

**Agenda for Strategic Planning Committee
Tuesday, 23rd February, 2021, 2.00 pm**



Members of Strategic Planning Committee

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

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Issued: Monday, 15 February 2021

**Important - this meeting will be conducted online and recorded by Zoom only.
Please do not attend Blackdown House.
Members are asked to follow the [Protocol for Remote Meetings](#)**

This meeting is being recorded by EDDC for subsequent publication on the Council's website and will be streamed live to the Council's Youtube Channel at <https://www.youtube.com/channel/UCmNHQruge3LVI4hcgRnbwBw>

Public speakers are now required to register to speak – for more information please use the following link: <https://eastdevon.gov.uk/council-and-democracy/have-your-say-at-meetings/all-other-virtual-public-meetings/#article-content>

1 Public speaking

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

2 Minutes of the previous meeting (Pages 3 - 16)

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 River Axe Nutrient Management Plan (Pages 17 - 24)
- 8 Section 106 and Community Infrastructure Levy Internal Audit Report (Pages 25 - 26)
- 9 Habitats Mitigation Non-Infrastructure Contributions (Pages 27 - 30)
- 10 East Devon Playing Pitch Strategy (Pages 31 - 38)
- 11 Summary of Self-Build Monitoring Report (31/10/19 - 30/10/20) (Pages 39 - 42)
- 12 East Devon Landscape Character Assessment - minor amendment (Pages 43 - 44)

[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 15 December 2020****Attendance list at end of document**

The meeting started at 2.00 pm and ended at 6.10 pm

89 Public speaking

Councillor Matt Osborn representing Cranbrook Town Council and the residents of Cranbrook spoke about the continued delays and loss of faith of a promised town centre. He advised the committee that residents want the delivery of a town centre now and thanked the Planning Officers, Ward Members and Committee Members for their hard work in the negotiations that had gone into producing the current proposal which delivers what Cranbrook needs. He urged Committee Members to listen to the people of Cranbrook and look at how to start to deliver for Cranbrook.

Lythan Nevard, Minister for Cranbrook welcomed the changes that had been made since the last Strategic Planning Committee. She welcomed the provision of apartments on top of retail units in the town centre and saw this as a means of providing smaller and more affordable housing in the town. She also welcomed the additional space for community facilities which was so desperately needs. She stressed there was so much potential for Cranbrook but this was held back because of the lack of space for people to meet and urged members to consider the extra space in the town centre which the town needs. She stated this may not be the dream of what a town centre might look like but would rather have a living breathing town centre that worked for a community rather than something that was award winning.

Mr Paul Smith, a resident of Cranbrook, had submitted a statement read out on his behalf by the Democratic Services Officer, which stated:

I commend the extensive work undertaken by council officers in preparation of the New Local Plan preparation advisory report and draught 'Issues & Options Consultation document – Jan 2021, prepared against a backdrop of changing Government Housing policy, and the introduction of Environmental and Agricultural Legislation which will have far reaching implications for the use of agricultural land, and permitted levels of air and noise pollution.

However I have concerns with regard to 'information' included in both report and Consultation documents.

Report para 7.8 suggests that at the present trajectory of house building within EDDC there will be a shortfall of 6415 dwellings by 2031. The existing Local Plan indicates an objectively assessed housing need figure of 17100 during the lifetime of the Plan. A review of the latest House Monitoring report, March 2020 indicates that between 2013-2020 houses in excess of 6000+ were built, and between 2020 -2031 houses totalling 18415 are projected to be built. This does not include an increasing number of windfall sites coming forward. A 5 year land supply was confirmed throughout the period. I question a shortfall?

Report Para 7.8 also refers to proposals initially set out in the Government white paper, 'Planning for the Future' which translates to a new requirement for annual house building

of 1614 homes per annum, also detailed within **Chapter 5 of the Consultative document- Housing Needs**. This information is factually incorrect, as it is clear that the Housing Minister under pressure from Conservative MP's has acknowledge that the algorithm used in these calculations is unfit for purpose, and an alternative substitution will be considered.

I would contend that this incorrect information should not be included in the consultative document.

The Chapters 4 & 8 Consultative document appears to give very limited acknowledgement to the two major pieces of legislation passing through parliament ie, the Environment and Agricultural Acts both of which will have enormous implications for the use of agricultural land and protection of environment and habitat. The requirement to devote an increased 4% of such land to afforestation involving the annual planting of 30th hectares of land will impact upon availability for house building purpose, and again raises the important issue of protection of greenfield sites, including EDDC 'green wedges'. I hope that Councillors will make time to revisit the importance of 'Green Wedge land' within future policy. I note that 90% of house builds during 2019/20 were on Greenfield sites!

Whilst acknowledging that the creation of a new Local Plan will involve an inordinate amount of work and commitment by both Council officers and Councillors alike, the headers and tone of **Report Para 9.1- 6** raise concerns that the Consultative process will not be as transparent and accessible to either Councillors or Communities as it should be. My concerns, and that of other Cranbrook residents whose homes overlook the Parsons Lane Green Wedge are reinforced through bitter experience resultant from a failure of transparency/disclosure by senior council officers, during the Cranbrook Plan Consultation process.

'Cutting out Tasks to make Plan production quicker: Non production of draught Plan for consultation: Less debate on site allocations.'

Recommendations:

I would commend Councillors to consider support for progression as set out within **Para 10 of the Report**.

- 1) I would have reservations as to the extent of authorisation granted 'to make any minor changes to finalise the consultation document and facilitate the requirements of consultation software'.

East Devon New Community Partners

Nick Freer spoke on behalf of the East Devon New Community Partners and introduced a 3 minute video that Members watched that outlined a 3D image of the proposed town centre.

He updated Members on what could be delivered that included:

- The option to accommodate a leisure centre at the rear of parcel TC2;
- A double sided retail frontage along the length of Till House Road which would be the heart of the town centre with food stalls, retail units, town council offices, health and wellbeing centre, smaller scale offices and workshops and nursery;

Members were urged to accept the agreement of the MOU to enable the delivery of the first stage of the town centre which could be in place in little over 18 months. Mr Freer highlighted to Members that the MOU also included the amendment that would allow the

council to purchase three additional parcels of land in the town centre at market housing value.

Finally, Mr Freer expressed the Consortiums concerns about the Supplementary Planning Document and said it should not replace the MOU process. He urged Members to accept the amended proposals highlighting the risk of losing the momentum built up in the last year.

90 **Minutes of the previous meetings held on 20 October and 22 October 2020**

The minutes of the Strategic Planning Committee meeting held on 20 October and 22 October 2020 were confirmed as a true record.

91 **Declarations of interest**

Minute 94. Councillors Allen, Arnott, Blakey, Chamberlain, Dave, Hayward, Hookway, Howe, Ledger, McLauchlan, Moulding, Rylance, Skinner and Thomas advised they had been lobbied in respect of this item.

Minute 94. Cranbrook Town Centre.
Councillor Dan Ledger, Personal, Member of the Cranbrook Strategic Delivery Board.

Minute 94. Cranbrook Town Centre.
Councillor Kevin Blakey, Personal, Cranbrook Town Councillor and Members of the Cranbrook Strategic Delivery Board.

Minute 94. Cranbrook Town Centre.
Councillor Paul Hayward, Personal, Family member lives in Cranbrook

Minute 94. Cranbrook Town Centre.
Councillor Sarah Chamberlain, Personal, Broadclyst Parish Councillor and a resident of Broadclyst Station.

Minute 96. Proposed consultation on a Local Plan Issues and Options Report.
Councillor Dan Ledger, Personal, Seaton Town Councillor.

Minute 96. Proposed consultation on a Local Plan Issues and Options Report.
Councillor Eleanor Rylance, Personal, Broadclyst Parish Councillor.

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Councillor Mike Howe, Personal, Bishops Clyst Parish Councillor.

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Councillor Olly Davey, Personal, Exmouth Town Councillor.

Minute 96. Proposed consultation on a Local Plan Issues and Options Report.
Councillor Paul Hayward, Personal, Employee of All Saints, Chardstock and Newton Poppleford and Harpford Parish Councils.

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Councillor Sarah Chamberlain, Personal, Broadclyst Parish Councillor and resident of Broadclyst Station.

Minute 97. Local Plan Issues and Options Report Consultation Strategy and Review of Statement of Community Involvement.
Councillor Dan Ledger, Personal, Seaton Town Councillor.

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Minute 98. Local Plan Site Identification Process and HELAA.
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Minute 99. East Devon Local Plan - Sustainability Appraisal Scoping Report.
Councillor Dan Ledger, Personal, Seaton Town Councillor.

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Councillor Sarah Chamberlain, Personal, Broadclyst Parish Councillor.

Minute 102. Infrastructure Funding Statement 2019/20.
Councillor Paul Hayward, Personal, Employee of All Saints, Chardstock and Newton
Popleford and Harpford Parish Councils.

92 **Matters of urgency**

There were no matters of urgency.

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

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

94 **Cranbrook Town Centre**

The Committee considered and discussed the report presented by the Service Lead – Planning Strategy and Development Management that updated Members on the progress with negotiations with the developers on the alternative proposals for a Supplementary Planning Document that detailed the council’s vision of the town centre.

The following key amendments detailed below would provide sufficient land and flexibility to deliver a town centre for Cranbrook that would be fit for purpose for now and in the future:

- The availability of parcel TC1 within the north west corner of the town centre to accommodate the extra care facility in lieu of parcel TC4C resulting in an additional 0.64 hectares of land coming to the council;
- The option to purchase parcels TC3, TC4D, TC4E at market residential land values. The Service Lead – Planning Strategy and Development Management advised the Consortium would want the values for this land agreed before the signing of the MOU;

The Service Lead – Planning Strategy and Development Management asked Members to be cautious of the amendments in the MOU and advised that the amendments would rely on a proactive delivery in some form of the town centre and the need to purchase land at a substantially higher value than it would be worth for the intended community, leisure and business used. He also made Members aware that the Consortium had not delivered an all-weather pitch or the required sports pitch land that had been required in the original S106 agreement. The Consortium had advised that this was because it had been already provided an all-weather pitch at the education campus and that the Consortium had overlaid the cricket square on the football pitches to save land.

Members noted the cost of delivering an all-weather pitch would cost in the region of £900,000 according to Sport England.

It was highlighted to Members that the S106 infrastructure contributions stated in the report did not reflect the increased offer made by the consortium towards the town council facility, however there remained a significant shortfall in infrastructure funding as part of the MOU and while this could be addressed by reprioritising funding from the expansion areas this would not cover some lower priority infrastructure.

Members noted concerns had been raised by Morrisons Supermarket about other food retailers and that the Consortium were seeking to restrict food retail sales on EDDC controlled land through the MOU to premises with a gross internal floor area of less than 1,000 sq. ft. This would be for a time limit of 10 years from the date the land is transferred to Morrisons and 5 years from when the supermarket opens and would not include restaurants, cafes, coffee shops, bakeries etc. It was noted there were only 3 units at Younghayes Place opposite St Martin's School under 1,000 sq. ft.

The Service Lead – Planning Strategy and Development Management referred to the Supplementary Planning Document that Members had agreed previously and advised significant progress had been made in producing a draft document that represents the best alternative way of progressing the town centre. Members noted that the document could be ready for consultation in February 2021.

The Service Lead – Planning Strategy and Development Management advised if Members were minded to accept the Consortium's offer there would be merit to conclude the work on the Supplementary Planning Document as a guide to town centre developments that can inform future decision making on planning applications and to engage with the community.

Finally the Service Lead – Planning Strategy and Development Management updated Members on further comments received from the Cranbrook Strategic Delivery Board offering their support for the revised offer from the Consortium and read out a verbatim statement from officers at Devon County Council that was made without prejudice and obviously subject to political agreement.

'Unfortunately we have not had the opportunity to discuss the revised offer with East Devon New Community Partners and there remain some issues to be bottomed out in terms of financial contributions and triggers. However, we welcome the revised offer, in particular, the early provision of the land and financial contributions towards the construction of a county council facilities building and relocation of the extra care housing. In the event that your Strategic Planning Committee agrees in principle of the revised MOU the county council will work pragmatically with all parties to ensure a satisfactory outcome.'

The Chair welcomed comments from non-committee members which included comments from the Ward Members:

- Cranbrook ward member Councillor Kim Bloxham urged Members to accept the Consortium's proposal to allow the town centre to progress without further delay as this is what the community wants and needs;
- Cranbrook ward member Councillor Sam Hawkins welcomed the negotiations to develop the town centre and urged Members to accept the offer that was realistic and deliverable.

Other key points made by members outside of the committee included:

- Much improved MOU;
- Concerns raised about Morrisons demanding no competition and limiting retail floorspace to 1,000 sq.ft. It was advised the restriction was gross floor area aimed at direct food sales rather than cafes, restaurants and takeaways. Members noted that Morrisons would not negotiate on this.
- Noted support from the majority of residents, town Council, district ward members and ward members on Devon County Council.

The Chairman then heard extensive debate from the Committee Members, including Cranbrook Ward Member Councillor Kevin Blakey, with highlights detailed below.

- Reference was made to the second bullet point of the council's obligations on page 30 of the agenda and clarification was sought on why should the council have to pay in excess of the land value for the sites. In response Mr Nick Duckworth advised when the land had been acquired approximately 5 years ago it was on the basis that we would have a greater scale of retail uses and associated values. The burden of the value that applied to it at that time still sits on the land and it is anticipated that there would be residential development in the town centre. Mr Duckworth stressed the Consortium was keen to move forward to deliver retail at the heart of the town and said we have worked very hard in the last 3 months to work towards a vision for the town centre but that it can only be done in a commercial manner and urged Members to accept.
- Clarification sought on the provision of an all-weather pitch. In response Mr Duckworth said it hurt to hear that they had not delivered what was expected and made reference to the education campus that had been delivered early. He advised he could not see why an all-weather pitch could not be delivered in the expansion areas in due course.
- Question raised about whether the restraint in trade clause is legally enforceable. It was advised it was enforceable and although the MOU was not a contract documents flowing from it could bind and restrain certain types of use of the land.
- The vast majority of residents want to see delivery sooner rather than later
- Comment made why the Consortium cannot give the council the land on an open book basis at its value when they have already made savings of £1.5m.
- Matters of detail still need to be sorted out including the restraint over the additional retail units and food use.
- Concerns raised about continuing the SPD in parallel with the MOU as it did not show commitment and a suggestion was made to park the SPD and to use the planning resources the planning department currently have on other things.
- Reference was made to the 10 emails received from residents in favour of proceeding with the developers offer;
- Welcome the revised town centre proposal and welcome the extra care provision;
- The objective is to deliver a town centre that the residents of Cranbrook want that is supported by representatives of the town council and county council
- Clarification sought on the difference between the commercial value of the sector of land and its value for residential use. It was advised residential value could be in the region of three to four times higher than commercial value.
- Clarification sought on the viability assessment. In response Mr Duckworth confirmed a viability sketch had been submitted and advised as the site has been developed we have been measuring the profits and losses against the cost plan across the whole of the Cranbrook development.

- Concerns raised about the proposal to put a cricket square in the middle of a football pitch. You cannot play cricket in the middle of a football pitch. It was clarified that this had been agreed some time ago.
- Reference was made to the infrastructure table on page 30 and how much the council was losing in terms of infrastructure.
- Concerns raised about the size of the town centre. In response the Service Lead advised there was potential expansion across the road and into the set-back for the town council offices but stressed the MOU did not fix the size of the square and that this was a matter for further pre-application discussions and a subsequent application.
- Would like to see bigger outdoor meeting spaces. The market square is not usable.

It was proposed by Councillor Thomas, seconded by Councillor Moulding (and subsequently by Councillor Skinner when Councillor Moulding left the meeting) that Members:

1. Support the updated offer from the East Devon New Community Partners.
2. Agree in principle to the Memorandum of Understanding as proposed by the East Devon New Community Partners and delegate authority to the Chief Executive, Leader and Portfolio Holder for Strategic Planning to sign the final MOU on behalf of the Council.
3. The propose Supplementary Planning Document is indefinitely paused but the work already carried out is used as a guide to development in the Town Centre.

The above motion failed on a recorded vote as follows:

Councillor Allen	For
Councillor Arnott	Against
Councillor Blakey	For
Councillor Chamberlain	Against
Councillor Davey	Against
Councillor Hayward	Against
Councillor Hookway	Against
Councillor Howe	For
Councillor Ingham	For
Councillor Ledger	Abstain
Councillor McLauchlan	Against
Councillor Moulding	Had left the meeting
Councillor Rylance	Against
Councillor Skinner	For
Councillor Thomas	For

The following motion was proposed by Councillor Arnott and seconded by Councillor Hayward.

RESOLVED:

That Members delegate to the Portfolio Holder for Strategic Planning, the Leader and Deputy Leader and the Strategic Lead for Planning to negotiate further with the Consortium regarding the Memorandum of Understanding. The result to come to either Cabinet on 6 January 2021 or a Cabinet held within 14 days of that date and also that the Supplementary Planning Document is noted and kept in reserve pending the result of the Memorandum of Understanding negotiations.

95 **Local Development Scheme**

The Committee considered the Local Development Scheme report presented by the Service Lead – Planning Strategy and Development Management noting that the previous Local Development Scheme dates from 2018.

The Service Lead – Planning Strategy and Development Management advised the report sets out a programme and timetable for the production of future planning policy documents and referred to key content that provided detail on plan production.

RESOLVED:

That Strategic Planning Committee recommend to Full Council that following consultation with Cabinet, approve the proposed new Local Development Scheme, as appended to this report and that it takes effect immediately following approval.

RECOMMENDATION to Cabinet

That Members approve the proposed new Local Development Scheme.

RECOMMENDATION to Council

That Members approve the proposed new Local Development Scheme following consultation with Cabinet and that it takes effect immediately following approval.

96 **Proposed consultation on a Local Plan Issues and Options Report**

The Committee considered and discussed the report that sought approval to commence an 8 week consultation to start on 18 January 2021 and conclude at midday on 15 March 2021 on a new local plan issues and options report. The report provided Members with detail on the proposed work streams for the next 2 years with some background materials and considerations to ensure on-line questions were suited to software requirements.

Members noted that the feedback received from the consultation would be used to structure and form the new local plan which would be submitted for examination in early spring 2023.

The Service Lead - Planning Strategy and Development Management updated Members on the numbers of comments received from a Cranbrook resident including questioning the shortfall in housing numbers and advised taking into account the new plan period which extended beyond the current plan of 2031 the housing numbers would be extended to approximately 2040 which would lead to an increase. He advised he was mindful to note the White Paper in the document as the figures may change in the future.

In the absence of Councillor Allen who left the meeting the Chair read out an email from him sent prior to the meeting that read:

'I am writing to you direct because I would recommend a pause to think about how we are going to do the local plan review. We can take the LGA guidance and review the local plan without take the LGA guidance and review the local plan without undertaking 3 or 4 years of costs and running the risk of 2 or 3 years with no updated plan which developers will undoubtedly exploit. The LGA is being very clear on what is needed for review as opposed to a wholesale new plan. The Service Lead's belt and braces approach reflects not necessarily the legal requirement. As far as I can see we can

conduct the view via the issues and options process but then focus on what needs to be changed by the end of 2021. We need to be very careful of our 5 year land supply issues but avoid our wholesale land grab by developers.'

In response the Service Lead – Planning Strategy and Development Management raised concerns that Councillor Allen may be referring to the review process and the Planning Advisory Service Framework that was discussed at the last meeting which had already been done

- Concerns raised about losing the councils 5 year land supply;
- Need to include something about villages. In response it was suggested to broaden out this section in terms of town centres to encompass vibrant villages;
- Clarification sought on heritage assets. In response it was advised the question related to how important heritage assets was to people in terms of conserving and enhancing;
- The need to include our communities, parish and town councils and partners to get this right. This is the perfect vehicle.
- Weight should be given to walking and cycling and not assume car ownership as a basis of living;
- Need to install home charging wires in new builds;
- Need to aim for passive house standards;
- The council has a legal duty to preserve and enhance heritage assets;
- Need to consider uPVC like for like sash windows on listed buildings to make them energy efficient;
- The need to facilitate cycle links and paths in small communities as well as large communities. Town centres also need to accommodate cycles in a safe and secure way to encourage families to cycle into town.

RESOLVED:

1. That consultation on the draft local plan issues and options report, as appended to this paper, starts in January 2021 and runs for an eight week period be approved;
2. That delegated authority be granted to the Service Lead – Planning Strategy and Development Management in consultation with the Portfolio Holder for Strategic Planning, to make any minor changes to finalise the consultation document and facilitate the requirements of consultation software as well as to make any changes agreed at committee be approved.

97 **Local Plan Issues and Options Report Consultation Strategy and Review of Statement of Community Involvement**

The Committee considered the report presented by the Service Lead – Planning Strategy and Development Management advising Members about the consultation strategy for the first stage of the forthcoming issues and options report. He updated Members on the revised Statement of Community Involvement which set out the overall engagement framework for planning matters to meet the Council's legal obligations to ensure that it remains appropriate in light of the restrictions imposed by Covid-19.

Discussion covered:

- The need to engage with the public to help understand how the public want to be engaged. How can the council reach the people who do not usually respond so that their views can help make decision? The need to consider the modern way of

working and a suggestion was made to work with Strata on the East Devon App. In response the Service Lead – Planning Strategy and Development Management advised he was working with Strata on the consultation software which should be in place by mid January 2021.

RESOLVED:

1. That the consultation strategy for the forthcoming issues and option report as detailed in his report be considered and approved;
2. That the Statement of Community Involvement should be updated but that the amendments are minor and do not require public consultation be approved;

RECOMMENDATION to Cabinet

That Members approve the proposed new Statement of Community Involvement.

RECOMMEND to Council:

That following consultation with Cabinet, approval of the proposed new Statement of Community Involvement, as appended to this report, and that it takes effect immediately following approval be agreed.

98

Local Plan Site Identification Process and HELAA

The report before Members summarised the legislative requirement about how the work had been done in the past and how it was intended to carry out the work now. Members noted the Sidford employment site was used as an example to illustrate how that process had worked in the past and how such sites like this would come through the HELAA process alongside the housing sites in the future.

Comments and discussions from committee members covered:

- Clarification sought about how to make sustainability work better for most of our countryside small villages. The need to consider small scale growth to allow families to stay close to each other. The Service Lead Planning Strategy and Development Management agreed it was a big issue for the local plan in terms of how the council supports rural communities and in the past had left communities to pursue growth through their neighbourhood plan.
- Reference was made to a village in East Devon that was told it was unsustainable even though it had a shop, a school, a train line and a main road running through it;
- Need to be mindful a village is not just a collection of houses, it is a community;
- A rethink is needed on our Villages Policy. If a village wants to develop it should be allowed to develop;
- Chair welcomed the Service Lead – Planning Strategy Development Management comments about the draft Service Plan and the implementation of community led development into the Service Plan next year. In response he advised it was going to be a challenge through the local plan to get the balance between enabling communities to bring forward development without imposing on those who do not want it.

RESOLVED:

1. That the summary of the approach to site identification, consideration and allocation, undertaken on the adopted Local Plan be noted and the approach outlined in the report for undertaking this work in production of the new Local Plan be endorsed;

2. That work be undertaken to assess the smaller sites submitted into the Greater Exeter Strategic Plan call for sites in 2017 be approved;
3. The timetable and process for future work on the Housing and Employment Land Availability Assessment be approved.

99 **East Devon Local Plan - Sustainability Appraisal Scoping Report**

Members considered the report that updated Members on the legal requirement for the Local Plan which was to be supported by a Sustainability Appraisal to seek and assess the environmental, social and economic impacts that could arise in doing this work. Members noted that appended to the report was a draft scoping report that sought support for a six week consultation starting in January 2021.

RESOLVED:

That Strategic Planning Committee approve the Sustainability Appraisal scoping report for consultation to run for six weeks starting in January 2021.

100 **Garden Communities and Delivery Vehicles**

The Service Lead – Growth, Development and Prosperity presented a follow up report to one that had previously come before Members in October 2019. This concerned the importance of having an assertive delivery vehicle to support the implementation of the Local Plan and to be developed alongside the Local Plan Review. He outlined the key objectives of an oversight authority for a development corporation which were to achieve a high quality development and to ensure that effective stewardship and legacy arrangements were in place from the outset.

Members noted the requirement for a £300k budget over a 3 year period to develop a business case work and that the council had not yet received the outcome of the MHCLG Development Corporation competition which if successful would overtake the need for the Council to fund the work.

RESOLVED:

1. The importance of having effective delivery vehicles/mechanisms in place at the earliest stage possible in order to support the development of high quality placed be acknowledged;
2. The findings of the Local Partnerships study and accompanying future routemap be agreed;
3. The Expression of Interest that has been submitted to the MHCLG New Development Corporation Competition be noted;
4. Progressing key technical work, including the development of a business case, necessary to support the establishment of a locally led development corporation alongside the development of the new Local Plan be endorsed;
5. Further reports to Strategic Planning Committee at key stages as the work progresses be received.

RECOMMENDED to Cabinet

That a budget of £300k over a 3 year period is established for this work to be funded through the business rate retention reserve to approved.

101 **Approval of Modification to Area of Special Control of Advertisements**

The Service Lead, Planning Strategy and Development Management updated Members on the approval by the Secretary of State on the amendments to the areas covered by the Area of Special Control of Advertisements and noted the modifications had been agreed by the Secretary of State and advertised in the London Gazette.

RESOLVED:

That modifications to the Area of Special Control of Advertisements that came into effect on 30 November 2020 be noted.

102 **Infrastructure Funding Statement 2019/20**

The Infrastructure Funding Statement 2019/20 report presented by the Service Lead – Planning Strategy and Development Management summarised the contents of the East Devon District Infrastructure Funding Statement and highlighted to Members some of the key elements of the Final IFS.

RESOLVED:

1. The contents of this report and the requirement to provide an 'Annual Infrastructure Funding Statement by 31 December be noted;
2. That Council approval had been sought for the publication and submission to the Ministry of Housing Communities and Local Government by the 31 December 2020 of the 2019/20 'Annual Infrastructure Funding Statement' based on the information detailed in this report be noted;
3. That Council had been asked to delegate to the Strategic Planning Committee the power to consider and approve for publication and submission future 'Annual Infrastructure Funding Statements' on behalf of the council and that the committee's Terms of Reference within the Constitution be updated to reflect the delegated be noted.

Attendance List

Councillors present:

P Arnott
M Allen
K Blakey
S Chamberlain
O Davey (Vice-Chair)
P Hayward
N Hookway
M Howe
B Ingham
D Ledger (Chair)
K McLauchlan
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
A Dent
P Faithfull
G Jung
H Parr
M Rixson
S Hawkins
E Wragg

Officers in attendance:

Ed Freeman, Service Lead Planning Strategy and Development Management
Shirley Shaw, Planning Barrister
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)
Mark Williams, Chief Executive
Andrew Wood, Service Lead - Growth Development and Prosperity
Wendy Harris, Democratic Services Officer
Debbie Meakin, Democratic Services Officer
Thea Billeter, Cranbrook New Community Manager
Matthew Dickins, Planning Policy Manager

Chairman

Date:

Report to: Strategic Planning Committee

Date of Meeting 23 February 2021

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



River Axe Nutrient Management Plan

Report summary:

The River Axe, upstream for 13 kilometres from close to Seaton, is designated in the highest tier of wildlife sites in the United Kingdom. However the water quality, assessed against Natural England measures (in respect of relevant wildlife interest), is recorded as 'unfavourable declining'. The key concerns arise from excess phosphates in the river, most of which come from agricultural run-off, though a sizable proportion are from treated sewage. In the absence of mitigation measures to reduce phosphate levels water quality is predicted to deteriorate further.

A River Axe Nutrient Management Plan has been produced which highlights problems and identifies options to deliver mitigation measures. This report specifically comments on the fact that extra built development, specifically extra housing, in the river catchment will lead to increased phosphate levels. Unless mitigation measures are implemented it may be that further development in the catchment should be refused planning permission and should not be built.

This report summarises work undertaken to date, it provides links to the management plan, it also highlights work being undertaken by the East Devon Catchment Partnership project which is a collaborative group working on seeking to more fully understand the challenges facing the river and to identify and deliver projects that will improve water and environmental quality overall, specifically for wildlife. The report includes comment on potential future mitigation.

Recommendation:

1. **That Strategic Planning Committee note the work being undertaken at and for the River Axe and endorse the River Axe Nutrient Management Plan as evidence to inform council and partner decisions.**
2. **Note that the report should have specific relevance, as a material consideration, to inform local plan policy making and determination of planning applications.**

Reason for recommendation: To advice committee of emerging work in respect of the River Axe and to highlight relevance to local plan production and wider council work streams.

Officer: Ed Freeman, Service Lead – Planning Strategy and Development Management, e-mail - efreeman@eastdevon.gov.uk, Tel: 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 is no direct financial implication on the Council at this stage from the recommendation in the report. There is likely to be implications and indirect consequences as mitigations are implemented but any specific financial consequence will require a further report and recommendations for members to consider.

Legal implications:

The River Axe Nutrient Management Plan identifies problems and identifies options to deliver mitigation measures. The Plan and data generated will be used as a material consideration to inform Local Plan preparation as well as cross-boundary issues and development proposals which may impact on the River Axe. 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 [River Axe Nutrient 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

1 Introduction and wildlife value of the River Axe

- 1.1 The River Axe rises in Dorset and the wider catchment also includes land in Somerset. However, for most of its length the river and its various catchments run through East Devon entering the sea, Lyme Bay, at Axmouth. Whilst the river and watercourses feeding into it are of importance for wildlife along their whole length it is a 13 kilometres long stretch of the Axe in East Devon, which is designated as a Site of Special Scientific Interest (SSSI) and a Special Area of Conservation (SAC), that is of particular importance.
- 1.2 The wildlife importance, the reason for the SAC designation of the River Axe, derives from the underlying geology of limestone and sandstone which give rise to calcareous (calcium rich) waters. The river supports important vegetation types and of secondary importance for the designation is the presence of the fish species of sea lamprey (*Petromyzon marinus*), brook lamprey (*Lampetra planeri*) and bullhead (*Cottus gobio*). The plant and fish species are, however, being adversely affected by impacts from high concentrations of phosphates in the river.

2 Phosphates in the river

- 2.1 Phosphates are naturally occurring and are essential nutrients for plant growth. Under typical natural conditions (specifically where human activities or impacts are not present) phosphate levels in rivers will usually be low and river communities will have evolved according to levels present. Problems arise, however, where there are high or excessive levels of phosphates (or other nutrients) entering a watercourse this can lead to a state called eutrophication. The high nutrient levels lead to excessive growth of algae and depletion of oxygen to the detriment of overall aquatic ecology and biodiversity. It is eutrophication, caused by excess phosphates, that is leading to the 'unfavourable declining' status of the length of river designated as an SAC.
- 2.2 Most of the phosphates entering the River Axe come from agricultural activity. Farm animal waste entering the river is high in phosphates whilst fertilisers used to support crop growth, which runs off fields, are also a major contributory factor. Furthermore the problems in the Axe catchment are increased by soil loss. Intensive agriculture makes soil vulnerable to erosion whilst measures that keep soil out of the river and support better soil husbandry will automatically reduce phosphate losses. Of specific relevance to planning, and falling under planning controls and regulations, are however the impacts of development activity, specifically sewage discharges. Sewage contains high phosphate levels and whilst treatment plants will typically remove or capture most of this before fluid waste is discharged into the river or enters tributaries some phosphates are not removed.
- 2.3 There are regulations and legal controls on agricultural activity (though not always effectively enforced) that manage levels of agricultural run-off and more generally there are good farming practices that will limit run-off. There is also some potential for better management of sewage treatment plant discharges that could reduce emissions. However, removing more or all of the phosphates at or from treatment plants would be difficult and expensive, and amongst other matters could lead, compared to current treatments, to significant energy use and associated increases in greenhouse gas emissions.
- 2.4 There are a range of management activities and measures at and on the river, and tributaries that feed into it, that can help reduce phosphate levels and strip them from the water. To more fully understand the full range of options available a Nutrient Management Plan for the river was commissioned. This Nutrient Management Plan was specifically concerned with ensuring that new development could go ahead given wildlife protection legislation (see below for more details). However, it also has wider relevance and importance given the significance of the River Axe and wider objectives around improving water quality and promoting biodiversity.

3 Legal context and planning policy

- 3.1 SACs sit at the top of the highest tier of wildlife sites in England. Where plans, policies or projects (this specifically includes planning policy production and determination of planning applications) could adversely impact on such sites there is a requirement for proposals to be subject to assessment under the Habitat Regulations. The need for Habitat Regulation Assessment is/was set out within Article 6 of the EC Habitats Directive 1992, and interpreted into British law by the Conservation of Habitats & Species (Amendment) Regulations 2011.

3.2 Under the regulations, other than under very exceptional circumstances, development proposals that may lead to adverse impacts will not be allowed to proceed, that is unless mitigation measures are put in place. Such mitigation should ensure that the net overall impact post development is no worse than the situation before development. Furthermore the expectation under national planning policy is actually that development should lead to a net improvement in biodiversity.

3.3 The East Devon Local Plan recognises the importance of the River Axe and also the sensitivity to development. Strategy 20 of the local plan includes text to advise:

“Prior to the granting of planning permission for any major residential schemes at Axminster, the Council will agree, with the Environment Agency and Natural England, a timetable for the review or development of a Nutrient Management plan for the River Axe. This plan will set out detailed actions that allow for new growth at Axminster to progress with adequate mitigation in place to negate the additional phosphate load that would be caused. The Nutrient Management Plan will work in collaboration with the diffuse Water Pollution Plan, and will seek to restore water quality for the River Axe SAC to enable it to meet its conservation objectives within a specified timescale, and in accordance with commitments to European Directives. Depending on the findings of the plan, growth will only proceed in accordance with the mitigation delivery set out within that plan. Growth at Axminster will also be informed by the current status of the relevant discharge consents for waste water treatment works, and any upgrade required to support new growth will be the subject of Habitats Regulations Assessment prior to planning permission being given. The determination of such development applications will be informed by Habitat Regulations Assessment that takes account of the consent requirements.”

3.4 With planning applications submitted for large scale development to the north east of Axminster it was local plan policy that initiated the need for Nutrient Management Plan production.

4 The River Axe Nutrient Management Plan

4.1 The River Axe Nutrient Management Plan was commissioned in late 2019 and the final report was received in late 2020. The consultancy firm of Wood, with FWAG South West, undertook the work to a brief that was produced through partnership working of the council with:

- The Environment Agency;
- Natural England;
- Persimmon Homes; and
- The Crown Estate.

4.2 Involvement of the first two above reflects their regulatory roles and expertise and the latter two the fact that they have submitted planning applications that would provide for a large scale urban extension on the north-east side of Axminster.

- 4.3 The Nutrient Management Plan should be read in full for a complete picture but in its executive summary it advises:

“The report includes a calculation of the potential increase in phosphate loading to the river that could result from housing growth in the catchment, and specifically the proposed NE Axminster Urban Extension. It then describes a series of measures which could be put in place in the catchment to reduce this loading, or to reduce the phosphate loading from the agricultural sector. It is shown that it is feasible to put in place sufficient mitigation to ensure that the NE Axminster Urban Extension can be delivered with no net increase in phosphate loading to the river.

Recommendations are made for the formation of a Working Group to oversee the delivery of the Nutrient Management Plan, to work with existing catchment initiatives to deliver improvements in water quality and to provide verification that development is phosphate neutral.”

- 4.4 Most larger scale development sites in the catchment of the River Axe will be greenfield land and currently, or most recently, will have been in agricultural use. With limited exceptions the expectation is that there will have been some phosphates leaving the land as a consequence of farming activity. Many variables such as soil type, rates of runoff and proximity to watercourses will impact on phosphates entering the river though it will frequently be the type of farming activity undertaken that is key (pig farming for example can lead to high levels). Through survey and assessment work it is possible to calculate a baseline phosphate loading that a site generates pre-development.
- 4.5 In considering proposals for development, whether for housing for other uses, it is possible to calculate the phosphate levels that will leave the site and after sewage treatment will enter the river. Deducting the predicted developed site levels from the baseline agriculture (or previous use) levels gives a net change figure of phosphates that will be leaving the site. Typically this net figure will be an increase on phosphates though in some circumstances, potentially for example through very low density development, the net impact could actually be a reduction.
- 4.6 The Nutrient Management Plan provides means to calculate the net impact, though this will for any site require detailed site assessment work. The plan also advises on other non-farming sources of phosphates entering the river including from sewage treatment plants (both South West Water and private) as well as septic tanks. There are, as well, minor additional sources of phosphates entering the river.
- 4.7 Having established a means to calculate a net change in phosphate levels entering the river the Nutrient Management Plan turns its attention to options for providing mitigation. Options broadly fall into one of three groups;
- a) **On-site measures** – these would take place on an actual development/building site itself and are within the remit of the developers to implement. These are measures that seek to reduce the polluted water flows leaving any development site through such means as water efficiency measures, on-site sewage treatment and additional on-site green infrastructure.

- b) **Catchment measures** - which mostly pertain to the agricultural sector. The Nutrient Management Plan highlights a wide range of measures that can be implemented on farms and on farmland near to or next to the river and its catchments that can result in net decreases in phosphates in the river. These include actions on the river itself or adjacent to it, such as creation of wetlands and planting of trees, through to improvement in farm waste management practices and relating to the types of crops grown and planting, cropping and fertilizing regimes.
- c) **Measures within the remit of the sewerage undertaker** - including South West Water and private systems. Measures can include upgrading treatment and managing waste plants

- 4.8 The Nutrient Management Plan provides commentary on each approach and also gives an indication of costings and quantified assessment of potential benefits. It should be noted that of the above it is item b), in catchment methods, that offer the greatest scope and potential for delivering the most effective and the most significant levels of mitigation. Effective engagement with landowners and farmers is likely, therefore, to be essential.
- 4.9 The Nutrient Management Plan recommends the establishment of a Working Group to take proposals forward, with members to include:
- The Lead Local Planning Authority;
 - Housing developers;
 - Regulators (Environment Agency, Natural England);
 - Catchment management groups (e.g. AONB partnerships, Catchment Sensitive Farming) with local agronomy knowledge;
 - Farmers or their representatives (e.g. the National Farmers Union); and
 - South West Water.
- 4.10 There is longer term work needed to consider the formation and constitution of any group but as a starting point (and potentially running into the much longer term) there is already a multi-agency partnership called the East Devon Catchment Partnership. This partnership lacks developer input or involvement but includes representatives from the other bullet pointed sectors. The partnership is currently focussing particular efforts specifically on the River Axe.

5 **East Devon Catchment Partnership and the Axe Catchment Project**

- 5.1 The East Devon Catchment Partnership is administered by Devon Wildlife Trust and Westcountry Rivers Trust with the Environment Agency. The Partnership engages a wide group of partners including East Devon and Blackdown Hills AONBs, Natural England, South West Water, FWAG SW, East Devon District Council, NFU/farmer groups, Somerset and Dorset colleagues and other local interest groups.
- 5.2 The Axe Catchment Project developed out of the East Devon Catchment Partnership with Devon County Council hosting the project, led through Blackdown Hills AONB. The primary aim of the project is to align existing and define new activity in the Axe catchment required to address key issues impacting the catchment's ability to function more naturally (through natural processes), support thriving habitats and species, be resilient and provide a range

of public goods and services to Axe communities and wider society. The project does, therefore, have a broader remit than just matters specifically addressed through and relevant to the work associated with the Nutrient Management Plan, however the key priority driver is the river Axe SAC and therefore the Axe Catchment Project could be a key contributor to the Axe Nutrient Management Plan delivery.

5.3 A workshop was held with key Axe catchment stakeholders in July 2020, at which there was agreement that a piece of pivotal planning and development work was needed (in 2020/21) in order to:

- Underpin focussed delivery (from 2021) and add value to existing work - to tackle the issues and root causes identified in the workshop;
- Develop, strengthen and diversify an Axe partnership, better aligning activity;
- Secure/ signpost additional funding to enable delivery; and
- Articulate a clear, shared ambition for a resilient Axe catchment by 2050.

5.4 The scope of the work being:

- The area of interest for the project is the entire Axe catchment;
- Integrate delivery of the 'pillars' (elements) of the project - nature recovery and climate resilience, other objectives (e.g. flood, drought) and engaging with local communities, all underpinned by regulation (primarily linked to water quality);
- Make direct links to delivery of and alignment with statutory plans e.g. Diffuse Water Pollution Plan, SSSI River Restoration Plan, Axe Nutrient Management Plan (for River Axe SAC);
- AONB Nature Recovery Plans integration; and
- Nature Recovery Network integration.

5.5 Through the Catchment Partnership, £17,500 has been secured to undertake phase 1 – the planning and development of the Axe Catchment Project. Consultants have now been appointed and are, planning, developing and consulting on an assessment of the current context in the Axe and project formation. By spring 2021, the plan is to have a costed integrated Delivery Plan that focusses on key priorities and can be used to secure external funding to deliver these.

6 Conclusions

6.1 From the Nutrient Management Plan work it is clear that there are now and there will continue to be ongoing concerns in respect of phosphates adversely impacting on the wildlife importance of the River Axe. This report summarises problems and signposts some possible solutions and ways forward. However identifying real practical schemes that can provide mitigation and that can be implemented and run for the long term (in perpetuity) is likely to prove to be challenging. Positive engagement with farmers and landowners appears essential and there will be cost implications associated with delivery of any mitigation measures. Whilst developers may have some scope to provide mitigation as part of a development scheme the expectation is that developer contributions will be needed on larger scale developments, and in the longer term potentially all development schemes, to allow for mitigation to offset adverse impacts that would otherwise arise.

6.2 From work undertaken to date we have therefore developed a good understanding of issues surrounding phosphates in the River Axe and some of the potential options for mitigation. The work ahead will need to concentrate on identifying and implementing actual real mitigation schemes and measures that will allow for built development to proceed.

Report to: Strategic Planning Committee

Date of Meeting 23rd February 2021

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



S106 and CIL Internal Audit Report

Report summary:

South West Audit Partnership have undertaken an audit of the S106 and CIL system. The purpose of the audit was to ensure that appropriate arrangements are in place to manage the receipt and expenditure of S106 and CIL contributions. The audit was brought forward at the request of the leader having originally been planned for quarter 4.

The report gives “limited assurance” noting that the S106 spend and collection work is not up to date due to the substantial work that has been involved in populating the Exacom system and the redeployment of officers into the community hub to help to support the community through the Covid-19 pandemic. The report notes that no monies have been lost or returned to developers as a result of this lack of resource but there are a significant number of outstanding actions required on the system.

The report makes two priority 2 recommendations relating to appointing additional temporary staff resource to help get the system up to date and the updating of guidance on the participatory budgeting process. A further two priority 3 recommendations are made in relation to the introduction of the public facing Exacom module and the use of Exacom for recovering outstanding payments. Officers acknowledge the findings of the audit and are committed to addressing the identified issues as a priority.

The audit was reported to Cabinet at their meeting of the 6th January with Members noting the findings of the audit and the need to appoint additional staff resource as a priority. It has also been reported to Audit and Governance Committee on the 28th January and Scrutiny Committee on the 4th February.

Recommendation:

That Members consider the findings and recommendations of the attached internal audit report on the management of the receipt and expenditure of S106 and CIL contributions.

Reason for recommendation:

To make Members aware of the findings of the S106 and CIL Audit and the actions that are being taken to consider and respond to the findings.

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

Portfolio(s) (check which apply):

- Climate Action
- Coast, Country and Environment
- Corporate Services and COVID-19 Response and Recovery

- Democracy and Transparency
- Economy and Assets
- Finance
- Policy Co-ordination and Regional Engagement
- Strategic Planning
- Sustainable Homes and Communities

Financial implications:

The recommendation for the appointment of additional temporary staff resource has been included in the preparation of the 2021/22 budget. This additional staff resource has been estimated at a cost of £33,000 and has been fully funded within the budget by an increased income contribution.

Legal implications:

The report does not raise any specific legal implications requiring comment.

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk;

Links to background information None

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 to: **Strategic Planning Committee**

Date of Meeting 23rd February 2021

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



Habitats Mitigation Non-Infrastructure Contributions

Report summary:

Currently the Council is collecting financial contributions from residential developments within 10km of the Exe Estuary and East Devon Pebblebed Heaths to contribute to the joint mitigation strategy to address the recreational impacts of these developments on the protected habitats. The mitigation measures are split between those that are classed as infrastructure which are taken from CIL contributions and those that are for non-infrastructure mitigation measures that are collected through a separate legal agreement under Section 111 of the Local Government Act or under Section 106 of the Town and Country Planning Act.

The South East Devon Habitat Regulations Executive Committee have determined that further staff resources are needed to deliver the strategy. These costs are classed as non-infrastructure and this report seeks Members agreement to increase these non-infrastructure charges to reflect the additional costs involved in delivering the strategy.

Recommendation:

That Members agree that the revised non-infrastructure habitats mitigation contributions as shown in Table 2 within the report be required for all applications for residential developments within the habitats mitigation zone that are received after the 1st March 2021.

Reason for recommendation:

To ensure that appropriate levels of staff resources and funding are available to deliver the habitat mitigations strategy to protect the Exe Estuary and Pebblebed Heaths from the recreational impacts of development.

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

Portfolio(s) (check which apply):

- Climate Action
- Coast, Country and Environment
- Corporate Services and COVID-19 Response and Recovery
- Democracy and Transparency
- Economy and Assets
- Finance
- Policy Co-ordination and Regional Engagement

- Strategic Planning
- Sustainable Homes and Communities

Financial implications:

The proposed redirection and additional developer contributions through the revised charges will provide funding for the strategy delivery. However, in making 2 posts permanent it means that this funding will also now be required permanently (rather than the fixed term contract lengths).

Legal implications:

Planning obligations are governed by 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. This report ensures the Council as a partner to the South East Devon Habitat Regulations Executive Committee can update the contributions payable towards the non-infrastructure costs in habitat mitigation. 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

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. Background

- 1.1 The Exe Estuary, Pebblebed Heaths and Dawlish Warren are European Protected Wildlife Sites that have strong legal protection and the Council must not grant planning permission, unless any harmful effects will be fully mitigated.
- 1.2 The Conservation of Habitats and Species Regulations 2017 sets out how we must deal with planning applications that have potential to impact on European wildlife sites (Special Protection Areas, Special Areas of Conservation and Ramsar sites). This impact may be direct or indirect for example:
 - distant development may cause significant impact on the key species when they are away from the designated site;
 - a single development may have a small effect but a combined overall large effect.
- 1.3 The legislation says that we MUST NOT grant consent for a development that would, either alone or in combination with other developments, have a likely significant effect on a European wildlife site, unless full mitigation is provided. Studies have shown that any housing or tourist accommodation developments within 10km of the Exe Estuary/Pebblebed Heaths/Dawlish Warren are likely to have a significant impact either individually or in combination due to recreational impacts of residents on these sites and so they must provide appropriate mitigation.

- 1.4 Teignbridge, East Devon District Council and Exeter City Council have joined together to form the [South East Devon Habitat Regulations Executive Committee](#) that works across the three authority areas to protect the Exe Estuary, Dawlish Warren and the East Devon Pebblebed Heaths for future generations to enjoy. This Committee is working with partners including Natural England, Clinton Devon Estates, National Trust, RSPB, Exe Estuary Management Partnership and Devon Wildlife Trust to off-set the effects of new developments and population growth on these protected conservation sites.
- 1.5 Funding for the mitigation strategy comes from developer contributions on new residential housing or tourism accommodation within a 10km "zone of influence" from the protected sites. At this point in time we collect contributions through a combination of CIL, S106 (UU and S106 agreements) and S111. We collect Capital Habitat Mitigations via top-slicing CIL receipts and non-infrastructure Habitat Mitigation contributions are secured by either;
- A S111 agreement and payment (a standardised letter linking an upfront payment to a submitted application).
 - A S106 Agreement (normally has several types of planning mitigation secured).
 - A Unilateral Undertaking (a simplified type of S106 agreement normally payable linked to occupation)
- 1.6 At present the non-infrastructure contribution required is as the table below:

Table 1:

	EXE	PBH	BOTH
Total required from future EDDC dwellings	£164	£190	£354

- 1.7 These contributions were amended in 2019 following a rebasing of the strategy to ensure that it secures sufficient funding to deliver the mitigation required. A recent review of staff resources has suggested that a further review of these charges is needed.

2. Staff Resources

- 2.1 The delivery of the mitigation strategy and the monitoring of its success is overseen by a team of officers led by the Delivery Manager with Habitat Mitigation Officers and the Devon Loves Dogs Project Co-ordinator. These staff were appointed as part of a 5 year delivery programme and their employment was on a fixed term basis to reflect this with funding apportioned to paying them on the same basis. It is now proposed to make the Delivery Manager and Habitat Mitigation Officers posts permanent and extend the Devon Loves Dogs Co-ordinator post by a further 5 years to enable the on-going delivery of the strategy. As a result the continued funding of these posts needs to be secured. To achieve this it is proposed to redirect some monies that were allocated to monitoring of the strategy and the delivery of a project that now appears to be unachievable. This will realise the majority of the funding needed for these posts but leaves a shortfall of £105k outstanding which will need to be secured through additional developer contributions.
- 2.2 To date, communications support for delivery of the mitigation strategy has been provided by EDDC without the cost of this being accounted for through the habitat mitigation

strategy. The work of the small mitigation team requires regular and ongoing communications input, guidance and reporting. Resourcing this role should therefore be considered as part of the costs of strategy delivery and incorporated as a “Cross site” (non-infrastructure) measure.

2.3 It is proposed to identify a dedicated resource that will ensure an appropriate communications strategy is taken forward to communicate the work of the habitats mitigation team which includes educating users of the sites of their sensitivity and the impacts their actions can have for which good communications is vital. A requirement for a 0.2 FTE Communications Officer is anticipated for the next 5 years. This would utilise capacity of the existing Communications Officer within the Growth Point Team as has been the case up until now. The major difference will be that rather than that cost being absorbed within EDDC budgets the cost of this resource would be funded from additional developer contributions across the 3 authorities.

2.4 In order to cover the cost of both the extension of the contracts of the existing habitats mitigation team and the communications officer resource a total of just over £150k is required. These costs are classed as non-infrastructure and so would be secured outside of CIL and through either a Section 106 agreement, unilateral undertaking or Section 111 agreement. These amount to £6.81 per house per site. The revised charges would therefore be as follows:

Table 2: Proposed revised non-infrastructure habitats mitigation charges.

	EXE	PBH	BOTH
Total required from future EDDC dwellings	£170.81	£196.81	£367.62

2.5 The Habitats Mitigation Executive Committee agreed these revised charges at their meeting on the 18th November 2020, however the Executive Committee does not have the authority to revise the charges themselves. This needs to be done by each individual authority and in the case of EDDC this is done through Strategic Planning Committee.

Report to: Strategic Planning Committee

Date of Meeting 23 February 2021

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



East Devon Playing Pitch Strategy

Report summary:

This report provides an update on work undertaken on production of a new East Devon Playing Pitch Strategy noting that the Covid pandemic has had significant impacts on the ability to make progress on the work. The report also highlights options for completing this work.

Recommendation:

1. That Members note the progress to date on a new playing pitch strategy for East Devon;
2. That Members consider the options for progressing the new playing pitch strategy and member instruction is sought on how to take this work forward.

Reason for recommendation: To advise committee of progress to date made on the East Devon Playing Pitch Strategy.

Officer: Ed Freeman, Service Lead – Planning Strategy and Development Management, e-mail - efreeman@eastdevon.gov.uk, Tel: 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 financial implications which require comment.

Legal implications:

There are no legal implications at this stage other than the impact on Local Plan production should be noted.

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk;

Links to background information Link to East Devon Playing Pitch Strategy 2015:
<https://eastdevon.gov.uk/media/1182367/adopted-east-devon-pps-2015.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

1 Introduction and overview

- 1.1 Members may recall that on the 26 March 2019 Strategic Planning Committee received and endorsed a report advising on a work plan for production of a new Playing Pitch Strategy for East Devon. From a Council perspective the work has been undertaken to date by the Planning Policy team. External consultants have not been employed.
- 1.2 Early work on strategy production ran through 2019 with initial engagement undertaken with Sport England and the governing bodies for:
- Football;
 - Rugby Union;
 - Cricket; and
 - Hockey.
- 1.3 The previous Playing Pitch Strategy, from 2015, addressed playing pitch supply and need for the above sports. The initial assumption on the new strategy, backed up by work undertaken so far, is that the new work should concentrate on these sports again. It is important to note that the strategy is being produced in accordance with Sport England guidance and it is for outdoor pitch provision for team sports with at least a reasonable level of participation, this was key to concentrating on the listed sports.

2 Work undertaken on the strategy prior to Covid

- 2.1 There was a considerable amount of work undertaken in 2019 and early 2020 on the Playing Pitch Strategy, before the pandemic. Tasks were primarily desk based and a large part of the work involved assimilating data from various previous assessments and collecting new information to provide a comprehensive database of:
- Every sports club and each of the teams they support playing in East Devon;
 - Information on non-East Devon based teams that travel into the District play home matches and East Devon based teams that travel out of the District for home matches.;
 - All of the pitches in East Devon that each team usually plays its home matches on;
 - The specific pitch that each team plays their home matches on and from this the number of games played per week per pitch and at what times (during the playing season).

- 2.2 For the new proposed Playing Pitch Strategy comprehensive information can be provided on the above, some summary succinct observations from work already undertaken are, however, set out below (noting that significantly more information has already been assimilated).
- 2.3 Initial work on the Playing Pitch Strategy records 32 football clubs for the 2018/19 season that are based in and play their home games in East Devon. These clubs support a total of 197 separate teams (57 at adult level and the remainder are youth teams) and they make use of 134 different pitches. There are also a number of Exeter based teams that play in East Devon. The available evidence shows a very small net decline in football clubs in East Devon from the position in 2015, but an increase in the actual number of teams. There are 11 ladies/girls teams and also in the youngest ages groups mixed gender teams.
- 2.4 There are five rugby clubs that are East Devon based and that play in East Devon, there is, however, a sixth team, Exeter Youth rugby, that are Exeter based but that play in the district. The overall total number of teams fielded by these clubs has not changed significantly since the 2015 strategy was completed with no changes at the adult male level (10 teams in total are playing), one extra colts team playing (up from four to five) and one extra ladies team (up from one to two). Girl's rugby has seen the most significant changes over recent years with the 2015 Playing Pitch Strategy recording five teams which has now increased to nine. Junior team levels have gone up marginally, from 47 to 49.
- 2.5 Initial assessment for the new Playing Pitch Strategy showed that there were 69 men's cricket teams playing in the district, two ladies teams, 58 youth teams and 3 girls teams. The work records these teams playing on 26 pitches in East Devon.
- 2.6 Hockey sees the lowest participation levels of the sports addressed. There are currently two England Hockey affiliated clubs based in East Devon; Honiton Hornets Hockey Club and Sidmouth & Ottery Hockey Club. There is a team called the East Devon Hockey Club, which formerly played in East Devon district, but who have played and trained in the city of Exeter for a number of years. However another Exeter based club, Exe Hockey Club, run a junior Satellite Club at Exmouth and have some senior training displaced from the city to Lympstone.
- 2.7 All of the pitches that are played on are specifically mapped out on the Council's Geographical Information System mapping software.

Provision and use of grass pitches

- 2.8 The database that has been developed records the previous, 2015 assessment, of the quality of each grass pitch in respect to a range of factors, including, meeting minimum size standards, any pitch slopes, grass coverage, pitch maintenance and drainage. There has been some but limited updating of this past information. This information provides an overview of the number of matches that any pitch might be able to typically and reasonably accommodate during a week. Match capacity can vary greatly depending on these factors, for example grass football pitches have been assessed as having scope to accommodate anything from one to six matches per week. Though under very wet rainy conditions, often found in the depths of winter, carrying capacity even for the best pitches can drop significantly. The database allows for comparison of games typically expected to be played

on any pitch against the modelled capacity in order to assess any degree of possible over use or under use.

2.9 Significant caveats are, however, that:

- under or over use assessment reflect pitch considerations from 2015;
- at present assessment does not take into account any training that takes place on any pitch; and
- the team activity information predates Covid, noting that the pandemic may have impacts on current/recent activity levels with possible longer term impacts.

All of these factors will need some future consideration.

2.10 The 2015 Playing Pitch Strategy presented a picture of many grass pitches, specifically with training use being taken into account, being used at or beyond reasonable carrying capacity. Previously the overuse of pitches was a common concern of clubs with a number advising that with more or better pitch provision they would be able to support more teams. Whilst there has been some changes from 2015 to the present day the expectation remains of insufficient grass pitch supply (both in pitch numbers and quality) to meet demands and aspirations for play.

Artificial grass pitches

2.11 Artificial grass pitches (AGP) have developed over the years and have a number of distinct advantages over grass pitches, most importantly they are far less susceptible to seasonal wear and tear and can accommodate many more matches and training sessions. Because of the extra games that can be played on them AGPs will frequently be floodlit to allow for evening use. AGPs are, however, expensive to install and surfaces do need periodic maintenance, repair and replacement. They can also be more intrusive in the landscape, especially so where floodlit. Where they are close to housing their use, including from noise generated and floodlighting from extended evening use, can have negative amenity impacts.

2.12 There are ten recorded AGPs in East Devon though a small multi-use surface at Cloakham Lawns in Axminster is completely unusable and the Exeter City training pitch at the Cat and Fiddle site is understood to not provide for public access (it is used exclusively by the professional football club). It should be noted that hockey matches are now exclusively played on AGPs and not natural grass pitches, whilst different pitch types are suited for different sport uses and rugby, in particular, requires specific surface types.

2.13 To illustrate information held Appendix 1 of this report comprises of a database generated report of the AGPs in East Devon. The appendix details are in draft and need to be verified by those running and using the sites. As can be seen a considerable amount of information is held and it should be noted that comparable types of details are also held on all grass pitches in the District.

Verification of information

2.14 Based on the information summarised above the next stage of work was to be a verification exercise. Mostly working through the sport's governing, though with some direct contact

with pitch providers and sports clubs themselves, the intention was to seek to verify and update the accuracy of the information held. Some of this information is dated and such matters as the quality and maintenance regimes at pitches can be expected to have changed. However with a record of previous pitch assessment available it was hoped that the new assessment would be quicker and easier than previous work. Specifically noting that the previous assessment involved a considerable amount of on-site measurement.

- 2.15 The verification work did not proceed, however, because of the Covid pandemic, nor did work looking into any latent unmet demand or future demand generated through projected population growth in the District.

3 Partnership working and the impacts of Covid

- 3.1 The playing pitch strategy work is based on partnership working with sport governing bodies, they, amongst other things, will typically take the lead on contacting and consulting sports clubs. With the Covid pandemic leading to lockdown in early 2020 the governing bodies were unable to take forward planning activities and instead needed to turn their full attention to seeking to sustain the operation and income of existing sports clubs. It was not practical, therefore, to make further progress on the playing pitch strategy until the immediate Covid concerns and impacts on sports clubs had diminished.
- 3.2 At the time of writing this report (February 2021) there had been some resumption of sports matches and it is hoped that something much closer to normal will apply later in 2021. Over the months ahead it is hoped that the sports governing bodies will be able to offer proactive support in respect of progressing the strategy, though until they are able to help in partnership work there is only limited immediate further progress that can be made on strategy development.
- 3.3 There is as well, an unknown aspect over the degree to which lockdown may impact on sport participation rates (both current and into the longer term) and this could impact on any strategy findings or conclusions. Upcoming work may indicate merit in deferring further progress on the strategy until we get a clearer picture of what pitch demand patterns may look like in the future.

4 Using the research to make strategy and policy choices

- 4.1 When a comprehensive record of pitch quality and use, as well as demand for pitches has been established, the next stages of work move into the actual exercise of defining the strategy.
- 4.2 Information gathered is then drawn together, assessed and turned into a plan of action detailing what we want to do, where and why. This is expected to include a number of 'what if' scenario testing exercises that subsequently lead to specific recommendations and actions for specific sites and sports. An output from this work (as included in the 2015 strategy) can be expected to be outcomes around:
- Protect – guidance and recommendations on protecting the use of pitches that already exists (unless demonstrably over-supply is identified).
 - Enhance – making better and best use of existing facilities and pitches; and

- Provide – identify potential opportunities to provide new pitches.

4.3 Having developed the strategy it can be written up and if felt appropriate we could consult on it. This element of work would be expected to be undertaken jointly with Sport England and sport governing bodies, it is also where the Council will need to make choices about where priorities may lie and potential funding should be directed.

4.4 The Playing Pitch Strategy should be regarded as the key document within the study area guiding the improvement and protection of playing pitch provision. It needs to be the document people regularly turn to for information on how the current demand is met and what actions are required to improve the situation and meet future demand. Ideally it will be in place to inform local plan production and policy content.

4.5 The Sport England guidance highlights potential uses of the strategy to include:

- Sports Development Planning - helping with planning with and for sports facility provision;
- Planning Policy – informing and assisting with preparing future policy options and choices;
- Planning Applications – including supporting applications and resisting inappropriate loss of pitches;
- Community Infrastructure Levy – including assisting with making funding decisions;
- Funding Bids – providing evidence to inform and justify bids;
- Facility and Asset Management – informing management decision in respect of facilities;
- Public Health - informing public health actions and decisions;
- Co-ordinating Resources and Investment – helping to plan and manage investment decisions;
- Capital Programmes - Provide evidence to justify protection and investment and inform programmes of works; and
- Monitoring delivery – the recommendations and actions of and in the Playing Pitch Strategy should be monitored.

5 Options for continuing the Playing Pitch Strategy to a conclusion

5.1 This report highlights that there are two substantive component parts in preparing a new Playing Pitch Strategy;

- i. The first is to have a sound understanding of the current situation. We are part way through this exercise though the onset of Covid prevented the work being completed;
- ii. The second stage is the ‘what do we want to do with the information’ we have collected (what actually is the strategy and resulting proposed actions).

5.2 In terms of taking the work forward a challenge for the Planning Policy team is the lack of time and staff to complete the work in a speedy manner. Given the importance attached to preparing a new local plan work priorities have shifted in the team directly towards plan and

policy production. This leaves limited time for extra work, albeit we hope to have new staff members in post in the Spring of this year. There is, however and because of Covid, a distinct unknown in respect of current participation in sport and future needs and desires for pitch provision.

- 5.3 The participation data we hold pre-dates Covid and in recent months participation levels might have fallen, we have not tested this. To use current data may, therefore, provide skewed participation levels, whereas if we wait for a 'new normal' to emerge we could have more confidence of accuracy, but could be waiting for some time. Perhaps the most credible position would be to work to the information from 2018/19 for now on the basis that another early update may be required.
- 5.4 In order to complete the Playing Pitch Strategy the following approaches may be taken and a steer from committee is sought on the best way forward: Set out below are suggested options:
- a) Officers of the Planning Policy section complete the Playing Pitch Strategy – though noting that Local Plan production is a priority and concentrating on it could delay completion of the strategy – work may need to be fitted in when time and opportunities permit;
 - b) Production of the Playing Pitch Strategy is deferred until a new post-Covid stable 'new-normal' position emerges.
 - c) Consultants are commissioned to undertake the work – the cost of doing this is an unknown and there is no budget currently identified for undertaking the work in this way. There is also a risk that consultants may not wish to progress with work already undertaken and may want to start afresh.
- 5.5 In terms of timescales for each of these options it is difficult to estimate how long each may take given uncertainties over Covid-19 and the availability of Sport England, the governing bodies and local clubs to help to inform this work. It also depends substantially on how much of the currently held data can be reused and the extent of further surveying of sites. Although the commissioning of consultants would bring in additional resource commissioning and instructing them is itself time consuming. Either way it is likely to be in the region of 12-18 months before a draft report could be made available for Members to review.
- 5.6 One of the key reasons for updating the playing pitch strategy is to support local clubs in seeking external funding for identified enhancements as most funding regimes give priority to projects that are identified as part of a wider strategy for sports pitch provision. It is therefore important for both planning and delivery that the strategy is kept up to date.
- 5.7 There are already a range of Sport England funds centred around changes due to Covid-19 available branded as "Return to Play" and other funding opportunities may come forward in the future to help sports clubs recover and invest. There is therefore a need for good up to date evidence to support these bids although it is worth noting that some areas do not have a playing pitch strategy at all of the ones they do have may be older than ours.

5.8 It is also worth noting that the Football Foundation produced a Local Football Facility Plan for East Devon in September 2019 which identifies a number of key areas for investment in football facilities in the district. This would provide good strategic evidence for football clubs.

6 Conclusions

6.1 Depending on the approach preferred by Members there will most likely need to be an update report presented to committee on how work is progressing in the not too distant future.

Report to: Strategic Planning Committee



Date of Meeting 23rd February 2021

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Summary of self-build monitoring report (31/10/19 – 30/10/20)

Report summary:

A new self-build monitoring report has been produced that covers the period from 30/10/2019 until 31/10/2020. This shows that the demand for plots indicated on the self-build register was 23, with 13 on 'Part 1' of the register. We will need to permission enough serviced plots to meet the demand indicated on Part 1 (13 plots) between 31/10/2020 and 30/10/2023. Supply figures show that we gave consent for around 69 plots suitable for self-build between 31/10/19 and 30/10/20 and that we have met our legal requirements to permission enough serviced plots to meet the demand shown on our self-build register up to 30/10/2019.

Recommendation:

1. To note that 23 individuals were added to the self-build register during the latest monitoring period (31/10/19 to 30/10/20).
2. To note the need to permission 13 plots suitable for self-build between 31/10/20 and 30/10/23 to meet the level of demand between 31/10/19 and 30/10/20 shown on Part 1 of the self-build register;
3. To note that the demand for self-build plots indicated on the register should be taken into account in our planning, housing, regeneration and estate functions.

Reason for recommendation:

The latest monitoring report shows that East Devon is meeting its statutory duty to provide a supply of suitable sites to meet the demand for self/custom build housing shown on the self-build register. The Council also has a duty to take account of the register when exercising its planning, regeneration, housing and estate management functions.

Officer: Ed Freeman, Service Lead – Planning, e-mail - efreeman@eastdevon.gov.uk, Tel: 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 direct financial implications from the recommendations in this report.

Legal implications:

The legal implications are as set out within both the committee report and monitoring report.

Equalities impact Low Impact

Climate change Low Impact

Risk: Medium Risk; The increased delivery of land for self-build and custom build purposes is a government priority and there is a duty to provide sufficient serviced plots to meet the demand shown on the register.

Links to background information [Self and Custom Build – East Devon; Self Build Monitoring Report 31/10/19 – 30/10/21](#)

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 to self-build register

- 1.1 The Government is keen to encourage opportunities for people to build their own homes. It diversifies the supply of housing, gives individuals and groups the opportunity to tailor make their own home, can be cheaper than buying a 'standard' home from a house builder and can produce innovative designs with enhanced ecological credentials.
- 1.2 Since March 2016 we have kept a register of people who are interested in building their own home in East Devon. Since October 2017 we have had a duty to ensure that enough serviced plots are 'permissioned' to meet the demand shown on the register. Our recently published fourth monitoring report on self-build shows the latest demand and supply figures and includes definitions of what constitutes self-build housing. We need to consider the results in our planning, housing, regeneration and estate functions.
- 1.3 In April 2017 we introduced a local connection test so that only those with a local connection are included on the part of the register that is used to gauge demand for the number of plots that need to be permissioned (Part 1). Last February this Committee decided to keep the local connection test and not to introduce a financial solvency test or a registration fee. It is not considered that circumstances have changed over the last year that would justify reconsideration of these issues.

2. Summary self-build monitoring report of latest

- 2.1 The latest (fourth) self-build monitoring report (attached) shows that during the last monitoring period (31/10/2019 to 30/10/2020 – these dates are set by legislation) 23 individuals were added to our self-build register. Since April 2017 our register has been divided into two. Part 1 includes a local connection test: we have a legal duty to

permission enough serviced plots that are suitable for self-build to meet the level of demand shown on Part 1 of our register. Part 2 of the register is for those who do not meet the local connection test. Parts 1 and 2 together indicate the general level of demand for self-build and we must have regard to this in our planning, housing, regeneration and estate functions. The number of individuals added to Part 1 of our register in the latest monitoring period (which is referred to as a base period) was 13 and there is a cumulative total of 113.

- 2.2 We are required to show that we have permissioned enough serviced plots to meet the demand shown on Part 1 of the register within the three years following the end of each base period. There is some discretion for us to decide which permissions meet the requirement that they are 'suitable' for self-build. We have adopted the same approach as last year, but have provided additional details of which permissions are included in our potential supply, together with the applications for which an exemption from CIL has been granted on the basis that it is a self-build. Further details of the method we have used to calculate our supply of plots suitable for self-build are included in Appendix 1 of the monitoring report.
- 2.3 Our figures show that sufficient permissions have been granted to meet the demand shown for the first two base periods (the requirement for meeting this expired on 30/10/2019 and 30/10/2020 respectively). The requirement to meet the demand shown in the third base period does not expire until 30/10/2021, but our figures shown that we have already permissioned enough plots to meet the demand shown for both the third and fourth base periods.

3. Looking Ahead

- 3.1 Consideration will need to be given through the Local Plan to the role the Council plays in promoting and delivering self and custom build housing plots. Indeed one of the issues identified in the current issues and options consultation is:

“Encouraging more self and custom build housing so that people may be able to build their own home to meet their particular needs and aspirations.”

- 3.2 A paper was brought to Strategic Planning Committee meeting on the 22nd October 2019 considering various options for promoting self and custom build including the following planning and corporate options:

Planning Options

- A refresh of the self-build register to include a specific Cranbrook register linked to the promotion of specific sites that emerge.
- Producing Supplementary Planning Guidance to clarify self-build requirements (as set out in our Local Development Scheme).
- Preparing self-build newsletters to supplement national sources of information about self-build in general such as the Self-Build Portal and the National Self Build and Renovation Centre.
- Establishing a self-build forum that could provide a good way for people to gain confidence in how to self-build and to share experiences with others.
- Reducing or deleting our pre-application advice charges for people wishing to build a single self-build dwelling.

Corporate Options

- Carrying out an audit of Council owned land with a review of every area of land we own to establish whether it can be marketed for self-build housing (this could result in capital receipts as well as improve the supply of self-build plots);
- The appointment of a Self-build Lead Councillor/Members Champion to raise the profile of self-build and promote a positive attitude to self-build across the Council
- Working with parish councils and local community groups to promote self-build opportunities. For example parish councils may own parcels of land that may be suitable for self-build or they may wish to include policies in their neighbourhood plans.
- Direct provision of self-build plots through EDDC purchasing land suitable for self-building, servicing it and marketing it for self-build plots.

3.3 It was only this last option that Members were minded to pursue at that time with a budget of £1million ultimately being set aside for the purchase of a site for the direct delivery of self-build plots. Unfortunately since this budget was established in the 20/21 budget no suitable sites have been identified.



Report to: **Strategic Planning Committee**

Date of Meeting: 23rd February 2021

Public Document: Yes

Exemption: None

Review date for release None

Subject: **East Devon Landscape Character Assessment – minor amendment**

Purpose of report: To advise of and seek approval for proposed minor amendments to the landscape character area mapping.

Recommendation: **To approve the minor mapping and description changes to the 2019 East Devon Landscape Character Assessment described below.**

Reason for recommendation: To ensure that the East Devon Landscape Character Assessment properly reflects local landscape character and remains relevant as guidance for planning policy and development management decisions across the district. As the approved Assessment was subject to public consultation prior to publication, the proposed amendments have been brought to committee to provide opportunity for democratic scrutiny.

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

Portfolio Holder: Portfolio Holder for Strategic Development

Financial implications: No direct financial impact

Legal implications: The Landscape Character Assessment identifies locally distinctive landscape features, characters and special qualities which will be used to inform Local Plan and Neighbourhood Plan preparation as well as cross-boundary issues and proposals which may impact on East Devon and therefore must be kept up to date. 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: Link to East Devon Landscape Character Assessment 2019: <https://eastdevon.gov.uk/planning/planning-policy/environment-and-green-infrastructure/landscape/>

Link to [Council Plan](#): [Appendix A Landscape Character Assessment](#)

Outstanding Place and Environment

Report in full

Background

The East Devon Landscape Character Assessment was originally prepared in 2008 and is used as guidance in the formulation of landscape policy and assessment of landscape implications of new planning applications at County, District and Parish level. Due to significant changes in land use policy, particularly the new Local Plan adopted in 2016 and recent landscape change arising from new development and changing environmental factors, an updated LCA was commissioned and approved by Strategic Planning Committee at the meeting on the 27th March 2019 following public consultation.

Proposed amendment

Since the launch of the updated Assessment some minor discrepancies have been noted in the mapping and descriptions of landscape character types LCT 1B - Open Coastal Plateau and LCT 5D - Estate Wooded Farmlands on the Otterton peninsula and minor changes are proposed to the boundary line between the two.

The amendments have been drawn up by the same consultant who prepared both the original and updated Assessment.

Copies of the existing and proposed LCT boundaries and descriptions within this area are provided in [Appendix A](#).

Justification for the change

The area to the east of the Otter valley is topographically LCT 1B Open Coastal Plateaux. However, superimposed on this are designed influences from the Bickton Estate, which contribute characteristics from LCT 5D Estate Wooded Farmlands.

The Estate influences are strongest in the western part of the area, nearest to the River Otter. To the east, the Estate influences are less marked, and the Open Coastal Plateaux character is stronger.

The area has therefore been split, with the western part in LCT 5D, and the eastern part in LCT 1B. The boundary has been drawn to include the following estate features within LCT 5D: Ornamental pines along the river cliff and headland; the open land which forms the backdrop to the planted river cliff in views from the west; South Farm (a model farm associated with the Bickton Estate); remnant ornamental pine planting around tumuli and along the ridge; planting associated with Otterton Park, and Catson Hill, which contributes to the setting of local estate villages and the Bickton Estate.