

Report to: **Strategic Planning Committee**



Date of Meeting: 5 September 2023

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Exemption applied: None

Review date for release N/A

Duty to Co-operate update

Report summary:

This report updates the Committee on matters related to the duty to co-operate, which is a term given to the legal requirement to work with certain bodies in respect of strategic cross boundary issues that could have a significant impact on at least two local planning authority areas. If the Local Plan is not prepared in a way that meets the duty to co-operate, it will not be examined and cannot be found sound and adopted. The comments made by the duty to co-operate bodies on the draft local plan have been summarised and used to update a table of issues that need to be considered through the plan making process. This should be circulated to the relevant bodies for comment.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

1. That Members note the representations received on the draft local plan from 'duty to co-operate bodies' as set out in Appendix 1 to this report.
2. That Members note work undertaken on strategic cross boundary issues and proposals for examining the issues identified as set out in Appendix 2 to this report.
3. That the table set out in Appendix 2 is circulated to other duty to co-operate bodies for comments as set out in paragraph 4 of this report.

Reason for recommendation:

To update Members on emerging issues related to this important aspect of plan preparation and seek agreement for sharing an update with relevant bodies for comment.

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Portfolio(s) (check which apply):

- Climate Action and Emergency Response
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Democracy, Transparency and Communications

- Economy and Assets
- Finance
- Strategic Planning
- Sustainable Homes and Communities
- Tourism, Sports, Leisure and Culture

Equalities impact Low Impact

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Climate change Low Impact

Risk: Low Risk;

Links to background information

A previous report on the Duty to Co-operate from 2021 is available to view at [Agenda for Strategic Planning Committee on Tuesday, 22nd June, 2021, 10.00 am - East Devon](#)

A report considering strategic cross boundary employment issues from February 2023 is available to view at

[2. SPC report Greater Exeter Economic Development Needs Assessment V2.pdf \(eastdevon.gov.uk\)](#)

Link to Council Plan

Priorities (check which apply)

- Better homes and communities for all
- A greener East Devon
- A resilient economy

1. What is the duty to co-operate?

- 1.1 When preparing the local plan, we are required to cooperate with neighbouring local planning authorities, and certain other public bodies, on strategic matters that cross administrative boundaries. Some Strategic cross boundary matters can be wider than the immediate neighbours eg river catchments and ecological networks. This legal requirement is referred to as the 'duty to co-operate' and it must be fulfilled when preparing the plan as any failure cannot be rectified after the plan has been submitted for examination. Before proceeding with an examination, the Inspector will need to be satisfied that we have met the duty to co-operate by engaging with neighbouring authorities and other bodies constructively, actively and on an ongoing basis, in order to maximise the effectiveness of the plan preparation process.
- 1.2 Paragraph 26 of the National Planning Policy Framework (NPPF) states that "*Effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere*".
- 1.3 In addition to the duty to co-operate forming a legal test that must be shown to have been met during the preparation of the plan (before it is submitted for examination), it also

forms part of the ‘tests of soundness’ that form the basis of the examination. The ‘positively prepared’ test of soundness is defined in paragraph 35a of the NPPF as “*providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development*”. A second test of soundness relating to joint working is set out in NPPF paragraph 35c “*Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground*”

2. Which bodies are relevant?

2.1 The first stage of meeting the duty to co-operate is to identify any strategic issues that cross administrative boundaries and are within the scope of the local plan. In 2021 we identified and contacted the relevant bodies to agree initial topic areas likely to raise strategic cross boundary issues. A [report](#) was considered by the Strategic Planning Committee in June 2021.

2.2 The bodies considered to be bound by the duty to co-operate on the East Devon Local Plan were identified as:

- Devon County Council
- Somerset County Council
- Dorset Council
- Exeter City Council
- Mid Devon District Council
- Teignbridge District Council
- South Somerset District Council
- Somerset West and Taunton Council
- Environment Agency
- Historic England
- Homes England
- Natural England
- Highways England
- Office of the Rail Regulator
- Civil Aviation Authority
- National Health Service Commissioning Board
- NHS East Devon Clinical Commissioning Group.
- Marine Management Organisation

2.3 In addition, it was noted that we have a statutory duty to involve the Heart of South West Local Enterprise Partnership and the Devon Local Nature Partnership. It was also agreed that, whilst under no legal duty to engage with AONB partnerships, given the importance of landscape and wider environmental issues to the local plan, the Blackdown Hills, East Devon and Dorset AONB partnerships should be included.

2.4 Local government reorganisation in Somerset means that the list of neighbouring authorities now includes Somerset Council rather than Somerset County Council, South Somerset District Council and Somerset West and Taunton Council.

3. What issues have been identified?

- 3.1 The Strategic Planning Committee agreed (in June 2021) that initial work on cross-boundary strategic issues be focussed around: Housing; Transport; Water Quality; Climate Change; Habitat Mitigation; Nature Recovery/Net Gain; Landscape/Seascape; Green Infrastructure and Health. Following work on the Greater Exeter Economic Development Needs Assessment it was recognised that employment issues also needed to be considered through the duty (February 2023 [report](#) to Strategic Planning Committee).
- 3.2 Responses to the draft plan from the duty to co-operate bodies identified have been summarised and are included at Appendix 1. In light of the local plan consultation, additional topics have been identified: these are community facilities (including education) and allocations (including proposals for a new community and any proposed allocations with cross boundary implications). Green infrastructure has been renamed 'infrastructure' so that wider issues can be incorporated.
- 3.3 Strategic cross-boundary matters about the issues related to unmet housing need are considered in more detail in a separate report to this committee on housing numbers.

4. What needs to be done now?

- 4.1 Appendix 2 to this report identifies the key duty to co-operate issues and sets out actions needed to explore each matter with key partners. It is recognised that changes may happen through plan preparation, but this is considered to be a useful summary of the relevant matters following the consultation on the draft plan. In addition to working through the actions noted for individual issues, it would be helpful to send this summary table out to the duty to co-operate bodies for comments. We need to understand whether they think that there are other issues that should be considered, whether additional evidence is available and the best working arrangements for addressing matters of concern.

5. Conclusion

- 5.1 It can be seen from the appendices to this report that the duty to co-operate covers a very wide range of issues, many of which are inter-related, complex in nature and potentially contentious.
- 5.2 The Planning Inspectorate [procedural guide to local plan examinations](#) states that "*The Inspector will need to be satisfied that the LPA has met the duty to co-operate by engaging with neighbouring authorities and other bodies constructively, actively and on an ongoing basis, in order to maximise the effectiveness of the plan preparation process*".
- 5.3 Dealing with the issues identified will take a significant resource, but constitutes good plan making regardless of the formal duty to co-operate. Understanding and resolving the potential implications of proposed development regardless of administrative boundaries will help to make a positively prepared and properly justified plan.

Financial implications:

There are no direct financial implication resulting from the recommendations

Legal implications:

There are no legal implications requiring comment.

Appendix 1 Summary of Duty to Co-operate Comments on Reg.18 Draft Plan and Proposed Actions

The duty to co-operate is a term given to the legal requirement to work with certain bodies in respect of strategic cross boundary issues that could have a significant impact on at least two local planning authority areas. The first step in meeting the duty to co-operate is to identify the strategic issues that cross administrative boundaries that are within the scope of the local plan.

As part of the Issues and Options stage of the plan preparation a number of topics were identified. These were: housing; transport; water quality; climate change; habitat mitigation; nature recovery/net gain; landscape/seascape and green infrastructure (now renamed to encompass all infrastructure). Additional topics have subsequently been identified as: employment; community facilities (including education); health and proposed allocations with cross boundary implications.

This table summarises comments raised by the relevant bodies in response to the draft East Devon Local Plan and identifies proposed actions.

Name	Topic	Summary of Relevant Comments	D to C issue?	Notes/ Proposed Actions
Devon County Council	Climate Change	Plan needs to reference and align with Devon Carbon Plan.	Yes	Consider as part of plan review.
	Education	Require education contributions through S.106 rather than CIL.	No	Consider as part of plan review and Infrastructure Delivery Plan
	Transport	Updating transport modelling for greater Exeter area not complete.	Yes	Work on a Greater Exeter transport modelling study is ongoing. This is a cross-authority study, which is being led by Devon County Council. We expect a report to come to committee in late 2023/early 2024. The work will help our understanding of growth considerations in the western part of East Devon and also in respect of cross boundary considerations in and for Exeter and potentially Teignbridge. The evidence provided by the report will be discussed as part of plan review
	Transport	Questions new community and suggests expanding existing towns better from transport point of view (although recent officer level discussions indicate an understanding of the constraints on the existing towns and that the impacts of a new community will depend on levels of self containment). No rail corridor and would have significant impacts on Junctions 29 and 30 of M5, Clyst St Mary roundabout and local road network in and around Exeter. Significant highway improvements needed with walking and cycling routes to employment areas and schools.	Yes	Additional work commissioned on cumulative impacts on strategic and local road network, and required mitigation measures (including sustainable travel measures), of development in East Devon, Exeter, Mid Devon and Teignbridge.
	Transport	Scope for additional development in Axminster (congestion around The George would need to be addressed), Honiton, Ottery St. Mary. Seaton – some rejected sites should be reconsidered as better for transport than a new community. Good bus service would be needed for additional Sidmouth sites, but still preferred to new community.	No	Initial discussions to be held between EDDC and DCC officers to consider transport implications of alternative approaches.
South Somerset District Council (which was	Housing	Policy 41 should be strengthened to support diversity of care for older people.	No	Consider as part of plan review.
	Transport	Development levels at Axminster disproportionately high compared with other towns, particularly Honiton. This could lead to additional traffic towards employment areas in the west of South Somerset, like Chard.	Yes	Arrange meeting to discuss cross boundary traffic issues with DCC and SC.

Name	Topic	Summary of Relevant Comments	D to C issue?	Notes/ Proposed Actions
incorporated into the unitary Somerset Council in April 2023)	Water quality	Proposed levels of housing growth at Axminster would require phosphate mitigation in the Axe catchment and compete with development sites in the same catchment in South Somerset.	Yes	Discuss results of water cycle study, when available, with relevant bodies.
Dorset Council	Housing and employment	Asking for dialogue to discuss any sites around Lyme Regis that could meet the town's needs and be more suitable than sites in Dorset.	Yes	Share site assessments at Uplyme with Dorset Council when available. Invite Dorset officers to discuss assessments and any other cross boundary issues arising.
Exeter City Council	General	Matters relevant to relationship between East Devon and Exeter City are: The collective strategic response to the climate emergency; Development strategy and cross boundary development impact mitigation; The partnership approach to mitigating development impact on European sites; Landscape setting; Employment strategy; Transport strategy; Education strategy; Community facilities (health, education and cultural infrastructure); Flood risk and coastal change management.	Yes	Community facilities (including education) added to topics to be considered. Flood risk and coastal change are included in the climate change topic.
	Allocations	North of Topsham – need to work in partnership.	Yes	Undertake a study through joint working with Exeter City Council and Devon County Council.
	Allocations	Proposals in Exeter need to be considered with proposals on edge of city in East Devon.	Yes	Discuss best way to achieve this with Exeter City Council officers.
	New community	Need consistent approach to infrastructure planning and agreement to manage and fund transportation, education, health, community and utilities.	Yes	Work on a new community assessment is ongoing. Workshops will be held with officers and potentially elected representatives of neighbouring areas as part of this work.
	New community	Transport assessments needed with DCC and National Highways.	Yes	Additional work commissioned on cumulative impacts on strategic and local road network, and required mitigation measures (including sustainable travel measures), of development in East Devon, Exeter, Mid Devon and Teignbridge
	Habitat mitigation	Ongoing partnership approach (including Teignbridge) to consider in-combination impacts on European sites.	Yes	Consider as part of plan review, including Habitat Regulation work.
	Employment	Need to recognise functional economic geographies and that the economic growth potential of Exeter cannot be accommodated within the city and will need to be accommodated in adjoining areas that are functionally part of Exeter.	Yes	Consider as part of plan review.
	Transport	Strategic approach to promote active and sustainable travel to minimise car trips	Yes	Consider as part of plan review.
Mid Devon District Council	No response received		n/a	Need to work with MDDC on transport, water quality, Habitat Mitigation, Nature Recovery/Net Gain, Landscape/Seascape and Infrastructure.
Teignbridge District Council	No response received		n/a	Need to work with TDC on transport, water quality, climate change, Habitat Mitigation, Nature Recovery/Net Gain and Landscape/Seascape. There is a

Name	Topic	Summary of Relevant Comments	D to C issue?	Notes/ Proposed Actions
				'live' objection to Policy H1 of the Regulation 19 Teignbridge Local Plan regarding Teignbridge meeting its own housing needs and the potential for it to meet unmet Torbay housing need and any implications this may have for East Devon (as set out in the March 2023 report to Strategic Planning Committee).
Environment Agency	Climate Change	More emphasis needed to adaptation and resilience (extreme heat, flooding, water supply). Need to provide space for nature to adapt – Exe Estuary SPA/RAMSAR and Axe SAC. River Otter also unstable with threats to the built environment at Cadhay, Ottery, Tipton, Harpford and Newton Pop.	Yes	Consider as part of plan review in light of evidence from the level 1 Strategic Flood Risk Assessment, the Water Cycle Study and the Habitat Regulations work.
	Water quality/Climate Change	60% of housing proposed in Cranbrook and at new settlement – both in Clyst catchment that drains into Exe. Catchment under significant environmental pressure – water quality (especially nutrients) flood risk and habitat degradation. Cumulative impact of this and Exeter/Mid Devon growth together with changing climate will make environmental pressures worse. Spatial strategy therefore needs to safeguard space for climate change adaptation and resilience and creation of bigger more joined up natural networks, including functional floodplains to be open. Nature recovery mapping and LNRS key tools to justify spatial strategy. Links to Clyst Valley Regional Park.	Yes	Consider as part of plan review in light of emerging evidence. Habitat Regulations assessment work will need to consider whether excess nutrients are leading to unacceptable adverse impacts and therefore mitigation (similar to the River Axe) may be needed.
	Water quality	Plan should aim to improve water bodies throughout plan area and may require novel approaches working with agricultural sector. Consider specific nutrient management policy linking to potential for funding upstream river restoration delivering phosphate stripping. Consistent district wide approach so developments offset their foul effluent derived nutrient inputs and achieve net gains for nature.	Yes	Explore how the local plan can make a positive impact with relevant bodies.
	Habitat mitigation	Should show how Clyst Valley Regional Park can compensate for coastal squeeze on Exe Estuary SPA.	Yes	Use East Devon, Teignbridge and Exeter Strategic Flood Risk Assessments to help understand potential scale of coastal squeeze. Discuss potential for mitigation in Exeter and Teignbridge and the extent to which the Clyst Valley Regional Park can contribute.
	Nature recovery/net gain	Need to set out how BNG will be achieved if offsite – plan should direct developers to trading schemes or other market places for BNG. Should consider going beyond 30 years maintenance for BNG.	Yes	Consider as part of plan review in light of emerging evidence.
	Nature recovery/net gain	Local plan needs to take priority over Cranbrook Plan eg. Netgain 10% in CP and 20% in LP.	No	Consider whether appropriate to include Cranbrook plan area for some policies rather than relying solely on Cranbrook Plan policies (where evidence that the Cranbrook policies are out-of-date).
Historic England	Site allocations	Happy that methodology includes Historic England Guidance, but difficult to comment as only summaries published. Would like to comment on detailed work when available.	No	Discuss our approach and detailed methodology and invite HE comments on relevant sites prior to finalising site assessments?

Name	Topic	Summary of Relevant Comments	D to C issue?	Notes/ Proposed Actions
Homes England	No response received		n/a	None
Natural England	Habitat mitigation and new community	Need SANG for new town based on 8ha per 1000 pop. Potential to impact water quality as Grindle Brook drains to River Clyst and the Exe Estuary.	Yes	Work on a new community assessment is ongoing
	Nature recovery/net gain	Scale of development in west may require off-site net gain opportunities in the Greater Exeter area.	Yes	Consider as part of plan review and emerging evidence.
	Nature recovery/net gain	Use Nature Recovery Network mapping to identify key and priority areas for off-site BNG to be used for connecting and enhancing habitats.	Yes	Consider as part of plan review.
	infrastructure	Existing GI Strategy published in 2009 and only covers the west – should use GI Framework for England (published January 2023) to have policy for whole District to connect people with nature.	Yes	Consider as part of plan review.
National Highways (previously known as Highways England)	Transport	Concerns about ability of strategic road network in its current form to support growth levels proposed in the west. M5 around Exeter is only strategic link from SW peninsular to rest of UK – therefore very high priority both for through traffic and also economy. Growth cannot be accommodated in and around Exeter without improvements to infrastructure/growth options or significant modal shift. Need to consider cumulative impact with Exeter, Mid Devon and Teignbridge and this likely to exceed current strategic road network capacity – this should include Exmouth sites, Lypstone, Clyst St. Mary, Woodbury and Exton. Joint working on transport evidence necessary.	Yes	Work underway on modelling of cumulative impacts on strategic and local road network, and required mitigation measures (including sustainable travel measures), of development in East Devon, Exeter, Mid Devon and Teignbridge.
	Employment	Reliability of M5 could constrain employment growth in west because of congestion if impacts of growth cannot be mitigated. LP needs transport assessment evidence to consider impact of economic aspirations of plan so potential impact on Strategic Road Network can be assessed. Employment allocations to west must show when mitigation measures to be delivered.	Yes	Work underway on modelling of cumulative impacts on strategic and local road network, and required mitigation measures (including sustainable travel measures), of development in East Devon, Exeter, Mid Devon and Teignbridge.
	New community	Concerned about lack of involvement with ‘highway impact’ evidence and consider this is insufficient to support a new town allocation. Need to include in future cross boundary transport evidence and involve National Highways. Disagree with highway conclusions.	Yes	Work underway on modelling of cumulative impacts on strategic and local road network, and required mitigation measures (including sustainable travel measures), of development in East Devon, Exeter, Mid Devon and Teignbridge.
	Allocations	Need high level transport assessment to be carried out for whole local plan, including cumulative impacts – any issues identified should be dealt with through the IDP.	Yes	Work underway on modelling of cumulative impacts on strategic and local road network, and required mitigation measures (including sustainable travel measures), of development in East Devon, Exeter, Mid Devon and Teignbridge.
	Allocations	North of Topsham needs to be supported by evidence showing cumulative impact on SRN.	Yes	Work underway on modelling of cumulative impacts on strategic and local road network, and required mitigation measures (including sustainable travel measures), of development in East Devon, Exeter, Mid Devon and Teignbridge.

Name	Topic	Summary of Relevant Comments	D to C issue?	Notes/ Proposed Actions
	Climate change	Exeter City Council identified M5 and A30 as work stream to prioritise and should be similar in East Devon with cross boundary working.	Yes	Consider as part of plan review.
Office of the Rail Regulator	No response received		n/a	None
Network Rail (East Devon is in two regions within Network Rail – response received from ‘Southern Region’ but not from ‘Western and Wales Region’)	Transport and new	Disappointed that a small proportion of development is planned along the Exeter to Axminster railway line because additional housing growth here would improve the business case for service and infrastructure enhancements.	Yes	Consider as part of plan review and Infrastructure Development Plan.
		Seeking discussions on developer contributions to capital costs/initial operational costs of enhanced ‘Devon Metro’ service between Exeter and Axminster.	Yes	
		Potential for mobility hub/additional car parking at Axminster station to help accommodate growth levels and reflect status as railhead for other locations including Chard.	Yes	
		Support potential for new settlement to connect to railway network via a new traffic free cycle route incorporating a bridge over the A30 near the Science Park. This would be the main cycle route into the city centre and could link with Pinhoe station via Pinn Lane subject to improvements.	Yes	
Civil Aviation Authority	No response received		n/a	No air related issues identified.
National Health Service Commissioning Board	Response on behalf of NHS Integrated Commissioning Board (Primary Care): GP Services and Royal Devon University Hospital NHS Foundation Trust: Acute and Community Services.	Acute and community care developer contribution of £681 per dwelling.	Yes	Does this need to be referred to in the plan? Certainly needs to be factored into viability assessment.
NHS East Devon Clinical Commissioning Group.	Response on behalf of NHS Integrated Commissioning Board (Primary Care): GP Services and Royal Devon University Hospital NHS Foundation Trust: Acute and Community Services.	GP practices that are over capacity tend to be in the west and surgeries with capacity tend to be in the north and east (the term ‘capacity’ relates to buildings rather than staff resources). East Devon residents also utilise surgeries that are in Exeter (Pinhoe, Hill Barton and Topsham) and these are all over capacity. The primary care developer contribution has been calculated at £560 per dwelling – contribution to be used to either expand existing or build new surgeries.	Yes	Consider issue through regular (existing) meetings with NHS and consider whether any new mechanisms are required to facilitate appropriate funding through the local plan.
		Need to work with NHS across boundary with Exeter and provide contributions for new settlement, north of Topsham and at Cranbrook. There is insufficient primary care capacity at Exmouth, Broadclyst, Lympstone, Woodbury, Clyst St, Mary, Exton and Whimple. There is excess primary care capacity at Axminster, Honiton, Ottery, Seaton, Sidmouth, Budleigh Salterton, Colyton, Broadhembury, Chardstock, Dunkeswell, Feniton, Hawkchurch, Kilmington, Musbury, Otterton, Sidbury, Tipton St. John and West Hill east (the term ‘capacity’ relates to buildings rather than staff resources).	Yes	Consider issue through regular (existing) meetings with NHS and consider whether any new mechanisms are required to facilitate appropriate funding through the local plan.
Marine Management Organisation	No response received		n/a	Write highlighting potential issues for their comment.
Heart of South West Local Enterprise Partnership	No response received		n/a	Write highlighting potential issues for their comment?
Devon Local Nature Partnership	No response received		n/a	Write highlighting potential issues for their comment.

Name	Topic	Summary of Relevant Comments	D to C issue?	Notes/ Proposed Actions
Blackdown Hills AONB Partnership*	Landscape	Where development in settlements within or adjacent to AONB should be landscape assessment plus design codes to accompany any allocation/development proposal – happy to work with the Council on this.	no	Discuss our approach to allocations and revised methodology for landscape assessment. Invite comments on relevant sites before assessments finalised.
East Devon AONB Partnership*	Landscape	Comments focussed on allocations that either in or could affect setting of AONB.	no	Discuss our approach to allocations and revised methodology for landscape assessment. Invite comments on relevant sites before assessments finalised.

- The AONB partnerships are not formal duty to co-operate bodies, but are included because of the importance of landscape and wider environmental issues to the local plan.

Appendix 2 Summary of Duty to Co-operate Topics and Issues August 2023

The duty to co-operate is a term given to the legal requirement to work with certain bodies in respect of strategic cross boundary issues that could have a significant impact on at least two local planning authority areas. The first step in meeting the duty to co-operate is to identify the strategic issues that cross administrative boundaries that are within the scope of the local plan.

As part of the Issues and Options stage of the plan preparation a number of topics were identified. These were: housing; transport; water quality; climate change; habitat mitigation; nature recovery/net gain; landscape/seascape and green infrastructure. Additional topics have subsequently been identified as: employment; community facilities (including education); health and proposed allocations with cross boundary implications. The Topics refer to general strategic issues that may raise cross boundary issues. Issues refer to discrete areas within a topic that merit focussed attention through the duty to co-operate. Work undertaken so far has not identified any specific issues that need to be addressed under the duty to co-operate for the landscape/seascape and green infrastructure topics, but the green infrastructure topic has been widened to also include other types of infrastructure.

This table identifies and summarises the issues, highlights the relevant evidence and sets out actions needed to explore each matter with key partners.

Topic by topic summary of strategic cross boundary issues				
Topic	Key Partners	Evidence	Issue	Actions – past and proposed
Topic A Housing	Neighbouring Local Planning Authorities	Housing evidence for draft plan East Devon, Exeter, Mid Devon and Teignbridge Local Housing Needs Assessment 2022	Issue A1 Meeting East Devon housing needs The draft local plan consulted on in 2022/23 shows how we could allocate sites within East Devon to meet our own housing need, albeit that this depends on the delivery of a new settlement and the allocation of 'second best' sites. If further work shows that it is not possible to meet our own housing need, we would be obliged to contact neighbouring authorities to request that they accommodate a portion of our housing need. This would need to be undertaken as soon as possible and prior to the submission of our plan for examination.	Ongoing work on plan strategy and site assessments to demonstrate how our housing need can be delivered.

Topic by topic summary of strategic cross boundary issues				
Topic	Key Partners	Evidence	Issue	Actions – past and proposed
Topic A Housing	Torbay Council Teignbridge District Council	<p>East Devon Strategic Planning Committee report on Torbay growth options consultation Agenda for Strategic Planning Committee on Tuesday, 22nd February, 2022, 9.30 am - East Devon</p> <p>Torbay Local Plan review The local plan update: a landscape to thrive - Torbay Council</p> <p>East Devon Strategic Planning Committee report on Torbay local plan consultation Agenda for Strategic Planning Committee on Tuesday, 1st November, 2022, 9.30 am - East Devon</p> <p>Teignbridge Local Plan Statement of Common Ground Proposed Submission Local Plan 2020-2040 - Supporting Documents - Teignbridge District Council</p>	<p>Issue A2 Request to help meet Torbay housing need</p> <p>At the initial plan making stages Torbay Council asked us for help to meet their strategic housing need. The Exeter Housing Market Area (which includes the western part of East Devon) abuts the Torbay Housing Market Area, although Torbay is separated from East Devon by Teignbridge District. The draft (Regulation 19) Teignbridge Local Plan includes a policy (H1) that sets out circumstances in which a proportion of any unmet Torbay need will be met in the Exeter HMA. East Devon has objected to the Teignbridge plan on the basis that it is not justified due to uncertainty about the potential risk of unmet Teignbridge housing need and because there is neither an agreed apportionment nor any governance mechanism for unmet Torbay housing need. The associated Statement of Common Ground (submitted with the Teignbridge Plan for examination) has not been signed by East Devon.</p>	<p>January 2022 officer level meeting with Torbay Council and other local planning authorities to discuss Torbay Local Plan growth options.</p> <p>February 2022 EDDC comment on Torbay growth options consultation.</p> <p>November 2022 EDDC express concerns about the Torbay Local Plan consultation on the grounds of lack of evidence to support housing numbers and how the shortfall would be addressed.</p> <p>March 2023 EDDC objection to Teignbridge Local Plan.</p> <p>Proposed action - discuss amended approach/policy wording with TDC officers before plan is submitted to see if objection can be resolved – if not may want to make further representations to the Inspector.</p>
Topic A Housing	Dorset Council	<p>As part of the evidence produced for the current East Devon Local Plan, a joint assessment of potential development sites around Lyme Regis on both sides of the County boundary was undertaken in 2014.</p> <p>Two potential development sites are being assessed for the emerging local plan, Uply_01 (initial site assessment) and Uply_04 (initial assessment not yet available).</p>	<p>Issue A3 Relationship between Uplyme and Lyme Regis</p> <p>Dorset Council has requested dialogue to discuss any sites around Lyme Regis that are in East Devon that could meet the town's needs and be more suitable than sites in Dorset.</p>	<p>Proposed action – share site assessments at Uplyme with Dorset Council when available. Invite Dorset officers to discuss assessments, including any available sites in Dorset, and any other cross boundary issues arising.</p>

Topic by topic summary of strategic cross boundary issues				
Topic	Key Partners	Evidence	Issue	Actions – past and proposed
Topic A Housing	Exeter City Council	Exeter City Council representation on draft East Devon Local Plan.	<p>Issue A4 Exeter City meeting its housing need</p> <p>The draft Exeter (Reg.18) Local Plan sets out how Exeter will meet its own housing need and Exeter City comments on the draft ED (Reg.18) plan do not raise housing as an issue. It is possible that as work progresses on the plan this situation could change and a request made that we help to accommodate unmet Exeter housing need. A draft consultation plan (Reg.18) is expected in October 2023</p>	Ongoing work by both authorities on meeting each area's housing needs and site assessments.
Topic A Housing	Neighbouring local planning authorities	Gypsy and Traveller Accommodation Assessment – joint commission with Exeter, Mid Devon and Teignbridge. Work ongoing	<p>Issue A5 Gypsy and Traveller – provision of pitches</p> <p>The provision of permanent pitches relies on consideration of the evidence of need across administrative boundaries, although the joint assessment will define numbers for individual local planning authorities. Need for a transit site/s is also being considered by the consultants undertaking the GTAA. It is likely that figures will be broken down by local authority area but may conclude that provision may be required in Exeter to meet the whole areas needs</p>	Assessment commissioned 2022. Work is ongoing and results will feed into the relevant plans.
Topic B Transport	Devon County Council Exeter City Council Teignbridge District Council Mid Devon District Council National Highways.	<p>Transport evidence for draft plan.</p> <p>National Highways representation on draft local plan</p> <p>Additional work commissioned on cumulative impacts on strategic and local road network, and required mitigation measures (including sustainable travel measures), of</p>	<p>Issue B1 Potential impact of development levels in the west of East Devon on the strategic road network</p> <p>National Highways consultation response says that the cumulative impact of plans in the Exeter HMA will</p>	Discuss with relevant partners when evidence available.

Topic by topic summary of strategic cross boundary issues				
Topic	Key Partners	Evidence	Issue	Actions – past and proposed
	Network Rail.	development in East Devon, Exeter, Mid Devon and Teignbridge. A number of reports were produced as evidence for the Greater Exeter Strategic Plan (GESP).	exceed the current strategic road network capacity.	
Topic B Transport	Devon County Council Somerset Council Dorset Council Network Rail	Transport evidence for draft plan.	Issue B2 Potential impact of development levels on Somerset and Dorset Somerset Council is concerned that proposed development at Axminster could lead to additional traffic towards employment areas in the west of South Somerset, like Chard. At Issues & Options stage Dorset Council were concerned about the impact of growth on traffic flows along the A35 and the impact of rail improvements on services running through northern Dorset.	Discuss need for evidence relating to transport implications of development levels with Devon County Council initially.
Topic B Transport	Network Rail Devon County Council Exeter City Council Somerset Council Dorset Council Teignbridge		Issue B3 – Potential for improvements to rail services Network Rail want to discuss the potential for developer contributions to capital costs/initial operational costs. Discussions could also include potential for a passing loop on the Exeter Axminster line.	Discussions with relevant parties.
Topic B Transport	Network Rail Devon County Council Somerset Council		Issue B4 – Mobility hub/additional car parking at Axminster Station Network Rail have highlighted the importance of Axminster as a rail hub to the surrounding settlements, including Chard.	Consider potential options with the relevant bodies.
Topic C Water Quality	The Environment Agency Natural England Somerset Council Dorset Council South West Water Marine Management Organisation	The River Axe Nutrient Management Plan Water cycle study Phase 1 ongoing. Habitat Regulations Assessment (HRA) ongoing Triple Axe Action Plan (2021-26) Triple Axe project - Blackdown Hills AONB	Issue C1 – River Axe Catchment Developments in the catchment of the River Axe in Somerset, Dorset and Devon have the potential to have a negative impact on the water quality to the detriment of the River Axe Special Protection Area.	Work on a mitigation strategy is ongoing. Discuss results of water cycle study, when available, with relevant bodies.

Topic by topic summary of strategic cross boundary issues				
Topic	Key Partners	Evidence	Issue	Actions – past and proposed
	Triple Axe Project (led by the Blackdown Hills AONB partnership and the Devon Wildlife Trust)			
Topic C Water Quality	The Environment Agency Natural England South West Water Marine Management Organisation Exeter City Council Mid Devon District Council	Water cycle study Phase 1 ongoing. Habitat Regulations Assessment (HRA) ongoing	Issue C2 – River Exe Catchment EA highlight impacts from cumulative growth projections in East Devon, Exeter and Mid Devon on the Exe Estuary Special Protection Area.	Discuss results of water cycle study when available with relevant bodies.
Topic C Water Quality	The Environment Agency Natural England South West Water Marine Management Organisation	Water cycle study Phase 1 ongoing. Habitat Regulations Assessment (HRA) ongoing	Issue C3 – Improving all East Devon water bodies EA advise that the plan should aim to improve water bodies throughout plan area and may require novel approaches working with agricultural sector.	Explore with the relevant bodies how the local plan can make a positive impact.
Topic D Climate Change	The Environment Agency. Devon County Council. Natural England Neighbouring LPA's South West Water East Devon Catchment Partnership	A number of reports were produced as evidence for the Greater Exeter Strategic Plan (GESP). Devon Carbon Plan – Devon Climate Emergency Level 1 Strategic Flood Risk Assessment work ongoing. Water cycle study Phase 1 ongoing. Coastal change Evidence Base and Supporting Documents - Climate Emergency and Response - East Devon .	Issue D1 Adaptation - resilience The Environment Agency would like the plan to have more emphasis on adaptation and resilience (extreme heat, flooding, water supply). Exeter City Council cite flooding and coastal change as strategic cross boundary issues. .	Share Strategic Flood Risk Assessment and Water Cycle Study when available. Arrange meeting to discuss any cross boundary issues arising. Share approach to and evidence underpinning coastal change with Dorset Council, Exeter City Council and Teignbridge. Identify any specific cross boundary issues.
Topic D Climate Change	The Environment Agency. Devon County Council. Natural England Neighbouring LPA's South West Water	A number of reports were produced as evidence for the Greater Exeter Strategic Plan (GESP). Clyst Valley Regional Park Level 1 Strategic Flood Risk Assessment work ongoing.	Issue D2 Adaptation - safeguarding space The Environment Agency think that space should be safeguarded to help accommodate the potential impacts of climate change (coastal squeeze compensation, bigger, joined natural spaces including open functional floodplains).	Use East Devon, Teignbridge and Exeter Strategic Flood Risk Assessments to help understand potential scale of coastal squeeze. We may need to undertake district wide Green Infrastructure work to highlight potential and opportunities for safeguarding land for adaptation across administrative boundaries. The development of the Clyst Valley Regional Park could make a positive contribution. The impact of coastal

Topic by topic summary of strategic cross boundary issues				
Topic	Key Partners	Evidence	Issue	Actions – past and proposed
				squeeze on the Exe Estuary Special Protection Area and is considered under Issue E1 of the habitat mitigation topic set out below.
Topic E Habitat Mitigation	Exeter City Council Teignbridge District Council Natural England Environment Agency	Habitat Regulations Assessment (HRA).	Issue E1 – Adapting to coastal squeeze on the Exe Estuary SPA EA advise that the plan should consider how the Clyst Valley Regional Park (CVRP) can compensate for coastal squeeze on Exe Estuary SPA.	Use East Devon, Teignbridge and Exeter Strategic Flood Risk Assessments to help understand potential scale of coastal squeeze. Discuss potential for mitigation in Exeter and Teignbridge and the extent to which the Clyst Valley Regional Park can contribute, together with the potential for financial contributions from those authorities to help facilitate this
Topic E Habitat Mitigation	Exeter City Council Teignbridge District Council Natural England Environment Agency		Issue E2 – Delivery of SANGS for new community Natural England advise that a SANG (Suitable Alternative Natural Greenspace) will be needed for the new community based on 8ha per 1000 population.	Discuss as part of cross boundary working party on new community (see Issue K1 on new community topic below). Consider whether existing mechanisms to mitigate impacts are suitable for additional development through habitat regulations assessment.
Topic E Habitat Mitigation	Exeter City Council Teignbridge District Council Natural England Environment Agency	south-east-devon-european-site-mitigation-strategy.pdf (eastdevon.gov.uk) Habitat Mitigation - East Devon	Issue E3 – In combination impacts of proposed development on Exe Estuary SPA and Pebblebed Heaths SAC Ongoing partnership approach (with Exeter, Teignbridge and Natural England) to consider in-combination impacts on European sites.	Consider whether existing mechanisms to mitigate impacts are suitable for additional development through habitat regulations assessment.
Topic F Nature Recovery/Net Gain	Natural England Environment Agency Devon County Council Neighbouring LPA's	Nature Recovery Network - GOV.UK (www.gov.uk)	Issue F1 – Meeting the level of biodiversity net gain related to proposed development levels be met within East Devon? How can this be achieved? NE recommend using Nature Recovery Network mapping to identify key and priority areas for off-site Biodiversity Net Gain to be used for connecting and enhancing habitats There may be opportunities for natural flood management projects across boundaries. Natural England consider that the scale of development in the west (of East Devon) may require off-site net	Work is starting on a Devon wide nature delivery strategy. It may also be necessary to consider links across the county boundary to Dorset and Somerset.

Topic by topic summary of strategic cross boundary issues				
Topic	Key Partners	Evidence	Issue	Actions – past and proposed
			gain opportunities in the Greater Exeter area.	
Topic G Landscape/Seascape	Blackdown Hills, East Devon and Dorset AONB Partnerships. Neighbouring LPA's. Marine Management Organisation	Landscape Assessments of potential local plan allocations that may have an impact on landscapes in neighbouring areas.	None identified No specific cross boundary issues identified, other than through site specific allocations considered elsewhere.	None
Topic H Infrastructure	Marine Management Organisation		Issue H1 – Blue infrastructure Need to consider potential for 'blue infrastructure' that may require cables running between marine and terrestrial environment.	Discuss with MMO to understand any geographic factors that could influence potential plan policies.
Topic I Community facilities	NHS Devon Clinical Commissioning Group NHS England Royal Devon and Exeter NHS Foundation Trust (acute and community provider)	NHS representation on draft local plan	Issue I1 – Health This issue relates to the capacity of GP practices in Exeter to serve East Devon residents. The three GP practices in Exeter that serve East Devon residents (Pinhoe surgery, Hill Barton medical practice and Topsham surgery) are already over capacity. The NHS is seeking financial contributions from new housing development so that these practices can be expanded or new surgeries built.	Consider issue through regular (existing) meetings with NHS and consider whether any new mechanisms are required to facilitate appropriate funding through the local plan.
Topic J Employment	Exeter City Council Mid Devon District Council Teignbridge District Council Devon County Council Heart of South West Local Enterprise Partnership	Microsoft Word - Greater Exeter EDNA JLL Final Report v2.1.docx (eastdevon.gov.uk) HeartoftheSouthWestProductivityStrategy.pdf (heartofswlep.co.uk) Greater Exeter Economic Needs Report to SPC Feb 2023	Issue J1 – Potential for displacement of employment generating uses from Exeter. There is potential for the draft Exeter Local Plan to result in the displacement of existing employment uses from Exeter City. Potential further work to understand the extent of any displacement and whether it can be accommodated in the adjoining areas (East Devon, Mid Devon and Teignbridge) is being discussed.	Discuss further work (when available) with relevant bodies.
Topic K Allocations – new community	Devon County Exeter city Environment Agency Natural England National Highways NHS South West Water	Highways modelling – cumulative impact with greater Exeter authorities SFRA Water Cycle Study Specific new settlement evidence docs Emerging Local Cycling and Walking Infrastructure Plan	Issue K1 – Cross boundary impacts of new community The impacts of a new community on neighbouring areas, particularly Exeter, need to be identified and planned for. Network Rail has highlighted potential for cycling links to Pinhoe Station.	Work on a new community assessment is ongoing.

Topic by topic summary of strategic cross boundary issues				
Topic	Key Partners	Evidence	Issue	Actions – past and proposed
Topic K Allocations – North of Topsham	Devon County Exeter city Environment Agency Natural England National Highways NHS South West Water		Issue K2 – Cross boundary impacts of ‘North of Topsham’ allocations The impacts on neighbouring areas of this allocation, which adjoins Exeter, for around 580 homes, need to be identified and planned for.	Undertake a study through joint working with Exeter City Council and Devon County Council.