall.

This shall not apply to 'highly vulnerable' development in Flood Zone 3a or 'less vulnerable'; 'more vulnerable'; or 'highly vulnerable' development in Flood Zone 3b as defined in the East Devon Strategic Flood Risk Assessment.

22.30 Increased surface water run-off can contribute to accelerated cliff erosion. To safeguard our coastal communities it is important that development that could exacerbate this problem is controlled.

22.31 New developments may result in a substantial increase in surface water run-off as permeable surfaces are replaced by impermeable surfaces such as roofs and paving. This may result in an increased risk of flooding downstream, increased pollution, silt deposition, damage to watercourse habitats and river channel instability. Consequently, surface water run-off implications of new development will be closely examined during the planning application process. Planning permission will only be granted where the Council is satisfied that suitable measures, designed to mitigate the adverse impact of surface water run-off, are included as an integral part of the development.

22.32 Traditional surface water drainage techniques associated with development, such as piping run-off directly to watercourses can result in:

- a) Increased likelihood of flooding.
- b) Deterioration in the quality of surface and groundwater.
- c) Erosion of riverbanks.
- d) Damage to habitats, ecosystems and the life they support.
- e) Depletion of groundwater.

22.33 Sustainable urban drainage is the practice of controlling surface water run-off as close to its origin as possible before it enters a watercourse. Such systems should be the first

consideration when designing for surface water run-off. This will involve moving away from traditional piped drainage systems to softer engineering solutions to enable the following:

- a) Reducing the flood risk from development within a river catchment.
- b) Minimising diffuse pollution arising from surface water run-off.
- c) Reducing the risk of pollution to aquifers.
- d) Minimising environmental danger.
- e) Maintaining or restoring the natural flow regime of the receiving watercourse.
- f) Maintaining recharge to groundwater.

22.34 Systems may include:

- a) Grass swales, soakaways and filter strips.
- b) Infiltration basins, trenches or other infiltration devices.
- c) Detention and retention ponds.
- d) Wetlands with optional reed beds.
- e) Permeable surfaces and porous pavements.

22.35 Remedial work may be required some distance from the application site. In such cases the developer will be expected to enter into a planning obligation to ensure that the required work is carried out. Developers will be expected to cover the costs of assessing surface water drainage impacts and of any appropriate mitigation works, including long term management.

22.36 Using Sustainable Drainage Systems (SUDS) to manage surface water has a number of benefits, such as improving water quality and the local environment. However, they also provide an important function in reducing the risk of flooding of homes and businesses, as well as adjacent or downstream properties, as a result of heavy rainfall. It is therefore a key consideration to look at the surface water flood mapping available and consider what drainage measures should be used. The Government's expectation is that sustainable drainage systems will be provided in new developments wherever this is appropriate.

EN22 - Surface Run-Off Implications of New Development

Planning permission for new development will require that:

1. The surface water run-off implications of the proposal have been fully considered and found to be acceptable, including implications for coastal erosion.
2. Appropriate remedial measures are included as an integral part of the development, and there are clear arrangements in place for ongoing maintenance over the lifetime of the development.
3. Where remedial measures are required away from the application site, the developer is in a position to secure the implementation of such measures.
4. A Drainage Impact Assessment will be required for all new development with potentially significant surface run off implications.
5. Surface water in all major commercial developments or schemes for 10 homes or more (or any revised threshold set by Government) should be managed

Coastal Change Management Areas

22.37 Although the Shoreline Management Plan 2107 does not identify significant coastal change within the lifetime of this plan, in the future it will be appropriate to define specific coastal change management areas where there are likely to be physical changes to the coast. Policies will be developed to guide appropriate development in such areas and to make provision for development and infrastructure that may need to be relocated. Extensive engagement with the local communities affected and expert bodies will be needed to support this work, which will be used to inform a future review of the plan. Until this work is finalised the following interim policy will apply.

EN25 – Development Affected by Coastal Change

Where there is robust evidence to demonstrate that permanent homes (with unrestricted occupancy) or community facilities, commercial or business uses that are considered important to coastal communities are likely to be affected by coastal erosion within 20 years

of the date of the proposal, proposals for relocation/replacement may be considered favourably subject to the following criteria:

1. The new development is located in an area at less risk of coastal erosion;
2. The replacement property is located close to the community from which it is displaced and has an acceptable relationship with it in terms of character, setting, local amenity and any special landscape designations;
3. Overall, taking both the existing and proposed buildings into account, the proposal should not have an additional detrimental impact on the landscape, townscape or biodiversity of the area, taking into account any special designations;
4. The existing site is either cleared and restored with enhancements for nature conservation or put to use to benefit the local community within three months of the first use of the replacement. The future use of the site should be secured in perpetuity and provision made for public access to the coast where appropriate;
5. The development is consistent with the criteria set out in Policy S7 - Development in the Countryside; and
6. In the case of a residential proposal, the gross volume of the replacement dwelling is no larger than the one it is to replace.

23 New Residential Development

Mix of Houses on Development Schemes

23.1 Local Plan Policy seeks not only to provide new homes but aims to provide wider housing opportunity and choice and a better mix in the size type and location of housing than is currently available. Accordingly, it is appropriate for developers to provide a range and mix of housing type, size and affordability within new residential developments and conversions. Due to size constraint limitations it is not considered that all sites will be suitable for the application of this policy, therefore a threshold has been incorporated into the policy, above which developers will be expected to take into account this policy in proposed schemes. The policy includes encouragement of the provision of plots for small builders/individuals or groups who wish to custom build their own homes, in accordance with the National Planning Policy Framework.

H2 - Range and Mix of New Housing Development

Planning permission will not be granted for new residential development which provides for 15 dwellings or more, or is situated on a site of 0.5 ha or larger, unless it contains a mix of dwelling sizes or comprises predominantly, or totally, of smaller dwellings. However where site characteristics, including in respect of landscape prominence and character, clearly indicate an alternative scale is appropriate there will be flexibility in scale. Landscape Character Assessment will be of key importance in site assessment work and establishing an appropriate dwelling mix.

To ensure a variety of housing provision, where possible, developers will be encouraged to make at least 10% of plots available for sale to small builders or individuals or groups who wish to custom build their own homes.

Conversion of Houses to Flats

23.2 The flats resulting from house conversions can be a valuable addition to the housing stock. Such dwellings should not be substandard in terms of private amenity space and unless well served by public transport or with ready accessibility to services, such as in a town centre location, they should have appropriate provision for car parking. In addition matters such as room sizes, daylight and ventilation, means of escape and noise insulation will be relevant concerns and as such developers will need to be aware of legislation, other than that relating to planning controls, that will need to be complied with. Flat conversions

can often have undesirable environmental effects such as hard surfacing of garden areas, external staircases and unattractive refuse storage areas that can damage the character and amenity of an area. In some town locations car parking is a serious problem and in these areas proposals which would result in an unacceptable increase in on-street parking will be resisted.

H3 - Conversion of Existing Dwellings and Other Buildings to Flats

Within Built-up Area Boundaries planning permission will be granted for the conversion of existing residential properties to self contained flats provided:

1. The proposed conversion will not materially adversely affect the character and amenities of the surrounding area or the building itself.
2. Development is located close to a range of accessible services and facilities to meet the everyday needs of residents.
3. Provision is made for adequate bicycle storage and car parking. Hard surfacing of front gardens to facilitate car parking will not be permitted where this would have an unacceptably harmful effect on the appearance of the area or on flooding.
4. Provision is made for storage of refuse.

Proposals for the conversion of buildings not in residential use will need to be compatible with other relevant policies in the Local Plan and the above criteria. Beyond Built-up Area Boundaries the conversion of existing residential properties will only be permitted where they meet all of the above criteria and they are compatible with environment policies of the plan regulating building conversions in the open countryside.

24 Employment, Economic Development, Retail and Tourism

Employment Uses in Built-up Area Boundaries

24.1 In recognition of the need for appropriate development in both towns and villages the Local Plan makes provision for development of non-allocated sites for employment purposes. In providing for employment potential full account has been made of the importance of safeguarding the existing character and amenities of East Devon, whilst at the same time sustaining and improving the local economy.

24.2 In residential areas some commercial activities are wholly inappropriate because they give rise to noise and disturbance. However, people working from home using a part of a dwelling often start small businesses or they are in established mixed-use areas, and they do not adversely affect neighbouring properties or the character and amenities of the area. Small scale uses which are incidental to the use of a dwelling house may not require planning permission, unless they expand to a point where they become the dominant use or are intrusive.

E2 - Employment Generating Development in Built-Up Areas

Within Built-up Area Boundaries, on sites not allocated or reserved for other uses, new businesses or expansion of existing businesses will be permitted provided the proposed development, whether through re-use of existing buildings or new build, meets the following criteria in full:

1. Where practical it is accessible by pedestrians, cyclists and public transport.
2. It would not generate traffic of a type or amount inappropriate for the character of access roads or require improvements that would damage the character of those roads.
3. It would not harm the character or setting of local settlements or the amenity of nearby residents.
4. It would not harm any site of nature conservation value or archaeological importance or any building of architectural or historic interest.

5. It would blend into the landscape and/or townscape in terms of design, siting and materials.

Within the Built-up Area Boundaries of the seven coastal and market towns of the district we will support regeneration schemes designed to increase net job opportunities in the business, retail and/or leisure use classes, subject to the criteria listed above.

Extension of Established Employment Sites in Urban and Rural Areas

24.7 It is important for East Devon to develop its employment base and where established sites are successful, an additional extension should be provided to concentrate and encourage economic development. Plan policy will apply to employment sites and larger employers. This policy will offer protection to the surrounding built and natural environment whilst promoting business in the District.

E7 - Extensions to Existing Employment Sites

Outside Built-up Area Boundaries and where it is clear that a business or employment site or estate is at or near full occupancy the Council will permit the small scale expansion of the site in a manner that is proportionate to the existing size and scale of site operations provided the following criteria are met in full:

1. The local highway network is capable of accommodating the forecast increase in traffic established by a Traffic Assessment; or where these can be mitigated either by physical works being undertaken by the applicant or contributions are secured towards the cost of the works.
2. There will be no detrimental impact upon any nearby residential properties.
3. No protected landscapes or historic interests or other environmental interests are adversely affected and the existing local biodiversity and habitats are conserved or enhanced.

In association with any development encouragement will be given for on-site renewable energy production.

In order to ensure that land is retained for the benefit of the local economy, permitted development rights allowing changes to alternative uses will be withdrawn.

This policy will not apply at Hill Barton and Greendale business Parks.

Town Centre Vitality

24.9 Town Centres provide a wide range of services and fulfil a variety of functions that need to be accessible to a large number of people from all sectors of the community.

24.10 Variety and activity are essential elements of the vitality and viability of town centres. Different, but complementary uses can reinforce each other to attract large numbers of people thereby ensuring the vibrancy of town centres both during the day and in the evening. Non-retail uses such as entertainment facilities, museums, hotels and conference centres, market stalls, restaurants and cafes can add variety. Within town centre shopping areas (outside primary shopping frontages) A2 (financial and professional services) and A3 (food and drink) uses which contribute to the diversity and vitality of centres will generally be permitted. Other non-retail uses which would detract from diversity and vitality will not usually be permitted. To inform town centre shopping areas and also Primary shopping frontages the Council produced a technical town centre retail report in 2012 which can be viewed on the Council web site evidence pages¹⁰⁹.

24.11 Markets and farmer's markets help to promote local produce and the local economy. They are an important town centre use that should be enhanced and retained.

24.12 The District Council promotes the residential use of vacant or under used space above shops and businesses as this encourages owners to keep buildings in a good state of repair, lessens reliance on the car and contributes towards the supply of housing. Town centres should be living centres and not just active during business opening hours. Appropriate residential development in town centres will be encouraged.

E9 - Town Centre Vitality and Shopping Areas

The viability of town centres relies on their ability to be competitive, and this policy seeks to ensure this. Within Town Centre Shopping Areas as defined on the Proposals Map (outside the Defined Primary Shopping Frontages) proposals for both retail and non-retail uses which would add variety and increase activity and uses in Classes A2 and A3 of the Town and Country Planning (Use Classes Order) 1987 will be permitted provided:

1. The use would not undermine the shopping character, and visual amenity, vitality or viability of the town centre.
2. The amenity interest of occupiers of adjoining properties is not adversely affected by reason of noise, smell or litter.
3. It would not cause traffic problems.
4. Permission for change of use will not be permitted unless it can be clearly demonstrated that there is no longer a need for such uses and that the building or site has been marketed for at least 12 months (and up to two years depending on market conditions) at a realistic price without interest.

Other non-retail uses will not be permitted unless the same criteria are met and the use would not harm the diversity, viability and vitality of the centre.

The establishment of new shops which are outside defined town centres or which would extend the shopping areas will not be permitted if they would harm the convenience, vitality or viability of the town centre.

The Primary Shopping Frontages in East Devon Towns

24.13 In the main towns in the District there has been a tendency for non-retail uses, such as building societies and estate agents, to take over some of the prime town centre locations. When these uses are grouped together the area can become less attractive and convenient to shoppers undermining its retail function. Many of the non-retail uses, especially service providers, are dependent upon the shops to attract trade and it is important therefore that a proper balance is maintained to ensure the vitality and viability of the town centre. Hot take-away food shops can also have a serious impact on the character and quality of town centre shopping areas through noise, smell, litter and disturbance. Within the primary shopping frontages permission will not normally be granted for the change of use of ground floor premises from retail to non-retail uses unless it can be demonstrated that this would not be harmful to the existing character or primary shopping function of the area.

E10 - Primary Shopping Frontages

Within the Primary Shopping Frontages, as defined on the Proposals Map, permission will only be granted for the conversion or change of use of the ground floor of existing shops to non-retail uses where the proposed use would not undermine the retail function, character, vitality and viability of the Primary Shopping Area. Permission for change of use will not be permitted unless it can be clearly demonstrated that there is no longer a need for such uses and that the building or site has been marketed for at least 12 months (and up to two years depending on market conditions) at a realistic price without interest. Proposals will be required not to adversely affect the amenity of the surrounding area through noise, smell, litter, traffic or disturbance arising from late opening hours.

Large Retail Stores and Supermarkets

24.14 A sequential approach should be taken to sites for new retail and retail related development, for example drive-through restaurants. The sequential approach identifies preferred locations which must be considered before out-of-centre sites. The first preference is for town centre locations (within the Town Centre Shopping Area), followed by edge-of-centre sites and only then by out-of-centre sites provided that they can be made accessible by a choice of means of transport and will not adversely impact upon nearby centres. It is however, recognised that existing out of town stores will continue to provide a form of retailing which both adds to local shopping choice and is popular with the public. Proposals for the refurbishment and redevelopment with small scale extensions of out of centre stores may be acceptable where there is insufficient net gain in retail floorspace to have an adverse effect