

**Agenda for Strategic Planning Committee
Tuesday, 20th October, 2020, 2.00 pm**



Members of Strategic Planning Committee

Councillors P Arnott, M Allen, K Blakey, S Chamberlain, O Davey (Vice-Chairman), P Hayward, N Hookway, M Howe, B Ingham, D Ledger (Chairman), K McLauchlan, A Moulding, E Rylance, P Skinner and I Thomas

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Venue: Online via the zoom app. All councillors and registered speakers will have been sent an appointment with the meeting link

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Monday 12 October 2020; re-issued Thursday 15 October 2020

Important - this meeting will be conducted online and recorded by Zoom only.

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1 Public speaking

Information on [public speaking](#) is available online

2 Minutes of the previous meeting (Pages 3 - 12)

3 Apologies

4 Declarations of interest

Guidance is available online to Councillors and co-opted members on making [declarations of interest](#)

5 Matters of urgency

Information on [matters of urgency](#) is available online

6 Confidential/exempt item(s)

To agree any items to be dealt with after the public (including the Press) have been excluded. There are no items which officers recommend should be dealt with in this way.

- 7 Review of the East Devon Local Plan 2013 - 2031 (Pages 13 - 16)
- 8 Proposed approach to planning the production of a new Local Plan (Pages 17 - 33)
- 9 Future housing needs in East Devon (Pages 34 - 36)
- 10 Housing Monitoring Update to year ending 31 March 2020 (Pages 37 - 42)
- 11 Employment Land Review to year ending 31 March 2020 (Pages 43 - 46)
- 12 Coastal Change Management Areas (Pages 47 - 95)
- 13 Section 106/Community Infrastructure Levy Developer Contributions (Pages 96 - 114)
- 14 Affordable Housing Supplementary Planning Document and Mortgagee Exemption Clauses (Pages 115 - 120)
- 15 Heritage Strategy Monitoring Report and East Budleigh Conservation Area Review (Pages 121 - 191)
- 16 Clyst Valley Regional Park Masterplan (Pages 192 - 195)

[Decision making and equalities](#)

For a copy of this agenda in large print, please contact the Democratic Services Team on 01395 517546

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Strategic Planning Committee held at Online via the zoom app on 16 September 2020****Attendance list at end of document**

The meeting started at 2.00 pm and ended at 4.05 pm

54 Public speaking

A Democratic Services Officer read out a brief statement from Councillor Copus, Chairman of the Planning Committee of Ottery St Mary Town Council which read as follows:

As Chairman of the Planning Committee of Ottery St Mary Town Council the Council's views on the Planning White Paper were made clear in the minutes of the last Planning Committee and the local press. Our council's chief concern is the lack of democratic accountability that the White Paper proposes. I would strongly ask the District Council to write to our MP asking him to fully address this matter.

55 Minutes of the previous meeting

The minutes of the Strategic Planning Committee held on 23 July 2020 were confirmed as a true record.

Councillor Howe offered his heartfelt apologies to the Service Lead – Planning Strategy and Development Management and committee members for his comments made at the last meeting advising his behaviour was an effect of low blood sugar from diabetes.

56 Declarations of interest

Item 59. Changes to current planning system August 2020 consultation.
Councillor Paul Hayward, Personal, Clerk to All Saints, Chardstock and Newton Popleford and Harpford Parish Councils.

Item 60. Planning White Paper - implications and proposed response.
Councillor Paul Hayward, Personal, Clerk to All Saints, Chardstock and Newton Popleford and Harpford Parish Councils.

Item 61. Adoption and implementation of the revised Community Infrastructure Levy Charging Schedule.
Councillor Dan Ledger, Personal, Seaton Town Councillor.

Item 61. Adoption and implementation of the revised Community Infrastructure Levy Charging Schedule.
Councillor Eleanor Rylance, Personal, Broadclyst Parish Councillor.

Item 61. Adoption and implementation of the revised Community Infrastructure Levy Charging Schedule.
Councillor Kevin Blakey, Personal, Cranbrook Town Councillor.

Item 61. Adoption and implementation of the revised Community Infrastructure Levy Charging Schedule.

Councillor Mike Howe, Personal, Bishops Clyst Parish Councillor.

Item 61. Adoption and implementation of the revised Community Infrastructure Levy Charging Schedule.

Councillor Olly Davey, Personal, Exmouth Town Councillor.

Item 61. Adoption and implementation of the revised Community Infrastructure Levy Charging Schedule.

Councillor Paul Hayward, Personal, Clerk to All Saints, Chardstock and Newton Popleford and Harpford Parish Councils.

Item 61. Adoption and implementation of the revised Community Infrastructure Levy Charging Schedule.

Councillor Sarah Chamberlain, Personal, Broadclyst Parish Councillor.

57 **Matters of urgency**

There were no matters of urgency discussed.

58 **Confidential/exempt item(s)**

There were no items that officers recommended should be dealt with requiring exclusion of the public or press.

59 **Changes to current planning system August 2020 consultation**

The Service Lead – Planning Strategy and Development Management referred to an 8 weeks consultation document issued by Government on 6 August 2020 on the proposed changes to the current planning system and outlined to Members the proposed responses to the consultation.

Members noted some of the potential implications from the proposed changes:

- New methodology for the standard method for assessing housing need with a greater emphasis on affordability which drives up the housing need in East Devon to potentially 1614 homes per year;
- 25% of all affordable homes should be first homes. The Service Lead – Planning Strategy and Development Management referred to 2 options for the remainder of the affordable housing requirement. Option 1, to distribute the remaining affordable housing provision in accordance with local authority policy, which in East Devon's case would be a 70% - 30% split or option 2 to negotiate the tenure mix separately;
- First homes would not be required on sites for build for rent homes, specialist accommodation, sell for custom build or exclusively affordable housing.
- Local Plans and Neighbourhood Plans that have been submitted for examination within 6 months would be exempt from including First Homes requirements;
- Pre applications currently going through the development management process would also be exempt;
- To include local level varied discounts - The Service Lead – Planning Strategy and Development Management emphasised the importance as the standard 30% discount was unlikely to make homes affordable to many people but highlighted a potential opportunity to increase the discount up to 50% which could have a significant impact on delivering affordable homes in East Devon.

- To raise the threshold for affordable housing from 10 or more unit sites to up to 50 unit sites in urban areas. In East Devon these sites would include Exmouth, Honiton, Seaton and Sidmouth. – Members noted the number of affected sites was likely to be small therefore the loss of affordable housing would not be significant. Members also noted a wider implication about whether this would generally help the smaller or medium sized developers;
- Permission in principle was proposed to extend to sites to over 10 dwellings in size and to introduce a new fee structure and publicity arrangements. Members noted that East Devon had not received a single application for permission in principle and that customers favoured the outline planning permission route.

The Chairman thanked the Service Lead – Planning Strategy Development Management and welcomed non-committee members to speak.

The Portfolio Holder Sustainable Homes and Communities raised the followings points:

- Clarification was sought on first homes in East Devon and the 30% discount of market value. Concerns were raised that there was a great need for social housing and affordable to rent housing which would reduce the number of affordable housing we have available to rent. In response the Service Lead – Planning Strategy Development Management reassured members that the proposed response was answered in consultation with the Housing Service who had raised some concerns about how this would impact on housing providers which had been addressed in the response to question 8.
- Comments were made about whether it would be appropriate to not agree with either options to question 8. It was advised it was for members to decide but officer's preference was to secure the same mix of affordable housing from the remainder of the affordable housing based on our existing policy.

The Chairman welcomed comments from committee members.

Committee Members discussions covered:

- Concerns were raised about the algorithm used to determine local housing need;
- A Suggestion was made to request more specific and detailed information about the working of the algorithm;
- It was commented that although the central forecast may sound good in Parliament it does not show any relevance to local democracy and reality;
- Cross party agreement that central government had got it wrong;
- Concerns were raised that we were building houses we did not need and that we need to maximise social housing or affordable housing numbers. It was disappointing that national government had failed to embrace the need to build only the houses we need on the sites rather than making a profit;
- A comment was made about the table on page 18 - it was pertinent in terms of setting out the former GESP areas for local authorities and that projected housing requirements under the new algorithm and that if we were still working together with Exeter the overall percentage required would be lower. In response the Leader referred to a key comment made by the Prime Minister in a recent webinar he had attended and said if we had continued with GESP with those large scale allocations all over the GESP area those would probably be irreversible, and said a bullet had been dodged;
- A suggestion was made to strengthen the Service Lead – Planning Strategy and Development Management wording in his consultation response in relation to the overall numbers;
- Members concurred it was a comprehensive and excellent report;

- The Leader thanked the Chairman of the Strategic Planning Committee for his valued input throughout the preparation of the report and acknowledged the close working relationship with the Service Lead – Planning Strategy and Development Management;
- Clarification was sought on the evidence from the algorithm numbers and the uplift in the number of houses that were expected to be built. In response the Service Lead – Planning Strategy and Development Management advised it was to do with supply and demand and said logically if there was an oversupply of houses compared to demand house prices would come down. He also referred to other factors that would impact on the affordability gap including economic changes, increased lending to first time buyers and increased salaries;
- We need to change our focus and build houses for people to live in, not for profit. To use our Housing Forums and Panels to come up with ways of providing better housing for people;
- Clarification was sought on how the district council that has two thirds of AONB build in an AONB area that is protected. The ratio of affordability will be greater than the area we can build in. The Service Lead – Planning Strategy and Development Management agreed with the comments and said we are a heavily constrained district and referred to the White Paper referring to taking constraints into account and suggested some of the comments would be better made in response to the White Paper. He emphasised the need to fully understand how the government hoped to take account of these issues and how that would impact on the figures which had been addressed in the comments to the questions in the White Paper;
- Concerns were raised about the table on page 18 that the numbers did not add up and a suggestion was made to make sure the figures were correct before going out;
- A suggestion was made to amend the resolution to reflect discussions;
- Concerns were raised on the impact of Covid-19 on the entire economy;
- Concerns were raised that the report did not tackle climate change or address strategic transport infrastructure. As a country we are trying to meet a 2050 carbon neutral deadline. A suggestion was made to add something to the response about tackling transport issues. In response the Service Lead – Planning Strategy and Development Management advised he could add something into the consultation and also confirmed the issues raised had been addressed in the White Paper in question 8 about standard methods;
- Reference was made to the lack of evidence presented for question 8 and a suggestion was made to include the last housing needs review East Devon undertook through independent consultants.

The following amendment to the recommendation was proposed by Councillor Ian Thomas and seconded by Councillor Paul Arnott.

The committee to note the report and agree the proposed responses to the consultation and we publish our response to the consultation and in both the covering letter and publicity express our profound concerns to the algorithm used.

The Planning Barrister sought clarification whether a response to one of the specific questions would be better amended to reflect the algorithm that is being used. In response Cllr Thomas advised it would not and said he was not comfortable with the scale changing in numbers based on the information received and would like to see and understand the detail of the algorithm.

The Chairman requested that a vote take place on the motion. The motion was put to committee and with an overall majority the motion was carried with no abstentions.

RESOLVED:

That the proposed responses to the consultation be noted and agreed and to publish our responses to the consultation and in both the covering letter and publicity express our profound concerns to the algorithm used be agreed

60 **Planning White Paper - implications and proposed response**

The Service Lead – Strategic Planning and Development Management gave a brief overview of the problems with the current planning system and the government’s vision for the system as detailed in the White Paper.

Members noted the consultation seeks to focus on net gain rather than harm, to move democracy forward in the planning process to give neighbourhoods and communities a more meaningful voice, help businesses to expand, support developers and promote improvements to the countryside and prosperity in our villages, towns and cities.

The Service Lead – Strategic Planning and Development Management referred Members to the three main pillars detailed in the consultation.

Pillar One - Planning for Development which sets out the key proposals relevant to land use plan making, including setting out a national set target of 300,000 homes per annum, removing the 5 year land supply and duty to co-operate, identifying growth renewal and protected land areas and updating the NPPF so that it becomes the primary source of development control guidance.

The Service Lead Strategic Planning and Development Management addressed a number of key issues which included:

- It was unclear how local constraints were to be taken into account and by whom;
- A lack of strategy for where growth is accommodated across England;
- The calculator only focused on growth where it previously occurred and where the affordability gap is at its greatest without consideration as to whether or not that is the appropriate response or a clear methodology for doing so.

Members noted that although simplified local plans were to be welcomed it was unclear exactly how the 13 months process could be achieved and it appeared to show less engagement with our communities on planning issues and also the welcome of the single sustainability test but lacked detail about how this would operate and how it would differ from the current system.

Pillar two – Planning for beautiful and sustainable places sets out to improve the quality of new development coming forward and proposes a national model design code and a revised manual for streets to complement the existing national design guide and for each authority to have a chief officer for design and place making

Two key issues had been raised:

- Although a greater emphasis on design was clearly welcomed the upfront design coding appeared to be in conflict with a 30 months’ timescale for local plan preparation. Members noted for local plans design coding was time consuming and to try and complete this within a 30 months’ timescale was problematic;
- A significant lack of resource issues.

Pillar Three – Planning for infrastructure and connected places. Sets out to improve the way in which contributions towards infrastructure associated with new development is made, to improve certainty and transparency by introducing a new fixed rate infrastructure level which would replace the S106 legal agreements and community infrastructure levy.

The key issues raised included:

- The lack of detail in terms of the new infrastructure levy and how that would work and whether it would achieve the benefits that the consultation had suggested;
- It had the potential to be as complicated as the Community Infrastructure Levy;
- It was unclear what the consequences might be in delivering affordable housing.

Members welcomed the increased flexibility on spend but noted it did raise the question about whether or not it would use substantially more funding for infrastructure especially as there was a massive shortfall in funding for infrastructure.

The Service Lead – Strategic Planning and Development Management referred to the final section of the consultation about how these changes would be delivered and addresses some key elements:

- Planning fees to continue to be set on a national basis;
- A review to identify and eliminate outdated regulations;
- A new performance framework is to be established.

The Chairman thanked the Service Lead – Planning Strategy Development Management for his report and welcomed comments from non-committee members.

Points raised by non-committee members included:

- The forensic, astute and well written draft response was welcomed;
- Clarification was sought on the local plan and timings and a suggestion was raised to be a bit more detailed in that response emphasising that 30 months is too much of a stretch; In response the Chairman advised it would depend on how much consultation the government have set for us to undertake within our local plan which will dictate how long it will take for a local plan to come through;
- It was an absolute disgrace that there was no mention of social housing. A suggestion was made to include an objection to the fact that there was no provision for social housing;
- A suggestion was made for members to support the improvement of digital planning as it is clear the public want access to documents.

The Chairman welcomed comments from committee members.

- Clarification was sought on page 64 para. 4.60. It mentions that energy efficiency standards potentially will be taken away from local authority areas and handed over to a national planning framework. In response the Service Lead – Planning Strategy and Development Management advised building control would have greater powers with less control through the planning process. This approach was detailed in the Future Homes consultation from earlier in the year to which a government response is awaited;
- Concerns were raised on overturns and reference was made to question 7b on page 42;
- Concerns were raised on the abolition of the current need for sustainability assessment and addressed the point of developing sustainable communities, not

just houses but other services too, educational services, employment services, economical services and leisure services. This seems to have been abolished in the new proposal;

- Concerns were raised about the removal of the duty to co-operate;
- It was pointed out the fundamental point of the paper was that it was a massive centralisation;
- Concerns were raised to the answer to question 9a on page 49 and suggested the answer should be 'no' because it is undemocratic and lacks scrutiny. The Service Lead – Planning Strategy and Development Management advised that he did not have these concerns as the process would ensure there would be appropriate scrutiny and engagement through the local plan preparation process but was happy to revise the text if Members were concerned;
- It was commented that it was important to answer yes to question 9a because the work for the local plan would either prove or disprove these allegations instead of going through it at a later date with an unfeasible application.

Councillor Ian Thomas proposed the following amendment to the motion which was seconded by Councillor Paul Arnott.

The Committee note the report and agree the proposed responses to the consultation and we express our concern of the proposed over centralisation of the planning process.

The seconder of the motion, Councillor Paul Arnott proposed the following amendment to the motion.

The Committee note the report and agree the proposed responses to the consultation and we express our concerns over the lack of consideration for social housing and the lack of scrutiny resulting from the proposed centralization of planning powers.

The proposer of the motion, Councillor Ian Thomas confirmed he was in agreement and said it was a balance between not moving away from making this salient fundamental point.

Councillor Nick Hookway emphasised the importance of raising our serious concerns about the lack of scrutiny. Councillor Mike Allen supported Councillor Hookway's concerns as a proposal.

The proposer, Councillor Thomas advised he was not prepared to accept the amendment to the motion, not because he did not agree with it but because he did not know the views of the other Members.

The Chairman requested Members to vote on a straw poll to show their support for Councillor Hookway's proposed amendment to question 9a in relation to the answer should be no as the results would be undemocratic and lack scrutiny. The straw poll was put to committee with a clear majority of yes and 1 abstention.

The proposer, Councillor Thomas and the seconder, Councillor Arnott acknowledged the support from Members.

The Chairman requested that a vote take place on the following amended motion.

Members to note the report and agree the proposed responses to the consultation with the response to question 9a to be No as undemocratic and due to lack of scrutiny and we

express our concern of the proposed over centralisation of the planning process and the committee also notes the lack of consideration for social housing and lack of scrutiny.

The amended motion was put to committee and was carried with a clear majority and 1 abstention.

RESOLVED:

The proposed responses to the consultation with the response to question 9a to be No as undemocratic and due to lack of scrutiny and we express our concern of the proposed over centralisation of the planning process and the committee also notes the lack of consideration for social housing and lack of scrutiny be noted and agreed.

61 **Adoption and implementation of the revised Community Infrastructure Levy Charging Schedule**

Members considered the Service Lead – Planning Strategy and Development Management’s report summarising the outcome of the examination into the revised Community Infrastructure Levy (CIL) Draft Charging Schedule. The report also detailed the final version of the Charging Schedule for approval setting out the process for bringing the revised Charging Schedule into effect.

Members noted the revised Charging Schedule had zero rated Cranbrook resulting in infrastructure being delivered through S106 agreements to ensure greater onsite delivery by developers to ensure more timely delivery of infrastructure.

Points raised during discussion included:

- Clarification on the motivation for encouraging out of town centre retail. In response the Service Lead – Strategy and Development Management advised that the charging schedule did not seek to encourage out of town retail but that the charges were to be levied based on their viability to ensure that developments were paying the appropriate rates towards delivering infrastructure;
- Concerns raised that Sidmouth and Budleigh Salterton will have no affordable housing;
- Clarification on why there is a flat rate of higher CIL being applied to Sidmouth and Budleigh Salterton. In response the Service Lead – Planning Strategy and Development Management advised the evidence taken from the viability assessment work showed that those areas can afford to pay a higher rate of CIL and still achieve policy compliant levels of affordable housing;
- Clarification sought on the shortfall of infrastructure funding referred to in paragraph 1.6. It was advised CIL was never designed to be funding for all the infrastructure requirements, we would need to look at other funding sources from central government, Homes England etc.;
- Concerns raised on the impact of Covid-19 and government expenditure;
- Clarification sought on the figures in figure 1 on page 76. It was advised retail within town centres have never been charged to encourage retail units to be built within the town centres where we want them to be built;
- People actually want affordable homes instead of care homes so surprised to read care homes will have zero CIL contributions considering we all know they make a good profit. The Service Lead – Planning Strategy and Development Management advised that the viability of all types of care homes meant that they could not afford to pay CIL.

The Chairman, Councillor Dan Ledger proposed the motion and was seconded by the Vice Chairman, Councillor Olly Davey.

The motion was put to the committee and carried with no abstentions.

RESOLVED:

- 1. That the outcome of the Examination into the Community Infrastructure Levy Draft Charging Schedule be noted.**
- 2. Recommend to Full Council that the revised Community Infrastructure Levy Charging Schedule attached to Appendix A be approved with effect from 1 February 2021.**

The Chairman closed the meeting.

Attendance List

Councillors present:

P Arnott
M Allen
K Blakey
S Chamberlain
O Davey (Vice-Chairman)
P Hayward
N Hookway
M Howe
B Ingham
D Ledger (Chairman)
A Moulding
E Rylance
P Skinner
I Thomas

Councillors also present (for some or all the meeting)

M Armstrong
D Bickley
S Bond
B De Saram
P Faithfull
S Jackson
V Johns
G Jung
P Millar
J Rowland
E Wragg

Officers in attendance:

Wendy Harris, Democratic Services Officer
Debbie Meakin, Democratic Services Officer
Ed Freeman, Service Lead Strategic Planning and Development Management
Henry Gordon Lennox, Strategic Lead Governance and Licensing
Shirley Shaw, Planning Barrister

Mark Williams, Chief Executive

Councillor apologies:

K McLauchlan

Chairman

Date:

Report to: Strategic Planning Committee

Date of Meeting Tuesday 20 October 2020

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



Review of the East Devon Local Plan 2013 to 2031

Report summary:

Local plans must be reviewed at least once every five years, to assess whether they need to be updated. The review of the East Devon Local Plan 2013 to 2031 (adopted January 2016) must therefore be completed by January 2021. The Planning Advisory Service has produced guidance and a 'toolkit' to assist the review and update of local plan policies, and this toolkit has been completed to assess the Local Plan against a series of key criteria. The findings of the review show that there are several matters which mean that an update to the Local Plan is required, through preparation of a revised Local Plan.

Recommendation:

Members are asked:

1. To consider and agree the findings of the Toolkit Part 1 – East Devon Local Plan 2013 to 2031 review assessment, which concludes that a full policies update to the Local Plan is required.
2. To agree that Officers will discuss the findings of the Local Plan review assessment with the prescribed duty to co-operate bodies, and then make any consequential amendments before finalising the review (any significant comments that could potentially change the conclusion of the review will be brought back to Strategic Planning Committee).
3. To note the next steps detailed in the report and the consequences of the Local Plan turning 5 years old.

Reason for recommendation:

To ensure that the council meets its legal obligation to review the East Devon Local Plan 2013 to 2031 no later than five years after it was adopted, and ensure Members are aware that an update to the Local Plan is required.

Officer: Ed Freeman, Service Lead, Planning Strategy and Development Management
efreeman@eastdevon.gov.uk 01395 517519

Portfolio(s) (check which apply):

- Climate Action
- Corporate Services and COVID-19 Response and Recovery
- Democracy and Transparency
- Economy and Assets

- Coast, Country and Environment
- Finance
- Strategic Planning
- Sustainable Homes and Communities

Financial implications:

There are no specific financial implications requiring additional comment.

Legal implications:

The five year local plan review is a legal requirement, it is also the first stage in consideration and appraising the East Devon Local Plan 2013 – 2031. The findings of the review will inform future Local Plan policy development ensuring the policies are as up to date as possible.

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk; the council is obliged to review the Local Plan and then conclude as to whether it should be updated, so there is a low risk arising from this report.

Links to background information [East Devon Local Plan 2013 to 2031](#); [Toolkit Part 1 – East Devon Local Plan 2013 to 2031 review assessment](#); [Toolkit Part 2 – East Devon Local Plan 2013 to 2031 form and content checklist](#); [National Planning Policy Framework](#); [Planning Practice Guidance on plan-making](#); [PAS Local Plan Route Mapper & Toolkit](#)

Link to [Council Plan](#):

Priorities (check which apply)

- Outstanding Place and Environment
- Outstanding Homes and Communities
- Outstanding Economic Growth, Productivity, and Prosperity
- Outstanding Council and Council Services

Report in full

Introduction

1. Local plans must be reviewed to assess whether they need updating at least once every five years¹. Once the review is complete, plans should then be updated as necessary. The East Devon Local Plan 2013 to 2031 was adopted on 28 January 2016, so the review must be completed by 28 January 2021.
2. The review process ensures that a plan and its policies remain relevant and effectively address the needs of the local community. National guidance recognises that policies age at different rates according to local circumstances and a plan does not automatically become out-of-date after five years.² Therefore, even if the review process finds that the Local Plan does need to be updated, planning applications must still be determined in accordance with the Local Plan (and the Villages Plan and any relevant 'made' neighbourhood plans) unless material considerations indicate otherwise.
3. The Planning Advisory Service (PAS) are a national, Government funded, organisation who support councils to help get local plans up-to-date and improve planning decision-making. PAS has produced a Local Plan Route Mapper & Toolkit to assist local planning authorities

¹ The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), Regulation 10A; NPPF paragraph 33.

² Planning practice guidance reference ID: 61-064-20190315,
page 14

in undertaking a review and update of local plan policies. This is intended to supplement the National Planning Policy Framework (NPPF) and associated planning practice guidance (PPG) on the review of policies within a local plan.

4. Officers have completed Part 1 of the Toolkit, which assesses the East Devon Local Plan 2013 to 2031 against a series of matters (including compliance with national policy, housing delivery, changes to economic conditions) and then concludes on whether or not to update plan policies. Part 2 of the Toolkit has also been completed, assessing the Local Plan against the requirements of the NPPF, and stating whether the Local Plan meets, partially meets, or does not meet each requirement.
5. It is important to note that the review of the Local Plan must comply with the 'duty to co-operate' with Devon County Council and other prescribed bodies on strategic matters that cross administrative boundaries. Therefore, following approval at this Committee, Officers will discuss the findings of the Local Plan review with the prescribed duty to co-operate bodies.

Review findings

6. The review of the East Devon Local Plan comprises the completed Parts 1 and 2 of the PAS Toolkit, available as "links to background information." Part 1 contains 14 "matters to consider" – for each one it is stated whether the Local Plan meets the requirement ("agree") or does not meet the requirement ("disagree"), with explanatory text to justify the answer. The Toolkit indicates that where "disagree" is stated for one or more of the matters, an update of local plan policies is required. As shown in the attached Part 1, there are seven matters where the outcome of the review is "disagree". In summary, these relate to:
 - Matter A1: the Local Plan does not fully reflect the requirements of the NPPF.
 - Matter A6: there have been significant changes to economic conditions that could challenge delivery of the Local Plan.
 - Matter A8: some key site allocations are not delivering or on course to deliver.
 - Matter A10: new sites have become available through evidence gathered on the Greater Exeter Strategic Plan.
 - Matter A11: key planned infrastructure projects critical to delivery of the Local Plan have stalled.
 - Matter A12: not all policies are achievable and effective for the purpose of decision-making.
 - Matter A14: there have been local political changes that would require a change to the approach set out in the current plan.
7. Part 2 of the Toolkit concludes that whilst much of the Local Plan meets NPPF requirements, there are many aspects which are not fully reflected. This is not surprising since the Local Plan was adopted three years prior the latest version of the NPPF. The findings indicate that the Local Plan meets 35 NPPF requirements, particularly in the sections relating to General requirements, Plan content, Healthy and safe communities, and Transport. The chapters where the Local Plan only partially meets NPPF requirements generally fall within Housing, Economy, Communications, Natural environment, Effective use of land, and Design. The Local Plan does not meet 15 requirements, mainly for the NPPF chapters on Town centres and Climate change. This conclusion informed the first matter in Part 1 on whether the plan policies still reflect current national planning policy requirements
8. As the Local Plan does not meet several of the matters (identified above), including in relation to consistency with national policy, an update of Local Plan policies is recommended. Given the range of issues identified, the scope and extent will be a full policies update to the Local Plan, rather than a partial update of selected policies.

9. Members are asked to consider the points set out in Parts 1 and 2, and are invited to identify aspects of the current Local Plan that they like or do not like for inclusion in Parts 1 and 2 as appropriate.

Next steps

10. As noted above, we must comply with the duty to co-operate when reviewing the Local Plan so, following approval at this Committee, Officers will discuss the findings with Devon County Council and other prescribed bodies. We will make any necessary amendments before finalising the review ahead of the five-year deadline (28 January 2021) – any significant comments that could potentially change the conclusion of the review will be brought back to Committee.
11. An outline of tasks and the timetable for preparing a revised Local Plan is being brought to this Committee in a separate report.
12. Finally, it is important to reiterate that, despite finding that a revision of the Local Plan is required, planning applications must still be determined in accordance with the Local Plan (and the Villages Plan and any relevant ‘made’ neighbourhood plans) unless material considerations indicate otherwise. Decision makers must however carefully consider the weight to be attributed to policies that are out of date.
13. The other consequence of the Local Plan turning 5 years old is in terms of housing monitoring as the 5 year housing land supply position must be assessed against the governments standard methodology for calculating housing need rather than the housing needs figure in the Local Plan. At present this means measuring against an annual figure of 918 homes per year as opposed to 950 homes per year. This would be the appropriate measure from January 2021 however clearly if the new standard method is adopted then this figure would potentially rise to 1,614 homes per year. The consequence of this would likely be the loss of a 5 year housing land supply position and the presumption in favour of sustainable development would apply.
14. In terms of the presumption in favour of sustainable development the NPPF is clear that in the case of decision taking this means:
 - “(c) approving development proposals that accord with an up-to-date development plan without delay; or
 - (d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date ⁷, granting permission unless:
 - (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed ⁶; or
 - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

This simply means that where policies are out of date permission should be granted unless either (i) or (ii) apply. Inappropriate development in protected areas such as AONB’s can still be resisted as can developments where the adverse impacts would significantly and demonstrably outweigh the benefits when assessed under the NPPF. This can however mean that proposals with significant benefits to housing land supply may be difficult to resist where they are not in a protected area and do not cause significant harm.

Report to: Strategic Planning Committee

Date of Meeting 20 October 2020

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



Proposed approach to planning for production of a new local plan

Report summary:

This report sets out a summary proposal for production of a new local plan for East Devon. The report sets out options in respect of possible timetables for producing a plan over the coming years with two timetable options presented. The report also highlights matters around evidence gathering, public and wider stakeholder engagement and consultation and member involvement depending on the preferred approach to plan making to be taken. The report notes that differing options for plan production could have differing staffing requirements and also highlights the fact that possible changes to the planning system may impact on the shape or form of any plan and also that Government expectations are for a huge increase in housing delivery in East Devon; any attempt to plan to meet potential new Government growth levels will create significant planning challenges.

The report also highlights options for addressing the duty to cooperate and partnership working with our neighbouring authorities in the Greater Exeter area and proposals to move this work forwards.

Recommendation:

1. That Members consider the two options for local plan production detailed in the report and their associated resource and other implications; identify their favoured approach and in the event that option 1 is favoured recommend to Cabinet that the staffing budget for the Planning Policy Team be increased to enable the recruitment of two additional Planning Officers.
2. Members endorse production of a local plan issues and options report to come back to committee in December 2020 with a view to consultation starting in January 2021.
3. Members recommend that Cabinet support in-principle the production of a joint non-statutory plan to include a joint strategy and infrastructure plan for the Greater Exeter area in partnership with Exeter, Mid-Devon, Teignbridge and Devon County Councils subject to agreement of details of the scope of the plan, a timetable for its production, the resources required, governance arrangements etc.

Reason for recommendation:

To ensure members can establish an agreed basis for preparation of a new local plan and joint working with partners within the Greater Exeter area.

Officer: Ed Freeman – Service Lead – Planning Strategy and Development Management

Portfolio(s) (check which apply):

- Climate Action
- Corporate Services and COVID-19 Response and Recovery
- Democracy and Transparency
- Economy and Assets
- Coast, Country and Environment
- Finance
- Strategic Planning
- Sustainable Homes and Communities

Financial implications:

The planning policy team has a budget for total employment costs of circa £327k with the cost of the two additional staff members mentioned in the proposals below bringing this to £420k annually. Any additional costs, for example within supplies and services, of the new approach to plan production are likely to be immaterial in comparison.

Legal implications:

Following adoption of these recommendations there will need to be consequential changes to the Local Development Scheme and Statement of Community Involvement to reflect changes in the local plan production as well as a review of the Statement of Community Involvement to reflect the local plan production changes and COVID-19 impacts on public engagement in local plan-making. There are no other legal implications other than as set out within the report.

Equalities impact Low Impact

Climate change High Impact

Risk: Low Risk

Links to background information

Link to [Council Plan](#):

Priorities (check which apply)

- Outstanding Place and Environment
- Outstanding Homes and Communities
- Outstanding Economic Growth, Productivity, and Prosperity
- Outstanding Council and Council Services

1 Status of the current local plan and work to date

- 1.1 The existing East Devon local plan, covering the 18 year period from 2013 to 2031, was adopted in January 2016. Government policy advises of the need for review of plans within five years of adoption to establish if they are up to date and if they are in need of partial or full review. A separate report to Strategic Planning Committee undertakes such a review noting that across a range of matters the existing local plan is becoming dated. Bearing the current age of the existing local plan, and the fact that many things have changed, it is appropriate for a new East Devon local plan to be produced.

- 1.2 This early consideration to the proposed approach to local plan production is particularly important given the fact that in August 2020 the Council formally withdrew from the partnership of authorities producing the Greater Exeter Strategic Plan (GESP). This withdrawal will leave the Council in something of a policy void that now needs to be filled. It is highlighted that it is important to ensure that committee endorse an agreed approach to producing a new local plan and in so doing provide confidence and clarity to officers and the wider East Devon community of the work ahead.
- 1.3 The work undertaken on GESP production has generated a large body of technical expertise and evidence that can be readily used and applied in forming a new local plan for East Devon. There will, however, need to be additional technical evidence and further supporting work, specifically including on potential development site assessment, that will be needed to support a new local plan.

2 Proposed changes to the plan making system and nationally 'imposed' housing numbers

- 2.1 On the 16 September 2020 members received and debated two reports that could result in fundamental changes to the local plan making system, as well as to planning more generally and to the levels of housing development the Government may ultimately say should be built in East Devon. There can always be uncertainties that arise when changes are proposed to any system and indeed if future legislation moves at a rapid rate following consultation on the planning white paper it might be that events will supersede the suggested local plan work programme. Therefore as work progresses on a new local plan it will be appropriate to review and amend the plan to align, if or where possible, with new legislation or requirements, should they arise.
- 2.2 Despite future legislative unknowns it is proposed, however, that work on a new local plan is started in earnest under the current plan making regime. It may well take years, rather than months, for new plan making legislation and other changes to come into effect and we do not at this stage know for sure how significant or radical any changes may end up being or perhaps if they will be made at all.
- 2.3 The other fundamental challenge that is highlighted, that could have major local plan impacts, is the possible level of housing growth that a new plan may need to accommodate. Alongside the white paper the Government have also been consulting on more immediate changes to the planning system and of particular importance for a new local plan are proposed changes to how housing requirement numbers are calculated.
- 2.4 Following the abolition of the then emerging South West Regional Spatial Strategy, following the 2010 general election, and up until 2018, local planning authorities determined appropriate levels of housing growth for their areas themselves, albeit they did this under specific Government guidance. This approach was, however, swept aside in 2018 by local authority need figures that were established by central Government according to a standardised formula applied across the whole of England. The Planning Practice Guidance is clear that although the national standard method for calculating housing need is not mandatory there is an expectation that it will be used as a minimum housing need figure

other than in exceptional circumstances. Although some authorities have tried to promote plans that plan for a lower figure than the standard method prescribes in each case the plan has not been found sound leading to the loss of years of work.

- 2.5 Under the current national approach the expectation, from February 2020 onward, would be for East Devon to accommodate an average of 918 new homes a year. This figure is closely aligned with previous work the Council has done on needs in the area and so although the national standard methodology may be questionable in terms of the science behind it; it is considered unlikely that any alternative assessment would be likely to lead to a significantly different figure.
- 2.6 Under new proposals, however, the national formula for calculating housing numbers is amended and this increases the East Devon requirement up to an average of 1,614 homes per year. The report to Strategic Planning Committee on the 16 September 2020 highlighted fundamental challenges associated with seeking to plan for this scale of development. It should be noted that in the Government consultation documentation this number is proposed to be a binding requirement, rather than being advisory. Though seemingly in contradiction the white paper suggests that there may in the future be mechanisms put in place to reduce requirement levels dependent on capacity constraints in any planning authority area. If ultimately the need arises to produce a new local plan that plans for and specifically includes allocations of land to reach this level of development it could be expected to be challenging to find enough good or appropriate sites for development and some sites may prove to be very contentious.
- 2.7 If a figure of 1,614 new homes per year does become a requirement, perhaps starting from next year, then there will be a clear onus on finding a significant number of sites that could, theoretically at least, deliver the very high housing levels very quickly. Though whether the house building industry could or would want to deliver consistently at this rate is another matter. In early local plan production work, specifically in an issues and options report (see reference further in this report), it would be relevant to refer to both the 918 and the 1,614 figures, noting that at early stages of plan engagement work, so long as appropriately caveated, it does not commit the Council to any specific final figure or indeed course of action.

3 Producing a new local plan under current legislation and rules

- 3.1 Given the unknowns that could lie ahead, but the desire and need for a new local plan, it is seen as appropriate to plan ahead under the current (as applicable in 2020) system of plan making. The actual procedural stages in plan making that need to be undertaken to meet legislative requirements are actually quite limited and, in theory at least, a plan could be produced in a relatively short time period. However, the more a plan seeks to challenge Government guidance or the more detail it includes or the more time taken in public or stakeholder engagement the longer plan making will take. To produce a local plan in under three years, from the first consultation to adoption, is likely to be extremely challenging, nonetheless a timetable for doing so is included in this report. Extra staff resources in the planning policy team could move some aspects of plan making along quicker but there are fixed or semi-fixed aspects of work that invariably take time to complete and extra staff

resources simply will not circumvent – these include working to committee timetable cycles and time periods needed for consultation.

- 3.2 Local plan making regulations, see: <https://www.legislation.gov.uk/ukxi/2012/767/contents/made> set out that the first stage of engagement in plan making, Regulation 18, requires an authority to contact interested bodies and individuals seeking their views on what a plan ought to contain. Responses received need to be taken into account. The next formal legally defined stage of plan making is Regulation 19 where a plan, the plan the Council believes should be the final definitive plan, is published and comments are invited. This plan, comments received on it and supporting evidence is submitted to the Secretary of State, in practice sent to the Planning Inspectorate, for examination.
- 3.3 In reality the Regulation 18 stage of plan making is typically more than just a simple letter or email asking people what should go into a plan, it would usually be expected to be undertaken through issuing a consultation document. Then, between the Regulation 18 and 19 stages of plan making, a Planning Authority could typically be expected to undertake stages of public and wider stakeholder engagement and consultation. A critical point here is that the more consultation and engagement that is done the longer a plan will take to produce. It is not just the time taken on the consultation itself but also the preparation of the consultation materials and the time taken to understand and assess the comments received. Therefore each 6 week consultation can take several months if not a year's work.
- 3.4 After Regulation 19 the plan goes into Examination with this whole process, including an almost inevitability of modification to the plan by the Inspector and associated consultation, adding up to a year or more of plan making time. We could therefore expect to see a minimum of two years work to get to examination and up to or more than a year at examination.
- 3.5 There is no legal requirement to produce and consult on a draft plan but it is good practice and through feedback received matters of concern that are raised can be responded to before a final plan is produced. A draft plan and its consultation would fall between Regulation 18 and Regulation 19 stages (it would be the council choice to do this work). The 'final' plan, which is consulted on, meets the Regulation 19 stage of plan making. The word 'final' is used here in the context of it being the plan that the council is satisfied is final in their minds, in reality however, through examination further changes can be assumed to be made.
- 3.6 It should be noted that the above is a very much simplified overview of work that needs to be done, more is said below, but it gives an overview of some key steps required under legislation.

4 Proposed stages of work for a new East Devon Local Plan

- 4.1 There are a number of key technical stages of work that we are required to undertake in production of a local plan. The list below is not definitive but it gives an indication of some of the key tasks. It should be noted that many of the tasks can be lengthy jobs to complete

and that they need to be carried out in a logical sequence and so they could delay overall plan production. Key tasks identified, at this stage, include:

- a. **Housing and Employment Land Availability Assessment (HELAA)** – This is an exercise that allows any interested party to notify the Council of any site or land area that they consider could be suitable for development and that they would wish to promote for such use. The HELAA process is an important and necessary part of plan making that is required under government guidance. Amongst other outputs it provides a database of possible development site options that the Council can draw on when choosing which sites it wishes to allocate for development. Some parties have perceived this process as a “developer’s charter”, however it is vital if we are to consider all options and understand where there is a willing landowner/developer to understand how deliverable sites are. It does not however preclude the consideration of sites that have not been put forward by landowners and developers.

It is proposed that at the issues and options stage of plan making a call for sites under the HELAA is also made. It is stressed that processing site submissions will be a lengthy exercise and there is an established panel of experts that will need to receive details of sites and review the technical suitability of them for development. However, a lot of site assessment work has already been undertaken through GESP work and the intent would be to build on this past evaluation. It is stressed that the role of the HELAA panel is not to determine if a site should be developed or allocated for development that is the task of the council through local plan making. Rather the job of the panel is to look at technical matters that should inform such choices, for example is a site in a location where a suitable highway access could reasonably be achieved.

- b. **Sustainability appraisal** – there is a legal requirement for this appraisal process which runs alongside plan making and seeks to evaluate emerging strategic approaches and then more detailed policy matters in the context of the potential social, environmental and economic impacts they may generate. Good practice points to producing sustainability appraisal reports alongside each draft of the plan made, specifically this would include against a draft plan and a publication plan and thereafter any modifications at Examination. In the context of the proposed approach to producing a new East Devon local plan the sustainability appraisal stage of work would start with a scoping report, to be made available for public consultation, alongside consultation on an issues and options report. A scoping report sets out a picture of key matters that exist now and the intent is that through plan appraisal, as plan production proceeds, it provides a benchmark against which alternative options and approaches can be evaluated or considered. The expectation is that sustainability appraisal work will be undertaken by officers of the Council, though there may be a need to ‘buy-in’ some specialist help from consultants to work on this task.
- c. **Assessment under the Habitat Regulations** – these regulations apply to the highest tier of designated wildlife sites, specifically Special Areas of Conservation and Special Protection Area (and also Ramsar sites – though often designation boundaries coincide with one-another). These sites are sometime referred to as

'European sites' on account of an across European Union coverage. Assessment under the Habitat Regulations requires the council, as planning authority, to consider the potential impacts that development under plan policy may generate on such sites and to set out mitigation where unacceptable adverse impacts would otherwise occur from development (or indeed from any other council plan, policy or programme). There are seven designated European sites in East Devon, though we also need to take into account the impacts that development in our District could have on sites beyond the district boundary. Over recent years a close partnership has developed between this Council, Exeter City Council and Teignbridge District Council in respect of securing mitigation (specifically monies from development) where new development, specifically housing, would in a non-mitigated world lead to adverse impacts on the designated sites of the East Devon Pebblebed Heaths, the Exe Estuary and Dawlish Warren. The expectation is that this partnership will run for the long term and future policy making will need to take into account how we jointly and collectively ensure adverse impacts do not arise and appropriate mitigation is delivered. Habitat Regulation assessment work is technically complex and the expectation is that specialist consultancy advice will need to be bought in to assist. However, through GESP work, with consultants in place, there has already been preliminary work undertaken that can be drawn on to inform more detailed assessment.

- d. **Duty to co-operate** – planning legislation requires that under this duty we work with neighbouring planning authorities and other public bodies on plan production. Under this legal duty we are required to consider the potential impacts that development will have across local authority and other boundaries and to seek to address issues and especially possible conflicts that may arise. Although the Duty to Cooperate does not amount to a duty to agree with others there is a very clear expectation that issues will be fully discussed and options and approaches for agreement examined. One of the more contentious matters that can arise under the duty is when a planning authority advise that they consider that they cannot accommodate their full housing needs (need meaning Government specified requirement) within their own local planning authority boundary and they seek help from others to accommodate some of their need. A number of authorities have found their plans fail at examination where they have not met their housing needs and not found willing recipient neighbouring authorities to take up any or their shortfall. It is envisaged that all work related to meet the duty to cooperate is undertaken by Council staff liaising with other bodies and authorities.
- e. **Viability appraisal** – the importance of financial viability appraisal, in connection with plan production, has risen sharply in recent years. Under Government policy the onus has shifted from a relatively light touch generic overarching assessment of local plan viability to one of far more detailed assessment being required. In a very real sense the expectation is of shifting the burden of proof of viability from the planning application stage to the actual policy making work. Financial viability assessment is a technically complex activity for which the clear expectation is that technical expertise will need to be bought in through consultancy support.

- f. **General evidence gathering and assimilating** – local plan policies need to be justified by coherent evidence. This evidence will need to be proportionate to the content on the plan and to the policies themselves and the jobs the policies are seeking to do. A past criticism of local plans across the country has been that evidence documents have often been too long and complex and not relevant to the policies they seek to support or justify. Whilst options for rationalising plan evidence will need to be investigated it does not overcome the fact that policies and policy boundaries do need to be justified. At an early stage of plan making, and as plan making progresses lists of evidence requirements will need to be established. Some of the work will be undertaken in-house by Council staff but it is likely that some work will need to be externally commissioned from specialists. We will, however, be able to draw on some evidence that already exists to support GESP production, however some of this will need updating and/or disentangling from the wider GESP evidence base.

5. Scope and Phasing of Plan Production

- 5.1 Before considering the timetable for plan production it is important to acknowledge that there are options over the scope and phasing of plan production. It is not necessary to review the entire local plan in its entirety in one go. For example an alternative approach would be to produce a “core strategy” document comprising of the main strategy for accommodating growth, site allocations and strategic policies leaving the review of the development management policies to a later development plan document. This approach has the benefit of potentially reducing wasted work in the event that the government did choose to expand the NPPF to encompass all development management policies as is proposed in the recent white paper. It could also avoid potential delays if Members sought a wholesale rewrite of such policies which could be time consuming. Equally reviewing the villages plan as a separate exercise could also avoid potential delays if such matters were to prove controversial.
- 5.2 Although there are a number of options that could be explored in detail regarding the scope and phasing of a Local Plan Review it is considered that reviewing the development management policies need not be a time consuming process and in the past consultation on these has led to a limited response. Similarly the villages plan was relatively uncontroversial and only a light touch review is considered to be necessary. As a result the likely time savings would be negligible if such an approach were to be taken and so the options detailed below encompass reviewing the Local Plan in its entirety.

6. Resource Considerations

- 6.1 Local plan production will be primarily undertaken by the planning policy team, reporting to the Service Lead – Planning Strategy and Development Management. There will, however, be the need and opportunity to draw on staff expertise and interests across a number of council services and departments.
- 6.2 The planning policy team currently comprises of 9 staff members with one of these specifically dedicated to neighbourhood plan work. These staff members, however, work a

mixture of full and part time contracts and in total work an equivalent of 37 full-time-equivalent days per week. To produce a plan at a speedy rate, for example under Option 1, it would be desirable to bring 2 extra staff into the team to enable this approach. There are certain tasks in plan production that are invariably time consuming to undertake but require completion before follow on work streams can move forward. Tasks such as assessing HELAA sites and summarising and assessing consultation responses are very time consuming and so additional staff resources would inevitably speed up these tasks.

- 6.3 A further staffing challenge, though one without an easy immediate answer, is created by the need for remote working because of Covid-19 constraints. Local Plan making benefits from collaborative team efforts and whilst communication across the planning policy team is very good it is hampered by officers not being able to meet in person to discuss ongoing workloads. The fact that meeting in person is not possible cannot be readily overcome but it is a consideration that could impact on the speed at which a plan can be produced.
- 6.4 It is not envisaged that it will be necessary to commission consultants to undertake additional work in this financial year above and beyond that already budgeted for as the evidence already obtained through GESP work is more than sufficient for the early stages of plan work. There will however be a need for an increase to the consultant's budget in the 21/22 financial year. If additional staff resources are made available then this could minimise any increase to the consultant's budget by enabling the capacity for more work to be undertaken in-house. This is considered to be preferable other than where particular specialist expertise is required such as on habitat regulations assessments and viability work where the expertise is less readily available in-house.
- 6.5 It is recommended therefore that if Members are minded to proceed with option 1 below that a further full time Senior Planning Officer and Planning Officer be appointed to the team at an annual cost of in the region of £93,750 per annum including on-costs.
- 6.6 In terms of Member resource it is noted that production of the current local plan was overseen by a Member panel, however this raised issues of transparency at the time and concerns about delays to the process. At that time there was no Strategic Planning Committee and the committee now provides the ideal forum for issues to be discussed in an open and transparent way. By bringing regular updates and discussion papers to Strategic Planning Committee it is hoped that we can address the concerns raised about Member engagement in the GESP process as well.

7. Timetable Options for Plan Production

- 7.1 Bearing in mind legal requirements of plan production and a desire to undertake meaningful engagement there are two timetabled options for plan production shown in the schedules that are detailed at the end of this section of the report, these are labelled as Option 1 and Option 2. It is stressed that only certain key tasks are shown in the timetables, these are ones primarily concerned with production of and consultation on various iterations of the plan - namely, for both options:
- an issues and options report (Regulation 18);
 - a draft plan; and

- a publication plan (Regulation 19).

- 7.2 There are of course a great many variations on both options 1 and 2 that the Council could undertake, so long as the basic regulatory stages, specifically Regulation 18 and Regulation 19, are followed. It should be absolutely stressed that the two options presented are done so, at this stage, as being illustrative and indicative of potential timescales for plan production. Following instructions from Members, that gives clarity to the favoured way forward, a more definitive time line and programme for work can be drawn up.
- 7.3 The remainder of this section of this report considers in more detail the two suggested option approaches to plan making.
- 7.4 **Option 1** (as shown at the end of this section of this report) has been drafted as being the quickest timetable under which a new local plan could be produced. It cuts steps and stages down to what are really bare minimum time scales for work and it would allow for only minimal feedback to Members on emerging plan proposals and also for only a basic level of consultation and engagement on the plan with the public. It also assumes an increase in staffing levels as discussed above. Under Option 1 it would be envisaged that officers would present to members, through Strategic Planning Committee, final draft documents at each key stage of work and to ask committee for endorsement to go out for consultation. Engagement with the public is likely to amount to issuing documents for consultation and inviting written comment back.
- 7.5 Because option 1 has been drawn up to an extremely tight timetable it errs in the direction of producing quite a basic plan that does not really choose to challenge Government policy or established ways of doing things. The speed at which some tasks will need to be undertaken is such a way that fully detailed review of all matters, for example of comments received at consultation, may not be possible.
- 7.6 **Option 2** represents a lengthier timescale and process for plan production. It provides the potential scope for far greater feedback to and inputs from Members on emerging policy options and choices. It also provides scope for far more meaningful public input and engagement, for example (Covid-19 restrictions dependent) it could allow workshops and events to be organised at village halls and in communities. It would allow public consultation to move from a position of - here's our proposals please send a written response to us expressing your views – to one of actively working with people through a range of means to seek to understand concerns and consider how a plan may address these and realise benefits and positive outputs. It would also allow for greater time for supporting tasks and technical assessments that will sit alongside any plan to be produced. It assumes that only existing staffing levels are available.
- 7.7 As was noted earlier Options 1 and 2 are not definitive of the only approaches to plan making that can be adopted and any number of variations on these could be taken, so long as legal procedural requirements are met. In illustrating these two options it was felt beneficial, however, to highlight some of differing implications and considerations that arise dependent on the approach taken. Option 1 clearly allows for production of a quicker plan, though there are limits to what a plan under this option maybe able to achieve and how much engagement to inform content would be possible. Option 2 would take longer to

complete but provide more scope to do more things, more space to challenge convention and more opportunities for public and member engagement and involvement. Of course under both options there is scope to change tack as plan production proceeds; experience suggests that to some degree at least this is actually almost inevitable. Irrespective of possible changing Government policy or legislation (which in its own right could impact significantly on plan production) there are always unknowns and new emerging considerations that impact on plan making.

Month	Option 1 – Working to a shortest reasonable time frame	Option 2 – Time frame based on greater engagement
Oct-20		
Nov-20		
Dec-20	Committee endorse an issues and options report for consultation.	Committee endorse an issues and options report for consultation.
Jan-21	Consultation undertaken on an issues and options report.	Consultation undertaken on an Issues and options report noting a longer period for consultation with potential, for example, for community workshops or other engagement.
Feb-21		
Mar-21	Issues and options report consultation responses assessed and wider plan making tasks undertaken.	
Apr-21		
May-21	Feedback to committee on issues and option report consultation.	Issues and options report consultation responses assessed and wider plan making tasks undertaken.
Jun-21		
Jul-21	Officer's work on evidence gathering, assessment and producing a draft plan. Time constraints under this option are such that there will be very limited scope for member involvement or wider public engagement.	
Aug-21		
Sep-21		
Oct-21	Committee endorse a draft local plan.	Officer's work on evidence gathering, assessment and producing a draft plan. Under this more lengthy approach there would be greater scope to undertake further public and stakeholder engagement with greater scope for member input and feedback reports being sent through to committee on emerging findings and evidence.
Nov-21	Consultation undertaken on a draft local plan.	
Dec-21		
Jan-22	Draft report consultation responses assessed and wider plan making tasks undertaken.	Engagement work from 2021 stretches into 2022.
Feb-22		
Mar-22		
Apr-22	Feedback to committee on draft plan consultation.	Committee endorse a draft local plan.
May-22	Officer's work on evidence gathering, assessment and producing a final publication plan. Time constraints under this option are such that there will be very limited scope for member involvement or wider public engagement.	Consultation undertaken on a draft local plan.
Jun-22		
Jul-22		
Aug-22		
Sep-22	Committee approval for final publication plan is sought.	Draft local plan consultation responses assessed and wider plan making tasks undertaken. These could include further public engagement along with feedback to members.
Oct-22	Publication plan is consulted on.	
Nov-22		
Dec-22	Comments received on the publication plan are collated and along with other paperwork prepared for plan submission.	Feedback to committee on draft plan consultation.
Jan-23		
Feb-23	Plan is submitted for examination.	
Mar-23		Officer's work on evidence gathering, assessment and producing a final publication plan.
Apr-23		
May-23	Examination hearing sessions are held.	

Month	Option 1 – Working to a shortest reasonable time frame
Jun-23	
Jul-23	
Aug-23	
Sep-23	Modifications to the plan are consulted on.
Oct-23	
Nov-23	Inspectors report is received
Dec-23	New Local Plan is adopted.
Jan-24	
Feb-24	
Mar-24	
Apr-24	
May-24	
Jun-24	
Jul-24	
Aug-24	
Sep-24	
Oct-24	
Nov-24	

Option 2 – Time frame based on greater engagement
Ongoing evidence and assessment continues work with scope for further public engagement and feedback to members on emerging matters.
Committee approval for final publication plan is sought.
Publication plan is consulted on.
Comments received on the publication plan are collated and along with other paperwork prepared for plan submission.
Plan is submitted for examination.
Examination hearing sessions are held.
Modifications to the plan are consulted on.
Inspectors report is received
New Local Plan is adopted.

8 Proposed form and content of an issues and options report

- 8.1 It is recommended to committee that the council produce an issues and options report with a target for bringing this before committee in December 2020 with a view to consultation starting in early 2021. As can be seen from this committee report it is proposed that an issues and options report would be produced under both Options 1 and 2 though with potential for a longer consultation period, for example three months rather than two (or six weeks), under Option 2. It should be noted that it is common practice for planning authorities to produce and consult on an issues and options report at the start of plan making, though there is no obligation to use this specific title and plans can be branded or badged in any way that is seen fit.
- 8.2 An issues and options report is yet to be produced but as its title suggests it is envisaged that it will set out key planning and development issues that are relevant to East Devon and options for addressing these. A possible suggested basic structure for such a document is set out below;
- **Introduction** – setting out basic background information on the role and function of the plan.
 - **Topic based sections** - covering such matters as housing, transport, employment, environmental enhancement, carbon emissions.
 - **Overarching strategy for development in East Devon** – covering options for broad areas for development in the District, for example whether we continue with seeking to accommodate much of the new strategic development in the west of the district.
 - **Development location options section** – this part of the document could look at some of the generic locations at which development could be accommodated – for example one or more new towns, big urban extensions on the edge of towns and urban areas, small scale urban extensions, infilling in existing urban areas, building in and on the edges of villages or dispersing development across the countryside.
- 8.3 It is suggested that an issues and options document should be comparatively short and written in an easy to understand manner with lots of graphics and images. Though it will need to contain enough information to give a meaningful overview of key subject matters and to highlight realistic options for development and means to ensure we protect and enhance our built and natural heritage and resources. A document of around 50 sides long, including a series of questions for respondents to answer, could be appropriate.
- 8.4 One of the contentious areas that a new local plan will need to address is how much development, especially housing development, should be planned for. It would be inappropriate to shy away from highlighting government requirements, the existing 918 homes per year and the potential future 1,614 per year. By raising these numbers and

other planning matters it does not commit the council to a specific course of future action, but it does openly and transparently highlight the challenges, however contentious they may prove to be, to the work and actions we may need to take.

9 Consultation and Engagement

- 9.1 It is more important than ever that we ensure that consultation undertaking on the local plan fully engages with our communities and meaningful and interesting way. Current restrictions due to Covid-19 make face to face meetings difficult and so it is important that we make greater use than ever of digital technology and ensure that documents are easily accessible to all groups in society. With this in mind work on the GESP had already looked at using interactive software to ensure that options and proposals can be more easily viewed and that users can drill down through different levels of detail and zoom in the issues that concern them without having to go through documents in full. It is envisaged that this approach be carried over into local plan work and we are currently investigating the software that would be needed and the cost implications of this. It is also envisaged that we should make much greater use of social media in future consultations as this has now become a main means of communication since the last local plan. It is intended to bring more detailed proposals for using digital technology for consultation when we bring the issues and options consultation materials to Members in December.

10. Duty to Co-operate and Partnership Working Issues

- 10.1 At the Strategic Planning Committee meeting on the 23rd July 2020 Members of the committee resolved to recommend to Council that EDDC withdraw from working on the Greater Exeter Strategic Plan while making a commitment to continue to work with the partner authorities. This recommendation was then agreed at Council on the 29th August.
- 10.2 Since that time discussions have continued between leaders and relevant portfolio holders on alternative options for continuing partnership working outside of GESP. Discussions have focused on the issues that bring the partner authorities of East Devon, Exeter, Mid Devon and Teignbridge together. These are primarily that the area is a single housing and functional economic area which also operates as large travel to work area. The wider area also faces common issues; housing affordability and the need to deliver greater numbers of homes; constraints on our infrastructure and limits to the availability of funding; the need for a flexible and efficient transport system which supports prosperity and access to services; the need to respond to the climate emergency, achieve net zero carbon development and increase habitat creation; and the need to improve accessibility for urban and rural areas by widening digital connectivity. These vital issues affect the whole area and therefore can be effectively considered in a strategic, cross-boundary manner.
- 10.3 While there are real-life, practical reasons for collaboration, the need to work together effectively is currently supported by the Duty to Cooperate, a legal duty in plan-preparation. Although the planning white paper is considering the abolition of the Duty, this is some time from being removed in practice. The white paper is also clear in identifying the on-going need to cooperate on significant matters such as infrastructure provision and central government will be giving this further thought going forward.

- 10.4 Turning to delivery, discussions with the government and Homes England have shown the importance of demonstrating common aspirations, priorities and approaches to current issues when seeking funding. Joint working will be vital to help lever in this funding to support delivery, particularly regarding critical, strategic infrastructure with wide-spread benefits and where there is a large funding gap. Such an approach would help to establish a recognisable brand reflecting a tangible and clear location which would be received favourably by the government.
- 10.5 In practical, plan-making terms, there are also significant benefits in working together because collaboration enables evidence to be commissioned jointly, expertise to be shared and effort focused flexibly. It also provides the opportunity to seek funding or work jointly with agencies such as Homes England on plan-preparation (e.g. by sharing evidence) which could have financial and consistency benefits.
- 10.6 It is considered that there is a clear need for joint working if we are to successfully address the shared issues the partner authorities face and lever in the infrastructure funding needed. Therefore undertaking a more co-ordinated approach than simply complying with the duty to co-operate is considered essential.
- 10.7 The leaders and portfolio holders of the partner authorities have met in recent weeks and discussed the various options for moving forward in a co-ordinated way. A joint statutory plan is considered to have already been ruled out by Members resolution on GESP. As a result the main options are considered to involve some form of joint non-statutory plan. By being non-statutory such a plan would not be binding and would not need to comply with the legal tests and examination process for a statutory plan but would provide a means to document a shared vision and aspirations across the GESP area. Such a plan could simply be a joint infrastructure plan focusing on the infrastructure needed to support the growth envisaged in the respective Local Plans such as transport infrastructure, schools, open spaces etc. Such a document could form a glossy document of funding asks from government with the strategy for growth and associated policies entirely contained within Local Plans.
- 10.8 A slightly more integrated approach would be to produce a non-statutory joint plan that covers the infrastructure requirements mentioned above but also seeks to incorporate a shared approach and policies on a range of common issues such as climate change, habitat protection etc. This approach would enable a co-ordinated approach on areas where there is full agreement and a co-ordinated approach is considered appropriate. Equally it would provide the flexibility to not include issues that may be considered best left to Local Plans such as site allocations. The Local Plan and a joint non-statutory plan could be prepared in parallel ensuring that the Local Plan informs the joint non-statutory plan and vice versa rather than the Local Plan following and being led by a joint plan as was the case under GESP.
- 10.9 Both of these approaches would lead to a more succinct and lighter touch approach than GESP with much greater flexibility in terms of the scope of the document by virtue of it being a non-statutory plan albeit this means that it will be advisory only. The inclusion of a shared strategy for growth and common policies is considered the better approach as this enables a co-ordinated approach to growth that is considered to be necessary for the proper planning of the area and shows a level of co-ordination which it is considered will be necessary to attract government funding. By making the plan a more high level and succinct non-statutory document and preparing it in parallel with the local plan as well as revisiting

processes for consultation and engagement it is considered that such an approach can address the concerns raised by Members with GESP and still provide the a co-ordinated approach to strategic planning across the Greater Exeter area.

- 10.10 Members are therefore asked to recommend that Council support in-principle the production of a joint non-statutory plan for the Greater Exeter area with further reports to follow regarding the detailed scope of the document, resourcing, timetables etc before any final commitment is made.

Report to: Strategic Planning Committee

Date of Meeting 20 October 2020

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



Future housing needs in East Devon – report by the consultants ORS

Report summary:

This report advises of the draft report by the consultants ORS into future housing needs in East Devon.

Recommendation

- 1 That members note the content of this report and agree for it to form part of the evidence base for the production of the new Local Plan.

Reason for recommendation:

To advise members of receipt of the consultants work and to allow them to review the full report content.

Officer: Ed Freeman – Service Lead – Planning Strategy and Development Management

Portfolio(s) (check which apply):

- Climate Action
- Corporate Services and COVID-19 Response and Recovery
- Democracy and Transparency
- Economy and Assets
- Coast, Country and Environment
- Finance
- Strategic Planning
- Sustainable Homes and Communities

Financial implications:

As a council with an HRA, housing needs has an impact upon council finances through the general fund in terms of temporary accommodation requirements and within the HRA for social and affordable housing tenants. The final detailed report will inform decisions made on the requirement for investment in additional housing stock within the HRA in the future

Legal implications:

At this stage of plan making there are no legal implications other than as set out in the report.

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk;

Links to background information [East Devon Local Housing Needs Assessment Draft Report of Findings August 2020](#); [East Devon Local Housing Needs Assessment FINAL Report of Findings October 2020](#)

Link to [Council Plan](#):

Priorities (check which apply)

- Outstanding Place and Environment
- Outstanding Homes and Communities
- Outstanding Economic Growth, Productivity, and Prosperity
- Outstanding Council and Council Services

1 The housing work that was commissioned

- 1.1 In 2019 this council produced a consultant's brief for undertaking an assessment into future housing needs for East Devon. The brief was specifically concerned with understanding the needs for all sectors of the East Devon community at differing stages through their lives. The brief did, however, extend to looking at satisfaction levels of occupiers of new housing built in recent years. The consultancy firm Opinion Research Services (ORS) were appointed to undertake this work.
- 1.2 The consultants draft report, dated 4 August 2020, is appended to this committee report. It should be noted that this draft was issued before the Government issued the consultation document that proposed amendments to the standard method of calculating the number of houses that should be accommodated in local authority areas. The draft ORS report highlights that the Government were proposing amendments to the methodology but it only comments in detail on the current standard methodology and the 918 new homes per year (from February 2021 onward) that this generates.
- 1.3 At the point in time of drafting this committee report only the draft ORS report is available. However, officers of the Council have contacted ORS requesting that in the final version of their report succinct additional text is added, and if appropriate associated minor amendments are otherwise made, to advise that the Government has now issued the consultation document on the proposed new methodology for generating local planning authority housing requirement numbers. Changes will highlight that the new Government methodology generates a requirement figure of 1,614 new homes per year for East Devon. The new report, when available, will replace the version appended to this committee report.

2 Key report findings in the consultants report

- 2.1 The consultant's report opens with an executive summary that can be read to provide a relatively quick overview of key conclusion from the work, though for a more complete picture the report should be read in its entirety.

- 2.2 By way of an even shorter overview of the consultant's works some key conclusions are listed below:
- a) Over recent decades there has been a small decline in the percentage of households in East Devon that live in owner occupied homes.
 - b) House prices in East Devon have been rising steadily, in line with national trends, in recent years. On average, to purchase a brand new two bedroomed property a household, if they have a 10% deposit and applying a 3.5 % mortgage income multiplier, would need an annual income of £54,100 for a house priced in the lower quarter of two bedroomed new build properties.
 - c) There are currently a calculated 1,824 East Devon households living in unsuitable housing (overcrowding is a key reason for unsuitability).
 - d) To meet housing need, over the period from 2020 to 2040, there will be an annual average requirement of 461 affordable homes per year, though this figure needs to be seen within the context of many households in housing need living in what may be adequate private sector rented housing and being in receipt of housing benefit.
 - e) Using Communities and Local Government projections based on 2014 data there is a projected growth of 656 households per year in the district. Members will note the contrast between this figure and Government housing requirement figures.
 - f) The consultants indicate the potential need for around 6,412 additional sheltered/ extra care homes in East Devon for the period from 2020 to 2040 (this equates to 320 homes per year).
 - g) The consultants indicate need for a minimum addition of 4,827 adapted homes for those with a long-term illness or disability in East Devon for the period from 2020 to 2040 (this equates to 241 homes per year). The 20 year need for wheelchair adapted housing is an additional 730 homes (equating to 37 a year).
 - h) The survey of residents of new build homes shows that 91% are satisfied with their home, however, satisfaction levels are lower than this overall figure in Cranbrook.
 - i) Three out of every five households moving in to new build homes in East Devon moved from elsewhere in East Devon or Exeter with a further 19% moving in from surrounding districts.

3 Making use of the consultant's report

- 3.1 The consultant's report will provide critical evidence to help inform the forthcoming new East Devon local plan. It will also form an evidence base to inform wider council work and activities related to provision and management of housing. It should be noted, however, that as with all reports the content and under-pinning analysis will become dated over time and a refresh may at some future point be needed.

Report to: Strategic Planning Committee

Date of Meeting 20 October 2020

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



Housing Monitoring Update to year ending 31 March 2020

Report summary:

This report provides a summary of house building monitoring information to the year ending 31 March 2020. The report confirms that, looking forward, we have a greater than Five Year Land Supply in East Devon.

Recommendation:

- 1). That the committee notes the residential dwellings completion data and future projections for the district;
- 2). That the committee notes the confirmation of a Five Year Land Supply but also that the 5YLS figure has dropped since the last report.

Reason for recommendation:

To keep members informed of housing completions and forward projections.

Officer: James Coles, jcoles@eastdevon.gov.uk – 01395 571745

Portfolio(s) (check which apply):

- Climate Action
- Corporate Services and COVID-19 Response and Recovery
- Democracy and Transparency
- Economy and Assets
- Coast, Country and Environment
- Finance
- Strategic Planning
- Sustainable Homes and Communities

Financial implications:

In facilitating and encouraging housing and business growth in the district the council has benefitted financially both through the growth itself in council tax receipts as well as through government incentive schemes such as New Homes Bonus. The current New Homes Bonus scheme however is to demise and we await details of any replacement scheme.

Legal implications:

There is a legal requirement for the Council to monitor housing completions and demonstrate an ongoing 'Five Year Land Supply' of sites for housing. This reports ensures that the Council is

complying with its duties and can demonstrate an adequate supply of housing. Other than those set out in the report here are no legal implications from this update report.

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk;

Links to background information <https://eastdevon.gov.uk/planning/planning-policy/monitoring/https://eastdevon.gov.uk/media/3721230/housing-monitoring-update-to-year-end-31-march-2020.pdf>
<https://eastdevon.gov.uk/media/3721229/housing-monitoring-update-to-year-end-31-march-2020-appendix.pdf>

Link to Council Plan:

Priorities (check which apply)

- Outstanding Place and Environment
- Outstanding Homes and Communities
- Outstanding Economic Growth, Productivity, and Prosperity
- Outstanding Council and Council Services

Report in full

1. Introduction

- 1.1 Through the Planning Policy team the Council produces an annual Housing Monitoring Update (HMU), the latest version of which is attached. This report to Committee forms the monitoring report for the year ending 31 March 2020.

2. Housing Need and Supply in East Devon

- 2.1 The East Devon Local Plan, specifically in respect of housing supply and monitoring purposes, covers the 18 years from 01 April 2013 to 31 March 2031 (however it is relevant to note that new plans will supersede it before this end date). For this 18 year period the plan establishes an objectively assessed need for 17,100 new homes to be created in East Devon. This averages out at 950 homes per year.
- 2.2 The table below shows the net number of homes that have been recorded as built in the five years running from 2015 to 2020.

Table of housing completions for 2015/16 to 2019/20

Year	2015 to 2016	2016 to 2017	2017 to 2018	2018 to 2019	2019 to 2020	Five year total	Annual Average
Totals	1,027	724	866	929	1,065	4,611	922.2

- 2.3 The table illustrates that the number of completions in 2019/20 is the highest during a 12 month period in the duration of the current Local Plan so far, with an increase of 136 on the 2018/19 monitoring period and 199 on 2017/18. But with an average level of completions of

922.2 over the last five years, the actual supply is currently falling below annual average projected needs.

- 2.4 The total of 1,065 completions was less than the projected figure of 1,207, however – COVID-19 implications aside – numbers are anticipated to rise in 2020/21. A decline is predicted in 2021/22 and 2022/23 before figures rise again in 2023/24. The table below shows site availability to support projected building levels from 2020/21 through to 2030/31.

Table of projected housing completions for 2020/21 to 2030/31

Year	2020 to 2021	2021 to 2022	2022 to 2023	2023 to 2024	2024 to 2025	2025 to 2026	2026 to 2027	2027 to 2028	2028 to 2029	2029 to 2030	2030 to 2031
Total	1,308	1,101	968	1,255	1,298	1,104	1,082	1,068	1,049	904	808
	5,930					Projected five year housing delivery for 2020/21 to 2024/25					

- 2.5 The future rise in projected completions, as illustrated in the table above, is partly a product of new sites, especially large scale strategic sites (including the Cranbrook expansion zones and Axminster Masterplan area), starting to deliver significant housing numbers, but it also reflects, more generally, site availability.
- 2.6 It should be noted that future projected housing completion figures are primarily based on the potential expectation of sites to deliver housing in accordance with the methodology set out for the Housing and Employment Land Availability Assessment (HELAA). Though also, for a number of sites, projected levels of building reflect more detailed local assessment and understanding of predicted future housing delivery.
- 2.7 The HELAA process, which forms an assessment undertaken in conjunction with the development industry, includes a methodology for defining the levels of development that might be expected on sites, on a year-by-year basis, dependent on the size of the site and also:
- whether a site has extant permissions;
 - is already seeing development occurring; or
 - whether it is otherwise identified or allocated for development.
- 2.8 It should also be noted that the latest edition of the National Planning Policy Framework (NPPF) includes a new definition of a “deliverable” site:
- To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:*
- a). *sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).*
- b). *where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.*
- 2.9 This means, unlike in some previous Housing Monitoring Update, some allocated sites and sites with acknowledged development potential have not been included in projections for the Council’s updated Five Year Land Supply.

2.10 Projections are based on the status of sites and extant planning permissions at 01 April 2020.

3. Five Year Land Supply Assessment

- 3.1 A key reason for keeping a careful record of housing completions and the ability to deliver houses in the future is to ensure that the ability exists to maintain future land supply to match needs and expectations for housing delivery. The Council is required to examine its five year housing land supply; this is an assessment of whether the projected levels of future house building, taking into account what has been built in the past, is sufficient to meet the levels of housing required by the local plan for the next five years.
- 3.2 The equations below, with associated explanation, establish the calculated housing land supply in East Devon at a base position of 1 April 2020.

Table of Housing Five Year Land Supply Assessment

Ref	Stage of Work	Numbers	Commentary (with formulas used in calculation)
A	Local Plan Requirement from 2013 to 2031	17,100	This is the objectively assessed need for housing as set out in the local plan
B	Annual Requirement	950	This is the annual average number of houses that need to be built in order to meet local plan requirements (Number = A / 18)
C	Five Year Requirement	4,750	This is the number of houses that should be built over every five year period (Number = B x 5)
D	Requirement to have been delivered by 31 March 2020	6,650	This is the number of houses that should have been built in the seven years from 1 April 2013 (local plan start date) to 31 March 2020 (Number = B x 7)
E	Completions 1 April 2013 - 31 March 2020	6,470	This is the actual dwellings recorded as being built from 1 April 2013 (local plan start date) to 31 March 2020
F	Shortfall	180	This is the level of shortfall between what should have been built and what actually was built (Number = D - E)
G	5 Year Requirement (excluding buffer)	4,930	This is a forward looking assessment that takes into account a standard five year requirement (i.e. it provides for the five years looking forward) and adds to it the shortfall figure (Number = C + F)
H	5 Year Target (including 5% buffer)	5,177	Government guidance requires that the Council not only provide a calculated need figure but that they also add a 5% buffer to this number (whilst it is not applicable to East Devon, the 5% buffer increases to 10% where the local planning authority wishes to demonstrate a five year supply through an annual position statement / recently adopted plan, and 20% in cases of persistent under delivery) (Number = G + 5% of G)
I	Annual Target	1,035	The 5 year target is divided by 5 to create an annual average target (Number = H / 5)
J	Total Deliverable Supply from 1 April	5,930	To understand if we are projected to meet the five year need we look to the projected supply of housing

	2020 to 31 March 2025		over the period from 1 April 2020 to 31 March 2025 (see table earlier in this report for this number)
K	Surplus Supply	753	By knowing the projected supply and comparing this against the five year requirement we can calculate if there is a shortfall or a surplus (Number = J - H)
L	Years of Land Supply With a 5% Buffer	5.73	The final calculation records the supply of housing in terms of meeting/exceeding five year needs (Number = J / I)

3.3 The above assessment shows that we retain, in East Devon, a five year housing land supply.

4. Housing Delivery Test

4.1 Since November 2018, Councils have also had to pass the new Housing Delivery Test (HDT). Rather than simply looking at what *can* be achieved over the following five years, the HDT checks what *has* been achieved over the previous three.

4.2 The HDT compares the delivery of housing over the past three years against the required amount, with delivery of the full amount resulting in a score of 100%.

$$\text{Housing Delivery Test (\%)} = \frac{\text{Total net homes delivered over three year period}}{\text{Total number of homes required over three year period}}$$

4.3 The number of net homes delivered is the national statistic for net additional dwellings over a rolling three year period, with adjustments for net student / other communal accommodation.

Net homes delivered in a year

= Net Additional Dwellings National Statistic

PLUS

net increase in bedrooms in student communal accommodation in local authority
average number of students in student only households in England

PLUS

net increase in bedrooms in other communal accommodation in local authority
average number of adults in households in England

4.4 The HDT comprises three elements:

- i) If delivery has been less than 95%, the Council should prepare an Action Plan to address the reason for the shortfall;
- ii) If delivery has been less than 85%, the Council should also include a 20% buffer in calculating its Five Year Land Supply (rather than 5% or 10%);
- iii) If delivery has been less than 75%, the presumption in favour of sustainable development would then apply (as a transitional provision, the threshold in the

third element was set at 25% for last year's test and will be 45% for this year's, the results of which are scheduled to be published in December).

- 4.5 The results of the second HDT (covering 2016/17 to 2018/19) were released in February 2020. East Devon District Council passed the test with a score of 121% (down from 149% in the first test).
- 4.6 Although unverified, in-house calculations suggest EDDC will pass the third HDT (covering 2017/18 to 2019/20) with a score of around 118%. These results should be released towards the end of 2020 / beginning of 2021.

5. Jobs and Employment Land Monitoring

- 5.1 It should be noted that this monitoring report is specifically concerned with housing delivery monitoring. The Local Plan sets out monitoring requirements for a range of considerations and these specifically include employment land development. A full Employment Monitoring Review report to the year ending 31 March 2020 has also been prepared and submitted to Committee.

6. COVID-19 Implications

- 6.1 Although it is perhaps still too early to know the full implications COVID-19 will have on the housing market, if not the economy as a whole, rudimentary calculations tell us that if the pandemic / lockdown causes a three month delay in completions (25% of the annual projection) the council could demonstrate 5.41 years of land supply, whilst a six month delay (50%) would still give 5.10 years of land supply; only a nine month delay (75%) would give a figure of below a 5YLS – 4.79. To date lockdown restrictions have only led to sites being closed for a few weeks, however social distancing and other restrictions have meant that progress on sites has been slower than would usually be the case over the last 6 months.

Report to: Strategic Planning Committee

Date of Meeting 20 October 2020

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



Employment Land Review to year ending 31 March 2020

Report summary:

This report provides summary details of the Employment Land Review produced by the Planning Policy section for 2019-20.

Recommendation:

That members acknowledge this report.

Reason for recommendation:

To ensure that the Council has an up to date report monitoring employment land availability and use within the district and also to provide information on numbers of residents of East Devon in employment and job numbers in the District.

Officer: James Coles, jcoles@eastdevon.gov.uk – 01395 571745

Portfolio(s) (check which apply):

- Climate Action
- Corporate Services and COVID-19 Response and Recovery
- Democracy and Transparency
- Economy and Assets
- Coast, Country and Environment
- Finance
- Strategic Planning
- Sustainable Homes and Communities

Financial implications:

There are no direct financial implications requiring comment.

Legal implications:

The Employment Land Review is a technical document which the Council is legally required to regularly review, thereby ensuring local plan policies and decision making is based upon adequate, up to date and relevant evidence.

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk;

Links to background information <https://eastdevon.gov.uk/planning/planning-policy/monitoring/>
<https://eastdevon.gov.uk/media/3721231/employment-land-review-to-year-end-31-march-2020.pdf>

Link to [Council Plan](#):

Priorities (check which apply)

- Outstanding Place and Environment
 - Outstanding Homes and Communities
 - Outstanding Economic Growth, Productivity, and Prosperity
 - Outstanding Council and Council Services
-

Report in full

1 Background Information

- 1.1 The National Planning Policy Framework requires Local Authorities to support sustainable economic growth by setting out a clear economic vision and strategy for their area and to ensure there is sufficient land available to support growth. National Planning Policy Guidance advises on what employment considerations can be monitored, which form the basis of this report.
- 1.2 The latest Employment Land Review report for East Devon provides monitoring records up to March 31st 2020.

2 Employment Land Use Monitoring

- 2.1 Monitoring is based mainly on the assessment of 'B' use classes which included B1: Business, B2: General Industrial and B8: Storage and Distribution (as of March 2020). Some 'Sui Generis' or other uses that occupy employment sites, that do not fall into a B category but which are similar in nature, are also monitored.
- 2.2 Employment sites which typically cover at least 1,000 square metres (0.1 ha) containing B uses are mapped out. For avoidance of any confusion, "site" in this context constitutes a whole employment area or estate rather than an individual plot of land; so, for example, Heathpark in Honiton is classified as an employment site and within Heathpark there are vacant plots of land, as well as many existing businesses and buildings.
- 2.3 A list of small sites are also monitored on an annual basis with a threshold of 100 square metres of site area or buildings with 50 square metres of floor space, above which sites are recorded.
- 2.4 A full schedule of relevant planning permissions and completions since inception of the Local Plan in 2013 is provided for all major and small sites, with further information on sites / plots that are under construction or have outstanding permissions.
- 2.5 Records are also provided on the completion of planning permissions during the last seven years.
- 2.6 Vacant, available sites by virtue of a Local Plan allocation or planning permission, which are likely to be policy compliant and with scope for development, are identified. Plots within

employment sites that are not identified as necessarily being policy compliant but which may offer scope for development are also shown in the same category.

- 2.7 Plans of each site are provided illustrating the detail of activity for individual properties during the last five years. Each plan also maps out vacant land as described in paragraph 2.6.
- 2.8 Information is also given on non-domestic rated units within employment sites which are occupied or empty at each site on separate plans.

3. Overview of Employment Land Review for 2019-20

3.1 Planning Permissions

Nineteen planning permissions granted during 2019-20 amounted to approximately 5.56 hectares of net additional site area; seventeen permissions were for plots within major sites and two were at small sites.

3.2 Permissions Under Construction at March 31st 2020

There were six plots under construction, amounting to approximately 2.60 hectares of net additional site area, as of March 31st 2020. This figure includes work on plots at Woodbury Business Park, Dunkeswell Airfield and three smaller sites.

3.3 Outstanding Permissions

At March 31st 2020, there were 56 site areas with extant planning permission amounting to approximately 42.86 hectares.

3.4 Completions

Sixteen completions during 2019-20 amounted to 23.51 hectares of net additional site area. This figure mainly comprises the new Amazon Distribution Centre, near Exeter, but also includes plots at Greendale Business Park and Mill Park Industrial Estate / Hogsbrook Units, as well as a number of smaller sites.

3.5 Allocated Sites

The report details 24 plots of land across a number of employment sites that are specifically allocated in the Local Plan for employment use or are otherwise seen as having possible development potential / being available; these allocations amount to approximately 64.16 hectares. This includes allocations within mixed use sites where specific plots are not yet identified; where this is the case, only one plot has been included in the total of 24 for each site but the overall area of land allocated for employment has been included in full within the stated total of 64.16ha.

3.6 Non-Domestic Rated Properties

At March 31st 2020, there were 1,295 premises within East Devon employment sites rated for non-domestic use; 130 of which (or around 10%) were classed as empty.

4. Employment Numbers in East Devon

- 4.1 This section of the report provides background information on job numbers and employment statistics relevant to East Devon as reported in the monitoring report.
- 4.2 The monitoring report notes that East Devon is characterised by comparatively low wage levels. Drawing on Government data, from the NOMIS web site (see: https://www.nomisweb.co.uk/reports/lmp/la/1946157358/subreports/asher_compared/report.aspx) East Devon has the 129th lowest, of the 365 recorded local authorities in Great Britain, median gross weekly resident pay level for full time workers. But, in Devon, all other local authority areas (with the exception of Exeter) have lower median gross weekly resident pay levels for full time workers.
- 4.3 Unemployment rates, reported on NOMIS (see: https://www.nomisweb.co.uk/reports/lmp/la/1946157358/subreports/ea_time_series/report.aspx?) for East Devon measured for the April 2019 to March 2020 period are also low (despite the low wage levels). East Devon has a reported unemployment rate of 2.6% (a total of 1,700 people up from 1,300 in the previous monitoring period); this places the District as the joint 64th lowest (down from the second lowest) of the 365 measured local authorities in Great Britain.
- 4.4 It should be noted, however, that the unemployment rate does not show a complete picture of people that are **not** economically active (i.e. not in work) but that may like a job. The Nomis web site (see: <https://www.nomisweb.co.uk/reports/lmp/la/1946157358/report.aspx>) reports on there being 13,500 economically inactive residents of East Devon aged 16 to 64 – these are people that are neither in employment or counted as unemployed and, of this total, the Nomis website records that 10,100 are under a category of ‘does not want a job’ (Apr 2019 to Mar 2020).
- 4.5 The number of actual jobs located in East Devon, drawing on NOMIS data, fluctuates quite markedly from year-to-year, see: https://www.nomisweb.co.uk/reports/lmp/la/1946157358/subreports/bres_time_series/report.aspx

Year	East Devon (employee jobs)	South West (employee jobs)	Great Britain (employee jobs)
2015	45,000	2,366,000	28,565,000
2016	45,000	2,398,000	29,045,000
2017	44,000	2,415,000	29,368,000
2018	48,000	2,447,000	29,583,000

- 4.6 What can be clearly seen is that the reported job numbers located in East Devon can show very marked changes over short time periods. For example, a decrease of 1,000 jobs (down 2.22%) from 2016 to 2017, and an increase of 4,000 jobs (up 9.09%) from 2017 to 2018. The data shows that over the four years from 2015 to 2018 job numbers were at their highest in the most recent survey year, 2018.
- 4.7 It should be noted that whilst many of the jobs that are based in East Devon will be filled by East Devon residents, there are also large numbers of people that live elsewhere that commute into the district for work purposes. The 2011 census – see: <https://www.nomisweb.co.uk/census/2011/WU03UK/chart/1132462159> – showed 12,500 people travelling into the District for jobs, but a higher number, 18,405 East Devon residents, travelled out of the District for jobs (most of these, 11,430, were to Exeter).

Report to: Strategic Planning Committee

Date of Meeting 20th October 2020

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



Coastal Change Management Areas

Report summary:

To highlight work that has been undertaken by Plymouth University to develop a methodology for defining where is likely to be affected by physical changes to the coast over the next 100 years. As part of this academic research, a section of the East Devon coast (from Sidmouth to Lyme Regis) has been used as a pilot study. New plans are available that indicate the likely coastal position in 20, 50 and 100 years, if erosion continues at the rate it has over the past 20 years. These plans indicate that more residential properties may be affected by coastal change than were identified previously, in the Shoreline Management Plan. However, the new plans do not take account of coastal protection measures proposed in the Seaton and Sidmouth Beach Management Plans, which are designed to reduce erosion rates. The work has been carried out expressly for planning purposes and is distinct from other modelling work carried out for other purposes.

Recommendation:

1. **That the erosion lines for the Sidmouth to Lyme Regis coast are noted for planning purposes.**
2. **That the proposed methodology is noted for any further work on the remainder of the East Devon coast and for any designation of Coastal Change Management Areas through the local plan process.**
3. **That the proposed next steps are considered and an approach to communicating the issues highlighted in this report to affected residents and businesses agreed.**
4. **That Members recommend that Cabinet consider the wider implications of this study beyond the setting of planning policy at their earliest opportunity.**

Reason for recommendation:

To make Members aware of the work undertaken by Plymouth University so that it can be incorporated into the local plan review.

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Portfolio(s) (check which apply):

- Climate Action
- Corporate Services and COVID-19 Response and Recovery
- Democracy and Transparency
- Economy and Assets
- Coast, Country and Environment
- Finance

- Strategic Planning
- Sustainable Homes and Communities

Financial implications:

There are no issues impacting council finances at this stage

Legal implications:

Local Planning Authorities should take into account up to date evidence to inform local plan policy preparation. There are no legal implications other than as set out in the report.

Equalities impact Low Impact

Climate change Low Impact

Risk: High Risk; the methodology has been prepared through joint working with the relevant statutory bodies and utilises the academic expertise of Plymouth University. The main aim of the work is to identify areas at risk of coastal change over the next 100 years so that appropriate policies and actions can be initiated. The outcome highlights the potential for coastal change to affect a greater number of properties than were previously thought to be at risk.

Links to background information [National Planning Policy Framework: Flood risk and coastal change - GOV.UK Shoreline Management Plan; Shoreline Management Plan](#)

Link to [Council Plan](#):

Priorities (check which apply)

- Outstanding Place and Environment
- Outstanding Homes and Communities
- Outstanding Economic Growth, Productivity, and Prosperity
- Outstanding Council and Council Services

Report in full

1 Background

- 1.1 We have been working with Plymouth University, Torridge District Council, North Devon District Council, the Environment Agency, Natural England and the Marine Management Organisation on a coastal change research project. The main aims of the project are:
 - to develop a clear, concise and repeatable methodology on how to define areas likely to be affected by physical changes to a range of coastline areas e.g. estuarine, cliffs, and beaches; and
 - to provide a robust, scientifically supported Coastal Change Management Area (CCMA) designation for the pilot areas (Sidmouth to Lyme Regis and the Taw Torridge Estuary).
- 1.2 The project has been funded through the South West Partnership for Environment and Economic Prosperity (SWEEP) at no direct cost to EDDC. SWEEP is a partnership project with the aim of delivering economic and community benefits to the South West, whilst protecting and enhancing the area's natural resources. It is a collaboration of three research institutions: the University of Exeter, Plymouth Marine Laboratory and the University of Plymouth. There is widespread planning/coastal interest in the project.
- 1.3 A briefing paper has been produced to explain the project outputs in more detail and this is appended to this report. This includes maps to show both the Shoreline

Management Plan (SMP) lines and the new predictions (the SMP is a large-scale assessment of the risks associated with coastal processes; we adopted it in 2011 and it is currently being refreshed). A ‘frequently asked questions’ paper is also appended that could be used to help explain the research in advance of consultation on the new local plan.

2 Planning policy context

- 2.1 The project has been undertaken because, although the National Planning Policy Framework (NPPF) requires councils to identify CCMA's where rates of shoreline change are expected to be significant over the next 100 years, few local planning authorities have felt confident to undertake this task, citing a lack of reliable or consistent guidance or methodology to establish such designations. As such, development continues in often active coastal zones, with little regard for future shoreline shifts.
- 2.2 The pilot study of part of the East Devon coast included in the research is intended to provide evidence to justify the designation of Coastal Change Management Areas (CCMA's) as part of the new Local Plan. CCMA's are needed where there are expected to be significant physical changes to the coastline within 100 years. The pilot area covers approximately half of our coastline and we propose to use the agreed methodology to inform the designation of CCMA's along the remainder of the coast. Within the CCMA, policies will be devised through the local plan process to set out what kind of development may be appropriate and to enable the relocation of uses/infrastructure/buildings where possible.
- 2.3 The aim of a Coastal Change Management Area is not to stop all development; it's about being sensible about what development is suitable for the given time frames. For example, a holiday park site redevelopment should consider building hard infrastructure such as swimming pools at the inland edge of the plot, and dedicate the seaward land to parkland. A Coastal Change Management Area could also help us to plan positively for change. For example it could highlight the need and options for relocating key infrastructure or help to consider options for natural habitat creation such as salt marshes on the edge of estuaries.

3. Implications of work

- 3.1 The research also provides evidence for our work as a Coastal Protection Authority and could be useful in helping to justify the coastal protection works proposed in the Seaton and Sidmouth Beach Management Plans. The project is nearing completion with a methodology and lines of erosion having been produced. The methodology for defining the CCMA varies according to which type of coastline is involved (beaches, cliffs or estuaries).
- 3.2 The approach for cliffs (which predominate in the East Devon pilot area) involves very detailed modelling work including past cliff erosion rates and projected sea level rises. It should also be made clear that, for areas where the Shoreline Management Plan is not to ‘hold the line’, the plans do not take account of any coastal defence works that are planned. This is particularly significant in the case of the number of properties potentially affected by coastal change at Seaton and Sidmouth. The prime purpose of the work, with Environment Agency, Natural England and Marine Management Organisation support, is to produce a standardised process that can be replicated around the country, to produce a robust, consistent and coherent assessment of potential coastal change (that is coastal change in the absence of sea defences).
- 3.3 The factors that influence the lines drawn on the maps have been deliberately set to identify the fullest extent of area likely to be affected by physical changes to the coast. This is because it is considered to be best practice to take a precautionary approach in order to give the Local Planning Authority the best opportunity to

manage development that could either be affected by coastal change or could have an impact on coastal change. The plans include a 'buffer zone' to allow for variability in retreat rates, mapping accuracy and the southwest coastal path, where necessary.

- 3.4 For the pilot area this approach shows that, in a small number of cases, a greater area could be affected by coastal change and in a shorter timescale than previously thought likely (either in the Shoreline Management Plan or in subsequent work such as beach management plans). Maps showing both the SMP lines and those provided by Plymouth University are included at the end of the accompanying briefing paper.

4. Next Steps

- 4.1 The new research is primarily aimed at providing a sound basis to identify which areas are likely to be subject to coastal change in the next 100 years so that appropriate plans and policies can be put into place. It is however important to note that the work is for planning purposes and distinct from work on coastal defences.
- 4.2 We acknowledge that the implications of this work will be worrying for the residents and businesses affected and we have prepared a 'frequently asked questions' document to help inform people of the issues involved (see attached). We plan to consult on draft plans and policies for CCMA's through the local plan process. In the meantime there is a question of how and to what extent information about this emerging work is communicated to the affected residents and businesses following Members consideration of this report. Options include a press release, communication through social media, writing directly to affected properties etc. Member's views are sought on these options.
- 4.3 The wider implications of this work beyond planning policies will also need further discussion by the Council and so it is recommended that Cabinet consider a further report on these issues.
- 4.4 As a local planning authority we will focus on defining and developing the right policies to guide new and existing development in Coastal Change Management Areas through the new local plan. The Plymouth University research provides valuable evidence to help us determine where CCMA's should be designated, but we will also consider the refreshed SMP and the views of statutory bodies including Natural England and The Environment Agency.

Coastal change



September 2020

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Glossary of Terms

Coastal Change Management Area (CCMA)

A Coastal Change Management Area is 'An area identified in Local Plans as likely to be affected by coastal change (physical change to the shoreline through erosion, coastal landslip, permanent inundation or coastal accretion)'. Definition taken from [Planning Portal Glossary](#) CCMA.

LiDAR

Light detection and ranging (LiDAR) is an airborne remote sensing technique which uses lasers in the same way that other surveying techniques such as sonar use sound or radar uses radio waves. The Plymouth Coastal Observatory Surveys of Cliffs and Saltmarsh Systems is being flown at a 1m resolution.

National Planning Policy Framework (NPPF)

The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. (definition from paragraph 1 of [NPPF](#))

Shoreline Management Plan (SMP)

A plan providing a large-scale assessment of the risk to people and to the developed, historic and natural environment associated with coastal processes (definition taken from [Planning Portal Glossary](#) SMP).

World Heritage Site (WHS)

A cultural or natural site of outstanding universal value designated by the International Council on Monuments and Sites (ICOMOS), for example Durham Cathedral and Stonehenge. (Definition taken from [Planning Portal Glossary](#) WHS)

Summary

This briefing paper has been prepared to help the East Devon Strategic Planning Committee consider the findings of research recently undertaken by Plymouth University on coastal change and how it might affect part of the East Devon coastline.

The main purpose of the University's work has been to develop a robust and repeatable methodology for predicting coastal change that can be used by local planning authorities to define Coastal Change Management Areas (CCMA). A CCMA is usually designated through a local plan and is needed where physical changes to the coast are expected in the next 100 years. The purpose of a CCMA is to make it clear what development will be appropriate and what provision can be made to relocate development and infrastructure to less vulnerable areas – essentially it tries to ensure that development should not put more people at risk of flooding or coastal erosion.

Planning and engineering officers have been working with Plymouth University and other bodies to help develop the methodology. The East Devon Coast, from the River Sid east to the border with Dorset at Lyme Regis, has been used as a case study to test the methodology. The project is part of the South West Partnership for Environmental and Economic Prosperity (SWEET) and there has been no direct cost to EDDC for the University inputs. It is understood that there is national interest in the research and that it is likely that the methodology will be taken up by other coastal authorities when defining their CCMA's.

It is proposed that the methodology is used to predict coastal change along the remainder of the East Devon coast (from the River Sid west to the boundary with Exeter north of Exton on the Exe Estuary). The updated coastal change mapping will form part of the evidence base to support the production of the new local plan, through which consideration will be given to designating CCMA's and devising appropriate policies and proposals.

This briefing paper has been prepared by East Devon District Council officers to help provide an understanding of very complex academic research. The paper is only a summary of the work and the full papers should be consulted for comprehensive details of the work undertaken: these papers are available to view at [South West Partnership for Environment & Economic Prosperity \(SWEET\) - Plymouth Marine Laboratory](#).

1 Introduction to coastal change

- 1.1 Our coastline is constantly altered by waves, tidal currents and the changing climate. Coastal change is the term used to describe any permanent physical change to the shoreline caused by erosion, landslip, permanent inundation (flooding) or coastal accretion.
- 1.2 When sea water meets cliffs and shores, it causes sediment or rocks to be broken down and washed out to sea. This is coastal erosion. In some instances, this material may be moved to a different part of the coast and be deposited in large quantities, causing accretion - the opposite of erosion. The sand and shingle that make our beaches are products of erosion and, to remain in balance, we need a continued supply of this material. Coastal inundation occurs when an area of land is flooded by the sea (including tidal estuaries) on a permanent basis. Landslides are the movement of a mass of rock or earth down a slope under the force of gravity. They can be triggered by processes other than wave action such as heavy rainfall. A series of large landslips between Axmouth and Lyme Regis during the Eighteenth and Nineteenth Centuries created a rare and unusual habitat for plants and birds that is protected as a national nature reserve
- 1.3 It is anticipated that climate change will create increasing pressure on coastal and estuarine environments through accelerating rates of sea level rise and an increased number of storms.



2 National approach and guidance

2.1 The emphasis is on working with natural processes to adapt to coastal change rather than trying to prevent it. The National Planning Policy Framework (NPPF) seeks to reduce risk from coastal change by avoiding inappropriate development in vulnerable areas or adding to the impacts of physical changes to the coast. Local Planning Authorities are expected to:

- work with the Marine Management Organisation to integrate terrestrial and marine planning;
- identify as Coastal Change Management Areas anywhere likely to be affected by physical changes to the coast;
- make clear what development will be appropriate in Coastal Change Management Areas and;
- make provision for development and infrastructure that needs to be relocated away from Coastal Change Management Areas.

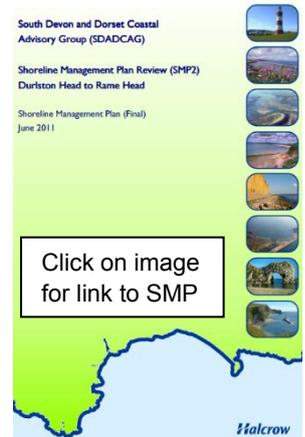
2.2 The NPPF advises local planning authorities to reduce risk from coastal change by avoiding inappropriate development in vulnerable areas and preventing development at risk from land instability; in essence, development should not be allowed to put more people at risk of flooding or coastal erosion. CCMA's should be designated when there are expected to be significant physical changes to the coastline within 100 years. The purpose of a CCMA is to identify areas where special policies and actions are likely to be needed to deal with the anticipated physical changes to the coast. These are likely to include policies to stop inappropriate development that would not be safe over its planned lifetime and to set out what kind of development may be appropriate and to enable the relocation of uses/infrastructure/buildings where possible. For example, it may not be safe to grant planning permission for a house, but it might be acceptable to allow a kiosk for the sale of ice creams and snacks. A CCMA could also identify existing infrastructure or development at risk and set out the options for its relocation to a less vulnerable area. Examples of this might include the need to find a new route for a road or an alternative site for an electricity sub-station.



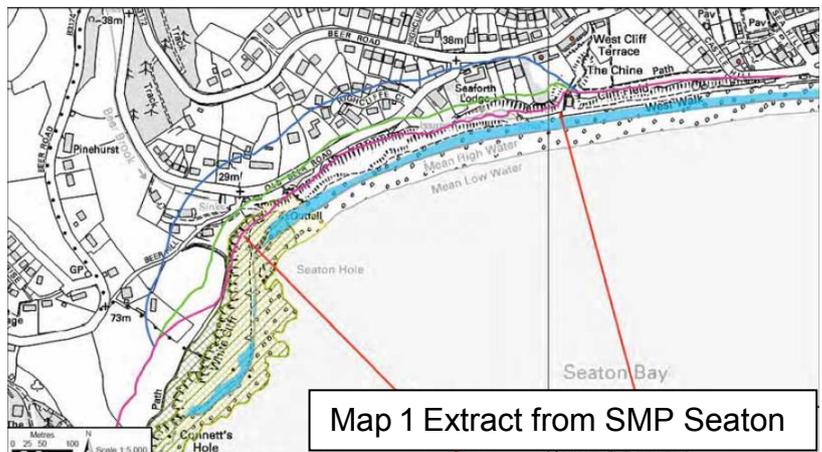
Photo 2 Kiosk at Seaton

3 Current approach in East Devon

3.1 At the time that the current local plan was developed and adopted the most up-to-date evidence on potential coastal change was the Shoreline Management Plan (SMP). The SMP is a large-scale assessment of the risks associated with coastal processes. It sets out the overall strategy for the coastline and is implemented through more detailed studies, such as beach management plans or coastal protection projects. The objectives of the SMP are to: improve understanding of coastal processes; work in partnership with all interested parties and to prepare a setting for the long term planning of coastal defences.



3.2 The broad approach of the SMP is to defend the centres of the main coastal settlements but to allow natural processes to continue elsewhere. It includes maps showing the expected shoreline position in 0-20 years, 20-50 years and 50-100 years. The 20 to 100 year time horizons show a small number of properties in Seaton and Sidmouth being affected by coastal change, but none in the 0-20 year epoch as indicated on Maps 1 and 2 (where the pink line indicates the 0-20 year erosion rate, the green line the 20-50 year line and the blue the 50-100 year). Details for the whole East Devon coast can be seen by clicking' on the maps (which may take some time to upload). The SMP is being refreshed to include the latest projections for climate change and sea level rise.



Map 1 Extract from SMP Seaton

From Present Day:		Medium-Term:	Long-Term:
Managed Realignment		Managed Realignment	Managed Realignment
Hold the Line	Environment Agency Flood Risk Zone 2	Environmental/Cultural Heritage	Scheduled Monuments
Predicted erosion zones with preferred policy	Special Areas of Conservation	World Heritage Site	Site of Special Scientific Interest
0-20 year	Special Protected Areas	Special Areas of Conservation	Listed Building
20-50 year	Site of Special Scientific Interest	Special Areas of Conservation	Listed Building
50-100 year	Site of Special Scientific Interest	Special Areas of Conservation	Listed Building
Policy Unit Boundary	Special Areas of Conservation	Special Areas of Conservation	Listed Building



SIDM Map 2 Extract from SMP Sidmouth

From Present Day:		Medium-Term:	Long-Term:
Managed Realignment		Managed Realignment	Managed Realignment
Hold the Line	Environment Agency Flood Risk Zone 2	Environmental/Cultural Heritage	Scheduled Monuments
Predicted erosion zones with preferred policy	Special Areas of Conservation	World Heritage Site	Site of Special Scientific Interest
0-20 year	Special Protected Areas	Special Areas of Conservation	Listed Building
20-50 year	Site of Special Scientific Interest	Special Areas of Conservation	Listed Building
50-100 year	Site of Special Scientific Interest	Special Areas of Conservation	Listed Building
Policy Unit Boundary	Special Areas of Conservation	Special Areas of Conservation	Listed Building

3.3 Currently the Shoreline Management Plan and any relevant beach management plans are used to guide decisions about which areas are at risk from coastal change. A Beach Management Plan (BMP) is a plan for managing a beach at a local level for the purpose of Flood and Coastal Erosion Risk Management. Consideration is given to the current condition of the beach and coastal defences, alongside their long-term future. BMPs outline the considerations and actions to be taken for the next 5 years. In East Devon there are beach management plans for Exmouth, Seaton and Sidmouth.

3.4 Strategy 45 of the East Devon Local Plan generally supports proposals for sustainable coastal change management and seeks to balance allowing coastal erosion with protecting coastal communities. It should be remembered that natural coastal erosion processes help to justify the status of the Dorset and East Devon World Heritage Coastline, and are taken into account in the local plan.

3.5 Policy EN25 of the local plan sets out criteria to guide the relocation of some forms of development if they are likely to be affected by coastal erosion in the short term (20 years). Policy EN25 was intended to be an interim policy, paragraph 22.37 of the local plan noting that ‘although the Shoreline Management Plan does not identify significant coastal change within the lifetime of the plan, in the future it will be appropriate to define specific coastal change management areas...extensive engagement with local communities and expert bodies will be needed to support this work, which will be used to inform a future review of the plan’.



4 The need for new evidence on coastal change

- 4.1 The National Planning Practice Guidance advises local planning authorities that shoreline management plans (SMP) should provide the primary source of evidence in defining a coastal change management area. However, SMP's were prepared on a regional scale and do not include the detailed work that is sometimes necessary to fully understand and predict complex coastal systems like the East Devon coast. The development of systematic regional monitoring programs around the coastline, combined with improvements in mapping and imaging technology (for example, aerial imagery, terrestrial and aerial LiDAR), have enabled contemporary coastal change to be more accurately measured.
- 4.2 Although CCMA's were first suggested by Central Government in 2010, very few have been designated nationally and these are very varied in scope. This may be because there is limited guidance on how they should be defined and no consistent methodology for identifying areas at risk at a detailed level, rather than the broad brush approach of the SMP's. Although the SMP is a useful starting point, currently it does not incorporate future climate change impacts and the part that covers the East Devon coast was adopted in 2011, so the mapping within it is now dated. All SMP's are currently being reviewed. The designation of a CCMA has significant implications for the people who live, work and own property in the areas affected so it is important to have the most accurate and robust evidence possible on which areas are at risk and within what timescale.
- 4.3 There are several public bodies with a particular interest in obtaining accurate predictions of coastal change including the Environment Agency, Natural England and the Marine Management Organisation. This is a complex process involving multiple data sources, agencies and expert judgement. Nationally, few local planning authorities (LPAs) have felt confident to undertake this task, citing a lack of reliable or consistent methodology to establish such designations. As such, development continues in often active coastal zones, with little regard for future shoreline shifts. The establishment of a robust methodology to anticipate coastal change at a local level is therefore seen as a vitally important step to guide the designation of CCMA's.



Photo 4 Beach and cliffs at Beer

5 How the new coastal change maps have been produced

5.1 The Coastal Processes Research Group in the School of Biological and Marine Sciences, University of Plymouth have the academic expertise to develop a robust methodology to predict likely rates of coastal change. They have led on the production of a methodology and have published three research papers on the topic, which are available at [South West Partnership for Environment & Economic Prosperity \(SWEEP\) - Plymouth Marine Laboratory](#). The first paper is a review of CCMA's, the second considers a CCMA methodology and the third considers draft areas for CCMA designation in the two study areas (part of the East Devon coast and the Taw Torridge Estuary). The work has been undertaken in association with the Environment Agency, Natural England, the Marine Management Organisation, East Devon, North Devon and Torridge Councils.



Photo 5 Plymouth University undertaking field work

5.2 The research work has been funded by the South West Partnership for Environment and Economic Prosperity (SWEEP), which is a partnership project with the aim of delivering economic and community benefits to the South West, whilst protecting and enhancing the area's natural resources. It is a collaboration of three research institutions: the University of Exeter, Plymouth Marine Laboratory and the University of Plymouth.

5.3 The University of Plymouth have devised a methodology for predicting the extent of coastal change related to the different types of coast involved (estuary, cliff or beach). The approach is to use the most widely adopted predictive equations which have been peer-reviewed. These are then applied to the available datasets and explored further within a Geographical Information Systems (GIS) to allow greater spatial analysis. The sections of East Devon coast used to test the methodology are mainly cliffs but also include the Axe Estuary.

- 5.4 For eroding cliff systems, past retreat rates and the associated historic rates of sea-level rise provide key indicators for future behaviour. By combining past retreat rates with predicted future sea level rise, it is possible to estimate future cliff line positions using predictive formulae from the scientific literature. The improved detail provided by LiDAR analysis, compared with historic mapping, allows for variable along-coast retreat rates to be calculated, reflecting the fact that cliff retreat rates vary within a given area. The approach firstly quantifies rates of historic cliff retreat using geomorphic change detected from airborne LiDAR, and secondly, applies formulae for future cliff retreat that considers the effects of accelerating sea level rise.
- 5.5 Sea level rise projections into the future are available for the UK from the United Kingdom Climate Projections dataset (currently UKCP18), and the 'high emissions, 50th percentile' climate scenario was used. This is in line with Environment Agency common practice and represents a precautionary approach. Cliff retreat is episodic and spatially variable so future retreat rates for any given area are best informed by considering the maximum historic retreat along the surrounding cliff area. This is a more robust approach than considering retreat at each location in isolation, provided the neighbouring cliff is of a similar geomorphological type, and the cliff has a similar wave exposure. Dividing the coastline into sections also allows a transition between the differing methods required to project cliff retreat and beach retreat, as different retreat rate equations need to be applied for each case. To inform where the coastline is divided into differing sections, the Coastal Vulnerability Dataset from the British Geological Survey (BGS) was used. This dataset has been compiled by geologists (engineering and coastal) and the BGS to provide a range of GIS layers that identify areas susceptible to flooding and coastal erosion for Great Britain within 1 km of the coast. To calculate the past rate of cliff retreat the difference in cliff volume (the 'geomorphic change') between different LiDAR epochs was used. For each profile along the cliff-top, volumetric analysis was undertaken on a section of the extracted profile. The computed volumes were then used to calculate past retreat rates for each of the extracted profiles.
- 5.6 The new lines provide additional evidence that can be considered alongside the SMP when planning for areas at risk of coastal change. The new lines are derived from more precise and accurate data, using the most up to date sea level rise projections, and the best available cliff retreat formulae. They produce estimates of future coastal retreat that are data-driven and vary along the coast to reflect differences in geology and observed retreat. While the SMP coastal retreat predictions are very similar in some areas, they do not vary much over large sections of coastline, despite large differences in the observed rates of past retreat. This is



because the SMP uses a coarser resolution baseline map and applies uniform retreat distances to sections of the coast. For the new approach the predicted rate of future cliff retreat is dependent on the historic retreat rate at each location (up to every 10 m because of the LiDAR data resolution), and therefore varies along the coast. It is expected that the existing SMP underestimates future retreat in some places, while overestimating it in other places, both of which would be problematic when designating a CCMA.

5.7 Whilst most of the study area in East Devon covered cliffs, the Axe Estuary was also assessed. In an estuarine environment the most likely coastal change is increased flooding of the surrounding land and possible permanent inundation. The University assessed this through an approach which considers the impact of sea-level rise on the areas already identified as being at risk of flooding by the Environment Agency.

5.8 For estuaries, the prediction of coastal change is linked directly to inundation from projected rises in sea level. The latest data from the National Coastal Erosion Risk Mapping (NCERM) and the Environment Agency's flood zone maps were combined, with the inland boundary used on a precautionary basis where they differed. By combining these data, any gaps and inconsistencies in their spatial extents were identified enabling additional analysis to be focused in these areas.

5.9 On the GIS, airborne LiDAR tiles covering the estuary were merged into one layer, with preliminary processing enabling removal of vegetation cover to create a real ground level without distortion from trees, hedges and ground cover. Current extreme sea level values for the highest astronomical tides for different return periods (such as 1 in 200 year event) were taken from the Environment Agency's coastal design sea-level data set. This was used to generate a flood zone map which equates to a future flood zone 3 (1:200 year return level). This approach relies on the most recent aerial LiDAR to mapping from which the projected elevation can be extracted to create the inundation map. A vertical 0.25 m buffer was added to the projected extent of sea level rise on a precautionary basis. This generates a horizontal buffer around the potential CCMA, the extent of which depends on the gradients around the estuary. Where the coastal path follows the line of an estuary, the horizontal buffer needs to be at least 2 metres wide to accommodate any future relocation of the South West Coast Path.



Photo 7 Axe Estuary from Seaton Bridge

6 Next Steps

- 6.1 The new research is mainly aimed at providing a sound basis to identify which areas are likely to be subject to coastal change in the next 100 years so that appropriate plans and policies can be put into place. This will happen through the review of the East Devon Local Plan, which will need to consider identifying Coastal Change Management Areas. It is also hoped that the research will be useful in informing projects for coastal adaptation, in particular in implementing the beach management plans.
- 6.2 As a local planning authority we will focus on defining and developing the right policies to guide development in coastal change management areas through the new local plan. The work undertaken by Plymouth University will form part of the background evidence that informs the new local plan. Coastal change management areas are likely to have policies that restrict what development can happen, but we also hope to be able to plan positively for the affected areas, including seeking opportunities for environmental gain through habitat creation (such as space for salt marshes on estuarine margins). We will also need to consider introducing policies that enable the relocation of uses and buildings to less vulnerable locations where planning permission would not otherwise be granted.
- 6.3 The biggest changes in the coastline predicted by the new research when compared with the Shoreline Management Plan occur through cliff falls. There is an important difference between areas at risk of physically falling into the sea through cliff erosion and areas that may suffer increased risks of flooding, such as land surrounding the Axe Estuary. An increase in flood events is likely to lead to areas only gradually becoming unsuitable for people to live and work in as the risks of flood events rise, but cliff erosion constitutes a potentially catastrophic risk. This is likely to require a difference in approach to the planning policies that may be appropriate according to the nature of the risk posed. It is also the case that most of our town centres will be more susceptible to gradual change as is shown in the Axe Estuary, where large parts of the town are including in the area shown to be at risk of flooding.
- 6.4 Predicting future coastal change is a complex science and is subject to many variables, including any interventions in the form of coastal protection works and the variability in climate projections. The work undertaken by Plymouth University is ground breaking research that is likely to stimulate a national debate on how best to identify areas susceptible to coastal change. That does not mean that the changes identified will definitely happen within the specified timescales, partly because predicting the future accurately is difficult but also because there are interventions that can be taken to alter coastal change. Whilst the national approach is to 'let nature take its course', it is sometimes appropriate to seek to reduce erosion rates.
- 6.5 Our work as a coastal protection authority will prioritise the delivery of beach management plans and the development of coastal protection works that accord with the beach management plans. This will include the provision of rock groynes at Sidmouth that are designed to reduce the rate of cliff erosion as shown in Figure 1. In

Seaton our beach management plan aims to reduce the risk of erosion to properties and infrastructure to the West of the town between Seaton Hole and West Walk by improving the existing revetments, and constructing a new defence between the existing rock revetment and West Walk

Figure 1 Extract from Sidmouth Beach Management Plan



The Preferred Option

The preferred option considered the various risks and pressures facing the different parts of the coastal frontage, such as overtopping, outflanking, erosion and sediment loss as well as aspects such as affordability, buildability and impact on the environment.

The preferred option for each frontage was agreed as the following:

- Frontage A: Maintain Chit Rocks Revetment and clear promenade
- Frontage B: Renourish the shingle beach and provide protective wall
- Frontage C: Restoration and maintenance to the River Sid flood wall and repairs to the Training Wall
- Frontage D: Build Rock groynes and beach to reduce cliff erosion

This is considered to be the most suitable option given the requirements to balance the technical implementation, environmental acceptability and the economic case. Other options assessed did not meet the overall need of the scheme.

7 Areas affected

7.1 In terms of cliff erosion, the new maps show more variation than the Shoreline Management Plan in the extent of areas potentially affected by coastal change. This means that some areas that are not shown to be affected in the SMP are now included in the area at risk and some of the areas shown to be at risk in the SMP are not included in the new mapping. It is important to note that the new maps include a ten metre 'buffer' inland of the predicted coastal change and all references to places refer to the land within this buffer.

7.2 Areas that are predicted to experience less erosion than the SMP maps include:

- The section of coast from Seaton to Lyme Regis.
- Much of the coast west of Highcliffe close in Seaton, through Beer to the east of Branscombe mouth; and
- The majority of the coast from Branscombe mouth to the cliffs east of Sidmouth (roughly south of 'Southdown').

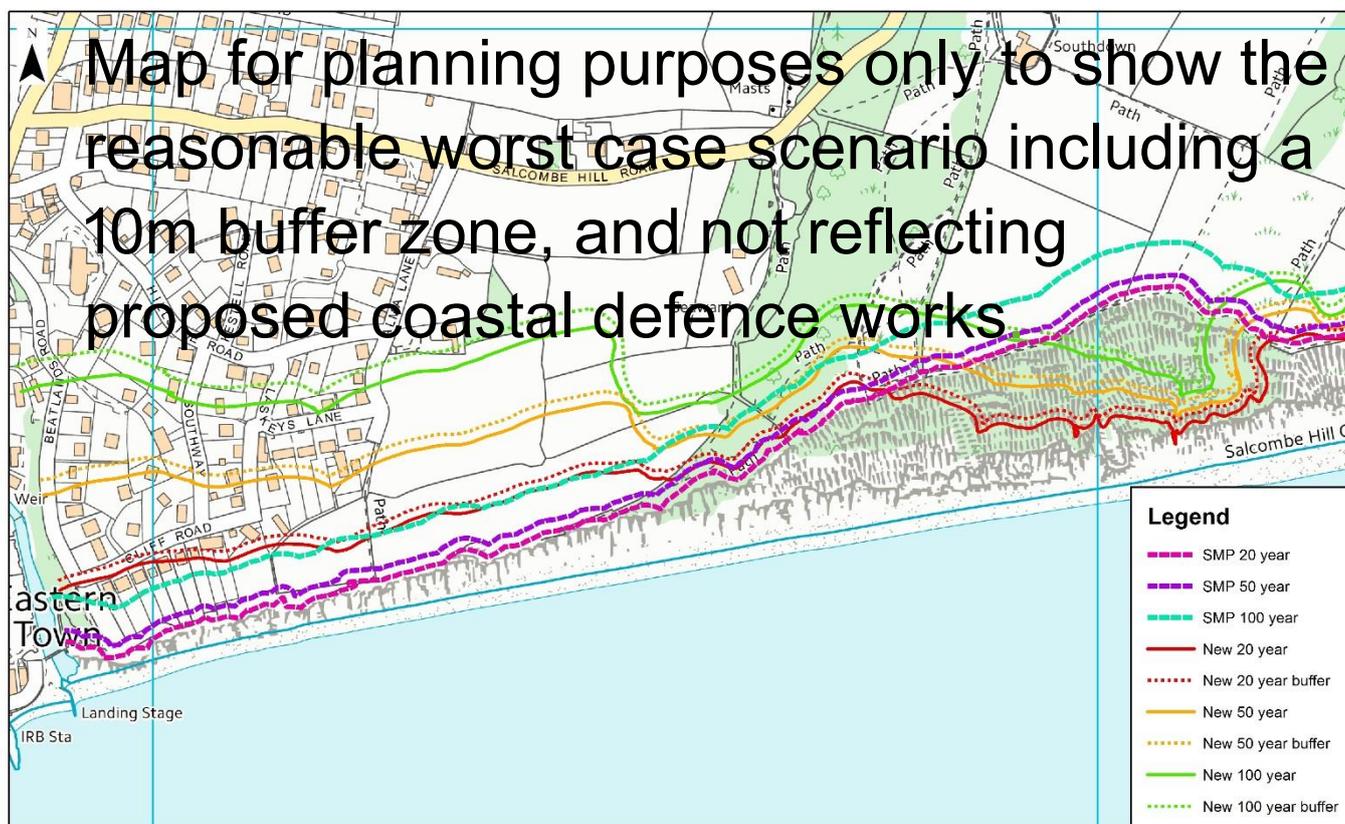
7.3 Areas where more erosion is predicted in the new maps compared to the SMP are:

- In Seaton including some properties accessed off Beer Road and the Highcliffs Close area;
- Two small areas either side of Branscombe mouth; and
- Land in Sidmouth east of the River Sid including many properties accessed off Cliff Road, Beatlands Road, Southway, Laskeys Lane and Alma Road.

7.4 Maps are include in Appendix 1. For cliffs these show the existing Shoreline Management Plan (SMP) lines as well as the new Plymouth University lines.

APPENDIX 1 Maps

Map 1 River Sid to Salcombe Hill Cliff

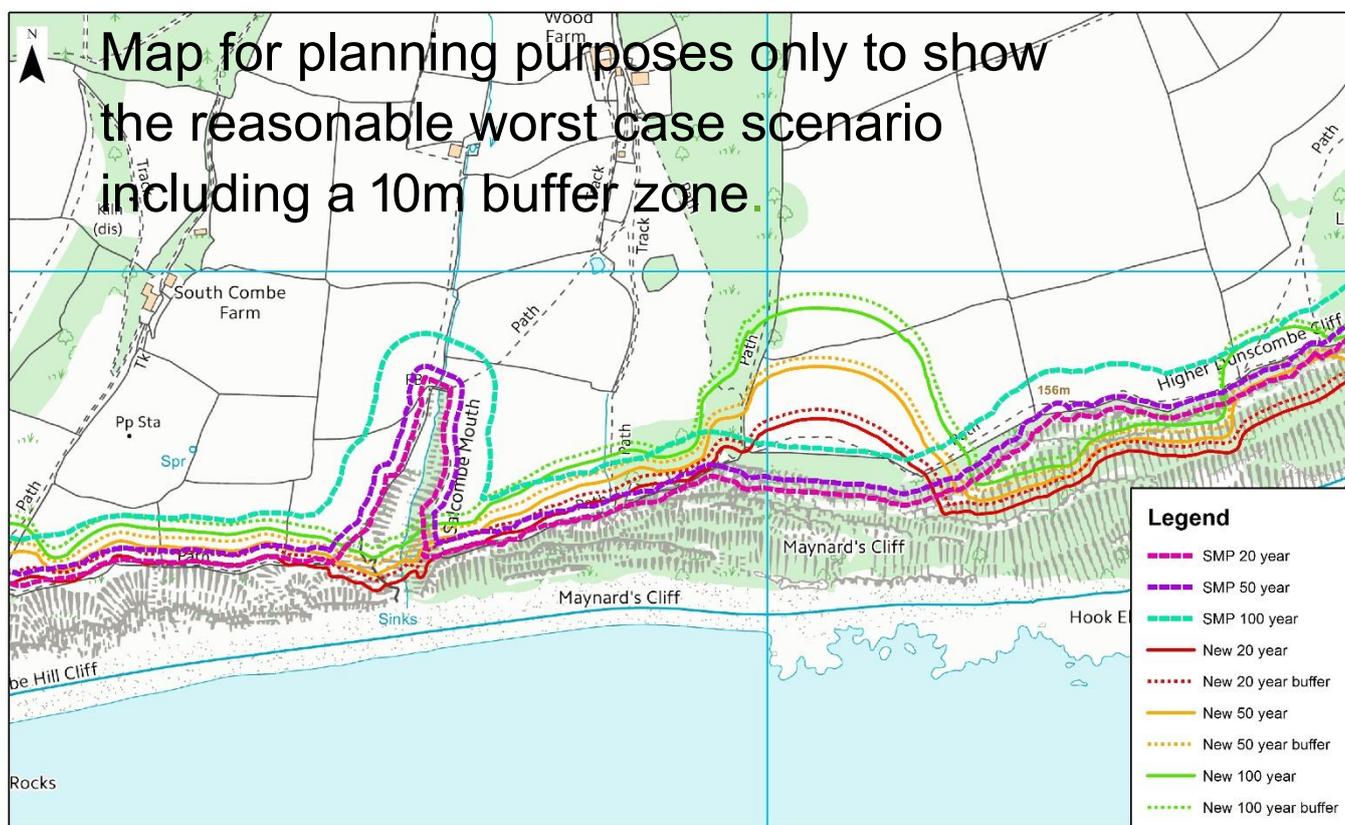


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Key points

- The SMP lines are the stippled pink, purple and green lines that are closest to the coast near to the River Sid
- The new erosion lines are the solid red, orange and green lines with the related buffer being indicated in stippled lines of the same colour
- In the area of housing to the immediate east of the River Sid, the new erosion lines show significantly faster and further erosion than indicated in the SMP
- For the housing to the south of Cliff Road, the new 20 year erosion line extends further inland than the 100 year SMP line
- The new erosion rates do not take account of the coastal protection works proposed as part of the beach management plan; these are designed to reduce the rate of erosion

Map 2 Salcombe High Cliff to Higher Dunscombe Cliffe



Key points

- Around Salcomen Mouth the new erosion lines show far less erosion than the SMP
- At Maynard's cliff the new erosion lines show significantly more erosion than the SMP
- At part of Higher Dunscombe Cliff the new 20 year erosion line shows less erosion than the 20 year SMP line, but similar levels in the 50 and 100 year lines

Map 3 Little Weston, Lower Dunscombe Cliff and Western Mouth

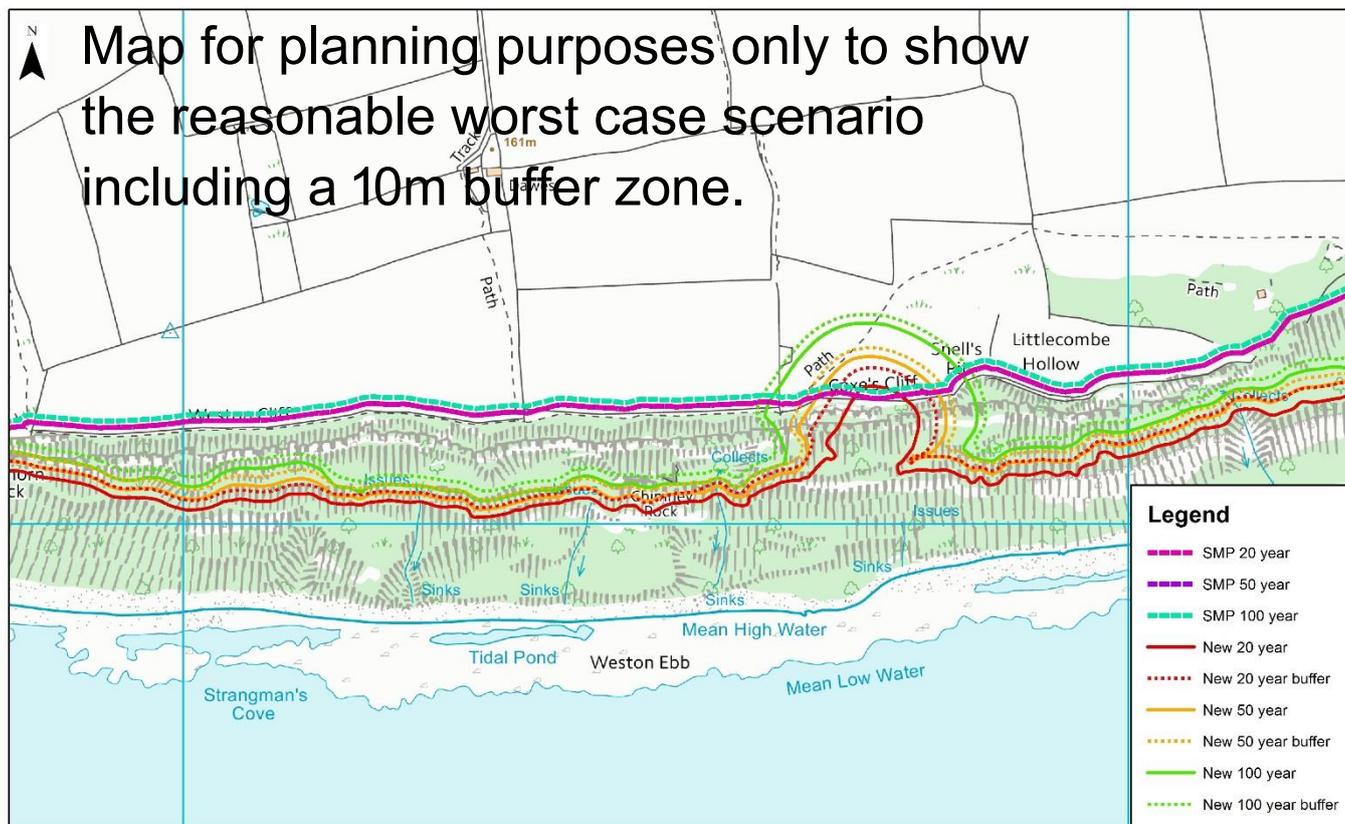


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Key points

- At Lower Dunscombe Cliff, the new erosion lines show significantly less erosion than the SMP

Map 4 Western Ebb

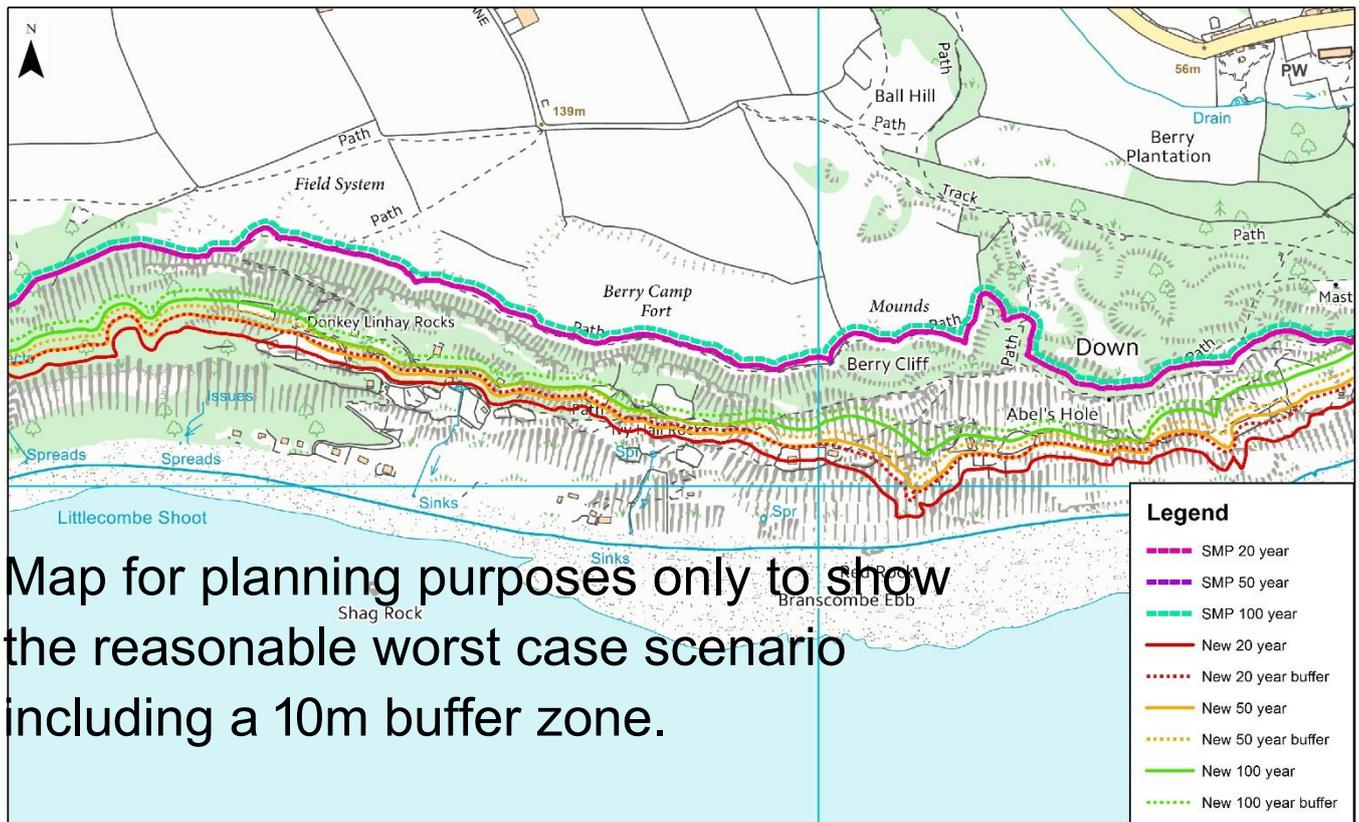


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Key points

- In this area the new erosion lines generally show less erosion than the SMP, except at Coxes Cliff

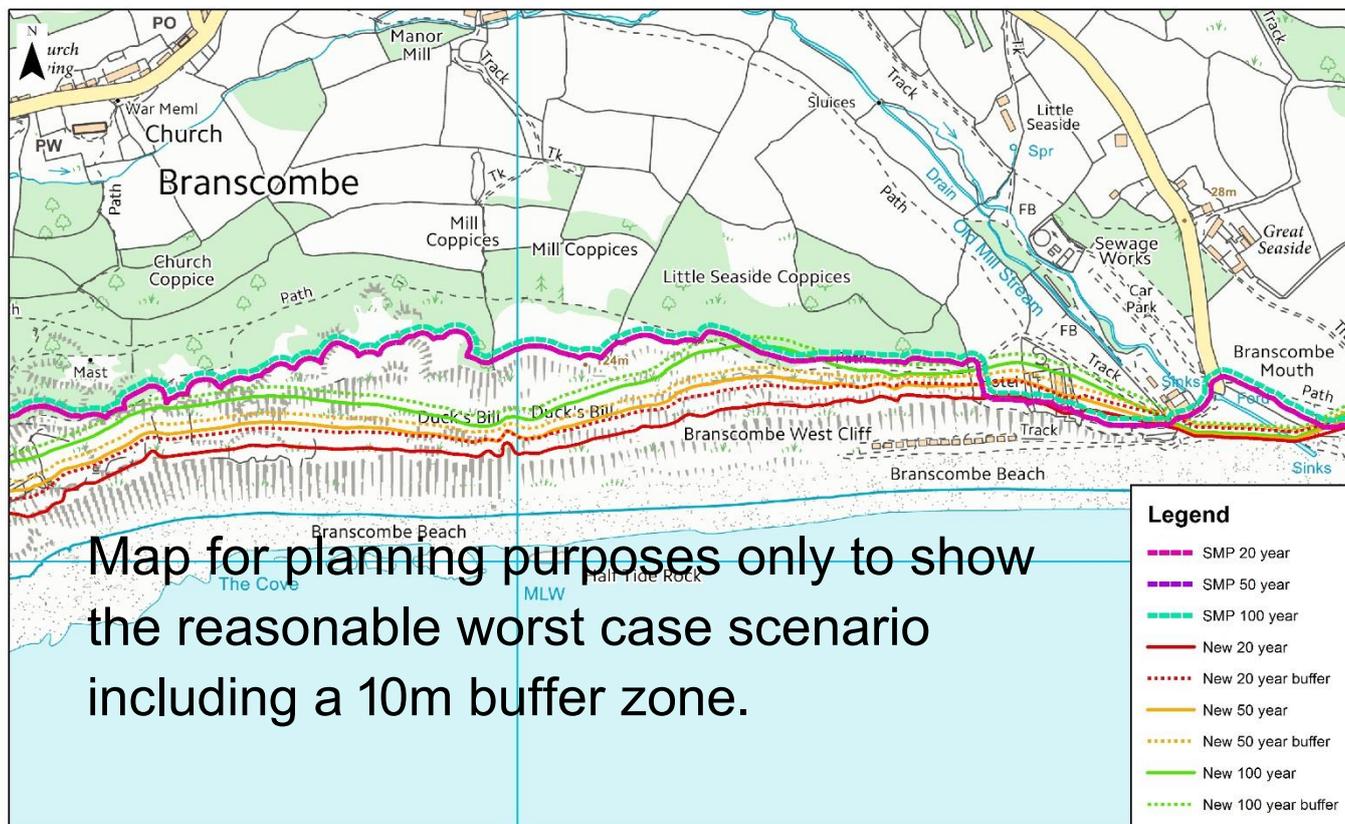
Map 5 Littlecombe Shoot to Branscombe Ebb



Key Points

- Along this section of coast the new erosion lines show less erosion than the SMP

Map 6 Branscombe Beach

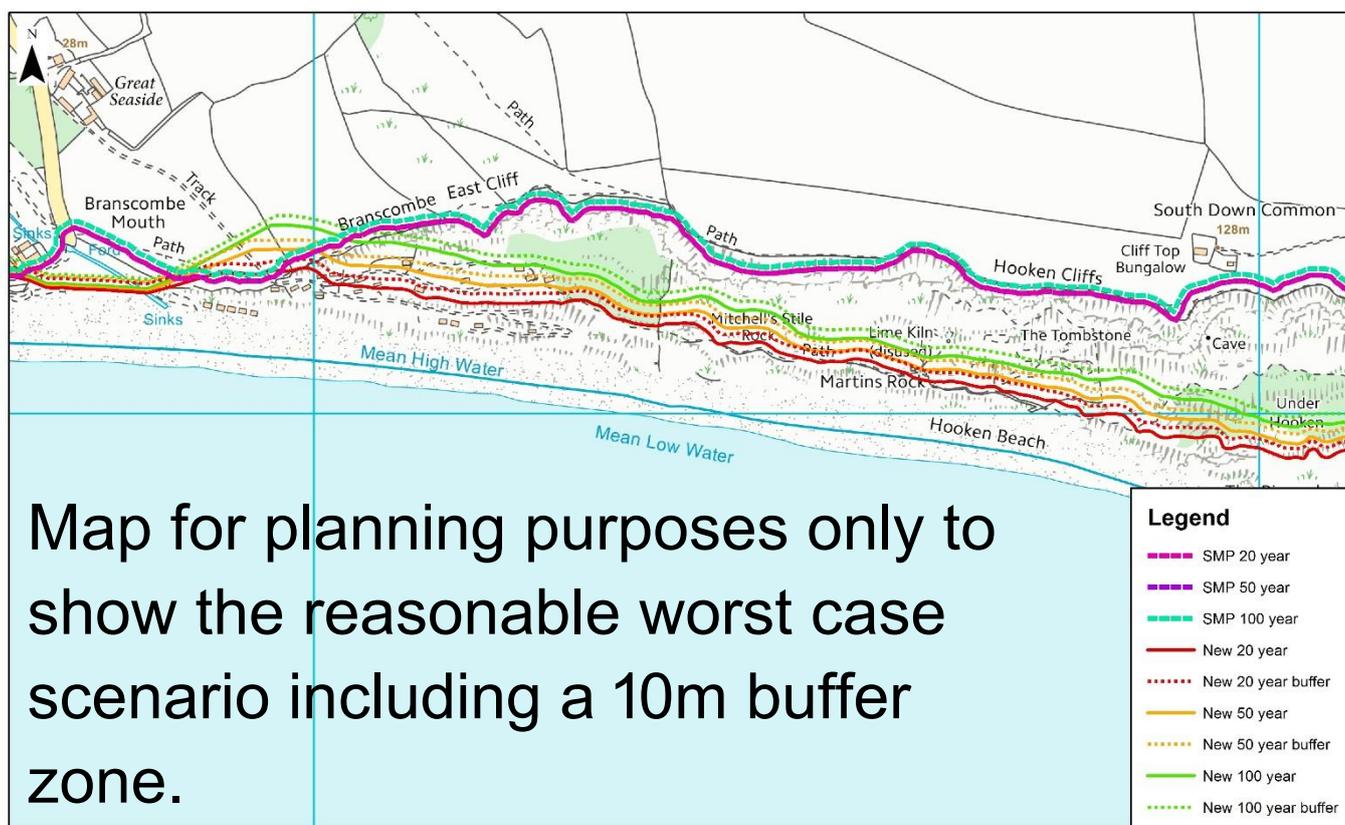


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Key points

- The new erosion lines generally show less erosion than the SMP, with the exception of the area to the immediate west of Branscombe Mouth

Map 7 Branscombe Mouth to Hooken Beach



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Key points

- With the exception of a small area to the immediate east of Branscombe Mouth, the new erosion lines show significantly less erosion than the SMP

Map 8 Beer Head

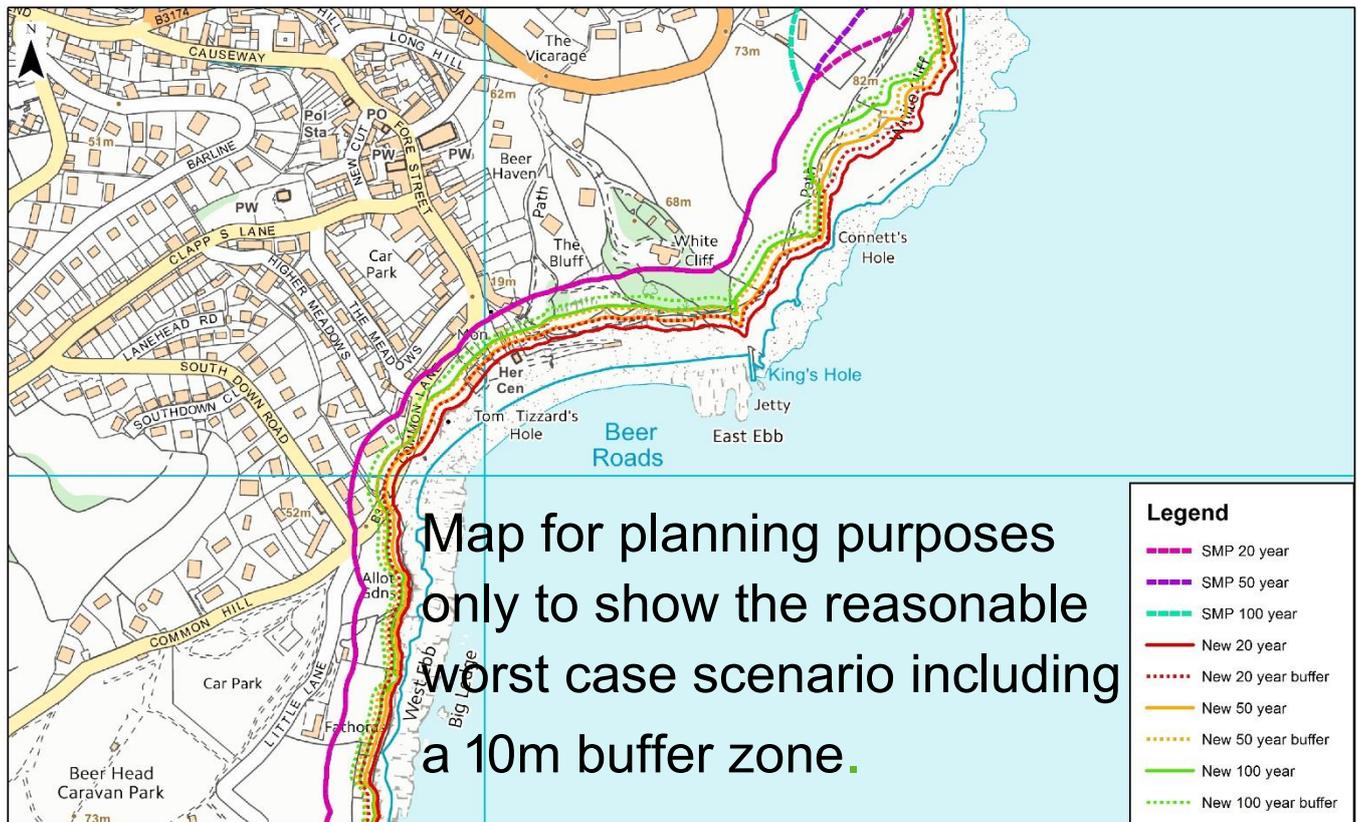


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Key points

- With the exception of a small section behind Little Beach, the new erosion lines show significantly less erosion than the SMP

Map 9 Beer

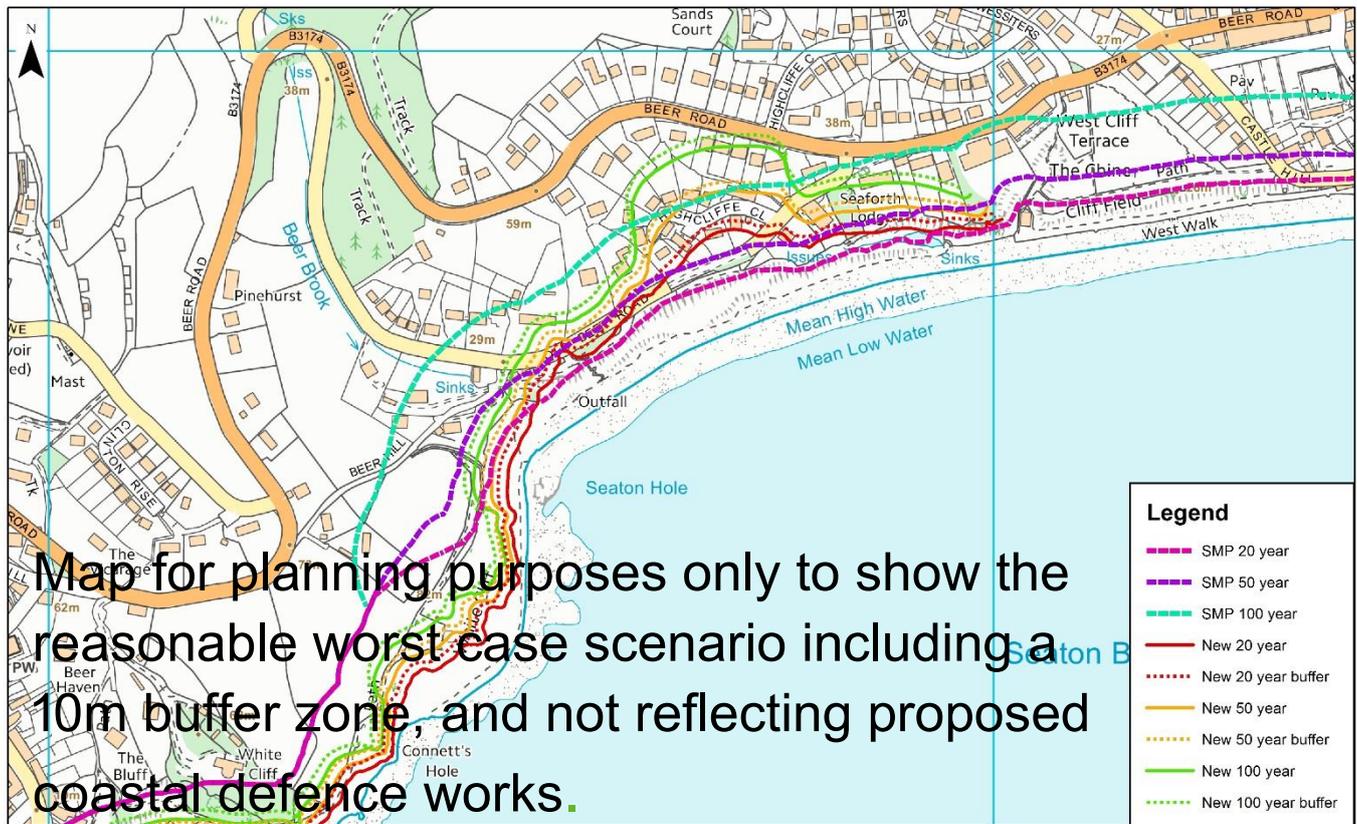


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Key points

- Along this stretch of coast the new erosion lines show less erosion than the SMP

Map 10A Seaton Hole

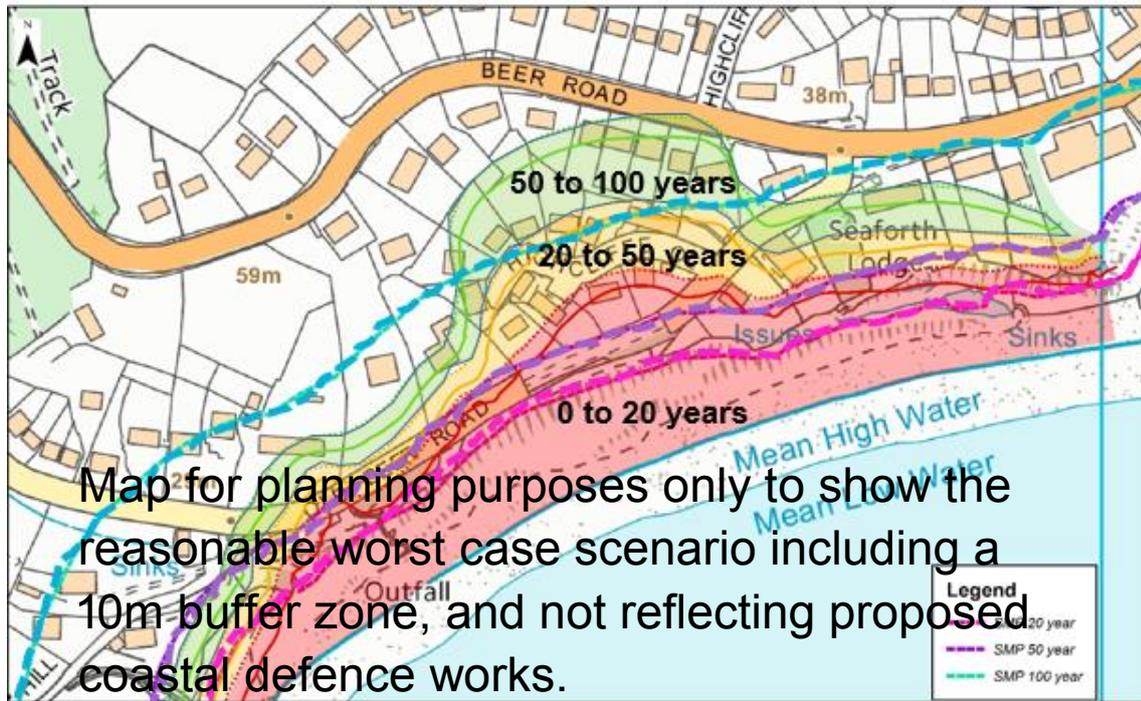


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Key points

- There is a very complex pattern of different erosion rates shown for this part of the coast.
- Whilst, generally the new erosion lines show less erosion than the SMP, on parts of Old Beer Road and in the vicinity of Highcliffe Close, they show more.
- An additional map has been prepared to make these differences clearer.
- The lines shown do not take account of the coastal protection works proposed in the Seaton Beach Management Plan.

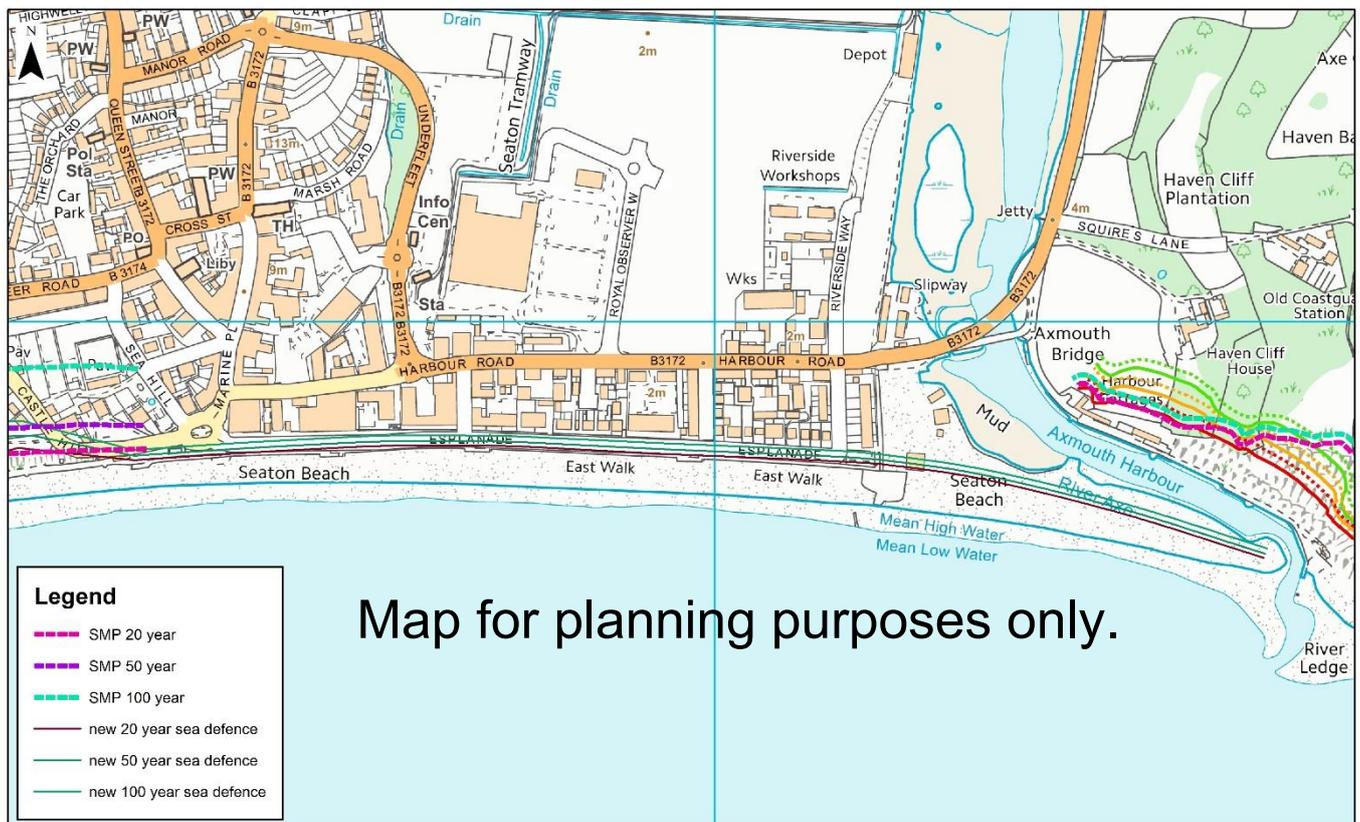
Map 10B Seaton Hole alternative map



Key points

- This map shows the areas shown to be at risk in the new research shaded in (pink for the first 20 years, yellow for 20 to 50 years and green for 50 to 100 years)
- The SMP lines 'cut through' the shaded lines to varying extents (in pink for up to 20 years, purple for 50 years and blue for 100 years)
- The new lines show part of Beer Road to be within the 'buffer' for the 100 year line
- The lines shown do not take account of the coastal protection works proposed in the Seaton Beach Management Plan.

Map 11 Seaton defended coast



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Key points

- The Shoreline Management Plan policy is to 'hold the line' along this section of coast, which is protected by the Seaton sea wall
- The new erosion line reflect this policy and do not show erosion

Map 12 Seaton Lower Estuary

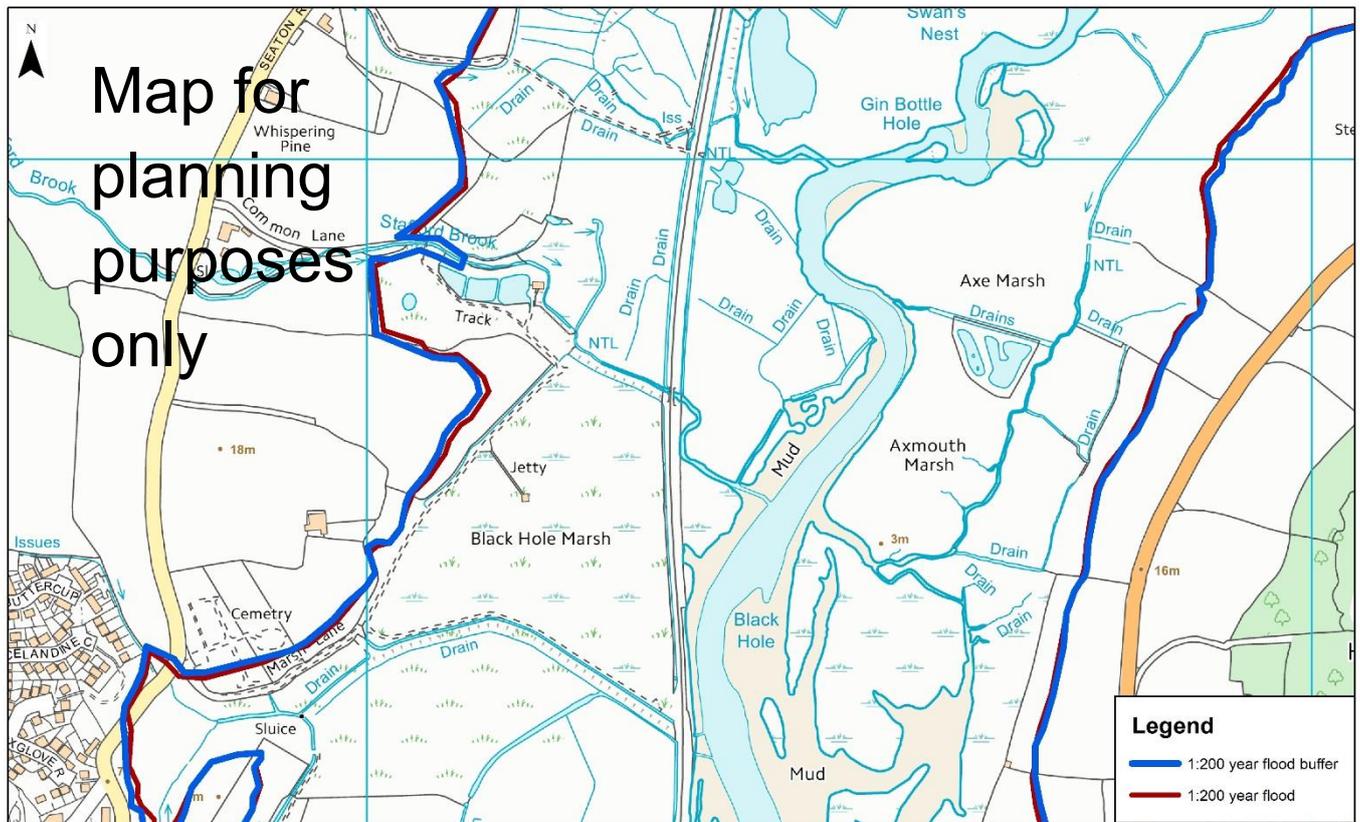


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Key points

- This plan shows the 1 in 200 year flood area produced by the Environment Agency (in red) to which a vertical buffer of 0.25 metres has been added (in blue).
- The Tesco store and surrounding housing are included in the 1 in 200 year 'Floodzone 2', but are not in the 1 in 100 year 'Floodzone 3'.
- The SMP policy for this area is to 'hold the line'

Map 14 Black Hole Marsh and Axmouth Marsh

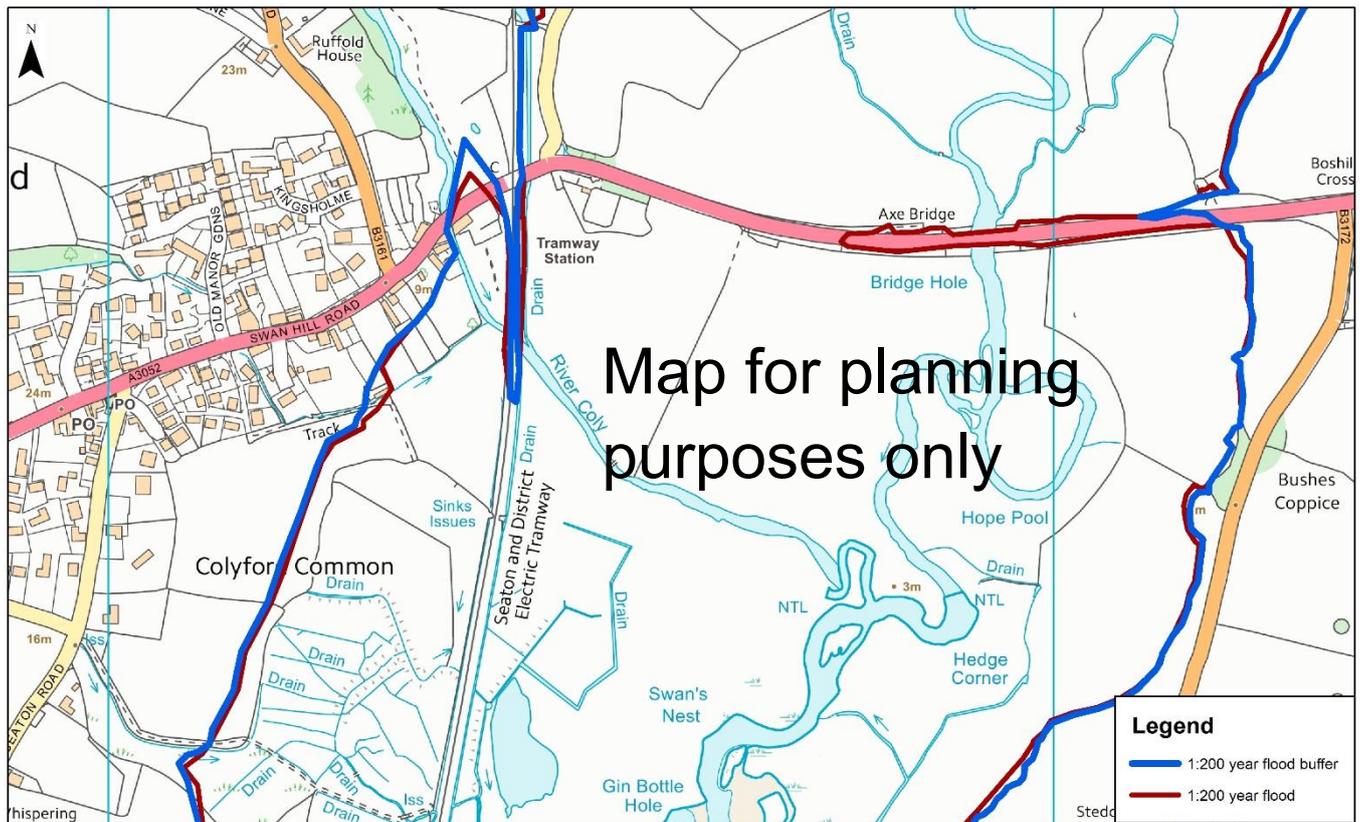


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Key points

- This plan shows the 1 in 200 year flood area produced by the Environment Agency (in red) to which a vertical buffer of 0.25 metres has been added (in blue).
- The SMP policy for this area is 'managed realignment'

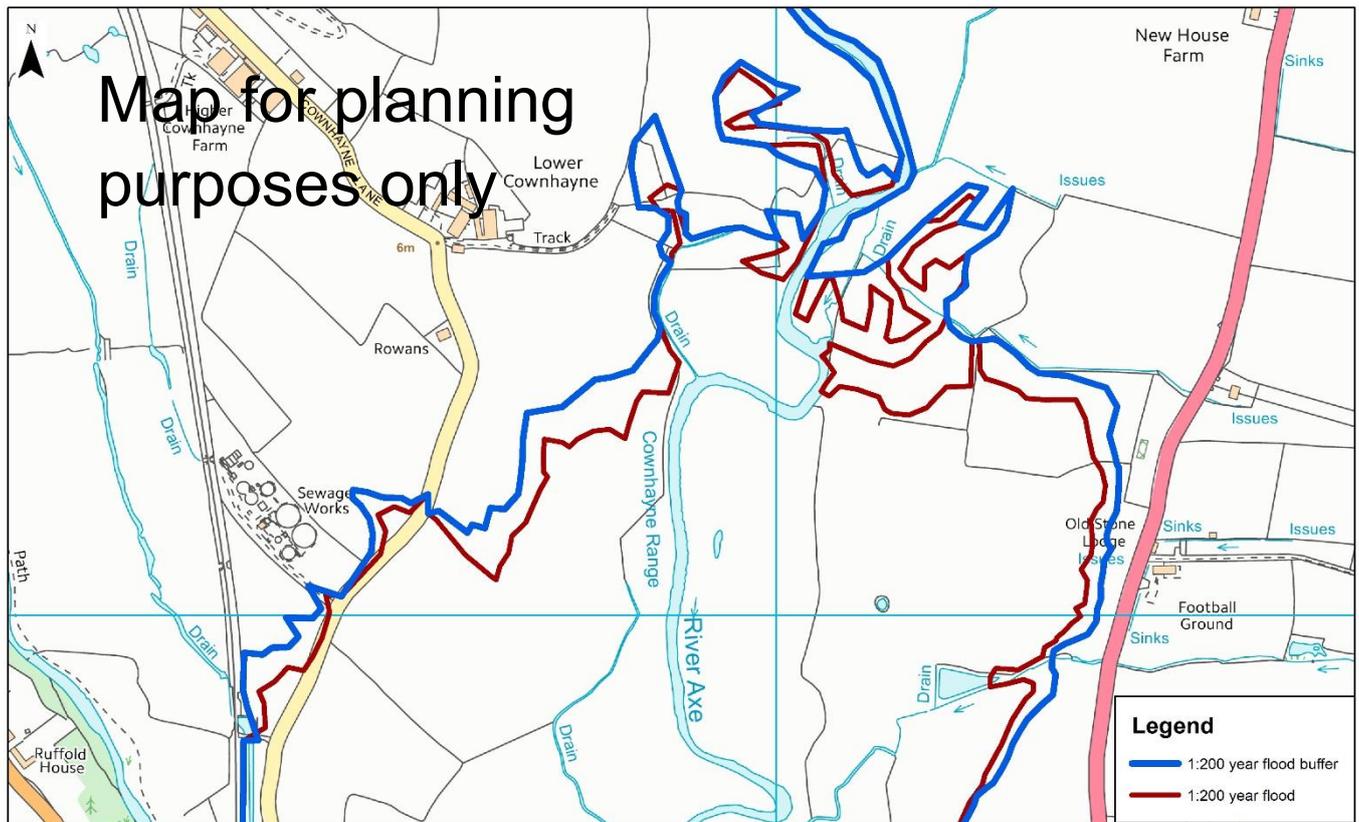
Map 15 Axe Estuary East of Colyford



Key points

- This plan shows the 1 in 200 year flood area produced by the Environment Agency (in red) to which a vertical buffer of 0.25 metres has been added (in blue).
- The SMP policy for this area is 'managed realignment' and it recognises that there may be loss of Grade 3 and 4 agricultural land and an increased risk of flooding of the A3052 at Colyford.

Map 16 Axe Estuary North East of Colyford

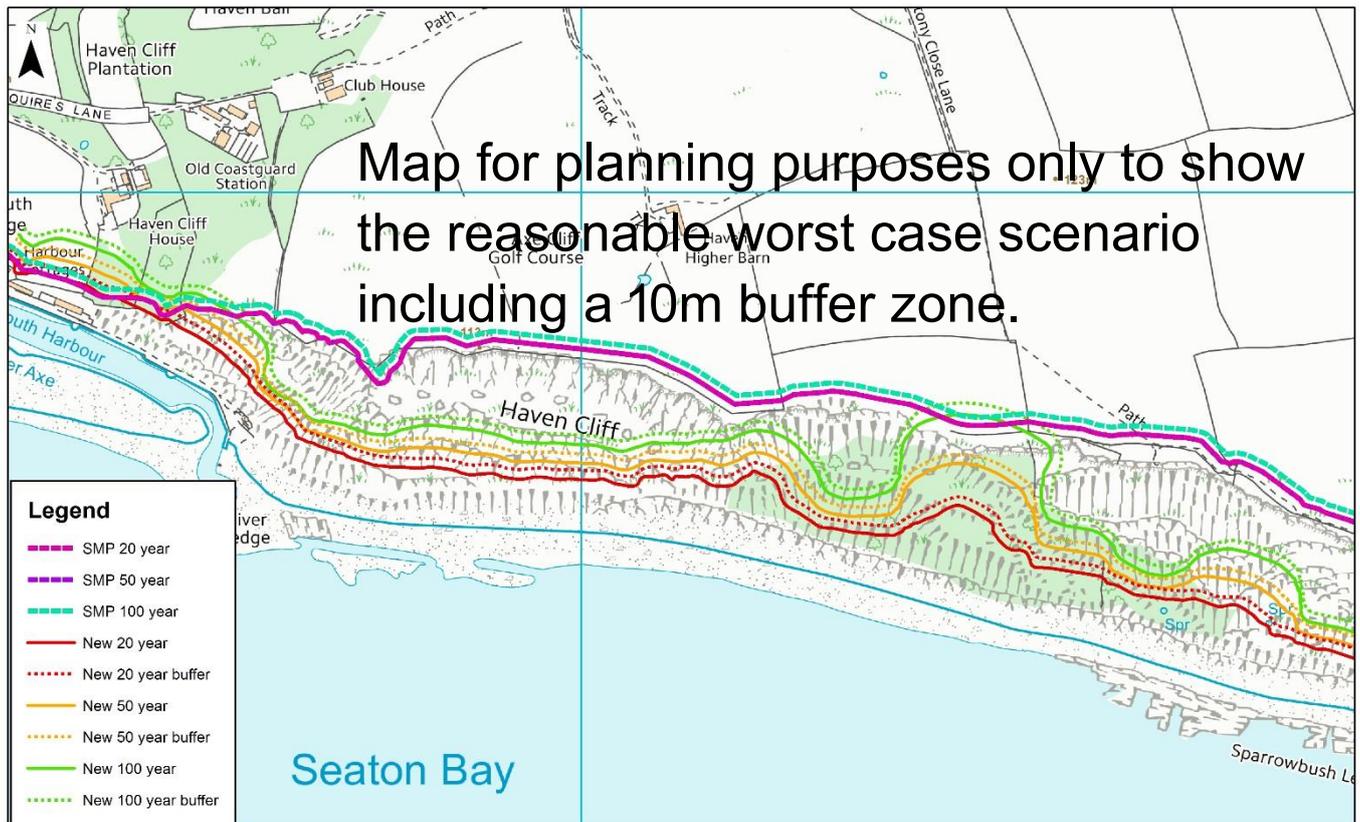


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Key points

- This plan shows the 1 in 200 year flood area produced by the Environment Agency (in red) to which a vertical buffer of 0.25 metres has been added (in blue).

Map 17 Haven Cliff east of Seaton

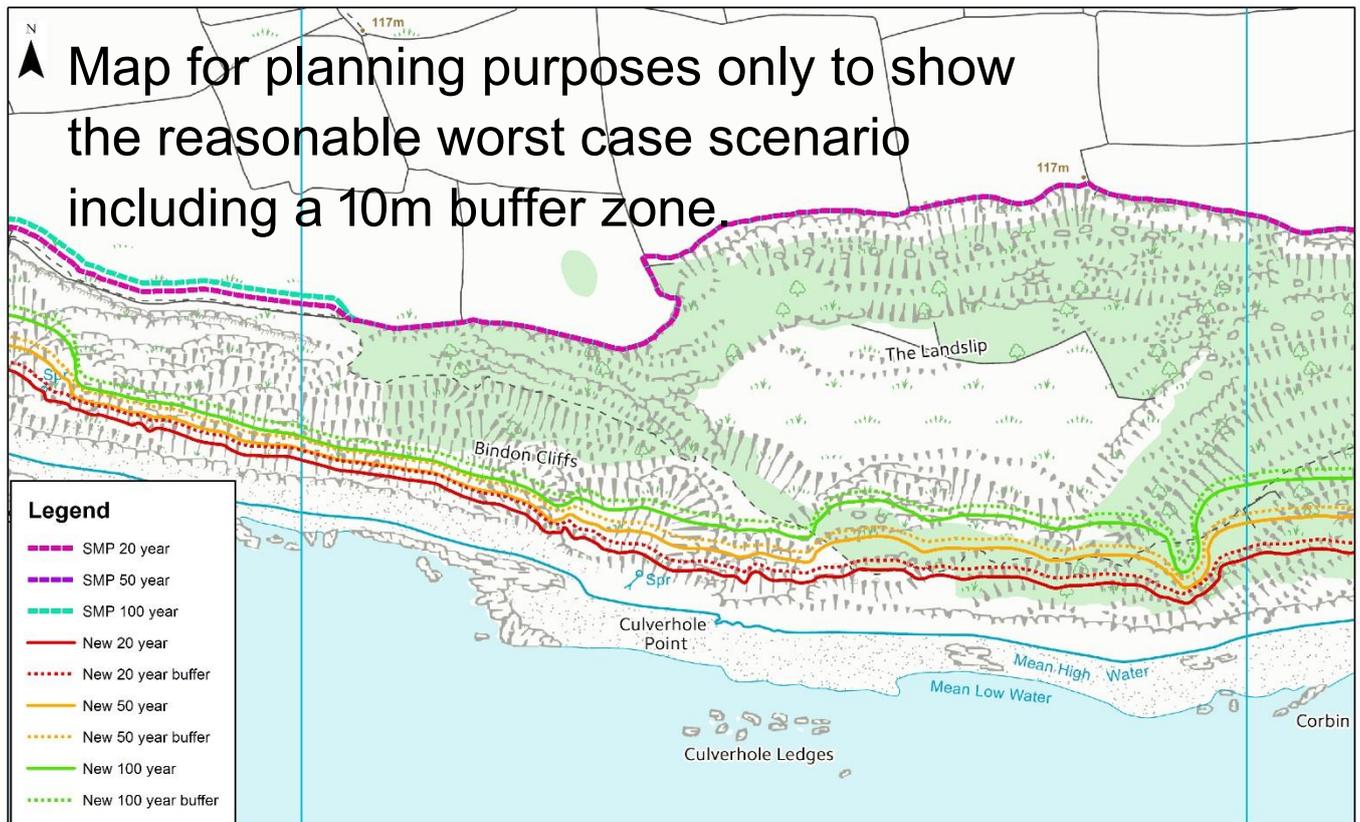


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Key points

- The new erosion lines show more variation than the SMP lines, but generally less erosion

Map 18 Binden Cliffs and The Landslip



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Key points

- The new erosion lines show significantly less erosion than the SMP
- The difference is over 350 metres in some places

Map 19 Downland Cliffs and Landslip to Rousden Cliffs

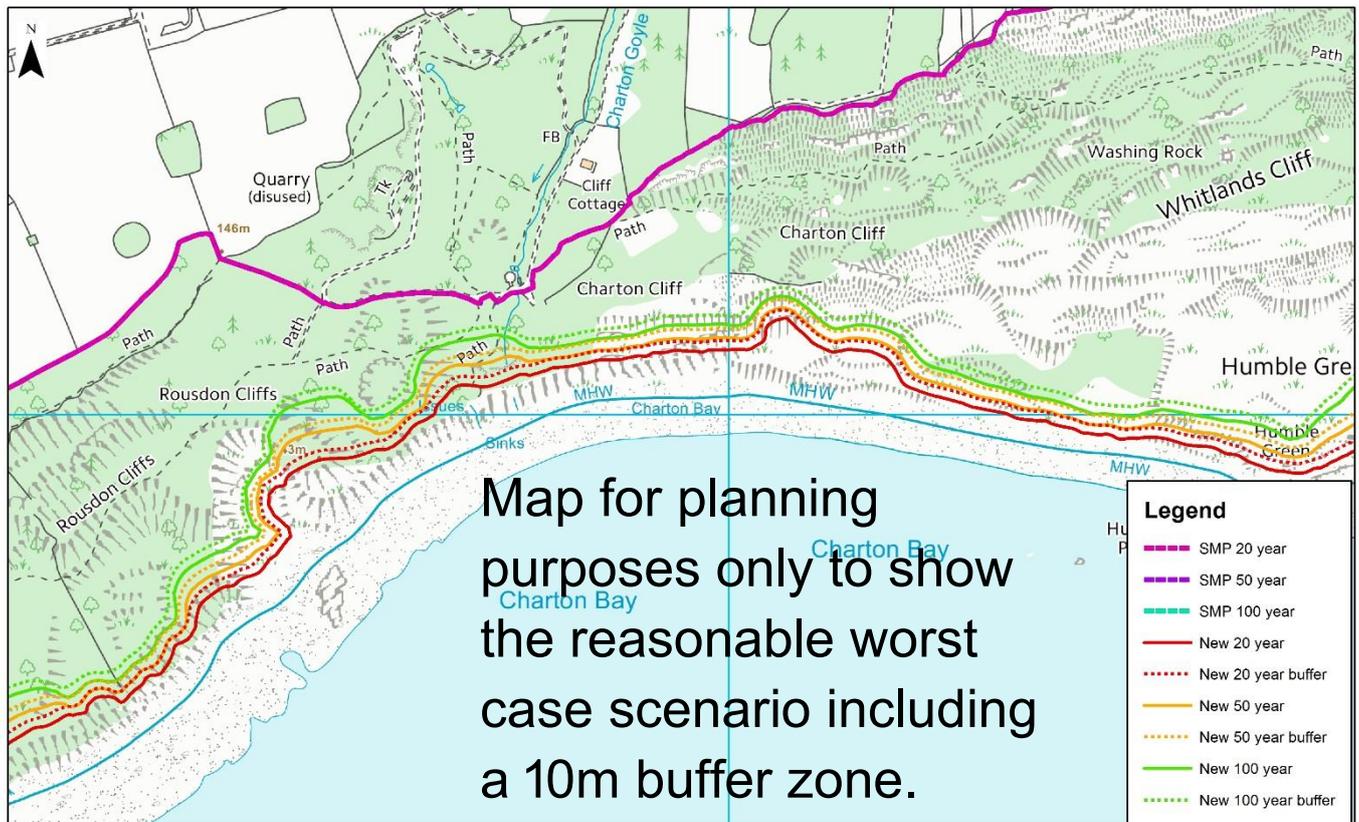


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Key points

- The new erosion lines show significantly less erosion than the SMP

Map 20 Charleton Bay



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Key points

- The new erosion maps show significantly less erosion than the SMP

Map 21 Humble Green to Pinhay Cliffs

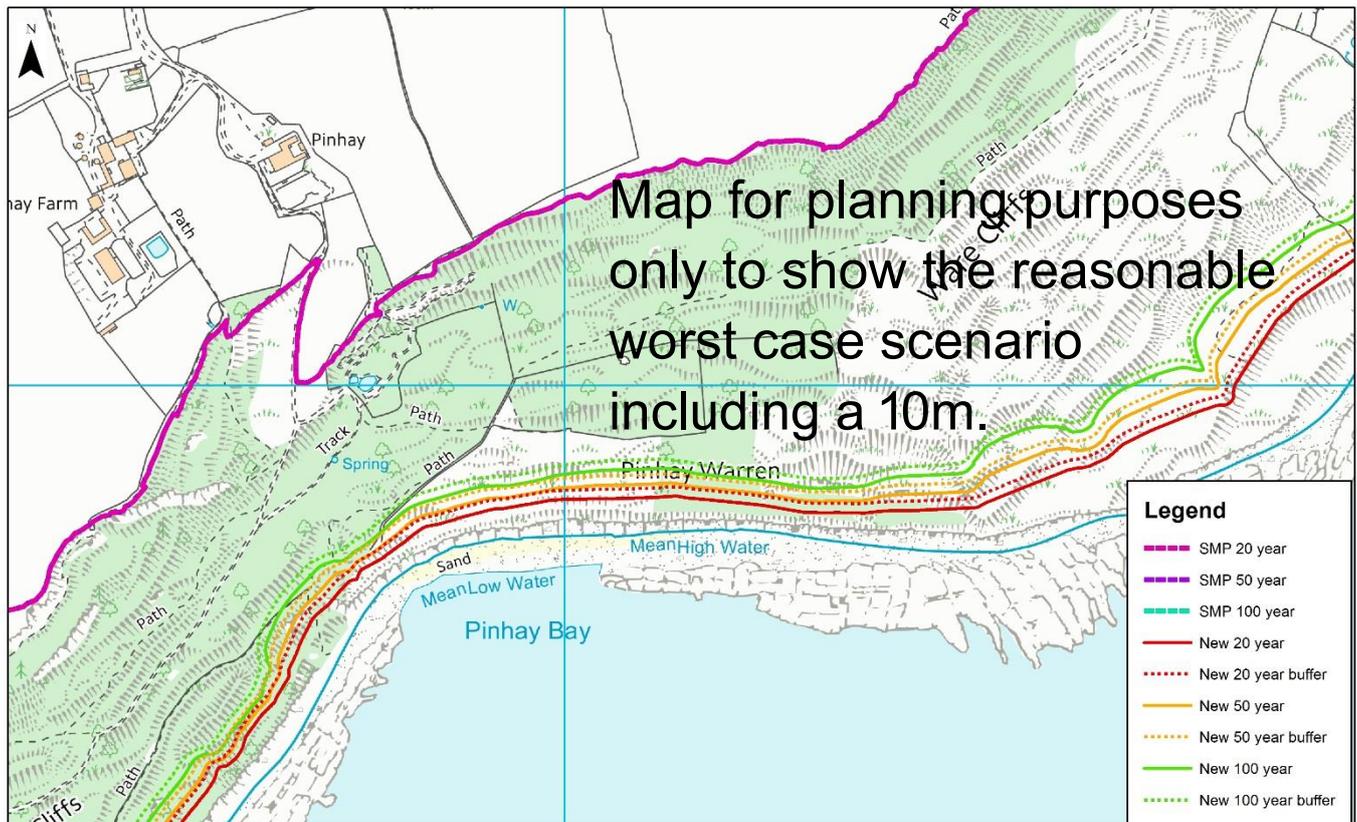


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Key points

- The new erosion lines show significantly less erosion than the SMP; in some cases the difference is over 550 metres

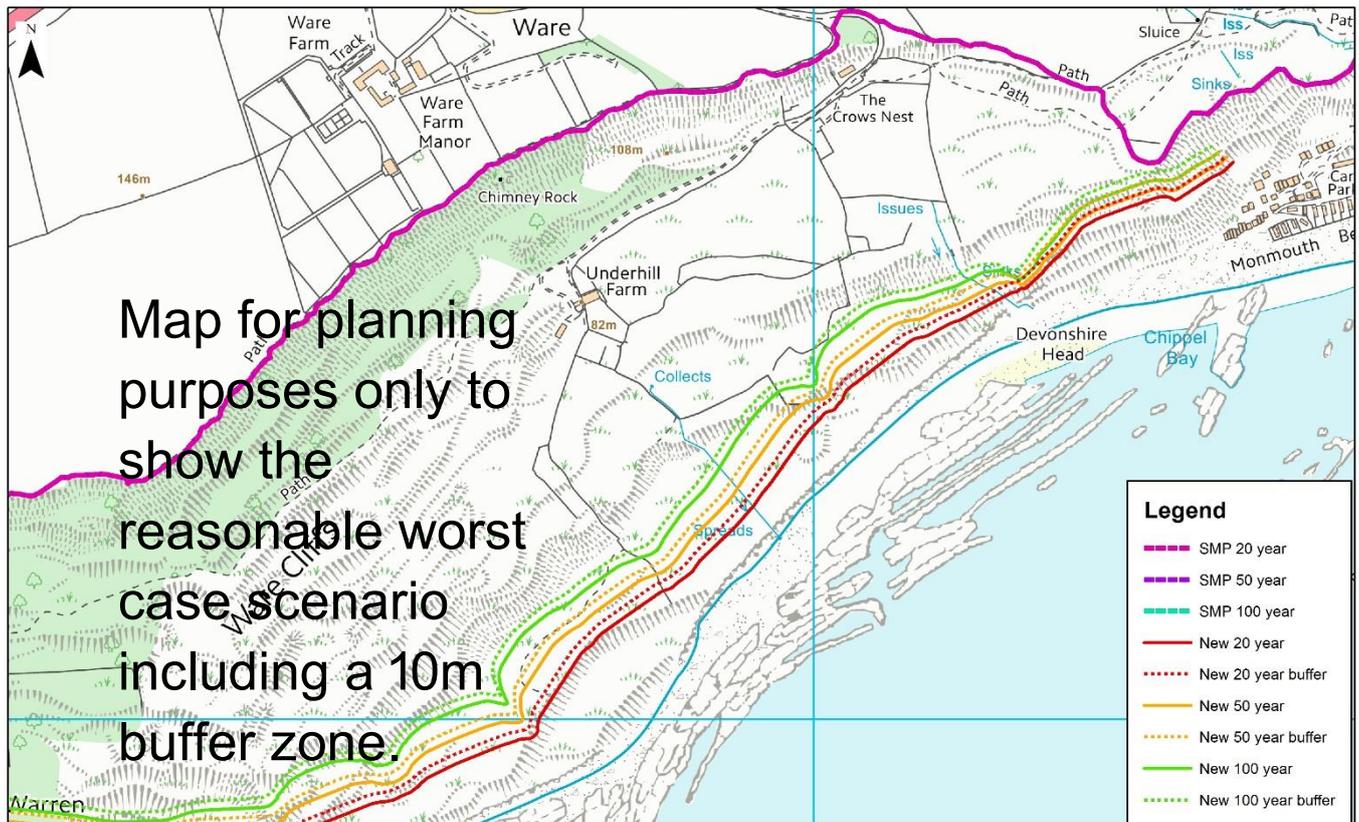
Map 22 Pinhay Bay



Main points

- On this section of coast the new erosion lines show significantly less erosion

Map 23 Ware Cliffs to Monmouth Beach, Lyme Regis



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Main points

- In this section of coast the new erosion lines show significantly less erosion than the SMP

New research by Plymouth University on coastal change along part of the East Devon coast.

Frequently Asked Questions

What's this about in a nutshell?

The University of Plymouth have undertaken research that gives new predictions of coastal change. This indicates that, if erosion rates continue as they have for the past 20 years, more properties may be at risk of coastal erosion than previously thought. These 'frequently asked questions' help to explain why new coastal change maps have been produced and what it might mean for future plans.

What is coastal change?

Our coastline is constantly altered by waves, tidal currents and the changing climate. Coastal change is the term used to describe any permanent physical change to the shoreline caused by processes such as erosion, landslip or flooding. It is anticipated that climate change will create increasing pressure on coastal and estuarine environments.

What is the national approach to dealing with coastal change?

The emphasis is on working with natural processes to adapt to coastal change rather than trying to prevent it. Local authorities are expected to identify the areas at risk of coastal change within 100 years and to use their planning powers to carefully control what is built and to allow development to move to a safer location where feasible.

Can coastal change be predicted?

To a degree, yes. This is the most accurate and up to date prediction, which has been produced using multiple data sources, agencies and expert judgement, but there is no guarantee that we can anticipate exactly what will happen in a local area and in what timescale.

How is coastal change predicted at the moment?

The government advises local authorities to use the shoreline management plan (SMP) as the main source of evidence for identifying areas at risk of coastal change. The SMP is a large-scale assessment of the risks associated with coastal processes and includes maps showing the expected shoreline position in 0-20 years, 20-50 years and 50-100 years (short, medium and long term). In East Devon the SMP does not show any significant loss of property or infrastructure in the short term, although it was adopted in 2011 and so we are already half way through the first 20 years and it is currently being refreshed to include the latest projections for climate change and sea level rise.

Why is a new approach being considered?

The SMP took a broad brush approach in order to achieve national coverage so it did not include the detailed work that is sometimes necessary to fully understand and predict complex coastal systems like the East Devon coast. Also, since the work was done on the SMP, there have been technological advances that enable much more accurate mapping of the coastal change that is actually happening. Plymouth University believe that these advances, coupled with factoring in the latest expectations of climate change, will result in a more accurate plan of the areas likely to be at risk from coastal change.

Who has produced the new coastal change maps?

The Coastal Processes Research Group in the School of Biological and Marine Sciences, University of Plymouth have undertaken the work in association with the Environment Agency, Natural England, the Marine Management Organisation and the local authorities of East Devon, North Devon and Torridge.

Have coastal change maps been produced for the whole of East Devon?

No, at the moment we only have new maps for the area from the east of the River Sid (Sidmouth) to the Dorset boundary at Lyme Regis. This has been used as a pilot study area by the University to pilot the new method for calculating cliff retreat, coastal change and coastal flooding.

How have the new coastal change maps been produced?

The University of Plymouth have devised a method for predicting coastal change related to the type of coast involved (estuary, cliff or beach). This is a complex process. For example, to estimate future cliff line positions, past retreat rates are combined with predicted future sea level rise using scientific formulae. For estuaries predicted sea level rises are combined with existing flood mapping from the Environment Agency. If you want to read the papers produced by Plymouth University giving details of the methods developed they are available at [South West Partnership for Environment & Economic Prosperity \(SWEET\) - Plymouth Marine Laboratory](#). We have also produced a briefing note to guide consideration of the issues by our Strategic Planning Committee and this is available at [Agenda for Strategic Planning Committee on Tuesday, 20th October, 2020, 2.00 pm - East Devon](#).

How likely is it that the changes shown will happen?

Plymouth University have estimated coastal change over the next 100 years using the most update information, but coastal change is a dynamic natural process so there is no guarantee that the changes will happen as predicted or that other areas won't be affected over the next 100 years. Also, we have plans in place (through the Seaton and Sidmouth Beach Management Plans) for coastal protection works that are designed to reduce the rate of cliff erosion. It is important to note that the University work takes no account of these proposed coastal defence works

How has the additional work been funded?

The research work has been funded by the South West Partnership for Environment and Economic Prosperity (SWEET), which is a partnership project with the aim of delivering economic and community benefits to the South West, whilst protecting and enhancing the area's natural resources.

Where are the places most at risk of coast change?

Generally the new maps show more variation than the Shoreline Management Plan in the extent of areas potentially affected by coastal change. This means that some areas that are not shown to be affected in the SMP are now included in the area at risk and some of the areas shown to be at risk in the SMP are not included in the new mapping. It is important to note that the new maps for cliff erosion include a ten metre 'buffer' inland of the predicted coastal change and all references to places refer to the land within this buffer.

Areas that are predicted to experience less erosion than the SMP maps include:

- The section of coast from Seaton to Lyme Regis.

- Much of the coast west of Highcliffe close in Seaton, through Beer to the east of Branscombe mouth; and
- The majority of the coast from Branscombe mouth to the cliffs east of Sidmouth (roughly south of 'Southdown'.

Areas where more erosion is predicted in the new maps compared to the SMP are:

- In Seaton including some properties accessed off Beer Road and the Highcliffs Close area;
- Two small areas either side of Branscombe mouth; and
- Land in Sidmouth east of the River Sid including properties accessed off Cliff Road, Beatlands Road, Southway, Laskeys Lane and Alma Road.

How will the new information be used?

The main purpose of the Plymouth University work is to develop a robust method for identifying areas at risk of coastal change that can be used by councils nationwide. The case study of East Devon, as part of that project, is evidence that could be used to inform the policies of the new local plan, and could help to deliver coastal protection schemes. The main purpose of planning for coastal change is to identify the places most likely to be affected and to develop policies to reduce future risks to people and property and to help communities at risk prepare and plan for future risks.

Report to: **Strategic Planning Committee**

Date of Meeting 20 October 2020

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



S106/Community Infrastructure Levy Developer Contributions

Annual Report 2019/20

Report summary:

This report focuses on the financial contributions paid to East Devon District Council through Community Infrastructure Levy (CIL) and S106 agreements. The report covers the sums paid, where these have been spent and the balance of unspent monies at the end of the last financial year. It also reminds Members of the way that we collect financial contributions through CIL (Community Infrastructure Levy).

Recommendation:

That Members:

- 1. Note the contents of this report.**
- 2. Note the requirement to provide an 'Annual Infrastructure Funding Statement'**
- 3. Convene a meeting of the CIL Members Working Party to consider options for the spend of CIL receipts and form recommendations for future consideration by Strategic Planning Committee.**

Reason for recommendation:

To inform Strategic Planning Committee on the progress made on planning obligation matters between April 2019 and March 2020

Officer: Sulina Tallack – Planning Obligation Officer - Ext: 1549 - stallack@eastdevon.gov.uk

Portfolio(s) (check which apply):

Climate Action

- Corporate Services and COVID-19 Response and Recovery
- Democracy and Transparency
- Economy and Assets
- Coast, Country and Environment
- Finance
- Strategic Planning
- Sustainable Homes and Communities

Financial implications:

All financial information is contained within the body of the report.

Legal implications:

Planning obligations are governed by section 106 of the Town and Country Planning Act 1990, as amended. The Community Infrastructure Levy is governed by the Planning Act 2008, as amended and the Community Infrastructure Levy Regulations 2010 as amended. The revised CIL Regulations come into effect in September 2019. This report ensures the Council as Local Planning Authority is transparent in how it collects and proposes to spend such funds. There are no legal implications other than as set out in the report

Equalities impact Low Impact

Climate change Low Impact

Risk: Medium Risk; The risk associated with not monitoring planning obligations relating to planning applications is that the Council could be criticised for not operating a transparent and comprehensive framework for monitoring such financial and non-financial obligations. Without adequate co-ordination commuted sums could be spent on inappropriate schemes and not on priorities identified within the Council’s various plans and strategies. Without an adequate and co-ordinated system for monitoring Section 106 Agreements and any subsequent commuted sums it is possible that should deadlines expire, secured sums would have to be returned (plus interest) to the developers and required community facilities /affordable housing would not be provided. If CIL is not effectively monitored the Council could fail to identify receipts that would contribute towards the infrastructure identified within our Regulation 123 list. Ineffective collection and enforcement would delay timely delivery. We are required by Regulation 62 of the CIL Regulations to report on the CIL receipts and expenditure for a reported year, which for the avoidance of doubt is the financial year from April 2019 to March 2020.

Links to background information [Council Report April 2016 – Introduction of CIL](#)
[S106/Community Infrastructure Levy Developer Contributions Annual Report 2016/17](#)
[S106/Community Infrastructure Levy Developer Contributions Annual Report 2018/19](#)
[South and East Devon Habitat Regulations Executive Committee 16 July 2019](#)

Link to [Council Plan](#):

Priorities (check which apply)

- Outstanding Place and Environment
 - Outstanding Homes and Communities
 - Outstanding Economic Growth, Productivity, and Prosperity
 - Outstanding Council and Council Services
-

Report in full

1 Background

- 1.1 This report relates to the management and allocation of resources accrued through planning obligations and is the latest in a series of annual reports on the spend of monies collected through Section 106 agreements. This latest report will also advise on the monies collected from the Community Infrastructure Levy (CIL) which has been collected in the 19/20 financial year.
- 1.2 Planning Obligations, commonly known as Section 106 Agreements, were introduced following the Town and Country Planning Act 1990. Section 106 Agreements are legal agreements and are negotiated between a local authority and developers, and are intended to enable infrastructure contributions to be made in order to make a development proposal acceptable. An Agreement must be fairly and reasonably related in scale to the proposed development and be directly related to the development, and should only be used where planning conditions attached to a planning permission would not provide an alternative approach.
- 1.3 Since the adoption of CIL most Section 106 Agreements relate to the delivery of infrastructure on the development site itself and are requirements placed directly on the applicant or land owner. However there remain a number of extant agreements that pre-date the adoption of CIL that make provision for the developer to pay a financial sum (a commuted sum) for a project to be implemented directly by the Council. This is because prior to the implementation of CIL Section 106 agreements were used to secure all infrastructure associated with a development. The Council still has a number of projects being delivered under consents granted prior to the adoption of CIL and therefore we are still collecting and spending monies under old Section 106 agreements.

- 1.4 CIL is often confused with Section 106, or mistakenly taken to be the same thing. Community Infrastructure Levy is a tariff based system designed to cover the costs of all infrastructure needs which were previously listed on the Regulation 123 list published by the Council, but from the end of this year will be shown in the Infrastructure list that will be included in the first annual Infrastructure Funding Statement. The rate of CIL is set in a 'charging schedule.' In order to calculate a Community Infrastructure Levy rate, a council will consider the total costs of delivering strategic infrastructure (such as schools, transport and flood defences) against the total scope of development expected in an area and the ability of developments to contribute to the costs of the required infrastructure.
- 1.5 The Council has been charging CIL since September 2016 and has this year revisited its process to determine CIL spend and allocated CIL receipts through the CIL Members Working Party. In addition the new Draft Charging Schedule has received a positive Examination report and been recommended by Strategic Planning Committee to Council for adoption and for it to come into effect on Monday 1 February 2021.
- 1.6 Further to the above planned changes there are proposals within the White Paper that came before this Committee last month. The paper proposes far-reaching reforms that will have large implications for the planning functions of this Council, including for both the development of a new Local Plan and the way planning applications will be determined in future. The paper looks at whether Community Infrastructure Levy and S106 should be replaced with a new consolidated Infrastructure Levy, which is charged as a fixed proportion of development value. Until we know the outcome of the consultation and the decision regarding the proposed changes we are carrying on with the current system.

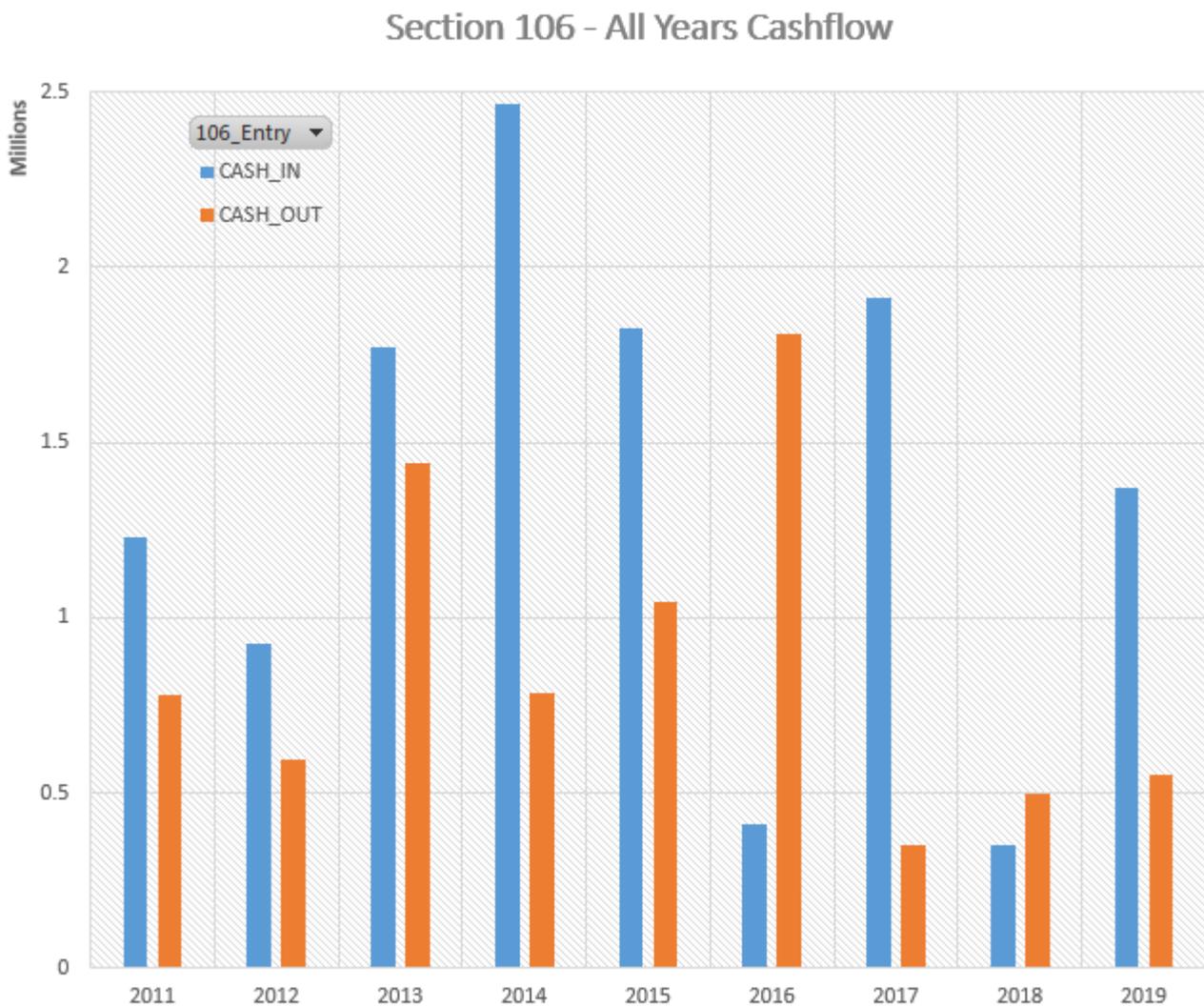
2 The spending of s106 contributions

- 2.1 Councils are restricted to spending s106 contributions on a defined purpose within each agreement or undertaking. Under previous regulations we could not pool more than five obligations together to pay for a single infrastructure project or type of infrastructure and we cannot require contributions from small scale developments. These restrictions have forced us and other Council's to adopt CIL as often large pieces of infrastructure could only be funded through contributions from a large number of developments and this could only be achieved through CIL. However, new regulations came into force in September 2019. The changes included

the removal of the restriction on pooling, and the replacement of regulation 123 lists with infrastructure funding statements.

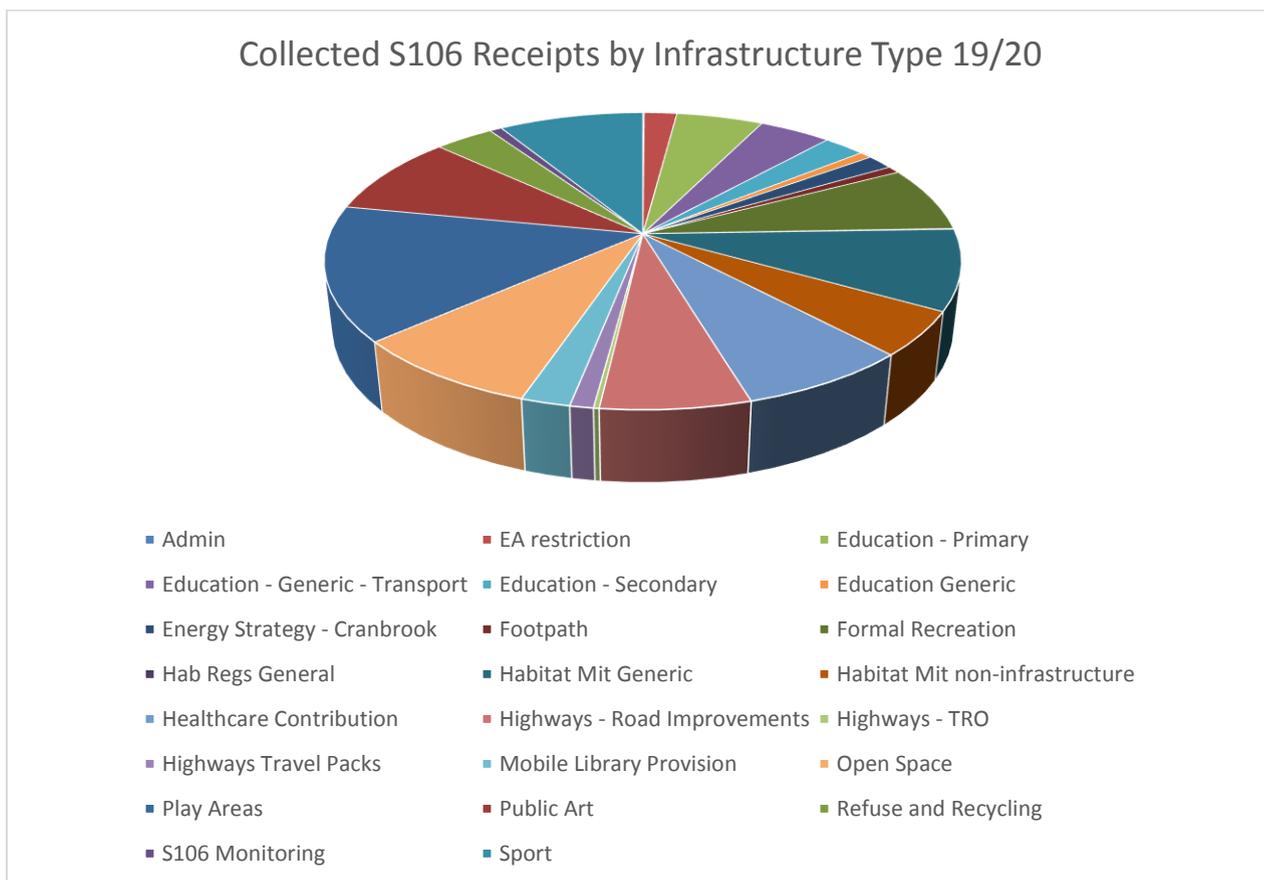
2.2 The following graphs illustrate the cash flow of Section 106 monies over the years 2011 – 2019.

Graph 1: S106 transactions for the last nine financial years



There have been accruals of £853,916 in the reporting year. These receipts break down by infrastructure type as follows:

Graph 2:



Graph 3: S106 monies spent on projects in 2019/20

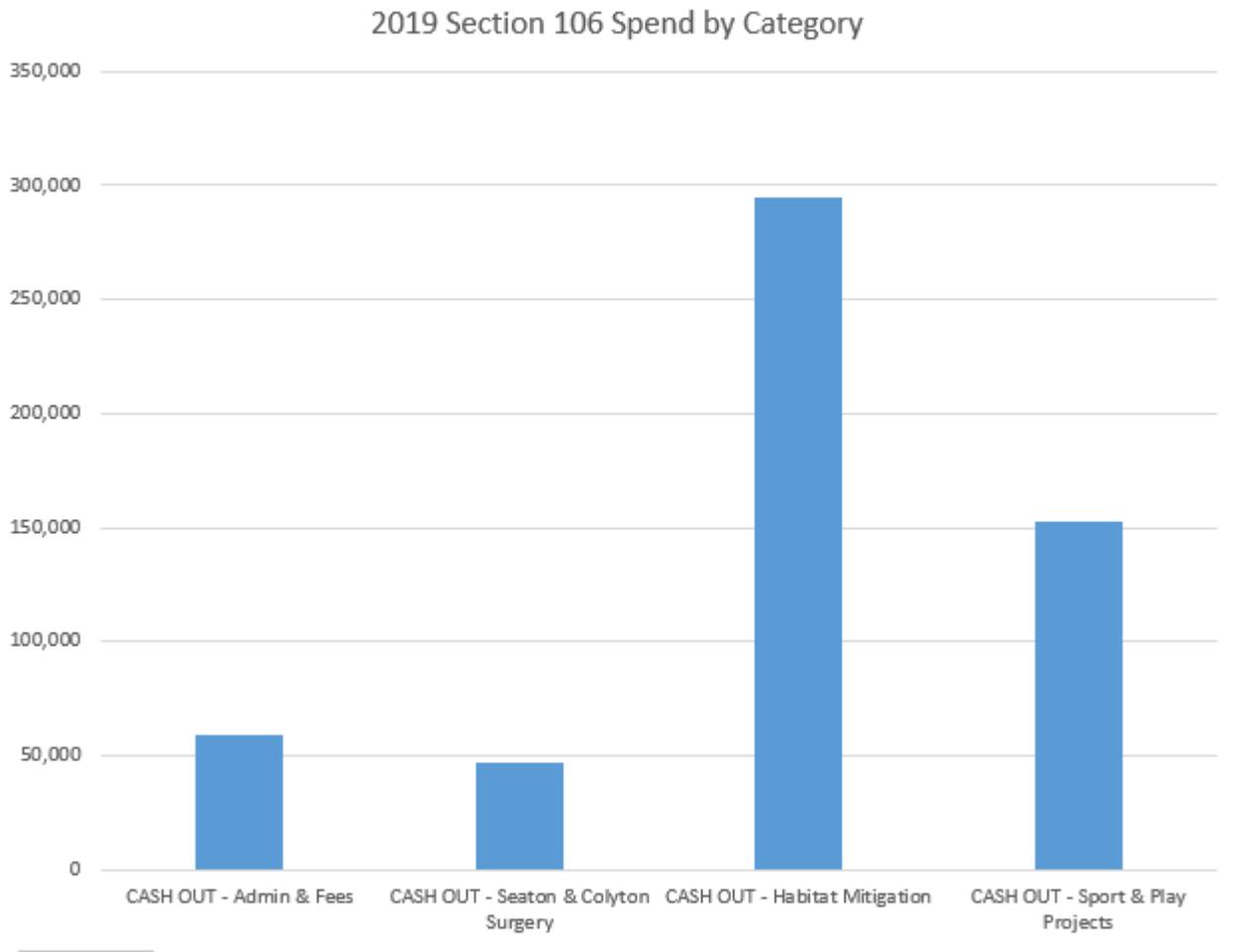
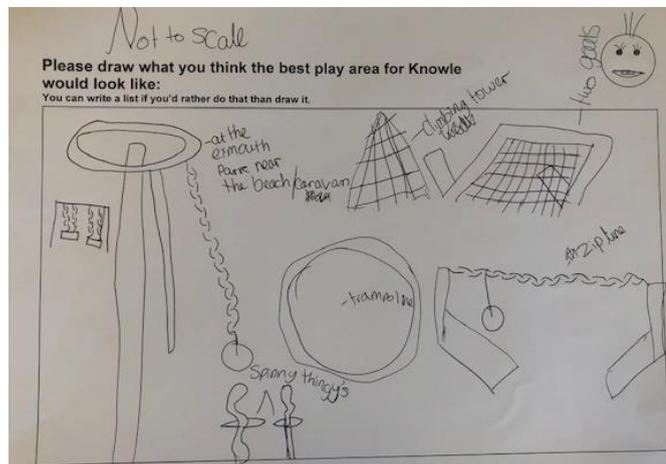


Table 1: Within the year there was an actual spend of £553,469 on the following items:

Project	Amount (£)
Admin, Maintenance (linked to delivered projects)	58,691
Seaton & Colyton Surgery	47,296
Habitat Mitigation	294,816
Sport & Play Projects	152,667

2.4 As an example Knowle Village Hall, with the support of Budleigh Town Council carried out a match funded play project with large scale community involvement. The play provision cost over £60,000 with £20,000 drawn from S106 receipts. The existing play area was enhanced and St Peters Primary school children were involved in choosing both the play priorities and the final design. See below for an example of a contribution received and the final scheme.



2.5 At year end 2019/20 a total of £5.729M was held in the s106 account (note that a proportion of this is based upon invoices raised and outstanding at year end).

3 CIL – Progress Report

3.1 As a Local Planning Authority we went live with Community Infrastructure Levy (CIL) on 1 September 2016. CIL has not fully replaced s106 obligations but is an alternative to the way in which we have historically secured obligations. S106 is still the preferred method for securing all on-site infrastructure not identified on our regulation 123 list, as was.

3.2 The following table shows a summary of CIL potential income, monies due and collected during the 19/20 financial year. This is broken down by the main areas of spend of;

- CIL admin costs,
- the neighbourhood proportion going to town and parish councils
- The remainder is left for spend by the district council on infrastructure projects’.

The “potential” column below indicates the income that would be received if all developments granted with a CIL liability go ahead. The “due” column shows monies that are the subject of a demand notice but yet to be paid and the “collected” column shows monies already received.

Table 2 CIL overview of financial year 19/20

Allocation	Potential	Due	Collected
Warning: The following application IDs have surcharges which have not been applied yet for neigh			
CIL Admin	107,700.22	1,116.11	162,453.45
Neighbourhood CIL	376,085.14	3,348.34	525,273.22
CIL Infrastructure Fund	1,670,219.03	17,857.80	2,561,342.41
TOTALS	2,154,004.39	22,322.25	3,249,069.08

3.3 The CIL Regulations allow the Council to retain up to 5% of the CIL receipts in the first three years to fund set up and ongoing costs, and 5% annually for

ongoing costs thereafter. This pays for ICT systems required, additional staff costs, training etc.

- 3.4 The Localism Act identified that a “meaningful proportion” of CIL funds would need to be transferred to town and parish councils for use on local priorities. The CIL Regulations were amended in 2013 to identify exactly how much that “meaningful proportion” must amount to. The exact percentage varies depending on whether a town or parish council has an adopted Neighbourhood Plan or not and whether an area is parished or not. After the first 2 and a half years in excess of £200,000 was paid out to East Devon parishes as broken down in Table 3 on the next page.

Table 3: Neighbourhood Proportion Payments

CIL Payments Out						
Year	2016/17	2017	2017/18	2018	2018/19	2019
Parish	Oct - Mar	Apr - Sep	Oct - Mar	Apr - Sep	Oct - Mar	Apr - Sep
Axminster	£0.00	£111.62	£0.00	£0.00	£57.20	£4,756.19
Axmouth	£0.00	£0.00	£0.00	£0.00	£0.00	£52.17
Aylesbeare	£0.00	£0.00	£0.00	£0.00	£269.09	£269.10
Beer	£0.00	£0.00	£296.26	£148.12	£444.37	£592.50
Bishops Clyst	£0.00	£0.00	£0.00	£7,442.20	£0.00	£0.00
Broadhembury	£0.00	£0.00	£0.00	£0.00	£212.51	£0.00
Budleigh Salterton	£0.00	£0.00	£2,653.11	£102.78	£3,888.33	£3,038.01
Chardstock	£303.75	£0.00	£464.87	£1,300.50	£1,305.00	£0.00
Clyst St George	£0.00	£1,191.67	£0.00	£0.00	£0.00	£0.00
Clyst St Mary	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00
Colyton	£0.00	£0.00	£0.00	£0.00	£3,527.33	£0.00
Combe Raleigh	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00
Cranbrook	£0.00	£0.00	£0.00	£0.00	£0.00	£6,633.86
Dalwood	£0.00	£0.00	£0.00	£0.00	£11.96	£11.95
East Budleigh	£0.00	£0.00	£0.00	£0.00	£1,055.11	£1,055.11
Exmouth	£0.00	£9,789.60	£42,203.50	£61,239.30	£67,120.30	£140,846.72
Gittisham	£0.00	£0.00	£0.00	£2,100.93	£2,100.93	£2,100.94
Hawkechurch	£0.00	£0.00	£0.00	£0.00	£70.90	£70.91
Horton	£0.00	£0.00	£0.00	£190.66	£1,461.28	£3,136.17
Lynstone	£0.00	£0.00	£0.00	£1,825.90	£0.00	£0.00
Newton Poppleford	£625.50	£432.85	£303.75	£589.49	£1,215.00	£1,496.70
Offwell	£0.00	£742.81	£345.58	£345.58	£826.34	£1,101.78
Ottery	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00
Ottery St Mary	£0.00	£0.00	£595.83	£0.00	£4,192.75	£32.47
OSM - West Hill	£0.00	£299.68	£299.68	£665.13	£2,372.89	£1,290.43
Payhembury	£0.00	£0.00	£0.00	£0.00	£115.20	£684.69
Rockbeare	£0.00	£0.00	£0.00	£0.00	£1,349.81	£4,993.56
Seaton	£0.00	£35.59	£0.00	£444.71	£13,316.50	£2,389.93
Sidmouth	£0.00	£182.72	£353.64	£353.74	£4,370.47	£2,237.24
Southleigh	£0.00	£0.00	£0.00	£0.00	£109.24	£0.00
Stockland	£0.00	£0.00	£0.00	£0.00	£47.10	£0.00
Uplyme	£0.00	£0.00	£244.79	£1,469.34	£244.79	£944.16
Whimble	£0.00	£0.00	£0.00	£0.00	£0.00	£484.50
Woodbury	£0.00	£0.00	£0.00	£10,629.70	£3,328.09	£1,992.62
Total						

2019/20	Total
Oct - Mar	
£807.79	£ 5,732.80
£5,101.25	£ 5,153.42
£269.09	£ 807.28
£0.00	£ 1,481.25
£0.00	£ 7,442.20
£97.17	£ 309.68
£31,682.65	£ 41,364.88
£0.00	£ 3,374.12
£0.00	£ 1,191.67
£1,258.75	£ 1,258.75
£781.39	£ 4,308.72
£3,820.42	£ 3,820.42
£3,316.93	£ 9,950.79
£11.96	£ 35.87
£8,459.60	£ 10,569.82
£190,728.40	£ 511,927.82
£4,617.44	£ 10,920.24
£70.90	£ 212.71
£1,420.67	£ 6,208.78
£0.00	£ 1,825.90
£4,519.23	£ 9,182.52
£0.00	£ 3,362.09
£110.42	£ 110.42
£259.67	£ 5,080.72
£1,896.45	£ 6,824.26
£6,906.56	£ 7,706.45
£4,993.57	£ 11,336.94
£800.73	£ 16,987.46
£70,459.60	£ 77,957.41
£0.00	£ 109.24
£0.00	£ 47.10
£979.15	£ 3,882.23
£484.50	£ 969.00
£1,525.84	£ 17,476.25
	£ 788,929.21

Overpayment £17.20 to be recaptured from future payments

Previous non payment at PC request

Overpayment due to pp change to be recaptured at a future date

- 3.5 Taking into account the above, across the district as a whole this leaves around 76% of the total CIL income available for the Council to use towards required and identified infrastructure.
- 3.6 It is anticipated that the council will receive around £23.6M in CIL receipts from the operation of the Draft Charging Schedule (2019). The projected level of funding from both the Charging Schedule adopted in 2016 and the proposed revised Charging Schedule, that will be available for the district council to spend on infrastructure is estimated to be £26.85m. However the overall amount of infrastructure funding required to deliver development proposed in the Local Plan and emerging Cranbrook Plan is in the region of £371.3m.
- 3.7 Although there was a call for CIL projects in the 2017/18 financial year there were no projects allocated funding from the CIL budget. The CIL Working Party, 17 September 2019, considered CIL spend applications from DCC. It recommended that Strategic Planning Committee agree to the spending of CIL on Exmouth Community College and the Dinan Way Extension – see below.

Strategic Planning Committee, 22 October 2019:

RESOLVED:

1. That a contribution of 44% of the total estimated cost of the project, up to a maximum of £1.5m be contributed to the expansion proposal of Exmouth Community College;
2. That a contribution of £400k be made to Devon County Council subject to a significant contribution from Exmouth Town Council.

With regard to these two commitments work was due to start on the Exmouth Community College expansion proposals in 2020, however it is understood that they have not yet started. In terms of Dinan Way the Town Council committed £158k to the project and Devon County Council have made an expression of interest for government funding that the CIL monies from EDDC and ETC would match fund, however decisions on the government funding have been delayed due to Covid 19.

- 3.8 The table below shows an overview of all CIL receipts since we adopted CIL:

Table 4 CIL overview of all receipts to end of financial year 19/20

Allocation	Potential	Due	Collected
Warning: The following application IDs have surcharges which have not been applied yet for neighb			
CIL Admin	175,096.10	3,300.04	249,333.73
Neighbourhood CIL	602,405.44	9,900.14	787,086.10
CIL Infrastructure Fund	2,724,420.60	52,800.76	3,950,254.70
TOTALS	3,501,922.14	66,000.94	4,986,674.53

It can be seen that £4.9m has been collected from the launch of CIL until the end of the 19/20 financial year. Of the £3.95m available for EDDC, £1.9m has been allocated to strategic infrastructure projects, 8.6% total receipts i.e. £429k has been top sliced for Habitat Mitigation and £1.6m is available for allocation.

- 3.9 CIL income will be inconsistent over the plan period with higher levels of income expected when large scale housing developments commence. It will take many years for the CIL pot to grow to an extent that large scale projects can be afforded and when making funding decisions for smaller projects thought also needs to be given to how larger scale projects may be funded in the future.
- 3.10 In terms of allocating CIL receipts we have tried several different methods to identify projects for spend. Initially a full bidding process was adopted whereby infrastructure providers could bid each year for funding and bids were assessed against an established criteria. This approach was not successful as the quality of the information supporting the bids was generally poor and so none of the bids were supported. Subsequently Members decided to focus spend on the priority 1 infrastructure projects identified on the Reg 123 list and determined spend in consultation with the bodies with projects on that list. This approach led to the spend identified in the last financial year on County Council projects, however engagement from other infrastructure providers was very low. It is for the CIL Member Working Party to make recommendations to Strategic Planning Committee on the approach going forward. It is recommended that the CIL Member Working Party convene a meeting to consider the options for making spend decisions in this financial year.

4 S106 and CIL Monitoring

- 4.1 EDDC has an Officer dedicated to the negotiation, monitoring and delivery of planning obligations. This long standing post has been supported by the role of Planning Obligation Support Officer who has aided the introduction and administration of CIL and is funded by the admin element of the CIL receipts.
- 4.2 To aid the work of the posts we have introduced a CIL/S106 Administrator product called EXACOM. It is designed to make administration easier, and enables an administrator to capture information, calculate charges, levies, surcharges etc., generate notices and manage finance. In order to populate the new system we have revisited in excess of 2500 registered agreements dating back to 1990. We have checked whether the agreements are live, have been enacted and all case history. This has all had to be uploaded onto EXACOM and has been a huge task. This allows us to easily see an overview of information for the district and drill down to the detail as and when required. It also holds all of the project spend therefore potential receipts, actual receipts and spend of receipts is accessible.

Table 5 A snapshot of the overview of S106 finances for EDDC area

Type	Potential	Due	Collected	B Interest	Allocated	Spent	Available
Admin Contribution Cranbook	0.00	0.00	1,000.00	0.00	1,000.00	0.00	0.00
Affordable Housing	3,011,196.00	0.00	3,043,321.10	0.00	402,448.57	1,013,425.00	1,627,447.53
Bond	0.01	0.00	0.00	0.00	0.00	0.00	0.00
Business Units	150,000.00	0.00	0.00	0.00	0.00	0.00	0.00
Clyst Honiton Bypass	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Community Building - Cranbrook...	484,920.00	0.00	0.00	0.00	0.00	0.00	0.00
Community Building - Cranbrook...	42,000.00	0.00	0.00	0.00	0.00	0.00	0.00
Community Building - Honiton - ...	0.00	0.00	500,000.00	0.00	0.00	500,000.00	0.00
Community Building - Seaton Jur...	0.00	0.00	1,700,000.00	0.00	0.00	1,700,000.00	0.00
Community Building - Sidmouth - ...	0.00	0.00	200,000.00	0.00	0.00	200,000.00	0.00

- 4.3 Exacom also enables us to access information held by town, parish or ward. On the next page are some screen shots of the information that is held for Axmouth as an example.

Table 6 CIL Overview of S106 as an example of information held by parish - Axmouth Parish

S106 FINANCIAL SUMS OVERVIEW

Filter Parish Is Apply AND Apply OR Clear List Drag Here to Delete

Deeds from 01 January 1983 To 01 December 2035

AND parish='AXMOUTH'

Type	Potential	Due	Collected	B Interest	Allocated	Spent	Available
Education - Generic - Transport	5,453.00	0.00	0.00	0.00	0.00	0.00	0.00
Open Space Generic post Apr 10...	48,877.98	0.00	6,197.57	0.00	481.70	5,715.87	0.00
TOTALS	54,330.98	0.00	6,197.57	0.00	481.70	5,715.87	0.00

Produce Report

S106 OTHER OBLIGATIONS OVERVIEW

Select Parish Is AXMOUTH Apply AND Apply OR Clear List Drag Here to Delete

From 01 January 1983 To 01 December 2035

AND parish='AXMOUTH'

Type	Owner	App No	Clause	Due	Transferred/Deliver...
Bond	S106 Monitoring	06/1902/MOUT	S1 1.7	13 February 2018	
Bond	S106 Monitoring	13/1117/MOUT	S1. 1.7	09 March 2018	
Education - Generic - Transport	S106 Monitoring	14/0784/OUT	S2. 1.1 - 1.2	13 March 2018	
Highways Generic post Apr 10 pre Apr...	S106 Monitoring	13/1117/MOUT	S1	09 March 2018	
Highways Generic post Apr 10 pre Apr...	S106 Monitoring	06/1902/MOUT	S1	13 February 2018	
Open Space Generic post Apr 10 pre A...	S106 Monitoring	06/1902/MOUT	S2-1-2	13 February 2018	
Open Space Generic post Apr 10 pre A...	S106 Monitoring	06/1902/MOUT	S3	13 February 2018	
Open Space Generic pre Apr 10	S106 Monitoring	09/0009/FUL	S-1-0-2-0	22 January 2018	

Produce Report

Table 7 Overview of S106 Projects as an example of the information held by parish - Axmouth

AND name%'Axmouth'

Ref	Name	Allocated	Spent	Available	Fin Code	Fin Year	Status
2	Axmouth Football Goals	£3,453.22	£3,450.00	£3.22	3350		Completed
79	Axmouth Toddler Swing	£7,375.20	£0.00	£7,375.20			Approved
1	Axmouth Jubilee Playground Swing	£4,244.00	£4,244.00	£0.00	3350		Completed
257	CIL NP Axmouth	£5,153.42	£0.00	£5,153.42			Draft

- 4.4 In terms of CIL, EXACOM has been utilized from the day CIL went live. Other authorities have tried to maintain the bureaucratic CIL processes on spreadsheets but have very quickly moved to the EXACOM system.
- 4.5 We now have all live S106 agreements and CIL activity on the system. We look to take the system public facing in the near future. This will allow Parish Councils, developers to see what is going on with particular projects, agreements etc. The past year has been spent ensuring that all spend activity is on the system and that

no pooling in terms of spend has taken place. This was due to be completed in the spring but due to staff redeployment due to Covid 19 will now be finalised during October. Following that the public facing module for Exacom will be able to go live on the Council's website.

- 4.6 The figures within this report are held within the councils' databases and are proactively monitored to aid delivery of infrastructure by ensuring all obligations are met and any associated spend is in accordance with the specified infrastructure need. S106 breaches are referred to our legal department for enforcement action to be taken.
- 4.7 Community Infrastructure Levy Regulations 2010 contain enforcement provisions, aimed at ensuring that the collection process runs smoothly, by giving collecting authorities the power to issue a range of surcharges, stop notices, and if necessary to recover funds by appropriate legal action. Collection and enforcement arrangements are supported by the right to appeal certain decisions.
- 4.8 In the majority of cases the developers follow the correct process, however, where a developer has failed to submit a Commencement Notice prior to development commencing, the CIL Regulations provide that the liable person(s) will no longer be able to benefit from the Instalment Policy and the development will cease to be eligible for social housing relief or exemptions for self-build housing or annexes. In addition the Council may issue a surcharge of 20% of the liable amount or £2,500 whichever the lower amount.
- 4.9 Where there are problems in collecting the levy, the CIL Regulations have made provision in that the collecting authorities are able to penalise late payment and discourage future non-compliance. The regulations provide for a range of proportionate enforcement measures, such as surcharges on late payments (as set out in [regulations 80 to 86](#)). In most cases, these measures should be sufficient.
- 4.10 In cases of persistent non-compliance, collecting authorities may take more direct action to recover the amount due. For example, a collecting authority may issue a Community Infrastructure Levy Stop Notice (under [regulations 89 to 94](#)), which prohibits development from continuing until payment is made and the stop notice is withdrawn.

- 4.11 The collecting authority may, after issuing a reminder notice to the party liable for the levy, apply to a magistrates' court to make a liability order allowing it to seize and sell assets of the liable party. A party may also apply for a charging order if there is at least £2,000 owing. The court can issue an order imposing a charge on a relevant interest to secure the amount due.
- 4.12 In the very small number of cases where a collecting authority can demonstrate that recovery measures have been unsuccessful, they may apply to a magistrates court to send the liable party to prison for up to 3 months (under [regulations 100 and 101](#)).

5 S106 and CIL Reporting

- 5.1 Until this year the statutory reporting required on S106/CIL receipts has been minimal. However, this is vital and helps local communities and developers see how contributions have been spent and understand what future funds will be spent on, ensuring a transparent and accountable system.
- 5.2 In addition, Parish Councils must prepare a report for any financial year in which it receives levy receipts. EDDC publish this on our web pages on behalf of the Parish Councils.
- 5.3 As of this year for the financial year 2019/2020 onwards, any local authority that has received developer contributions (section 106 planning obligations or Community Infrastructure Levy) must publish online an infrastructure funding statement by 31 December 2020. This is a new and much more detailed requirement.
- 5.4 The Annual Infrastructure Funding Statement report will provide a summary of financial contributions the Council has secured through section 106 and CIL from new developments for off-site infrastructure works and affordable housing, and highway works completed as part of new developments through section 278 agreements.

In summary, the report provides:

- an overview of what s106,CIL and s278 agreements are;
- the Council's internal process relating to s106 and CIL contributions;

- the s106 and CIL contributions paid to the Council in the current year;
- s106, CIL contributions and s278 works committed for future years;
- projects delivered in the District via s106, CIL and s278 agreements in the current year;
- an infrastructure list of projects or types of infrastructure that the council may wish to fund from CIL receipts.

The information included in the report will be updated annually and published on the Council's website. This will ensure the most up to date information on the amount of developer contributions received by the Council from new developments, in addition to information on where these monies have been spent which will be readily available to members of the public and other interested parties.

5.5 EDDC is in a positive position in that all of its receipts and spend is held on our ICT based monitoring system EXACOM. In addition we will be one of the first 20 authorities in the UK to go live with the Public Facing Module (PFM). This will provide a transparency to our customers that is not available in most locations

Report to: Strategic Planning Committee



Date of Meeting Tuesday 20 October 2020

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Affordable Housing Supplementary Planning Document and Mortgagee Exemption Clauses

Report summary:

This report outlines the responses received during the second round of public consultation on the Draft Affordable Housing Supplementary Planning Document (SPD) (January to February 2020), and show how these comments have been taken into account in revising the SPD. The proposed final version of the Affordable Housing SPD is presented to this Committee to consider and recommend its adoption at Cabinet. In addition, the report seeks to streamline the approval of changes to mortgagee exemption clauses in existing s106 agreements

Recommendation:

Members are asked:

1. To note the comments received during the second round of public consultation on the Draft Affordable Housing Supplementary Planning Document and endorse the council response.
2. To consider and recommend to Cabinet that the Affordable Housing Supplementary Planning Document attached at Appendix A is adopted.
3. To recommend to Council that the constitution be amended to add “Deeds of variation to amend mortgagee exemption clauses in line with the securitisation working group template clause” to the list of other planning delegations to the Service Lead (Planning Strategy and Development Management).

Reason for recommendation:

To make Members aware of the responses received during the second round of public consultation on the Draft Affordable Housing SPD, and show how these have been taken into account. Members can then consider and recommend the SPD to Cabinet for adoption. Finally, to enable changes to mortgagee exemption clauses to be dealt with more efficiently, aiding the delivery of affordable housing.

Officer: Keith Lane, Planning Policy Officer and Melissa Wall, Housing Enabling Officer.
klane@eastdevon.gov.uk mwall@eastdevon.gov.uk 01395 571684 and 01395 519982

Portfolio(s) (check which apply):

- Climate Action
- Corporate Services and COVID-19 Response and Recovery
- Democracy and Transparency
- Economy and Assets
- Coast, Country and Environment
- Finance
- Strategic Planning
- Sustainable Homes and Communities

Financial implications:

There are no specific financial implications impacting upon council finances within the report.

Legal implications:

Planning obligations are contained in legal agreements set out as deeds under section 106 and s106A of the Town and Country Planning Act 1990, as amended. Once adopted the Affordable Housing SPD will form a material consideration in the determination of planning applications. Other legal implications are as set out in the report.

Equalities impact Low Impact

An Equalities Impact Assessment of the Affordable Housing SPD has been prepared, which identified that there would be no adverse impacts upon those people with “protected characteristics”. There would be positive impacts upon “age” through encouraging affordable housing provision for young people to buy and rent, and “disability” through guidance on enhanced standards for accessible and adaptable homes.

Climate change Low Impact

Risk: Low Risk; The SPD is being prepared in accordance with plan-making regulations, the council agreed protocol for preparing SPDs, and the adopted Statement of Community Involvement.

Links to background information [Strategic Planning Committee, Monday, 9 December 2019, Agenda and minutes, item 37 East Devon Local Plan 2013-2031 East Devon Local Development Scheme \(July 2018\)](#) [Supplementary Planning Guidance Protocol National Planning Policy Framework Affordable Housing SPD – Consultation Statement](#) [Affordable Housing Supplementary Planning Document for adoption – Appendix A](#)

Link to [Council Plan](#):

Priorities (check which apply)

- Outstanding Place and Environment
- Outstanding Homes and Communities
- Outstanding Economic Growth, Productivity, and Prosperity
- Outstanding Council and Council Services

Report in full

Background

1. Members will be aware that the East Devon Local Plan promotes the delivery of affordable housing in appropriate locations, through policies relating to affordable housing targets and tenures (Strategy 34) and rural exception sites (Strategy 35). On sites of 10 or more homes, all affordable housing should meet accessible and adaptable dwellings standards (Strategy 36).
2. The Local Development Scheme – essentially, the planning policy work programme – states that an Affordable Housing supplementary planning document (SPD) will be prepared to elaborate on policy to secure affordable housing provision in East Devon. This will provide greater clarity to developers and communities about our expectations for affordable housing delivery. By giving clear guidance upfront about issues such as tenure mix, how vacant building credit will be operated, the ‘pepper-potting’ of affordable units in a development, and where off-site contributions will be appropriate, it will enable developers and landowners to better understand policy requirements. Therefore, the SPD should assist applicants when making planning applications, and the council in determining them. However, it is important to note that SPDs can only add further detail to policies in the Local Plan, and cannot set policies themselves.

3. This Committee approved the first round of public consultation on a draft Affordable Housing SPD back in March 2019. The consultation responses and subsequent changes to the SPD were discussed by this Committee in December 2019, approving a second round of public consultation which took place from 14 January to 28 February 2020. The SPD was accompanied by an 'interim' Consultation Statement, a Screening report for Strategic Environmental Assessment and Habitats Regulations, and an Equalities Impact Assessment.

Responses received in the second round of public consultation (Jan-Feb 2020) and how they have been taken into account

4. The accompanying Consultation Statement (chapter 3) states who we consulted and how, including all parish councils, numerous planning agents, Registered Providers operating in East Devon, and around 2,300 individuals who had expressed an interest in planning policy matters.
5. A total of 22 responses were received in the second round of public consultation on the Draft Affordable Housing SPD.¹ The Consultation Statement includes a response to each of the comments made. Some of the main issues raised in consultation are set out below (by chapter):

Thresholds and targets

- Object to the overage clause as it causes delay, uncertainty, and is not an effective basis for delivery.
- Concern about references to negotiation and viability testing after planning permission has been granted – the level of affordable housing should not be reduced.
- Support the thresholds as it aligns with the NPPF and allows applicants to justify where it would not be appropriate to meet affordable housing targets.
- Does not cover the potential to change the mix of tenures before lowering the amount of affordable housing.
- Welcome the text on determining an acceptable return for landowners, and removal of reference to an arbitrary 20% uplift on existing use value.

Tenure and mix

- Tenure mix is expressed as a target, so the need to justify an alternative mix will not simply be related to viability but could include a range of circumstances.
- Delete reference to the Council's priorities for shared ownership, relevant equity loans, and other low cost homes for sale; as this limits opportunities to meet housing need.
- NPPF para 64 requires 10% of the total number of dwellings to be for affordable home ownership – this is largely reflected in the SPD, but clarification is needed.

Design and layout

- Do not support the inclusion of a phased approach to the delivery of affordable housing alongside market housing as this is unduly restrictive.
- Suggest that larger clusters are allowed in larger sites.
- Support a stronger reference to National Space Standards within the document.
- Reference to National Space Standards should be removed as it introduces uncertainty for developers, and the council has not adopted policy on this.

Rural exception sites

- The section on rural exception sites appears helpful in confirming what is expected in terms of housing needs survey and access to services and facilities.

¹ The comments received can be seen in full on our website: <https://eastdevon.gov.uk/planning/planning-policy/housing-issues/affordable-housing/>

Pre-application, legal agreements and occupancy

- Welcome the reference to those with a connection to Exeter, but suggest this could also include Mid Devon.

Other issues

- Devon County Council will seek developer funding towards transport and education improvements from all housing, including affordable units.
 - Should identify the huge variations from settlement to settlement in the need/supply of affordable housing to ensure the housing is provided where it is needed.
 - Important that the cost implications of the delivery of strategic sites are explicitly referenced, which could be a reason for reduced affordable housing.
6. Several, relatively minor, changes have been made to the SPD as a result of the comments made, as detailed in the Consultation Statement. An overview of the proposed council response to the comments is set out in the following paragraphs.
 7. Overage is a requirement of the Local Plan where affordable housing levels fall below policy targets, which cannot be changed through the SPD. The level of affordable housing can be reduced where there are viability issues, but the SPD has been amended to more clearly say that changes to tenure mix will be considered before lowering overall levels of affordable housing, making clear that the tenure mix in the policy is a target.
 8. It is acknowledged that evidence for East Devon is currently lacking for some of the products in the latest NPPF definition of affordable housing, so we will consider any up-to-date evidence rather than setting priorities without this evidence. It is not entirely clear whether the NPPF (para 64) requirement for at least 10% of homes on major development as affordable home ownership relates to 10% of all homes, or 10% of the affordable homes. However, in light of consultation responses, further clarity in the Housing White Paper, and approaches being taken by other local authorities, it is considered that national policy is that 10% of all homes on major development should be available for affordable home ownership.
 9. It is important to include guidance on phasing for the effective delivery of affordable housing, but a minor change to the SPD will help make clear that the identified phasing is something the council will aspire to, rather than a stringent requirement. Larger clusters (than 10 dwellings) of affordable homes can come forward where necessary and able to promote social cohesion and a mixed and balanced community. The SPD does not require Nationally Described Space Standards – these can only be introduced in a local plan.
 10. In terms of occupancy, there is an issue regarding local connection which has arisen in respect of the strategic sites on the edge of Exeter – whilst the administrative boundary divides these sites from Exeter, there is no obvious boundary ‘on the ground’, so connections to Exeter should be allowed. This particular issue does not apply for Mid Devon, but sites elsewhere in East Devon can consider those with a connection to the county of Devon. If no-one can be found in Devon, then connections with adjacent counties will be considered.

Next steps

11. The Affordable Housing SPD has been amended as appropriate in light of comments received, and the final version is presented to this Committee to consider and recommend to Cabinet for adoption. The SPD will then be used to assist applicants and the council in considering affordable housing issues and making decisions on planning applications. The SPD should also be helpful for communities when preparing neighbourhood plans.

Mortgagee Exemption Clause

12. We are seeing increasing numbers of requests to change the ‘mortgagee exemption’ clause (also known as ‘mortgagee in possession’ clause) on developments. This clause is a technical part of the S106 agreement which protects the bank/building society who are providing a mortgage/funding for affordable housing units. The wording of the mortgagee exemption clause affects the amount of funds that can be borrowed against each property (known as “charging”), which then impacts on the number of new affordable homes a Registered Provider (RP) can deliver. A poorly worded clause may prevent charging completely.
13. RPs use their stock or assets as security for new borrowing – the mortgagee exemption clause ensures that RPs can achieve best possible funding value when securing loans against the assets. The funds are needed for the RP to build more affordable homes. The key to delivering more affordable homes is making funding available – RPs are increasingly reliant on private finance to fund development of new housing stock.
14. The councils’ duty is to ensure the provision of affordable housing, making sure they remain as affordable units in perpetuity. The risk to the council is that if a RP gets into financial difficulty, the lender can then sell the affordable units free from the affordable housing restrictions, meaning that affordable housing is lost. However, in reality, it is very unlikely that a RP would get into this position in the first place as Homes England would likely intervene – we are not aware of any instances of a lender selling affordable homes on the open market.
15. The mortgagee exemption clause protects the lender if the RP defaults (e.g. insolvency) by allowing them to sell the affordable homes for market value after a 3 month timeframe if another Registered Provider has not purchased the units. Where the mortgagee exemption clause does not provide sufficient protection, lenders would be bound by the affordable housing restrictions in the S106 Agreement, thereby limiting the value to Existing Use Value for Social Housing (EUV-SH). The best possible funding value is Market Value Subject To Tenancies (MV-STT), which allows the lender to sell the houses on the open market, to either a RP or a non-regulated purchaser; and neither the lender nor successors in title would be bound by the affordable housing restrictions in the S106 Agreement. As an example, the table below shows how the mortgagee exemption clause works, comparing the two funding values that would apply for 100 dwellings.

What difference does a mortgagee exemption clause make to housing delivery – comparison of funding values for 100 dwellings

Clause	Borrowing amount	Total funding raised (borrowing amount x 100 dw)	Dwellings built (assuming total build cost of around £193k)
Market Value Subject To Tenancies (MV-STT) – new clause	£95,000 per property	£9.5m	49
Existing Use Value for Social Housing (EUV- SH) – restrictive clause	£50,000 per property	£5m	26

16. The example above demonstrates how the new clause enables the RP to borrow more against property and this then enables them to build more affordable homes, compared to the restrictive clause.

17. A securitisation working group made up of various sector stakeholders wanted to agree a consistent approach to the mortgagee exemption clause within S106 agreements, to ensure that RPs can achieve best possible funding value when securing loans against the assets. A standard clause has been developed by the group and is now used by many local authorities, including by EDDC in all new S106 agreements.
18. The amendment of the mortgagee exemption clause in existing S106 agreements requires a Deed of Variation. The current procedure is for a formal request to be made to the relevant Planning team. They then consult with Housing and write a report for Ward member approval. Once the Ward member(s) have agreed to the change this is then signed off by the Development Manager. Legal is then instructed to draft a Deed of Variation.
19. As this is a common request, and the principle behind the change is accepted by the Housing, Legal and Planning teams, this report recommends that any future requests for amending the mortgagee exemption clause in existing s106 agreements to the securitisation working group standard template are agreed under delegated powers. There will still need to be a deed of variation but the approval of ward members will no longer be required. This would be a much more efficient way of working, and enable the planning department to process these requests in the knowledge that the principle of removing these clauses is acceptable in principle. This will aid in the delivery of affordable homes in East Devon.

Report to: **Strategic Planning Committee**

Date of Meeting 20 October 2020

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



Heritage Strategy Monitoring Report and East Budleigh Conservation Area Review

Report summary:

Heritage Strategy Monitoring Report (2019 – 2020) and East Budleigh Conservation Area Appraisal Review and Management Plan 2020 (CAARMP)

Recommendations:

- 1 That Members note the Heritage Strategy Monitoring Report
- 2 That Members approve the East Budleigh Conservation Area Appraisal Review and Management Plan 2020 for adoption

Reason for recommendation:

To ensure

1 That Members are aware of the East Devon Heritage Strategy 2019 – 2031, its programme for delivery and progress during the first year, as detailed in the Monitoring report for 2019 – 2020

2 Formal adoption of the East Budleigh CAARMP 2020

Officer: Jacqui Best, Planning Policy Officer. Email: JBest@eastdevon.gov.uk; phone 01395 517483.

Portfolio(s) (check which apply):

- Climate Action
- Corporate Services and COVID-19 Response and Recovery
- Democracy and Transparency
- Economy and Assets
- Coast, Country and Environment
- Finance
- Strategic Planning
- Sustainable Homes and Communities

Financial implications:

There are no direct financial implications in the recommendations of this report

Legal implications:

Conservation Area designation provides an enhanced status for assets within the historic environment. It is a statutory requirement for the Council to review our conservation areas and an appraisal of the designation forms part of the Council's Historic Environmental Record and can be used as part of the evidence base for local plans and as a material consideration in making planning decisions. There are no other legal implications other than those within the report.

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk;

Links to background information <https://eastdevon.gov.uk/media/3413423/Final-Heritage-Strategy-2019-2031.pdf> <https://eastdevon.gov.uk/media/3720586/east-budleigh-conservation-area-appraisal-review-and-management-plan-2020.pdf> ;
<https://eastdevon.gov.uk/planning/planning-policy/east-devon-heritage-and-local-heritage-assets/Monitoring-Report-Heritage-Strategy-2019-2020>

Link to [Council Plan](#):

Priorities (check which apply)

- Outstanding Place and Environment
 - Outstanding Homes and Communities
 - Outstanding Economic Growth, Productivity, and Prosperity
 - Outstanding Council and Council Services
-

Report in full

Recommendation 1

1. The East Devon Heritage Strategy 2019 – 2031 was adopted by Strategic Planning Committee in March 2019. It is the first such strategy for East Devon, which provides a summary of the historic environment of the district, its significance and its benefits. It identifies the heritage issues in East Devon and develops objectives for the future through three themes:
 - Theme A: Understanding and appreciating our historic environment
 - Theme B: Positively managing our historic environment
 - Theme C: Enhancing and benefiting from our heritage
2. The strategy sets out a 12 year Action Plan for the delivery of its recommendations for the three themes. Each action has an estimated timescale of short (2019 - 20), medium (2021 – 2024) and long term (2024 – 2031) for its delivery. Further information, which is summarised in the Action Plan, includes details of which actions are the Council's statutory duties and an estimate of the resources needed for each.
3. The Heritage Strategy Monitoring Report 2019 – 2020 (appended) reports on how 17 of the 18 short term actions for 2019 – 2020 and two of the medium term actions for 2021 – 2024 have been successfully delivered in the first year. The Heritage Strategy Action Plan is provided in Appendix 1 of the Monitoring Report.
4. Short term actions have included:
 - The production, public consultation and adoption of a Guide to the Listing of Local Heritage Assets. Following adoption, setting up systems for the nomination, assessment, consultation, ratification, recording and publication of local heritage assets for the list.
 - The development of a process for communities to help deliver conservation area reviews including the listing of local heritage assets. The proposal of a suitable pilot scheme.
5. Medium term actions which have been delivered early are:
 - The creation of a Council cross-departmental Heritage Working Group to work towards joint objectives and coordinate projects and programmes. The group met three times during 2019 - 2020 and has been very productive.
 - Delivery of a pilot scheme conservation area review, including local listing, involving a community group. This fairly major project was completed during the first year and included

a new Conservation Area Appraisal, Review and Management Plan (CAARMP) for East Budleigh (recommendation 2).

The objectives of the East Devon Heritage Strategy 2019 – 2031 include

- Working with communities more
- Enhancing knowledge and understanding of heritage assets and their significance
- Positively managing the heritage assets of East Devon

Meeting these objectives, the East Budleigh Heritage pilot scheme was approved by Strategic Planning Committee in March 2019. Through a series of workshops in October and December 2019, the project helped to build skills and knowledge amongst the community to help protect and enhance the heritage assets of their area.

14 volunteers, organised by the Otter Valley Association, received training and were able to contribute effectively to the conservation area review and the assessment of items for the list of local heritage assets. Participants included East Budleigh residents, members of the Parish Council and members of the Otter Valley and Sid Vale Associations. Training was delivered by Locus Consulting, specialists in heritage training, supported by EDDC staff comprising a Planning Policy Officer and a Conservation Officer.

All participants reported an improvement in their knowledge and understanding of conservation areas. Many very positive comments were made, with volunteers finding the training enjoyable, informative and inspirational.

The Heritage Strategy Monitoring Report (2019 – 20) includes a summary of the pilot scheme, with details of partners, the funding secured (including Sustainable Development Fund through the East Devon AONB), the training delivered and publicity during and after the project. The report also suggests ways in which the project could be taken forward in the future.

Recommendation 2

6. The East Budleigh Conservation Area was designated in 1973 and an appraisal was published in 1999. It was subject to an interim review by the Conservation Officer in 2008, in the form of an addendum to the original (non-digitised) appraisal.
7. A conservation area appraisal sets out what is special in terms of its architectural quality and historic interest. A management plan is an important tool in setting out how these qualities can be conserved and enhanced.
8. The new East Budleigh Conservation Area Appraisal, Review and Management Plan recommended for approval meets all of the latest legislation, policy and guidance, in particular Advice Note1 revised by Historic England in February 2019. This has meant production of a new document and template including:
 - A complete review of information from the original appraisal and interim review
 - New sections including a Statement of Special Interest
 - A new management plan and template
 - New digitised maps (following surveys by the volunteers) and photographs
 - The listing of local heritage assets within the conservation area

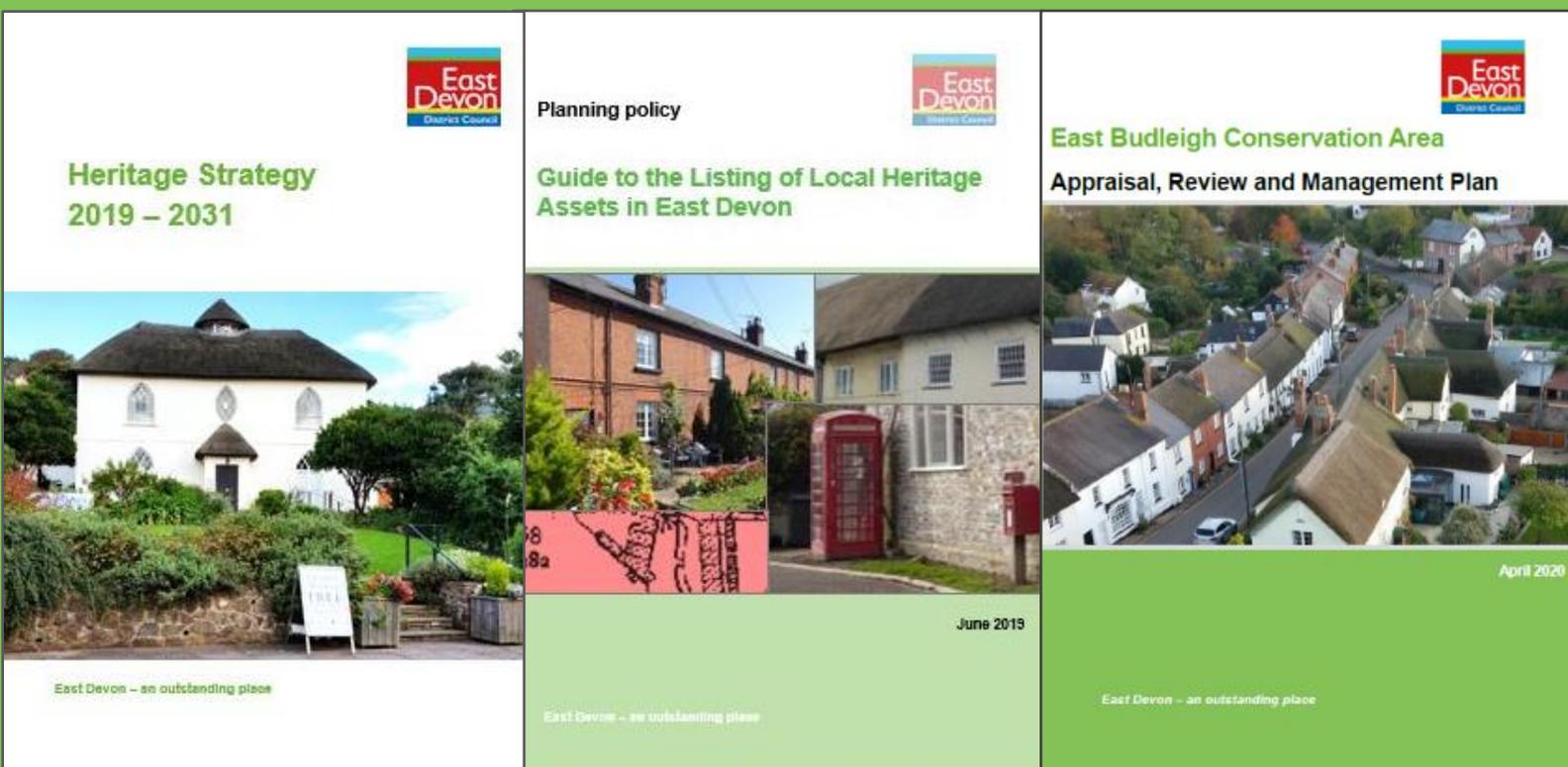
The new template is much easier to read and in future can be used to update other conservation area appraisals and reviews, and in the formulation of new conservation area management plans.

9. During the East Budleigh heritage training workshops, possible boundary changes were discussed in detail and advised on by Locus Consulting. It was agreed that there would be no boundary change to the existing conservation area. Full details are presented in section 15 of the new East Budleigh Conservation Area Appraisal.
10. The East Budleigh CAARMP draft document was consulted on extensively with a core group of the project volunteers, who contributed very positively to the document both during and following their training.
11. Following amendment and approval by the Conservation Officer, the document was circulated and presented at the East Budleigh Parish Council (Zoom) meeting on May 26 2020 where it was very well received. It was then placed on the Council's Heritage and Local Heritage Assets webpage.
12. Details of the East Budleigh CAARMP 2020 were also placed on the East Budleigh Parish Council notice boards for a minimum of 6 weeks from August 5th 2020 inviting comments from the public but none were received during this time.

Planning policy

East Devon Heritage Strategy

Monitoring report 2019 - 2020



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1 Introduction

- 1.1 The East Devon Heritage Strategy 2019 – 2031ⁱ was adopted by Strategic Planning Committee in March 2019. It is the first such strategy for East Devon, which provides a summary of the historic environment of the district, its significance and its benefits. It identifies the heritage issues in East Devon and develops objectives for the future with an action plan for the delivery of its recommendations.
- 1.2 Section 1 of the strategy sets out the purpose of the strategy, and provides information on the role of the Council and other organisations, sources of information and a background of legislation and policy.
- 1.3 Section 2 of the strategy addresses the aims and objectives of the strategy through three themes. For each theme, objectives for the future are raised and actions to meet those objectives are recommended:

Theme A describes the historic environment of the District and provides information on designated and undesignated heritage assets and their significance.

Theme B sets out current policies and programmes relating to development management, conservation areas and heritage assets at risk within the District, including our statutory duties.

Theme C looks at the value of our heritage as a part of sustainable development, and the social, economic and environmental benefits it provides for East Devon. The impact and influence of other policies are considered as well as how we work with our communities and partners.

- 1.4 Section 3 presents the actions raised in Section 2 in the form of a 12 year action plan. This section also provides more information on resources, benefits and monitoring.

2 Action plan

- 2.1 The Action plan from 2019 – 2031 is divided into three sections representing objectives from the three themes, A (yellow), B (blue) and C (green), see Appendix 1.
- 2.2 For each objective, the proposed actions and tasks are detailed, with information on whether each is a statutory duty. An estimate is made of resources, how actions will be delivered, and timescales, short, medium and long term. Finally, ways of monitoring each action are suggested.

2.3 **Short term actions** are planned for delivery between April 2019 and March 2020.

Medium term actions are proposed for delivery between April 2021 and March 2024

Long term actions are proposed for delivery between April 2024 and March 2031

2.4 This report describes how the short term and some of the medium term actions have been delivered during 2019 – 2020.

Action plan tasks 2019 – 2020 (See also Appendix 1: Action Plan)

3 Theme A

3.1 Theme A objectives are to:

- Enhance understanding of heritage assets and their significance
- Widen knowledge of the heritage of East Devon and its assets
- Celebrate and promote the heritage of East Devon

3.2 Year 1 actions and tasks:

3.3 Action: Provide information and guidance in the Heritage Strategy

Completed: the Heritage Strategy, adopted in 2019, provides comprehensive information and guidance. Historic England, Devon County Council Historic Environment Team and East Devon AONB amongst other organisations acknowledged and commended the strategy on its comprehensive coverage of the issues.

3.4 Action: Provide links to further guidance through the Council's website

Completed: the new heritage webpage provides links to Historic England advice, national listings and reports, and the Devon County Council Historic Environment Record.

3.5 Action: Develop improved web pages for the provision of information on heritage issues relevant to East Devon, including the Heritage Strategy

Completed: the heritage webpageⁱⁱ has been improved to include information on the heritage strategy, the list of local heritage assets, an on-line form for nominations for local heritage assets, links to further guidance and information on the latest news and projects.

3.6 Action: Promote strategy and web pages; develop a publicity plan to include press and social media

A publicity plan was considered by the Heritage Working Group and implemented with a series of press releases. Articles appeared on Facebook and Twitter and through the press, including the Exmouth Journal, promoting the heritage strategy and its initiatives.

3.7 Action: Support events such as the annual Heritage Open Days and the East Devon AONB Heritage Conference. Promote heritage strategy and website at heritage events.

A Planning Policy Officer (heritage) and Conservation Officer supported events including:

- The East Devon AONB annual conference in April 2019 (short talk / discussion)
- EDDC Neighbourhood Planning forum in October (presentations and discussion)
- EDDC member training (presentation, quiz and discussion)

4 Theme B

4.1 Theme B objectives are to:

- Positively manage the heritage assets of East Devon (Conservation Areas, Heritage at Risk and Local List)
- Encourage development which enhances distinctiveness

4.2 Year 1 Actions and Tasks:

Conservation areas

4.3 Action: Prepare internal procedural guidance for conservation area review and management plans.

This has been completed, to include

- A new template for conservation area appraisal and review, including a process for updating the original (typewritten) text and transferring the hand drawn maps onto GIS.
- A new template for management plans, including updated legislation and policy
- A flowchart of the procedures to complete a conservation area review and management plan, including surveys, consultation, adoption and publication

4.4 Action: Develop a process for communities to help deliver reviews, including training and monitoring. Propose a suitable pilot scheme.

A process was established and criteria were developed for the selection of a suitable pilot scheme. East Budleigh was chosen as a pilot scheme and endorsed by Strategic Planning Committee. The process included

- Developing a programme of options working with a community group
- Working with partners to meet joint objectives.
- Enabling grant funding
- Sourcing a suitable consultant to deliver the main part of the training
- Developing a programme of training to be delivered by a consultant and EDDC staff
- Producing training material including presentations, plans and survey sheets, with feedback forms for participants to complete.

4.5 Action: Deliver a pilot scheme Conservation Area review involving community group/s to include local listed items. Monitor input, output, outcomes and estimate impact to inform future programme. (Medium term – being developed).

The project was delivered earlier than planned, in year one, to include

- Securing partners and funding including the East Devon AONB (Sustainable Development Fund Grant) and the Norman Family Trust.
- Establishing a training programme and material for the volunteers which can be reused in future projects
- Three days of training and workshops delivered by Locus Consulting, a specialist in heritage training and supported by a Planning Policy Officer (heritage) and a Conservation Officer for 14 members of the community.
- Training included the assessment of character and how to record it, understanding historic buildings and recording them in conservation areas and managing change in conservation areas, all of which included on site exercises, with notation of maps and completion of survey sheets to inform the East Budleigh Conservation Area Appraisal, Review and Management Plan.

- Producing a new Conservation Area Appraisal, Review and Management Plan for East Budleighⁱⁱⁱ which meets all of the latest legislation, policy and guidance.^{iv}
- Assessing, ratifying and publishing new items for the List of Local Heritage Assets
- Building skills and knowledge amongst the community to help protect and enhance the heritage assets of their area. All participants reported an improvement in their knowledge and understanding of conservation areas and commented that they found the training enjoyable, informative and inspirational.
- Publicity, including a series of press releases which were published on the EDDC Website, in the Exmouth Journal and on Facebook.

There are many ways in which the project could be taken forward in future years, depending on the availability of staff resources.

- Developing a similar project with another community using the same templates, training material and programme.
- Enabling members of the trained East Budleigh Heritage Project group to review another small conservation area within the Otter Valley area, with guidance.
- Using the training materials for workshops involving neighbourhood planning groups or other representatives from different communities across the district.
- Pursuing a regional 'Capacity Building Grant' to part-fund further staff resources to widen the scope of the project. Such grants may be available for projects "which build up the capacity and commitment of local communities to champion the conservation and enhancement of their own local historic environments."^v
- Delivering further training for the East Budleigh Heritage Project participants or other groups in a Grade II listed buildings condition survey (so helping to monitor heritage at risk).
- A second stage of the project was planned in March / April to also include training on improving energy efficiency within old buildings, delivered by members of the Heritage Working Group, including Environmental Health, Conservation and Planning Policy Officers. However this further training has not progressed due to lockdown and continued advice on social distancing.

A separate report provides more detail on the input, output and outcomes of the pilot scheme, and on which parts worked well and what could be improved for the future.

4.6 Action: Develop a programme to prioritise reviews over 12 years.

A programme has been considered, giving priorities to reviews based on criteria such as risk from development within Built up Area Boundaries, the condition of assets, the date of last review and the presence of active community groups with an interest in heritage.

Research in June 2019 included an analysis of conservation areas within the historic town centres of East Devon with a view to bidding for Heritage Action Zone Funding.

Information was gathered and assessed in particular for Axminster, Honiton, Ottery St Mary and Seaton conservation areas including heritage assets, empty buildings, traffic flow, active community groups and potential improvements that could be made.

The resources needed to complete a review have also been considered. For example, some reviews may need to only be 'light touch' where not much change has been seen and there may be an active community group that could become involved in helping to update and review an appraisal, following on from the East Budleigh Pilot Scheme.

New templates for Conservation Area Appraisal, Review and Management Plans have been produced to help with future reviews. Work to prioritise reviews is ongoing.

4.7 Conduct an annual review of areas that may merit designation

4.8 In 2009, 12 areas were identified for consideration for conservation area status, including Dunkeswell, which has since been designated.

4.9 There has not been time during 2019 – 2020 to complete a survey of all areas that would potentially merit designation. However the villages previously suggested are those that may be less at risk from development due to not having Built up Area Boundaries and therefore may still be suitable for designation.

4.10 More recently, the following areas have been brought to the attention of the policy and conservation teams and added to this list.

- Lower East Budleigh: This area has been identified as potentially meriting a new conservation area appraisal and a local resident is keen to have this considered.
- Budleigh Salterton: During an assessment of items for the listing of local heritage assets, an area was identified as potentially meriting an extension to the boundary.

Heritage at Risk

- 4.11 Action: Provide information and a link to the Historic England register of heritage assets at risk on the Council webpage:
- 4.12 A link has been added to the heritage webpage to the Historic England webpage which provides general information on heritage at risk and details of what is at risk locally.
- 4.13 A new action has been considered to deliver training on condition surveys, see 4.5

Local List

- 4.14 Action: Produce a document advising communities on procedures for a Local List, with guidance on selection criteria. Public consultation and adoption.
- Completed: A guide was produced and consulted on. The document was adopted in June 2019 and is published^{vi} on the East Devon Heritage and Local heritage Assets webpage.
- 4.15 Action: Following adoption of a guide, receive submissions from communities and historic groups.
- Submissions have been received from the Otter Valley Association and the East Budleigh Heritage Project and are being assessed. Some have been ratified and published.
- 4.16 Action: Set up procedures within the Council for assessing, recording and publishing a list of non-designated heritage assets
- Detailed procedures have been established, including flowcharts.
- 4.17 Action: Develop and deliver a programme based on items submitted, starting with a pilot scheme. Roll out to other areas subject to available resources.
- All pilot scheme nominations for the list have been ratified and published
- A programme has been established to assess a proposed list of nominations produced by the Otter Valley Association.

Encourage development which enhances distinctiveness

- 4.18 Action: Build in heritage and local distinctiveness themes in the emerging Design Guide Supplementary Planning Document, with a link to the Heritage Strategy
- These themes have been included in the emerging Design Guide as important characteristics.

5 Theme C

5.1 Theme C objectives are to:

- Work with partners and corporately to identify joint projects and maximise funding
- Work with communities

5.2 Year 1 Actions and tasks:

5.3 Action: Increase attendance at meetings or events with partner organisations to work towards common goals

During 2019 the Policy Officer (heritage) and Conservation Officer attended partner meetings including those organised by the East Devon AONB, Devon County Council and Historic England.

5.4 Action: Create Council working group to work towards joint objectives and co-ordinate projects and programmes. Provide website links to regeneration, economy and tourism sectors.

This working group has been created earlier than planned, with much success.

Three working group meetings have been held, in May and October 2019 and in January 2020. A core group of officers from Environmental health (Private Sector Housing and Empty Homes) Regeneration, Conservation and Policy have met, with guest officers including the Property and Estates senior manager.

Issues discussed, coordinated or implemented have included:

- Private sector housing notices and initiatives (including heritage assets)
- Targeted enforcement on specific listed buildings
- Building at risk surveys and managing / sharing heritage data
- Regeneration programmes and targeted action from different departments
- Sources of funding especially for historic town centres and high streets
- Place branding and capacity building
- Conservation areas to prioritise for review
- Publicity plan, including the East Budleigh Pilot Scheme, newsletters

- The List of Local Heritage Assets
- Energy efficiency in listed buildings
- Attending the neighbourhood planning forum and landlords forum

5.5 Action: Work with others to identify projects and sources of funding

Members of the Heritage Working Group have been productive in identifying new projects and funding including

- Heritage Action Zone and town centres funding: exchange of information
- Energy efficiency grants and loans, working with the Empty Homes Officer
- Energy efficiency in older buildings training – promotion of low carbon agenda and health and well-being, proposed for the next stage of the East Budleigh Pilot Scheme but not progressed as yet due to Covid-19 guidelines.

5.6 Action: Facilitate, or advise on, a range of training opportunities especially for neighbourhood planning / community groups with an interest in heritage.

- Information on training opportunities from various sources have been gathered which communities can use. Links are provided on the East Devon Heritage and Local Assets webpage.
- Presentations from the East Budleigh Pilot Scheme are available for future training, for example on heritage significance
- Training material is available for the development of conservation area review and management plans, including notation and survey sheets.
- Training material has been compiled for a Grade II listed building condition survey, based on that developed by Historic England.

5.7 Action: Produce a template to guide neighbourhood planning groups in site assessments in relation to heritage

A template has been produced.

6 Conclusions

- 6.1 17 of the 18 'short term' actions for year 1 (2019-20) have been completed as planned
- 6.2 The remaining action, conducting a review of areas that may merit designation as conservation areas has been delayed due to the high workload of conservation officers on other duties. However there is an ongoing list of proposed areas that is not likely to have changed. Two areas have been added to the list during 2020.
- 6.3 Two actions have been completed early:
- Delivery of a pilot scheme conservation area review, including local listing, involving a community group. This fairly major project was completed during the first year and included a new Conservation Area Appraisal, Review and Management Plan (CAAMP) for East Budleigh.
 - Creating a Council working group to work towards joint objectives. This has met three times and been very productive.

Appendix 1: Heritage Strategy Action Plan

Timescales:

S = Short term 2019 – 2020

M = Medium term 2021 – 2024

L = Long term 2025 – 2031

Objectives Theme A	Actions and tasks	Stat. duty	Indicative resources	Delivery: Staff and Partners	Timescale S M L			Notes	Indicative monitoring
Enhance understanding of heritage assets and their significance	Provide information and guidance in the Heritage Strategy.		Produced in-house	Policy team in consultation with conservation team and external partners	X			Most tasks completed	Monitor readership on-line
	Review Heritage Strategy		Moderate staff resources	Policy team			X	Delivery plan monitored annually	
	Provide links to further guidance through the Council's website		Minimal staff resources	Policy and conservation staff	X	X		Ongoing	
Widen knowledge of the heritage of East Devon and its assets	Develop improved web pages for the provision of information on heritage issues relevant to East Devon, including the Heritage Strategy		To be developed in-house, moderate staff resources with ongoing updates	Regular updates from policy and conservation staff. Links to, and input from partners	X	X		Initiate 2019-20, complete 2020-21, with regular updates	Survey on use of website and other programmes
	Encourage local groups / museums to engage with local schools		Moderate staff resources	Policy staff to circulate information		X			
Celebrate and promote the heritage of East Devon (raise the profile)	Promote strategy and web pages; develop a publicity plan to include press and social media		Moderate staff resources	East Devon staff, press office and Heritage Champion	X	X			No. of local groups / partners engaged
	Support events such as the annual Heritage Open Days and the East Devon AONB Heritage Conference. Promote heritage strategy and website at heritage events.		Moderate staff resources	Staff and Lead Councillor for Heritage presence at heritage events	X	X	X		Number of events attended; outcomes recorded
	Host an occasional heritage themed event / workshop for members and community representatives		Use of Council chambers and catering	East Devon staff, Lead Councillor for Heritage and Community Officer. Help from partner organisations		X		First event following first year's delivery plan report	Event feedback survey

Heritage Strategy Monitoring Report 2019 - 2020

<p>Positively manage the heritage assets of East Devon:</p> <p>Conservation Areas</p> <p>page 140</p>	<p>Undertake a programme of Conservation Area review:</p> <p>Yes</p>								
	<p>Prepare internal procedural guidance for Conservation Area review and management plans.</p>		<p>Staff resources, policy team.</p>	<p>Policy officer, in consultation with conservation team</p>	X			<p>This work is programmed for 2019 - 20</p>	<p>Completion of guidance</p>
	<p>Develop a process for communities to help deliver reviews, including training and monitoring. Propose a suitable pilot scheme.</p>		<p>Staff resources, policy team</p>	<p>Policy officer, in consultation with conservation team and local amenity group.</p>	X	X			<p>Process developed, pilot scheme proposed.</p>
	<p>Deliver a pilot scheme Conservation Area review involving community group/s to include local listed items. Monitor input, output, outcomes and estimate impact to inform future programme.</p>		<p>Considerable input from staff and community group initially but potential to improve long term resources. Possible external funding / grant.</p>	<p>EDDC staff with assistance from community groups and in consultation with partners</p>		X		<p>Pilot scheme proposed 2020-21</p>	<p>Full criteria to be developed, including impact of community involvement.</p>
	<p>Consider priorities in Conservation Areas within towns and other Built Up Area Boundaries most subject to change and those with active Neighbourhood Planning and Historic Interest Groups.</p>		<p>Staff resources, policy and conservation tem</p>	<p>Policy officer, in consultation with conservation team and other planning staff</p>	X			<p>This work is programmed for 2019-20</p>	<p>Completion of report</p>
	<p>Undertake the programme of reviews, to include full and interim reviews and other methods where appropriate, some involving neighbourhood planning and local history / amenity groups. Prepare appraisals and management plans.</p>		<p>Much input from community and staff initially but potential long term investment. Possible funding, see Theme C</p>	<p>Programme managed by policy staff working with communities with input and sign-off by conservation team. Help from partners, especially if can secure funding for training.</p>		X	X	<p>Long term protection of assets and benefits for the community.</p>	<p>Numbers of reviews and management plans. Other Indicators developed for pilot scheme</p>
	<p>Complete Lympstone C A review boundary extension</p>		<p>Staff resources</p>	<p>Consultation and adoption may be managed by policy staff</p>		X			<p>Adoption</p>

Heritage Strategy Monitoring Report 2019 - 2020

Conservation Areas	Determine if any parts of the district merit designation as a Conservation Area and if so designate new areas:	Yes							
	Conduct annual review of areas that may merit designation		Staff resources	Annual review by staff	X	X	X		
page 141	Provide information and a link to the Historic England register of heritage assets at risk on the Council webpage	Yes	Minimal staff input complete and update	Information supplied by Historic England	X	X		Minimal input with annual updates	
	Liaise with partners and organisations including Building Control, Estate Agents and communities to enable reporting on assets at risk where possible and start a list.		Staff resources, to provide information on website	Policy staff to facilitate in consultation with conservation team		X		Awareness of assets at risk can help to inform programmes and focus action.	Numbers of heritage assets at risk, numbers reported, surveyed or monitored
	Include Grade II condition survey within pilot scheme Conservation Area review, where there is a community desire to do so.		Current Grade II condition survey training material is available through Historic England website. Policy staff to help facilitate.	Policy staff to help facilitate Historic England training for community pilot scheme, if group wish to proceed with this.		X		Potential for long term impact on protection of assets	No. of surveys completed, residents trained, HAR improved
Local List	Establish a local list of non-designated assets:	No							
	Produce a document advising communities on procedures for a Local List, with guidance on selection criteria. Public consultation and adoption.		Policy officer (most work completed)	Document under consultation March 219	X				
	Following adoption of guide, receive submissions from communities and historic groups.		Otter Valley and Sid Vale Associations have submitted items for consideration	Submissions from town or parish councils, ward members, neighbourhood planning groups and local amenity groups.	X			Ongoing subject to available resources	Number of groups submitting items consideration

Heritage Strategy Monitoring Report 2019 - 2020

Local List	Set up procedures within the Council for assessing, recording and publishing a list of non-designated heritage assets		Policy staff resources	Policy officer in consultation with conservation team	X				
	Develop and deliver a programme based on items submitted, starting with a pilot scheme. Roll out to other areas subject to available resources.		Staff resources; considerable input to set up list but less time needed for annual maintenance	Policy officer working with local group and with input from conservation team.	X			Positive impact on planning process and benefits for local communities	Number of items approved for local list, other pilot scheme criteria
Encourage development which enhances distinctiveness	Provide links to further guidance which address the most common issues, on website, much from Historic England.		Minimal staff resources to provide links on webpages	Policy officer in consultation with conservation team		X			Feedback survey on information provided
page 142	Build in heritage and local distinctiveness themes in emerging Design Guide Supplementary Planning Document, with link to Heritage Strategy		Moderate staff resources	Policy officer with Design Guide working group, followed by public consultation	X			This Guide will carry weight in planning decisions	
	Provide information on the website on sourcing of local materials, in particular a stone quarry guide		Moderate staff resources	Conservation and policy team, available through new webpages		X			Completion of guides, number of guides requested; feedback
	Update and publish shopfront and any other relevant guides relating to heritage		Moderate staff resources	Conservation and policy team, available through new webpages		X			Completion of guides, no. requested; feedback

Heritage Strategy Monitoring Report 2019 - 2020

Work with partners and corporately to identify joint projects and maximise funding	Increase attendance at meetings or events with partner organisations to work towards common goals		Staff resources, potential to pool resources with partners for maximum benefit	Policy and/or conservation officer working with external partners such as the East Devon and Blackdown Hills AONBs	X	X	X	Ongoing	Meetings attended, outcomes recorded
	Create Council working group to work towards joint objectives and co-ordinate projects and programmes. Provide website links to regeneration, economy and tourism sectors.		Moderate staff resources	Policy and conservation team staff working with other sections such as private sector housing, building control and regeneration.		X		Set up regular meetings and continue according to outcomes	Meetings attended, outcomes recorded
page 143	Work with others to identify projects and sources of funding		Potential to attract grant funding for heritage projects or programmes, especially those involving the community	Policy staff working with external partners and EDDC departments	X	X	X		Projects and funds identified
Work with communities	Facilitate, or advise on, a range of training opportunities especially for neighbourhood planning / community groups with an interest in heritage.		Moderate staff resources to develop training opportunities for pilot scheme. Capacity building within community can provide a valuable long term resource of trained residents.	Policy staff working with external partners and local community groups.	X	X			Criteria to be developed, along with pilot scheme
	Produce a template to guide neighbourhood planning groups in site assessments in relation to heritage		Minimal staff resources	Policy staff	X				

Appendix 2: Supporting documents and references

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- ⁱ EDDC (2019), Heritage Strategy <https://eastdevon.gov.uk/media/3413423/final-heritage-strategy-2019-2031.pdf>
- ⁱⁱ EDDC Heritage and Local Heritage Assets Webpage <https://eastdevon.gov.uk/planning/planning-policy/east-devon-heritage-and-local-heritage-assets/>
- ⁱⁱⁱ EDDC (2020), East Budleigh conservation Area Appraisal, Review and Management Plan <https://eastdevon.gov.uk/media/3720586/east-budleigh-conservation-area-appraisal-review-and-management-plan-2020.pdf>
- ^{iv} Historic England (2019), Advice Note 1: Conservation Area Appraisal, Designation and Management <https://historicengland.org.uk/images-books/publications/conservation-area-appraisal-designation-management-advice-note-1/>
- ^v Historic England Website (September 2020) <https://historicengland.org.uk/services-skills/grants/our-grant-schemes/regional-capacity-grants/>
- ^{vi} EDDC (2019), Guide to the Listing of Local Heritage Assets in East Devon <https://eastdevon.gov.uk/media/3720585/east-devon-guide-to-the-listing-of-local-heritage-assets2.pdf>

East Budleigh Conservation Area

Appraisal, Review and Management Plan



April 2020

East Devon – an outstanding place

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Photo on front cover:

High Street looking south, from the tower of the Grade I Listed All Saints Church

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Part 1: Conservation Area Appraisal



Photo: *All Saints Church (Grade 1 Listed), High Street*

1 Statement of special interest

- 1.1 East Budleigh is a village that has retained considerable character and special architectural and historic interest, especially within the conservation area, whilst absorbing much modern development.
- 1.2 There are many good examples of simple vernacular architecture, including terraced cob and thatch cottages, often in groups. Their palette of colours is muted, with a high proportion of traditional rendered and whitewashed front walls, presenting a distinctive streetscape.
- 1.3 This, and the consistent line of buildings, their frontages, rooflines and chimneys, gives a high integrity to the groups of cottages which have evolved over time, and which also illustrate the historic development of the village centre. A sense of unity is especially apparent along the High Street, where original fenestration of similar proportions and plain doors contribute to the coherent scene throughout, with few porches to break it up.
- 1.4 A wide variety of local materials used in buildings, surfaces and boundaries add identity and richness to the scene, including thatch and rendered cob, some fine brickwork, coursed stone walls with some ashlar detail, flint boundary walls, round cobbles and metal railings. Decorative features such as patterned cobbles along the High Street and dentilated brickwork of the Victorian cottages provide further interest, as do the attractive iron railings, and several small bridges over a brook, leading to the cottages' front gardens.
- 1.5 The quality of the streetscape is further strengthened by its unchanged nature, including unspoilt frontages, intact chimneys and retained cobbled verges, giving a feeling of stepping back in time. There is a lack of intrusion, in that there are no parked cars, modern adverts or shop signs. Overhead power lines and yellow road lines appear emphasised due to the general lack of modernity and unspoilt nature of the High Street and parts of Hayes Lane.
- 1.6 The landmark buildings of All Saints Church and Wynards House provide focus and prominence at either end of the finely proportioned, steeply rising High Street, and are also viewed from outside the conservation area. A statue of Sir Walter Raleigh is positioned centrally at the head of the High Street, whilst the characterful Sir Walter Raleigh public house adds interest and focus especially from Hayes Lane looking east.
- 1.7 Within the conservation area, especially High Street, the streetscape offers a sense of enclosure and tranquillity, reinforced by glimpsed views out of it towards features such as a brook and undulating open countryside. There are extensive boundary and retaining walls, such as those along Hayes Lane and around the church adding to enclosure and interest.
- 1.8 The countryside and rural landscape are in close proximity to the conservation area, all of which are within the East Devon Area of Outstanding Natural Beauty. The natural landscape provides a contrast to the built environment, with several instances of a sharp and distinctive break between the two. There are many green glimpses, including an under layer of vegetation and in-between houses, to the hedges and rolling hills beyond.
- 1.9 The churchyard is an important green open space and contains many of the fine specimen trees of the conservation area, with a further group in Vicarage Road. Hedgerow trees forming the southwestern boundary of the conservation area are also important. However a lack of green infrastructure along the High Street emphasises the consistent nature of the buildings, whilst one ancient holly tree remains as a distinctive feature.

2 Introduction

- 2.1 East Budleigh Conservation Area was designated on October 1st 1973 and it was appraised in 1995 (published in 1999). The appraisal was subject to an interim review by the District Council Conservation Officer in 2008 and attached as an addendum to the original appraisal.
- 2.2 Information from the original appraisal in 1999 has been retained and updated within this new template which meets the latest legislation and guidance. This Conservation Area Appraisal includes information from both reviews in 2008 and 2019.
- 2.3 Surveys for the 2019 review were carried out on 23 – 24 October and on 11 December 2019.

3 Community involvement in the appraisal

- 3.1 The East Budleigh Conservation Area Appraisal Review 2020 has been produced with the involvement of a local community group as part of the 'East Budleigh Heritage Project'. This is a pilot scheme identified by the East Devon Heritage Strategy 2019 to help capture and develop the local knowledge, skills and commitment present within our communities.
- 3.2 The East Budleigh Heritage Project community group included members of the Otter Valley Association, the East Budleigh Neighbourhood Planning Group, the Parish Council, and residents of the village and wider area, including members of the Sid Vale Association.
- 3.3 The group received training from Locus Consulting during October 2019. Information contributed by the group towards the review was completed with the guidance of East Devon District Council Conservation Officer and Policy Officer during December 2019 and January 2020.

4 General character, location and uses

- 4.1 East Budleigh is a large and attractive historic village, within a rural landscape of rolling hills, situated around two miles north of Budleigh Salterton. Directly north of the village within 800m is Bicton, a large Grade I Registered Park and Garden. To the west and east respectively are the pretty hamlet of Yettington and the historic village of Otterton.
- 4.2 The conservation area is relatively small in relation to the village as a whole, within the northwest part of the settlement. It is mainly residential, concentrated around the High Street and Hayes Lane, with many cob and thatched cottages climbing a steep hill towards All Saints Church. Further down the High Street, footbridges cross the Budleigh Brook to a terrace of Victorian houses. To the west along Hayes Lane, well maintained thatched cottages, a former vicarage and flint boundary walls also provide interest.
- 4.3 The conservation area includes the historic core of the village, with more modern development mainly to the eastern boundaries. It is largely unspoilt and in very good condition, which reflects the economic profile of the area. It retains a high quality roofline and streetscape and is popular with tourists due to its ancient church, historical connections, picturesque qualities and popular pub.
- 4.4 There is more modern housing built in the late 1980's and late 1990's within the boundary at Hayes Lane, and more recently during 2019 to the east of the High Street at Pynes Close. The Hayes Lane area has mixed use, including a church hall built in the late 1970's and a car park.



Photo: High Street looking north towards All Saints Church

5 Historic and topographic background

- 5.1 East Budleigh is thought to have been settled around 7 AD and was known as "Bodelie" in the Domesday Book, when it was a Royal Manor. It was a market town and port, mainly trading in wool until the River Otter ceased to be navigable. This appears to have begun by the reign of Henry VIII, due to the pebble bank that formed across the river mouth.
- 5.2 Leland records that it was still in use as a port early in the 15th century. This helps to account for the beautiful parish All Saints Church, which dates mostly from the 12th and 15th century, built of sandstone but with imposing Beer stone arcades. It is one of the few churches locally to have been carefully restored in the 19th century (1884-87) and thus kept a fine 15th century screen and a complete set of 16th century oak benches of high quality workmanship, with a unique series of carved bench ends.
- 5.3 The church and village are much visited because of their association with the Raleigh family and the family pew with coat of arms (dated 1537). Sir Walter Raleigh (1552-1618) was born at Hayes Barton, a fine Tudor building, one mile west of the village. Raleigh was a well-known adventurer, especially to the Americas, soldier and writer. He was a favourite of Elizabeth I but incurred the displeasure of James I and was eventually executed. The young Walter is said to have been tutored at Vicar's Mead in Hayes Lane.
- 5.4 Governor Roger Conant, founder of Salem, Massachusetts and the first governor of the Massachusetts Bay Colony, was born in East Budleigh in 1592. The millstone in front of the Church Hall reputedly comes from the now-demolished mill which was once worked by the Conant family.
- 5.5 East Budleigh is surrounded by farmland, and several houses in the High Street, including the Sir Walter Raleigh pub, were farmhouses at one time.



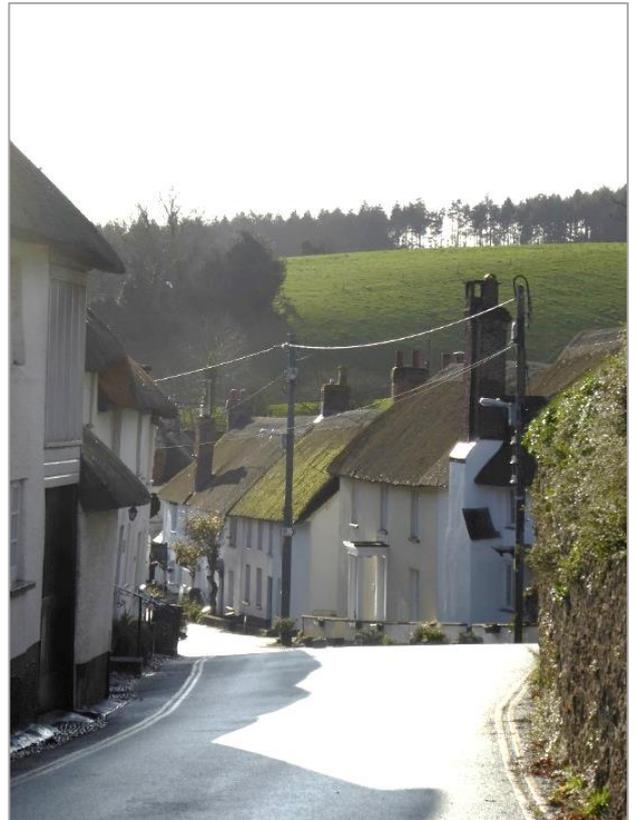
Photos: Carved benches at the All Saints Church (above) and the thatched, Grade II listed Sir Walter Raleigh public house (right), High Street



6 Setting of the conservation area and views

- 6.1 The conservation area lies within a village setting, surrounded by a rural landscape. There are many views from within, both glimpsed and open, looking towards the surrounding countryside. The western boundaries of the area, in particular, look out towards agricultural land, and there is a marked contrast between built and green landscapes. The undulating topography of the area helps to form a setting where groups of cottages appear to be 'nestling' within the lower areas of the conservation area.
- 6.2 On entering the conservation area from the south, the view is dominated by the tower of the landmark All Saints Church on higher ground and the succession of thatched cottages on both sides of High Street rising gently towards it, one with a lateral chimney stack. There are long views towards the church from many locations, including from Hayes Lane to the west and from Vicarage Road to the east of the church.

Photo: view from the north end of High Street. Note the massive brick stacks (probably early 17th century) and the backdrop of wooded hill



Photos: Vicarage Road (left) and High Street (centre and right), showing dominance of the parish church from many viewpoints within the village

- 6.3 Groups of cottages within the High Street have a high degree of integrity, providing iconic views, looking both northwards up the hill, from Wynards House, and back down the hill southwards from the church.

- 6.4 These cottage scenes are enhanced by an interesting roofline of thatched and slated roofs, many with tall chimneys. They also form part of a well preserved streetscape including unspoilt frontages and extensive cobbled paving. A lack of trees in the High Street and Hayes Lane also helps to emphasise the unspoilt and uniform nature of the cottage frontages.



Photos (above): *High Street roofs and unspoilt frontages, with cobbled paving*

- 6.5 There are particularly good open views from the churchyard over the roofs down towards the village, where the evolution of the village, from its historic core, can be observed (see also: front cover).
- 6.6 Of the early scenes shown (photos below), one pre-dates the arrival of overhead power lines and TV aerials; another shows the former toll house which collapsed in 1977 and was not rebuilt. There is a close juxtaposition of buildings to countryside in this part of the village. Here a considerable gap is partly due to removal of the toll house - which has opened up a glimpsed view to the countryside.



Photos: *The former Toll House and view beyond it after demolition*



Photos (above): views from the church graveyard from the past and in 2019, showing the unspoilt nature of the High Street

- 6.7 The churchyard forms an important open space in the north part of the Conservation Area and contains imposing large trees. From here the setting of the village in a slight hollow, enclosed within a wider undulating landscape can best be appreciated. The churchyard is extensive and largely bounded by a stone retaining wall, where there has been recent restorative work. There are good views south across the village. Seven tombs are listed.



Photos (above): Views from All Saints Church showing undulating landscape and woodland

- 6.8 From Hayes Lane there are open views towards the church to the north, and towards thatched cottages and agricultural land to the west, whilst an enclosed view between the high cob and flint walls eastwards provides a glimpse of the landmark Sir Walter Raleigh public house.



Photos (above left): Further cob and thatch cottages at the western border of Hayes Lane, with views towards the church and **(right):** narrow view towards the Sir Walter Raleigh pub from Hayes Lane

- 6.9 Within the High Street, the setting of the surrounding cottages gives the feeling of an enclosed, tranquil area. Glimpses out of this area towards other things, such as the brook, westwards from the bridge, the various buildings of Cranes Lane, and the surrounding rural 'borrowed' landscape make the area feel even more enclosed.



Photos (above): Glimpsed views from the High Street

- 6.10 The High Street is so unspoilt that distractions, such as the power lines and yellow road markings, are even more apparent within this enclosed area. However, the road markings also have a positive impact as there are no unsightly parked cars to mar the streetscape.
- 6.11 Within the eastern border of the conservation area at Pynes Close, the setting has changed radically, from burgage plots to the 21st century housing under construction at the time of survey.



Photos (above): *New development under construction at Pynes Close (2019)*

- 6.12 To the southern boundary of the conservation area, in front of Wynards House, a linear view opens up to the south east along Middle Street between the brook and high stone wall towards the village hall and the green. This is very distinctive, due to lack of houses, giving an open, “extrovert” space.



Photos (above): *Long views south from Wynards House*

7 Built environment

7.1 The conservation area has three separately identifiable areas:

1 High Street

A remarkably cohesive group of mainly cob and thatch buildings with the sandstone church tower providing a striking contrast when looking north. There is also a small separate entity of red brick cottages and house, just south of where the lower High Street crosses Budleigh Brook, and this provides an equally pleasant contrast in use of materials and sense of enclosure, especially when looking south.



Photos (above): bridges over Budleigh Brook, and High Street looking north, emphasising the contrast of materials and the line of Grade II listed railings



Photos (left): High Street looking south from the grounds of All Saints Church and **(right):** Budleigh Brook with cottages beyond

2 Hayes Lane and Church Lane

Further along Hayes Lane is Vicars Mead with its thatched boundary wall and nearby are the distinctive Hill Farm barns which straddle the western boundary of the conservation area and open out to the countryside.



Photos (above): Vicars Mead and thatched wall (left), and cob and thatch cottages at the end of Hayes Lane (right)



Photos (above): Hill Farm Barns, Hayes Lane: curtilage listed buildings opening out onto the countryside



However from evidence in early photographs, the eastern part of Hayes Lane has been much compromised. As well as a sizeable car park with walls of poor quality enclosing it, some new housing and the Church Hall built in the late 1970's create a somewhat jarring note and too prominently assert their presence in the foreground of the church tower. The cobbles of Church Lane, an attractive and unusual feature, had been gravelled over for some years prior to the 2019 survey.

Photo (above): Hayes Lane, car park looking towards Church Lane

The new housing on Hayes Lane (late 1980's) and in All Saints Close (late 1990's) is mostly terraced, with one larger detached house. Although walls are rendered, they do not follow the local style.

Photo (right): modern housing, car park and toilet block on Hayes Lane, looking south from the grounds of All Saints Church.



3 Vicarage Road

Two groups of cottages on the south side of Vicarage Road present a fairly consistent line of frontages and roofs, with All Saints Church tower dominating views to the west.

However there has been much loss of original detail and some replacement UPVC windows and doors, rainwater goods and the installation of wall mounted meter boxes, which contribute to the buildings' loss of character. These frontages are no longer considered to be largely unspoilt and Map 2 has been amended to reflect the 2019 survey.

To the north side of Vicarage Road however, the stone wall and important trees and tree groups remain. Looking eastwards views open up towards the countryside, giving a sense of openness.



Photos (above left): Vicarage Road looking east and **(right):** stone wall with GR (King George) post box

8 Trees and green spaces

8.1 Trees are an important complement to buildings within the conservation area. There are three main groups which should be afforded particular protection:

- *Within the churchyard and some of these have Tree Protection Orders.*
- *On the north side of Vicarage Road between the Vicarage and The Old Vicarage; some of these also have Tree Protection Orders.*
- *Hedgerow trees forming the southwest boundary of the conservation area between Vicar's Mead and Wynards House*

The main species are sycamore, ash, lime, pine, yew and evergreen oak. Elms are also present as hedgerow trees.

8.2 Elsewhere there are a scattering of specimen trees, together with typical garden shrubs, some in profusion; others bordering the stream. The large car park is not relieved by any significant green space or tree planting, apart from the grassed area and borders which bound the north side.

8.3 There has been some tree loss since the original appraisal, but the important holly tree in front of no.13 High Street remains. This is the place where, from Saxon times, prayers and supplication were made during the village perambulations, or beating of the bounds.

“Mark trees” served the purpose of defining boundary lines. This tree most probably defined the boundaries between Budleigh Polsloe Manor (Higher Budleigh) and Lower Budleigh Manor. The last village perambulation took place in 1854.



Photos (left): the Holly ‘Mark Tree’ and **(right):** important tree groups within churchyard

8.4 Green space within the conservation area is illustrated on Map 2, comprising the churchyard which also contains many fine specimen trees. From here, there are open views both over the village to the south and east, to the undulating rural landscape beyond it, and to the open countryside to the west.

9 Hard landscaping

- 9.1 In the High Street there are some especially good areas of round cobbles, particularly on the west side, some forming decorative patterns. It is likely that these date from the time that classical detail was added (early 19th century). There is a similar extent on the east side, but this is narrower, less well maintained and some are covered over with tarmac in places. Nevertheless, overall this is a remarkable survival which needs to be carefully conserved.
- 9.2 Elsewhere in the village are several forecourt areas and accesses which have not been spoiled with resurfacing materials.



Photos (above): Examples of hard surfaces, showing how original cobbles and granite setts have maintained a better condition than the replacement concrete surface

10 Building materials and ornament

- 10.1 In the High Street there is a very good range of cob and thatch, especially on the west side. As well as plain vernacular the frontage continues through to classical detailing but is done so in a manner that is perfectly in scale and proportion to the overall profile. There has been much use of cream or white painted render, especially roughcast. Apart from thatch, slate predominates with a fair proportion of the paler Cornish varieties to be seen. There are also a few examples of Bridgwater red tiles.



Photos (above): High Street cottage groups with well proportioned, unspoiled frontages

- 10.2 There has been a good survival rate of mainly 18th and 19th century double-hung sash windows, many with glazing bars, and a significant number of panelled doors, a few with lion knockers. The brick terrace at the south end of the conservation area has managed to retain all its attractive white painted casement windows.
- 10.3 Within the village are many stone and cob walls, some capped in brick, tiles or thatch. These undoubtedly add much to the character especially where topped by ivy, valerian etc. Whilst no particular benefit accrues from over-maintenance, which means the natural patina of age and vegetation growth is easily lost, there are some signs of deterioration which need arresting.
- 10.4 The palette of colours is muted and fairly uniform, adding to the integrity of the groups of cottages.



Photo (above): Muted palette of colours, cottages from the top of High Street



Photos (above): use of traditional materials, High Street



Photos: a variety of well-preserved features, including classical detailing, such as that at the entrance to Budleigh House (above)

11 Street furniture and special features

- 11.1 Apart from those features already specified (such as cobbled paving), there is a lack of noteworthy items. Street lighting linked to overhead power lines is urban and unattractive.
- 11.2 However a particularly pleasant feature is the brook, the small bridges that cross it and the distinctive metal railings, probably late 19th century (forged locally) that enclose it where it runs parallel to the road. The thatched boundary wall at Vicar's Mead is also noteworthy.
- 11.3 A more recent addition (2006) is the statue of Sir Walter Raleigh on the east side of All Saints Church (which also contains the Raleigh family pew). This makes a pleasant seating area at the top entrance of the High Street, with views down the High Street. Such good views are also provided by benches outside the church.



Photos: Budleigh Brook bridges and railings; thatched boundary wall, Hayes Lane

12 Synopsis of important buildings and features

Map 1 shows the buildings and features considered both nationally and locally important within the conservation area, as well as those just outside the boundary, but which can be viewed from within it.

The All Saints Church

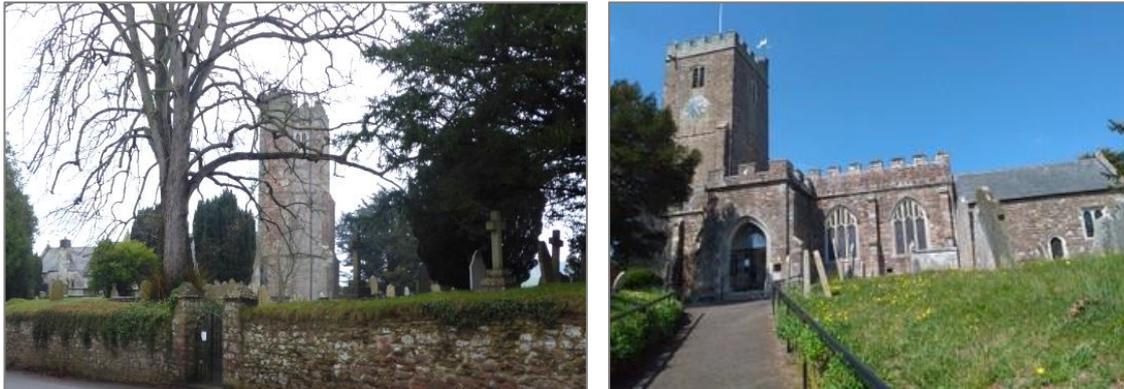
This Grade I Listed Place of Worship, part of which dates from the 15th century, had its chancel extended in 1853 and was restored by R M Fulford in 1884. There is a great variety of some 60 carved bench ends, and a memorial to the Raleigh family, including a 16th century memorial to Johanne Raleigh.

Wynard's House

This is a Grade II listed, early 19th century house with a brick front, hipped roof, bracketed eaves and cob side walls. There are small mullioned arched windows of wood.

Vicar's Mead

This Grade II* listed building is of cob and thatch. It may have originally been a late medieval Church House and parts are thought to date from 1485. Windows are plain Venetian. It is said to have secret passages and hiding places, and on a window pane of the old parlour are the names of the 'Smuggling Parsons' - Matthew Muny and Amb. Stapleton.



Photos (above): All Saints Church (Grade I)



Photos (above): Wynards House (Grade II) and Vicar's Mead and wall (Grade II*)

Grade II Listed Buildings

- 12.1 At the time of review, there are 30 Grade II listed buildings within the conservation area. 27 of these make up almost the entirety of this part of the High Street, apart from those nominated for listing as local heritage assets below. There are also a group of three, Grade II listed buildings at the end of Hayes Lane, with the curtilage listed Hill Farm Barns behind them. Temple Hill, also a Grade II listed building, lies just outside the conservation area, northwest of the church, but within its setting.

List of Local Heritage Assets

- 12.2 Local buildings and structures have been nominated at the time of this appraisal review for addition to the Local List of Heritage Assets. These, listed below and described in section 18 of the Management Plan, meet the criteria set out in the East Devon Guide to the Listing of Local Heritage Assets (adopted in 2019).

2 - 12, High Street (Brookside Cottages)

26 - 30, High Street

1 - 4, Church Cottages, Church Lane

Bronze statue of Sir Walter Raleigh, Vicarage Road

13 Loss of character and intrusion

13.1 Minor incremental changes can have a significant detrimental impact on a conservation area where the character is very distinctive as in East Budleigh.

13.2 The main elements considered to contribute to a loss of character are:

- Overhead power lines, which are prominent and intrusive in several parts of the village, particularly over the High Street and Vicarage Road.
- At the time of the interim review in 2009, the addition of a small number of excessively high television aerials was noted which added to the overall impact of the overhead lines. These were still present at the time of the 2019 survey, on the roofs of parts of the High Street, Hayes Lane and Vicarage Road.
- A prominent car park and public conveniences off Hayes Lane adjoining Church Lane, which are bounded by unattractive concrete block walls. However, the car park does allow for the High Street not to be dominated by cars so can be considered a solution as well as a problem.
- There is somewhat dominant housing in Hayes Lane, comprising a terrace of 6 dwellings built in the late 1980's. They bear little relationship to the setting and vernacular materials which predominate within the village.
- Detracting features on buildings include wall mounted meter boxes, UPVC windows, doors and rainwater goods, such as those seen at Vicarage Road.



Photos (left):
Modern (1980's and 1990's) housing off Hayes Lane



Photos (left):
Examples of a wall mounted meter box, UPVC window and UPVC door, illustrating some loss of character within the conservation area

14 What has changed

- 14.1 The 2008 interim review identified the more recent construction of a “modest but nevertheless significant” residential development in Hayes Lane, built in the late 1990’s, comprising four cottages set back behind the building line of Forge Cottage. “Whilst their proportions and form are indicative of the character of the village, the architectural expression and detailing are rather suburban. The plethora of rainwater goods and off-the-peg stained windows are not entirely consistent with the character of the conservation area”.
- 14.2 Also identified in this review was the Sir Walter Raleigh Statue, just east of All Saints Church, which was added in 2006 to commemorate his birth at Hayes Barton in 1552.
- 14.3 The 2008 review noted some damage to the cobbled verges at the northern end of the High Street, but that residents had attempted to restrict further damage by vehicles by lining them with patio pots.
- 14.4 The 2019 review survey identified the new development of two single storey dwellings under construction at Pynes Close, behind numbers 26 to 36 High Street. These are being developed in old garden plots (but not in line with them), within the eastern boundary of the conservation area. To the east of this development are modern housing and bungalows.
- 14.5 The design was considered by council officers to be fairly sensitive to the setting of the High Street roofline when viewed from Pynes Lane. “The introduction of two contemporary dwellings, with green roofs would result in some harm to the glimpsed views however the identified harm does not undermine the integrity of the Conservation Area”.



Photo: New development at Pynes Close within the conservation area, under construction at the time of survey in 2019 (circled in red)

15 Review of the conservation area boundary

- 15.1 Possible boundary changes were discussed to the north and to the south west boundaries of the conservation area, but after careful consideration both were deemed not necessary, for the following reasons:
- 15.2 Extending the boundary would dilute the integrity of the existing conservation area, and there is a need to be proportionate with respect to the boundary and what lies outside it.
- 15.3 Listed buildings: Temple Hill to the north of All Saints Church, for example, whilst an important building, is not in the immediate vicinity of the conservation area and is already protected by its designated listed building status.
- 15.4 Many of the buildings to the south of the conservation area, along Middle Street, were not considered to have the same high quality of character and appearance as those within the conservation area, and tended to be a mix of modern and older styles.
- 15.5 Both the original appraisal in 1995 and the interim review in 2008 consider that an area to the lower part of the village, centred around the junction with Lower Budleigh and Oak Hill may be worthy of assessment as a separate conservation area.
- 15.6 Whilst the current designation contains the most characterful part of the village, this lower area includes some good unspoiled, unlisted buildings and a distinct 'village scape'. The railings on the north side of Lower Budleigh (road, in front of the brook) are quite unusual in that they are individually listed and contribute significantly to the street scene. There are also very good examples of 18th century to late Victorian properties.
- 15.7 The area described is quite distant from the southern extent of the current conservation area boundary and it would be more appropriate to consider designating a new conservation area rather than extend the boundary of the existing one, should there be resources to do so.

Part 2: Management Plan

16 Introduction

- 16.1 Management plans seek to preserve or enhance the special character and appearance of a conservation area and help to manage change without compromising the quality of the historic environment.
- 16.2 The management of a conservation area requires a multi-faceted approach. The erosion of character is almost always incremental and the removal of small building details or the addition of inappropriate extensions will have a marked effect over a longer period of time. It is therefore important to manage, monitor and enforce seemingly insignificant changes.
- 16.3 A conservation area review, condition survey and an analysis of the strengths, weaknesses, opportunities and threats within it can be developed into a management plan. These were all completed with the involvement of the East Budleigh Heritage Project community group during October 2019 – March 2020, the findings of which have informed this document.
- 16.4 The Conservation Area Appraisal identifies the main components contributing to loss of character and intrusion in East Budleigh and this management plan section suggests opportunities for enhancement.
- 16.5 The management plan will be circulated and publicised both corporately and more widely to residents and other stakeholders to ensure the effectiveness of proposals.

17 Opportunities for Enhancement

Enhancement of the public realm

- 17.1 The character and appearance of public spaces in conservation areas are important in defining a sense of place and local distinctiveness. Where character is eroded through either neglect or unsympathetic alteration, solutions should be sought to enhance the public realm.
- 17.2 Enhancement projects maybe possible in a conservation area where partners and funding are available and such a scheme is warranted. The character of the public realm in East Budleigh remains largely unspoilt when compared with other conservation areas, but the following items have been identified in the Conservation Area Appraisal:
- The prominence of overhead powerlines: this is an issue within most conservation areas and the onus is upon utility companies to consider the relocation of cabling underground, as and when services are renewed.
- Boundary walls: some unattractive concrete block walls around the car park on Hayes Lane, subject to available resources, could be improved with replacement or removal where practical, or facing with alternative materials and decoration. Other boundary walls can be enhanced by repair and maintenance with suitable materials.
- 17.3 Action can be taken to provide information on the sources of funding available, through an advice leaflet and the Parish Council.

Removal of unsightly features on properties

TV aerials: some excessively high TV aerials were noted at the time of both review surveys and owners should be encouraged to replace these with less intrusive designs.

Meter boxes: a number of UPVC meter boxes have been placed on external walls, especially along Vicarage Road.

Unsuitable materials: other detracting features on buildings include UPVC windows, doors and rainwater goods, such as those seen at Vicarage Road.

- 17.4 Information and advice can again be provided in a leaflet distributed to owners and occupiers within the conservation area and through local publicity.
- 17.5 The presence of such features can be monitored and the need for an Article 4 direction kept under review (see page 28).

Local List of Heritage Assets

- 17.6 Some buildings, structures and sites make a positive contribution to a conservation area or its setting, but have not been designated nationally as heritage assets. These may be listed locally as undesignated heritage assets due to their heritage significance, where they are deemed worthy of recognition in the planning process.
- 17.7 Conservation area designation (as a national heritage asset) carries considerable weight in decision making for all structures and trees within it, for example requiring planning permission for demolitions and some alterations (see page 39). AONB designation also offers protection by restricting new development.
- 17.8 However the identification of a heritage asset for the local list both highlights and details the heritage significance and can provide weight to an asset's retention, should it be at risk.
- 17.9 East Devon District Council has a list of local heritage assets which are assessed by criteria set out in the adopted Guide to the Listing of Heritage Assets (2019). The following local heritage assets, identified as a part of the Conservation Area Appraisal in section 12, are:

2 - 12 High Street

This is a simple but attractive terrace of late 19th century red brick cottages, with detail including dentilated courses of brickwork. The cottages have attractive white painted casement windows and slate roofs in their original form and are mostly unaltered. The terrace forms an important group as part of the High Street streetscape with a high degree of integrity with the other groups of cottages nearby, which are predominantly Grade II listed.



Photos (above): 2 - 12 High Street, looking south (left) and east (right)

26 - 30 High Street

This is a simple group of four 19th century cottages situated in an area of predominantly Grade II listed buildings. They are modest and pleasing, giving a coherence to this part of the Conservation Area. No 28 is of red brick, whilst the others (Nos 26 and 30) are rendered and all have slate roofs, retaining largely unspoilt frontages.



Photos (above): 26 - 30 High Street, looking south (left) and north (below)

1 - 4 Church Cottages, Church Lane

This is an important and attractive group of domestic buildings that make a significant contribution to the townscape. The cottages are of painted render under slate (Numbers 1 – 2) and tiled roofs (Numbers 3 – 4). They appear on the 1842 Tithe Map as two buildings but were converted in the late 19th century into 4 dwellings.



Photos (above): 1 - 4 Church Cottages

Bronze statue of Sir Walter Raleigh, Vicarage Lane, top of High Street

This is a work of public art, commemorating Sir Walter Raleigh who was born in nearby Hayes Barton, in 1552.

He is a very important historical figure in the area, and internationally. This large bronze statue was sculpted by Vivien Mallock in 2006. It stands on a square stone plinth with stone from Stoneycombe Quarry.



Photo (above): Life size statue of Sir Walter Raleigh

18 Buildings at risk and repair of historic buildings

- 18.1 The condition of Grades I and II* listed buildings are monitored through a buildings at risk survey and included on the national register published by Historic England. There are no such buildings currently at risk in East Budleigh, including within the conservation area.
- 18.2 The strategy for dealing with listed buildings at risk within conservation areas is based upon protocol advice given in the Historic England publication; '*Stopping the Rot*'¹ This outlines the procedure for serving Urgent Works and Repairs Notices to ensure that a building is made weather tight or repaired appropriately. Should these measures be deemed ineffective the local authority is able to consider serving a Compulsory Purchase Order, as a last resort.
- 18.3 Other actions can include advice to owners through a leaflet thus improving local knowledge and a Grade II condition survey by the community, following training.

19 Management of trees and green spaces

- 19.1 Green spaces are intrinsic to the character and appearance of any conservation area. They form the framework and breathing spaces between buildings and local townscape. Many are offered additional statutory protection through local planning policies but pressures for change and development can exist and their importance needs full recognition.
- 19.2 Map 2 identifies the churchyard as an important open green space in East Budleigh and the Conservation Area Appraisal describes its significance and contribution to the character of the conservation area. This includes the open aspect and views from the churchyard, over the conservation area and beyond to the open countryside. The churchyard is well managed at the time of survey and won the CPRE Devon's 'Best Churchyard' competition 2019.
- 19.3 Trees are often very much part of the visual structure of a town or village. In many cases their scale dominates surrounding buildings and spaces. Their retention and appropriate management therefore needs to be kept a high priority. The designation of conservation areas offers such protection to trees and woodland with a requirement for notice to be given to the local authority for felling, topping and lopping.
- 19.4 This provides an opportunity for the designation of Tree Preservation Orders (TPO's) on individual specimens or larger groups of trees. It is important for development which proposes to remove trees due to their condition or safety, that there is a requirement for them to be replaced, to help maintain the screening or amenity of the site.

¹ Historic England (2016) *Stopping the Rot* <https://historicengland.org.uk/images-books/publications/stoppingtherot/heag046b-stopping-the-rot/>

- 19.5 East Budleigh has three important tree groups as highlighted in the Conservation Area Appraisal. The setting of the conservation area is also defined in places by woodland on higher ground creating visual impact on the skyline.
- 19.6 There are Tree Preservation Orders on trees within the churchyard and on the north side of Vicarage Road affording statutory protection with regards to their management.

20 Design of new development

- 20.1 The Conservation Area Appraisal sets out the design of the conservation area, including details of its architecture, urban grain and layout, fenestration and building materials. Where the principle of development is accepted these criteria should be understood and respected.
- 20.2 With an emphasis on mitigating climate change, sustainable design within the conservation area is actively encouraged. This may vary from the retention and conversion of existing buildings rather than demolition, to promoting the use of locally sourced building materials. Lowering the carbon emissions of historic buildings is vital, whilst providing energy efficiency and lower fuel bills for owners.
- 20.3 Research commissioned by Historic England shows that carbon can be dramatically reduced in existing buildings through retrofit, refurbishment and regular repair and maintenance.
- 20.4 Historic England also has a series of publications with advice on improving energy efficiency in the home, sympathetically and without compromising historic character. This ranges from practical guidance on draft proofing and thermal insulation to domestic energy generation, which can sometimes be acceptable in non-intrusive locations within a conservation area.
- 20.5 It is expected that replacement windows in listed buildings will be a reproduction of the historic unit, using suitable materials, style, method of opening and glass.
- 20.6 Part L of the Building Regulations requires replacement windows in unlisted buildings in conservation areas to demonstrate compliance with the current prescribed level of thermal insulation. This usually requires either primary or secondary double glazing.
- 20.7 However the design of such windows will need to follow the architectural style of the original period as much as possible, and in general the use of UPVC material is not considered sympathetic. Further guidance is available from East Devon District Council conservation officers.

21 Article 4 directions

- 21.1 When the local authority has made a clear assessment of the special character of a conservation area through a Conservation Area Appraisal, it is able to serve an Article 4 direction to control works that could threaten its character.
- 21.2 Article 4 directions enable the local authority to withdraw or restrict the scope of permitted development rights² for a prescribed range of development affecting the external appearance of dwelling houses such as windows, doors, roof claddings and front elevations.
- 21.3 Where a direction is made, planning permission is required for changes to properties that would normally be permitted development, in order to preserve or reinstate original building features. Article 4 directions can increase the public protection of designated and undesignated heritage assets and their settings.
- 21.4 With regard to the East Budleigh conservation area, there appear to be no significant threats to the character and appearance of the area from alterations to buildings. It is therefore considered that an Article 4 direction is not required at the present time, however this assessment should be kept under review on a regular basis.

² Under the Town and Country Planning (General Permitted Development) England) Order 2015.

22 East Budleigh Conservation Area Management Action Plan

*Timescales

Short term: up to 12 months **Medium** term: 1-3 years **Long** term: more than 3 years

Potential improvements	Possible Actions	Responsibility, Resources	Timescale*		
			S	M	L
Enhancement of the public realm: Powerlines visually improved Boundary walls - maintenance Cobbles - maintenance	Utilities company Advice leaflet for Parish Council and community	Unknown East Budleigh Heritage Project, Norman Family Trust (funding) East Devon DC staff resources	X		X
Removal, improvement (& prevention) of unsightly features on properties: TV aerials Inappropriate materials (for example UPVC windows and doors) Meter boxes	Advice leaflet to owners Regular review	As above Utilities company	X		X
Local List of Heritage Assets	Items nominated and agreed	Community Groups Parish Council and East Devon DC	X		
Buildings at risk and repair of historic buildings	Surveys by community group Advice - leaflet to owners and through council websites	East Devon DC and East Budleigh Heritage Project Group	X	X	
Management of trees and green spaces	Retention of trees and management of green spaces	Parish Church, East Devon DC and possibly Parish Council	X	X	X
Design of New Development Sustainable design	Guidance on sustainable design through website	East Devon DC, Historic England	X	X	X

Part 3: Appendices

23 Historic photographs and maps



Views looking north (left) and south (right) along High Street

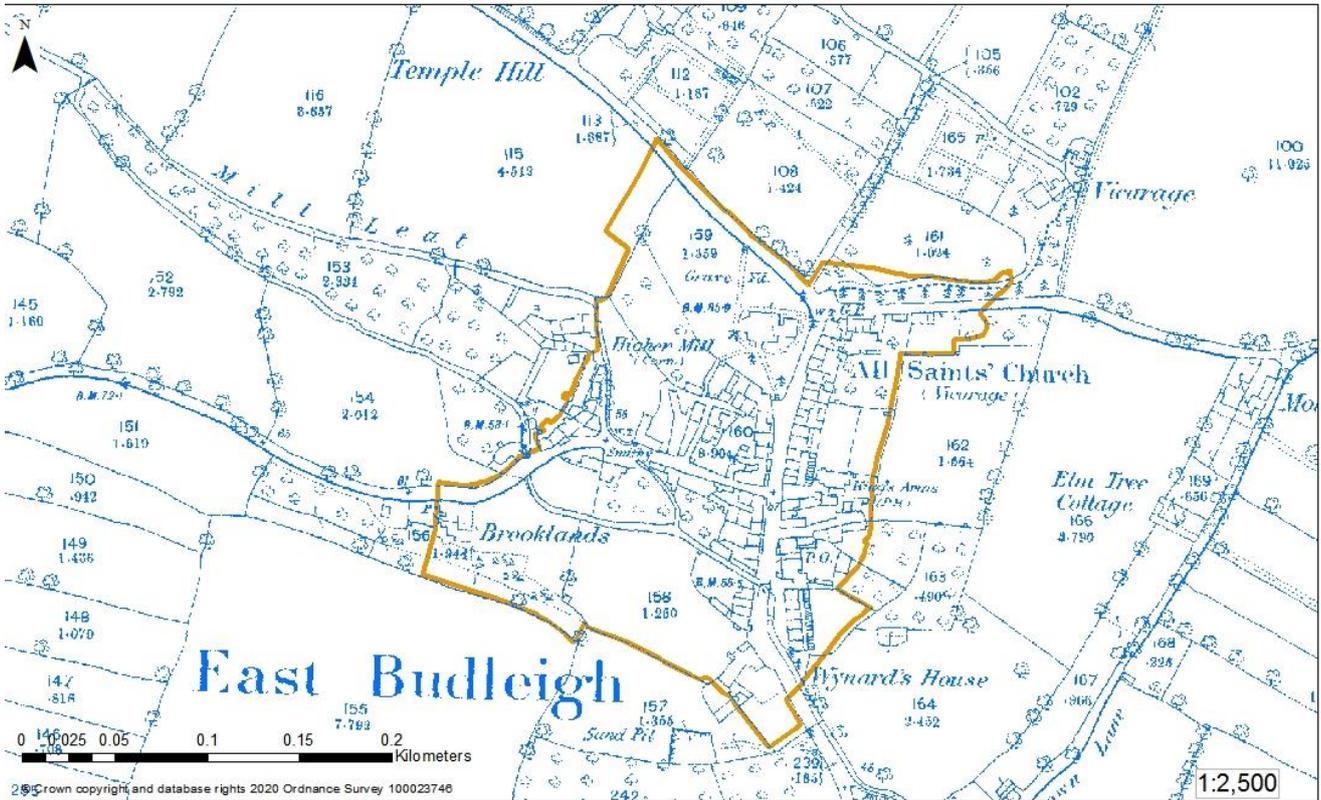


High Street, pre -1925, with former Toll House and Wynards House (left), and former Toll house in foreground, looking north (right)

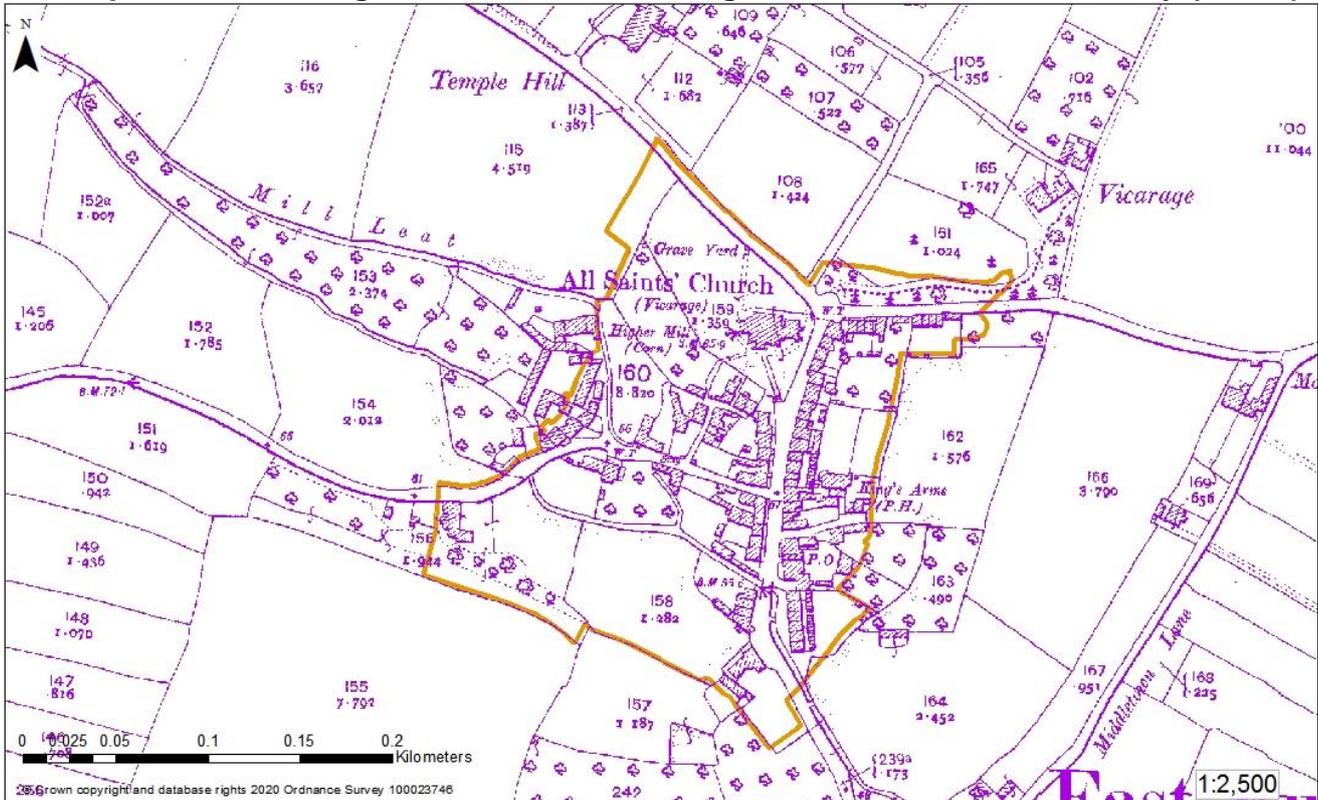


View looking north along High Street (above) and the old Toll House collapsed (right)

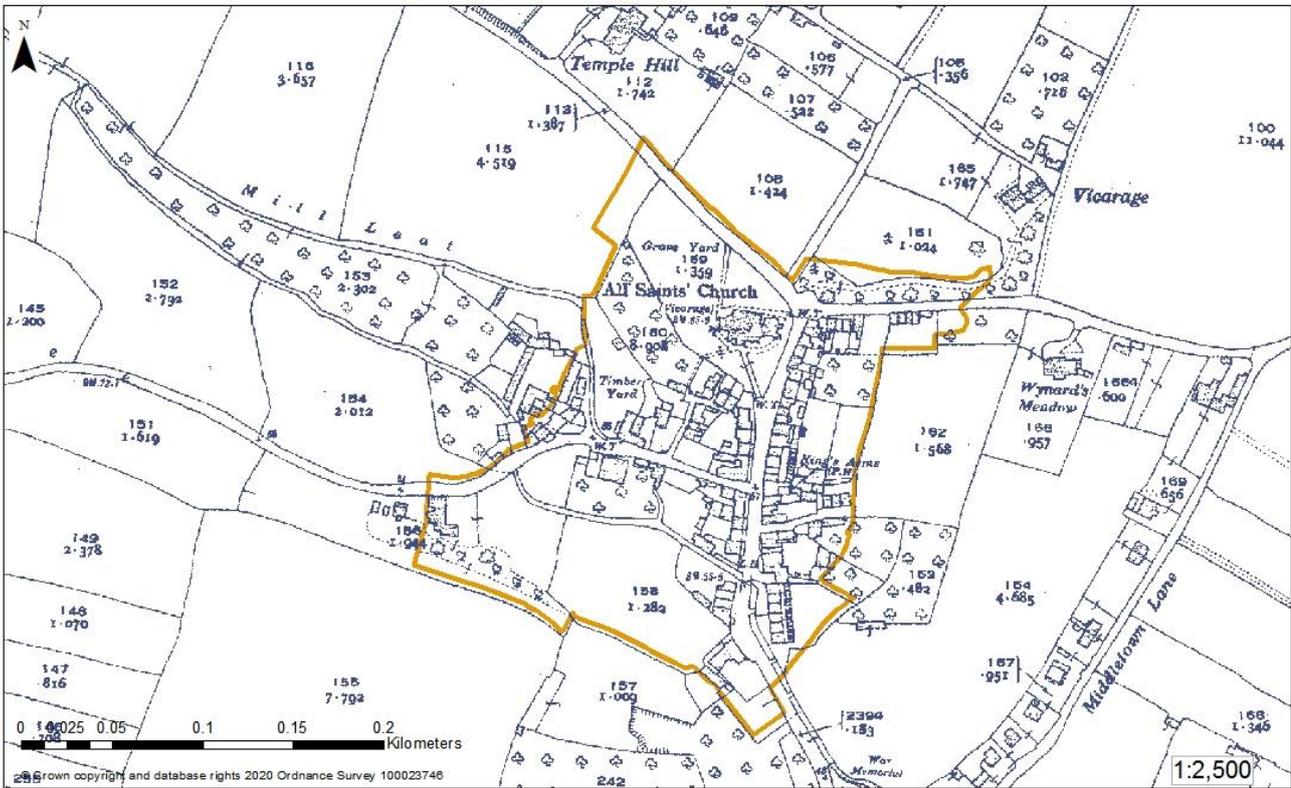
Map of East Budleigh 1888 to 1890, showing conservation area boundary (below)



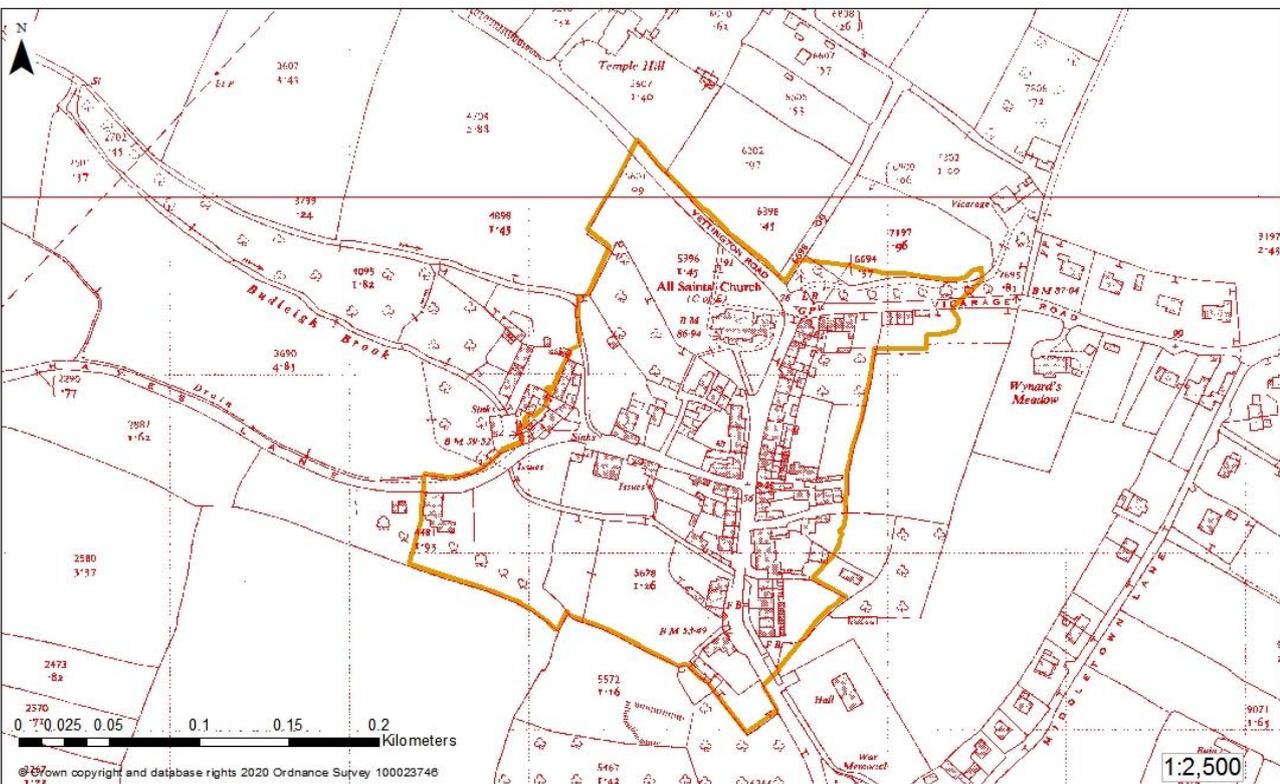
Map of East Budleigh 1891 to 1912, showing conservation area boundary (below)



Map of East Budleigh 1951 to 1992, showing conservation area boundary (below)



Map of East Budleigh 1932 to 1939, showing conservation area boundary (below)



24 Appraisal maps

Map 1: Historic Building Character

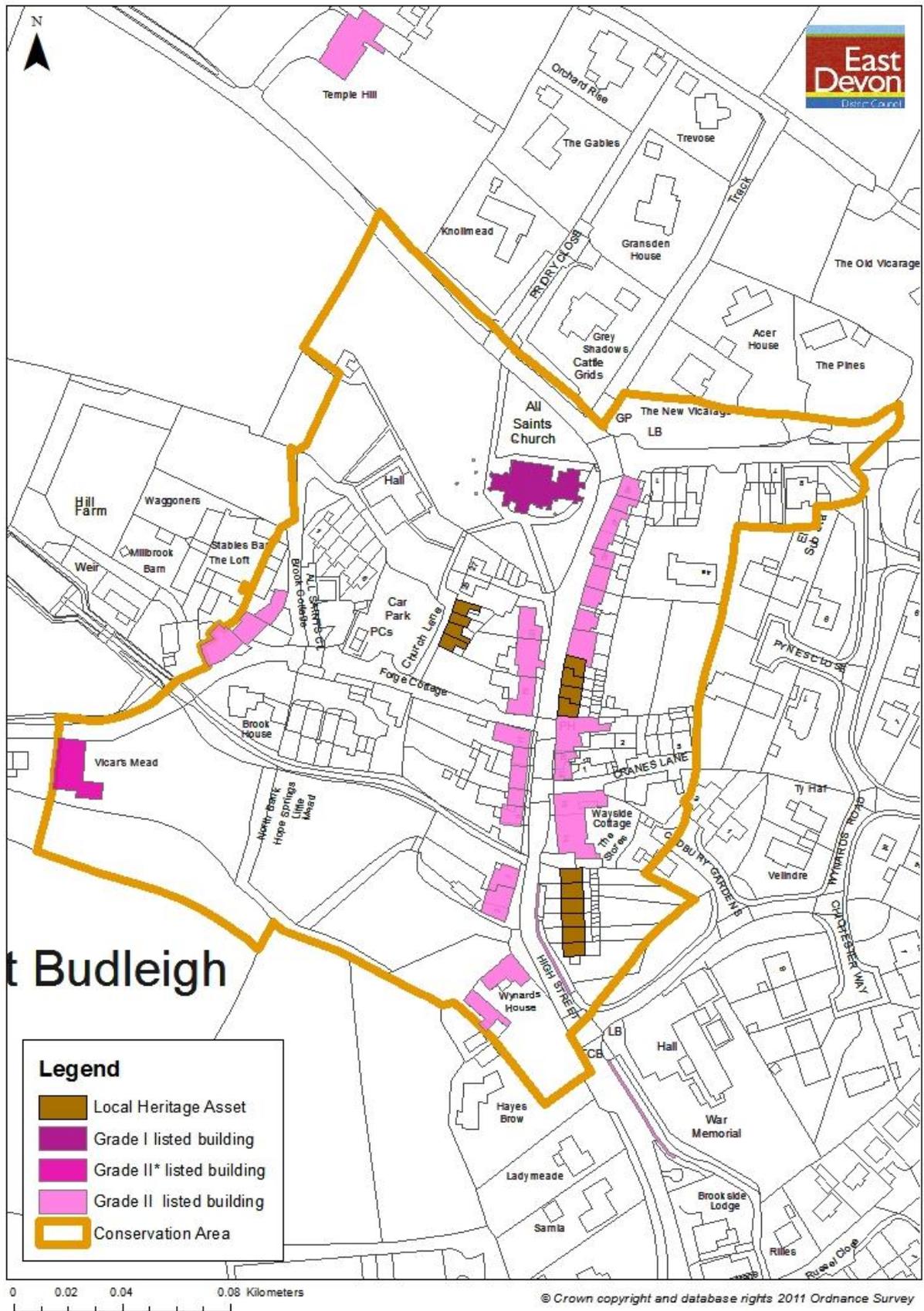
Map 2: Important Features

Map 3: Detracting Features

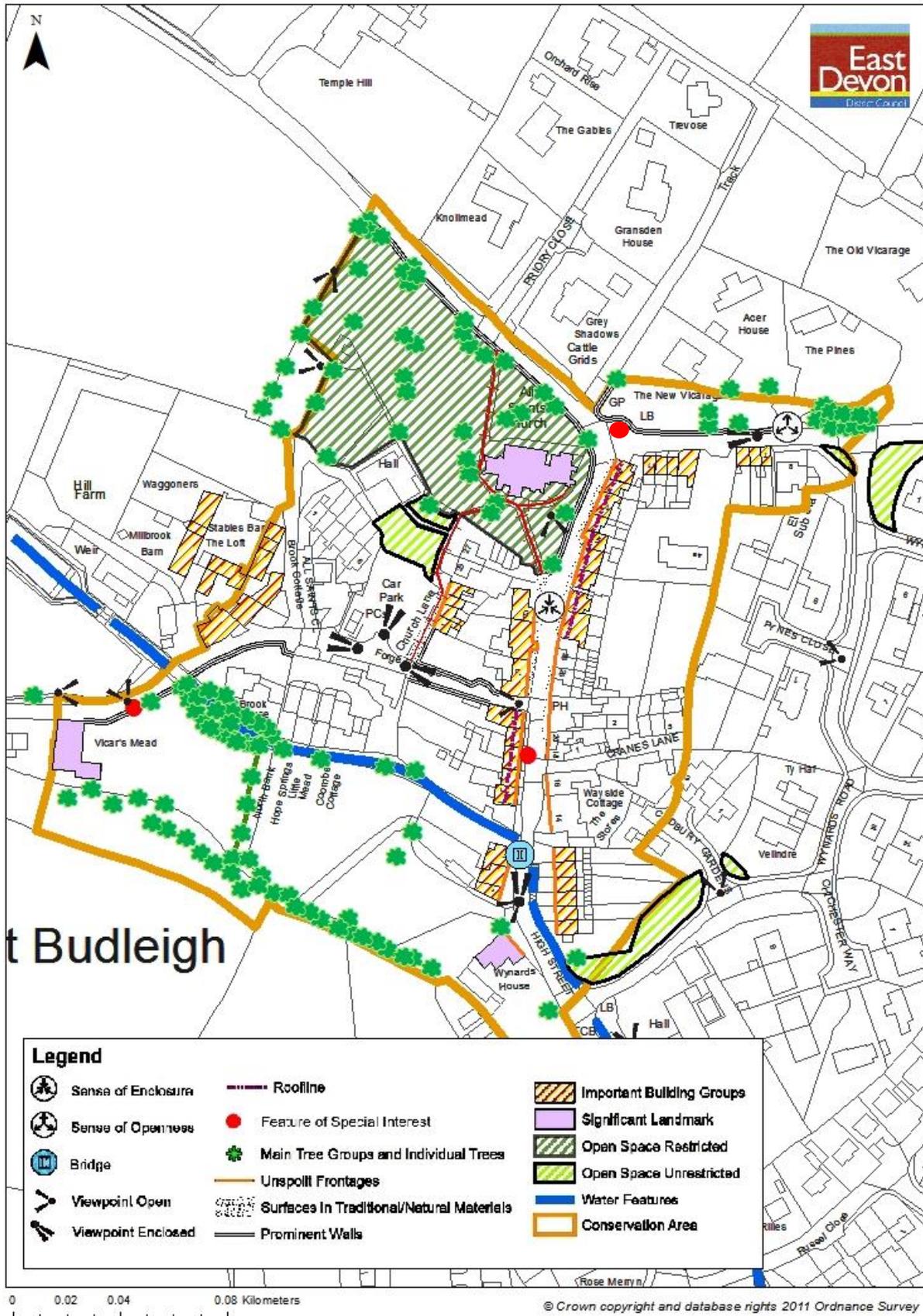
Map 4: Building Materials - Roofs

Map 5: Building Materials - Walls

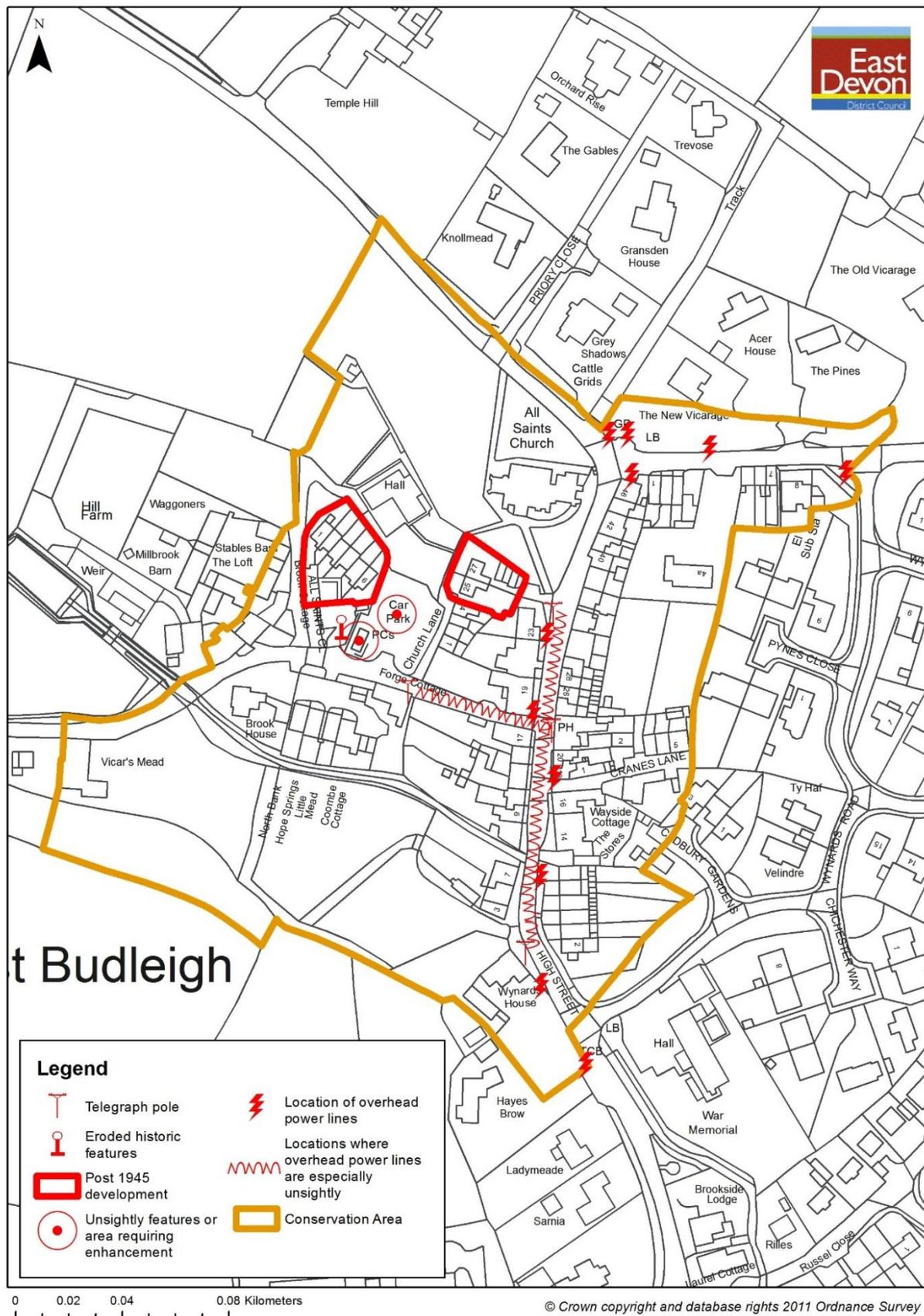
1) East Budleigh Conservation Area - Historic Building Character



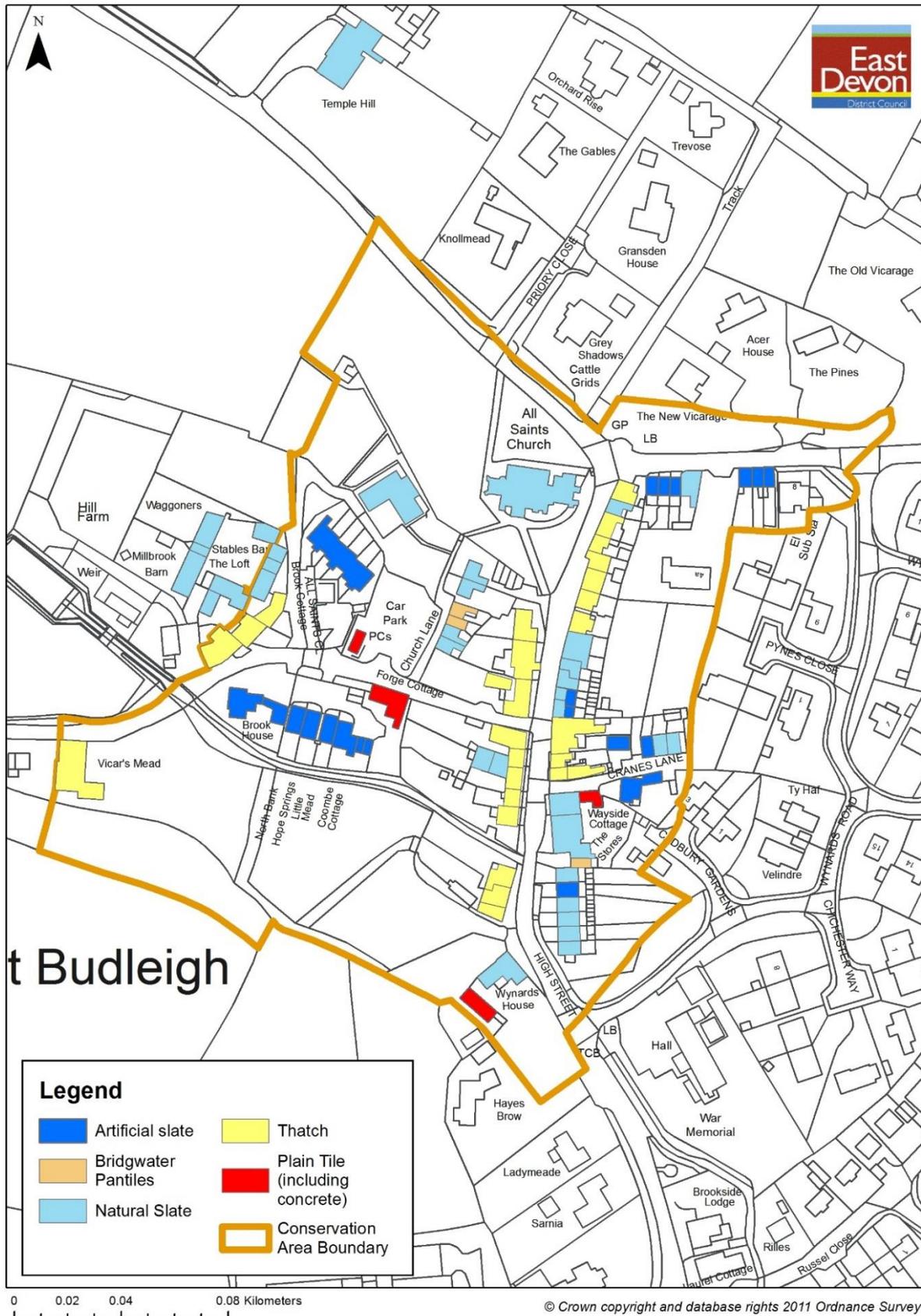
2) East Budleigh Conservation Area - Important Features



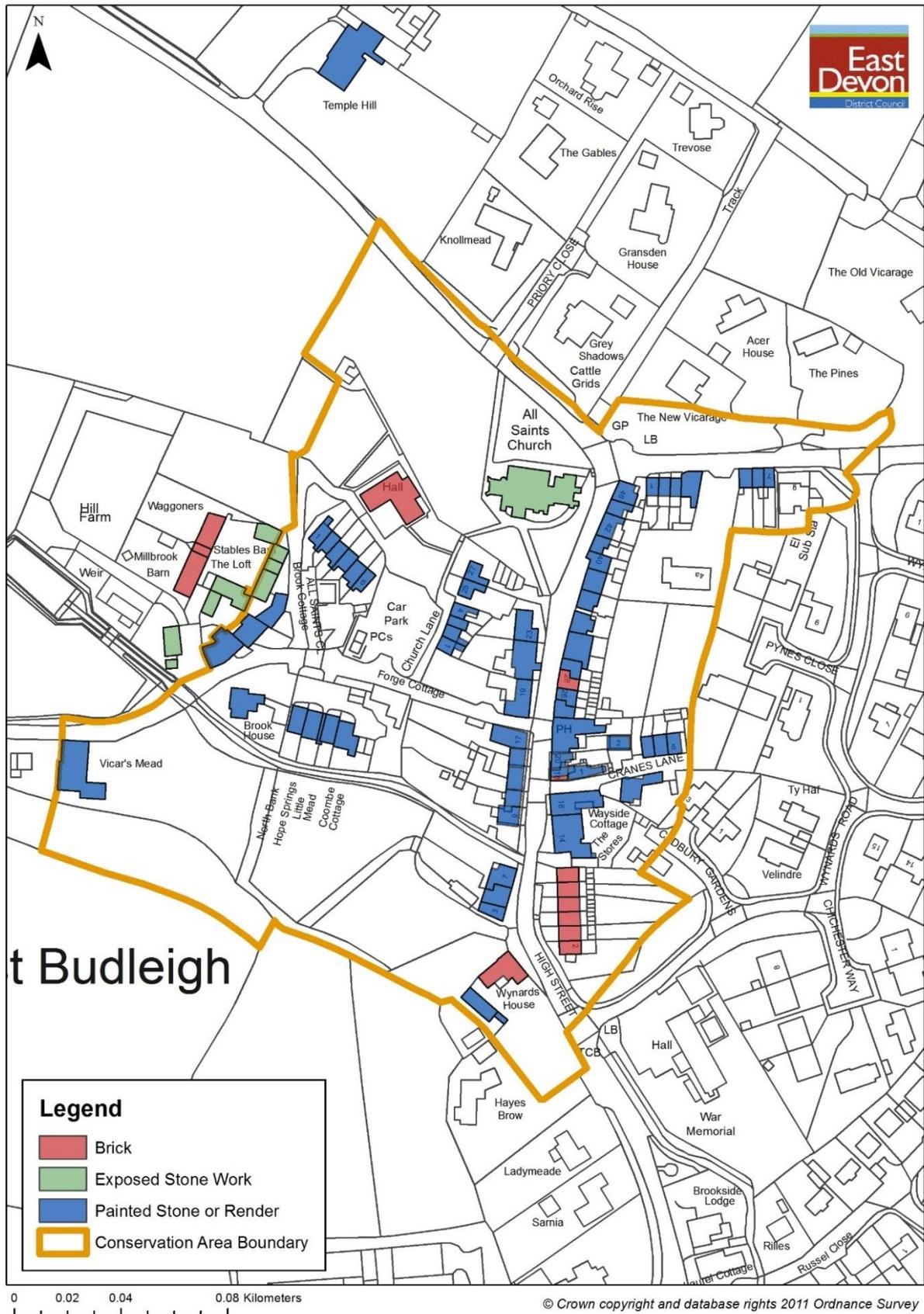
3) East Budleigh Conservation Area - Detracting Features



4) East Budleigh Conservation Area - Building Materials ROOFS



5) East Budleigh Conservation Area - Building Materials WALLS



25 Conservation area policy and guidance

- 25.1 The East Budleigh conservation area designation carries considerable weight under the Planning (Listed buildings and Conservation Areas) Act 1990 in decision making and the formulation of plans³.
- 25.2 East Devon District Council has a duty in their exercise of planning functions, with respect to any buildings or other land in the conservation area to formulate and publish proposals for the preservation and enhancement of the character or appearance of that area. (Section 71 of the above Act).
- 25.3 The Conservation Area Appraisal sets out what is special in terms of its architectural quality and historic interest. A management plan is an important tool in setting out how these qualities can be conserved and enhanced.
- 25.4 The District Council also has a duty, from time to time, to determine whether any parts or any further parts of their area should be designated as conservation areas, and if so, to designate them as such.
- 25.5 A Conservation Area Appraisal review may include changes to its boundary, record what has changed, confirm or redefine the special interest that warrants its designation and set out any new recommendations.⁴
- 25.6 All properties within the conservation area are required to have this recorded as a Local Land Charge, which notifies owners of further implications, including the need for:
- *Planning permission for alterations such as cladding, inserting windows, installing satellite dishes or solar panels, adding conservatories or extensions, laying paving or building walls.*
 - *Planning permission for proposals to demolish or substantially demolish a building.*
 - *A notice where any pruning or cutting down of a tree is intended.*
- 25.7 The National Planning Policy Framework states that “Plans should set out a positive strategy for the conservation and enjoyment of the historic environment” including “(b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring”⁵.

³ *Planning (Listed buildings and Conservation Areas) Act 1990: Sections 69-74.*
www.legislation.gov.uk/ukpga/1990/9/part/II

⁴ *Historic England (2019) Advice Note 1: Conservation Area Appraisal, Designation and Management.* historicengland.org.uk/images-books/publications/conservation-area-appraisal-designation-management-advice-note-1/

⁵ *DCLG(2019)NPPF Paragraph 185* www.gov.uk/guidance/national-planning-policy-

- 25.8 The East Devon Heritage Strategy (2019 – 2031) sets out such a positive strategy, including actions to involve the local community in helping to review their Conservation Area Appraisal⁶ and Management Plan.
- 25.9 East Devon Local Plan (2013 – 2031) Strategy 49 includes the statement “We will work with our partners and local communities to produce or update conservation area appraisals and conservation area management plans”⁷.
- 25.10 A pilot scheme to involve the community in its heritage at East Budleigh was approved by the East Devon District Council Strategic Planning Committee on 19th March 2019 and was delivered during 2019 – 2020, in accordance with the Heritage Strategy Action Plan.
- 25.11 The East Budleigh Heritage Project builds on the objectives of the Localism Act 2011, involving the community of East Budleigh further in its heritage, following the adoption of the East Budleigh and Bicton Neighbourhood Plan in 2017.
- 25.12 East Budleigh and Bicton Neighbourhood Plan⁸ includes a more detailed summary of the history of the parish, and an objective to “Protect and enhance the historic fabric and environment, including the conservation area and its setting”, reinforced by Policy B1: “Heritage Assets and their setting”.
- 25.13 The Neighbourhood Plan (in para 12.3) references a project to identify local heritage assets within the area, some of which are within the conservation area and its setting.
- 25.14 Local heritage assets that have been identified as a part of that project were updated during the conservation area review survey in October 2019 and details are provided in Section 13.
- 25.15 These have been assessed in accordance with the criteria and procedures set out in the East Devon Guide to the Listing of Local Heritage Assets.⁹

[framework/16-conserving-and-enhancing-the-historic-environment](#)

⁶ *East Devon District Council(2019) Heritage Strategy (2019 – 2031)Page 61*
<https://eastdevon.gov.uk/media/3413423/final-heritage-strategy-2019-2031.pdf>

⁷ *East Devon District Council (2016) East Devon Local Plan (2013 – 2031)*
<https://eastdevon.gov.uk/media/1772841/local-plan-final-adopted-plan-2016.pdf>

⁸ *East Budleigh and Bicton Neighbourhood Plan*
<https://eastdevon.gov.uk/media/2149113/neighbourhood-plan-february-2017.pdf>

⁹ *East Devon District Council (2019) Guide to the Listing of Heritage Assets*
<https://eastdevon.gov.uk/media/3477832/east-devon-guide-to-the-listing-of-local-heritage-assets.pdf>

Report to: **Strategic Planning Committee**



Date of Meeting 20th October 2020

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Clyst Valley Regional Park Masterplan

Report summary:

The Clyst Valley Regional Park is an important green space that is complementary to the housing and commercial development in the West End of the district. The Regional Park designation emphasises the importance of establishing high quality landscapes and settings for development, people and wildlife, as set out in Strategy 10 in East Devon District Council's Local Plan.

There are seven objectives for the Regional Park covering people, nature, climate change, water, landscape, heritage and employment. Because of the multi-functional nature of the Regional Park, its size and the majority private ownership of land, a masterplan is needed. The masterplan will support the combination of funding streams that support this landscape scale designation.

The purpose of this masterplan is to set out a long-term, broad guide to how the Regional Park could develop. It sets out the social, environmental and economic context, explaining why the Regional Park should be developed here. It defines which natural and human assets are most important, why, and how they could be nurtured. It lists potential projects and invites stakeholders to identify their priorities so that we can build towards consensus and inform a five-year action plan. It articulates the potential benefits of delivering projects and in so doing, it will be used to support funding bids, attract investors, and to pull in partners and resources to work up and deliver projects.

The masterplan will be a material consideration in assessing planning applications within the Regional Park. It should be used by land owners, developers and their agents as additional guidance on how, and where, green infrastructure can be delivered. It adds detail to Strategy 10 in the Local Plan.

Recommendation:

1. That Members agree the draft Clyst Valley Regional Park Masterplan for public consultation.

Reason for recommendation:

The masterplan is detail supplementary to Strategy 10 – Green Infrastructure in East Devon's West End and is intended to be a material consideration in assessing planning applications. Public consultation will enable communities and stakeholders to provide comments and shape the development of the plan.

Officer: Simon Bates, Green Infrastructure Project Manager sbates@eastdevon.gov.uk

Portfolio(s) (check which apply):

- Climate Action
- Corporate Services and COVID-19 Response and Recovery
- Democracy and Transparency
- Economy and Assets
- Coast, Country and Environment
- Finance

- Strategic Planning
- Sustainable Homes and Communities

Financial implications:

The delivery plan for the Clyst Valley Regional Park does not have any direct financial implications at this stage. Further papers will be presented to Cabinet for proposals that are delivered by the Council. Capital funding for the delivery of a 14ha Countryside Park within the Clyst Valley has been allocated by the Council. This will be funded by S.106 and CIL contributions.

Legal implications:

The Statement of Community Involvement sets out that the Council will consult on ‘other policy documents’ via a variety of methods however due to Covid-19 and government restrictions it is considered appropriate to also use online communications, with publication on various websites and making hard copies available via local libraries and on request. There are no legal implications from this consultation report other than as set out in the report.

Equalities impact Low Impact

Climate change Medium Impact

Risk: Medium Risk; The projects and proposals within the draft masterplan are based on the latest information and evidence. The project proposals are couched in terms of their potential, but it has not been possible to contact every landowner to assess their support of the project proposals. There may therefore be some negative responses from key stakeholders through the consultation process.

Links to background information:

- [Draft Clyst Valley Regional Park Masterplan](#)
- [Appendix 1 – Full project list](#)
- [Appendix 1a – Plan of projects](#)
- [Appendix 1b – Plan of projects north west](#)
- [Appendix 1c – Plan of projects north east](#)
- [Appendix 1d – Plan of projects south west](#)
- [Appendix 1e – Plan of projects south east](#)

Link to [Council Plan](#):

Priorities (check which apply)

- Outstanding Place and Environment
- Outstanding Homes and Communities
- Outstanding Economic Growth, Productivity, and Prosperity
- Outstanding Council and Council Services

Report in full

1. Introduction

1.1. The concept of the Regional Park originates from the Green Infrastructure (GI) Strategy (Exeter & East Devon Growth Point Team, 2009). The GI Strategy was sponsored by East Devon District Council, Exeter City Council, Teignbridge District Council and Natural England, working in partnership with Devon County Council. In 2013, a GI Board was established to drive forward delivery of the projects within the strategy. In addition to the organisations named above, Devon Wildlife Trust, Environment Agency and the National Trust joined the Board, which was chaired independently. The Strategy was part of the evidence base for the East Devon Local Plan (2013 to 2031).

- 1.2. In 2014, the GI Board commissioned a discussion document on the Clyst Valley Regional Park. What emerged from this was the idea to give the Regional Park traction by applying for funding from the Heritage Lottery for a project focussed on trees. The bid was successful, and 'Great Trees in the Clyst Valley' was born, with the aim of: "encouraging the public to explore, record and restore the heritage of trees in fields, hedges, parks and orchards across nine priority parishes." The project has been a great success, illustrated by the infographic on page 6 of the masterplan.
- 1.3. Keen to maintain the momentum that the partners in this project have achieved, EDDC pursued a second bid to the National Lottery Heritage Fund. This has also been successful and 'Routes for Roots' has now begun with the aim of: "working with the public, charities, landowners and public bodies to research, explore and plan a network of inter-generational, all ability routes. We will use art, performance, and play to enable a wide spectrum of the public to discover their route way heritage. We will create opportunities for young families, inactive people and those suffering from mental ill health to build new trails and improve the quality of the existing network through better surfaces, signage and interpretation."
- 1.4. In parallel with this work, a delivery plan was prepared for the Clyst Valley Trail, which will form the backbone of the new Regional Park. An initial delivery plan was endorsed by EDDC's Strategic Planning Committee in February 2018, but with a request to bring forward an entirely off-road alignment. Consequently, a revised delivery plan is being developed and will be considered by SPC in autumn 2020.

2. Process leading up to development of masterplan

- 2.1. A Task & Finish Group was established to support the development of the masterplan. The T & F Group is supported by officers and councillors from Broadclyst Parish Council, Cranbrook Town Council, Devon County Council, East Devon District Council, Environment Agency, Exeter City Council, LiveWest, National Trust, Natural England, and Sustrans.
- 2.2. To support the development of the masterplan the following engagement activities were undertaken:
 - July 2019 - a questionnaire was sent out via direct email and social media channels with the aim to understand which places people visit in the Clyst Valley; what they regarded as special or unique; and what was understood by the phrase 'regional park'. 80 responses were received to the questionnaire.
 - October 2019 - A Clyst Valley Regional Park stand was created and brought to the Killerton Apple Festival. Conversations were held with more than 200 people and 36 signed up to receive the masterplan once out to consultation. During the weekend, draft visual identity for the Regional Park was also tested.
 - Presentations have been offered to all Parish Council's and Bishop's Clyst, Broadclyst, Cranbrook, Plymtree, West Hill and Whimble all took up that offer between October 2019 and February 2020.
 - Conversations with many of the landowners in the Regional Park have taken place either to explore the possible route of the Clyst Valley Trail, or to broker support for activities delivered during the 'Great Trees in the Clyst Valley' project.

3. Consultation

- 3.1. The consultation will be carried out in accordance with the [Statement of Community Involvement](#). However the process will be adapted due to Covid-19 restrictions, with exhibitions and roadshows being replaced with online communication.
- 3.2. The masterplan will be published on the Clyst Valley Regional Park and East Devon District Council webpages. Printed copies of the document will be available in local library and printed copies will be available on request.
- 3.3. Following the consultation process representations received will be considered and an amended masterplan will be prepared. A report of the revised masterplan will be presented to SPC.

4. Conclusion

- 4.1. The final Clyst Valley Regional Park masterplan will support the implementation of Strategy 10 through the delivery of the Clyst Valley Regional Park. The masterplan provides clarity of the type of development that will be encouraged within this designation, aiding the collaboration which is essential in achieving the broad range of outcomes that are set out in the Local Plan.
- 4.2. This report seeks support from the committee to proceed with the consultation of the draft masterplan. The results of the consultation will be considered and presented to SPC with the final version of the masterplan.