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# Luppitt Neighbourhood Plan

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## THE NATURAL ENVIRONMENT SECTION

with an audio introduction by Robin Turner, a member of this Parish

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## 2021 - 2031

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Luppitt Parish Council

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**Final Draft**  
March 2021

# 5. The Natural Environment

## 5.1 Introduction

Protection of the natural environment and the landscape is probably the single most important objective when considering proposals for development and land use change in the parish. Conservation and enhancement of the parish's ecology and biodiversity are vitally important, as is the protection of its rural tranquillity and the special quality of its rolling distant views and dark skies. The strategic aims and policies that follow seek to provide that protection for generations to come.

Luppitt is a rural parish of hills and river valleys, narrow lanes and high Devon banks all of which give a sense of unaltered timelessness. The River Otter forms much of the eastern boundary and the River Love runs down the parish spine to join the Otter at Langford Bridge. Any visitor will be struck by the dramatic ridge of Hartridge Common, the spectacular rise of Dumpdon Hill and the rolling contours of Hense Moor Common<sup>27</sup>. The A30/A303 trunk road sweeps past further east and the A35 is to the south, but the parish itself is not troubled by through traffic.

The parish has a long agricultural history and the field patterns that we see today have hardly changed in generations of farming, as can be seen by comparison with the parish tithe map of the mid 1800's<sup>28</sup>. The distinctive 'Blackdown' hedgerows, or field enclosures, are a fundamental feature of the local landscape as well as being vital for wildlife. A particular concern of the community is the retention of these traditional and ancient hedge banks. Devon hedges (usually referred to as 'Devon banks'<sup>29</sup>) are a common feature of the landscape in Luppitt. They are usually formed of an earth bank faced with either stone or turf and topped with bushes or shrubs and the occasional tree. They are usually very old and play an important role as stock-proof barriers and shelter for livestock and crops. Importantly they provide the natural habitat for a broad biodiversity of insects and animals plus Devon flora and fauna. The farming community and other landowners in the parish play a key role in maintaining the integrity of these important features and the successful conservation of the hedges is critical to maintaining the special character of Luppitt's landscape.

## 5.2 Aims and Objectives

The issues relating to the natural environment raised through the consultation process have been summarised into the following strategic aims designed to protect the natural environment and its ecology, the tranquillity of the parish, its far reaching views and dark skies. Detailed objectives have been agreed as a way of delivering those aims through planning policies and community actions.

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<sup>27</sup> Appendix 9 - Natural Parish Features

<sup>28</sup> Appendix 11 - Parish Tithe Map

<sup>29</sup> See Appendix 6, Part 2

Aims	Objectives
<p>1 To protect and enhance the natural environment, its ecology and biodiversity.</p>	<p>1.1 Support and encourage the work of the Trustees of Luppitt Commons in the proper management and stewardship of the Commons and the retention of their status as Open Access Land under the Countryside Rights of Way Act 2000.</p>
	<p>1.2 Support the work of the National Trust in the proper management of the top of Dumpdon Hill and the retention of its status as Open Access Land under the Countryside Rights of Way Act 2000.</p>
	<p>1.3 Support the work of Natural England to protect and enhance the biodiversity of Hense Moor Common and to preserve its SSSI status.</p>
	<p>1.4 Support the work of The Blackdown Hills AONB Partnership to protect the landscape's natural beauty.</p>
	<p>1.5 Support the work of Devon Wildlife Trust in managing The Rough, a small nature reserve on the north side of Dumpdon Hill.</p>
	<p>1.6 Encourage local farmers and landowners to join appropriate countryside management schemes to further protect and enhance the parish's landscape.</p>
	<p>1.7 Require biodiversity enhancement measures to compensate for any habitat loss, to ensure no net loss of biodiversity value.</p>
	<p>1.8 Keep parishioners informed of work and improvements being carried out on the Commons and other public access land.</p>
	<p>1.9 Support East Devon District Council in preventing waste dumping and 'urban creep'<sup>30</sup> in the parish.</p>
<p>2 To protect the tranquillity of the parish and its rural nature.</p>	<p>2.1 Ensure that the special rural characteristics of the parish are respected in any planning permission granted for new development .</p>
<p>3 To protect the far reaching rural views and maintain dark skies</p>	<p>2.2 Resist any development that is likely to adversely impact upon the tranquillity and rural nature of the parish.</p>
	<p>2.3 Seek ways to reduce any existing adverse impact upon the tranquillity and rural nature of the parish.</p>
<p>3 To protect the far reaching rural views and maintain dark skies</p>	<p>3.1 Ensure that any future new development (residential, commercial or farm related) is sympathetically sited within the contours of the land so as to cause no significant adverse impact upon the rural landscape and distant views.</p>
	<p>3.2 Ensure that any future new development (residential, commercial or farm related) is designed in such a manner so as to cause no significant adverse impact upon the rural landscape and distant views by the use of appropriate building materials, natural and introduced screening, appropriate building heights and massing.</p>

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<sup>30</sup> Appendix 1 - Definitions

	3.3 Ensure where possible that building materials and screening materials and plant species used accord with the preferred lists of local materials and native Devon plant species in this Plan (Appendices 5 and 6).
	3.4 Resist any development that has an adverse impact upon the rural landscape and far reaching views.
	3.5 Resist any development that does not maintain dark skies and increases light or sound pollution.
	3.6 Ensure that any new housing is designed in accordance with the ' <i>Blackdown Hills AONB Design Guide for Houses</i> ' <sup>31</sup> and the specific guidance contained in this plan.
	3.7 Ensure that any new development takes account of the principles and policies in the ' <i>Blackdown Hills AONB Management Plan</i> ' <sup>32</sup> and the ' <i>Luppitt Landscape Character Assessment</i> ' <sup>33</sup> .
4 Public Access	4.1 Maintain public access to the open areas and network of footpaths and bridleways providing that such access is used legally and in accordance with the Countryside Code.

### 5.3 Protecting the Natural Environment

It follows that such a unique environment must be protected against inappropriate development. This is the overriding objective for the community, and the policies in this plan have been developed to ensure that any future development is properly and sensitively sited within the contours of the landscape; of appropriate size and mass; and well-designed and constructed to fit discreetly and sympathetically into groupings of existing buildings.<sup>34 35</sup> Where screening is appropriate, hedging, trees and plants and other materials native to the area should be used. The height and effectiveness of such screening, relative to the scale of development, will be a material consideration in determining the outcome of any application for development within the parish.<sup>36</sup>

To further protect local ecology and prevent unnecessary damage by flooding, development in the flood plains of the River Otter or River Love will be strongly resisted<sup>37</sup> except for essential agricultural buildings.

### 5.4 Unauthorised Use of Farmland

On occasion, land owners may inappropriately allow agricultural land to be used for non-agricultural purposes. This can result in 'urban creep'<sup>38</sup> or the subtle, temporary or more obvious and permanent attempt to change land use through the storing and use of caravans,

<sup>31</sup> Available from the Blackdown Hills AONB

<sup>32</sup> Available from the Blackdown Hills AONB

<sup>33</sup> Available at [www.luppittparishcouncil.co.uk](http://www.luppittparishcouncil.co.uk)

<sup>34</sup> See '*What Makes a View*' by Fiona Fyfe Associates available at [www.blackdownhillsaonb.org.co](http://www.blackdownhillsaonb.org.co)

<sup>35</sup> See *Luppitt Landscape Character Assessment* available at [www.luppittparishcouncil.co.uk](http://www.luppittparishcouncil.co.uk)

<sup>36</sup> See Appendix 6 - Native Species.

<sup>37</sup> See Section 7 New Development and Land Use Change and Appendix 12 - Flood Plain Map

<sup>38</sup> Appendix 1 - Definitions

cars, sheds, tents, containers, building materials and other non-agricultural paraphernalia on agricultural land, in addition to the dumping of rubbish and waste products. The result can be an unsightly impact upon the countryside and the Parish Council will work with landowners and East Devon District Council to help prevent and enforce against such unauthorised change in land use.

## 5.5 Habitats

Luppitt parish is an unspoilt rural area and a stronghold for rare habitats and precious species. The undulating shape of the landscape, intersected with river valleys and dotted with springs, is the result of a unique geology<sup>39</sup>. Habitats found here include heath-land and mire; hay meadows and grasslands; hedgerows; wet woodlands; ancient broad-leaved woodlands, rivers and streams. These habitats support an important variety of species including rare butterflies, birds, invertebrates, lizards and native mammals such as dormice and bats. The area is particularly rich in plant life, including rare orchids and mire species such as sundew. Remarkably, beavers have recently been established on the River Otter and in other parts of the parish as part of a Government breeding scheme. This will lead to new habitats being naturally created for amphibians and wildfowl. Protection of habitats is vitally important and as a general principle the Parish Council will not support schemes which will result in a loss of habitat unless adequate biodiversity enhancements are provided as compensation.

## 5.6 The Commons

The Commons form a significant part of the natural environment in Luppitt<sup>40</sup>. The Luppitt Commoners Trust owns the three large Commons (Luppitt Common, Hense Moor Common and Hartridge all on Commons Register CL41) and three very small Commons (Wick Green CL43, Wick Common CL44 and Ford Bridge CL45) which together amount to around 650 acres (263ha). Hense Moor Common and a small section of Hartridge Common are presently managed under a 10-year Countryside Stewardship Scheme (2018-2028), the aim being to improve these areas for wildlife and grazing. The scheme is run in conjunction with Natural England with a strict action plan for each year. Since 1986, Hense Moor Common (92.5ha) has been a Site of Special Scientific Interest (SSSI)<sup>41</sup> supporting many rare plants and the internationally rare Marsh Fritillary. As a result of successful management, there has been a noticeable improvement in wildlife and flora in this part of Luppitt. The Commons are privately owned by the Trust but as commons registered under the 1965 Commons Registration Act open access is allowed to members of the public under The Countryside and Rights of Way Act 2000.

## 5.7 Public Access

The parish of Luppitt offers some of the most outstanding views in the county and it is important that these are fully enjoyed by walkers and other visitors to the area. The Parish

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<sup>39</sup> See Appendix 10 - Landscape Character Map and the *Luppitt Landscape Character Assessment available from [www.luppittparishcouncil.co.uk](http://www.luppittparishcouncil.co.uk)*

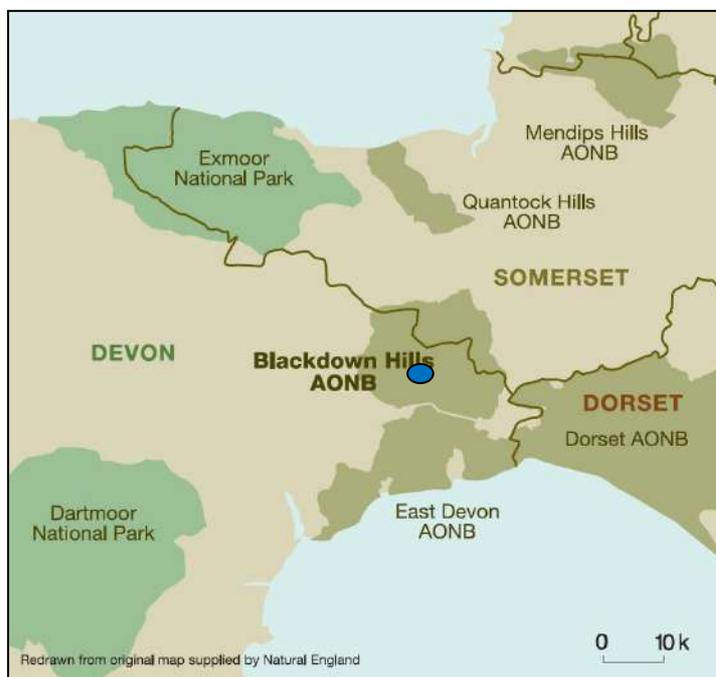
<sup>40</sup> See Appendix 7 - History of the Commons

<sup>41</sup> Appendix 1 - Definitions

Council is committed to maintaining public access to the open areas in the parish including Dumpdon Hill, Hartridge Common, and Hense Moor Common, in addition to the wider network of public footpaths and bridleways that cross private farmland. The condition of the public access routes is reported upon regularly and action taken as necessary to keep routes open. The Parish Council will support landowners in making sure that footpaths are used legally and in accordance with the Countryside Code (issued by Natural England) with proper respect for livestock, farmers and other users.

## 5.8 Blackdown Hills (AONB) Management Plan

In a wider context, Luppitt is part of the 'Blackdown Hills Area of Outstanding Natural Beauty', a designation which has recognised the national importance of this landscape since 1991.



● Luppitt<sup>42</sup>

The AONB partnership has a statutory duty to publish a Management Plan which sets out essential guidance for the protection and enhancement of the natural environment of all parishes within its boundaries. The Management Plan contributes to the strategic context for development by providing guidance to be taken into account in the preparation of Local Plans and Neighbourhood Plans.

The principles and guidance in the current document, the '*Blackdown Hills AONB Management Plan 2019-2024*<sup>43</sup> have been taken into account in formulating the countryside protection polices in this Plan.

<sup>42</sup> Map Courtesy of the Blackdown Hills AONB

<sup>43</sup> Available from [www.blackdownhillsaonb.org.uk](http://www.blackdownhillsaonb.org.uk)

A key message from the Management Plan:

*'To conserve and enhance the natural beauty of the Blackdown Hills by ensuring that all development affecting the AONB is of the highest quality, sensitive to landscape setting and conserves its wildlife, historic character and other special qualities'<sup>44</sup>*

## 5.9 Policies - The Natural Environment

### Policy NE1 Protecting and Enhancing the Rural Landscape

**1. Rural Landscape and Distant Views** Development and change of use proposals will only be supported if they are sensitively located within the contours of the land and cause no adverse impact upon the rural landscape or distant views.

**2. Tranquillity and Rural Nature** Development and change of land use proposals will only be supported where there is no adverse impact upon the tranquillity, peace and rural nature of the landscape.

### Policy NE2 Protecting and Enhancing Natural Habitats

**1. Biodiversity** Development and change of land use proposals will only be supported where there is no adverse impact upon the natural environment or habitats, or where appropriate and acceptable measures are offered to fully mitigate such impacts, and where proposals deliver a net gain in the biodiversity<sup>45</sup> of habitats.

**2. Devon Banks<sup>46</sup>** Where development and change of land use proposals entail the removal of any part of a traditional Devon bank, development proposals will only be supported where mitigation measures include the replacement of the lost habitat which must be properly established and permanently maintained.

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<sup>44</sup> Blackdown Hills AONB Management Plan 2019-2024 - P60

<sup>45</sup> Government Circular 06/2005

<sup>46</sup> Appendix 1 - Definitions

## 5.10 Community Actions - The Natural Environment

- CA2 Open Access** The Parish Council will help to keep open the open access common and moorland areas and the network of public footpaths and bridleways and encourage such access to be used legally and in accordance with the Countryside Code<sup>47</sup>.
- CA3 Luppitt Commons<sup>48</sup>** The Parish Council will support the work of the Trustees of Luppitt Commons in the proper management and stewardship of the commons and the retention of their status as 'Open Access Land' under the Countryside Rights of Way Act 2000.
- CA4 Changes to Open Access** The Parish Council will keep parishioners informed of any changes in access to the public access areas via the Parish Council website.
- CA5 Existing Impact** The Parish Council will seek ways to reduce any existing impact upon the tranquillity and rural nature of the parish.
- CA6 Keeping Luppitt Tidy** The Parish Council will encourage residents to keep Luppitt tidy by keeping verges clear of litter, maintaining and trimming roadside banks and hedges, and maintaining the village ponds whilst recognising the need to protect wildlife and habitats .
- CA7 Unauthorised Use of Farmland** The Parish Council will actively work with landowners and East Devon District Council to help prevent and enforce against waste dumping, urban creep<sup>49</sup> and the otherwise unauthorised use of farmland in the parish.
- CA8 Tree Planting** The Parish Council will encourage the planting of new, preferably native, trees particularly where existing trees are lost through disease<sup>50</sup>.

## 5.11 Policy Justification

Whilst the principles and guidance contained in the *Blackdown Hills AONB Management Plan 2019-2024* must be considered as a 'material consideration' in the planning process, the Management Plan is not a statutory document as such. The primary purpose of the AONB designation is to *conserve and enhance natural beauty*. In pursuing the primary purpose, account must be taken of the needs of agriculture, forestry, other rural industries and also the economic and social needs of local communities. Particular regard should be paid to promoting sustainable forms of social and economic development that in themselves conserve and enhance the environment. The principles and policies of the AONB are vital in helping to protect the landscape of the Blackdown Hills but the most robust and convincing

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<sup>47</sup> Available from Natural England

<sup>48</sup> As described in 5.6 above

<sup>49</sup> Appendix 1 - Definitions

<sup>50</sup> Appendix 6 - Native Species

way to prevent unwanted and inappropriate development in the countryside of Luppitt parish will be the combination of policies contained in the Local Plan, the AONB Management Plan and this Neighbourhood Plan.

Strategy 7 of the Local Plan is clear that any development in the 'countryside' will only be permitted where it is in accordance with a specific policy of either the Local Plan or the Neighbourhood Plan where it would not harm the '*distinctive landscape, amenity and environmental qualities within which it is located*'. To further protect the countryside, Strategy 46 requires any development to '*conserve and enhance*' the landscape character, particularly in an AONB.

Section 15 of the NPPF also requires the natural environment to be '*conserved and enhanced*'. Relevant guidance is contained in paragraphs 170, 171 and 174 and paragraph 172 in particular requires that '*great weight*' should be given to conserving and enhancing the landscape and scenic beauty of the AONBs.

The policies in this Plan are intended to reinforce these principles of protection to give greater certainty that the environment will be protected for the future. The residents' response to the *2018 Luppitt Parish Questionnaire*<sup>51</sup> was unequivocal when it came to protecting the environment. Overall, between 75% and 92% felt that all the different aspects of the local environment were either '*extremely important*' or '*very important*' to them. The responses to the natural and farmed environment section were overwhelming in demonstrating the strength of feeling to protect the environment.



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<sup>51</sup> Available at [luppittparishcouncil.co.uk](http://luppittparishcouncil.co.uk)