

# Willand Neighbourhood Plan Strategic Written Evidence Base Report

**NATURAL ENVIRONMENT SECTION ONLY**

Produced for: Willand Neighbourhood Plan Steering Group

23<sup>rd</sup> July 2020

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## Natural Environment

### National Planning Policy Framework

Section 15 focuses on *conserving and enhancing the natural environment* while the preceding section 14 is concerned with *meeting the challenge of climate change, flooding and coastal change*.

The following paragraphs are of most relevance to the natural environment in broad terms.

### 15. Conserving and enhancing the natural environment

170. Planning policies and decisions should contribute to and enhance the natural and local environment by:
- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
  - b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
  - c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
  - d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
  - e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
  - f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

172. Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks

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<sup>53</sup> Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.

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and the Broads<sup>54</sup>. The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development<sup>55</sup> other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

173. Within areas defined as Heritage Coast (and that do not already fall within one of the designated areas mentioned in paragraph 172), planning policies and decisions should be consistent with the special character of the area and the importance of its conservation. Major development within a Heritage Coast is unlikely to be appropriate, unless it is compatible with its special character.

## Landscape

### National Planning Policy Framework

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- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

173. Within areas defined as Heritage Coast (and that do not already fall within one of the designated areas mentioned in paragraph 172), planning policies and decisions should be consistent with the special character of the area and the importance of its conservation. Major development within a Heritage Coast is unlikely to be appropriate, unless it is compatible with its special character.

### National Planning Practice Guidance

#### Guidance > Natural Environment > Landscape

*003. ... Section 85 of the Countryside and Rights of Way Act 2000 requires that 'in exercising or performing any functions in relation to, or so as to affect, land' in National Parks and Areas of Outstanding Natural Beauty, relevant authorities 'shall have regard' to their purposes. A list of the public bodies and persons covered under relevant authorities is found in Defra guidance on the 'have regard' duty. Natural England has published good practice guidance on the 'have regard' duty.*

*This duty is particularly important to the delivery of the statutory purposes of protected areas. The duty applies to all local planning authorities, not just national park authorities. The duty is relevant in considering development proposals that are situated outside National Park or Area of Outstanding Natural Beauty boundaries, but which might have an impact on the setting of, and implementation of, the statutory purposes of these protected areas.*

*004. Planning policies and decisions should be based on up-to-date information about the natural environment and other characteristics of the area. As part of this, local planning authorities and*

*neighbourhood planning bodies should have regard to management plans for National Parks and Areas of Outstanding Natural Beauty, as these documents underpin partnership working and delivery of designation objectives. The management plans highlight the value and special qualities of these designations to society and show communities and partners how their activity contributes to protected landscape purposes.*

*National Parks and Areas of Outstanding Natural Beauty management plans do not form part of the statutory development plan, but may contribute to setting the strategic context for development by providing evidence and principles, which should be taken into account in the local planning authorities' Local Plans and any neighbourhood plans in these areas.*

*National Parks and Areas of Outstanding Natural Beauty management plans may also be material considerations in making decisions on individual planning applications, where they raise relevant issues.*

#### Natural England National Character Areas<sup>1</sup>

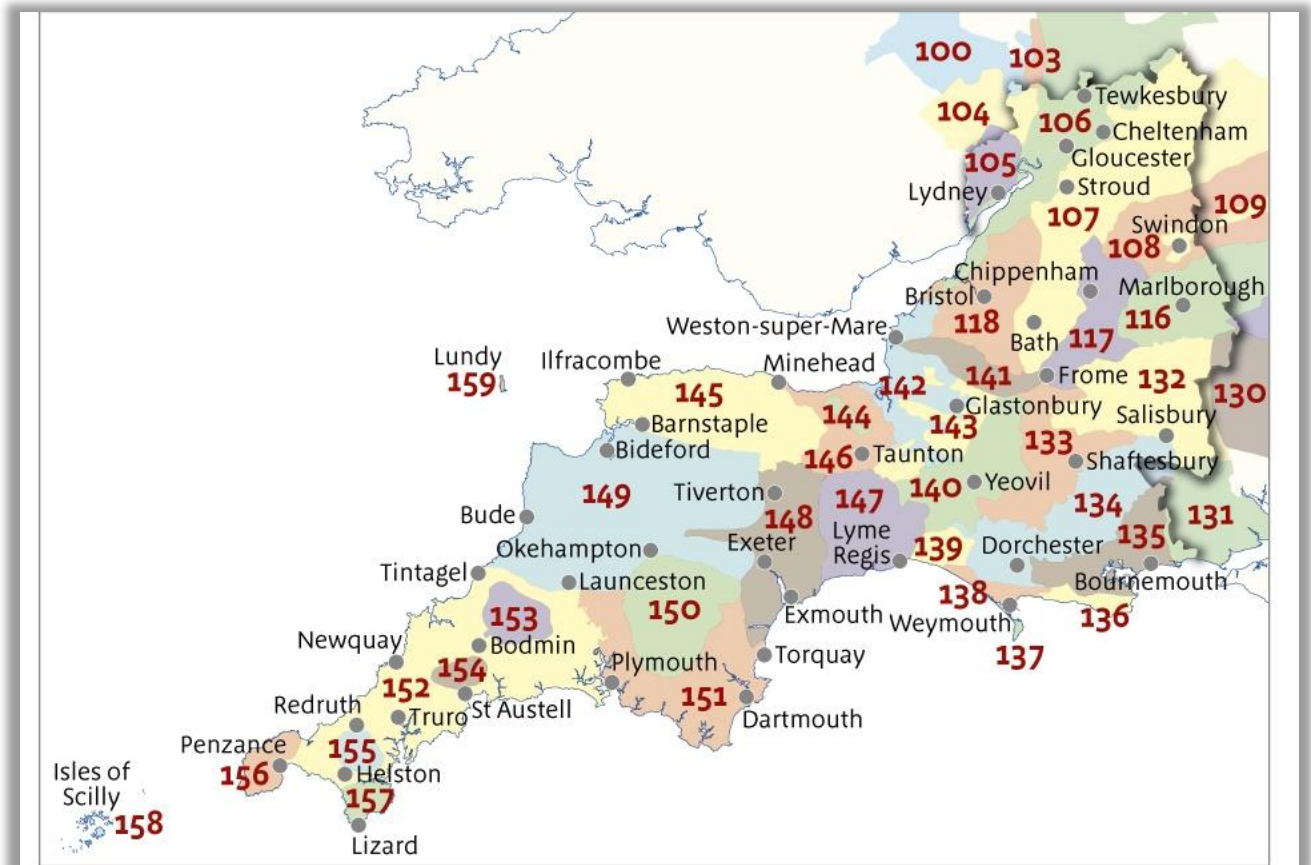
National Character Areas (NCAs) divide England into 159 distinct natural areas. Each is defined by a unique combination of landscape, biodiversity, geo-diversity and cultural and economic activity. Their boundaries follow natural lines in the landscape rather than administrative boundaries, making them a good decision-making framework for the natural environment.

NCA profiles provide a broad range of information that can be used by individuals and communities to help achieve a more sustainable future. The profiles include a description of the ecosystem services provided in each character area and how these benefit people, wildlife and the economy. They identify opportunities for positive environmental change (statements of environmental opportunity) and provide the best available information and evidence as a context for local decision making and action.

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<sup>1</sup> [www.naturalengland.org.uk/publications/nca/default.aspx](http://www.naturalengland.org.uk/publications/nca/default.aspx)

## South West NCAs



Source: <https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making/national-character-area-profiles>

According to the Government's website<sup>2</sup>, each profile contains a description of a landscape area and details of the:

- topography
- geology and soils
- rivers and coastal features
- trees and woodland
- field patterns and boundary features
- agricultural uses
- semi-natural habitats
- species closely associated with the area
- history of the area
- settlement and development patterns
- roads, railways and rights of way

<sup>2</sup> See <https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making>

- commonly used building materials and building design
- tranquillity and remoteness

The profiles also provide:

- the main facts and data about the area
- information about change in the landscape
- the main attributes of the landscape
- assessment of provisioning, regulating and cultural ecosystem services

Willand is within NCA 148: Devon Redlands<sup>3</sup>. The profile document sets out four “statements of environmental opportunity” (SEO) derived from the data that informs the composition of the NCA.

**“SEO 1:** Protect and manage the value and integrity of the coastal and estuarine landscape with its diversity of cliffs, geology, geomorphology, historic features, habitats and associated wildlife, contributing to the livelihoods, enjoyment and education of people.

**SEO 2:** Manage, enhance and where necessary protect the diversity of land use and activity which gives the Devon Redlands its distinctive character. Increase the connectivity of key habitats for the benefit of landscape, biodiversity and ecosystem services.

**SEO 3:** Protect and manage the distinctive character of the landscape, the natural beauty, scenic quality, historic environment and geological features. Enhance recreational resources, access to nature and heritage assets, particularly along the coast, to ensure public benefit and enjoyment.

**SEO 4:** Plan and manage for a strong landscape framework to support and integrate the expansion of Exeter, Exmouth, Teignmouth, Tiverton, Crediton and Cullompton, and the road and rail network throughout the area. Conserve and enhance the existing character, form and pattern of the area’s historic settlement, from single farmsteads to larger villages.”

### Green Infrastructure

Devon County Council hosts the Green Infrastructure (GI) Strategy for the county<sup>4</sup>. It defines green infrastructure as the term used to describe the network of natural spaces and corridors in a given area. It states that *“Green infrastructure assets include open spaces such as parks and gardens, allotments, woodlands, fields, hedges, lakes, ponds, playing fields, coastal habitats, as well as footpaths, cycleways or rivers. Assets involving water can also be called ‘blue infrastructure’, but these are all included in the overarching term of ‘green infrastructure’.*

*These assets provide areas for recreation and education, habitats for wildlife and also provide environmental services such as flood defence or absorption of air pollution. If they did not exist, then our lives would be very different. For this reason, these natural and semi-natural areas are identified as part of the basic ‘infrastructure’ that enables us to live as we do.”*

The GI Strategy sets out guiding principles which promote a joined-up approach to planning and delivery of green infrastructure across local authority boundaries as part of sustainable development delivery.

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<sup>3</sup> See <http://publications.naturalengland.org.uk/publication/6150022?category=587130>

<sup>4</sup> See <https://new.devon.gov.uk/greeninfrastructure/what-is-it-and-why-is-it-important>



Source: <https://new.devon.gov.uk/greeninfrastructure/strategy/principles-and-strategic-priorities-for-devon>



## Policy S1

### Sustainable development priorities

The following strategic priorities outline what will need to be achieved to deliver the Vision and address the key issues that have been identified in Mid Devon. All development will be expected to support the creation of sustainable communities by:

- a) A development focus at Tiverton, Cullompton and Crediton as Mid Devon's most sustainable settlements, with long-term growth to the east of Cullompton and a limited level of development in identified villages;
- b) Building a strong, competitive economy through access to education, training and jobs, infrastructure, the creation of new enterprise, economic regeneration and flexibility of uses to respond to changing circumstances;
- c) Ensuring the vitality of town centres and communities through a hierarchy of centres, defined town centre shopping areas, a diverse retail offer at Tiverton, Crediton and Cullompton, [through controls on Junction 27 retail](#) and support for the vitality and viability of defined villages;
- d) Supporting a prosperous rural economy through the conversion of suitable existing buildings and well-designed new buildings in suitable locations, diversification of agricultural and other land-based businesses, support for equestrian activities, retention and development of local services and community facilities in villages, and the promotion of sustainable rural tourism and leisure development;
- e) Promoting sustainable transport by delivering appropriate infrastructure, reducing the need to travel by car, integrating public transport and other forms of sustainable travel such as walking and cycling, and providing safe environments while recognising Mid Devon's rural locality;
- f) Supporting high quality communications infrastructure by supporting the expansion of telecommunications and high speed broadband throughout Mid Devon;
- g) Delivering a wide choice of high quality homes through a diverse housing mix and by meeting the housing needs of all sectors of the community including the provision of [accessible](#) housing for the elderly and disabled, those wishing to build their own home, affordable housing and gypsy and traveller pitches;
- h) Requiring good sustainable design that respects local character, [heritage](#), surroundings and materials, creates safe and accessible environments, designs out crime and establishes a strong sense of place;

- i) Promoting healthy communities through the delivery of social, educational, recreational and cultural facilities and services, access to high quality open space, public rights of way, recreational trails and accessible land, and opportunities for sport and recreation and the designation of Local Green Space;**
- j) Meeting the challenge of climate change by supporting a low carbon future, energy efficiency, increasing the use and supply of renewable and low carbon energy, managing flood risk and conserving natural resources. Encourage the effective use of land, taking into account the economic and other benefits of the best and most versatile agricultural land;**
- k) Conserving and enhancing the natural environment by protecting and enhancing valued landscapes including the Blackdown Hills Area of Outstanding Natural Beauty, Exmoor and Dartmoor National Parks, providing accessible green infrastructure, and preventing significant harm to soil, air, water, noise and visual quality, in particular air quality as a local issue at Crediton and Cullompton;**
- l) Minimising impacts on biodiversity and geodiversity by recognising the wider benefits of ecosystems, delivering natural environment objectives, providing a net gain in biodiversity and by the protection of International, European, National and local designated wildlife sites; and**
- m) Conserving and enhancing the historic environment through the identification and protection of designated and non-designated heritage assets and assessing the impact of new development on the historic character of Mid Devon's landscapes and townscapes.**

## Policy S9

### Environment

Development will sustain the distinctive quality, character and diversity of Mid Devon's environmental assets and minimise the impact of development on climate change through:

- a) High quality sustainable design which reinforces the character and distinctiveness of Mid Devon's historic built environment, mitigates and adapts to climate change and creates attractive places;
- b) The efficient use and conservation of natural resources of land, water and energy, minimising pollution and preserving the quality and productivity of the best and most versatile agricultural land wherever possible;
- c) The provision of measures to reduce the risk of flooding to life and property, requiring sustainable drainage systems including provisions for future maintenance, guiding development to locations of lowest flood risk by applying a sequential test where appropriate, and avoiding an increase in flood risk elsewhere;
- d) Renewable energy development in locations where there is an acceptable local impact, including visual, on nearby residents, landscape character and wildlife, balanced with the wider sustainability benefits of renewable energy;
- e) The preservation and enhancement of the distinctive qualities of Mid Devon's natural landscape, supporting opportunities identified within landscape character areas. Within or adjoining the Blackdown Hills Area of Outstanding Natural Beauty, and Exmoor and Dartmoor National Parks, the primary objective will be to protect the special **environmental** qualities of that landscape and its setting;
- f) The protection and enhancement of designated sites of international, national and local biodiversity and geodiversity importance. On both designated and undesignated sites, development will support opportunities for protecting and enhancing species populations and linking habitats, providing mitigation and compensation measures where appropriate; and
- g) The preservation and enhancement of Mid Devon's cultural and historic environment, and the protection of sites, buildings, areas and features of recognised national and local importance such as listed buildings, conservation areas, scheduled monuments and local heritage assets.

## Policy S14

### Countryside

Development outside the settlements defined by Policies S10-S13 will preserve and where possible enhance the character, appearance and biodiversity of the countryside while promoting sustainable diversification of the rural economy. Detailed development management policies will permit agricultural and other appropriate rural uses, subject to the following criteria:

- a) Affordable and low cost housing to meet local needs, ~~gypsy and traveller accommodation~~; residential conversion of appropriate existing buildings, replacement dwellings, housing essential to accommodate a rural worker and accommodation ancillary to a dwelling;
- b) Appropriately scaled retail, employment, farm diversification, tourism and leisure related development (including appropriate conversion of existing buildings);
- c) Appropriately scaled and designed extensions and other physical alterations to existing buildings;
- d) Agricultural and equestrian development;
- e) Community facilities, such as educational facilities, buildings associated with public open space, transportation and infrastructure proposals (including green infrastructure); and
- f) Renewable energy and telecommunications.

## Policy DM27

### Protected landscapes

Development proposals within or affecting the Blackdown Hills Area of Outstanding Natural Beauty, Dartmoor National Park, Exmoor National Park and the North Devon Biosphere Reserve must demonstrate that:

- a) Cultural heritage and the character, appearance, setting and other special qualities of the landscape will be conserved or, where possible, enhanced; and
- b) Biodiversity will be conserved and enhanced where possible through improved linking of habitats, appropriate landscaping and habitat creation.

Major developments within or adjoining the Area of Outstanding Natural Beauty and Dartmoor or Exmoor National Parks will only be permitted in exceptional cases.

## Policy DM28

### Other protected sites

Where development proposals would lead to an individual or cumulative adverse impact on Sites of Special Scientific Interest, ancient woodland, ancient trees, Regionally Important Geological Sites, County Wildlife Sites, Local Nature Reserves or priority habitats defined under the UK and Devon Biodiversity Action Plans, the Council will balance the overall benefits of the proposal against the impact. Sufficient information must be provided for the Council to assess the significance of the impact against the importance of the protected site and the species which depend upon it. Planning permission will be granted where:

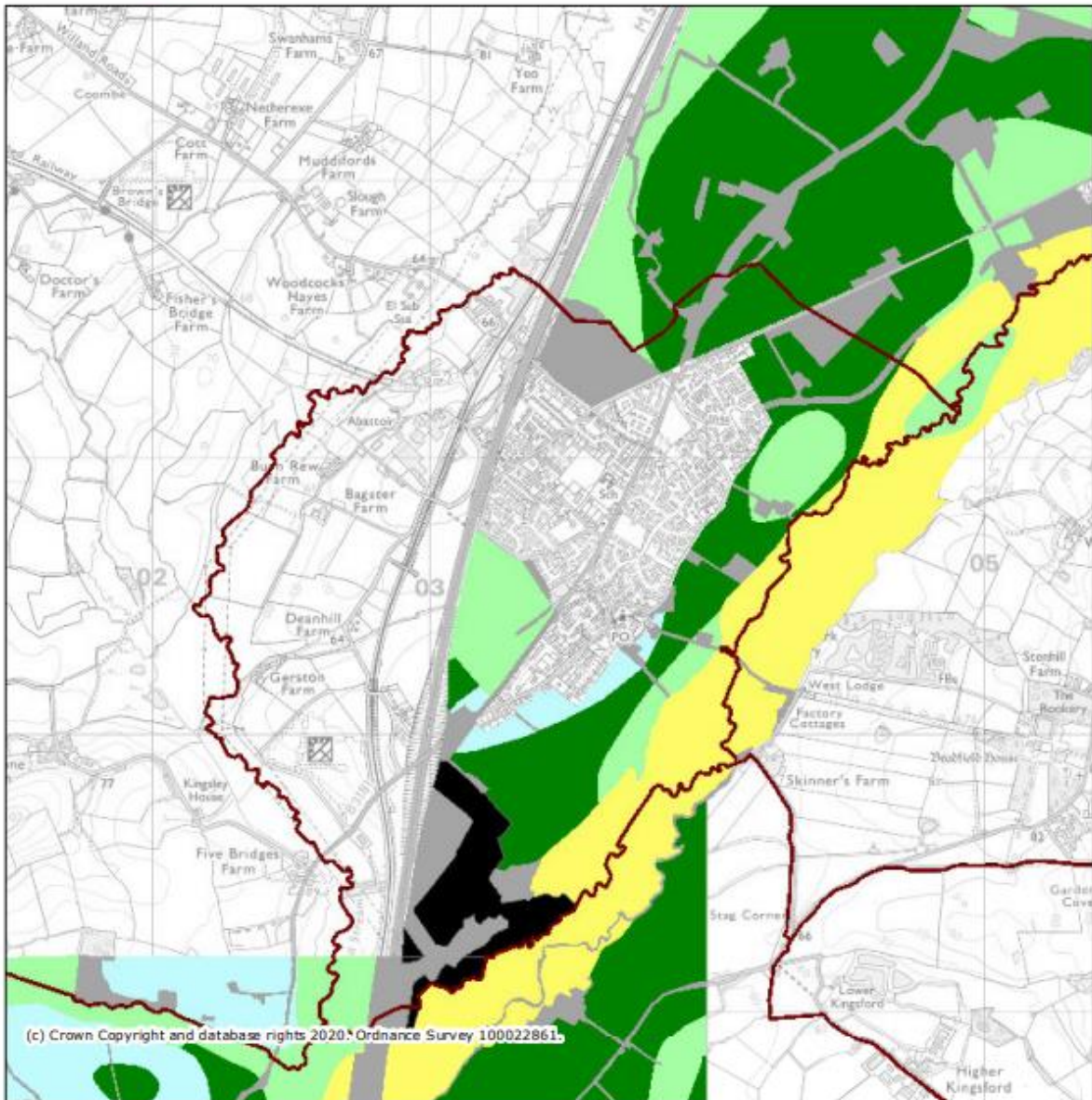
- a) The benefits of and need for the development clearly outweigh the direct and indirect impact to the protected site and the ecosystem services it provides;
- b) The development could not be located in an alternative, less harmful location; and
- c) Appropriate mitigation measures have been put in place. **Where mitigation measures are not possible compensatory measures in some cases may be considered appropriate.**

Where development proposals would lead to an individual or cumulative adverse impact on Natura 2000 sites, planning permission will be refused unless the proposal complies with criteria b) and c) above, and the fundamental integrity of the features of the Natura 2000 site would not be affected.

### Natural England MAGIC Mapping

A search of landscape designations such as Sites of Special Scientific Interest, Areas of Outstanding Natural Beauty, Special Areas of Conservation, etc identified that there are no designations of this type in the Parish.

# MAGiC 1988 Agricultural Land Classification



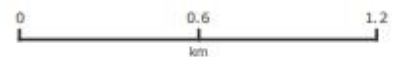
## Legend

Parishes (GB)

Other

## Post 1988 Agricultural Land Classification (England)

- Grade 1
- Grade 2
- Grade 3a
- Grade 3b
- Grade 4
- Grade 5
- Not Surveyed



Projection = OSGB36

xmin = 298400

ymin = 108200

xmax = 308500

ymax = 113100

Map produced by MAGiC on 23 July, 2020.

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Some information in MAGiC is a snapshot of the information that is being maintained or continually updated by the originating organisation. Please refer to the metadata for details as information may be illustrative or representative rather than definitive at this stage.

Other documents for consideration (depending on degree of focus on topic in Neighbourhood Plan)

Mid-Devon Green Infrastructure Assessment 2013 -

[https://www.middevon.gov.uk/media/103578/green\\_infrastructure\\_assessment\\_2013\\_.pdf](https://www.middevon.gov.uk/media/103578/green_infrastructure_assessment_2013_.pdf)

Mid-Devon Landscape Character Assessment 2011 -

<https://www.middevon.gov.uk/residents/planning-policy/adopted-local-plan-evidence/landscape-character-assessment/>

Landscape and Visual Appraisal of Strategic Development Location Options -

[https://www.middevon.gov.uk/media/103540/landscape\\_and\\_visual\\_appraisal\\_2014.pdf](https://www.middevon.gov.uk/media/103540/landscape_and_visual_appraisal_2014.pdf) (and figures / maps - <https://www.middevon.gov.uk/residents/planning-policy/local-plan-review-evidence-base/> )

Agricultural Land Classification 2015 - <https://www.middevon.gov.uk/media/178385/agricultural-land-classification-2015.doc>

Devon County Council Environment Viewer -

<https://www.devon.gov.uk/environment/environmental-maps>

Recommendations for collecting local written evidence base

Possible further work for the Steering Group:

- Willand Character Assessment (Landscape and Built Character)
- Identify “green corridors” and areas of land which perform a recreational / leisure, landscape and biodiversity role

## Biodiversity, Habitat and Geodiversity

### National Planning Policy Framework

#### Habitats and biodiversity

174. To protect and enhance biodiversity and geodiversity, plans should:

- a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity<sup>56</sup>; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation<sup>57</sup>; and
- b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

176. The following should be given the same protection as habitats sites:

- a) potential Special Protection Areas and possible Special Areas of Conservation;
- b) listed or proposed Ramsar sites<sup>59</sup>; and
- c) sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.

177. The presumption in favour of sustainable development does not apply where development requiring appropriate assessment because of its potential impact on a habitats site is being planned or determined.

### National Planning Practice Guidance

Guidance > Natural Environment > Biodiversity, ecosystems and green infrastructure

*008. Local and neighbourhood plans and planning decisions have the potential to affect biodiversity or geodiversity outside as well as inside designated areas of importance for biodiversity or geodiversity. Local planning authorities and neighbourhood planning bodies should therefore seek opportunities to work collaboratively with other partners, including Local Nature Partnerships, to develop and deliver a strategic approach to protecting and improving the natural environment based on local priorities and evidence. Equally, they should consider the opportunities that individual development proposals may provide to enhance biodiversity and contribute to wildlife and habitat connectivity in the wider area.*

*In considering how development can affect biodiversity, and how biodiversity benefits could be delivered through the planning system, it is useful to consider:*

- *the policies and commitments in Biodiversity 2020;*
- *the contents of any existing biodiversity strategies covering the relevant local or neighbourhood plan area and any local biodiversity action plans;*
- *the potential effects of a development on the habitats or species on the Natural Environment and Rural Communities Act 2006 section 41 list (in Biodiversity 2020)*
- *whether an ecological survey is appropriate;*



- *the factors listed in guidance on local ecological networks that supports National Planning Policy Framework paragraph 117.*

*The statutory obligations in regard to international and national designated sites of importance for biodiversity must also be considered.*

*017. Biodiversity maintenance and enhancements through the planning system have the potential to make a significant contribution to the achievement of Biodiversity 2020 targets.*

*Biodiversity enhancement in and around development should be led by a local understanding of ecological networks, and should seek to include:*

- *habitat restoration, re-creation and expansion;*
- *improved links between existing sites;*
- *buffering of existing important sites;*
- *new biodiversity features within development; and*
- *securing management for long term enhancement.*

## Policy S1

### Sustainable development priorities

The following strategic priorities outline what will need to be achieved to deliver the Vision and address the key issues that have been identified in Mid Devon. All development will be expected to support the creation of sustainable communities by:

- a) A development focus at Tiverton, Cullompton and Crediton as Mid Devon's most sustainable settlements, with long-term growth to the east of Cullompton and a limited level of development in identified villages;
- b) Building a strong, competitive economy through access to education, training and jobs, infrastructure, the creation of new enterprise, economic regeneration and flexibility of uses to respond to changing circumstances;
- c) Ensuring the vitality of town centres and communities through a hierarchy of centres, defined town centre shopping areas, a diverse retail offer at Tiverton, Crediton and Cullompton, [through controls on Junction 27 retail](#) and support for the vitality and viability of defined villages;
- d) Supporting a prosperous rural economy through the conversion of suitable existing buildings and well-designed new buildings in suitable locations, diversification of agricultural and other land-based businesses, support for equestrian activities, retention and development of local services and community facilities in villages, and the promotion of sustainable rural tourism and leisure development;
- e) Promoting sustainable transport by delivering appropriate infrastructure, reducing the need to travel by car, integrating public transport and other forms of sustainable travel such as walking and cycling, and providing safe environments while recognising Mid Devon's rural locality;
- f) Supporting high quality communications infrastructure by supporting the expansion of telecommunications and high speed broadband throughout Mid Devon;
- g) Delivering a wide choice of high quality homes through a diverse housing mix and by meeting the housing needs of all sectors of the community including the provision of [accessible](#) housing for the elderly and disabled, those wishing to build their own home, affordable housing and gypsy and traveller pitches;
- h) Requiring good sustainable design that respects local character, [heritage](#), surroundings and materials, creates safe and accessible environments, designs out crime and establishes a strong sense of place;

- i) Promoting healthy communities through the delivery of social, educational, recreational and cultural facilities and services, access to high quality open space, public rights of way, recreational trails and accessible land, and opportunities for sport and recreation and the designation of Local Green Space;**
- j) Meeting the challenge of climate change by supporting a low carbon future, energy efficiency, increasing the use and supply of renewable and low carbon energy, managing flood risk and conserving natural resources. Encourage the effective use of land, taking into account the economic and other benefits of the best and most versatile agricultural land;**
- k) Conserving and enhancing the natural environment by protecting and enhancing valued landscapes including the Blackdown Hills Area of Outstanding Natural Beauty, Exmoor and Dartmoor National Parks, providing accessible green infrastructure, and preventing significant harm to soil, air, water, noise and visual quality, in particular air quality as a local issue at Crediton and Cullompton;**
- l) Minimising impacts on biodiversity and geodiversity by recognising the wider benefits of ecosystems, delivering natural environment objectives, providing a net gain in biodiversity and by the protection of International, European, National and local designated wildlife sites; and**
- m) Conserving and enhancing the historic environment through the identification and protection of designated and non-designated heritage assets and assessing the impact of new development on the historic character of Mid Devon's landscapes and townscapes.**

## Policy S9

### Environment

Development will sustain the distinctive quality, character and diversity of Mid Devon's environmental assets and minimise the impact of development on climate change through:

- a) High quality sustainable design which reinforces the character and distinctiveness of Mid Devon's historic built environment, mitigates and adapts to climate change and creates attractive places;
- b) The efficient use and conservation of natural resources of land, water and energy, minimising pollution and preserving the quality and productivity of the best and most versatile agricultural land wherever possible;
- c) The provision of measures to reduce the risk of flooding to life and property, requiring sustainable drainage systems including provisions for future maintenance, guiding development to locations of lowest flood risk by applying a sequential test where appropriate, and avoiding an increase in flood risk elsewhere;
- d) Renewable energy development in locations where there is an acceptable local impact, including visual, on nearby residents, landscape character and wildlife, balanced with the wider sustainability benefits of renewable energy;
- e) The preservation and enhancement of the distinctive qualities of Mid Devon's natural landscape, supporting opportunities identified within landscape character areas. Within or adjoining the Blackdown Hills Area of Outstanding Natural Beauty, and Exmoor and Dartmoor National Parks, the primary objective will be to protect the special **environmental** qualities of that landscape and its setting;
- f) The protection and enhancement of designated sites of international, national and local biodiversity and geodiversity importance. On both designated and undesignated sites, development will support opportunities for protecting and enhancing species populations and linking habitats, providing mitigation and compensation measures where appropriate; and
- g) The preservation and enhancement of Mid Devon's cultural and historic environment, and the protection of sites, buildings, areas and features of recognised national and local importance such as listed buildings, conservation areas, scheduled monuments and local heritage assets.

## Policy S14

### Countryside

Development outside the settlements defined by Policies S10-S13 will preserve and where possible enhance the character, appearance and biodiversity of the countryside while promoting sustainable diversification of the rural economy. Detailed development management policies will permit agricultural and other appropriate rural uses, subject to the following criteria:

- a) Affordable and low cost housing to meet local needs, ~~gypsy and traveller accommodation~~; residential conversion of appropriate existing buildings, replacement dwellings, housing essential to accommodate a rural worker and accommodation ancillary to a dwelling;
- b) Appropriately scaled retail, employment, farm diversification, tourism and leisure related development (including appropriate conversion of existing buildings);
- c) Appropriately scaled and designed extensions and other physical alterations to existing buildings;
- d) Agricultural and equestrian development;
- e) Community facilities, such as educational facilities, buildings associated with public open space, transportation and infrastructure proposals (including green infrastructure); and
- f) Renewable energy and telecommunications.

## Policy DM26

### Green infrastructure in major development

Major development proposals must demonstrate that green infrastructure will be incorporated within the site as follows:

- a) Biodiversity mitigation, resulting in a net gain in biodiversity;
- b) Flood and water resource management;
- c) Green corridors and public rights of way to link the site to the wider GI network, provide walking and cycling opportunities and avoid habitat fragmentation; and
- d) New green infrastructure such as the creation of native woodland where possible.

Where evidence demonstrates that meeting these criteria in full would render the development unachievable, the Council will balance the benefits of the development against the objectives of this policy. **Where appropriate, the Council will seek contributions toward off-site green infrastructure where on-site green infrastructure is unfavourable.**

## Policy DM27

### Protected landscapes

Development proposals within or affecting the Blackdown Hills Area of Outstanding Natural Beauty, Dartmoor National Park, Exmoor National Park and the North Devon Biosphere Reserve must demonstrate that:

- a) Cultural heritage and the character, appearance, setting and other special qualities of the landscape will be conserved or, where possible, enhanced; and
- b) Biodiversity will be conserved and enhanced where possible through improved linking of habitats, appropriate landscaping and habitat creation.

Major developments within or adjoining the Area of Outstanding Natural Beauty and Dartmoor or Exmoor National Parks will only be permitted in exceptional cases.

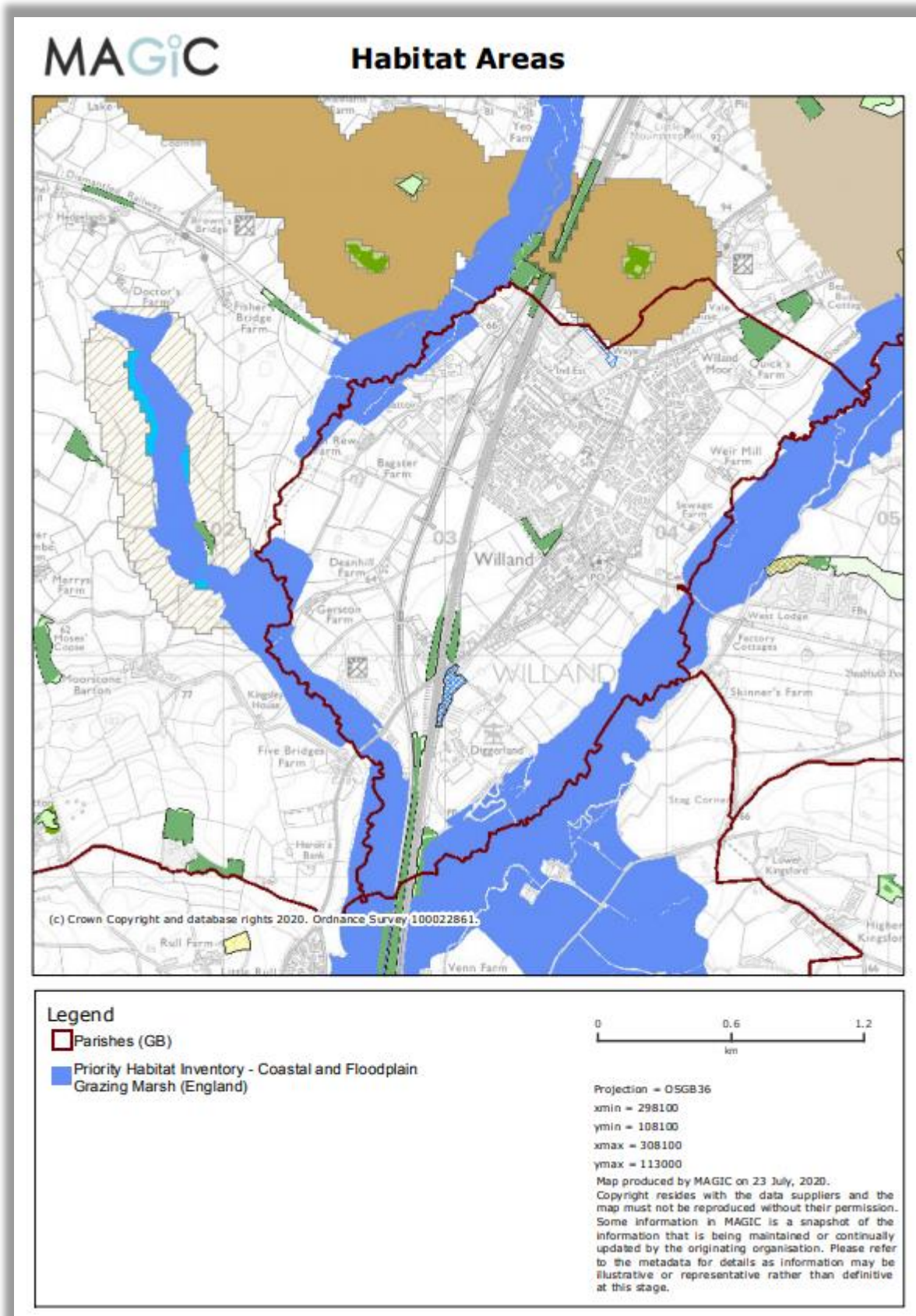
## Policy DM28

### Other protected sites

Where development proposals would lead to an individual or cumulative adverse impact on Sites of Special Scientific Interest, ancient woodland, ancient trees, Regionally Important Geological Sites, County Wildlife Sites, Local Nature Reserves or priority habitats defined under the UK and Devon Biodiversity Action Plans, the Council will balance the overall benefits of the proposal against the impact. Sufficient information must be provided for the Council to assess the significance of the impact against the importance of the protected site and the species which depend upon it. Planning permission will be granted where:

- a) The benefits of and need for the development clearly outweigh the direct and indirect impact to the protected site and the ecosystem services it provides;
- b) The development could not be located in an alternative, less harmful location; and
- c) Appropriate mitigation measures have been put in place. **Where mitigation measures are not possible compensatory measures in some cases may be considered appropriate.**

Where development proposals would lead to an individual or cumulative adverse impact on Natura 2000 sites, planning permission will be refused unless the proposal complies with criteria b) and c) above, and the fundamental integrity of the features of the Natura 2000 site would not be affected.



## Devon Biodiversity Action Plan

This document is Devon's response to the national biodiversity planning process and takes the objectives and targets of the UK Biodiversity Action Plan and translates and amplifies these within a local context. It is intended to provide a consensus on the priorities for conservation action within Devon.

Relevant overall 'common theme' objectives:

### *Legislation and planning*

- 1. Ensure that policies within statutory development plans fully recognise the importance of the biodiversity and geological features of Devon, and the need to maintain them.*
- 2. Ensure full consideration of nature conservation issues in the implementation of all planning and regulatory functions, in order to maintain the full range, extent and quality of Devon's biodiversity and geological heritage.*
- 3. Seek to reconcile the objectives of bio- and geo-diversity conservation with the need for economic and social development in Devon, to achieve environmental sustainability.*

Policy for the wider environment:

- 1. Focus upon and invest in the further development of environmentally sustainable forms of forestry, farming and fisheries production in Devon and its inshore waters, which conserve and enhance biodiversity rather than reducing it.*
- 2. Maintain and where necessary seek to improve the quality of air and water in Devon, to provide a sustainable environment for a healthy biodiversity.*
- 3. Safeguard the integrity and promote the sustainable management of linear features in Devon, such as hedges, rivers and streams, disused railways and roadside verges.*

The Devon BAP contains Action Plans for 20 of Devon's key wildlife habitats and geological features and for 20 of its species, notable either for their threatened status or popular appeal, or both. Each Action Plan has its own set of objectives, actions and targets. Not all are relevant to the area, but they can be referred to if required. Habitats of particular interest may be wet woodland, cities, towns and villages, flower-rich meadows and pastures, lowland heathland, and species-rich hedges.

## Other documents for consideration (depending on degree of focus on topic in Neighbourhood Plan)

Devon County Council Environment Viewer -

<https://www.devon.gov.uk/environment/environmental-maps>

## Recommendations for collecting local written evidence base

Possible further work for the Steering Group:

- Access biodiversity lists from Devon Wildlife Trust to help identify areas of land which might warrant policy protection due to biodiversity and habitat
- Identify "green corridors" and areas of land which perform a recreational / leisure, landscape and biodiversity role



## Flood Risk

### National Planning Policy Framework

#### Planning for climate change

149. Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures<sup>48</sup>. Policies should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts, such as providing space for physical protection measures, or making provision for the possible future relocation of vulnerable development and infrastructure.
150. New development should be planned for in ways that:
  - a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and
  - b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards.

#### Planning and flood risk

155. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
156. Strategic policies should be informed by a strategic flood risk assessment, and should manage flood risk from all sources. They should consider cumulative impacts in, or affecting, local areas susceptible to flooding, and take account of advice from the Environment Agency and other relevant flood risk management authorities, such as lead local flood authorities and internal drainage boards.

165. Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:
  - a) take account of advice from the lead local flood authority;
  - b) have appropriate proposed minimum operational standards;
  - c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
  - d) where possible, provide multifunctional benefits.

## Coastal change

166. In coastal areas, planning policies and decisions should take account of the UK Marine Policy Statement and marine plans. Integrated Coastal Zone Management should be pursued across local authority and land/sea boundaries, to ensure effective alignment of the terrestrial and marine planning regimes.

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<sup>50</sup> A site-specific flood risk assessment should be provided for all development in Flood Zones 2 and 3. In Flood Zone 1, an assessment should accompany all proposals involving: sites of 1 hectare or more; land which has been identified by the Environment Agency as having critical drainage problems; land identified in a strategic flood risk assessment as being at increased flood risk in future; or land that may be subject to other sources of flooding, where its development would introduce a more vulnerable use.

<sup>51</sup> This includes householder development, small non-residential extensions (with a footprint of less than 250m<sup>2</sup>) and changes of use; except for changes of use to a caravan, camping or chalet site, or to a mobile home or park home site, where the sequential and exception tests should be applied as appropriate.

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167. Plans should reduce risk from coastal change by avoiding inappropriate development in vulnerable areas and not exacerbating the impacts of physical changes to the coast. They should identify as a Coastal Change Management Area any area likely to be affected by physical changes to the coast, and:
- be clear as to what development will be appropriate in such areas and in what circumstances; and
  - make provision for development and infrastructure that needs to be relocated away from Coastal Change Management Areas.
168. Development in a Coastal Change Management Area will be appropriate only where it is demonstrated that:
- it will be safe over its planned lifetime and not have an unacceptable impact on coastal change;
  - the character of the coast including designations is not compromised;
  - the development provides wider sustainability benefits; and
  - the development does not hinder the creation and maintenance of a continuous signed and managed route around the coast<sup>52</sup>.

## [National Planning Practice Guidance](#)

Guidance > Natural Environment > Flood Risk and Coastal Change

*The overall approach in paragraph 100 of the National Planning Policy Framework applies to neighbourhood planning.*

*In summary, the qualifying bodies involved in neighbourhood planning should:*

- *seek to ensure neighbourhood plans and neighbourhood development/community right to build orders are informed by an appropriate assessment of flood risk;*
- *ensure policies steer development to areas of lower flood risk as far as possible;*
- *ensure that any development in an area at risk of flooding would be safe, for its lifetime taking account of climate change impacts;*

•be able to demonstrate how flood risk to and from the plan area/ development site(s) will be managed, so that flood risk will not be increased overall, and that opportunities to reduce flood risk, for example, through the use of sustainable drainage systems, are included in the plan/order.

Local planning authorities should have in mind these aims in providing advice or assistance to qualifying bodies involved in neighbourhood planning. Further information on what information and advice should be made available is here [para 062]<sup>5</sup>

062. Local planning authorities' Strategic Flood Risk Assessments should be the primary source of flood risk information in considering whether particular neighbourhood planning areas may be appropriate for development. Other important sources include the interactive maps of flood risk available on the Environment Agency's web site. Local planning authorities should make available to qualifying bodies any reports or information relating to the Strategic Flood Risk Assessment, and share any other information relevant to flood risk (such as the application of the Sequential and Exception Tests to the Local Plan).

Along with other statutory agencies, the Environment Agency has published advice on neighbourhood planning. Anyone preparing a neighbourhood plan or order may also find it helpful to consult the lead local flood authority for the area.

#### Exe Catchment Flood Management Plan 2012

Catchment Flood Management Plans (CFMPs) provide understanding of the scale and extent of flooding now and in the future, and set policies for managing flood risk within the catchment. CFMPs should be used to inform planning and decision making by key stakeholders such as:

- the Environment Agency, who will use the plan to guide decisions on investment in further plans, projects or actions
- local authorities who can use the plan to inform spatial planning activities and emergency planning;
- Internal Drainage Boards (IDB), water companies and other utilities to help plan their activities in the wider context of the catchment
- transportation planners
- landowners, farmers and land managers that manage and operate land for agriculture, conservation and amenity purposes
- the public and businesses to enhance their understanding of flood risk and how it will be managed

CFMPs aim to promote more sustainable approaches to managing flood risk.

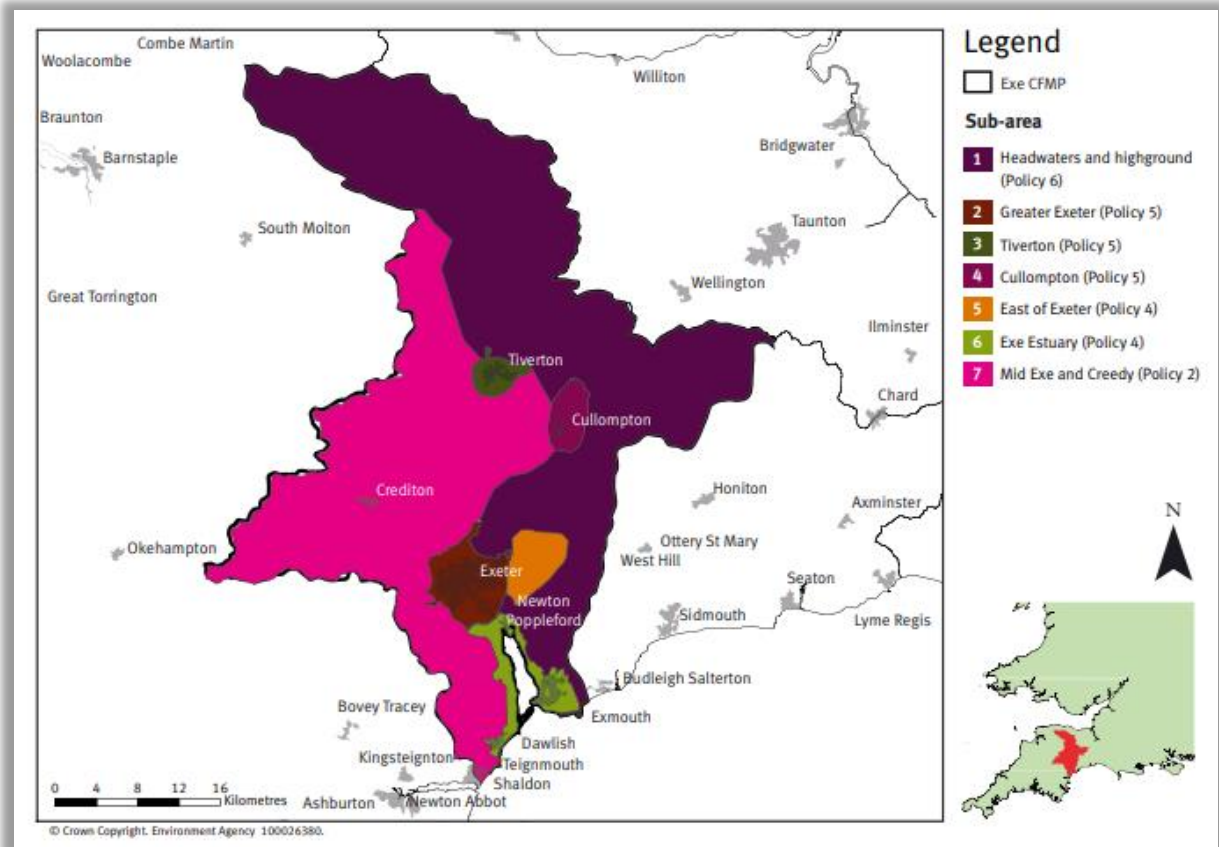
Willand lies in the Cullompton catchment area within the Exe CFMP<sup>6</sup>.

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<sup>5</sup> Paragraph 061, National Planning Practice Guidance, Department for Communities and Local Government, 2013

<sup>6</sup> See

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/294033/Exe\\_Catchment\\_Flood\\_Management\\_Plan.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/294033/Exe_Catchment_Flood_Management_Plan.pdf)



Source:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/294033/Exe\\_Catchment\\_Flood\\_Management\\_Plan.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/294033/Exe_Catchment_Flood_Management_Plan.pdf)

The CFMP states the following preferred policy and actions for this area:

### Policy 5

**Areas of moderate to high flood risk where we can generally take further action to reduce flood risk**

This policy will tend to be applied to those areas where the case for further action to reduce flood risk is most compelling, for example where there are many people at high risk, or where changes in the environment have already increased risk. Taking further action to reduce risk will require additional appraisal to assess whether there are socially and environmentally sustainable, technically viable and economically justified options.

## The vision and preferred policy

**Policy Option 5** - we can generally take further action to reduce flood risk.

We consider the risk from the tributaries associated with, for example, potential blockages to culverts, to be currently unacceptable.

By taking further action to reduce risk, we propose to take measures to resolve these issues both by opening up culverted sections to reduce the risk of blockages, and also over the longer term to investigate ways in which people can be moved out of the risk areas.

## Proposed actions to implement the preferred policy

- Investigate the River Culm and Spratford Stream response to high flows – particularly the interaction of flows with the M5, and the railway. Identify if hedge and floodplain woodland planting can attenuate flows.
- Prepare an Asset Management Plan to identify where future works may be required to reduce risk to Cullompton.
- Work with partners to manage surface water flooding in Cullompton, particularly for new development. Incorporate use of Sustainable Drainage Systems (SuDS).
- Investigate improvements to the tributaries to provide environmental enhancements and to reduce risk of blockage to culverted sections. Examine the possibility of opening up culverted sections.
- Investigate ways in which people and infrastructure can be moved out of risk areas.
- Ensure spatial planning and development does not increase flood risk (PPS25).
- Improved flood forecasting and engagement with local partners and community in flood awareness, incident management, and emergency response. Investigate if some level of flood warning coverage may be feasible on the tributary streams.
- Engage landowners to influence land use and land management practices in the upper Culm catchment.

Source:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/294033/Exe\\_Catchment\\_Flood\\_Management\\_Plan.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/294033/Exe_Catchment_Flood_Management_Plan.pdf)

## Policy S1

### Sustainable development priorities

The following strategic priorities outline what will need to be achieved to deliver the Vision and address the key issues that have been identified in Mid Devon. All development will be expected to support the creation of sustainable communities by:

- a) A development focus at Tiverton, Cullompton and Crediton as Mid Devon's most sustainable settlements, with long-term growth to the east of Cullompton and a limited level of development in identified villages;
- b) Building a strong, competitive economy through access to education, training and jobs, infrastructure, the creation of new enterprise, economic regeneration and flexibility of uses to respond to changing circumstances;
- c) Ensuring the vitality of town centres and communities through a hierarchy of centres, defined town centre shopping areas, a diverse retail offer at Tiverton, Crediton and Cullompton, **through controls on Junction 27 retail** and support for the vitality and viability of defined villages;
- d) Supporting a prosperous rural economy through the conversion of suitable existing buildings and well-designed new buildings in suitable locations, diversification of agricultural and other land-based businesses, support for equestrian activities, retention and development of local services and community facilities in villages, and the promotion of sustainable rural tourism and leisure development;
- e) Promoting sustainable transport by delivering appropriate infrastructure, reducing the need to travel by car, integrating public transport and other forms of sustainable travel such as walking and cycling, and providing safe environments while recognising Mid Devon's rural locality;
- f) Supporting high quality communications infrastructure by supporting the expansion of telecommunications and high speed broadband throughout Mid Devon;
- g) Delivering a wide choice of high quality homes through a diverse housing mix and by meeting the housing needs of all sectors of the community including the provision of **accessible** housing for the elderly and disabled, those wishing to build their own home, affordable housing and gypsy and traveller pitches;
- h) Requiring good sustainable design that respects local character, **heritage**, surroundings and materials, creates safe and accessible environments, designs out crime and establishes a strong sense of place;

- i) Promoting healthy communities through the delivery of social, educational, recreational and cultural facilities and services, access to high quality open space, public rights of way, recreational trails and accessible land, and opportunities for sport and recreation and the designation of Local Green Space;**
- j) Meeting the challenge of climate change by supporting a low carbon future, energy efficiency, increasing the use and supply of renewable and low carbon energy, managing flood risk and conserving natural resources. Encourage the effective use of land, taking into account the economic and other benefits of the best and most versatile agricultural land;**
- k) Conserving and enhancing the natural environment by protecting and enhancing valued landscapes including the Blackdown Hills Area of Outstanding Natural Beauty, Exmoor and Dartmoor National Parks, providing accessible green infrastructure, and preventing significant harm to soil, air, water, noise and visual quality, in particular air quality as a local issue at Crediton and Cullompton;**
- l) Minimising impacts on biodiversity and geodiversity by recognising the wider benefits of ecosystems, delivering natural environment objectives, providing a net gain in biodiversity and by the protection of International, European, National and local designated wildlife sites; and**
- m) Conserving and enhancing the historic environment through the identification and protection of designated and non-designated heritage assets and assessing the impact of new development on the historic character of Mid Devon's landscapes and townscapes.**

## Policy S9

### Environment

Development will sustain the distinctive quality, character and diversity of Mid Devon's environmental assets and minimise the impact of development on climate change through:

- a) High quality sustainable design which reinforces the character and distinctiveness of Mid Devon's historic built environment, mitigates and adapts to climate change and creates attractive places;
- b) The efficient use and conservation of natural resources of land, water and energy, minimising pollution and preserving the quality and productivity of the best and most versatile agricultural land wherever possible;
- c) The provision of measures to reduce the risk of flooding to life and property, requiring sustainable drainage systems including provisions for future maintenance, guiding development to locations of lowest flood risk by applying a sequential test where appropriate, and avoiding an increase in flood risk elsewhere;
- d) Renewable energy development in locations where there is an acceptable local impact, including visual, on nearby residents, landscape character and wildlife, balanced with the wider sustainability benefits of renewable energy;
- e) The preservation and enhancement of the distinctive qualities of Mid Devon's natural landscape, supporting opportunities identified within landscape character areas. Within or adjoining the Blackdown Hills Area of Outstanding Natural Beauty, and Exmoor and Dartmoor National Parks, the primary objective will be to protect the special environmental qualities of that landscape and its setting;
- f) The protection and enhancement of designated sites of international, national and local biodiversity and geodiversity importance. On both designated and undesignated sites, development will support opportunities for protecting and enhancing species populations and linking habitats, providing mitigation and compensation measures where appropriate; and
- g) The preservation and enhancement of Mid Devon's cultural and historic environment, and the protection of sites, buildings, areas and features of recognised national and local importance such as listed buildings, conservation areas, scheduled monuments and local heritage assets.



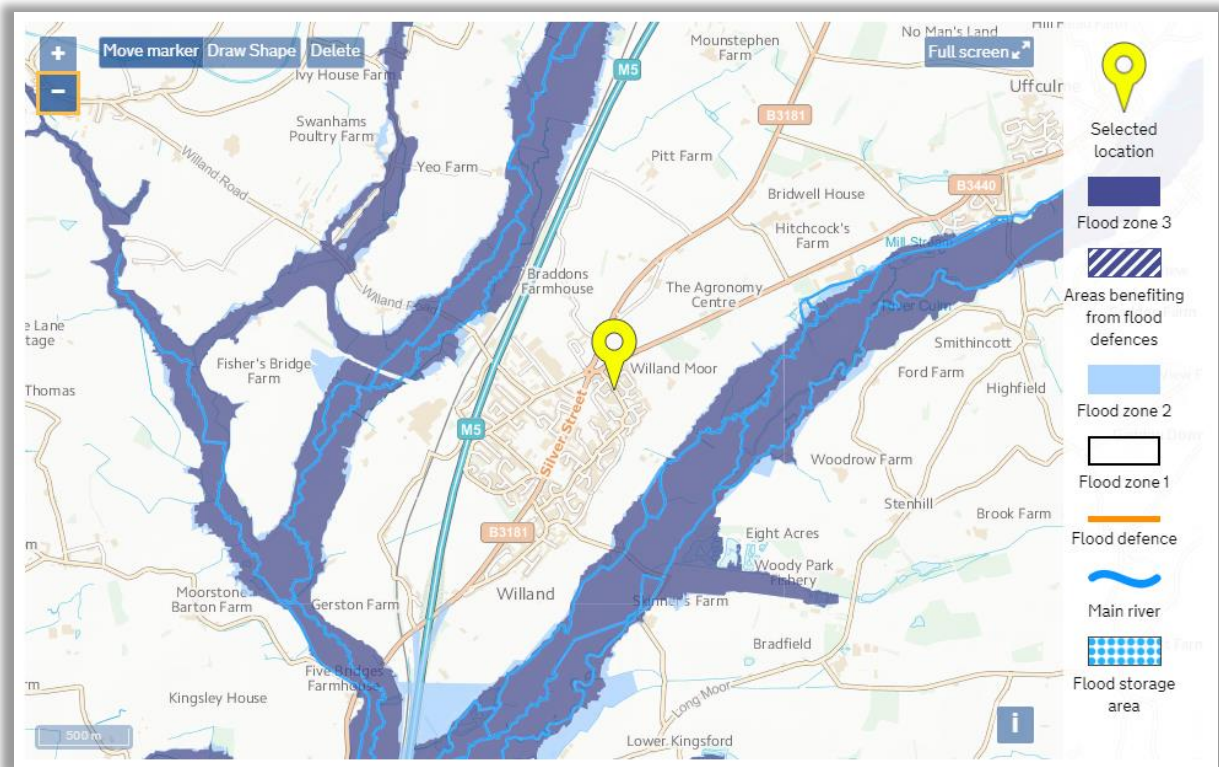
# Policy DM1

## High quality design

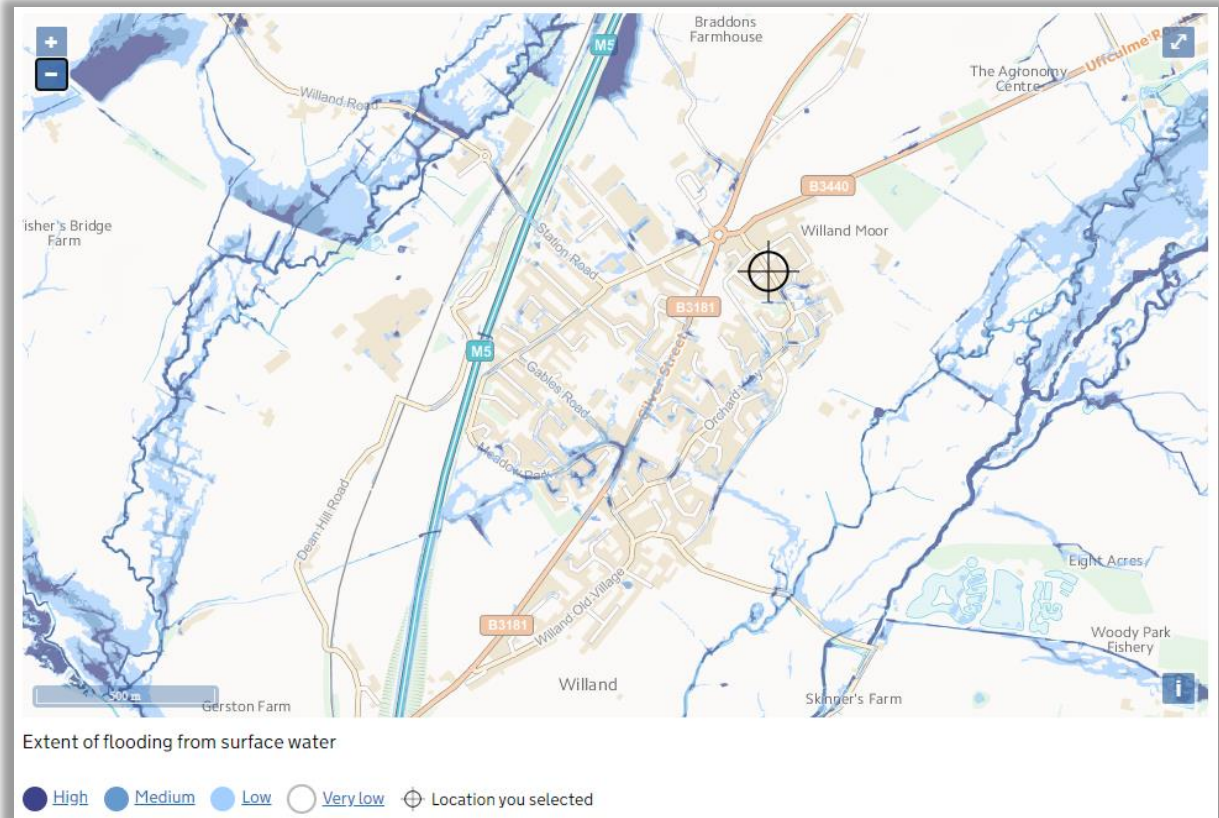
Designs of new development must be of high quality, based upon and demonstrating the following principles:

- a) Clear understanding of the characteristics of the site, its wider context and the surrounding area;
- b) Efficient and effective use of the site, having regard to criterion (a);
- c) Positive contribution to local character including any heritage or biodiversity assets and the setting of heritage assets;
- d) Creation of safe and accessible places that also encourage and enable sustainable modes of travel such as walking and cycling;
- e) Visually attractive places that are well integrated with surrounding buildings, streets and landscapes, and do not have an unacceptably adverse effect on the privacy and amenity of the proposed or neighbouring properties and uses, taking account of:
  - i) Architecture
  - ii) Siting, layout, scale and massing
  - iii) Orientation and fenestration
  - iv) Materials, landscaping and green infrastructure
- f) Appropriate drainage including sustainable drainage systems (SUDS), including arrangements for future maintenance, and connection of foul drainage to a mains sewer where available.

## Environment Agency Flood Map



Source: <https://flood-map-for-planning.service.gov.uk/>



Source: <https://flood-map-for-planning.service.gov.uk/>