

# Agenda for Strategic Planning Committee

## Thursday, 21 July 2016, 10.00am



### [Members of the Strategic Planning Committee](#)

**Venue:** Council Chamber, Knowle, Sidmouth, EX10 8HL

[View directions](#)

**Contact:** Hannah Whitfield, 01395 517542 (or group number 01395 517546): Issued 1 July 2016

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**(Please note this meeting was originally scheduled for 12 July 2016 however was postponed - any references to that date should now read 21 July 2016)**

- 1 [Public speaking](#)
- 2 Apologies
- 3 [Declarations of interest](#)
- 4 [Matters of urgency](#) – none identified
- 5 To agree any items to be dealt with after the public (including press) have been excluded. There are no items that officers recommend should be dealt with in this way.

### **Matters for Debate**

- 6 **Proposed Greater Exeter Strategic Plan** (pages 3 - 12)  
The report sets out proposals for a joint strategic plan for the Greater Exeter area which would be prepared in partnership between East Devon District Council, Exeter City Council, Mid Devon District Council and Teignbridge District Council with assistance from Devon County Council.
- 7 **East Devon Local Development Scheme** (pages 13 - 28)  
The report seeks recommended approval to Council for the adoption of the Local Development Scheme for East Devon, which sets out the work programme for future planning policy production.
- 8 **East Devon Villages Plan** (pages 29 - 110)  
The report seeks approval for public consultation on the draft East Devon Villages Plan.
- 9 **Gypsy and Traveller Plan** (pages 111 - 116)  
The report seeks to update Members on the present position with regard to meeting the need for Gypsy and Traveller provision.

10 **Validation of planning and related applications – adoption of revised information required to be submitted with planning and associated applications (Local List) (pages 117 - 176)**

The report seeks agreement to adopt the revised requirements and guidance for the validation of planning and related applications.

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[Decision making and equalities](#)

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Report to: **Strategic Planning Committee**

Date of Meeting: 21 July 2016

Public Document: Yes

Exemption: None

Review date for release: None



Agenda item: 6

Subject: **Proposed Greater Exeter Strategic Plan**

**Purpose of report:** This report considers a proposal for a joint strategic plan for the Greater Exeter area which would be prepared in partnership between East Devon District Council, Exeter City Council, Mid Devon District Council and Teignbridge District Council with assistance from Devon County Council. The plan would cover the geographical area of the 4 partner authorities (excluding the area of Dartmoor National Park) but would be limited in scope to cover strategic issues and strategic allocations within those areas with local issues to be considered through linked local plans prepared by each partner authority for their area.

**Recommendation :** **That Members recommend to Council that:**

- 1. A Strategic Plan be prepared for the development of the Greater Exeter area intended to cover the period up to 2040 and that it be jointly prepared by East Devon, Mid Devon and Teignbridge District Councils and Exeter City Council with the support of Devon County Council.**
- 2. A joint budget of £330,000 be established for the current financial year to fund the preparation of the necessary evidence base for the plan on the basis of an equal split of £70,000 per district level authority with DCC also contributing and holding the joint budget.**
- 3. A detailed scope, timetable, terms of reference, governance and staffing arrangements be worked up for a joint Strategic Plan and reported to Members at their next available meeting.**

**Reason for recommendation:** Councils are required to work together on strategic planning issues under the duty to co-operate that forms part of the National Planning Policy Framework, which must include consideration by those councils of preparing joint plans. In the case of the "Greater Exeter" area a joint plan covering strategy matters is considered to be a particularly appropriate way of ensuring a collaborative and co-ordinated approach to the delivery of the development needs of the Greater Exeter area. This functional geography reflects the travel to work area and housing market area. There are also considered to be potential cost saving benefits to the joint preparation of a plan. This report has been agreed jointly by Exeter City Council, East Devon District Council, Mid Devon District Council and Teignbridge District Council officers.

<b>Officer:</b>	Ed Freeman – Service Lead – Planning Strategy and Development Management (Tel: 01395 517519, e-mail: <a href="mailto:efreeman@eastdevon.gov.uk">efreeman@eastdevon.gov.uk</a> )
<b>Financial implications:</b>	The financial implications are stated in the report. A supplementary estimate of £70,000 is being requested for the current financial year which will have to be met from the General Fund balance. Funding will also be required for the following 2 years which puts further pressure on our medium term financial position.
<b>Legal implications:</b>	This report seeks in principle agreement to progressing a joint local plan of a wider strategic nature. Legally this is entirely permissible for the reasons set out in the report. The report identifies that further work is required on governance arrangements and the Legal Team will advise on those aspects when the discussions commence and provide comment on subsequent reports which are required to be brought back to Members for approval..
<b>Equalities impact:</b>	Low  The impact of this decision on persons with protected characteristics is considered to be low because any joint plan would be prepared with due regard to equalities issues in the same way as current plan making processes are undertaken.
<b>Risk:</b>	Medium  The main risk associated with this decision is the potential for money to be expended in pursuing a joint strategic plan which could be wasted if agreement cannot be reached and/or the plan work is aborted. It is however considered that given the duty to co-operate on plan making whether through joint work or otherwise this risk already exists to some extent and any abortive work will still be of value to work on separate plans in any event. Against this must be set the risk of future local plans failing their “duty to co-operate” without a clear agreed strategic plan.
<b>Links to background information:</b>	<ul style="list-style-type: none"> <li>• NPPF - <a href="http://planningguidance.communities.gov.uk/blog/policy/">http://planningguidance.communities.gov.uk/blog/policy/</a></li> <li>• Local Plans Expert Group Report - <a href="https://www.gov.uk/government/publications/local-plans-expert-group-report-to-the-secretary-of-state">https://www.gov.uk/government/publications/local-plans-expert-group-report-to-the-secretary-of-state</a></li> <li>• Devolution bid statement of intent - <a href="http://www.heartofswlep.co.uk/sites/default/files/user-1889/Heart%20of%20the%20South%20West%20Devolution%20Prospectus.pdf">http://www.heartofswlep.co.uk/sites/default/files/user-1889/Heart%20of%20the%20South%20West%20Devolution%20Prospectus.pdf</a></li> </ul>
<b>Link to Council Plan:</b>	Encouraging communities to be outstanding, Developing an outstanding local economy, Delivering and promoting our outstanding environment, Continuously improving to be an outstanding council.



## **Report in full**

### **Background**

Joint working between local authorities on planning matters has long been a principle of the planning system however it has taken on greater and greater prominence in recent years. The withdrawal of Regional Spatial Strategies (RSS) and Structure Plans has made joint working essential to enable co-ordinated planning across the county and region. The introduction of the Localism Act 2011 introduced a legally binding duty to co-operate between authorities on the preparation of local plans which is encapsulated in paragraph 181 of the National Planning Policy Framework which states:

“Local planning authorities will be expected to demonstrate evidence of having effectively cooperated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination. This could be by way of plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy which is presented as evidence of an agreed position. Cooperation should be a continuous process of engagement from initial thinking through to implementation, resulting in a final position where plans are in place to provide the land and infrastructure necessary to support current and projected future levels of development.”

The preparation of current Local Plans has relied to some extent on the work of the RSS even though this was never formally adopted; however there is an increasing policy vacuum at the regional and sub-regional level that needs to be filled if there is to be appropriate co-ordination of how housing and employment needs are met across the area and infrastructure is delivered to support delivery. The NPPF and its associated guidance clearly points to this being achieved through joint working between authorities to an agreed strategy for their area. A number of local plans have struggled through examination where the Inspector has considered that there has not been sufficient co-operation between neighbouring authorities and the duty to co-operate has not been met. It is therefore an increasingly important issue for authorities to address. There is a good history of joint working between the Devon authorities including the joint commissioning of evidence to support plan preparation. In many respects a joint plan would be a natural progression of this work.

### **The Case for a Joint Plan**

A joint plan has a number of clear benefits aside from simply meeting the duty to co-operate and the policy vacuum formed by the withdrawal of the RSS and Devon Structure Plan. The cross border co-ordination of issues particularly those associated with the growth of Exeter as the region's city is going to be key for Exeter and its neighbouring authorities. The impact of Exeter is felt beyond the boundaries of the city on a regional scale in terms of economy, housing need and transportation pattern. This area of influence has expanded to encompass East Devon, Mid Devon and Teignbridge. Together with Exeter City itself, this wider area can now be regarded as 'Greater Exeter' and therefore there is a clear benefit of planning across functional geography.

Exeter is running out of space to accommodate the levels of economic growth that is envisaged and the housing needs that are likely to be generated. Significant growth is already being accommodated in East Devon in the form of Cranbrook, Science Park and Sky Park as well as in Teignbridge where large scale housing sites are being developed to the south west of the city. How such growth is accommodated and how this is co-ordinated between the authorities will be key moving forwards while regardless of which authority's area development is accommodated in there is a need to co-ordinate the delivery of infrastructure to support the development that is needed. Infrastructure such as the main road network for example runs between the different

authorities and impacts on each area and so how the pressures that are placed on this infrastructure is dealt with is important to each authority and needs to be co-ordinated. Clearly Devon County Council also has a key role in terms of transport infrastructure, education and social care and proposes acting in a partnership role to support the Greater Exeter authorities in strategic plan making. Economic, environmental and other planning pressures and processes do not respect administrative boundaries and joint decision-making on these strategic matters will enable us to better plan for the future of the area.

A co-ordinated approach is also necessary when looking to secure government funding and investment. Individual authorities can no longer access the funding required to deliver the necessary infrastructure for large scale developments such as a new community like Cranbrook on their own. Such funding no longer exists with the government now expecting a co-ordinated approach between authorities and devolution bids to secure large scale funding. A joint plan will give a clear strategy for the area that will assist in accessing funding for infrastructure. In addition it would provide a clear strategy for growth to support the emerging devolution bid should this proceed. The Heart of the South West devolution bid highlights a number of challenges facing the LEP area which planning has a key role in addressing. These are:

- Comparative productivity is 29<sup>th</sup> out of 39 LEP areas
- An aging workforce and major skills shortages reported in every sector of the local economy
- Our performance remains low on key productivity measures: wages, innovation, inward investment exports and global trade
- Disproportionate growth in our older population is placing unsustainable burdens on our services
- Strategic infrastructure has good coverage, but is incomplete
- Insufficient capacity of the road network and motorway junctions
- Uncompetitive travel times to London and the south east
- Incidents and extreme weather threatens transport resilience
- Housing supply not keeping up with demand
- Threats to National Parks and Areas of Outstanding Natural Beauty

These challenges are common to the Greater Exeter area as they are to the wider LEP area and whether the devolution bid proceeds or not a joint strategic plan is considered to be part of the mechanism to addressing these issues that can only really be resolved by working together.

A further major benefit of joint working on plan preparation is the cost savings that this presents. Whilst traditionally some local plan evidence has been jointly commissioned, such as the Strategic Housing Market Assessment (across the housing market area), a joint strategic plan would present an opportunity to take this further through the pooling of resources for the commissioning and preparation of evidence. This could lead to significant savings over individual authorities each making separate commissions or separately producing the work. There is also potential for skills and specialisms within the individual authorities to be shared for the benefit of the partnership.

Other authorities have already undertaken joint plan making and it is understood that many of the plans that are currently in production are being produced in partnership between neighbouring authorities. Examples that are similar to the proposed approach for the Greater Exeter area include a joint plan for the Gloucester, Cheltenham and Tewkesbury area and also a plan for the Broadland, Norwich and South Norfolk Council's areas. More locally, joint plan making is already being pursued by North Devon and Torridge and is also taking place in the wider Plymouth area.

Joint plans are finding favour with local plan inspectors and the government's Local Plan Experts Group (LPEG) has also expressed a preference for this approach. The group was established in September 2015 to consider how local plan making can be made more efficient and effective. When the group reported earlier this year they highlighted the importance of joint working particularly in city regions where the administrative boundaries of the principal urban area mean that it cannot meet its housing needs. The Greater Exeter area is an example where this is increasingly the case and joint working will be necessary to address this issue.

## **Geographic Area**

It is logical for any plan to be centred around Exeter as the County city and so the geographic area for a plan needs to consider the influence of Exeter across the wider area. The Strategic Housing Market Assessment (SHMA) established a housing market area which takes in East Devon, Exeter, Mid Devon and Teignbridge. Similarly the recently revised Travel To Work Areas also takes in much of East Devon, Mid-Devon and Teignbridge and so there is clear evidence that the role of Exeter as a place to live and work extends into much of these adjacent authorities and any plan for the Greater Exeter area should include these authorities. Officers from Dartmoor National Park Authority have also been engaged in conversations and it is clear that the impact of growth in the Greater Exeter area on the park needs to be considered particularly the part of the park that falls within Teignbridge but it is not proposed that the park authority form part of the partnership.

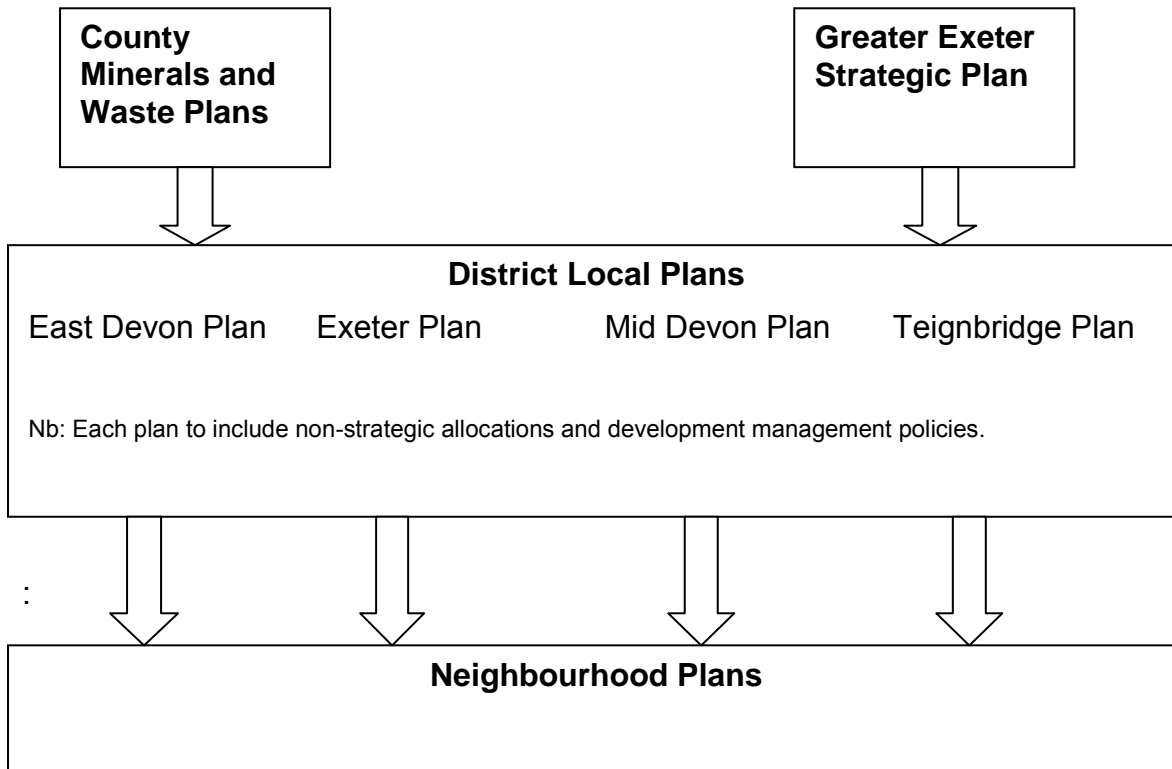
## **Scope**

There has been extensive discussion between officers on the scope of a jointly prepared plan and whether this should be a jointly prepared Local Plan which replicates the format and level of detail included in the adopted plans for East Devon and Teignbridge and the plan currently in the advanced stages of preparation for Mid-Devon. It is considered however that it is important that decisions are made at the most appropriate level and that having local level decisions about allocations in smaller towns and villages with no strategic impact on Exeter would be better made at the local level and that a plan with a strategic focus would be most appropriate. It is therefore recommended that a joint strategic plan be prepared which would provide:

- A clear vision for the growth and development of the Greater Exeter area.
- Establish needs for housing and employment provision across the 4 authority areas.
- Make allocations for housing, employment and other development sites where they would contribute to the delivery of the vision for the Greater Exeter area and allowing for more detail in the area around Exeter. Any residual requirements would be allocated through separate local plans prepared individually by each council.
- Strategic planning policies in relation to the delivery of infrastructure across the area such as the delivery of highways projects, Suitable Alternative Natural Green Spaces (SANG's) etc.
- Provide more detailed policies on shared issues where consistency across the area is considered necessary or beneficial. For example renewable energies where the cross boundary co-ordination of district heating networks has already proved beneficial.

Such a plan is likely to still leave a need for a local plan for each authority, the production of which could follow on from the strategic plan or be produced in parallel, but the strategic plan would deal with the main large scale allocations and common issues leaving a slimmed down local plan to be prepared to address more local level policy issues and allocations. Clearly the strategic plan would also sit within a framework of plans which includes the County Minerals and Waste Plans and Neighbourhood plans for the area.

The envisaged hierarchy of these plans can be illustrated as follows:



## Timetable and plan period

Each of the authorities are at very different positions in terms of plan preparation and adoption and have taken different approaches in the past. Each authority's position is summarised in the table below:

Authority	Status
East Devon District Council	Local Plan 2013 – 2031 (adopted Jan 2016)
Exeter City Council	Core Strategy 2006 – 2026 (adopted Feb 2012) Development Delivery DPD (published July 2015)
Mid Devon District Council	Core Strategy 2006 – 2026 (adopted July 2007) Allocations and Infrastructure DPD (adopted October 2010) Development Management Policies (adopted October 2013) Local Plan Review 2013 – 2033 (potential submission later this year)
Teignbridge District Council	Local Plan 2013 – 2033 adopted May 2014

East Devon and Teignbridge have previously produced Local Plans which form the development plan for their areas. Exeter and Mid Devon have undertaken a 2 or 3 stage process to produce the elements that make up the development plan. Only East Devon and Teignbridge have plans produced post the publication of the NPPF while Exeter and Mid-Devon have plans which are considered to be NPPF compliant.

The table above also shows the varying periods covered by current plans for the partner authorities with the furthest looking to 2033. The NPPF states that plans should cover a period of at least 15 years, however to ensure that a joint strategic plan is sufficiently forward looking and extends well beyond the period of existing plans it is considered that it should cover the period up to 2040.

An indicative timetable for work on a joint local plan has been developed and is provided below.. This is only an indication of a likely timeline:

Calendar Year	2016				2017				2018				2019				
Quarter	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	
Committee Meeting(s)																	
Strategic Evidence																	
Strategy options																	
Draft preparation																	
Draft+SEA consult																	
Update evidence																	
Final LP preparation																	
LP consult																	
Submit LP																	
Examination Hearing days																	
Adopt plan																	
Financial year		2016/17				2017/18				2018/19				2019/20			

The above timeline is considered to be ambitious but even with some slippage should ensure that the plan covers a period of around 20 years at the time of adoption.

A more detailed timeline and work programme will be presented to Members at a future date as part of a revised Local Development Scheme (LDS).

## **Budget**

It is proposed that a joint budget be maintained to cover the costs of the production of the plan and that this be held centrally by Devon County Council. In order to commence the commissioning of evidence to inform the plan making progress a budget is needed for the current financial year from each of the partner authorities. It is considered that £330,000 would be sufficient to cover the evidence that is required to be commissioned in this financial year. This amounts to £70,000 per authority with the remaining £50,000 from Devon County Council. This money would primarily be used to commission evidence on the following main topic areas:

- Economic Needs Assessment
- Strategic Housing Market Assessment
- Strategic Land Availability Assessment
- European Protected Habitats Assessments
- Transport
- Infrastructure
- Landscape
- Heritage
- Strategic Environmental Assessment
- Hazardous installations
- Open space needs
- Strategic Flood Risk Assessment
- Town Centre uses
- Viability

In the case of Teignbridge District Council it is understood that these funds have already been included within a wider budget for plan making work and will now simply need redirecting to a joint fund. The other partner authorities will need to specifically direct additional funds to the combined fund. A budget will also be required in future financial years which is likely to be in the region of £35,000 per year for the next 2 financial years with potential additional costs for the examination of the plan in the 2019/20 financial year. Importantly, examination costs are likely to be in the order of £100k but would be shared between the partner authorities.

It is recommended that the first year's budget is approved at this stage, to allow officers to commence work on the necessary evidence immediately, and avoid the potential for significant delay in the process later on.

## **Conclusion**

It is considered that joint working on planning policy matters is vital to the delivery of a clear and coherent strategy for the future development of the Greater Exeter area and that this can only be delivered by the partner authorities working together on a shared strategy. A joint strategic plan focused on meeting the needs of the Greater Exeter area is considered to be the best approach to enable the partner authorities to reach agreement on how the needs of the area should be met.

This report is being presented to the four Local Planning Authorities individually recommending that they agree to this approach. It has been prepared by agreement of the chief planners (or equivalent post) of each of the councils.

Provision should be made for the budget recommended within this report for the commissioning of evidence to support plan production, in order to speed preparation. However issues such as staffing arrangements and governance arrangements are being discussed at officer level between the authorities and should agreement be reached on the principles established in this report then further reports will be brought to Members in due course to address these issues with a more detailed scope and timetable for the plan.



**Report to:** **Strategic Planning Committee**

**Date of Meeting:** 21 July 2016

**Public Document:** Yes

**Exemption:** None

**Review date for release** October 2016



**Agenda item:** 7

**Subject:** **East Devon Local Development Scheme**

**Purpose of report:** This report provides details of the proposed revised Local Development Scheme for East Devon. The actual Local Development Scheme that is recommended for approval is appended to this report and it sets out details and timetable for future planning policy production in East Devon.

**Recommendation:** **That it be recommended to Council that the East Devon Local Development Scheme, appended to this report, is adopted as from 28 July 2016**

**Reason for recommendation:** To ensure that the Council has an up to date plan for future planning policy production.

**Officer:** [Matthew Dickins](#), Planning Policy Manager, 01395 571540

**Financial implications:** No financial implications have been identified

**Legal implications:** As there is a legal requirement to maintain a Local Development Scheme it is important that the Council complies with this requirement. By adopting the revised LDS Members will be ensuring compliance with our legal obligations. Other legal implications are covered in the report.

**Equalities impact:** Low Impact  
There are no specific equalities issues associated with production of the Local Development Scheme.

**Risk:** High Risk  
The production and adoption of policy documents requires that an up to date Local Development Scheme is in place.

**Links to background information:** Links to background documents are provided in the body of the report and the accompanying appendix.

**Link to Council Plan:** The reports referred to in this report (and the appendix) relate to all priorities set out in the Council Plan.

## **1 Background Information**

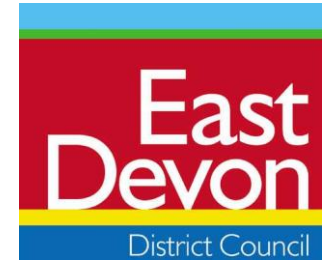
- 1.1 There is a requirement for councils to have an up to date Local Development Scheme (LDS). The LDS sets out future policy documents that are to be produced, including in respect of a timetable for production.
- 1.2 The current LDS for East Devon is now dated (it was approved in July 2015) and needs updating to identify revised proposals and timetables. The highest tier of policy documents are called Development Plan Documents (DPDs). There were five DPD identified for production in the previous LDS, they were:
- a) The Local Plan;
  - b) The Villages Plan
  - c) An Obligations plan;
  - d) A gypsy and Traveller Plan; and
  - e) The Cranbrook Plan.
- 1.3 Following extensive public consultation and Examination the Local Plan was adopted in January 2016. In common with the Local Plan all DPDs need to follow a quite complex route to final adoption.

## **2 Policy Documents for Inclusion in the New LDS**

- 2.1 In the new LDS, draft recommended for approval is appended, three DPDs are now identified for production.
- 2.2 Of the above the local plan is now adopted and so does not need to feature and it is no longer seen as appropriate or desirable to produce an Obligations Plan. The Obligation Plan was included last time round as a policy document that would set out detail on the scale, nature and type of contributions that would be sought through the planning process. It is now considered that matters relating to securing developer contributions are best addressed through more detailed Supplementary Planning Guidance (SPDs) (see below for commentary) or through other policy documents.
- 2.3 In this new LDS, there are, therefore three DPDs that are proposed for production in 2016 and 2017 and stretching into 2018, these are:
- Villages Plan
  - The Cranbrook Plan; and
  - Gypsy and Traveller Plan.
- 2.4 The DPDs will be complemented by SPDs (and potentially other policy documents) that will set out more detail on the implementation of planning policy. SPDs are less complex and time consuming to produce than DPDs and they are especially useful in respect of providing additional guidance and detail on policy implementation. The LDS refers to potential SPDs that will be produced.

### **3 Greater Exeter Plan**

- 3.1 The LDS refers to the fact that a greater Exeter plan (addressed in detail in an earlier agenda item to this Committee) may be produced. However the LDS does not set a proposed timetable. If and when final formal endorsement is received for production of a greater Exeter plan a new LDS will need to drawn up for Committee consideration.



# **East Devon Local Development Scheme**

**Work Programme for Planning Policy Production for 2016 and 2017 and into 2018**

**July 2016**



## **1 Introduction**

- 1.1 The Local Development Scheme (LDS) of East Devon District Council sets out a programme and timetable for production of future planning policy documents. For full details of consultation arrangements for both Planning Policy work and Development Management (specifically in respect of processing and determination of planning applications) please see the separate Statement of Community Involvement (SCI) at: <http://eastdevon.gov.uk/media/344008/statement-of-community-involvement-2013.pdf>  
The Council will be reviewing the need for a new SCI.
- 1.2 The Council has resolved that this new LDS should take effect from ..... (assuming endorsement of the LDS, the date of adoption of 28<sup>th</sup> July 2016, will be inserted here). Most of the planning policy documents referred to in this LDS will be produced by, or primarily by, the Planning Policy Section of the Council; there will, however, be other lead services or teams for some documents. This LDS covers the years of 2016 and 2017 and into 2018, it is envisaged, however, that it will be revised and superseded at or before 2018 (if not before this date).

## **2 The Adopted East Devon Local Plan**

- 2.1 The East Devon Local Plan, covering most policy matters across the District, was adopted on the 28 January 2016. It covers the 18 year period from 2011 to 2031. Well before this 2031 end date it will, in all likelihood, be superseded by a new overarching plan. The new policy documents detailed in this LDS will be written within the context of the policy of the newly adopted East Devon Local Plan and will provide more detailed policy and guidance for the defined locations/subject matters.

## **3 Potential for a Joint Greater Exeter Plan**

- 3.1 It should be noted that one option currently being considered is the production of a new joint plan that will cover the local planning authority areas of:
- a) East Devon District Council;
  - b) Exeter City Council;
  - c) Mid Devon District Council; and
  - d) Teignbridge District Council.
- Parts of Dartmoor National Park fall in Teignbridge and Mid Devon. Dartmoor National Park Authority is a planning authority in its own right and it is not envisaged that a joint plan will cover Dartmoor National Park or any areas in it.

- 3.2 This LDS does not provide possible dates or other information on joint plan production but should proposals for a joint plan take on a formal agreed status then a new LDS will be drawn up.

#### **4 Future Development Plan Documents for East Devon**

- 4.1 Development Plan Documents (DPDs) sit at the top of the hierarchy of District Council planning policy documents. The term ‘local plan’ is used interchangeably with DPD; although the Council has an adopted plan called the ‘East Devon Local Plan’ the use of the wording ‘local plan’ should also be taken to include all DPDs as well. On adoption DPDs are therefore part of, and in effect incorporated into, the adopted Local Plan and they specifically form part of the Development Plan for East Devon. DPDs are of fundamental importance in respect of informing prospective developers of the types of development and locations for development that are likely to be appropriate and they are the key policy document used in determining planning applications. There are specific legally defined procedural steps that need to be complied with in order to produce a DPD, some of these are referred to in this LDS, however for a full complete picture see: The Town and Country Planning (Local Planning) (England) Regulations 2013, at:  
[http://www.legislation.gov.uk/ukxi/2012/767/pdfs/uksi\\_20120767\\_en.pdf](http://www.legislation.gov.uk/ukxi/2012/767/pdfs/uksi_20120767_en.pdf)
- 4.2 This LDS sets out that there will, in 2016 and 2017 and running into 2018, be three extra DPDs that will be produced, these are:
- a) **Villages Plan** – this plan will be specifically concerned with development issues and boundaries in and around the main villages in East Devon and town of Colyton. For more information see:  
[The villages plan - East Devon](#)
  - b) **Gypsy and Traveller Development Plan** – this document will identify the permanent and transit housing needs of the gypsy and traveller community and allocate sites to meet this need and provide policy guidance on site development. For more information see:  
<http://eastdevon.gov.uk/planning/planning-policy/gypsy-and-traveller-plan/>
  - c) **Cranbrook Development Plan** – this document will allocate development sites and establish policy to enable the new town of Cranbrook to expand to provide around 8,000 homes and associated social, community, employment and environmental facilities. For more information see:  
<http://eastdevon.gov.uk/planning/planning-policy/cranbrook-plan/>

- 4.3 It should be noted that responsibility for waste planning and minerals planning in East Devon rests with Devon County Council; they have legal responsibility for producing plans and determining planning applications. The County Council adopted a new Devon Waste Plan in 2014: <https://new.devon.gov.uk/planning/planning-policies/minerals-and-waste-policy/devon-waste-plan> and a minerals Plan in 2004: <https://new.devon.gov.uk/planning/planning-policies/minerals-and-waste-policy/minerals-local-plan> a new Devon Minerals Plan was submitted for Examination in 2016: <https://new.devon.gov.uk/planning/planning-policies/minerals-and-waste-policy/devon-minerals-plan> The adopted waste plan and minerals plan are/will also be part of the Development Plan for East Devon.

## **5 Programme for Development Plan Documents Production**

- 5.1 Tables 1 sets out the proposed programme for DPD production. For full details of consultation on DPD plan preparation please refer to the SCI. It is stressed that information relating to plan making regulations is provided as a guide only and for a complete record, specifically in respect of legal defined processes, legislation and regulations (as may be updated or amended at any point in time) should be consulted.

## **6 Supplementary Planning Documents and Other Planning Policy Documents**

- 6.1 In addition to DPDs we will also produce Supplementary Planning Documents (SPDs). These SPDs are simpler in nature and in production process, they provide extra guidance on development, and will assist with and encourage sustainable development.
- 6.2 Details of SPDs that are planned to be produced, as well as other planning policy related documents, are set out in Table 2. It is stressed that this is not, and is not intended to be, a definitive list of supplementary plans that may be produced but it does give a guide that is of current relevance.
- 6.3 Legislation and regulation relating to SPD production is also set out in 'The Town and Country Planning (Local Planning) (England) Regulations 2013', specifically Regulations 11 to 16.
- 6.4 As a minimum, noting the need to comply with legislative requirements:
- SPDs will need to be produced in draft and approved by the council for public consultation;
  - consultation will need to run for at least four weeks (though typically we will aim for at least six weeks);



- be formally adopted by the Council, where appropriate with amendments from consultation added; and
- adoption will need to be supported with a formal adoption statement.

6.5 Occasionally the Council will produce additional policy documents or guidance that may not be in the form of a DPD or SPD (it may not have met legal tests of production to qualify) but it will be approved or adopted by the Council to help inform decision making and as such could constitute a material consideration in the determination of planning applications.

## **7 Neighbourhood Plans**

7.1 Many Parish groups and Parish Council's in East Devon are actively involved in Neighbourhood Plan production. Neighbourhood Plans are produced by the local community for their local area and they can include planning policies and also community related actions/proposals. The Planning Policy team at the District Council provide active support to local communities but it is stressed that whilst the District Council ultimately adopt Neighbourhood Plans, and they become part of the Development Plan for the District, the responsibility for plan production rests with the neighbourhood group preparing the plan.

7.2 More information on Neighbourhood Plan making can be viewed on the District Council web site at:  
<http://eastdevon.gov.uk/planning/neighbourhood-and-community-plans/>

## **8 Sustainability Appraisal, Strategic Environmental Assessment and Other Assessment**

8.1 All of the DPDs we produce will need to be supported by a Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA). Legislation covering the need for these assessments is separate from plan making legislation but for a plan to be adopted relevant assessment will need to be undertaken. The SA and SEA work is produced alongside and parallel to plan making, it inform plans and alternative options as they emerge and evolve and it considers the potential impacts of plans. Although the SA and the SEA processes can be undertaken separately they cover similar matters in similar ways and it is common practice to combine both assessments together. The expectation is that for all DPDs the Council will produce a combined SA and SEA. In this LDS, where we use the term SA (without qualification) this should be read as a generic reference to cover both SA and SEA.

8.2 In this LDS we have, for each DPD shown in Table 1, identified at least one draft plan stage of consultation and running parallel to this a draft SA consultation. Any feedback from the SA consultation will be taken in conjunction with feedback on plan consultation and used to help

inform, and where appropriate adjust or refine plan policy as it develops. At plan Publication stage there will also be an SA report that will be available for consultation.

- 8.3 In some cases SPDs and other planning documents of the Council, and sometime Neighbourhood Plans, will need to be subject to an SA (or more specifically it may be the legal requirement for SEA that will be critical).
- 8.4 There are also further assessment processes that maybe either legally required or otherwise desirable or appropriate that may also support or be required for plan production. At the outset of plan making, and through review as plan production proceeds, we will asses the need or appropriateness for assessment, to include:
- a) Assessment under the Habitat Regulations; and
  - b) Equalities Impact Assessment.

## **9 Community Infrastructure Levy**

- 9.1 East Devon District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule with the expectation that the schedule will come into affect (charges will apply) from 1 September 2016. CIL provides a means to secure monies from development to help support provision of infrastructure. The CIL charging schedule is not a DPD but production of the CIL Charging Schedule has run in parallel with the Local Plan and monies collected will support implementation of proposals in the Local Plan and other DPDs. For more information on the charging schedule and relevant charges see:  
<http://eastdevon.gov.uk/planning/planning-policy/community-infrastructure-levy-cil/>
- 9.2 Later in 2016 the Council may review the possible need for production of a revised CIL Charging Schedule.

**Table 1 - Timetable for Development Plan Document Production – Key Stages Only Are Shown**

Plan and Key Stages (and Plan making regulation number)	Reg Number	2016												2017												2018														
		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec			
<b>East Devon Villages Plan</b>																																								
Plan preparation (& carried over from 2015 & before)	18	■																																						
Committee approval for consultation							■																																	
Consultation on preferred boundary options							■	■																																
Consultation on preferred options SA/SEA Report							■	■																																
Consideration of representations									■	■	■																													
Committee approval for publication consultation												■																												
Publication consultation & representations	19 & 20											■	■	■																										
Consultation on SA/SEA report												■	■	■																										
Collate representations														■	■	■																								
Council approval sought to submit														■																										
Submission and Examination	22 & 24																						■	■	■															
Oral hearing sessions (if required)	24																						■																	
Receipt of Inspectors report	25																							■																
Main Modification consultation (if required)																									■	■														
Committee approval and Adoption	26																																							■

**Notes and Comments on the Villages Plan:**

1. The Villages Plan will provide more details on how Local Plan Strategy 27 will be translated to the village (and Colyton) level through the definition of Built-up Area Boundaries. There will be inset maps for the 15 settlements referred to in Strategy 27.
2. The villages Plan will also have Inset maps for Greendale Business Park and Hill Barton Business Park.

Plan and Key Stages (and Plan making regulation number)	Reg Number	2016												2017												2018												
		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	
<b>Cranbrook Plan</b>																																						
Information gathering		■	■	■	■	■																																
Committee approval for consultation						■																																
Consultation on Draft Proposals						■	■																															
Consultation on Draft SA/SEA Report						■	■																															
Consideration of Representations								■	■																													
Committee approval for consultation										■																												
Consultation on 2 <sup>nd</sup> Draft Proposals										■	■																											
Consultation on 2 <sup>nd</sup> Draft SA/SEA Report										■	■																											
Consideration of Representations												■	■	■	■																							
Committee approval for Publication															■																							
Publication Consultation & Representations	19 & 20														■	■																						
Consultation on SA/SEA Report															■	■																						
Collate Representations																■	■	■																				
Council approval to Submit																																						
Submission and Examination	22 & 24																																					
Oral Hearing Sessions (if required)	24																																					
Inspectors Report	25																																					
Committee Consideration of Inspector's Report																																						
Main Modification Consultation (if required)																																						
Adoption	26																																					

**Notes and Comments on the Cranbrook Plan:**

1. The Cranbrook Plan DPD will set out future policy for the development of Cranbrook.
2. The Cranbrook Plan is being produced (as at July 2016) by the Growth Point Team, enquiries should be addressed to:  
[plancranbrook@eastdevon.gov.uk](mailto:plancranbrook@eastdevon.gov.uk)
3. The above timetable is produced on assumption that a second stage of public consultation/engagement will be held ahead of plan publication.

Plan and Key Stages (and Plan making regulation number)	Reg Number	2016												2017												2018													
		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec		
<b>Gypsy and Travellers Plan</b>																																							
Preparation - Gathering site choice information	18	■	■	■	■	■	■	■	■	■	■	■	■																										
Committee approval for consultation										■	■																												
Consultation on Draft Proposals										■	■																												
Consultation on Draft SA/SEA Report										■	■																												
Consideration of Representations													■	■	■	■																							
Committee approval for Publication																																							
Publication Consultation & Representations	19 & 20																																						
Consultation on SA/SEA Report																																							
Collate Representations																																							
Council approval to Submit																																							
Submission and Examination	22 & 24																																						
Oral Hearing	24																																						
Inspectors Report	25																																						
Committee Consideration of Inspector's Report																																							
Main Modification Consultation (if required)																																							
Adoption	26																																						

**Notes and Comments on the Gypsy and Traveller Plan:**

1. The above timetable is set out on the basis that it is deemed necessary to produce a gypsy and traveller plan. As at July 2016 consultation is being undertaken on the Cranbrook DPD. Adopted Local Plan policy provides for up to 30 gypsy and traveller pitches at Cranbrook and the Cranbrook Plan Issues and Options report consultation (June and July 2016 consultation) seeks opinion on scope for accommodation at Cranbrook. Should the Cranbrook Plan work conclude that the most appropriate site or sites for the identified gypsy accommodation needs are at Cranbrook and that the Cranbrook Plan will ultimately allocates sites (or make alternative clear policy provision for development) then it is likely that a separate Gypsy and Traveller DPD will not be produced.
2. The timetable above is produced on the basis that a Gypsy and Traveller DPD will be appropriate. The production of the DPD and therefore the proposed timetable is held back by the need to understand more about scope and potential for provision to be made at Cranbrook and therefore draft plan consultation is aligned to the proposed 2nd round of consultation on the Cranbrook Plan.

Plan and Key Stages (and Plan making regulation number)	Reg Number	2016												2017												2018											
		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec

**Table 2 – Production Schedule - Supplementary Planning Document and Other Planning Documents**

It should be noted that the schedule below sets out some of the documents that the Council may produce. It is provided for guidance purposes only and should not be regarded as a definitive list of all or any documents that will be produced.

Document Title	Category	Status	Draft Production Timetable	Commentary
Green Infrastructure Strategy for East Devon towns	Natural Environment	SPD	<ul style="list-style-type: none"> <li>Produce consultation draft – early 2017</li> <li>Consult - 2017</li> <li>Adopt SPD – late 2017 or 2018</li> </ul>	<p>The Green Infrastructure Strategy will set out specific proposals and guiding principles to secure such measures as footpaths, open spaces, improved environments and links between green spaces across East Devon.</p> <p>The timetable provided is indicative only and the work may need to be produced on a town by town basis.</p>
Bats Guidance - Beer Quarry Caves	Natural Environment	SPD	<ul style="list-style-type: none"> <li>Produce consultation draft - 2017</li> <li>Consult – 2017/2018</li> <li>Adopt SPD - 2018</li> </ul>	<p>The bats guidance will establish information to assist those submitting planning applications as well as providing evidence to help inform future policy making, including Neighbourhood Plans.</p> <p>Further work will be undertaken to establish need for this guidance.</p>
Local list procedure	Built Environment	SPD	<ul style="list-style-type: none"> <li>Produce consultation draft – Late 2016;</li> <li>Consult – 2016/2017;</li> <li>Adopt SPD – 2017.</li> </ul>	<p>Local lists are produced at a local level (e.g. at a Parish level) and they provide a means to identify features or assets (such as buildings, telephone boxes, walls, old orchards or other assets) that do not necessarily benefit for specific protection (e.g. they are not Listed Buildings) but which are, nonetheless, seen as important in the local context.</p> <p>The Local List SPD will set out guidance for establishing how local lists can be established and what types of features can be appropriate for inclusion and how they will be assessed.</p>
Design guide	Built Environment	SPD	<ul style="list-style-type: none"> <li>Produce consultation draft - 2017</li> <li>Consult - 2017</li> <li>Adopt SPD – 2017/2018.</li> </ul>	<p>The Design guide will set out guidance for developers and builders on the types of designs, materials and buildings that could be appropriate in Eats Devon. It will be of specific relevance to those preparing and submitting planning applications.</p>

Document Title	Category	Status	Draft Production Timetable	Commentary
Coastal Change Management Areas assessment	Natural Environment	Planning Guidance	<ul style="list-style-type: none"> <li>Dates to be confirmed.</li> </ul>	The potential need, content and format of this work will need to be determined.
Viability Assessment and Affordable Housing	Housing	SPD	<ul style="list-style-type: none"> <li>Dates to be confirmed.</li> </ul>	It is envisaged that viability evidence will need to be refreshed but precise format and timescale for work is yet to be determined.
Strategic Housing Land Availability Assessment (SHLAA)	Housing	Planning Guidance	<ul style="list-style-type: none"> <li>Call for sites – Autumn 2016;</li> <li>Site Assessment – Autumn/Winter 2016;</li> <li>Write-up/completion – early 2017.</li> </ul>	The SHLAA is a means to gather information about sites that could have scope for future residential development. It allows land owners to promote land for house building and provides a record of scope for development and options and technical assessment to help inform possible future planning policy and land allocations. The expectation is of joint working with the planning authorities of Exeter, Mid Devon and Teignbridge.
Self-build register and policy	Housing	Planning Guidance	<ul style="list-style-type: none"> <li>System design – March 2016;</li> <li>System went live – late March 2016;</li> <li>Refinement of system – ongoing.</li> </ul>	There was a requirement, from 1 April 2016, to have a live self build register on the council web site. This has been completed and allows people that may be interested in self building a home in East Devon to register their interest.
Brownfield Land Register	Housing	Planning Guidance	<ul style="list-style-type: none"> <li>Site identification – Summer 2016;</li> <li>Log sites – in/by Autumn 2016;</li> <li>Refinement and updating of system – ongoing.</li> </ul>	There will be a requirement for the council to keep a register of Brownfield land that may be suitable for development. A draft register will be on the Council website in Summer 2016 and refinement and improvement of records, specifically amending listing as appropriate, will be ongoing.
Honiton and Exmouth Sports Pitch Strategies	Recreation	Planning Guidance	<ul style="list-style-type: none"> <li>Produce consultation draft – June 2016;</li> <li>Amended final draft – Summer 2016;</li> <li>Adopt as guidance – Late Summer 2016.</li> </ul>	Separate Sports Pitch Strategies will be produced for Honiton and Exmouth to identify where the additional pitches required by the adopted Playing Pitch Strategy should be accommodated in years to come. Draft currently out for consultation. Amendments will subsequently be made before a final strategy is considered by Members and adopted later in the Summer.

**Planning Policy Section**  
**East Devon District Council**  
**Council Offices, Knowle,**  
**Sidmouth**  
**EX10 8HL**

**Email:** [localplan@eastdevon.gov.uk](mailto:localplan@eastdevon.gov.uk)  
**Website:** <http://eastdevon.gov.uk/> and  
<http://eastdevon.gov.uk/planning/planning-policy/>



**Report to:** Strategic Planning Committee

**Date of Meeting:** 21 July 2016

**Public Document:** Yes

**Exemption:** None

**Review date for release** None



**Agenda item:** 8

**Subject:** East Devon Villages Plan

**Purpose of report:** To seek approval for public consultation on a draft Villages Plan

**Recommendation:** 1. That approval is given for public consultation on the draft Villages Plan in accordance with the Councils Statement of Community Involvement.

**Reason for recommendation:** It is important to seek views on the Villages Plan prior to finalising it for consultation prior to submission to the Secretary of State.

**Officer:** Linda Renshaw

Email: [lrenshaw@eastdevon.gov.uk](mailto:lrenshaw@eastdevon.gov.uk)

Tel: 01395 571683

**Financial implications:** There are no financial implications.

**Legal implications:** The legal considerations are generally set out in the report. The assessment criteria referred to paragraph 3.5 (and discussed in Section 5 of the DMC report of 8<sup>th</sup> March 2016) seem sound and the advocated approach to identifying BUABs for the identified villages seems a reasonable approach to take. While the report refers to not progressing consultation on a BUAB for Lypstone on the basis that it has a Neighbourhood Plan that identifies one, it should be noted that the Villages DPD will ultimately include an identified BUAB for Lypstone (to comply with Strategy 27) but this will be included later on in the process and will mirror the area identified in its Neighbourhood Plan. No further legal observations are required at this time.

**Equalities impact:** Low Impact

At this stage no specific negative equality impact issues have been identified. An Equalities Impact Assessment has been undertaken and is available at <http://eastdevon.gov.uk/planning/planning-policy/villages-plan/villages-plan-2016-consultation>

**Risk:**

Medium Risk

The progress of the Villages Plan is an important component for achieving up-to-date planning policies for the settlements concerned and will be important in the determination of planning applications. Meaningful public involvement in the development of the plan and a consistent approach to defining Built-up Area Boundaries will help to reduce the risk of the plan being found unsound at examination.

**Links to background information:**

- The draft villages plan consulted on in 2014 and associated work is available at [Village document library - Villages plan 2014 - East Devon](#)
- Comments received on summer 2015 consultation on criteria for defining BUAB's are available at [Proposed criteria for revised built-up area boundaries - East Devon](#)
- The report for the Development Management Committee of 03/11/2015 is at <http://eastdevon.gov.uk/media/1354068/031115-combined-dmc-agenda-compressed.pdf>
- The report for the Development Management Committee of 08/03/2016 is at <http://eastdevon.gov.uk/media/1563488/080316-combined-dmc-agenda-compressed.pdf>
- The assessments undertaken on individual settlements and other supporting documents are available at <http://eastdevon.gov.uk/planning/planning-policy/villages-plan/villages-plan-2016-consultation>
- The draft SA/SEA report will be available at <http://eastdevon.gov.uk/planning/planning-policy/villages-plan/villages-plan-2016-consultation>
- The Lympstone Neighbourhood Plan may be viewed at <http://eastdevon.gov.uk/media/1091870/lnp-final-referendum.pdf>

**Link to Council Plan:**

Encouraging communities to be outstanding, developing an outstanding local economy and delivering and promoting our outstanding environment.

**1. Purpose of Report**

1.1 This report seeks approval for public consultation on the attached draft East Devon Villages Plan. The draft plan:

- sets out the scope of the plan;
- explains the relationship between the Local Plan and the Villages Plan;
- explores the relationship between the Villages Plan and neighbourhood planning;
- considers whether there are alternative options to defining Built-up Area Boundaries
- explains the process undertaken for defining Built-up Area Boundaries;
- includes a section for each of the settlements considered in the plan, together with Greendale and Hill Barton Business Parks;
- includes a plan for each settlement showing either a proposed Built-up Area Boundary or options for alternative Built-up Area Boundaries (with a preferred option indicated); and
- contains appendices that include extracts of the most relevant Local Plan policies, and set out the main approaches taken to defining boundaries.

1.2 The draft plan is supported by a number of technical documents that include:

- A draft Sustainability Appraisal/Strategic Environmental Assessment report (SA/SEA);

- A site by site assessment for each settlement that shows sites considered as part of the assessment of where the BUAB should be drawn and sets out the reasons for their inclusion or exclusion;
- An assessment of both Hill Barton and Greendale Business Parks.

## **2. Summary of Work on the Villages Plan so far**

- 2.1 Work on the Villages Plan commenced in 2012 and much was done by Parish Councils to consult their communities on development options within the 42 settlements then proposed to have defined Built-up Area Boundaries. A draft consultation villages plan was consulted on in early 2014, around the same time as the first hearing sessions on the Local Plan.
- 2.2 Following the receipt of the Inspectors initial Local Plan letter of 31<sup>st</sup> March 2014, further work was undertaken on the suitability of rural settlements for development. This work informed revisions to Strategy 27 of the Local Plan (which lists the settlements to have Built-up Area Boundaries defined). Key changes to the policy included reducing the number of settlements identified to 15, removing the development levels attributed to each settlement and including references to neighbourhood planning.
- 2.3 Draft criteria for defining Built-up Area Boundaries were consulted on during the summer of 2015. The main issues raised were summarised for the Development Management Committee meeting of 3<sup>rd</sup> November 2015, when it was resolved to put further work on hold until the Inspectors report was received.
- 2.4 A report setting out further progress and recommending minor changes to the proposed criteria for defining BUAB's to take account of consultation responses was considered by Development Management Committee on 8<sup>th</sup> March 2016. This was deferred to allow the matter to be considered by Overview Committee. However following the creation of the Strategic Planning Committee the issue of the progression of DPDs now falls to this committee.
- 2.5 Given the importance of progressing the Villages Plan further work has been undertaken to produce a draft plan. This takes account of the policies of the adopted Local Plan, the consultation responses received so far and the ongoing Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA) work.

## **3. Brief Summary of Draft Villages Plan**

- 3.1 The proposed draft plan is attached for consideration in full, but Members attention is drawn to the following main points.
- 3.2 Consultation – authority is sought to consult on the draft plan for an eight week period during the summer (although our normal practice is to consult on such documents for 6 weeks, an additional two weeks is recommended to take account of the summer holiday period). Feedback from the consultation will be considered by this Committee before agreeing a 'Publication' plan for further consultation and subsequent submission for Examination.
- 3.3 Plan Context and Scope – the context for the Villages Plan is the recently adopted Local Plan, which was found by Mr Thickett (the Local Plan Inspector) to be compliant with the National Planning Policy Framework. Robust evidence was presented to the Local Plan Inspector to support the rural settlement approach in the local plan. The Villages Plan will translate adopted Local Plan policy to the village level and the critical issue is that the

adopted Local Plan policy provides for development at 14 larger villages and the town of Colyton. A key policy to allow for and provide clarity in respect of where development may be acceptable in these villages will be the definition of Built-up Area Boundaries. In other smaller villages and rural areas not specifically named under Strategy 27 there will not be Built-up Area Boundaries, though there is some flexibility under other Local Plan Policies for limited additional development. More importantly Strategy 27 allows for communities to promote additional development through Neighbourhood Plans or community led development (this provision is not just restricted to the settlements explicitly listed in Strategy 27). The Local Plan also states that Greendale and Hill Barton Business Parks will have their own inset plans as part of the Villages Plan, although these Business Parks are in the countryside and will not have a Built-up Area Boundary and therefore policies relevant to such boundaries will not apply at these business parks.

- 3.4 Alternative Approaches to defining BUAB's – The draft plan discusses the potential merits of alternative approaches such as criteria based policies or local allocations. However, the preferred approach is to define BUAB's because they provide the highest degree of certainty to local communities, landowners and developers and alternative allocations are best dealt with through the neighbourhood planning process (see paragraph 3.5 below).
- 3.5 Criteria for defining BUAB's – in order to encourage the making of consistent judgements, criteria have been used to guide the definition of BUAB's. Without using criteria there is a danger that defining Built-up Area Boundaries would be a subjective process and that the DPD may subsequently be found to be unsound by an Inspector at examination. At the Development Management Committee meeting of March 2016 there was criticism that the criteria were difficult to understand, so a 'plain English' guide has been prepared to help inform the consultation (included as an Appendix to the draft plan). Essentially, the criteria seek to identify the main areas that already have a built-up appearance and to exclude peripheral areas with the potential for significant additional development. The rationale for this approach is that communities wishing to promote a scale of development that goes beyond 'infilling' of existing built-up areas can plan positively for this through neighbourhood planning. The adopted Local Plan (at Strategy 27) specifically states that land will not be allocated for development through the Villages Plan and to include undeveloped land within BUAB's would have the same impact by 'the back door', contrary to the principle of allowing local communities to determine development levels through neighbourhood planning.
- 3.6 Considerations on alternative BUAB's - The primary purpose of defining a BUAB is to distinguish where policies provide for development (subject to other considerations) from areas where development is usually only allowed in specified exceptional circumstances. To reflect consultation responses and emerging SA/SEA work, an approach that takes account of the ability to access services and facilities on foot has also been applied to the settlements in the plan. This approach is consistent with the process used to identify the 'Strategy 27' settlements in the Local Plan and has also been critical in some recent planning appeals. BUAB's are initially defined using the criteria based approach explained in paragraph 3.5 above, but then any areas identified as being beyond a reasonable walking distance to services and facilities are excluded from the boundary. This judgement takes into account not only the walking distance involved, but also the attractiveness of routes, quality of paths, gradients and safety of the route (and perceptions of safety) especially on busy roads and crossings. For many of the villages, services and facilities are readily accessible on foot from the areas identified using the criteria so only one proposed BUAB is shown. The settlements with alternative boundaries proposed based on this approach are Beer, Newton Poppleford, Uplyme and West Hill. Where this is proposed as an alternative, it is the preferred approach as it is most consistent with the Local Plan and the emerging work of the SA/SEA. The only exception is in Clyst St. Mary, which is the only village with a specific local plan allocation. A

separate alternative approach is put forward for Musbury to take account of Parish Council comments, although it is not the preferred approach. There is also a slightly different alternative put forward in Uplyme to reflect neighbourhood planning work as detailed in paragraph 3.7 below, although the preferred approach is based on the set criteria plus walking considerations.

- 3.7 Relationship with Neighbourhood Planning - Of the 15 settlements listed in Strategy 27 one has a 'made' neighbourhood plan (Lympstone) and thirteen more have designated areas. The most recently adopted local plan (in this case the Villages Plan) or made neighbourhood plan will take precedence in terms of which document forms part of the development plan (which decisions on planning applications are made in accordance with unless material considerations indicate otherwise). This means in practice, for example, that if a different BUAB was defined in the adopted Villages Plan to the made Lympstone Neighbourhood Plan, then the Villages Plan would take precedence. In the case of Lympstone, where there is a made Neighbourhood Plan that defines a Built-up Area Boundary, it would not be appropriate to consider reviewing the boundary through the Villages Plan and the draft plan reflects this. This approach complies with advice in paragraph 013 of the National Planning Guidance that: 'Where a neighbourhood plan has been made, the local planning authority should take it into account when preparing the Local Plan strategy and policies, and avoid duplicating the policies that are in the neighbourhood plan.' Of the remaining settlements involved in neighbourhood planning, only one (Uplyme) has so far worked on defining a new BUAB. This broadly follows that produced by applying the criteria as set out in paragraph 3.5 above, although there are some small differences so this is included in the draft plan as an alternative approach for Uplyme.
- 3.8 Hill Barton and Greendale Business Parks – The adopted Local Plan advises that these two business parks will feature in the Villages Plan.
- 3.9 The recommended policy approach set out in the consultation document is for these business parks to have what is termed a 'Business Park Development Boundary'. Within this boundary infill development and redevelopment of existing buildings, for employment/job generating uses, will be permitted. Land beyond the Business Park Development Boundary is to be classified as countryside and further employment or other development will not typically be permitted as adopted Local Plan Countryside policies will apply.
- 3.10 The policy approach for these two business parks is one of placing clear constraining boundaries in respect of scope for outward expansion. Whilst there could be economic benefits associated with further employment growth at these business parks the potential benefits need to be weighed against environmental consideration which specifically include potential for adverse landscape impact and poor accessibility to these places of employment for cyclists and pedestrians. There is also potential for adverse social impacts from further development on nearby residential communities, including at Woodbury Salterton in respect of Greendale and Farrington in respect of Hill Barton.

# **East Devon Villages Plan**

**2016 to 2031**

**Draft for Consultation**

**Representations may be made until**

**14<sup>th</sup> September 2016**



## How to comment on this draft plan

You are invited to make comments on this draft plan and any of the documents that support it as listed below:

- Sustainability Appraisal
- Technical Report for individual settlements showing sites considered as part of the process for defining Built-up Area Boundaries
- Habitat Regulations report.

These documents are available on line at <http://eastdevon.gov.uk/planning/planning-policy/villages-plan/villages-plan-2016-consultation> and at the Council Offices in Sidmouth. Copies of the draft plan will be sent to the following libraries.

- Axminster
- Budleigh Salterton
- Exmouth
- Honiton
- Ottery St Mary
- Seaton
- Sidmouth.

Hard copies have also been sent to all of the parish councils for the settlements included in this draft plan.

The feedback we receive on this draft plan will be used to inform a revised plan that will be formally made available for public comment before it is submitted for examination.

You can comment:

by email at [localplan@eastdevon.gov.uk](mailto:localplan@eastdevon.gov.uk)

or by post to: Planning Policy, East Devon District Council, The Knowle, Station Road, Sidmouth, EX10 8HL

**All comments should be received by 14<sup>th</sup> September 2016 so that they can be taken into account before the next stage.**





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## **1 Setting the Context**

- 1.1 The Villages Plan forms part of a series of documents that set out policies and proposals for land use planning in East Devon. Taken together these documents comprise the 'development plan', which guides where development will go and how planning applications will be determined. All of the documents in the development plan must be broadly in line with the Governments planning policies, which are set out in the National Planning Policy Framework (available at [Policy | Planning Practice Guidance](#)). Further Government advice on planning is contained in the Planning Practice Guidance (available at [Guidance | Planning Practice Guidance](#)).
- 1.2 The main document that sets out planning strategy for East Devon is the East Devon Local Plan 2013 to 2031, which was adopted on 28<sup>th</sup> January 2016 (referred to in the document as 'The Local Plan'). This sets out planning policies for the whole of East Devon and includes detailed policies for the main towns and rural areas. Strategy 6 of the Local Plan effectively says that development will be allowed within defined 'Built-up Area Boundaries' (BUAB's), subject to certain criteria. It goes on to state that BUAB's will be defined on maps around the settlements of East Devon that are appropriate to accommodate growth and development. The BUAB's for the main towns are defined in the proposals map of the Local Plan, but for our villages (and the town of Colyton) they will be defined in the Villages Plan. The full text of Strategy 6 is shown in **Appendix 1**.
- 1.3 Work to assess which settlements are suitable for growth and development was done as part of the Local Plan and Strategy 27 lists these as Beer; Broadclyst; Clyst St. Mary; Colyton; East Budleigh; Feniton; Kilmington; Lypstone; Musbury; Newton Poppleford; Sidbury; Uplyme; West Hill; Whimple and Woodbury. Strategy 27 states that these settlements will have a BUAB designated in the Villages Plan but will not have land specifically allocated for development. Additional development may be promoted through

a Neighbourhood Plan or community led development. The full text of Strategy 27 is shown in **Appendix 2**.

- 1.4 In addition to the plans produced by East Devon District Council, many local communities are producing their own 'neighbourhood plans'. In East Devon, neighbourhood planning is the responsibility of parish councils. The only settlement not covered by the Villages Plan that has not formally started neighbourhood plan production is Musbury, although it is understood that there are aspirations to start soon. When a neighbourhood plan is finalised or 'made', it also form part of the development plan (which guides developments and planning applications). Lypstone has a made neighbourhood plan. Further discussion on the relationship between this plan and neighbourhood planning is included in section 4 later in this document.
- 1.5 Work on the Villages Plan needs to consider whether there are any strategic issues that span the East Devon boundary and could affect neighbouring areas. There is a 'duty to co-operate' with neighbouring planning authorities and bodies like Natural England and the Environment Agency on any cross boundary strategic issues. Examples of strategic issues are housing, employment, transport, climate change and landscape. In light of the limited scope of the Villages Plan and the recent adoption of the overarching local plan there are limited opportunities for cross boundary working on the Villages Plan. The relationship between Uplyme and Lyme Regis in terms of housing growth was explored through the Local Plan and Strategy 26C of the adopted plan states that the District, Parish and Town councils will work together on this issue.

## **2 Scope of the Villages Plan**

- 2.1 The Local Development Scheme (LDS) (revised 30<sup>th</sup> July 2015) sets out the scope of and timetable for producing future planning policy documents. The LDS states that the Villages Plan will be ‘specifically concerned with development issues and boundaries in and around the main villages of East Devon and Colyton’. **N.B. A revised LDS is due to be considered at the Strategic Planning Committee on 12<sup>th</sup> July 2016 and if approved an updated reference will need to be inserted in this plan/here.**
- 2.2 Since earlier LDS work was devised the strategic direction of the Villages Plan has become clearer with the adoption of the Local Plan. This sets the strategic context and identified the scope of the Villages Plan as:
- the definition of Built-up Area Boundaries around the 15 settlements listed in Strategy 27 of the Local Plan (with the exception of Lympstone as it has a made neighbourhood plan);
  - the identification of any local plan policies on specific settlement ‘inset’ plans; and
  - defining inset plans for Greendale and Hill Barton Business Parks.
- 2.3 Strategy 27 of the adopted Local Plan limits the scope of the Villages Plan to not specifically allocating land for development and to defining Built-up Area Boundaries in the 15 listed settlements. The Local Plan also states that Greendale and Hill Barton Business Parks will have their own inset plans as part of the Villages Plan. The intended inclusion of these Business Parks in the Villages Plan is to ensure that the full extent of the land authorised for employment uses is established and determined on a map. This will form a basis to help determine any possible future planning applications.
- 2.4 These Business Parks are in the countryside and will not have a Built-up Area Boundary and therefore policies relevant to such boundaries will not apply at these business parks, It will be the countryside policies of the plan

that are applicable and to assist plan users Inset Maps showing the extent of authorised business use are shown.

### **3 Alternative approaches which may be considered that would not involve defining Built-up Area Boundaries**

- 3.1 The definition of Built-up Area Boundaries is a well established approach to planning in England and has been followed in East Devon for the last 50 years or so, but it is not inevitable that it should be continued. Proposed changes to the national planning context, together with the excellent progress that is being made on neighbourhood planning in East Devon, could justify consideration of an alternative approach that would not include the definition of BUAB's in the 'Strategy 27' settlements through the Villages Plan.
- 3.2 One advantage of defining BUAB's has historically been that it provides a degree of certainty on where development is likely to be acceptable in principle to local communities, landowners and developers. However, the Government has consulted on proposed changes that would remove this certainty by introducing a change to the National Planning Policy Framework that would allow schemes for up to ten dwellings on land outside of, but abutting defined development boundaries (see paragraph 24 of DCLG consultation on proposed changes to national planning policy December 2015, which may be viewed at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/488276/151207\\_Consultation\\_document.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/488276/151207_Consultation_document.pdf)).
- 3.3 The wording of Strategy 27 could be altered through the Villages Plan to the effect that the mechanism for defining BUAB's in the listed settlements would be a neighbourhood plan. In these circumstances the policies of the Local Plan could be proposed for change in the Villages Plan so that the BUAB policies only applied to the main towns where the BUAB's are defined in the Local Plan (or where defined in a made neighbourhood plan). If this approach were taken forward, consideration would need to be given to whether a new 'criteria based' policy should be included in the Villages Plan to guide decisions on where it would be likely to be appropriate to allow housing in the settlements listed in Strategy 27. Any draft policy proposed would need to



consider how it could promote appropriate forms of development whilst protecting settlements from 'excessive' development. Examples of criteria that could help to achieve this balance are likely to include the relationship with existing built form, respecting the settlements distinctive character, its scale in relation to the existing settlement and sensitivity to landscape setting.

- 3.4 Another potential alternative could involve identifying BUAB's and also a criteria based policy to help determine when sites on the edge of, but outside boundaries ought to be developed. This may help to 'mitigate' the impact of the Governments planned changes, but as the wording of potential changes has yet to be determined it could not be guaranteed.
- 3.5 A further potential alternative to defining BUAB's would be to specifically allocate sites for development purposes within the Villages Plan, although this would also require a change to Strategy 27, which currently says that the settlements listed will not have land specifically allocated for development. This change should only be made through a review of the Local Plan however, this approach is not considered to be appropriate in any event because of the risks of confusion and duplication of effort with the neighbourhood planning process. The only exception to this is in Musbury, where a neighbourhood plan is not currently being prepared and the Parish Council (supported by community feedback on previous consultations on the Villages Plan) have proposed housing on a small site currently occupied by agricultural buildings.
- 3.6 Whilst these alternatives are highlighted as theoretical alternatives they would require a policy approach that fundamentally deviates from the policy of the Adopted Local plan and they are not, therefore taken forward and further assessed.

## **4 Built-Up Area Boundaries and how they are defined**

- 4.1 Built-up Area Boundaries are lines drawn on maps that define areas, where planning policies provide for development (subject to other considerations). Outside of these 'built-up' areas the land is considered to be 'countryside' for planning policy purposes, where development is usually only allowed in specified exceptional circumstances. It is common planning practice to establish such 'black lines' to help determine planning applications.
- 4.2 In order for the policy to be considered fair and reasonable, work on defining BUAB's for individual settlements needs to be undertaken on a consistent basis. To aid consistency a set of criteria have been used to inform where the lines are drawn. The criteria were consulted on during the summer of 2015 and some amendments made to take account of the comments received. Details of the consultation and the responses received are available at [Proposed criteria for revised built-up area boundaries - East Devon](#). The amended criteria that have informed this consultation plan are included at **Appendix 3**. A plain English guide to the criteria is set out in **Appendix 4**.
- 4.3 One of the issues raised during the consultation on proposed criteria was the ability to access local services and facilities on foot. This is important because the primary purpose of defining a BUAB is to distinguish where new development is acceptable in principle and where it is not. It is an issue that has been critical in several appeals against the refusal of planning permission that have been dealt with by independent Inspectors. The Chartered Institute of Highways and Transportation publication 'Providing for Journeys on Foot' (2000) sets out in Table 3.2 desirable and preferred maximum distances and has been cited several times in appeal decisions. The preferred maximum distances vary from 800m to 1200m, depending on the facility concerned. The table is replicated in **Appendix 5**.
- 4.4 The consideration of 'alternative approaches' is a key factor in the development of planning documents. Assessment of the BUAB's has been

undertaken firstly using the criteria set out in Appendix 3 and plans have been produced to show 'black lines' around the settlement to reflect the outcome of this work. A summary of the work undertaken that shows which sites were considered and explains why they are proposed for inclusion/exclusion has been produced and is available to view at

<http://eastdevon.gov.uk/planning/planning-policy/villages-plan/villages-plan-2016-consultation>. Comments on these documents are welcomed.

- 4.5 Following the definition of black lines by following the methodology set out in Appendix 3, further analysis has been undertaken to assess whether all of the areas included in the boundary are readily accessible to the core local services and facilities on foot. The distances set out in 'Providing for Journeys on Foot' (Appendix 5) have been used as a 'starting point', but accessibility by foot is not only about the walking distance involved but also the attractiveness, quality of paths, terrain (and hilliness) and safety of the route (and perceptions of safety) especially on busy roads and crossings. These factors will be relevant to able bodied and disabled people, people with push chairs, children walking to school and potentially other groups of people. A summary of the approach taken to assess this is set out in **Appendix 6**.
- 4.6 For many villages the local services and facilities are readily accessible on foot and an alternative BUAB is not therefore included. For larger settlements, particularly where the core facilities are grouped to one side of the urban form, parts of the settlement included in the BUAB under the first approach (set out in Appendix 3) lie outside of the area considered to have ready accessible to local facilities on foot. Where this is the case, an alternative BUAB has been shown and the area that would be excluded from the BUAB under this approach highlighted. Comments are encouraged on which approach is most appropriate. The option chosen for the plan to be submitted for examination will be informed by the comments received on this consultation.
- 4.7 A third approach has been devised for the village of Musbury alone. Musbury is the only settlement covered by this plan that has yet to start work on its own neighbourhood plan, although there is support from the Parish Council to

allow limited housing on a site to the south of the village. It also wishes to exclude a large area of garden land associated with a Listed Building within the urban form. Due to the compact nature of its urban form no alternative BUAB has been proposed to take account of walking distances to core facilities, but an alternative approach that supports the wishes of the Parish Council has been included for consultation. Further details are included in the section on Musbury later in this draft plan.

## **5 Relationship between the Villages Plan and neighbourhood planning**

- 5.1 Of the 15 settlements listed in Strategy 27, Lypstone has a made neighbourhood plan, thirteen have designated Neighbourhood Areas. The most recently adopted local plan (in this case the Villages Plan) or made neighbourhood plan will take precedence in terms of which document forms part of the development plan (which decisions on planning applications are made in accordance with unless material considerations indicate otherwise). This means in practice, for example, that if a different BUAB was defined in the adopted Villages Plan to the made Lypstone Neighbourhood Plan, then the Villages Plan would take precedence.
- 5.2 In the case of Lypstone, where the Neighbourhood Plan was made in 2015 and defines a Built-up Area Boundary, it would not be appropriate to consider reviewing the boundary through the Villages Plan. The boundary defined in the Neighbourhood Plan appears to broadly follow the methodology proposed for the Villages Plan, with the exception of the inclusion of a site granted planning permission as an 'exception' and a further housing allocation on a nursery site, which is wholly compatible with the strategic approach of the Local Plan to support sustainable development where put forward through a neighbourhood plan. This approach complies with advice in paragraph 013 of the National Planning Guidance that: 'Where a neighbourhood plan has been made, the local planning authority should take it into account when preparing the Local Plan strategy and policies, and avoid duplicating the policies that are in the neighbourhood plan.'
- 5.3 The timing of the development of the Villages Plan is more complex in relation to the other settlements where neighbourhood planning has started but plans have yet to be made. Whilst the Villages Plan may duplicate work being undertaken on neighbourhood planning, defining BUAB's is fundamental to

the consideration of planning applications and it is important to undertake a review on a consistent basis without delay.

## **6 Beer**

### **6.1 Description**

Beer is located on the Jurassic Coast two kilometres to the west of Seaton. The village developed in a steep sided valley over two millennium, mainly on the basis of fishing and quarrying and still has an active fishing fleet working off the beach. Currently it thrives on its main economic activity of tourism and the setting is a major factor in the success of this industry. Much of the village falls in the East Devon Area of Outstanding Natural Beauty, whilst the land outside the village is in the Local Plan Coastal Preservation Area. The cliffs and foreshore form part of the UNESCO World Heritage Coast as well as being designated a Site of Special Scientific Interest.

6.2 There is a large Conservation Area which mainly comprises the historic village core centred on Fore Street, the coastal fringe and large houses on the slopes to the north and east of the village. It also includes the Rolle Estate houses in Sea View Terrace, Long Hill, Berry Hill, Causeway and the eastern part of Townsend. This Conservation Area contains around 40 listed buildings.

6.3 The village has a population of around 1600 and 750 houses, although about 20% of these are second or holiday homes. It has a vibrant village centre offering a range of shops, art galleries, pubs/hotels, restaurants, a Post Office, guesthouses, two Churches, a village hall, clubs (sailing, social and football), a Heritage Centre, doctor's surgery, pharmacy and primary school.

### **6.4 Issues**

Tourism is the main economic activity and the high number of homes rented as short-term visitor accommodation (as opposed to second homes) is one of the main reasons the village centre has such a good range of facilities. Visitor attractions include the beach with its cafes and hire boats, the South West Coast Path, The Beer Quarry Caves and the Pecorama gardens and model railway factory. Change of use of attractions to higher value uses, e.g.

residential, would reduce tourist activity and, whilst it might mean that some houses are brought back into private occupation, it is likely that the local economy would suffer and shops and facilities would close.

6.5 The village is self-sufficient by East Devon standards with most day-to-day needs capable of being met locally. If shops and services were to be lost to other, higher value, uses it would disadvantage the local population and reduce the draw to tourists and day-visitors. Additional car journeys would be inevitable.

6.6 The village is tightly constrained by high quality landscape, environmental designations and steep topography. This means that the peripheral parts of the village tend to be difficult to access on foot in all directions (except south, which is the sea), especially for those with reduced mobility or pushchairs. There is very limited scope for additional development outside the built core of the village.

6.7 Policies

Loss of retail and other village services which contribute to the vitality of the village centre will be resisted in accordance with the following policy:

**Policy Beer 01 - Village Centre vitality**

**Beer village centre offers an unusually wide range of services and facilities which meet the everyday needs of residents and contribute to a healthy tourist economy. The village centre is defined on the Beer map and includes a range of retail, services, community uses, short-term visitor accommodation, restaurants and takeaways.**

**To ensure that this mix of uses in the village centre is retained, and improved, applications for the change to other uses, particularly residential, which would not contribute to village centre vitality, will be refused unless it can be demonstrated that the change of use is no longer**



**viable and there is no market for it as a going concern. Evidence will need to be presented to show that the site has been actively market for at least 12 months (ideally to cover two summers) at a sound, realistic and viable price for the existing or similar uses. A vigorous economic assessment will be undertaken to establish the potential and viability of any specific concern and marketing of any property or business will need to include offering to the local community for their acquisition/operation.**

**Permission to change the use of a shop will be subject to the retention of the shopfront.**

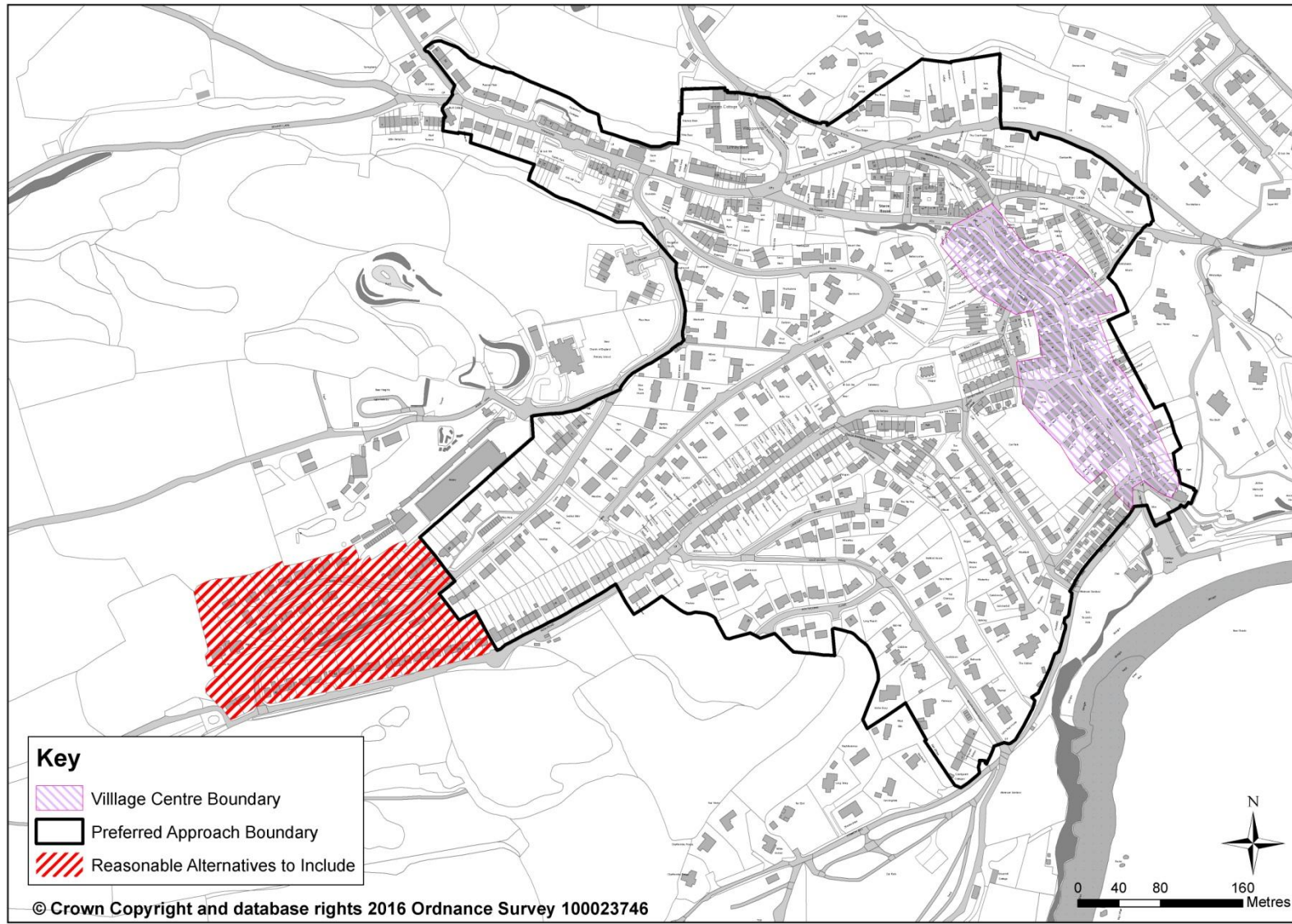
6.8 Neighbourhood Plan progress

The Neighbourhood Plan is at an advanced stage of production. An illustration showing an out-of-date built-up area boundary has been provided in the draft policy framework. Further discussions will be undertaken between the parish and district councils with a view to making the two plans consistent.

6.9 Alternative Approaches considered and justification for preferred approach

The village is located in a sheltered fishing cove with a relatively flat, linear main street extending inland for some 200 metres. The land rises steeply from the centre in a dendritic pattern, so that most housing extends in a ribbon formation along the sides of several valleys, becoming increasingly steep as the height from sea level increases. The steep gradient in, and distance from, the areas furthest from the village centre, limits the appeal to pedestrians of accessing the village facilities on foot, particularly for the less mobile or those with pushchairs. For this reason an alternative BUAB is proposed for Beer that excludes the western part of the village from the BUAB. The alternative BUAB is drawn to recognise that there are pedestrian footpaths in the western part of the village that would reduce the walking distance for some residents.

6.10 Map of Beer



## **7 Broadclyst**

### 7.1 Description

Broadclyst is located around 3km (1.5 miles) to the north east of Exeter. It has a wide range of services and facilities and a population of nearly 3000. It is one of the best preserved of the large Devon estate villages and much of the land surrounding the village is owned by the National Trust. There is a conservation area in the northern part of the village and a number of listed and other historic buildings in the village.

### 7.2 Issues

Whilst the main shops, primary school, doctor's surgery, church and social/recreational facilities are located towards the north of the village, the secondary school is on the southern periphery. However, there are good footpaths linking the village north to south and the distances involved are less than 1250m with no substantial barriers to walking and cycling across the village.

### Policies

7.3 No specific policies are put forward for Broadclyst.

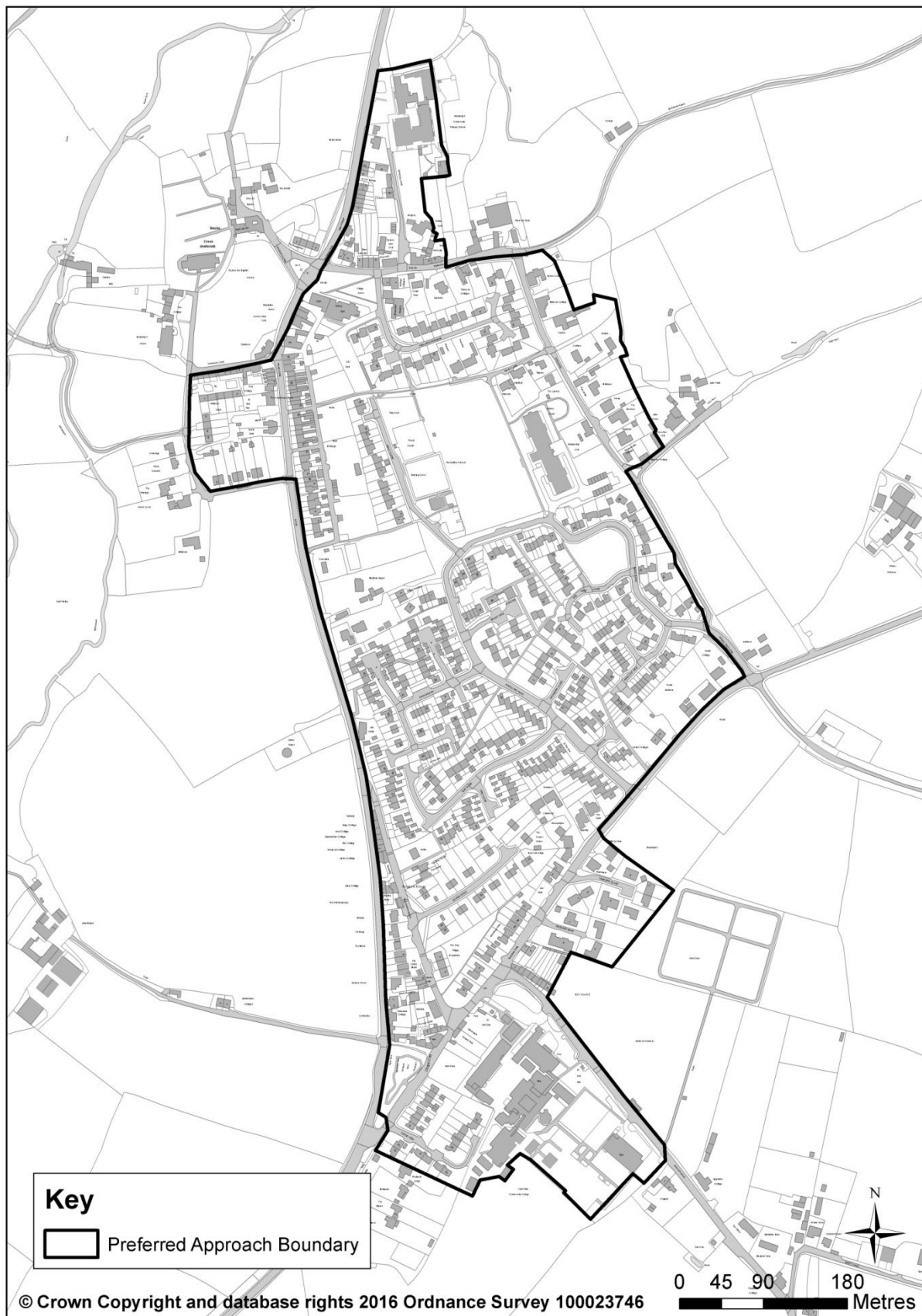
### Neighbourhood Plan progress

7.4 The Neighbourhood Plan is at a fairly early stage of production with draft proposals yet to be formulated.

### Alternative Approaches considered and justification for preferred approach

7.5 No alternative approaches have been identified.

Map of Broadclyst



## **8 Clyst St Mary**

### **8.1 Description**

Clyst St Mary is located east of Exeter, and within one kilometre (0.5 miles) of Junction 30 of the M5. The village is sited to the north and east of the large roundabout junction of the A376 and A3052. The older part of the village is located to the north of the A3052 with a late 20th Century housing estate to the south. To the south of this is a large office complex (Winslade Park) set in attractive parkland. Just to the east of the village is the County Showground and Westpoint Arena.

8.2 There is good public transport, access to employment opportunities and a range of services and facilities, but some of the village is at flood risk. Clyst St Mary is also very close to the city of Exeter which offers further facilities and employment.

### **8.3 Issues**

The village is physically and functionally divided by the busy A3052. The core services and facilities are located in the older part of the village to the north. Services and facilities for residents in the newer housing estate in the south can be accessed via a non-ramped pedestrian footbridge or traffic lighted pedestrian crossing over the A3052.

8.4 The Winslade Park Office complex has recently been vacated by Friends Life and has been allocated for a mixed use development to accommodate 150 dwellings and 0.7 hectares of employment land.

### **8.5 Policies**

No specific policies are put forward for Clyst St Mary.

8.6 Neighbourhood Plan progress

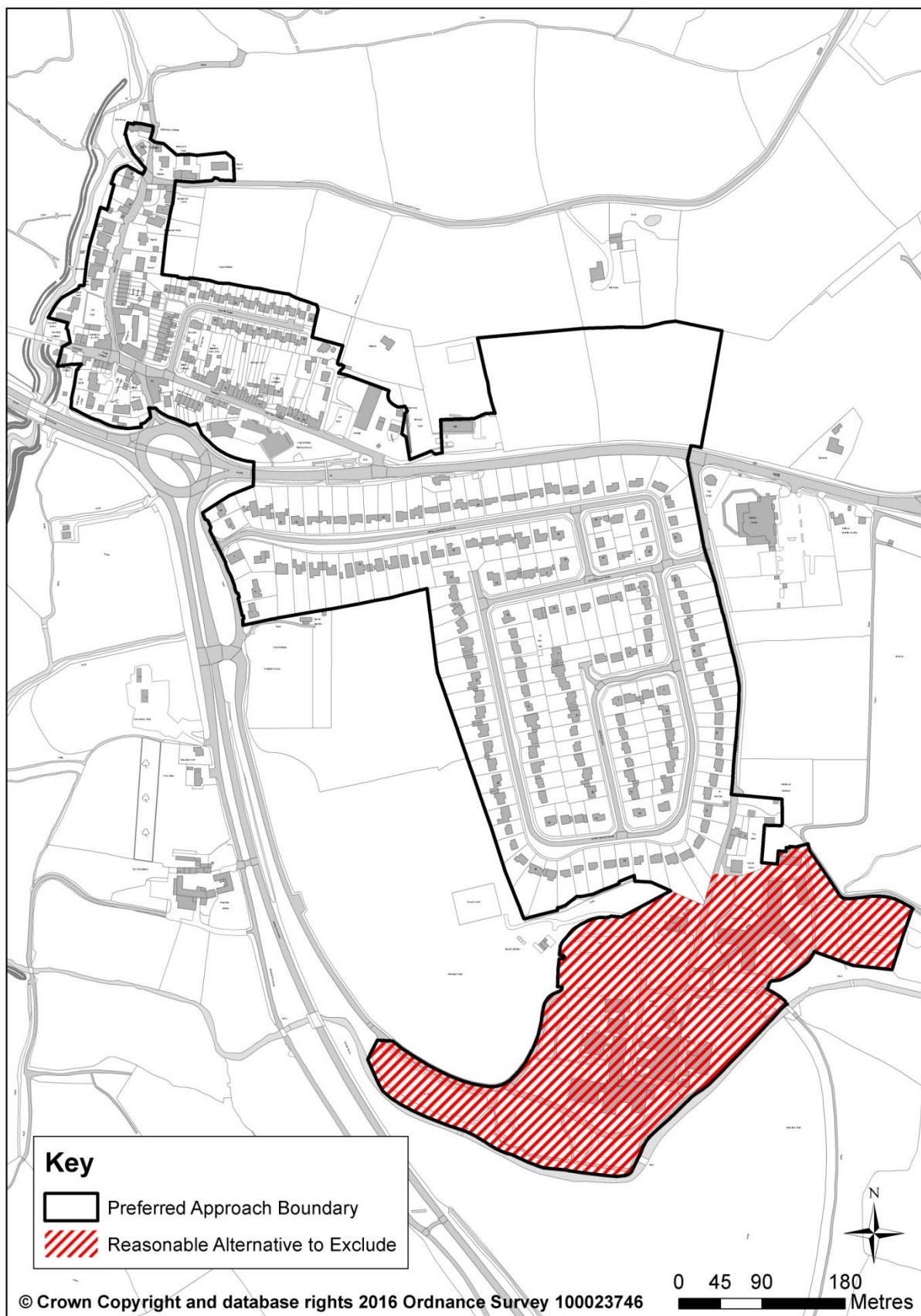
The Neighbourhood Plan is at an advanced stage of production. The group has included the old built-up area boundary within a policy in the plan, stating that it should remain until otherwise superseded by the Village Development Plan Document.

8.7 Alternative Approaches considered and justification for preferred approach

Due to walking distances in excess of 1000m to the allocated site at Winslade Park to the village core services and facilities it is considered that a reasonable alternative would be to exclude the site on this basis. However, due to the flat topography of the area and the presence of pedestrian footways it is considered that that the distance is not so excessive to make it un-walkable and therefore the preferred option is to include the entirety of the area outlined in the map to incorporate the allocated site at Winslade Park.



### 8.8 Map of Clyst St Mary



## **9 Colyton**

### **9.1 Description**

Colyton is located north of Seaton and the East Devon AONB wraps around the town to the North and East. Colyton is an historic settlement with a large conservation area and numerous listed buildings (around 60 Listed Buildings in the Conservation Area). The historic core of the town is situated on the south bank of the River Coly. There are no 'A' roads to Colyton, but the B3161 links to the A3052 at Colyford, just to the south. A number of minor roads radiate out from the town and into the surrounding countryside. There are a couple of footpaths within the town and some linking to the extensive network of riverside paths.

9.2 Colyton is a long established, independent settlement of around 3,000 residents that serves a wide rural area. It has a wide range of services and facilities and is one of East Devon's most sustainable small towns/villages.

### **9.3 Issues**

The former CeramTec plant is situated to the north-west and has recently been vacated leaving a large brownfield site available for use on the edge of the settlement.

9.4 Colyton is one of the larger settlements in East Devon and offers a wide range of retail outlets which are a considerable factor in adding to the vibrancy of the Town.

9.5 The River Coly runs parallel to the town to the west and forms a natural boundary. There is a notable proportion of development to the east of the river which has a different character to the bulk of the town and is more rural in nature.



9.6 Policies

Loss of retail uses which contribute to the vitality of the town centre will be resisted in accordance with the following policy:

**Policy Colyton 01 – Primary Shopping Frontage at Colyton**

**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 availability of the Primary Shopping Area.**

**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.**

9.7 Neighbourhood Plan progress

The Neighbourhood Plan is at an early stage of production with draft proposals yet to be formulated.

9.8 Alternative Approaches considered and justification for preferred approach

No alternative approaches have been identified.

### 9.9 Map of Colyton



## **10 East Budleigh**

### **10.1 Description**

Situated approximately 1.5 km north of Budleigh Salterton on the B3178, East Budleigh is a large and attractive village containing many cob and thatched cottages. The River Otter is located to the East of the settlement and the Budleigh Brooks runs through the village. East Budleigh is completely within the East Devon AONB and is in close proximity to Bicton Gardens to the North, Hayes Ancient Woodland and the Pebblebed Heaths to the West and the Otter Estuary and Coastal Preservation Area to the East. The Conservation Area is relatively small in relation to the village as a whole and is mainly concentrated around High Street and the Parish Church.

10.2 East Budleigh Parish has a resident population of around 800 in about 425 dwellings. The settlement has a range of community services/ facilities including two pubs, a community hall, church, primary school and a community shop. It also has a tennis court, football pitch and allotments.

### **10.3 Issues**

The B3178 is a busy main road which bisects the village, creating a perception of separation between the main village to the north of it and the small group of houses to the south.

### **10.4 Policies**

No specific policies are proposed.

### **10.5 Neighbourhood Plan progress**

The Neighbourhood Plan is at an advanced stage of production with the group currently undertaking pre-submission consultation at the time of writing this report. The group are proposing that there should be no change to the built-up area boundary and that the previously adopted boundary should be retained. EDDC have responded to the consultation with a view to potentially including

the preferred approach boundary in the Neighbourhood Plan if a consensus can be reached with the group.

10.6 Alternative Approaches considered and justification for preferred approach

No alternative approaches have been identified

### 10.7 Map of East Budleigh



## **11 Feniton**

### 11.1 Description

Feniton villages comprises of two distinct separate parts. The original old Feniton lies to the east; it is small in size, centred around a small number of community facilities and many of its buildings are of historic interest.

11.2 The construction of the Exeter Waterloo railway line led to the creation of new Feniton around 1kilometre to the west of the original old village. In its early Victorian days new Feniton comprised of a small number of properties associated with the railway. It was, however, in the later part of the 20<sup>th</sup> century that the village expanded considerably to accommodate a larger number of new homes.

### 11.3 Issues

An ongoing concern in new Feniton had been flooding and ability of the drainage infrastructure to cope with surface water run-off; current and programmed works should, however, address problems.

11.4 New Feniton has sufficient facilities to warrant having a Built-up Area Boundary, though for its size it has few businesses and fulfils something of a dormitory function. Old Feniton also has some facilities but pedestrian access from the new village to the old village is poor. Most of new Feniton lies beyond a one kilometre walk to the old village and it requires use of narrow lanes which lack pedestrian footways and some lengths run in narrow cliff edged cuttings.

### 11.5 Policies

There are no Feniton specific policies proposed.

11.6 Neighbourhood Plan progress

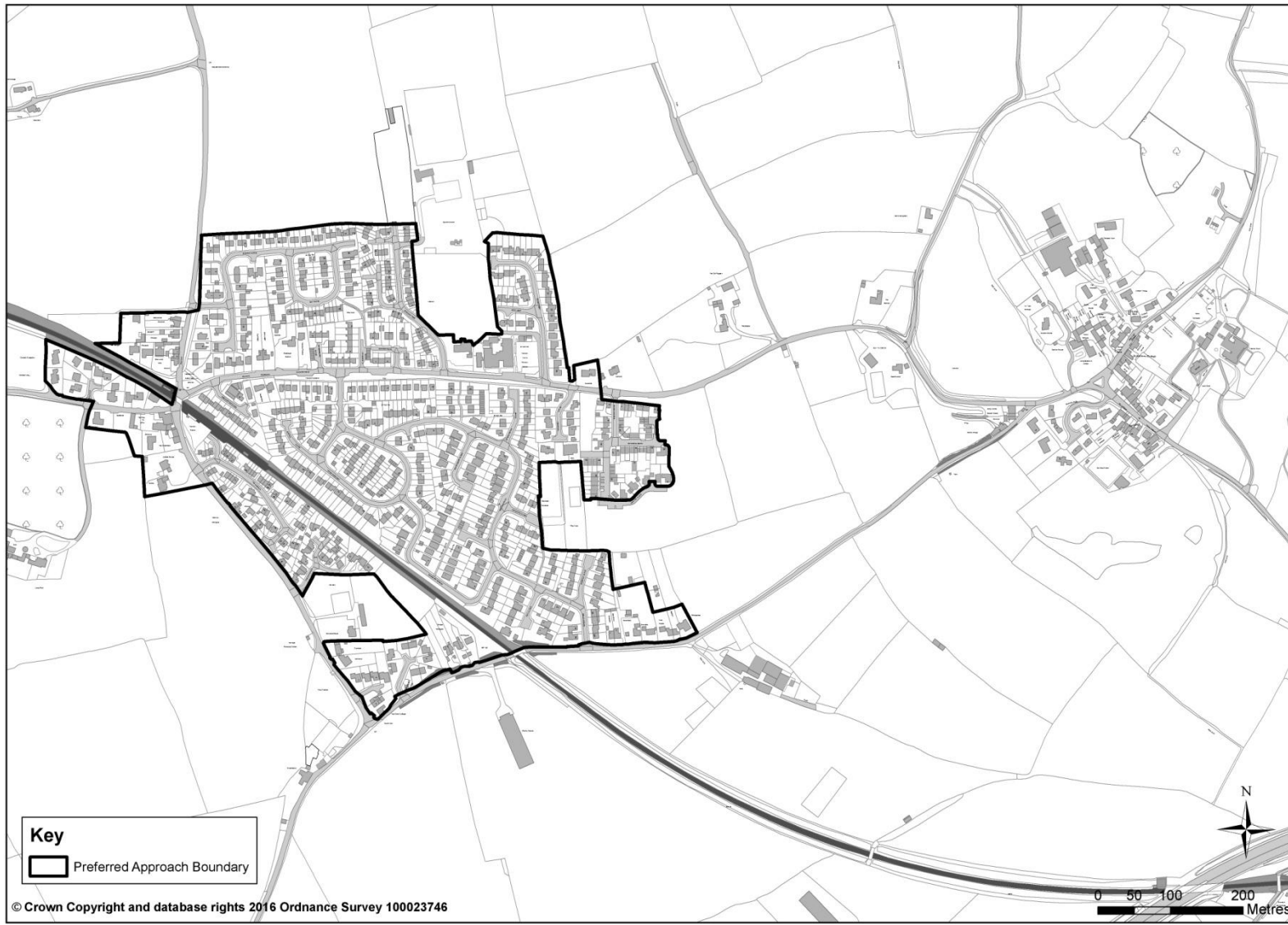
The Neighbourhood Plan is at an advanced stage of production. It is not planning to define or amend the built-up area boundary within the policies at this stage.

11.7 Alternative Approaches considered and justification for preferred approach

The preferred strategy for boundary definition at Feniton places a Built-up Area Boundary around the new village (where most facilities are located) but does not provide for a boundary around the old village. The old village does have some facilities, and provides some facilities that may be used by all/many Feniton residents, it has insufficient facilities to justify having a boundary in its own right and it has poor pedestrian links to the new village.



11.5 Map of Feniton





## **12 Kilmington**

### **12.1 Description**

Kilmington is situated on the western side of the Axe Valley, some two miles from the market town of Axminster. The northern part of the parish lies within the Blackdown Hills Area of Outstanding Natural Beauty and most of the rest within the East Devon Area of Outstanding Natural Beauty.

- 12.2 The conservation area in relation to the village as a whole is small and centred on the eastern half of The Street and includes the Church, school and several groups of cottages and farm buildings (most of which have been converted to residential use). There are 9 listed buildings within the conservation area but more are spread throughout the village, indicating that it was once several small clusters of development which have joined through infilling. The remains of a Roman road are located to the north of the village and the presence of archaeological remains is evident.
- 12.3 Kilmington is extremely accessible by several modes of transport with the A35 immediately to the north, frequent bus service, the Sustrans cycle route running through the parish close to the village and numerous footpaths, byways and cyclepaths. Within the village centre there are several modern housing estates with street lighting and pavements but otherwise the lanes tend to be narrow and this increases to the south of the village where passing places are limited.
- 12.4 There are approximately 800 residents in the Parish and 400 houses. The village is well served by a school, Church, village hall, garage with shop and cafe, two pubs, village stores, post office and farm shop. Unusually there are three village greens, and these are used extensively for recreation and dog walking, as well as more formal open spaces.

12.5 Issues

The local community have identified the need for affordable housing and housing adapted for older people as their main priorities. Of the new housing a need has been identified for 5 small (1-2 bedrooms), 7 medium (3 bedrooms) and 3 large (4+ bedrooms) houses.

12.6 Policies

No specific policies have been identified.

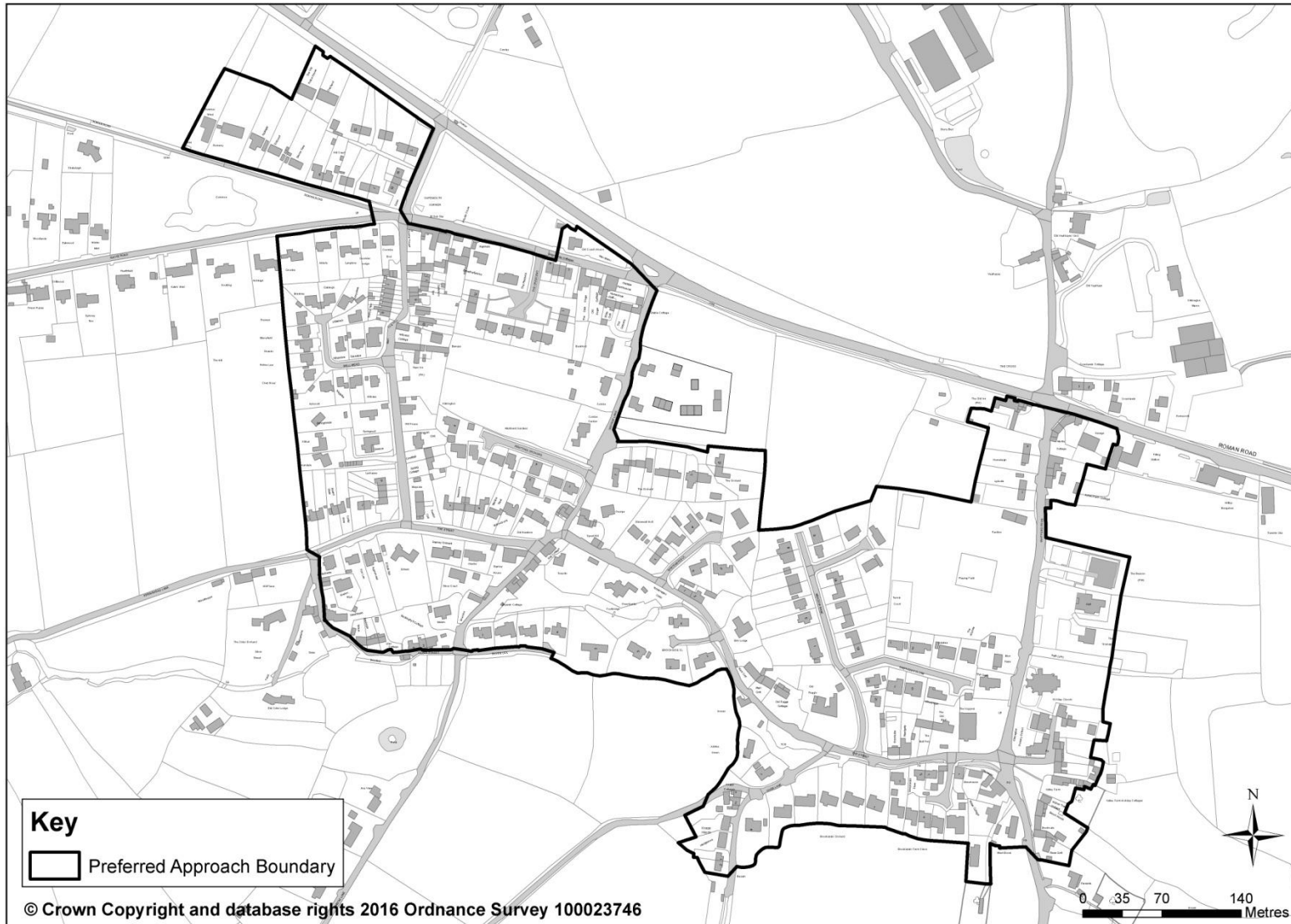
12.7 Neighbourhood Plan progress

The Neighbourhood Plan is at an early stage of production with draft proposals yet to be formulated.

12.8 Alternative Approaches considered and justification for preferred approach

No alternative approaches have been identified. Areas on the periphery of the village have already been excluded from the BUAB after assessment against the criteria.

## 12.9 Map of Kilmington



### **13 Lympstone**

- 13.1 No proposals are put forward for Lympstone as there is a made neighbourhood plan that includes a Built-up Area Boundary. See paragraph 6.2 of this plan for more detailed consideration of this issue. The Lympstone Neighbourhood Plan that shows the BUAB for Lympstone may be viewed at <http://eastdevon.gov.uk/media/1091870/lnp-final-referendum.pdf>.

## **14 Musbury**

### **14.1 Description**

With around 275 dwellings housing about 500 residents, Musbury is the smallest settlement to have a built-up area boundary defined in the Villages Plan. It lies within the Axe Valley and is wholly within the East Devon AONB. Facilities include a primary school, Church, garage, shop, Post Office, village hall and pub. A conservation area covers the historic core of the village and includes the older housing, together with an open space valued by local people for its visual amenity. The busy A3052 separates the main part of the village from housing and farm complexes to the East.

### **14.2 Issues**

Musbury has a reasonably compact urban form, although there are 'fingers' of housing that extend into the open countryside to the West along Whitford Road and Maidenhayne Lane. There are also areas of housing to the south of the main village that are set in large gardens. Policies

### **14.3 Neighbourhood Plan progress**

We have received an indication that Musbury may be undertaking a Neighbourhood Plan but no formal notice has been received.

### **14.4 Policies**

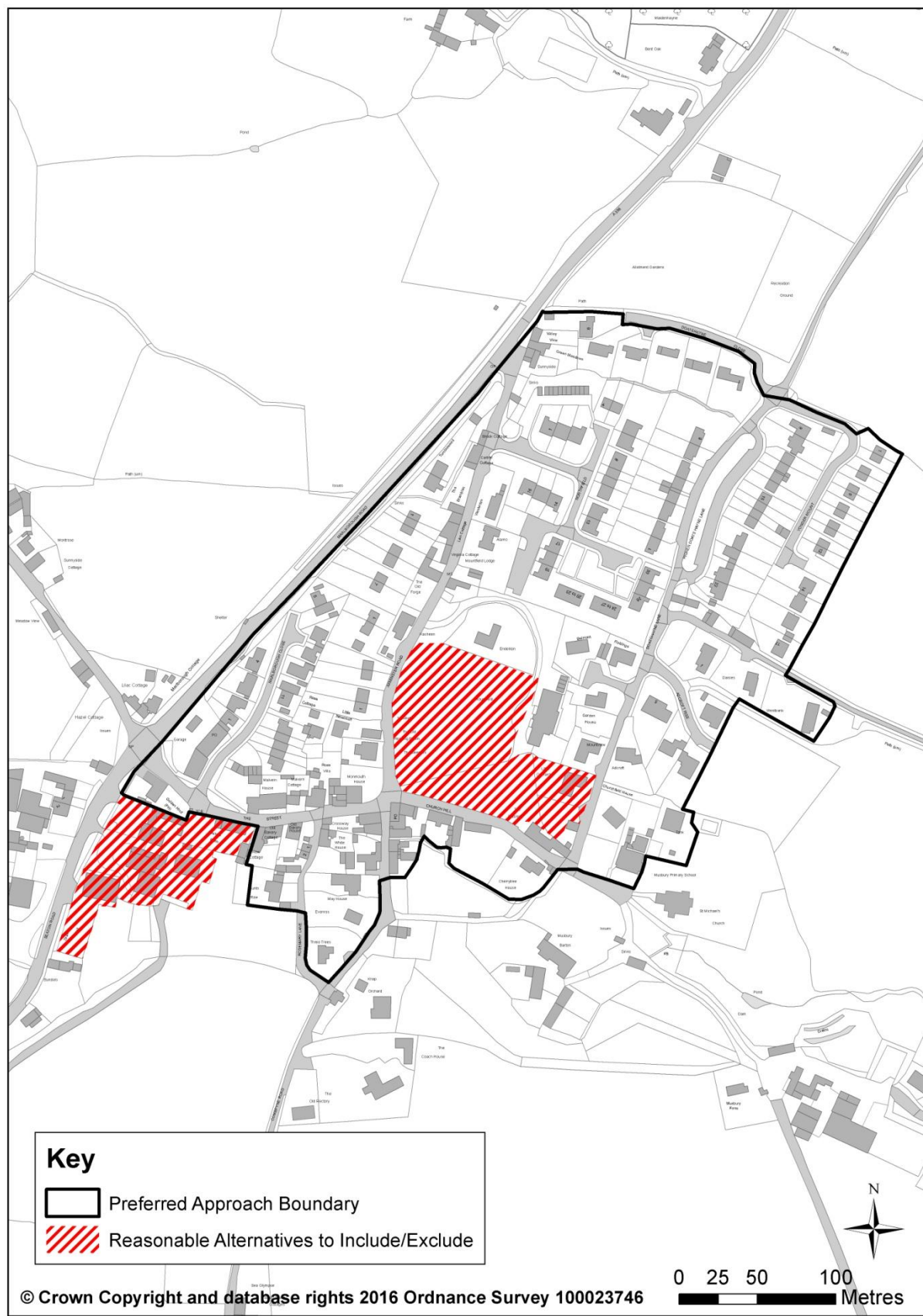
No specific policies have been identified.

### **14.5 Alternative Approaches considered and justification for preferred approach**

Due to the compact nature of the settlement no alternative BUAB to take account of walking distances is considered appropriate. Whilst work on a neighbourhood plan has not started yet, the Parish Council have made it clear that they support development of part of Baxters Farm for housing and request that it be included within the BUAB. They would also like the green area associated with 'Mountfield' to be excluded from the BUAB on the basis

of its historic significance to the village and contribution to local visual amenity. An alternative BUAB to reflect the Parish Council comments is therefore included for consideration. However, the preferred approach is the boundary defined using the criteria set out in Appendix 3 as this is consistent with the other settlements included in the Villages Plan.

### 14.6 Map of Musbury



## **15 Newton Poppleford**

### **15.1 Description**

Newton Poppleford is located around 2 miles to the north and west of Sidmouth on the A3052 to Exeter. The whole of the village is within the East Devon AONB. The B3178 from Budleigh Salterton meets the A3052 in the west of the village at a small roundabout. To the east of this junction the heavily trafficked A3052 is narrow and lacking in pavements. Other roads in the village tend to be narrow and often have hedge banks to the side. There is an extensive network of footpaths within the village, but most lack lighting and paved surfaces.

### **15.2 Issues**

The village extends for around 1.8 km (1.1 miles) from east to west and the majority of services and facilities are located in the east. The lack of footways on the A3052 near its junction with the B3178 and the limited alternatives for pedestrian access from that part of the village to the west of this point limit the appeal to pedestrians of accessing the facilities on foot. This was a critical issue in an appeal for new housing off Down Close, the Inspector concluding that 'the narrow road and lack of pavements on the High Street, east of its junction with Exmouth Road, make it an unattractive and substandard route for pedestrians and, since it is the busy A3052 Exeter-South Coast road, for cyclists too'.

### **15.3 Policies**

No specific policies are proposed for Newton Poppleford.

### **15.4 Neighbourhood Plan progress**

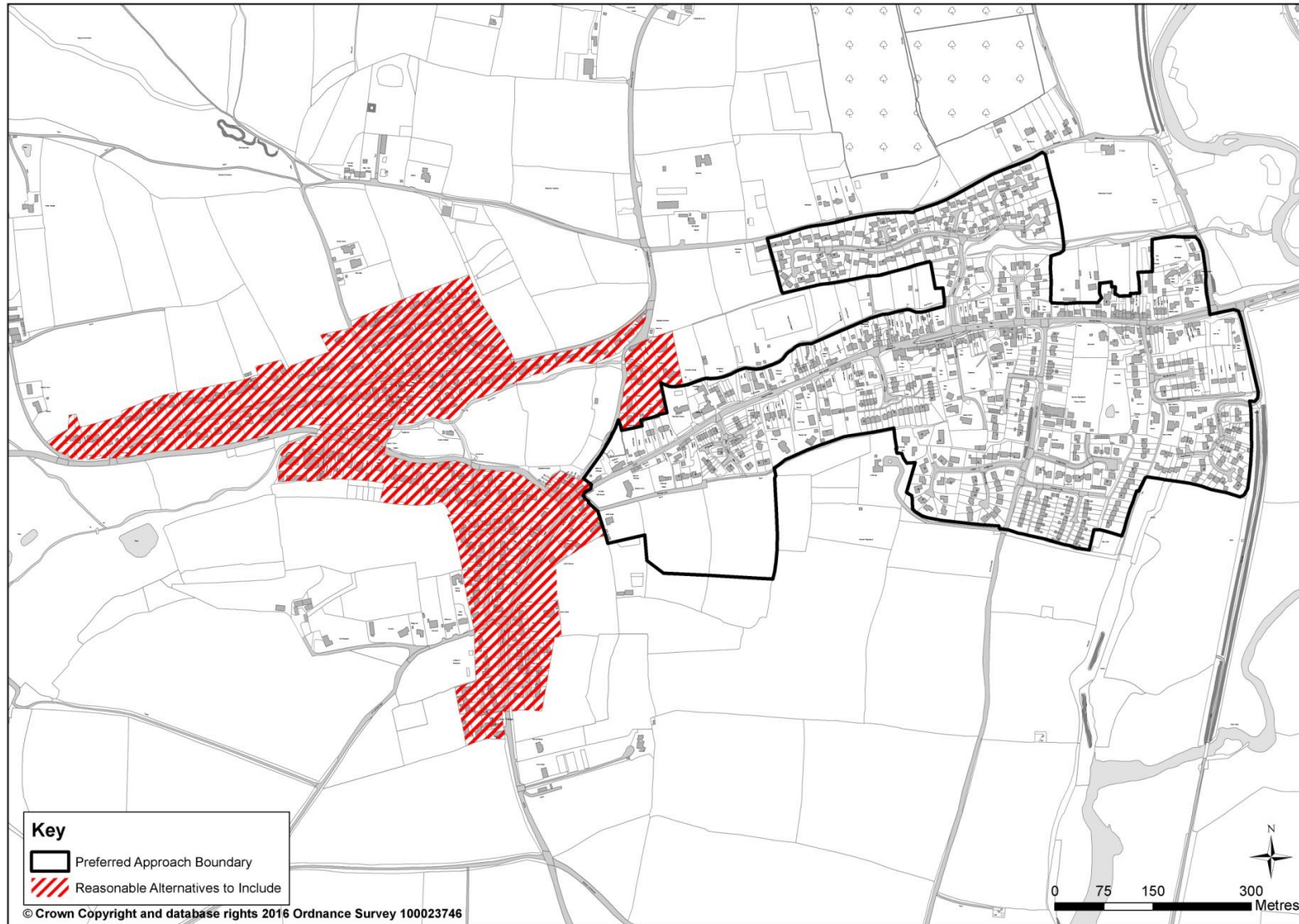
The Neighbourhood Plan is at a fairly early stage of production with draft proposals yet to be formulated.



15.5 Alternative Approaches considered and justification for preferred approach

The difficulties of accessing the village 'centre' from the western part of the village has lead to consideration of an alternative approach that takes account of walking distances. This approach results in the exclusion of part of the western section of the village from the BUAB. It is the preferred option for Newton Poppleford as the less suitable areas for development (as judged against the National Planning Policy Framework and the adopted local plan policies) are excluded.

15.6 Map of Newton Poppleford



## **16 Sidbury**

### **16.1 Description**

Situated approximately 0.5 km north of Sidmouth on the A375, Sidbury has a particularly fine setting in the deep valley of the River Sid among the Blackdown foothills with their characteristic tree-clad greensand escarpments. The village includes the Grade II\* listed St Peter and St Giles Church. Sidbury is completely within the East Devon AONB and is constrained by floodzones particularly along its Eastern boundary. The settlement has an extensive Conservation Area that is approximately 11 Ha in size.

16.2 Sidbury is a fairly large, self contained village with a close-knit almost urban quality, and is particularly characterised by the extent and uniformity of cottages in thatch and rendered cob or stone, mainly white painted with a black tar band.

16.3 The primary road link through the settlement is along the A375 which runs North South through the settlement and contributes to Sidbury's linear form. There are a number of roads leading off the A375 to residential areas and into the countryside. There are Rights of Way leading from the village into the open countryside the main one of which is the East Devon Way which runs East and West from the village into the countryside.

### **16.4 Issues**

The A375 is a busy main road which runs through the centre of the village. There is a persistent lack of dedicated pedestrian footways throughout which make it challenging for pedestrians, particularly along the A375 where it can be quite unsafe in places.

### **16.5 Policies**

No specific policies are proposed for Sidbury.

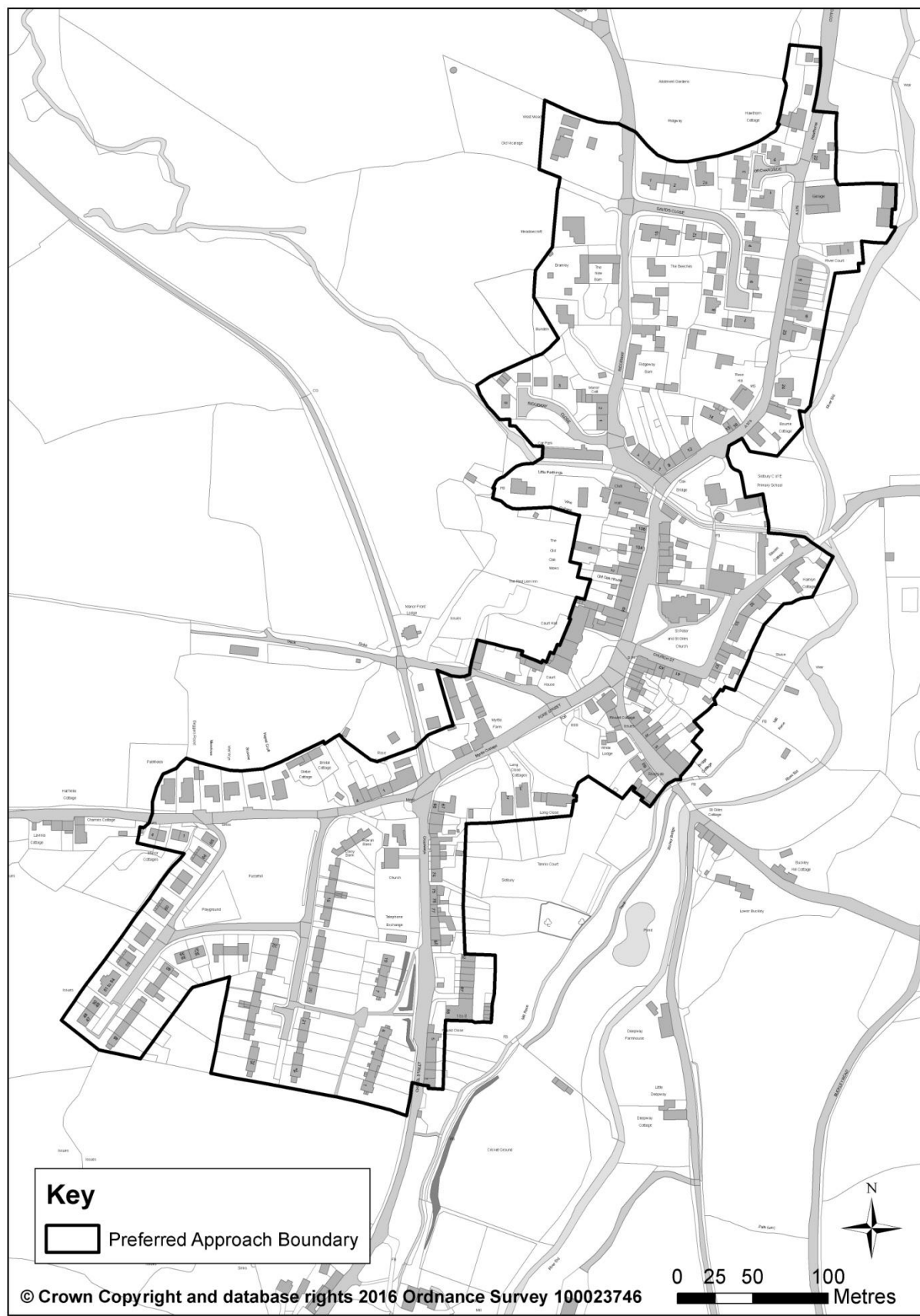
16.2 Neighbourhood Plan progress

Sidbury is part of the Sid Valley Neighbourhood Plan which comprises the parish of Sidmouth. They are in the early stages of production.

16.3 Alternative Approaches considered and justification for preferred approach

No alternative approaches have been identified.

### 16.4 Map of Sidbury



## **17 Uplyme**

### **17.1 Description**

Uplyme is located approximately 1.5 km North-West of Lyme Regis. The village is centred around a crossing of the River Lim in a wide valley. It is now a fairly dispersed village having spread up the immediate valley sides and along the valley above the floodplain. Uplyme is within the East Devon AONB and is in close proximity to the Jurassic Coast World Heritage Site.

17.2 The village lies on the B3165, the main road between Lyme Regis and Crewkerne via Raymond's Hill and has a parish population of around 1,600 residents. The village has a range of community services / facilities including a pub, community hall, church, primary school, and a community shop/post office. The village also contains a playing / cricket field, football pitch, tennis court, bowling green and children's play area.

### **17.3 Issues**

The village is set within a valley with access to core services and facilities at the bottom. Residential development is often set on a rising gradient and offers a real challenge to pedestrian who faced with a steep fall and climb to access essential facilities. This is most prominent in development that is situated in the south of the village and forms the basis for providing an alternative to exclude the worst affected areas.

### **17.4 Policies**

No specific policies are proposed for Uplyme.

### **17.5 Neighbourhood Plan progress**

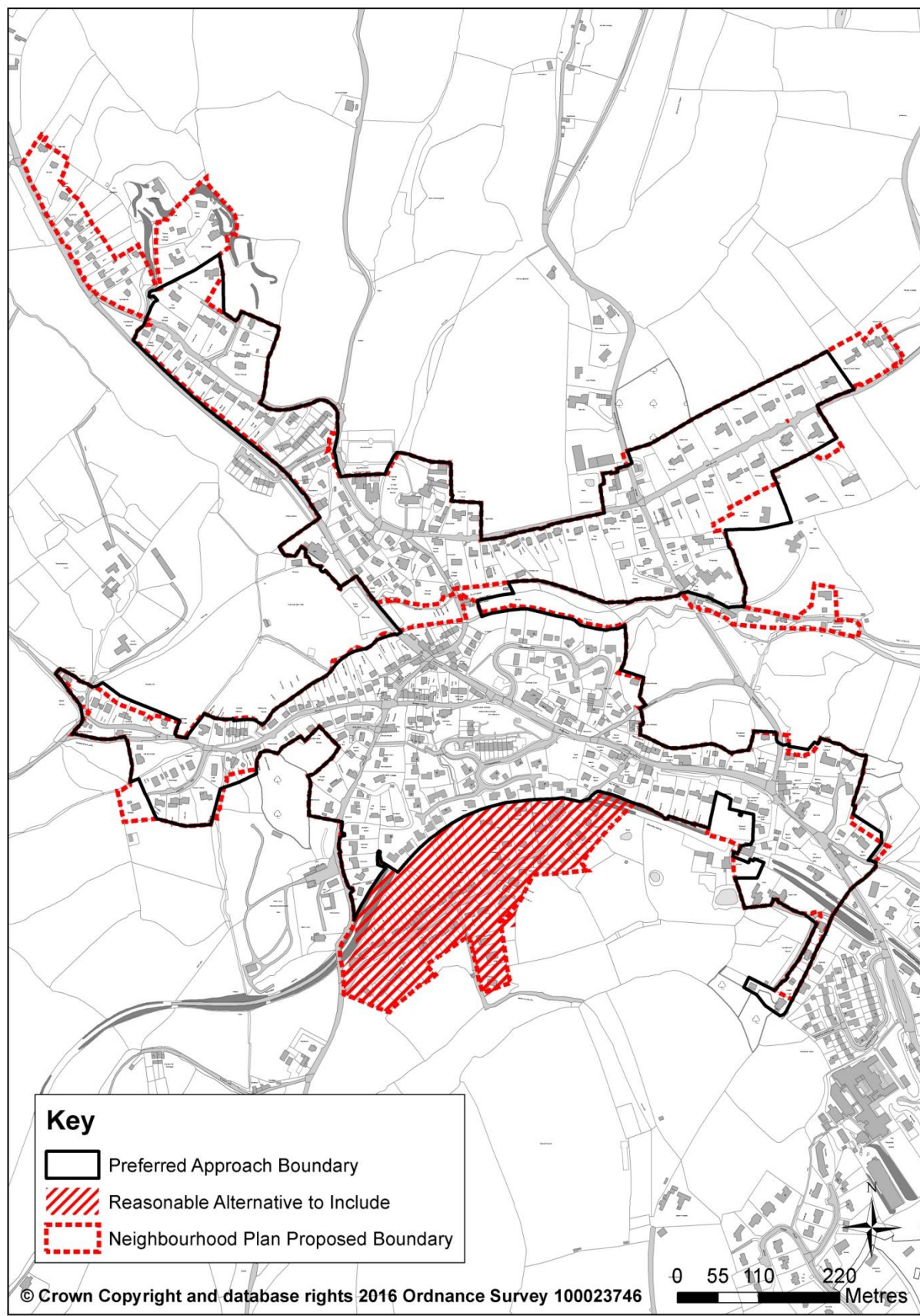
The Neighbourhood Plan is at an advanced stage and proposes a different boundary which is shown in the map below. It has yet to be submitted. This is considered to be a reasonable alternative.

17.6 Alternative Approaches considered and justification for preferred approach

Due to steep rising gradients combined with long walking distances an identified alternative is to exclude an area to the south due to the barrier posed to pedestrians when accessing core services and facilities in the village centre. This is considered to be the preferred approach. Another reasonable alternative would be to adopt the boundary proposed in the draft Neighbourhood Plan. This was formulated using the same set of criteria but was instead undertaken by the Neighbourhood Plan group. The draft version of the plan has yet to go out to formal consultation so residents have yet to have the opportunity to comment on the proposed boundary. It is preferable that an agreed approach be formulated before the Neighbourhood Plan proceeds to submission stage and therefore discussions with the Neighbourhood Plan group will be undertaken.



17.7 Map of Uplyme





## **18 West Hill**

### **18.1 Description**

West Hill can trace its routes back into history though it was predominantly developed in the later half of the twentieth century. The village occupies a woodland setting with many fine individual trees and groups of trees and it comprises predominantly of detached dwellings with a great many in large gardens.

18.2 The northern edges of West Hill lie around 1.9 from the edges of Ottery St Mary and around 2.6 km from Ottery St Mary town centre. West Hill has a number of community facilities including a primary school, shop, village hall, church, British Legion hall, and petrol filling station and it does benefit from some bus links.

### **18.3 Issues**

Over recent years West Hill has seen as comparatively high levels of infill village development as people have subdivided large gardens to accommodate additional new dwellings. There has more recently been outward expansion of the village to accommodate new houses.

18.4 West Hill extends in a straight line north-south distance of over 2 kilometres and east-west of around 1.5 kilometres. A number of busier roads cut through the village but there are also quieter lanes and suburban streets. Many roads, however, do not have footpaths and walking distances in and through West Hill, especially from the southern parts to facilities in the north, can be lengthy with routes being quite steep.

### **18.5 Policies**

No specific policies are proposed for West Hill.

18.6 Neighbourhood plan progress

West Hill are Included within the Ottery St Mary Neighbourhood Plan which is at an early stage of production and draft proposals have yet to be formulated.

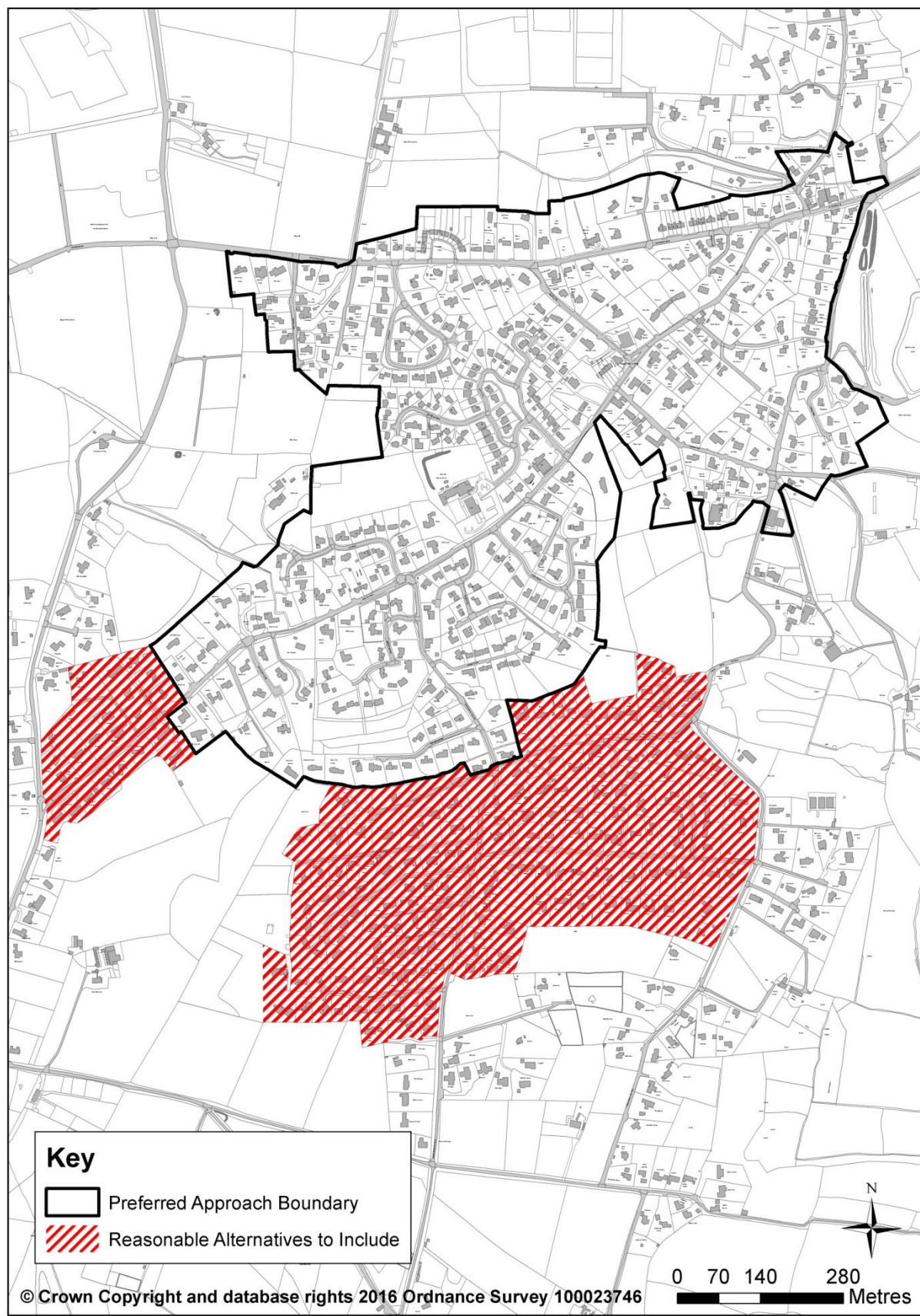
18.7 Alternative Approaches considered and justification for preferred approach

Walking distances from the southern parts of the village (and a small area on the eastern edge of West Hill) are such to warrant their exclusion from the Built-up Area Boundary when compared against the boundary that has been defined following the standard methodology. In terms of walking distance assessment an 800 metre walking distance threshold was taken using the road entrance to the village school as a starting point.

18.8 Land to the south of Birch Grove and Ford Lane falls at/beyond this 800 metre distance (noting this is pedestrian walking distance and not a straight line measure). Furthermore the walk to southern parts of West Hill in part involves using roads without footpaths and there are some steeper lengths, including on Higher Broad Oak Road. Whilst 8000 metres walking distance to the School/village Hall was taken as a starting point it should be noted that other facilities, including the British Legion Hall, church and a cluster of uses around the petrol filling station and main bus route through the village lie to the north and therefore are even less accessible on foot. In addition to exclusion of the larger southerly area of West Hill from the boundary a very much smaller westerly area is also excluded as it falls beyond the 800 metre walk and involves some lengths of walking on West Hill Road where there is no footpath to use.

18.9 It should be noted that the application of the criteria to define an initial base-line Built-up Area Boundary for West Hill resulted in some quite large areas of residential development being excluded from the boundary. These areas typically comprised of dwellings set in large gardens that had a degree of separation from the core built areas of the village. The particular spacious and low density characteristics of West Hill were such to warrant exclusion of greater parts of the village than for other settlements assessed.

18.10 Map of West Hill



## **19 Whimble**

### **19.1 Description**

Whimble is located in the West of the District, around halfway between Honiton and Exeter. It has a largely rural setting in gently undulating pasture, crossed by the London to Exeter railway. The cider factory and associated orchards shaped the landscape although these have largely been developed for housing over recent years. As a result most working residents of Whimble are no longer employed locally, but instead travel out of the village to work, particularly in Exeter.

19.2 The Conservation Area mainly comprises the nucleus set around The Square and Church Road to the south. It also extends in a narrow strip north of the railway with a second, smaller group around the road junction. Within the Conservation Area are 22 listed buildings. Typical building materials are cob, thatch, slate, brick and hanging tile and render in a limited palette of colours.

19.3 Whimble is close to the A30 trunk road and has a London-Exeter line train station. Road access into the village itself from the A30 is via a wide rural lane (albeit less than two carriageway in places), from other directions the lanes are much narrower and are constrained by low bridges.

19.4 There are approximately 1640 people living in 750 houses. Village facilities are good- including a shop, hall, school, Church, hall, Post Office and satellite health centre- and meet residents basic daily needs. There is a regular, if infrequent, bus service and regular trains.

### **19.5 Issues**

The village is divided into two halves by the narrowing of the road under the railway bridge which can cause congestion and danger to pedestrians/cyclists. Pedestrian access throughout the village is variable, with modern estate roads

tending to be well lit and paved, whilst other parts of the village are accessed via narrow lanes.

19.6 Policies

There are no specific policies.

19.7 Neighbourhood Plan progress

The Neighbourhood Plan is at a fairly early stage of production with draft proposals yet to be formulated.

19.8 Alternative Approaches considered and justification for preferred approach

No alternative approaches have been identified



### 19.9 Map of Whimble



## **20 Woodbury**

### 20.1 Description

Woodbury is a nucleated settlement informally grouped in a small hollow on rising ground. The B3179 runs through the south of the village and is well used by vehicles, including HGV's. The main centre of the village with church, shops and pubs is located just off the B3179 to the south western side of the village, although there is a primary school to the north of this and a doctor's surgery to the south east. There is a conservation area covering the historic core of Woodbury, which is the focus for numerous listed buildings (around 43 in the conservation area).

### 20.2 Issues

Planning permissions have been granted for around 70 new homes on greenfield sites on the edge of Woodbury since 2013. Not all of the sites have been built, but the BUAB will need to be drawn to reflect these permissions. Whilst the main part of the village has a fairly compact nuclear form, there are some isolated pockets of housing that are proposed to be excluded from the BUAB.

### 20.3 Policies

No specific policies are proposed for Woodbury

### 20.4 Neighbourhood Plan progress

The Neighbourhood Plan has been under production for some time but draft proposals have yet to be formulated.

### 20.5 Alternative Approaches considered and justification for preferred approach

No alternative approaches have been identified for Woodbury.

20.6 Map of Woodbury





## **21 Land at and around Greendale Business Park**

### 21.1 Description

Greendale Business park lies to the south of the A3052, the primary access is from this road. The business park dates back to the turn of the 20<sup>th</sup>/21<sup>st</sup> century and over the past 20 years has expanded from a small base, historically with limited buildings in agricultural use, to a substantial business park extending to over 20 hectares. Part of the business park lies on land that has been subject to landfill waste disposal and there are substantial current waste management activities (with Devon County Council as waste planning authority) undertaken at the site.

21.2 The site is home to a number of businesses, occupying a range of premises that employ a substantial number of people.

### 21.3 Issues

Greendale Business Park has proven to be a popular location for a high number of businesses, occupying a range of premises, which employ a substantial number of people. In its favour it has a track record of delivery of premises and jobs. However, the business park is highly visually prominent from various points to the east, south and west (specifically including Woodbury Salterton village). Whilst the bulk of the existing Business Park lies within a flat valley floor in recent years development has increasingly occurred on sloping and higher land that is visually far more prominent.

21.4 A small number of villages and hamlets (with a limited population) lie within 2.5 kilometres of the site, some larger (though not huge) villages are within an approximate 6km radius and at/beyond this distance lie the eastern edges of the City of Exeter (noting that the City has substantial employment provision on its eastern edge). The closest East Devon towns (nearly all of which have employment land allocations) lie further away. The site therefore has very poor accessibility for walkers and cyclists.

21.5 Previous justification for Greendale Business Park expansion in part relied on delays in major strategic West End sites coming forward for development. Science Park, Skypark, the major freight depot and Cranbrook have all see infrastrucre provision to support development and new employment development occurring.

21.6 Policies

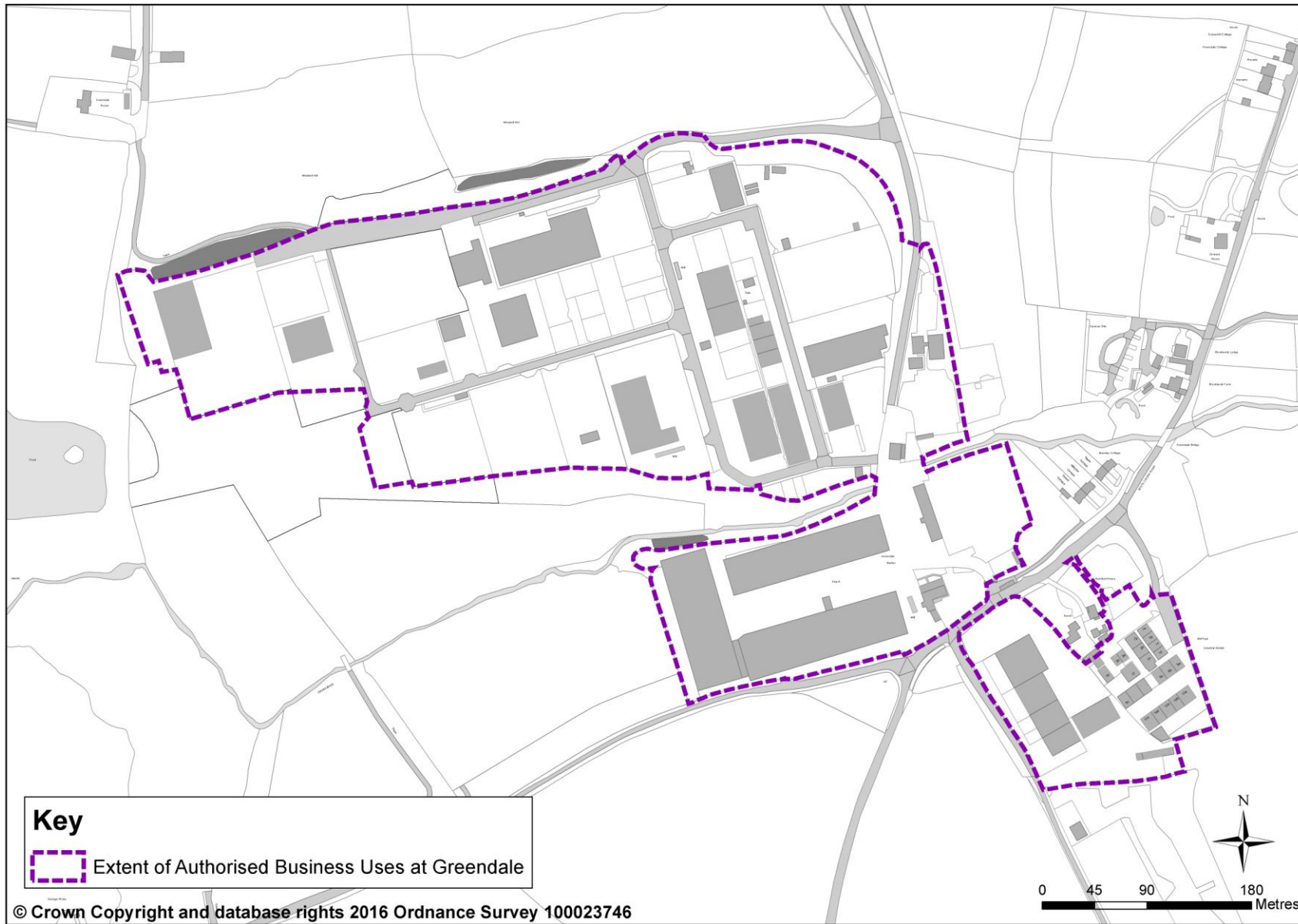
The proposed policy approach for Greendale Business Park is to produce an inset map which indicates a boundary to the employment area for information purposes. This approach reflects that taken in the adopted Local Plan where no allocations or formal built-up area boundary are defined. The approach provides clarity over the boundaries of the existing business park but retains the long standing policy position that the business park is within the open countryside and the subject of countryside protection policies included in Strategy 7 – Development in the Countryside.

21.7 Neighbourhood Plan progress

Greendale falls in Woodbury Parish and there is a Neighbourhood Plan, at an early stage of work, in production.

21.8 Alternative Approaches considered and justification for preferred approach

An alternative approach of drawing a built-up area boundary around the business park was considered to be contrary to the adopted Local Plan. Although business park expansion could have potential positive economic impacts there would be adverse environment impacts associated with such matters as site inaccessibility for walkers and cyclists and landscape impacts. There is also potential for adverse social impacts on nearby residential communities. Retaining the site within the open countryside provides the greatest level of protection from further development.



## **22 Land at and around Hill Barton Business Park**

### **22.1 Description**

Hill Barton Business Park lies to the north of and is accessed from the A3052. The business park dates back to the 1990s and over the past 30 years has expanded from a small base, historically with buildings in agricultural use, to a substantial business park extending to over 20 hectares. Part of the business park includes land that is involved in waste management activities (with Devon County Council as waste planning authority).

22.2 The site is home to a number of businesses, occupying a range of premises that employ a substantial number of people.

### **22.3 Issues**

Hill Barton Business Park has proven to be a popular location for a high number of businesses, occupying a range of premises, which employ a substantial number of people. In its favour it has a track record of delivery of premises and jobs. However, parts of the business park are quite visual prominent though it does occupy a relatively flat area and parts are well screened.

22.4 A small number of villages and hamlets (with a limited population) lie within 2.5 kilometres of the business park, some larger (though not huge) villages are within an approximate 6km radius and at/beyond this distance lie the eastern edges of the City of Exeter (noting that the City has substantial employment provision on its eastern edge). The closest East Devon towns (nearly all of which have employment land allocations) lie further away. The site therefore has very poor accessibility for walkers and cyclists.

22.5 Previous justification for Hill Barton Business Park expansion in part relied on delays in major strategic West End sites coming forward for development. The Science Park, Skypark, the major freight depot and Cranbrook have all

seen infrastructure provision to support development and new employment development occurring.

## 22.6 Policies

The proposed policy approach for Hill Barton Business Park is to produce an inset map which indicates a boundary to the employment area for information purposes. This approach reflects that taken in the adopted Local Plan where no allocations or formal built-up area boundary are proposed. The approach provides clarity over the boundaries of the existing business park but retains the long standing policy position that the business park is within the open countryside and the subject of countryside protection policies included in Strategy 7 – Development in the Countryside.

## 22.7 Neighbourhood Plan progress

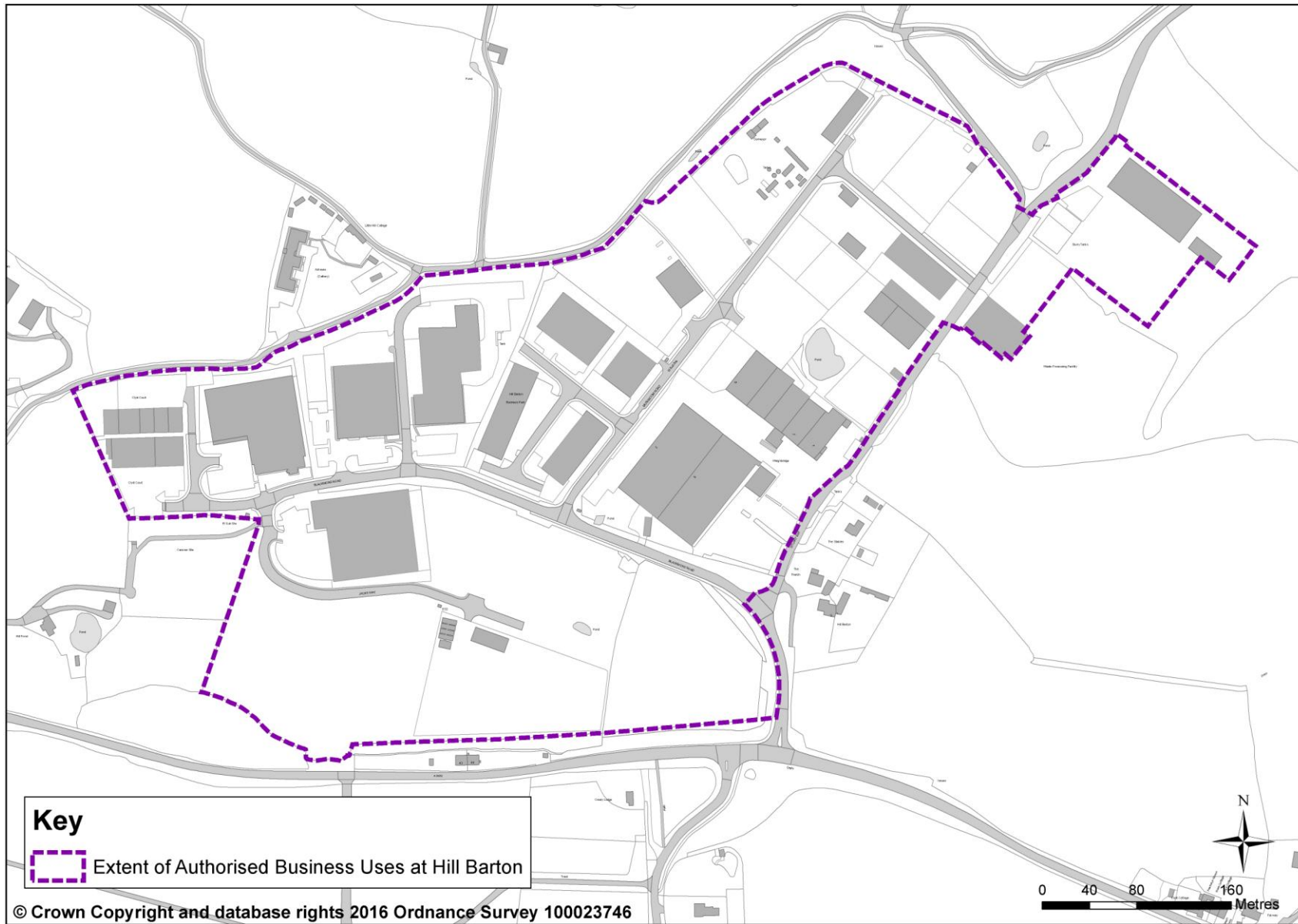
The western third of Hill Barton falls in Clyst Honiton Parish and there is a Neighbourhood Plan in production. The eastern two thirds fall in Farringdon and whilst they are also producing a Neighbourhood Plan it is at an early stage of production.

## 22.8 Alternative Approaches considered and justification for preferred approach

An alternative approach of drawing a built-up area boundary around the business park was considered to be contrary to the adopted Local Plan. Although business park expansion could have potential positive economic impacts there would be adverse environment impacts associated with such matters as site inaccessibility for walkers and cyclists and landscape impacts. There is also potential for adverse social impacts on nearby residential communities. Retaining the site within the open countryside provides the greatest level of protection from further development.

22.9 However, within the context of this overall critique it should be noted that the Business park for Hill Barton includes two plots of land, immediately to the west of the main entrance, that were green fields at June 2016 but which are drawn to be included in the boundary. These plots of land previously

benefitted from a planning permission for business use, they are well screened and read as part of the overall development of the Business Park.



## **Appendix 1 - Extract from East Devon Local Plan 2013 – 2031**

### **(Strategy 6)**

#### **Strategy 6 - Development within Built-Up Area Boundaries**

Built-up Area Boundaries are defined on the Proposals Map around the settlements of East Devon that are considered appropriate through strategic policy to accommodate growth and development. Within the boundaries development will be permitted if:

1. It would be compatible with the character of the site and its surroundings and in villages with the rural character of the settlement.
2. It would not lead to unacceptable pressure on services and would not adversely affect risk of flooding or coastal erosion.
3. It would not damage, and where practical, it will support promotion of wildlife, landscape, townscape or historic interests.
4. It would not involve the loss of land of local amenity importance or of recreational value;
5. It would not impair highway safety or traffic flows.
6. It would not prejudice the development potential of an adjacent site.

For the main Local Plan the boundaries relate to the Towns of East Devon. For our Villages they will be defined in the Villages Development Plan Document.

Where a local community prepare a Neighbourhood Plan they may specifically allocate sites and/or include criteria based or other policies for promoting development/land uses beyond the boundary. Such 'outside of boundaries' policy provision would supersede relevant constraint considerations set out in 'Strategy 7 - Development in the Countryside' and also other relevant constraint policies.



## **Appendix 2 - Extract from East Devon Local Plan 2013 - 2031**

### **(Strategy 27)**

#### **Strategy 27 - Development at the Small Towns and Larger Villages**

The following settlements vary in size and character but all offer a range of accessible services and facilities to meet many of the everyday needs of local residents and they have reasonable public transport. They will have a Built-up Area Boundary that will be designated in the East Devon Villages DPD though they will not have land specifically allocated for development.

- Beer
- Broadclyst
- Clyst St Mary
- Colyton
- East Budleigh
- Feniton
- Kilminster
- Lympstone
- Musbury
- Newton Poppleford
- Sidbury
- Uplyme
- West Hill
- Whimble
- Woodbury

If communities wish to promote development other than that which is supported through this strategy and other strategies in the Plan (at the settlements listed above or any other settlement) they will need to produce a Neighbourhood Plan or promote community led development (for example Community Land Trusts) justifying how and why, in a local context, the development will promote the objectives of sustainable development.

### Appendix 3 - Criteria for defining Built-up Area Boundaries

	Ref	Criteria	Exceptions	Commentary
<b>General Criteria</b>	A1	Boundaries should reflect the existing scale and core built form of the settlement and should not seek expansion to facilitate additional development.	Communities may wish to allocate specific sites to accommodate additional development through neighbourhood planning. If a neighbourhood plan is made that allocates development, that site may be included within the Built-up Area Boundary under criteria B3, although this may be at a future review of the Villages Plan, depending on the timing.	It is important that the Villages Plan is prepared in accordance with the strategy set out in the <del>new</del> <b>adopted</b> local plan, which does not make provision for increased levels of development in rural settlements (rather it provides for infill development within the boundary and potential for affordable housing at the edges justified as an exception).
	A2	Where practical, boundaries should follow clearly defined physical features such as walls, fences, hedgerows, roads and water courses.	Where buildings are set in large grounds physical features may not form the appropriate boundary, depending on the relationship with the fabric of the settlement. For example, large gardens that 'stretch out' from the main built up area may be specifically excluded despite the absence of a physical boundary feature.	It is clearly desirable for lines on maps to follow physical features that have a degree of permanence. This enables the plan to be easily read and understood by interested parties and often such features on the edge of settlements mark a change in character from built settlement to rural. However, sometimes the change in character is more gradual, for example

	Ref	Criteria	Exceptions	Commentary
				where large gardens form a 'buffer' between the main built form of the settlement and the wider countryside. In these circumstances it may be appropriate for the BUAB not to follow physical features.
<b>Areas to be included</b>	B1	Built and extant planning permissions for residential and employment uses which are both physically and functionally related to the settlement.	Where planning permission has been granted as an exception to normal planning policy, including any market housing built to enable affordable housing under either the interim 'mixed market affordable housing' policy or Strategy 35 of the emerging East Devon Local Plan <u>OR where planning permission has been granted but due to special circumstances, such as low density development to protect mature trees, exclusion is appropriate.</u>	Where sites with permission will secure development that will fall in line with the criteria detailed in this methodology it will typically be appropriate to include them in the boundary.
	B2	Built and extant planning permissions for community	Where the buildings are set in extensive grounds either the grounds or the	Where buildings are physically well related to the built form of a settlement

	Ref	Criteria	Exceptions	Commentary
		facilities, such as religious buildings, schools and community halls which are considered to be <u>physically</u> and functionally related to the settlement.	buildings and grounds may be excluded, depending upon the physical and functional relationship with the settlement.	inclusion is appropriate. However, to include spacious grounds that are clearly beyond the built form of a settlement would suggest that development would be permitted in them when this is not the intention.
	B3	Site allocations identified in the development plan for residential, community or employment uses which are physically and functionally related to the settlement.	Significant areas of open space on the edge of site allocations with the countryside will not be included	If site allocations are contained in a neighbourhood plan that is Made, the Built-up Area Boundary defined in the Villages Plan will be amended when the plan is reviewed. In the interim there may be a discrepancy between the neighbourhood and villages plan.
<b>Areas to be excluded</b>	C1	The curtilage of any property with the capacity to extend the built form of the settlement, including large residential gardens.	Where there are small areas of land surrounded on more than two sides or predominantly surrounded by buildings that would not extend the visual appearance of the settlement, subject to detailed landscape assessment.	The definition of Built-up Area Boundaries, is about defining a group of land and buildings that together take the physical form of a settlement. It is not about including outlying land and buildings simply because they share an address or post code or including land
	C2	Recreational or amenity	Built structures, such as clubhouses,	

	Ref	Criteria	Exceptions	Commentary
		space at the edge of settlements which has a predominantly open visual character.	may be included where they 'read' as being part of the built form of the village.	with future development potential.
	C3	Isolated development which is physically or visually detached from the settlement (including farm buildings or renewable energy installations).	There is no expectation of there being exceptions.	
	C4	Parts of settlements that might comprise of groups of houses or buildings but which are separated by fields or open space from the main core of the village.	The only exception would apply where an outlying area also contains a range of services and facilities which might form a core service area in its own right.	

**Appendix 4 - Extract from 'Providing for Journeys on Foot'  
(Chartered Institute of Highways and Transportation, 2000)**

Table 3.2: Suggested Acceptable Walking Distance.

	Town centres (m)	Commuting/School Sight-seeing (m)	Elsewhere (m)
Desirable	200	500	400
Acceptable	400	1000	800
Preferred maximum	800	2000	1200

3.33. Planning Policy Guidance Note 6 states that the acceptable distance from a supermarket car park to the town centre is about 200-300m (DOE, 1996). Further sources of information on acceptable walking distances are provide by IHT (1997 and 1999) and DETR (1998).

3.34. For shopping, Carley and Donaldsons (1996) advise that that "acceptable" walking distances depend on the quality of the shops, the size of the shopping centre and the length of stay of the shopper. Specifically, they state that parking time governs the distance walked from parking. See Table 3.3) Higher quality and larger centres generate longer acceptable walking distances with up to 1250m of walking journey to 100,000m<sup>2</sup> of floor space.

## **Appendix 5 - Plain English Guide to Criteria for Defining Built-up Area Boundaries**

### **East Devon Villages Plan – Proposed Built-up Area Boundary (Black Line) Criteria Guide**

Built-up Area Boundaries are black lines drawn on maps that the Council use to help decide where it is acceptable for new homes and other buildings to be built. Inside of the black lines new buildings are generally acceptable, but outside they are only acceptable in special circumstances. Being outside of a black line just means that planning is less likely to be granted for new housing and industry and does not mean that your house is not part of the village in any other way. It does not affect changes to your home that can be made without planning permission.

We are considering where black lines should be drawn for the settlements of Beer; Broadclyst; Clyst St Mary; Colyton; East Budleigh; Feniton; Kilmington; Musbury; Newton Poppleford; Sidbury; Uplyme; West Hill; Whimble and Woodbury. It's important to have a fair process for deciding where the black lines should be drawn so we've drafted some guidelines to help us decide which sort of areas to include. We consulted on these guidelines last year and have made some changes to take account of the comments we received. You can see the full criteria on our web site at <http://eastdevon.gov.uk/planning/planning-policy/villages-plan/villages-plan-2016-consultation> or call us if you want more details.

In summary the criteria say:

- Criteria A1 – black lines will be drawn around the main groups of existing buildings and not around undeveloped areas. If communities want additional development this can be looked at through 'neighbourhood planning' (a separate planning process undertaken by or on behalf of the Parish Council)
- Criteria A2 – black lines will generally follow recognisable features such as fences and hedges, although large gardens may be excluded to help control the building of extra houses in their grounds.
- Criteria B1 – sites with existing planning permissions will be included in the black lines if they are close to the village, unless there were particular

circumstances that justified the permission such as outstanding design or low density development.

- Criteria B2 – community buildings will be included in the black lines if they are close to the village, unless they include large grounds on the edge of the village.
- B3 – where a site has been allocated for housing, employment or community development in the local plan or a neighbourhood plan it will be included in the black lines, unless it includes large areas of open space.
- C1 – large gardens or grounds associated with buildings will be excluded where they could extend the built up area if developed.
- C2 – large gardens will not be included in the black lines unless they are surrounded by buildings and any new buildings would look like part of the existing village.
- C3 – groups of buildings detached from the main village area will not be included in the black lines.
- C4 – If different parts of the village are separated from the part of the village that has the services and facilities they will not be in the black lines unless they have services and facilities of their own.

**Technical note:**

This paper has been prepared to help inform discussions on where 'Built-up Area Boundaries' (referred to as black lines from now on in this paper) should be drawn as part of the East Devon Villages Plan. It supplements, but does not supplant the published criteria. Comments received on the black lines proposed will be taken into account by the Council before finalising the plan to be put before an independent Inspector. Any unresolved issues will be considered by the Inspector before the black lines are finalised.

The Built-up Area Boundary for Lypstone is defined in the Lypstone Neighbourhood Plan.



## **Appendix 6 – Summary of Alternative Approach to Reflect Access to Core Services and Facilities on Foot**

Step 1 – Survey the settlement to determine BUAB under the ‘standard’ methodology and at the same time identify any ‘obstacles’ or ‘incentives’ to walking.

### Check list of ‘obstacles’

- Crossing busy road
- Lack of well maintained paved footpaths
- Footpaths liable to flooding
- Steep slopes
- Indirect routes
- Lack of legibility of routes
- Lack of dropped kerbs
- Perceptions of safety such as blind corners, speed/proximity to traffic
- Perceptions of noise/amenity
- Lack of good quality street lighting
- Places to rest (benches)
- Lack of natural surveillance
- Lack of attractive meeting places

### Check list of ‘incentives’

- Pedestrian crossings (zebras, pelicans, traffic calming)
- Availability of well maintained paved footpaths
- Direct routes to facilities
- Flat ground
- Direct routes to facilities
- Legible routes
- Dropped crossings
- Safe routes
- Quiet, attractive routes
- Good quality street lighting

- Lack of resting places (benches)
- Good natural surveillance
- Attractive meeting places

Step 2 – plot services and facilities.

Step 3 – plot ‘walking contours’ of 800m and 1200m.

Step 4 – consider whether any parts of the settlement included within the BUAB as defined under the ‘standard’ methodology should be excluded on the basis that services and facilities are not readily accessible on foot. NB. ‘Active design’ advises that facilities should be within a ‘comfortable’ 800m walk, although recent Inspectors decisions refer to the 1200m maximum of ‘Journeys on Foot’. Judgements should take account of these guidelines together with the obstacles or incentives noted.

**References:**

1. ‘Active Design’ (Sports England, October 2016) [Active design | Sport England](#)
2. ‘Providing for Journeys on Foot’(Chartered Institute of Highways and Transportation, 2000) <http://www.ciht.org.uk/download.cfm/docid/D66AD936-281C-4220-BF109289B5D01848>

**Report to:** Strategic Planning Committee

**Date of Meeting:** 21 July 2016

**Public Document:** Yes

**Exemption:** None

**Review date for release** None



**Agenda item:** 9

**Subject:** Gypsy and Traveller Plan

**Purpose of report:** To update Members on the present position with regard to meeting the need for Gypsy and Traveller provision

**Recommendation:** That Members:

1. Note the present position and acknowledge that all currently available options for the provision of Gypsy and Traveller pitches have been fully explored.
2. Resolve that officers commence negotiations to lift restrictive covenants on the land at Heathpark to enable the delivery of the allocated employment land and explore the potential for some gypsy and traveller pitches to be included.
3. Resolve that work continues on policies and guidance in relation to the design and layout of Gypsy and Traveller pitches.
4. Resolve that Officers continue to consider any suitable sites for the provision of Gypsy and Traveller pitches that become available and recommend to Council that the Chief Executive be authorised to purchase a site or sites up to the previously agreed budget of £500k on terms and conditions to be agreed, in consultation with the Leader, the Chairman of the Strategic Planning Committee, the Strategic Lead (Finance) and Strategic Lead (Legal, Licensing and Democratic Services).
5. Resolve that a further report be brought to the next meeting of the Strategic Planning Committee to consider the current position at the time and the unmet need for pitches alongside feedback on the Cranbrook Issues and Options consultation.

**Reason for recommendation:** To ensure that Members are kept informed of progress.

**Officer:** Claire Rodway

Email: [crodway@eastdevon.gov.uk](mailto:crodway@eastdevon.gov.uk)

Tel: 01395 571543

**Financial implications:** No further financial implications have been identified; there is already a budget of £500,000 available for new sites if required.

**Legal implications:** The National Policy on provision of Gypsy and Traveller Sites, does state that where an authority cannot demonstrate a 5 year supply of deliverable sites, this is a significant material consideration in considering whether to grant planning permission for temporary permissions. This policy position does not apply to applications in European Sites and AONBs (amongst others). So while the Recommendation is to note the report, and notwithstanding the degree of security given to European Sites and AONBs, Members should be aware that the Council will need to ensure an up to date deliverable 5 year supply so that the Council is best placed to be able to consider and deal with any application that is submitted for either a temporary or permanent site. Otherwise as the report is for noting there are no other legal implications arising.

**Equalities impact:** High Impact  
A delay in delivering sites for gypsies and travellers could lead to them being disadvantaged through a lack of suitable housing and a failure to meet the Public Sector Equality Duty.

**Risk:** High Risk  
The Local Plan Inspector requires a Gypsy and Traveller DPD to be completed by the end of 2016. Failure to make local authority provision if private sector sites do not come forward could lead to gypsies and travellers being disadvantaged.

**Links to background information:**

- Devon Partnership Gypsy and Traveller Accommodation Assessment 2015 - <http://eastdevon.gov.uk/media/1072089/PSD2015o-DevonPartnership2015GTAA-Final-Report.pdf>  
This assessment forms the primary evidence establishing accommodation needs.

**Link to Council Plan:** Living in this Outstanding Place.

## 1. Purpose of Report

- 1.1 This report provides Members with an up-to-date position regarding the provision of accommodation for Gypsies and Travellers in East Devon.
- 1.2 Members will be aware that the Government requires Local Authorities to assess the need for Gypsy and Traveller pitches in their area and ensure that sufficient sites are available to meet the likely need for at least 5 years. With partner local authorities in Devon, this Council commissioned a Gypsy and Traveller accommodation needs study which was completed in 2015. The time scale for the needs study did not allow sufficient time for inclusion of site allocations in the Local Plan and so it was decided that a separate Gypsy and Traveller Plan would be produced which would allocate sites.
- 1.3 For information, a **site** is the area of land on which pitches are located. A **pitch** is the space required to accommodate one household and will vary depending on the size of the household in the same way that house sizes vary depending on the needs of the

settled population. A minimum pitch size of 500square metres is appropriate in East Devon (however this may be reduced where several pitches are used by an extended family, sharing facilities). The Government guidance (“Designing Gypsy and Traveller Sites- a good practice guide”) suggests that typical pitches should be capable of accommodating an amenity building, a large trailer and touring caravan (or two trailers), drying space for clothes, a shed, parking space for two vehicles and a small garden.

## 2. The current position

2.1 There are currently 36 permanent residential Gypsy or Traveller pitches in East Devon and 72 Gypsy or Traveller families living in bricks and mortar housing. There are pitches distributed throughout East Devon but they are mainly concentrated in western areas of the District, close to main travel routes. Most of the immediate need arises from overcrowding of, and newly formed families (usually children reaching maturity and having their own children) on, existing sites who wish to stay close to extended family. There are also several unauthorised but tolerated sites in the District, mainly on Devon County Council highway land. One, at Shute Woods, has been occupied by around 4 Traveller families since 2008 and there is an urgent need to find an alternative site as there is a danger of this site becoming lawful by virtue of the 10 year rule unless enforcement action is taken. Over the past six months there have also been an increasing number of Gypsy families stopping in lay-bys around Daisymount (currently 4 families), and whilst this was initially believed to be a short-term issue it is understood that they have no permanent pitches elsewhere to move to.

2.2 In order to align with the East Devon Local Plan end-date, Members are advised that the Gypsy and Traveller projected needs figures have been adjusted to cover 2014-2031. The key requirements for new sites are, therefore:

- 34 new Gypsy and/or Traveller pitches needed between 2014-2031. Of these 34, 22 are needed in the first 5 years (up to 2019). Two permissions have been granted since the needs assessment, leaving a requirement to allocate sites for **32 new Gypsy and Traveller pitches, 20 of which are needed in the first five years.**
- **4-5 emergency stopping places/transit sites**, each comprising 4-5 pitches, are required across the Devon study area. No specific East Devon need has been identified; however provision will be made should suitable sites come forward.

2.3 In order to meet this need, to date we have investigated in detail :

- Sites suggested through public consultation
- Sites submitted by landowners in response to the ‘Call for Sites’
- Expansion of existing Gypsy or Traveller sites
- Provision as part of Major Developments
- Land with temporary permission as Gypsy or Traveller sites
- Currently unauthorised Gypsy or Traveller sites
- Land in public ownership

2.4 Despite extensive efforts and approaches to landowners, owners/occupiers of existing Gypsy or Traveller sites and public bodies/statutory consultees with landholdings in the District there has been very little interest in bringing sites forward.

This leaves the following options:

## 2.5 Sites submitted by landowners in response to the 'Call for Sites'

Two sites, both with existing permission for Gypsies and/or Travellers, were submitted for consideration for expansion.

- Land at Greendale Lane between Woodbury and Clyst St Mary (1 existing pitch) has a current planning application for 4 additional caravans to serve as bedrooms for the existing applicants growing family. Ordinarily a pitch should measure 500 square metres as a minimum in order to accommodate living, washing, cooking and transport requirements (so a maximum 3-4 pitches on this site) however, shared facilities such as are being proposed, would reduce the space requirement. If planning permission is granted it will reduce the District wide need by 4 pitches.
- Hawkwell Park, Hawkchurch, Near Axminster (17 existing pitches, 12 permanent and 5 transit) has a current planning application for 5 additional pitches. If approved, this would bring the total pitches on the site to 22. Government best practice guidance ([https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/11439/designinggypsites.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/11439/designinggypsites.pdf)) states that small sites work best, with a maximum of 15 pitches, which is already exceeded on this site.

Letters were sent to the owners of 17 existing, authorised Gypsy and/or Traveller sites asking whether they would be interested in expanding them. As a result, two sites (Land at Greendale and Hawkwell Park, see above) were submitted.

Several owners contacted the District Council to express their interest in expanding their existing sites but did not subsequently submit a response to the Call for Sites. Reasons given for this included a previous poor experience with the planning system, fear of causing conflict with neighbours, too bureaucratic, no immediate need (although a need within 5 years) and the cost of applying.

## 2.6 Provision as part of Major Developments

Most proposed major developments in East Devon have already received planning permission or are allocated in the adopted Local Plan, without the requirement to make provision for Gypsies and Travellers. This limits the ability of the District Council to insist upon inclusion of pitches as part of new residential development.

The Local Plan does, however, make provision for new Gypsy and Traveller sites to accommodate up to 30 pitches on land allocated for Cranbrook development. The Cranbrook Issues and Options Plan is currently being consulted on and includes a section on Gypsy and Traveller provision in the new town.

## 2.7 Land in public ownership

None of the public bodies or statutory consultees put forward any sites in their ownership, however land at Heathpark Industrial Estate, Honiton was suggested by a local Parish Council. This land is owned by EDDC and is allocated for employment in the Local Plan. It is also subject to a covenant requiring its use for sport. If the Council negotiates the lifting/variation of the covenant on this land, then the allocated employment use could be taken forward and provision of a small number of Gypsy and Traveller live/work pitches could be incorporated into the development scheme. This could reduce the District wide need by around 4 pitches. The Council's Estates Team did not feel that this would be appropriate but

suggested other sites in the vicinity might be suitable. They have been asked to identify any such sites and their response is awaited.

## 2.8 Other options

- Two existing sites, one previously unauthorised and one temporary, have been granted permission since the needs assessment was carried out- reflected in the reduced pitch requirements. There are no other sites of this nature which are considered suitable for regularisation.
- There are also two long-term unauthorised sites in the District; one granted as a personal permission which has lapsed since the death of the occupier and the new traveller site referred to in 2.1. Neither of these locations would be appropriate for permanent sites.
- There are a number of unofficial temporary stopping places (including Daisymount, see 2.1), usually on verges or in roadside laybys. DCC and the Highways Agency allow such uses on a short-term basis but are not willing to make them permanent.
- EDDC has a budget of £500,000 identified for provision of Gypsy and Traveller sites. This could be spent on site acquisition and/or laying out sites. Initially it was hoped that suitable land for EDDC to purchase would be submitted in response to the call for sites, but this was not the case. Since the need for pitches was quantified, Estate Agent's listings of land for sale in East Devon have been monitored on a weekly basis with a view to buying a site. This approach has a low likelihood of success in the short-term because land around towns or villages is rarely put up for sale and commands a premium due to its perceived housing development potential; most land is auctioned with a typical months notice which is too fast for Member consideration and due diligence; and there is no certainty that suitable land will become available or that planning permission will be forthcoming, so a purchase would be speculative.

## Conclusion

- 2.9 The Local Plan Inspector required a Gypsy and Traveller Plan to be produced by the end of 2016 to ensure that Gypsies and Travellers are not disadvantaged by a lack of suitable accommodation. Unfortunately, insufficient sites have been put forward/are available to warrant making allocations, at least at this stage and point in time, in a specific Plan; the need may best be met through planning permissions and allocations at Cranbrook, addressed through the comprehensive Cranbrook Plan along with housing and supporting infrastructure and facilities.

Members are advised that:

- We should await feedback from the current Cranbrook Issues and Options consultation in order to understand how the community believe that gypsies and travellers can be accommodated at Cranbrook. The feedback will inform decisions such as the number of sites, size of sites and whether employment space should be provided alongside pitches.
- Recognise that land to the east and/or west of Cranbrook could be allocated as part of any future expansion through the Cranbrook Plan, for up to 30 Gypsy and Traveller pitches, on at least 2 sites (so that no site exceeds 15 pitches) and these should be delivered concurrently with the early phases of housing; and

- If additional Gypsy and/or Traveller pitches are granted planning permission then this should reduce the overall District-wide need for 32. If more than two pitches are approved prior to the pitches at Cranbrook being implemented, additional pitches may be deducted from the maximum requirement of 30.
- A specific policy covering the design and layout of sites, and the pitches within them, will be produced to ensure that they are developed appropriately.



**Report to:** Strategic Planning Committee

**Date:** 21 July 2016

**Public Document:** Yes

**Exemption:** None

**Review date for release:** None

**Agenda item:** 10

**Subject:** **Validation of planning and related applications – adoption of revised information required to be submitted with planning and associated applications (Local List)**

**Purpose of report:** The report is to seek agreement to adopt the revised requirements and guidance for the validation of planning and related applications

**Recommendation:** **That the revised information and requirements in the document ‘Information Required with Planning and Associated Applications’ be adopted and published immediately for Development Management purposes.**

**Reason for recommendation:** To ensure that all planning and related applications provide sufficient information for officers and Members to make fully informed decisions taking into account all relevant material considerations, and to ensure that all submission adhere to a reasonable standard so that all interested parties can adequately assess the proposal and make informed comments.

**Officer:** Chris Rose – Development Manager – Planning Tel; 01395 517419 email [chrose@eastdevon.gov.uk](mailto:chrose@eastdevon.gov.uk)

**Financial implications:** No financial implications have been identified.

**Legal implications:** The legal position is appropriately addressed in the report

**Equalities impact:** Low Impact

**Risk:** Low Risk

**Links to background information:** <http://planningguidance.communities.gov.uk/blog/guidance/making-an-application/validation-requirements/local-information-requirements/>

## 1.0 Background

1.1 Planning legislation outlines information that is required to be submitted with all planning and related applications across the Country. This is known as the National Validation Requirements and includes such things as the correct application forms, correct fee and a site location plan identifying the location of the site. The National Planning Policy Framework at paragraph 193 states the following:



'Local planning authorities should publish a list of their information requirements for applications, which should be proportionate to the nature and scale of development proposals and reviewed on a frequent basis. Local planning authorities should only request supporting information that is relevant, necessary and material to the application in question.

- 1.2 The National Planning Practice Guidance (NPPG) states that the local authority 'requirements should be specified on a formally adopted 'local list' which has been published on its website less than two years before an application is submitted. Local information requirements have no bearing on whether a planning application is valid unless they are set out on such a list.' East Devon District Councils current local validation requirements are set out on the website.
- 1.3 At the Development Management Committee meeting in July 2008 members agreed a local validation checklist which would run alongside the national validation requirements for planning and related applications in determining the information that should be submitted to support applications. The list has been subsequently reviewed on a couple of occasions with the above guidance requiring that a review takes place every 2 years.
- 1.4 This report is as a result of one of the two-yearly reviews.

## **2.0 Review of the Validation Checklist**

- 2.1 Although the local list requirements on our website have served us well, it has become clearer over time that the checklist required a more extensive review on this occasion for the following reasons:
  - To provide a single document/point of reference for applicants and agents;
  - To expand on what each document should address and contain so that applicants and agents can be sure of the expected quality and contents of supporting documents;
  - To provide clearer guidance on the quality and type of plans required with applications;
  - To break down the requirements between the different types of application so that, in particular, it is clear that certain requirements only relate to major applications;
  - To include additional requirements as a result of the upcoming introduction of the Community Infrastructure Levy;
  - To provide guidance on plans given the move to electronic submissions and the need for those consulted on applications to view plans electronically.
- 2.2 In light of the above it was decided to produce a comprehensive single document providing applicants and agents with guidance on when certain supporting documents will be required and what such documents should contain. This is in line with a number of other local authorities.
- 2.3 A draft document was produced and in accordance with the NPPG, the draft document was sent out to Agents, Town/Parish Councils and internal and external consultees for consultation. The consultation ran from the 10<sup>th</sup> May 2016 until the 31<sup>st</sup> May 2016 with consultees advised that their comments would be taken into account before a final version of the document was presented to Committee in July for adoption.

2.4 As a result of the consultation a number of comments were received from Agents, Town and Parish Councils and consultees. The main comments can be summarised as follows:

- It would be helpful if the definitions of development were explained;
- That the wording under Heads of Terms be amended to allow applicants to provide a justification as to why they are not agreeing to certain contributions;
- Confirmation of whether a Heritage Statement is the same as a Statement of Significance;
- The importance of agreeing whether an LVIA is required should be dealt with at the pre-app stage;
- The SuDs requirements should be less onerous at the outline stage as details are often unknown or costly;
- The document requirements will scare off applicants and slow up the planning process;
- It should be for officers at validation stage to decide what documents are required;
- Listed Building requirements are already clear under the legislation;
- Thank you for the concise guidance;
- The document should make it clear that the various information and documents 'may' be required as opposed to 'will be required';
- Separate Health Impacts Statements will vary rarely be required and should be included within other documents such as the Design & Access Statement, Planning Statement or Environmental Statement;
- Should all development with an AONB require biodiversity reports;
- Particularly helpful that the related Local Plan Policies are stated;
- How feasible is it to enforce these requirements?;
- The request for cross-sections is welcomed;
- Critical Drainage areas should be defined;
- The need for a Structural Survey should apply to Class Q applications;
- The standard of submitted Statements of Significance and Justifications needs to improve;
- It is important that drawings are scaled as more plans are viewed electronically;
- Existing and Proposed plans and elevations should be on the same sheet or clearly labelled;
- Arboricultural Reports and landscaping plans should comply with the most up-to-date British Standard;
- Arboricultural Method Statements should be required where there is potential for harm to trees;
- Need for Full Hedgerow Assessments should be included;
- Can it be made clear that subsequent submission during the course of the application are submitted by suitably qualified people?
- The location and extent of the Root Protection Area to trees should be shown on plans;
- Trees also impact upon light so may need referencing under the Daylight/Sunlight Assessment;
- Tree Surveys should be broken down by development type;
- Green Infrastructure Plans should include details on root protection areas;
- Changes to SuDs requirements depending upon application type and updated references to recent government guidance required;
- Should the 'presentation of plans and drawings' be up front as these are elements that are most commonly wrong?

2.5 As a result of the consultation a number of changes have been made to the document to reflect the above comments. The document can be found at Appendix 1.

2.6 Comments above that have not been changed relate to the following:

All development within an AONB accompanied by a biodiversity report

2.7 We can only justify biodiversity reports where the development is likely to impact upon ecology. As not all development within an AONB would impact upon ecology, this request is not reasonable and does not follow the advice in the NPPF that all requested information should be proportionate.

The need for Structural Surveys with Prior Notifications for change of use from agricultural building to residential

2.8 Unfortunately the legislation accompanying Prior Notification applications does not allow us to request this information at validation.

Health Impact Assessments not require and/or can be dealt with in other documents

2.9 The health implications from development are numerous with references to health throughout the adopted Local Plan. Whilst there is scope for such implications to be assessed with a Design and Access Statement or other document this is rarely so. As such, it is considered reasonable to ask for a Health Impact Assessment on the very largest planning applications to ensure that matters of health have been integral to the proposal.

3.0 Comments have been received questioning the enforceability of the document and that it is very onerous and will slow up the planning system. The document has been amended to clarify that not all the documents will be required in all circumstances and that to be sure of the information required applicants are advised to go through our pre-application service. Other than the introduction of further requirements in relation to the submission of forms that are required as a result of the adoption of CIL, it is not considered that the document is more onerous than the existing situation (it is simply trying to provide more clarify and guidance) and is certainly in line with requirements published by other local planning authorities.

### **3.0 Conclusions**

3.1 The review of the local validation requirements has identified the need for more detailed and clearer guidance for applicants and agents. It has been decided to place this in a single document that will be available on the website with further guidance provided on other pages detailing the documents required alongside the links to the different application forms.

3.2 The document has been out to consultation with a number of helpful suggested amendments received. The vast majority of these suggestions have been incorporated into the final document. Those that have not been incorporated are mainly due to conflict with national guidance or legislation.

3.3 Should members be minded to approve this report with or without modifications, the local validation document will be immediately adopted and published on the website for Development Management purposes..

**East Devon District Council  
Development Management**

**INFORMATION REQUIRED WITH PLANNING  
AND ASSOCIATED APPLICATIONS**

**National and Local Validation Requirements  
(Local List)**

**Advice for Applicants and Agents**

**July 2016**

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## 1.0 **Background**

- 1.1 National and local validation requirements set out what information and supporting documents must be submitted with an application before the local planning authority can start formally considering the application. The requirements are in place to:
- Provide applicants with certainty on the information required and likely cost of an application
  - Set out the scope of information required at the outset to ensure that the authority have all the necessary information to determine the application and draft any conditions
  - Minimise the need for the submission of further information during the application that can lead to unnecessary delays and re-consultation of an application
  - Ensure that the necessary information is submitted with the application to allow interested parties to consider and comment on the proposals.
- 1.2 Some information required with applications is mandatory (i.e. it is required by legislation and known as national validation requirements) whilst other information can be required by the local authority (i.e. known as local validation requirements).
- 1.3 The need for local authorities to publish (and republish) a list of local validation requirements is contained within Article 11 (3)(c) of the Town and Country Planning (Development Management Procedure) (England)(Order) 2015.
- 1.4 The National Planning Policy Framework (paragraph 193) states that “Local planning authorities should publish a list of their information requirements for applications, which should be proportionate to the nature and scale of development proposals and reviewed on a frequent basis. Local planning authorities should only request supporting information that is relevant, necessary and material to the application in question.”
- 1.5 This document has been the subject of review and consultation with the local community, applicants and agents before being agreed by Members and formally adopted by East Devon District Council on the 12<sup>th</sup> July 2016. In accordance with



the Town and Country Planning Act 1990 (as amended), and the guidance within the National Planning Policy Framework, this document will be reviewed at least every 2 years.

## 2 **National Requirements**

- 2.1 As a minimum, to make your application valid and to allow the local planning authority to process your application, it must include the following plans and documents in addition to any relevant items on Local Requirements list (see section 3 below):

### **The relevant application form**

- 2.2 There are different application forms depending upon the type of application and development proposed. Please ensure that you complete and submit the relevant form and read the associated notes accompanying each form. Applicants must answer all the questions. Please note that applications for extensions or alterations to flats should be submitted on the Full not Householder application forms.

### **Ownership Certificates**

- 2.3 Under section 65(5) of the town and Country Planning Act 1990, read in association with the Development Management Procedure Order 2015, the local planning authority cannot consider an application for planning permission unless the relevant certificates concerning the ownership of the application site have been completed.
- 2.4 All applications for planning permission must therefore include the appropriate certificate of ownership and incorporate the Agricultural Holdings declaration. One ownership certificate A, B, C or D (which are included near the end of the application forms) must be completed stating the ownership of the property with any necessary notices and adverts served in relation to certificates B, C, or D. For this purpose an 'owner' is anyone with a freehold interest, or leasehold interest the unexpired term of which is not less than seven years. Ownership certificates must also be completed for applications for listed building consent.
- 2.5 Please note that if your extension or guttering or foundations overhang, cross or tie-in into a neighbouring boundary or building, ownership Certificate A should not be completed and Notice should be served on the owner with the relevant alternative Certificate completed.

### **Correct Fee**

- 2.6 The majority of planning applications incur a fee that is set nationally by Central Government. The fee depends upon the scale of the development, site area or application type and is based upon gross external areas.

- 2.7 A schedule of the current fees is available on the Planning Portal's website along with an on-line fee calculator based on the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) Regulations 2012 (as amended). It is for the local planning authority to calculate the actual fee payable during the validation process.

### **Location Plan**

- 2.8 The Town and County Planning (Development Management Procedure) (England) Order 2010 (DMPO) requires applicants to submit "a plan which identifies the land to which the application relates". This is considered to comprise a location plan and a site plan.
- 2.9 All applications must include copies of a location plan based on an up-to-date Ordnance Survey Plan (please detail the license number on the plan) which is centered around the application site showing clear reference points such as road/street names and/or neighbouring properties. The plan must have an up-to-date copyright and at a standard metric scale of 1:1250 with the scale clearly stated and should be at least A4 size in scale. In rural areas where there are no immediate reference points, a 1:2500 scale plan will be accepted. The development site must be edged clearly with a red line and should include all land necessary to carry out the proposed development – for example access to the public highway, visibility splays, areas around buildings and car parks. Where a site is detached from the public highway, the red line must include the means of access outlined in red and connecting to the site to the public highway.
- 2.10 A blue line must be drawn around any other land owned by the applicant on the plan that is close to or adjoining the application site.
- 2.11 Plans should show the direction of North and clearly identify sufficient roads and or buildings to ensure that the exact location of the application site is clear.

### **Site Plan**

- 2.12 A site plan is required to show a detailed layout of the whole site and the relationship of the proposed works within the boundary of the site, nearby roads and neighbouring buildings and land. Most applications will require an existing and proposed site plan. This should be an Ordnance Survey-based map at a standard metric scale of 1:500 or 1:200.
- 2.13 The plan should be up to date and accurately show the following:
- The scale of the plan along with a scale bar;
  - The direction of North;

- The proposed development in relation to the site boundaries and other existing buildings on the site;
- All buildings, roads and footpaths on land adjoining the site including access arrangements;
- Vehicular and pedestrian access arrangement to and within the site;
- The species, position and spread of all trees on the site and those on adjacent land that overhang the site;
- The extent and type of any hard surfacing such as car parking spaces;
- Boundary treatment including wall/fence heights and landscaping;
- Any buildings to be demolished;
- Any refuse storage areas;
- Natural features including hedgerows, banks, ponds, watercourses etc.

### **Design and Access Statement (where required)**

2.14 Design and Access Statements are required for the following:

- Planning Permission for major development
- Planning Permission for development in a conservation area or world heritage site consisting of the provision of one or more dwelling houses or the provision of a building(s) where the floor space created is 100 square metres or more
- Applications for Listed Building Consent.

2.15 The DMPO states that Design and Access Statements must:

- explain the design principles and concepts that have been applied to the development;
- demonstrate the steps taken to appraise the context of the development and how the design of the development takes that context into account;
- explain the policy adopted as to access, and how policies relating to access in relevant local development documents have been taken into account;
- state what, if any, consultation has been undertaken on issues relating to access to the development and what account has been taken of the outcome of any such consultation; and
- explain how any specific issues which might affect access to the development have been addressed.

### **For listed building consents and applications affecting a heritage asset**

2.16 For listed building consent, the Design and Access Statement should provide a brief explanation of how the design has taken into account the historic and

special architectural importance of the building, the particular physical features that justify its designation as a listed building and the building's setting. In addition, it should detail any specific issues that arise because the building is listed and if it is not possible to provide inclusive design, this needs to be expanded upon in the statement

- 2.17 For listed building consent and proposals affecting a heritage asset, a Statement of Significance explaining what is important about the building and how the proposals impact on these features is required. The Statement of Significance should describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.
- 2.19 These statements will form part of the justification for the proposal and should demonstrate that consideration has been given to the protection of the heritage asset and/or its setting. The purpose of the Statement of Significance is to identify the important characteristics/significance of the existing heritage asset and to explain how the proposals would affect these and justify why this is necessary or desirable. If appropriate the Statement can be incorporated as part of a Design and Access Statement as long as it is clearly identified within the overall document. A complete Statement must include:
- Statement of significance of the heritage asset
  - Details of the proposal
  - Analysis of the impact of the proposal on the significance (including a statement of need & statement of impact)
- 2.20 The term 'Heritage Assets' includes 'Designated Assets' such as Listed Buildings, Conservation Areas, Scheduled Ancient Monuments, Historic Parks, Gardens and Battlefields, as well as 'Non-designated Heritage Assets' for example, sites and buildings of historic interest as determined by the Local Authority. In East Devon, such non-designated assets would include buildings on the Local List, and other non-listed houses, public houses, barns, and other farm buildings, amongst others.
- 2.21 The Assessment of Significance will need to contain a description of the significance of the heritage assets affected by the proposal, and the contribution of their setting to that significance.
- 2.21 Please also refer to section 4 of this report for additional local validation requirements for listed building consent applications.

### **3. LOCAL REQUIREMENTS**

- 3.1 In addition to the National Requirements outlined above, East Devon District Council has produced the following list of specific documents that are required to accompany applications. The Local Requirements comprise plans and documents as detailed below. At the end of this document is guidance on how plans should be prepared and presented.

#### **Plans**

##### **Existing and Proposed Elevations**

- 3.2 These drawings should accurately show what a building/structure looks like from the outside. Applications will usually require both existing and proposed elevations. The elevations must:
- Be to a scale of 1:100 or 1:50;
  - Be clearly annotated 'existing' and 'proposed' with buildings to be demolished clearly identified;
  - Show every elevation, front sides and rear clearly stating the direction in which each elevation faces, for example front (north);
  - Show the whole of the existing building(s) to be altered/extended so that the relationship of the new building/extension can be seen in full;
  - Show the property boundary and part of adjoining properties and the position of their openings;
  - Indicate the type and colour of finishing materials to be used for the walls, roof, windows, doors etc). If the materials are to match the existing then please state this on the plans.
  - Be accompanied by a scale bar at the appropriate scale.
  - Simple line drawings will not be accepted.
  - If new doors, opening, windows, shop-fronts, paneling, fireplaces, plaster moldings or other decorate details are proposed to listed buildings, these should be detailed on a scaled plan of not less than 1:20 scale.

##### **Existing and Proposed Floor Plans**

- 3.3 These drawings should accurately show the layout of the building. Applications will usually require both existing and proposed floor plans. These floor plans must:
- Be to a scale of 1:100 or 1:50;
  - Be clearly annotated 'existing' and 'proposed';
  - Show all floor levels including any basement or rooms in a roof being constructed, altered, extended or demolished;
  - Clearly state the use of each room including position, thickness and size of window and doors openings, walls, partitions and chimneys.

- Clearly indicate each floor (e.g. ground floor, first floor).
- Show the direction of north.
- Be accompanied by a scale bar at the appropriate scale.
- Identify anything to be demolished.
- Clearly show and annotate any encroachment (e.g. foundations) onto any adjoining property if the building is near a boundary.
- Simple line drawings will not be accepted.

### **Existing and Proposed Site Sections, Finished Floor and Site Levels**

3.4 These drawings should detail ground levels and cross sections and should accompany all applications on sloping or uneven land, sites adjoining land at a different level, or where changes to the ground level are proposed as part of the application. Applications will usually require existing and proposed site sections, finished floor and site levels. The information should demonstrate how proposed buildings and/or changes in levels relate to neighbouring buildings and land.

3.5 The Site Levels Plan(s) must:

- Clearly show existing and proposed levels on the site and where this differs from the adjoining land clearly show the differences;
- Be plotted on a plan using spot ground levels against a fixed and identifiable datum level, usually “Above Ordnance Datum” – AOD;
- Clearly show the finished floor levels of all buildings and location and extent of any trees and their root protection area.

3.6 The Site Sections (Cross Sections) must:

- Clearly show finished floor and ridge levels of buildings;
- Identify existing and proposed ground levels shown cut and fill where proposed;
- Show sections through the land at 1:200 or 1:500 scale;
- Show sections through the building (for example where raised decks or patios are proposed) at 1:50 or 1:100 scale;
- Show relationships to existing and proposed buildings and trees within and adjacent to the site;
- Be accompanied by a plan showing the points through which the sections are taken with the direction of North clearly indicated.

### **Existing and Proposed Roof Plans**

3.7 Roof plans should show the full span of the roof detailing its design as seen from above and must be provided for application involving new roof, or alterations/extension to existing roofs. Applications will usually require existing and proposed roof plans. The plans must:

- Be to a scale of 1:50 or 1:100;
- Show the position of all ridges and valleys;

### **Street Scenes**

3.8 These plans and drawings show how a building(s) will look sitting alongside each other once constructed/extended. These will be required for works visible from a road for new buildings or large extensions and for new internal streets within new development. The plans must:

- Be to a scale of 1:100 or 1:200;
- Clearly show the height and outline of neighbouring dwellings/buildings and the position and size of any openings;
- Clearly show any differences in levels;
- Include written dimensions of key distances;
- State the direction in which the street faces accompanied by a plan showing where the street scenes are taken from.

### **Landscape Plans and Details**

3.9 This plan should show existing and proposed landscaping including existing and proposed tree planting and hard landscaping such as patios and paths. Usually an existing and proposed plan is required. The plans must show:

- The position and canopy spread of any existing trees including details of how these will be protected during construction;
- Details of any trees to be felled or cut back;
- Details of any existing landscaping including hardsurfacing;
- Details of all new hard and soft landscaping including size, species, and density of planting;
- The position and extent of any natural or made feature such as banks/terracing, ditches, ponds or watercourses.
- The landscaping plan shall include details of new tree planting to include planting pit design, new tree specifications (including species, size and nursery production system), planting methodology, irrigation and maintenance programmes in accordance with the most up-to-date version of British Standard 8545.



## **Reports and Supporting Documentation**

- 3.10 The following section details the supporting documentation and reports potentially required for various applications, listing the types of applications each report could be required for and providing a description of the document and what it should include. It also includes reference to the main relevant policies in the Adopted Local Plan. Requests for information will be proportionate and reasonable having regard, in particular, to the nature and scale of the proposed development and will be in relation to a matter that will be a material consideration in the determination of the application.
- 3.11 If you require confirmation of the documents required for a planning application, we are happy to provide this as part of a pre-application service.
- 3.12 Screening and Scoping Opinions can be submitted to determine if applications require an Environmental Impact Assessment. Where an EIA have been required for an outline application a subsequent EIA may be required for the related Reserve Matters application and where developments are phased, updates to the Environmental Statements may be required.
- 3.13 The following definition of applications is used:

### **Other Applications**

- Changes of use, householder development (development within the curtilage of a residential property), adverts, listed building consents, conservation area consents, lawful development certificates, agricultural notifications, telecommunications, etc.

### **Minor Applications**

- less than 10 dwellings or the site area for residential development is less than 0.5 hectares;
- less than 1,000 sqm, or the site area is less than 1 hectare.

### **Major Applications**

- 10 to 199 residential units;
- 1,000sqm to 9,999sqm of floorspace;
- Sites in excess of 1 hectare and less than 2 hectares.

### **Large Scale Major Applications**

- 200 or more dwellings or the site area for residential development is 4 hectares or more;
- 10,000 sqm or more, or the site is 2 hectares or more.

## Air Quality Statement

Required for the following types of application/development:

- Large Scale Major planning applications;
- Retails proposals in excess of 2,500sqm;
- Large scale poultry units.

### Description

A report by a suitably qualified person indicating the change in air quality resulting from the proposed development and/or assessment of impacts on receptors introduced into an area of existing poor quality, outlining appropriate mitigation measures as necessary. The report should include the following:

- The existing air quality (the baseline);
- A prediction of future air quality without the development (future baseline);
- The impact during construction (construction phase);
- A prediction of future air quality with the development (operational phase); in conjunction with other surrounding uses and consents;
- Measures to mitigate and manage any impact.

Relevant Policy and reason for document:

To allow consideration of proposals against Policy EN14 – Control of Pollution of the Adopted East Devon Local Plan 2013-2031.

## **Archaeology Assessment**

Required for the following types of application/development:

- Applications where there is potential for archaeological implications;
- Where a proposal is likely to affect a Scheduled Monument; or
- As advised by the County Archaeologist.

You are advised to speak with the County Archaeologist to ascertain any requirements for a particular site.

### Description

A report by a suitably qualified person identifying any constraints, impacts and mitigation to archaeological heritage assets including Scheduled Monuments. The report should include the following:

- A desk-based assessment of all known records for an area to gauge the archaeological potential of a site;
- Details of how any archaeological potential will be protected from development;
- Reports of any necessary geophysical survey or field excavation detailing and recording any features and deposits;
- Clarification of any work required on site pre-or post planning.

Relevant Policy and reason for document:

To allow consideration of proposals against Policy EN6 – Nationally and Locally Important Archaeological Sites and Policy EN7 – Proposals Affecting Sites which may potentially be of Archaeological Importance of the Adopted East Devon Local Plan 2013-2031.

## **Affordable Housing Statement**

Required for the following types of application/development:

- Major planning applications for residential or mixed-use development of 10 or more dwellings;
- Residential development on rural exception sites;
- Development of existing affordable housing sites.

### Description

This statement (which could form part of a Design and Access Statement or Heads of Terms) should detail the affordable housing implications and provision as part of the application. The statement should include the following:

- The number of residential units existing and proposed;
- The mix of units, with numbers of habitable rooms and bedrooms plus the floorspace of habitable areas of residential units;
- A plan or clear description of the location of the affordable units;
- If different levels or types of affordability or tenure are proposed, this should be clearly and fully explained.

For applications applying under Strategy 35 as an 'Exception Site', the document should include housing need evidence to support the affordable housing proposed.

### Relevant Policy and reason for document:

To allow consideration of proposals against Strategy 34 - District Wide Affordable Housing Provision Targets and Strategy 35 – Exception Mixed market and Affordable Housing At Villages, Small Towns and Outside Built-up Area Boundaries of the Adopted East Devon Local Plan 2013-2031.

## **Biodiversity Survey and Report**

Required for the following types of application/development:

- Where there is a reasonable likelihood that any important biodiversity or geological conservation feature may be present or nearby and where they are likely to be affected by the proposal.
- In or adjacent to a Site of Special Scientific Interest (SSSI).
- In or adjacent to a Site of Nature Conservation Interest (SNCI).
- In or adjacent to a National Nature Reserve (NNR).
- In or adjacent to a Local Nature Reserve (LNR).
- In or adjacent to a Wildlife Network Site (WNS).
- In or adjacent to a Special Area of Conservation (SAC)
- Proposals involving site clearance, removal of trees, removal of hedgerows, demolition of older buildings or roof spaces.

Where a Phase 1 Ecological Survey (or similar Ecological Report) identifies the need for further surveys before commencement of development, these further surveys will be required for validation purposes.

### Description

A report by a suitably qualified ecological consultant carried out at an appropriate time of year and within a year of the date of the application. Information should be provided on existing nature conservation interest of the site and adjacent land and the possible impacts on the habitats and species present, in order to allow full consideration of those impacts. Where proposals are being made for mitigation and/or compensation measures, information to support these proposals will be needed.

Certain proposals which include work such as the demolition of older buildings or roof spaces, removal of trees, scrub, hedgerows, rough grassland or alterations to watercourses may affect protected or notable species and you will need to provide information on use of the site by such species, any potential impacts on them and any mitigation proposals for such impacts.

### Relevant Policy and reason for document:

To allow consideration of proposals against Strategy 47 – Nature Conservation and Geology of the Adopted East Devon Local Plan 2013-2031.

**Community Infrastructure Levy –  
Additional Information Requirement Form**

Required for:

- Full applications;
- Householder applications;
- Reserved Matters applications following outline permission;
- Conversions of buildings to residential or retail use;
- Applications for lawful development certificates;
- Any other development that is CIL liable.

Description

The relevant additional information form(s) must be completed in full and be signed and dated.

Reason: To comply with the requirements of the Community Infrastructure Levy.

## **Daylight/Sunlight Assessment**

Required for the following types of application/development:

- Applications where there is potential to result in a significant loss of daylight or sunlight to adjoining properties including associated gardens and amenity space.

### Description

A report by a suitably qualified person assessing the impact from the development upon adjacent properties in terms of loss of daylight or sunlight including mitigation/design measures to address any impacts.

Relevant Policy and reason for document:

To allow consideration of proposals against Policy D1 – Design and Local Distinctiveness of the Adopted East Devon Local Plan 2013-2031.

## **Economic Impact Assessment**

Required for the following types of application/development:

- All major planning applications involving the loss of land or buildings last used for employment, retail and/or community purposes.

Description

A statement setting out the following:

- The details of existing floorspace to be lost for each use.
- Evidence that the site has been adequately marketed.
- Evidence of why the site is no longer capable of offering accommodation for employment uses.
- Evidence of why the use of the site for employment purposes raises unacceptable environmental or traffic problems.
- A statement explaining why an alternative mix of uses offer greater potential benefits to the community, and explaining why the site is not required to meet economic development or local employment needs.

Relevant Policy and reason for document:

To allow consideration of proposals against Strategy 32 – Resisting Loss of Employment, Retail and Community Sites and Buildings of the Adopted East Devon Local Plan 2013-2031.



## **Flood Risk Assessment (FRA)**

Required for the following types of application/development:

- All development of 1 hectare or more in Flood Zone 1;
- Development in a critical drainage areas;
- All development in Flood Zones 2 and 3 including minor development and changes of use.

### Description

A report by a suitably qualified person addressing the issue of flood risk to property and people. The report should include the following:

- Identify and assess the risks of all forms of flooding to and from the development;
- Demonstrate how the flood risks will be managed taking into account climate change;
- If necessary the report should be accompanied by a Sequential and Exception Test as set out in the NPPF;
- The report should identify opportunities to reduce the probability and consequences of flooding;
- The FRA should utilise and detail Sustainable Drainage Systems (SuDS);
- The FRA should address the requirement for safe access to and from the development in areas at risk of flooding.

Relevant Policy and reason for document:

To allow consideration of proposals against Policy EN21 – River and Coastal Flooding and Policy EN22 – Surface Run-Off Implications of New Development of the Adopted East Devon Local Plan 2013-2031.

## **Foul Sewerage and Utilities Assessment**

Required for the following types of application/development:

- All large scale major development.

### Description

A report detailing the existing foul sewage system and explaining how the proposal will connect to it. In addition, the report should indicate how the development will connect to existing and proposed utility services. The report should include the following:

- Identify the existing foul sewage connections and utility infrastructure (including electricity, gas, telecommunications and water supplies).
- Detail how a proposal will deal with its foul sewage if a mains connection is not available.
- Provide evidence that a connection to the relevant services is available;
- Demonstrate that the proposal will not result in undue stress of the delivery of services;
- Demonstrate that the proposals incorporate adequate space for any services and structures such as substations;
- Demonstrate that service routes have been planned to avoid damage to trees and archaeological remains.

Relevant Policy and reason for document:

To allow consideration of proposals against Policy D1 (Design and Local Distinctiveness) and Policy EN19 – Adequacy of Foul Sewers and Adequacy of Sewage Treatment Systems River and Coastal Flooding of the Adopted East Devon Local Plan 2013-2031.

## **Foul Drainage Assessment**

Required for the following types of application/development:

- Cases where it is not possible to connect to existing foul drainage facilities and within sensitive areas such as source protection zones.

Description

Completion of the necessary form (FDA1) to justify why non mains drainage is being proposed.

Relevant Policy and reason for document:

To allow consideration of proposals against Policy D1 (Design and Local Distinctiveness) and Policy EN19 – Adequacy of Foul Sewers and Adequacy of Sewage Treatment Systems River and Coastal Flooding of the Adopted East Devon Local Plan 2013-2031.

## Green Infrastructure Plan

Required for the following types of development:

- all major full applications where strategic landscaping forms part of the proposal or is required to mitigate the impacts of development including Major Housing and Employment development and Solar Farms;
- all major outline applications where Landscaping is being discharged.

Description:

This plan should show existing and proposed green infrastructure including the following where necessary:

- Open Space on the site;
  - Connections to surrounding land;
  - Explain how it relates to the FRA and how it incorporates SuDS features;
  - Site topography and levels;
  - Soil testing results;
  - Cross-sections of any proposed banks including materials;
  - The position and canopy spread of any existing trees including root protection areas and details of how these will be protected during construction;
  - Details of any trees to be felled or cut back;
  - Details of any existing planting including hardstandings;
  - Details of all new hard and soft landscaping including, number, size, species and density of planting;
  - Tree planting pits;
  - Existing and proposed boundary treatment.
1. For: Outline applications where landscaping is reserved the application should be accompanied by a Green Infrastructure framework detailing the green infrastructure principles to be used including key areas of open space, links and routes, SuDS, planting areas, how this responds to the existing site conditions (e.g. soil conditions, existing planting, views, landscape character, etc.) and how this integrates within the proposal and Masterplan and Layout for the site. Further advice can be found in the green infrastructure framework guidance document.
  2. For: Minor applications we will require a Green Infrastructure Plan showing the existing and proposed boundary treatment(s) and boundary planting types as seen from the public realm or as experienced by neighbouring properties

detailing how this relates to the development and any adjoining uses and green infrastructure.

Relevant Policy and reason for document:

To allow consideration of proposals against Policies D1 (Design and Local Distinctiveness), D2 (Landscape Requirements), D3 (Trees and Development Sites), EN5 (Wildlife Habitats and Features), EN22 (Surface Run-Off Implications of New Development), RC2 (New Open Space, Sports and Facilities and Parks) and TC4 (Footpaths, Bridleways and Cycleways) of the Adopted East Devon Local Plan 2013-2031.

## **Heads of Terms**

Required for the following types of application/development:

- All major development.

### Description

A report or list detailing any planning obligations (for example affordable housing, education contributions or off-site highway works) being offered as part of the development to mitigate its impact. If the proposal is not offering the full policy compliant planning obligations, the application will need to be supported by a viability appraisal demonstrating why the proposal cannot meet the policy compliant obligations.

### Relevant Policy and reason for document:

To allow consideration of proposals against Strategy 34 – District Wide Affordable Housing Provision Targets, Strategy 35 – Exception Mixed market and Affordable Housing At Villages, Small Towns and Outside Built-up Area Boundaries, Strategy 43 – Open Space, Strategy 47 – Nature Conservation and Geology, and Strategy 50 – Infrastructure Delivery of the Adopted East Devon Local Plan 2013-2031.

## **Health Impact Statement**

Required for the following types of application/development:

- All large scale major development.

### Description

A report detailing the positive, negative and neutral health impacts from the development covering the following topic areas and how these have been addressed by the development:

- Community Inclusion – including how the proposal will impact on the interaction between different members of the community, particularly vulnerable and hard to reach groups;
- Healthy Neighbourhoods – including how the proposal may affect access to amenities such as open space, employment and services;
- Active Lifestyles – including how the proposal may provide open and natural spaces for exercise such as sport and how it will promote active play and travel;
- Protecting the Environment – including how the proposal, including its construction, could impact upon the environment through matters such as waste production, noise and air pollution and how existing noise sources may impact upon the proposal;
- Safety and wellbeing – including the effect on road safety, congestion, participation in active travel and discouraging crime and anti-social behavior;
- New and Converted Housing Provision – including how the proposal may effect affordability, safety and accessibility, energy efficiency and the standard of accommodation.

Relevant Policy and reason for document:

To allow consideration of proposals against Strategy 3 – Sustainable Development, Strategy 4 – Balanced Communities, Strategy 5 – Environment, and Policy D1 (Design and Local Distinctiveness).

## **Heritage Statement**

Required for the following types of application/development:

- Applications for planning permission affecting a nationally or locally listed building, heritage asset or its curtilage;
- Applications for Listed Buildings;
- Planning applications affecting a Conservation Area or its setting.

See also the Additional Validation Requirements for Listed Buildings at Section 4 of this Document.

### Description

The scope and detail should vary depending upon the particular circumstances of the application.

For works to a listed building the document should include a written schedule of works to the heritage asset, a Statement of Significance (if not in a separate format), an assessment of any impact adjacent listed buildings. A Structural Survey may be required for any extensive alterations.

For applications in a Conservation Area, a written statement that includes an analysis of the character and appearance of the building/structure, the principles of and justification for the proposed demolition and its impact on the special character of the area.

For works either related to, or impacting on, the setting of heritage assets, a written statement that includes an assessment of the impact from the proposal on the heritage assets and how this has been addressed by the application.

Relevant Policy and reason for document:

To allow consideration of proposals against Policy D1 (Design and Local Distinctiveness), Policy EN9 – Development Affecting a Designated Heritage Asset, and Policy EN10 – Conservation Areas of the Adopted East Devon Local Plan 2013-2031.



## **Land Contamination Assessment**

Required for the following types of application/development:

- All applications where contamination is known or suspected or the development site is in the vicinity of such land, and ground works are proposed.

### Description

A report by a suitably qualified person determining the existence of contaminated land, its nature and the risks it may pose to the proposed development and whether remedial measures are feasible to satisfactorily reduce the contamination to an acceptable level.

Relevant Policy and reason for document:

To allow consideration of proposals against Policy EN16 – Contaminated Land of the Adopted East Devon Local Plan 2013-2031.

## **Landscape and Visual Impact Assessment**

Required for the following types of application/development:

- All Major applications in the AONB outside of a Built-up Area Boundary or within the Coastal Preservation Area or Green Wedge;
- Major development affecting the setting of a heritage asset;
- Major Solar farm applications;
- Very large scale industrial units;
- other proposals with a significant visual impact,

### Description

A Landscape and Visual Impact Assessment should be carried out by a suitably qualified landscape professional. It should include:

- A baseline assessment which describes the existing condition of the landscape and clearly defines the following:
  - ❖ landscape receptors, which are defined as landscape elements/features/characteristics likely to be affected by the proposed development, and
  - ❖ visual receptors, which are defined as groups of people likely to experience a visual change in the landscape due to the proposed development, this can be walkers, car users, residents, etc... Their selection should be based on a theoretical zone of visual influence which should be provide on a map and further refined by a site visit.

The baseline assessment will have to conclude with an assessment of each receptor's sensitivity.

- A description of the proposed development
- A Landscape effects assessment which defines the likely changes to the landscape as a resource due to the proposed development, and
- A Visual effects assessment detailing how the various visual receptors will perceive and notice the changes in the landscape due to the proposed development.
- Proposed mitigation measure
- Assessment of significance/extent of the defined landscape and visual effects on their respective receptors.

The document should be prepared in accordance with the Landscape Institutes latest Guidelines for LVIA's and take account of the local landscape character assessments.

Relevant Policy and reason for document:

To allow consideration of proposals against Strategy 7 – Development in the Countryside, Strategy 46 – Landscape Conservation and Enhancement of AONB's, Policy D1 - Design and Local Distinctiveness and Policy D2 – landscape Requirements of the Adopted East Devon Local Plan 2013-2031.

## **Lighting Report**

Required for the following types of application/development:

- All applications including/for floodlighting, or a significant amount of external lighting.

### Description

A report by a suitably qualified person providing details of the external lighting when switched on. These details shall include a layout plan with beam orientation and a schedule and detail of the equipment and its design plus expected levels of luminance and glare.

Details shall include a Light Contour diagram based on a layout of the site in context showing projected lux levels from the proposal within and surrounding the site designed to protect the dark sky.

Relevant Policy and reason for document:

To allow consideration of proposals against Policy D1 - Design and Local Distinctiveness, and Policy EN14 – Control of Pollution of the Adopted East Devon Local Plan 2013-2031.

## **Marketing Strategy Statement**

Required for the following types of application/development:

- All applications proposing the loss of commercial (including employment and retail uses) or community facilities.

### Description

The statement should include details of the Marketing Strategy carried out prior to the submission of the application. The statement should include details of how, where and for how long the property/land has been marketed, the number and type of enquiries received including feedback and reasons for refusing offers and the price marketed at.

Relevant Policy and reason for document:

To allow consideration of proposals against Strategy 32 – Resisting Loss of Employment, Retail and Community Sites and Buildings and Policy RC6 – Local Community Facilities of the Adopted East Devon Local Plan 2013-2031.

## **Noise Assessment**

Required for the following types of application/development:

- For uses that involve activities that may generate significant levels of noise;
- For noise sensitive development adjacent to major road/transport infrastructure and other significant sources of noise

### Description

Noise reports should be prepared by a suitably qualified person and should outline the existing noise environment, potential noise sources from the development, or the noise sources likely to affect the development, together with any mitigation measures.

Relevant Policy and reason for document:

To allow consideration of proposals against Policy D1 - Design and Local Distinctiveness, and Policy EN14 – Control of Pollution of the Adopted East Devon Local Plan 2013-2031.

## **Open Space Assessment**

Required for the following types of application/development:

- All major applications that generate a need for open space;
- Applications that propose the loss or relocation of existing open space.

### Description

A report detailing the open space required as part of the development detailing how this is to be provided and managed as part of the development.

For applications proposing the loss or relocation of existing open space, the report should detail the justification for the loss/relocation and in the case of the loss of open space provide evidence that the open space is surplus to local requirements.

### Relevant Policy and reason for document:

To allow consideration of proposals against Strategy 43 – Open Space Standards and Policy RC1 – retention of Land for Sport and Recreation of the Adopted East Devon Local Plan 2013-2031.

## **Planning Statement**

Required for the following types of application/development:

- All major planning applications.

### Description

A report detailing the planning merits of the proposal and providing an assessment of the proposal against local and national planning policy and other material considerations

### Relevant Policy and reason for document:

To allow consideration of the proposals against all relevant local and national planning policies and other material considerations.



## **Rural Working Dwelling Justification**

Required for the following types of application/development:

- All applications for all permanent and temporary rural worker dwellings (including conversions) outside of a defined Built-up Area Boundary.

### Description

This justification statement should take the form of an agricultural appraisal and establish the functional requirements for the accommodation.

In the case of new permanent accommodation, at least 3 years audited accounts should be submitted with the application. These should be in a separate document marked 'confidential' and will be used in assessing whether the enterprise is economically viable.

In the case of a newly created agricultural unit and the application is for a temporary building for a period of 3 years, the justification statement will need to include evidence that the proposed enterprise has been planned on a sound financial basis. This should include a business plan with financial projections.

### Relevant Policy and reason for document:

To allow consideration of proposals against Policies H4 – Dwellings for Persons Employed in Rural Business and Policy H5 – Occupancy Conditions on Rural Workers Dwellings of the Adopted East Devon Local Plan 2013-2031.

## **Structural Survey**

Required for the following types of application/development:

- Barn conversions;
- Significant demolition and/or re-building of listed buildings.

### Description

A detailed structural engineers report setting out the existing structural state of the building, full details of proposed remedial works and in the case of any re-building or re-roofing and elevation drawing of no less than 1:100 clearly indicating the extent of the rebuilding/re-roofing.

Relevant Policy and reason for document:

To allow consideration of proposals against Policy D1 - Design and Local Distinctiveness, and Policy D8 – Re-use of Rural Buildings Outside of Settlements of the Adopted East Devon Local Plan 2013-2031.

## **Site Waste Management Plan**

Required for the following types of application/development:

- All large scale major planning applications.

### Description

A report detailing how waste at the construction stage, and waste produced as a result of the proposal, will be dealt with.

### Relevant Policy and reason for document:

To allow consideration of proposals against Policy D1 - Design and Local Distinctiveness, and Policy EN14 – Control of Pollution of the Adopted East Devon Local Plan 2013-2031.

## **Statement of Community Involvement**

Required for the following types of application/development:

- All major planning applications.

### Description

A report detailing any pre-application public consultation carried out on the proposal including details of how the responses to the consultation have informed the proposal. If it has not been possible to amend the proposal as a result of all the consultation responses, the report should detail the reasons why it has not been possible.

Relevant Policy and reason for document:

To allow consideration of proposals against, and in accordance with, the East Devon District Council Statement of Community Involvement.

## **Sustainability Statement**

Required for the following types of application/development:

- All major applications.

### Description

A report detailing the sustainability credentials and environmental benefits and impacts from the proposal of the proposal including details of how the proposal and its design addresses the requirements of Strategy 38 – Sustainable Design and Construction and Strategy 40 – Decentralised Energy Networks of the Adopted East Devon Local Plan 2013-2031.

The report can alternatively form part of the Design and Access Statement.

### Relevant Policy and reason for document:

To allow consideration of proposals against, and in accordance with, Strategies 38 – Sustainable Design and Construction and Strategy 40 – Decentralised Energy Networks and Policy D1 – Design and Local Distinctiveness of the Adopted East Devon Local Plan 2013-2031.

## Sustainable Drainage Strategy (SuDS)

Required for the following types of development:

- Residential development of 10 or more units and other development of 1000sqm or more floorspace;
- Development within Critical Drainage Areas.

The sustainable drainage strategy should address the issue of surface water run-off onto and off the site. It can be combined with the FRA and it should form an intrinsic part of the Green Infrastructure Plan/Framework if one is required for the site.

Description

For Outline Planning Applications:

- Description of the **type of development**;
- **Location plan** at an appropriate scale with a grid reference, showing geographical features, street names, watercourses or other water bodies in the vicinity;
- **Site plan** showing the red line boundary and any land under the applicants' control;
- **Site survey** showing the existing topography;
- Assessment of **all existing flood risks** to the site, including from sewer networks, groundwater, overland surface water flows, reservoirs, ponds, canals, and other watercourses;
- **Non-technical summary** of the proposed surface water drainage management system;
- Calculations of the **current surface water runoff** from the site;
- Calculations of the **proposed surface water runoff** from the site;
- Calculations of the **surface water attenuation storage volume** required for the 1 in 100 (+40% allowance for climate change) year rainfall event;
- Evidence that the site has an **agreed point of discharge**;
- Evidence that the **drainage hierarchy** has been followed, providing robust explanations as to the viability or otherwise of draining surface water to:
  1. Infiltration or soakaway;
  2. A watercourse or highway ditch (with written permission);
  3. A surface water sewer or highway drain (with written permission);
  4. A combined sewer (with written permission).
- Explanations of **flood risk mitigation measures** for the entire site;

- Explanation of the **likely surface water drainage management system** for the site;
- Plans of the **proposed site layout**, demonstrating that the proposed surface water drainage management system is practical and sustainable;
- Plans showing viable **surface water attenuation storage locations** within the site;
- Detailed **operation and maintenance plan and timetable** for the proposed surface water drainage management system over the entire lifetime of the development;
- Details of the proposed **community signage and engagement activities** relevant to the proposed surface water drainage management system.

For Other Applications:

- Description of the **type of development**;
- **Location plan** at an appropriate scale with a grid reference, showing geographical features, street names, watercourses or other water bodies in the vicinity;
- **Site plan** showing the red line boundary and any land under the applicants' control;
- **Site survey** showing the existing topography;
- Assessment of **all existing flood risks** to the site, including from sewer networks, groundwater, overland surface water flows, reservoirs, ponds, canals, and other watercourses;
- **Non-technical summary** of the proposed surface water drainage management system;
- Calculations of the **current surface water runoff** from the site;
- Calculations of the **proposed surface water runoff** from the site;
- Calculations of the **surface water attenuation storage volume** required for the 1 in 100 (+40% allowance for climate change) year rainfall event;
- Evidence that the site has an **agreed point of discharge**;
- Evidence that the **drainage hierarchy** has been followed, providing robust explanations as to the viability or otherwise of draining surface water to:
  1. Infiltration or soakaway;
  2. A watercourse or highway ditch (with written permission);
  3. A surface water sewer or highway drain (with written permission);
  4. A combined sewer (with written permission).
- Explanations of **flood risk mitigation measures** for the entire site;

- Explanation of the **likely surface water drainage management system** for the site;
- Plans of the **proposed site layout**, demonstrating that the proposed surface water drainage management system is practical and sustainable;
- Plans showing viable **surface water attenuation storage locations** within the site;
- Detailed **operation and maintenance plan and timetable** for the proposed surface water drainage management system over the entire lifetime of the development;
- Details of the proposed **community signage and engagement activities** relevant to the proposed surface water drainage management system.

Relevant Policy and reason for document:

To allow consideration of proposals against Policy D1 - Design and Local Distinctiveness, and Policy EN22 – Surface Water Run-Off Implications of New Development of the Adopted East Devon Local Plan 2013-2031.



## **Retail Impact Assessment**

Required for the following types of application/development:

- Proposals for main town centre uses that are in excess of 500sqm and are not in an existing town centre area as defined by the Adopted Local Plan.

### Description

A report by a suitably qualified person providing an assessment of the impact of retail and other town centre development on matters including the vitality and viability of the town centre. The level and type of evidence and analysis required to address the key considerations should be proportionate to the scale and nature of the proposal.

The assessment should include the need for development, whether it is of an appropriate scale, that there are no sites close to a centre for the development, that there are no unacceptable impacts on existing centres and if locations are accessible.

Relevant Policy and reason for document:

To allow consideration of proposals against Policy E11 – Large Stores and Retail Related Uses in Area Centres of the Adopted East Devon Local Plan 2013-2031.

## **Transport Statement/Assessment**

Required for the following types of application/development:

- All major development where there are likely to be significant transport implications.

### Description

A report by a suitably qualified person detailing all existing and proposed commercial and residential vehicular and pedestrian movements to and from the site. Loading areas and arrangements for maneuvering, servicing and parking of vehicles should be clearly identified. It should describe and analyse existing transport conditions, how the development would affect those conditions and any measures proposed to overcome any problems.

For smaller schemes, a Transport Statement should outline the transport aspects of the application whilst for major proposals the TA should illustrate accessibility to the site by all modes of transport, and the likely modal split of journeys to and from the site.

The TA should also give details of proposed measures to improve access by public transport, walking and cycling, to reduce the need for parking associated with the proposal, and to mitigate transport impacts.

### Relevant Policy and reason for document:

To allow consideration of proposals against Policy TC2 – Accessibility of New Development, Policy TC4 – Footpaths, bridleways and Cycleways, Policy TC7 – Adequacy of Road Network and Site Access and Policy TC9 – Parking Provision in New Development of the Adopted East Devon Local Plan 2013-2031.

## **Travel Plan**

Required for the following types of application/development:

- All large scale major planning applications.

### Description

A draft travel plan should be prepared by a suitably qualified person outlining the way in which the transport implications of the new development will be managed in order to ensure the minimum environmental and social impact. The draft plan should state how new occupiers or customers/users of the development will use alternative means of travel which do not involve the private motor vehicle. The draft travel plan should include details of targets and arrangements for monitoring.

### Relevant Policy and reason for document:

To allow consideration of proposals against Strategy 5B – Sustainable Transport of the Adopted East Devon Local Plan 2013-2031.

## **Tree Survey/Arboricultural Impact Assessment & Method Statements**

Required for the following types of application/development:

- **Householder applications** - Where there are trees within falling distance of the proposed development and/or where trees or hedges will need to be removed or pruned in order to carry out the development, a Tree Survey and AIA information in accordance with BS 5837:2012 or any superseding standard will be required.  
Where appropriate the details can be annotated on existing and proposed site plans or take the form of a single A3 plan at an appropriate scale (no smaller than 1:200) with the finding of the survey included in the plan text.
- **Full, Outline or Reserve Matters Minor applications** - For development proposals on sites with trees and/or hedges, or where trees are in close proximity to the site boundary, a Tree Survey and AIA in accordance with BS 5837:2012 or any superseding standard will be required. Depending on the number of trees and scale of development details could be annotated on existing and proposed site plans, or take the form of a single plan at an appropriate scale (no smaller than 1:200) with the finding of the survey included. For more complex schemes or those with more trees a standalone Arboricultural report may be more appropriate.
- **Major Full, Outline or Reserve Matters applications** - For development proposals on sites with trees and/or hedges, or where trees are in close proximity to the site boundary, a Tree Survey and AIA in accordance with BS 5837:2012 or any superseding standard will be required. Depending on the number of trees and scale of development details could be annotated on existing and proposed site plans, or take the form of a single plan at an appropriate scale (no smaller than 1:200) with the finding of the survey included.

## **Tree Protection Plan (TPP) & Arboricultural Method Statement (AMS)**

- **Householder Applications** - Where trees or hedges will be retained and could be damaged by carrying out the proposed development, there will be a requirement to produce a TPP and AMS in accordance with BS 5837:2012 or any superseding standard. This may take the form of a single A3 plan at an appropriate scale (no smaller than 1:200) showing the location and specification of the tree protection measures. This plan may also contain the AMS details and site monitoring log.
- **Full, Outline or Reserve Matters Minor applications** - Where trees or hedges will be retained and could be damaged by carrying out the proposed development, a TPP and AMS will be required. The plan and

should be carried out in accordance with BS 5837:2012 or any superseding standard. This may take the form of a single plan at an appropriate scale (no smaller than 1:200) showing the location and specification of the tree protection measures. This plan may also contain the AMS details and site monitoring log.

- **Major Full, Outline or Reserve Matters applications** - Where trees or hedges will be retained and could be damaged by carrying out the proposed development, there will be a requirement to produce a TPP and AMS in accordance with BS 5837:2012 or any superseding standard. This is likely to take the form of a standalone document incorporating TPP, AMS and Site Monitoring Log.

#### Description

A report by a suitably qualified arboriculturist assessing the impact from the development upon the trees during construction and post-development including any mitigation proposals. The report should include identification of the species, spread, roots and position of the trees and be accompanied by an accurate scaled site plan showing the details.

The statement should use the most relevant British Standard on 'Trees in Relation to Design, Demolition and Construction – Recommendations'.

The report should be accompanied by a plan detailing any trees to be felled, details of new tree planting as well as details of how retained trees will be protected during construction. If works are proposed within the Root Protection Areas, an Arboricultural Method Statement should be submitted

#### Relevant Policy and reason for document:

To allow consideration of proposals against Policy D1 - Design and Local Distinctiveness, Policy D2 – Landscape Requirements and Policy D3 – Trees and Development Sites of the Adopted East Devon Local Plan 2013-2031.

## **Unilateral Undertaking**

Required for the following types of application/development:

- All new residential development (including conversions) that generate the need for financial contributions towards habitat mitigation, open space and/or affordable housing.

### Description

A completed, original and signed Unilateral Undertaking should be submitted along with the Legal Fee of £50 (made payable to East Devon District Council) to check the contents of the agreement. If there is a mortgage against the property, the mortgage company will also need to sign the agreement along with any owners of the property/land to which the application relates.

If you feel that the proposal would not be viable with the inclusion of the affordable housing contribution, please provide a Heads of Terms along with a viability appraisal demonstrating why the proposal would not be viable with an affordable housing contribution.

### Relevant Policy and reason for document:

To allow consideration of proposals against Strategy 43 – Open Space Standards, Strategy 47 – Nature Conservation and Geology, Strategy 50 – Infrastructure Delivery of the Adopted East Devon Local Plan 2013-2031 and to mitigate any impacts under the Habitats Directive.

## **Ventilation and Extraction Statement**

Required for the following types of application/development:

- All applications proposing a use within Classes A3 (restaurants and cafés), A4 (drinking establishments), A5 (hot food takeaways), any retail, business, industrial, leisure or other development which requires the provision of ventilation or extraction equipment, or any proposal which includes the installation of air conditioning units.

### Description

A report by a suitably qualified person detailing the position and design of any ventilation and extraction equipment, including odour abatement techniques and acoustic noise characteristics and mitigation.

### Relevant Policy and reason for document:

To allow consideration of proposals against Policy D1 - Design and Local Distinctiveness) and Policy EN14 – Control of Pollution of the Adopted East Devon Local Plan 2013-2031.

#### **4. Additional local validation guidance for Listed Buildings consents**

4.1 The further information detailed should be included with listed building applications that comprise the following works:

##### **Thatching**

- Justification for change of materials or ridge details
- Identification of roof slopes either by roof plan or photographs
- Photographs showing any particular defects/problems
- Details of thatcher
- Details/ method statement of thatching

##### **Re-roofing (slate/tiles)**

- Justification for the works
- Schedule of works including method of fixing, roof ventilation and insulation
- Identification of roof slopes either by roof plan or photographs
- Photographs showing any particular defects/problems

##### **Re-placement windows**

- Justification for the works to explain why the window(s) are beyond repair to include comparative quotes for repair and replacement
- Identification of the individual windows in elevation either by drawings or photographs
- Schedule of windows to specify repairs or replacement
- Photographs showing any particular defects/problems
- Details/Elevations and Sections through casements, frames and glazing bars at 1:2/1:5 scale for any replacement windows, including methods of opening and finishes

Please note that double glazed units are unlikely to be acceptable. In addition, that unless the installer is FENSA registered, this work will require a Building Regulations application, but the standards will be relaxed appropriately

##### **Render**

- Justification for the works
- Schedule of works including specification for the mix (proportions of lime/sand and additives), method of application and finishes
- Identification of areas/extent of render to be shown (elevations)
- Photographs showing any particular defects/problems



## **Shopfronts**

- Justification for the works to explain why the shopfront is beyond repair to include comparative quotes for its replacement
- Drawings or photographs in elevation to show the shopfront
- Schedule of works to specify areas of repair or replacement
- Photographs showing any particular defects/problems
- Details/ Sections through shopfront including display areas, doorway, frames, fascia and cornice, and glazing bars at 1:2/1:5 scale including any methods of opening and finishes
- Details of any new signage including materials, finishes and any form of illumination

## **Internal alterations**

- Justification for the works
- Plans showing existing layout (including location of room/s in relation to rest of property)
- Plans showing proposed layout (including location of room/s in relation to rest of property)
- Photographs showing any details/features to be removed, altered or investigated
- Cross Sections where appropriate
- Details of new joinery for example, doors, architraves, skirtings, picture rails, staircases, balustrades etc
- Schedule of repairs where appropriate for example plaster repairs, repairs to decorative features, flooring etc

## **New Flues/ Vents/ Mechanical Ventilation/Extractors/ Chimneys**

- Justification for the works to illustrate that all other options have been explored for the installation of new heating systems/ flues i.e. using existing chimneys. Equally details of all new vents and extractors or alterations to the existing chimney stack.
- Plans / elevations or photographs as existing
- Plans / elevations or photomontage as proposed to show exact location of flue/vents/extractors/chimneys
- Details of the new flue/vents/extractors/chimney including dimensions and drawings where appropriate

**Demolition of the whole or part of a listed building where demolition is sought for structural reasons**

- A Structural Survey by a suitable qualified person accurately detailing the physical condition of the building and extent of demolition, re-building and repair required as part of any works.
- Drawings including sections identifying the building fabric to be demolished, rebuilt or repaired.

## 5. **Presentation of plans and drawings**

5.1 The following is expected of all plans and drawings to enable an application to be considered valid:

- All plans and drawings must be accurate using a conventional metric scale such as 1:100 or 1:50. Scales such as 1:75 will not be accepted. If more than 1 scale is used on a page please clearly indicate the scale of each individual drawing.
- Every plan (including copies) based upon Ordnance Survey maps (please provide the License number on the plan) must have the appropriate Ordnance Survey copyright notice that is no more than a year old.
- All existing and proposed Layout plans must show the direction of North.
- All plans and drawings must include a scale bar(s) at the appropriate scale(s).
- Plans/drawings must not contain disclaimers such as “Do Not Scale” or “Not To Scale” (perspectives excluded).
- All annotations should be at a size that is clear and easy to read.
- Fully annotate existing and proposed boundary treatment.

5.2 The following is considered good practice although applications will not be assessed against them for validation purposes:

- Plans and drawings on A3 size paper should be used where ever possible as they are easier to handle and to view electronically.
- Include key measured dimensions.
- Group existing and proposed drawings side by side using the same scale for both.
- All plans and drawings should be identified on a plan schedule with the schedule updated if amended plans are submitted.
- The Site Location Plan should ideally be on a separate sheet to aid consultation.
- Each plan/drawing should have a title box stating the address of the proposal, title of the drawing, scale of the drawing(s) and drawing number with any revision.

- 'As Existing' and 'As Proposed' plans should be drawn at the same scale.
- Amended drawings should clearly indicate, either by highlighting or above the title box, the amendments and the date those amendments were made.
- Amended drawings should be drawn at the same scale (unless otherwise asked for) as the original drawings.