

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of a meeting of the Strategic Planning Committee held at Knowle, Sidmouth on 24 April 2018**

#### **Attendance list at end of document**

The meeting started at 2:00pm and ended at 4.37pm.

#### **\*37 Public speaking**

The Chairman welcomed everyone present to the meeting. There were no members of the public present who wished to address the Committee.

#### **\*38 Minutes**

The minutes of the Strategic Planning Committee meeting held on 20 March 2018 were confirmed and signed as a true record.

#### **\*39 Declarations of interest**

Councillor Geoff Pook – minute 40, 41 and 43 – personal interest – involved in the construction industry

#### **\*40 Consultation on Proposed Changes to the National Planning Policy Framework**

The report presented to the committee outlined a proposed response, by this Council, to the consultation document: National Planning Policy Framework: consultation proposals. A response has been drafted for each of the consultation questions, as set out in the on-line form. The consultation closes on Thursday 10 May 2018. There have been an array of changes proposed to the National planning Policy. Key points for the Council to consider were:

- Encouragement of partnerships in planning and the creation of joint strategic plans;
- A greater emphasis on viability testing of sites at allocation stage through plan making to minimise issues at application stage and the introduction of greater public transparency of viability assessments at the application stage;
- Determining housing needs through a standard methodology calculated by government with a requirement on Council's to set out the size, type and tenure of homes required to meet the identified need in the local plan, as well as designating levels of housing growth in neighbourhood plan areas;
- To set a minimum affordable housing requirement on any given major development site at a minimum of 10% of homes to be available for affordable home ownership, as well as a change in the definition of affordable housing including starter homes and rent to buy products;
- Bringing in Vacant Building Credit into formal policy. This will give it greater weight than at present, which subsequently requires local planning authorities to apply the Vacant Building Credit to all land where vacant buildings are being reused or redeveloped.
- Changes to the housing delivery test which sets out the proportion of housing the district need to provide under the national calculator; with at least 20% of these sites being designated as small sites to encourage smaller building companies;
- The relaxation of the term sustainable development in rural areas;
- The push for increasingly efficient use of land in town centres with the introduction of higher densities than in existing development.

Discussion covered:

- The welcomed change to statutory and non-statutory consultees; there is still a need to engage with the NHS and CCG in future planning;
- Issue of affordable housing and building balanced communities; 10% of affordable housing on any given development needs to be the minimum value; alterations to the definition of affordable housing with regard to their sale value compared to market value;
- Lack of supportive housing;
- Concerns around the increase in community density and high rise building; the need to be numerically specific regarding density per hectare; although some members raised the need for higher densities to support vibrant high streets and towns;
- Issues with housing delivery as it is beyond the control of the Council; developers need to be held accountable when they do not build schemes out;
- The welcomed relaxation to sustainable development in rural areas;
- The consideration of land value in the pre-application stage;
- Concerns over the joint assessment of housing needs between the four neighbouring districts; members highlighted the possible negative impact on this Council and the need for individual assessments;
- Concerns over the weighting of Neighbourhood Plans in planning decisions. In response, the committee were advised that Neighbourhood Plans do hold a material consideration;
- Issue of time taken for Parish and Town Councils to produce Neighbourhood Plans due to the lengthy process; to consider changing the revision date for Neighbourhood Plans from two years to five years with only amendments;
- Concerns of whether Areas of Outstanding Natural Beauty (AONB) will still be covered within the NPPF. In response, the committee were advised that AONB sites are still covered within the NPPF, as well as in the Local Plan;
- Concerns of whether the evidence for the Greater Exeter Strategic Plan (GESP) will be out of date before it is submitted. In response, the committee were advised that before the GESP is submitted the older evidence and reports will undergo a refresh where necessary. This is common practice;
- Members sought a clarification of the definition of a Major Development. In response, the committee were advised that Major Developments are those that had 10 dwellings or more, or covered 1000 square metres;
- Issue of sequential tests of Cranbrook Town Centre and the distance to larger retail parks on the outskirts of Exeter. In response, the committee were advised that the requirements in the NPPF for sequential and impact tests are not limited by administrative boundaries and so developers in Exeter must still consider sites in East Devon when undertaking their assessments ;

**RESOLVED: that the submission of the proposed response to the Government consultation on the National Planning Policy Framework: consultation proposals be endorsed.**

**\*41 Consultation on Proposed Government Reform to Developers Contributions**

The report outlined a proposed response, by this Council, to the consultation document: Supporting housing delivery through developer contributions – Reforming developer contributions to affordable housing and infrastructure. A response has been drafted for each of the consultation questions, as set out in the on-line form.

Key points were highlighted as:

- Simplifying the CIL contributions process by relaxing the evidence and engagement requirements;
- The removal of S106 pooling restrictions which will allow developers to deliver infrastructure tied to specific developments;
- Allowing CIL to be set based on the existing use of land which will allow the capture of value uplift from granted planning permission;
- Removes the requirement of the Regulation 123 list and makes it more about infrastructure funding statements which enables greater flexibility in how money is spent;
- Introduction of the Strategic Infrastructure Tariff which enables cross boundary CIL use. This could be utilised through the GESP and the delivery of infrastructure.

Discussion covered:

- Clarification on the changes in CIL to allow developments such as Cranbrook to come out of CIL and be dealt with under Section 106 agreements. In response, the committee were advised that the changes mean that rather than key infrastructure such as schools being delivered by this Council using CIL; the developer, at key trigger points, would deliver the school during the development. Delivering infrastructure this way is more cost effective, efficient and ensures developments are not stalled waiting for us to deliver infrastructure.;
- The provision of medical facilities should be within S106 agreements;
- Clarification on where capital can be spent depending on whether it comes from CIL or S106 agreements. In response, the committee were advised that capital from CIL can be spent on infrastructure anywhere in the district whereas capital from S106 agreements can only be spent on infrastructure for that specific development;

**RESOLVED: that the submission of the proposed response to the Government consultation on 'reform to developer's contribution' as set out in this report be endorsed.**

#### **\*42 Update on Timetable to Produce the Greater Exeter Strategic Plan**

The report provided the committee with an update on the timetable for production of the Greater Exeter Strategic Plan. The consultation on the draft plan is now scheduled for June 2019, with the adoption of the plan to be expected in December 2021.

In discussion, debate included:

- Concern that the advisory reference forum has not met for nearly a year with very little information since. In response, the committee were advised that the GESP is still in its infancy and there is a need to first understand the capacities of the four local authorities involved with regards to housing, transport, employment, health and other infrastructures.
- Issue of waiting for the revision of this Council's Local Plan to incorporate the GESP. In response, the committee were advised that the Local Plan had not been adopted until 2016 which gives a revision date of 2021. This is in keeping with the adoption of the GESP. The Planning Teams have anticipated this and

are currently working on evidence gathering and tracking issues with the current Local Plan. Before the Local Plan is updated, the Council needs clarity of the GESP.

- Concern over member involvement in the GESP. In response, the committee were advised that the Chief Executive has been pushing for member involvement in robust debate at the Principal Officers Group; with the outcome of consideration being given to engaging with members and communities of all four local authorities as part of production of the project plan.
- This Council agreed to staff the GESP and with the delay comes the need for their contractual extension.

**RESOLVED: that the revised timetable for production of the Greater Exeter Strategic Plan be noted.**

**\*43 Housing Optional Technical Standards**

The report presented to the committee outlined the national system of optional technical housing standards introduced by the Government relating to accessibility and adaptability, water use and internal space. The accompanying briefing paper contextualised and identified issues in East Devon relating to these standards, and options for addressing them.

It was highlighted that following concerns from Councillors and a recommendation from Cabinet, the costing and timing of introducing internal space standards has been assessed. An analysis of the size of new homes (based on total floor area only) in 12 developments permitted over the last few years has been undertaken within Cranbrook and the wider district. Of the dwellings assessed at Cranbrook, 26% were of a size that met the nationally described standards. Elsewhere in East Devon, 35% of new dwellings met the national standards. Furthermore, of those houses that have been built, a proportion are of a size that is significantly above the national standard however, there is a proportion that are below the national standard by up to 25%.

Discussion covered:

- Issue over the lack of concern for water efficiency standards by this Council and other relevant organisations; with the changing climate comes hotter summers and water shortages. Members highlighted that East Devon has a 'moderate' stress on water supply. However, grey water reuse can be implemented in houses but it comes down to occupier behaviour which is not something planning policy can cover;
- Issue with the current lack of garden space in newer developments;
- There is a fine balance between housing needs and housing numbers;
- The need to have high design standards of houses;
- The need for accessible and adaptable homes for an ageing population in East Devon; Strategy 36 in the Local Plan needs to be examined with regards to its wording to make it more robust. In response, the committee were advised that the inspector changed the wording of Strategy 36 from 'must' to 'should' to show how the strategy is intended to be applied, which is a more discretionary.
- The inspection of housing quality and the need for an independent inspectorate.

**RESOLVED:**

- 1. that the accompanying briefing paper relating to Housing: Optional Technical Standards be considered;**

2. that further work is undertaken to consider including the nationally described space standard in the Cranbrook Plan Development Plan Document, including collecting further evidence on need and viability be agreed;
3. that the nationally described space standard can only be applied in the rest of East Devon (outside Cranbrook) through a revision of the Local Plan or through the Greater Exeter Strategic plan be noted.
4. that officers are encouraged to pay special regard to Strategy 36 and to seek to ensure its application wherever possible.

**Attendance list**

**Committee Members:**

Councillors:

Phil Twiss - Chairman

Graham Godbeer – Vice Chairman

Mike Allen

Colin Brown

Mike Howe

Philip Skinner

Mark Williamson

Jill Elson

Rob Longhurst

Geoff Jung

Geoff Pook

Brenda Taylor

Ian Hall

Susie Bond

**Also present (present for all or part of the meeting):**

Councillors:

David Barratt

Paul Diviani

Ian Thomas

Peter Faithfull

Alan Dent

Roger Giles

Brian Bailey

**Officers present (present for all or part of the meeting):**

Mark Williams, Chief Executive

Henry Gordon Lennox, Strategic Lead – Legal, Licensing and Democratic Services

Ed Freeman, Service Lead – Planning Strategy and Development Management

Chris Rose, Development Manager

Tabitha Whitcombe, Democratic Services Officer

**Apologies:**

Councillors

Andrew Moulding

John Dyson

Chairman .....

Date.....