

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of the meeting of Strategic Planning Committee held at Council Chamber Blackdown House on 20 August 2019**

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

The meeting started at 10.00 am and ended at 11.45 am

#### **9 Public speaking**

There were no members of the public present.

#### **10 Minutes of the previous meeting**

The minutes of the Strategic Planning Committee held on 10 June 2019 were confirmed as a true record.

Cllr Ranger sought clarification if the Strategic Planning Committee would be undertaking a review of the Local Plan. In response the Service Lead Planning Strategy and Development Management confirmed work had commenced on evidence gathering and project planning but could not progress further until clarity was obtained on the Greater Exeter Strategic Plan Strategy which the Local Plan would sit under.

In relation to Minute 2 Cllr Moulding sought clarification when the Housing Needs Study would be undertaken. The Service Lead Planning Strategy and Development Management apologised for the delay in setting up the Panel and said it was due to the evidence gathering and co-ordinating with consultants. The Service Lead for Planning Strategy and Development Management would look to set up the Panel in October.

#### **11 Declarations of interest**

7. Community Infrastructure Levy: Draft Charging Schedule consultation document and revised instalment policy.

Councillor Eleanor Rylance, Personal, Broadclyst Parish Councillor.

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Councillor Mike Howe, Personal, Bishops Clyst Parish Councillor.

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Councillor Paul Hayward, Personal, Parish Clerk to Chardstock and Newton Poppleford and Hapford Parish Councils. Both Councils are recipients of CIL and S106.

#### **12 Matters of urgency**

There were no matters of urgency discussed.

#### **13 Confidential/exempt item(s)**

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

## **Community Infrastructure Levy: Draft Charging Schedule consultation document and revised instalment policy**

The Committee considered the report which sought to update Members on Government changes to the CIL system and to provide Members an understanding of issues that had arisen from the public consultation on the Preliminary Draft Charging Schedule, how the Council had taken into account the responses and subsequent changes proposed. The Service Lead Planning Strategy and Development Management advised Members one key reason for revising the Charging Schedule was to ensure infrastructure delivery at Cranbrook with a revised CIL charging zone.

It was highlighted only 15 responses had been received to the consultation which raised a number of issues, many of which had been addressed in the viability assessment.

As a result of the responses received the proposed changes were:

- Changing the boundaries of the Cranbrook charging zone to reflect the Cranbrook Plan area; and
- Axminster Urban Extension – amending the boundary to reflect the new endorsed Masterplan advocating a larger area for development.

The Committee also considered the revised Instalment Policy which proposed to reduce the number of instalments when small amounts are due to help reduce administration for the council and applicants and for the council to receive CIL from smaller schemes more quickly. Attention was drawn to how this would be implemented and members noted the proposal was to retain the existing instalment policy for developments that had already been issued a liability notice and implement the new instalment policy on new cases.

Discussions on the report included:

- Concerns raised on CIL being a failing system of drawing funding and it was questioned whether it was fit for purpose.
- Disappointment was expressed about the lack of comments received from developers during the consultation.
- Clarification sought on the outcome of CIL with other authorities. In response the Service Lead Planning Strategy and Development Management said the main issue was CIL was never intended to be the one source of funding for infrastructure.
- Concerns raised on paragraph 4.8 and the rebase of Habitat Mitigation. In response the Service Lead Planning Strategy and Development Management advised rebasing of CIL and Habitat Regulations were separate. Rebasing CIL focused on reassessing the viability of development whereas the Habitat Mitigation rebasing was about ensuring the necessary funds were collected to deliver the strategy.
- Concerns raised on paragraph 4.7 whether £147.23 per sq m reduction would be adequate for Winslade Park to achieve the required affordable housing commitments. In response the Service Lead Planning Strategy and Development Management advised that negotiations were on-going on this site but that the proposed reduced rate would certainly help to address previous liability concerns.
- It was queried why Pinhoe was included in East of Exeter and why Broadclyst had not been mentioned in Figure 2. The Service Lead Planning Strategy and Development Management advised he would remove Pinhoe and explained that Broadclyst was a parish in West Clyst.

- Assurance was sought that the affordable homes target would be met with the proposed changes to the CIL rate. The Service Lead Planning Strategy and Development Management gave a detailed explanation why the council was not able to give such an assurance.
- Concerns raised about Section 106 being quashed because it was not legally binding. It was advised at Development Management Committee very viable contributions had been waived on grounds of viability which had led to developers not paying CIL. In response the Service Lead Planning Strategy and Development Management explained that as non-policy compliant applications were required to be brought before Development Management Committee this may be obscuring perception of levels of applications claiming viability issues. It was further advised many applications that were policy compliant do pay CIL.
- It was claimed in 2010 Mid Devon's gross profit for each house built was £20k and in 2018 it was £71k. This was claimed to show developers were making more and more profit at the expense of the residents of East Devon.
- The retail sector is suffering under the current climate.
- The need to protect affordable housing.

**RESOLVED:**

1. That the consultation responses received on the Preliminary Draft Charging Schedule be noted and the council response be endorsed;
2. That the Community Infrastructure Levy Draft Charging Schedule consultation document for public consultation over a period of six weeks be approved;
3. That the revised Instalment Policy be approved.

**RECOMMENDED TO COUNCIL:**

that the Community Infrastructure Levy Draft Charging Schedule for submission to the Planning Inspectorate for Examination together with any consultation responses received during the consultation recommended at 2 above.

15 **S106/Community Infrastructure Levy Developer Contributions  
Annual Report 2018/19**

Members welcomed the Section 106 Infrastructure Levy Developer Contributions Annual Report 2018/19 outlining the financial contributions received by the Council, where these had been spent and the balance of unspent monies at the end of the last financial year. The report also detailed a summary of the way the Council collect financial contributions through Community Infrastructure Levy.

Comments made during discussions included:

- Exeter and Teignbridge District Council were progressing ahead of this council with their Habitat Regulations Assessment Mitigation. In response the Service Lead Planning Strategy and Development Management advised the council was working closely with Devon Clinton Estates on heath initiatives. Members were also advised that the strategy is being delivered in partnership and that mitigation measures delivered in partner authority areas are beneficial to East Devon
- It was advised Broadclyst had not been included on Table 3.
- Concerns raised about the 2018 Section 106 cash flow figures detailed in Graph 1.

**RESOLVED:**

1. That the contents of this report be noted;

2. That the sums secured for Habitat Mitigation non-infrastructure be increased to those detailed in table 4 in the report to reflect the rebasing of the Habitat Mitigation Strategy be agreed;
3. That the amount top-sliced from CIL receipts for Habitat Mitigation be 8.6% on net CIL receipts (11.7% of total CIL receipts) to reflect the rebasing report be agreed.

16 **Membership of Greater Exeter Strategic Plan Members Joint Advisory Reference Forum**

Members welcomed the report presented to them outlining the need to increase membership of the Greater Exeter Strategic Plan Members Joint Advisory Reference Forum to 10 members per partner authority with an additional 5 members to enable wider engagement with the membership of the Councils on the emerging proposals coming out of the work on GESP.

Discussion covered:

- Clarification sought about whether the partner authorities were doing the same. It was advised the partner authorities were putting in place the same arrangements.
- Clarification sought that all 4 authorities were moving forward with GESP. In response the Chief Executive advised the current understanding is that the 4 leaders were meeting regularly with a view to agreement to take forward GESP.

**RECOMMENDED:**

that Council agrees to increasing the membership of the Greater Exeter Strategic Plan Members Joint Reference Forum to 10 Members from each authority on the basis of each authority's political balance and appoints an additional 5 Members to sit on the Forum

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

The Committee was asked to consider the recommendations of the Validation of planning and related applications – adoption of revised information required to be submitted with planning and associated applications (Local Requirements List). The Service Lead Planning Strategy and Development Management advised as there had not been any substantial changes since it was last modified in 2017 it only required a light touch limited review and drew Members' attention to the minor changes and comments listed in paragraph 2.5 including Flood Risk Assessments and Design Access Statements.

The Service Lead Planning Strategy and Development Management provided Members with an update from the Economic Development Manager providing additional guidance under the Economic Impact Assessment that was not currently in the document.

Issues were highlighted as:

- Concerns raised about the quality of the presentation of plans and drawings especially when downloading from the council's website.
- Make it mandatory for Architects to not use the dark blue paper.

- The need for correctly titled planning drawings to easily identify revisions.
- The need to include additional information regarding a carbon impact statement.
- Would like to see heavy nudges through the planning process for developers to produce low carbon buildings.
- Clarification sought on the main changes proposed under delegated authority. The Service Lead Planning Strategy and Development Management advised the main changes included all major planning applications involving the loss of land or buildings last used for employment, retail and/or community purposes has to submit an Economic Impact Assessment as opposed to major developments, more detailed guidance and details on the marketing strategy.

**RESOLVED:**

that the revised information and requirements together with amendments to the Economic Impact Assessment requirement (as appended) in the document 'Information Required with Planning and Associated Applications' be adopted and published immediately for Development Management purposes.

**Attendance List**

**Councillors present:**

S Bond (Chairman)  
N Hookway (Vice-Chairman)  
O Davey  
S Hawkins  
P Hayward  
M Howe  
F King  
D Ledger  
A Moulding  
G Pratt  
E Rylance  
P Skinner

**Councillors also present (for some or all the meeting)**

K Bloxham  
A Dent  
P Faithfull  
S Jackson  
G Jung  
K McLauchlan  
V Ranger  
J Rowland

**Officers in attendance:**

Ed Freeman, Service Lead Strategic Planning and Development Management  
Mark Williams, Chief Executive  
Shirley Shaw, Planning Barrister  
Keith Lane, Planning Officer (Planning Policy)  
Wendy Harris, Democratic Services Officer

**Councillor apologies:**

M Allen

F Caygill  
T McCollum

Chairman .....

Date: .....