

Agenda for Special Development Management Committee Monday, 23 March 2015; 10.00am



[Members of the Committee](#)

Venue: Council Chamber, Knowle, Sidmouth, EX10 8HL

[View directions](#)

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Public speaking arrangements for this meeting

Anyone wishing to speak at this meeting **must** pre-register with Democratic Services by 12 noon on **Thursday 19 March**. Please note that the Committee will **only** be considering the proposed changes to the Local Plan and Community Infrastructure Levy Draft Charging Schedule. They will not be considering policies or allocations which are not affected by those changes. Accordingly any person wishing to speak to the Committee must limit their comments solely to the changes proposed.

To register please leave a message on 01395 517525 or email planningpublicspeaking@eastdevon.gov.uk and include the following details:

- name
- telephone number
- the agenda item you wish to speak on (if item 5, please advise the policy number/chapter of the Local Plan you will be addressing)

Please note:

- ❑ Registered speakers will have 3 minutes each to make their representation following an Officer introduction to each report. After the public speaking period has finished the public will take no further part in the meeting.
- ❑ Following public speaking non-committee members present will be invited to address the Committee.
- ❑ Extra papers and/or handouts **cannot** be circulated at the meeting.
- ❑ There will be a timing clock to assist you.
- ❑ The Chairman has the right and discretion to control public speaking in whatever way deemed appropriate to avoid comments being made on matters that the Committee is not considering.
- ❑ All attendees at the meeting are asked to offer all speakers the courtesy of listening to others' points of view, even if they do not agree.
- ❑ The Chairman will not tolerate any interruptions from the public and/or demonstrations of support (such as cheering and clapping) and is entitled to exclude people from the meeting if the business of the Committee cannot be carried out effectively.

Should anyone have any special needs or require any reasonable adjustments to assist them in making individual contributions, please contact Hannah Whitfield (contact details at the top of the first page of the agenda).

The Committee, if required, will break for a 45 minutes at approximately 12.30pm.

- 1 Apologies
- 2 [Declarations of interest](#)
- 3 [Matters of urgency](#)
- 4 To agree any items to be dealt with after the public (including press) have been excluded. There are **no** items that officers recommend should be dealt with in this way.

- 5 **Proposed Amendments and Supporting Evidence to the new East Devon Local Plan** (page 3 - 25)
Planning Policy Manager
This committee report, supported by background evidence reports, sets out proposed policy changes to the emerging East Devon Local Plan.

- 6 **Amendments to the Community Infrastructure Levy (CIL) Draft Charging Schedule and response to the Inspector's concerns** (page 26 - 34)
Planning Policy Manager
This committee report sets out proposed amendments to the CIL and a proposed response to the Inspector's concerns about retail charges for Cranbrook.

This meeting is being audio recorded by EDDC for subsequent publication on the Council's website.

Under the Openness of Local Government Bodies Regulations 2014, members of the public are now allowed to take photographs, film and audio record the proceedings and report on all public meetings (including on social media). No prior notification is needed but it would be helpful if you could let the democratic services team know you plan to film or record so that any necessary arrangements can be made to provide reasonable facilities for you to report on meetings. This permission does not extend to private meetings or parts of meetings which are not open to the public. You should take all recording and photography equipment with you if a public meeting moves into a session which is not open to the public.

If you are recording the meeting, you are asked to act in a reasonable manner and not disrupt the conduct of meetings for example by using intrusive lighting, flash photography or asking people to repeat statements for the benefit of the recording. You may not make an oral commentary during the meeting. The Chairman has the power to control public recording and/or reporting so it does not disrupt the meeting.

[Decision making and equalities](#)

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

Report to: Development Management Committee
Date of Meeting: 23 March 2015
Public Document: Yes
Exemption: None



Review date for release Not Applicable

Agenda item: 5

Subject: **Proposed Amendments and Supporting Evidence to the new East Devon Local Plan**

Purpose of report: This committee report, supported by background evidence reports, sets out proposed policy changes to the emerging East Devon Local Plan. The full recommended changes to the plan wording are set out in a tracked changes version of the plan. Local Plan related reports including the tracked change draft can be viewed on Planning Policy web pages at: <http://eastdevon.gov.uk/planning/planning-policy/emerging-plans-and-policies/the-new-local-plan/publication-and-submission-of-the-local-plan/plan-changes-and-new-evidence-march-2015/>

In a separate document, accessed through the above link, there is a separate summary draft document listing and providing justification for changes made. This document also includes plans showing proposed changes to policy boundaries.

Key recommended changes to the plan are:

1. Amending the plan to run from a start date of 1 April 2013 to an end date of 31 March 2031.
2. Providing for an Objectively Assessed Housing Need figure of 950 new homes per year (17,100 new homes over the 18 year period). It should be noted that in recommended policy changes to the local plan it is projected that the plan will provide for 18,303 new homes across the 2013 to 2031 period. The ability to accommodate 1,203 more homes than the Objectively Assessed Need figure provides positive flexibility in terms of future housing provision.

3. Site specific changes are detailed below.

- a) **Cranbrook** – At Cranbrook an ‘Area of Search’ is defined, to allow for future expansion of Cranbrook and/or intensification of development at the existing site or on existing allocations. Development at Cranbrook will provide for:

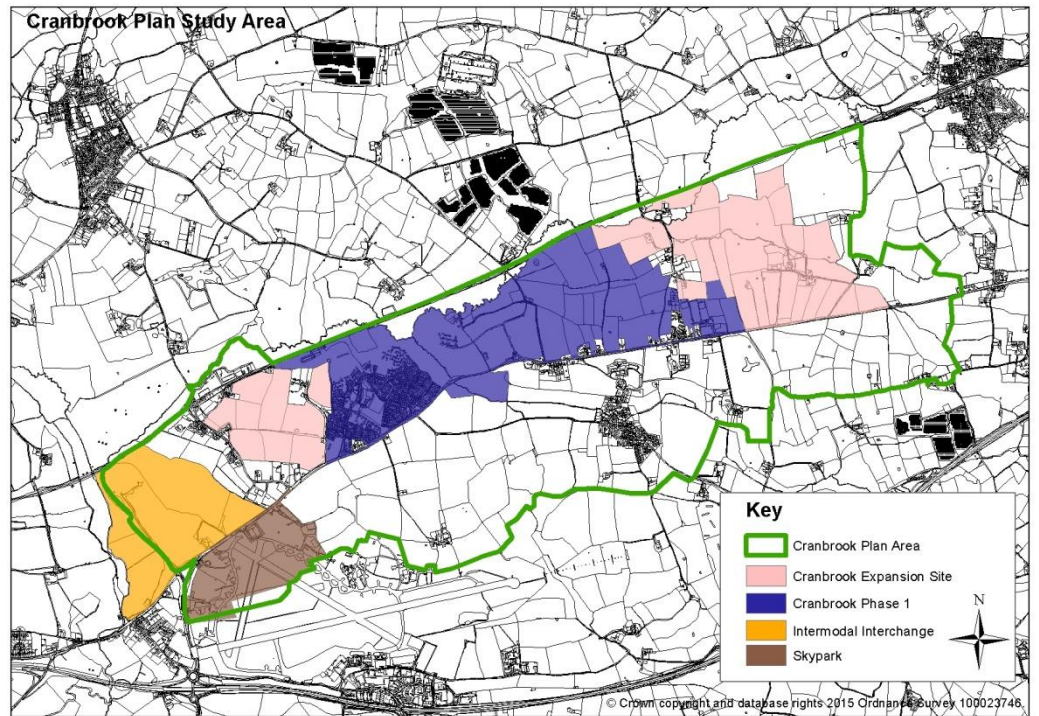
Site description/area	New Homes
i. Land with Planning Permission at March 2015 (this is the Cranbrook Consortium land and numbers include dwelling built up to Sept 2014)	3,487
ii. Land Allocated for Eastern and Western extensions (Cranbrook Consortium land)	2,570
iii. Land within the Eastern Extension that is not controlled by the Consortium but is subject to a current planning application (Agents – Bell Cornwell)	250
iv. Area of Search – additional dwellings (could be new land areas, over and above the above, AND/OR could be intensification of use on the above.	1,550
Total	7,857

Note:

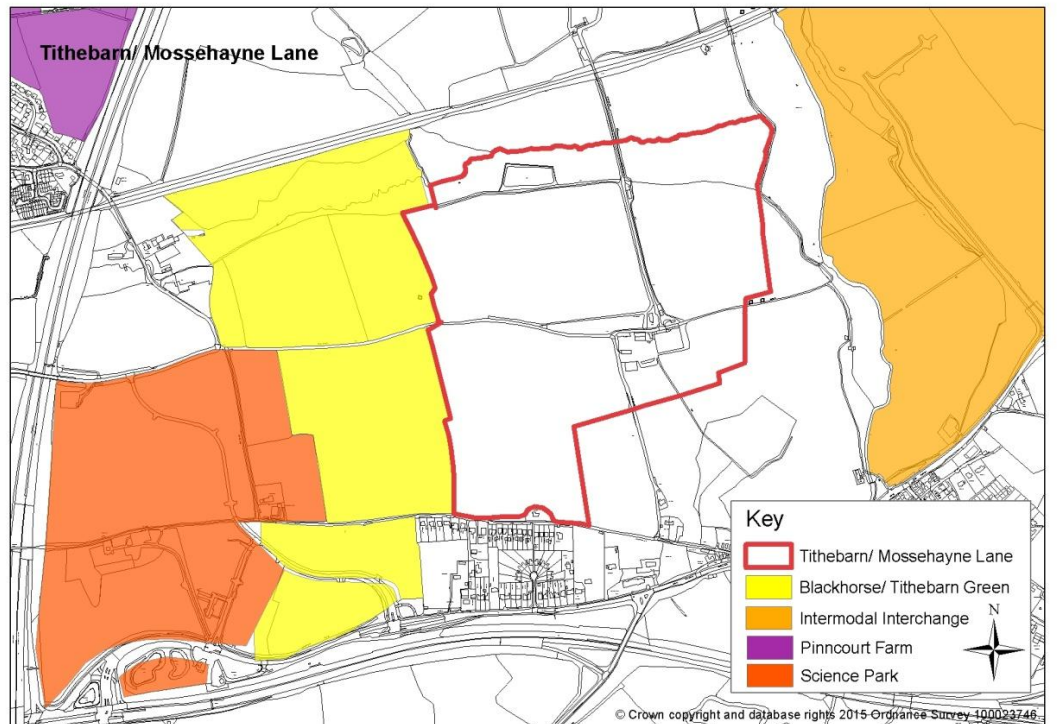
- *In addition to the above there are sites that have permission and have been built that abut or adjoin Cranbrook that are not included in calculations but which are regarded as being ‘AT’ Cranbrook.*
- *In respect of locations i. to iii. there is potential to intensify or increase housing levels and also these areas could offer potential scope for additional infill development on, third part owned land, that could add to total housing provision.*

The ‘Area of Search’ will provide for development at Cranbrook for 7,857 new homes (or thereabout) up to 2031. Detailed proposals for Cranbrook will be contained in the Cranbrook Development Plan Document (DPD). The Cranbrook DPD will follow on from the recently commissioned Cranbrook Plan and will be produced over the next 12 months. The work to be undertaken will need to take into full account airport engine testing (noting that this use is very unlikely to relocate) and other airport operational activities. Cranbrook expansion into noise sensitive areas will not be allowed in the absence of appropriate mitigation measures. It should be noted that in the existing draft of the Local Plan there is an indicative indication (depicted by the outline of a house) for an extra 1,500 new dwellings. Plan changes will delete this house, the ‘Area of Search’ supersedes it.

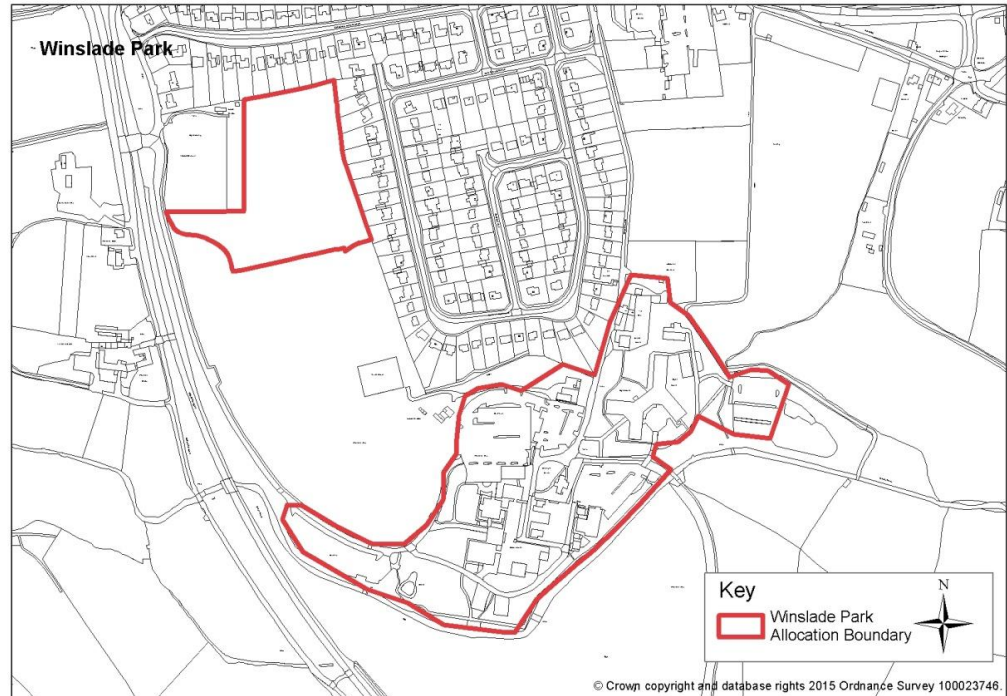
The Area of Search is shown by the Green Line on the plan below and the now deleted indicative house is not shown on the plan.



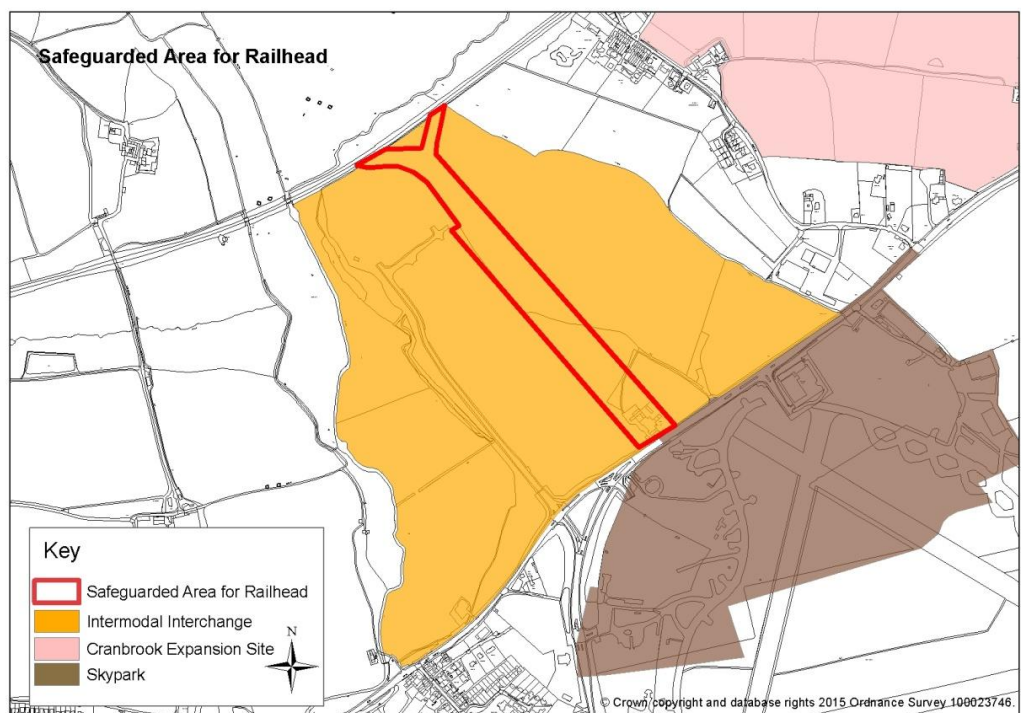
b) Tithebarn / Mossehayne Lane - allocation of land to the east of the existing permitted site for a further 900 new homes, as shown by the red boundary on the following plan.



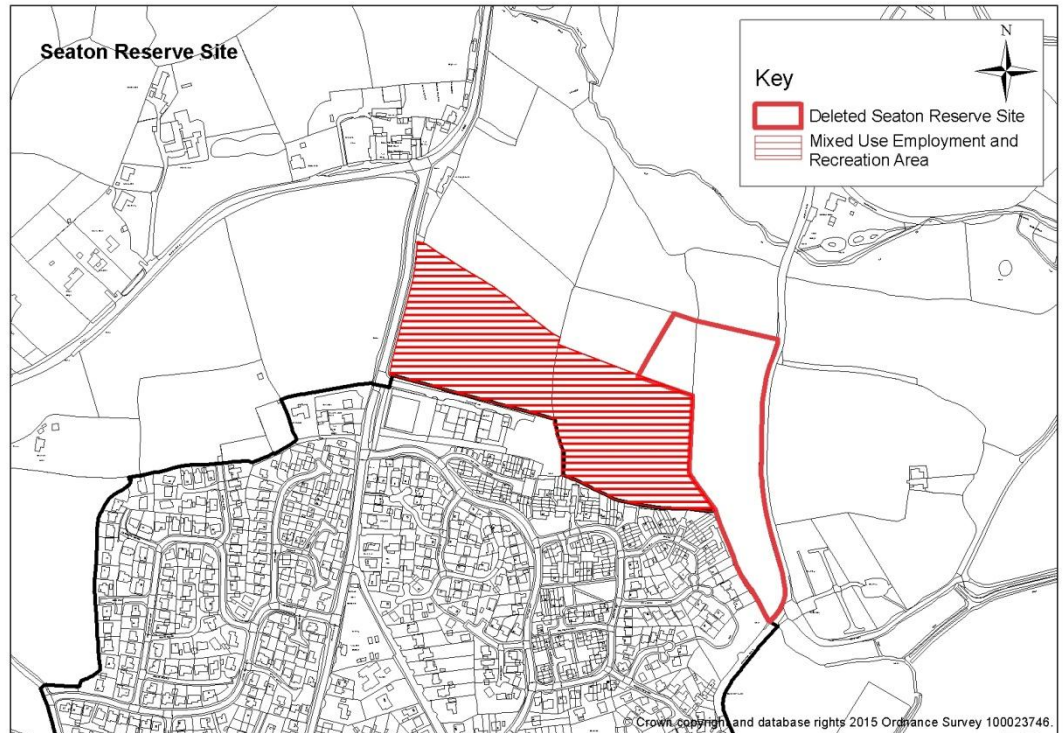
c) **Winslade Park** - allocation of land to accommodate 200 new dwellings on Greenfield land immediately adjoining existing dwellings and through redevelopment and reuse of existing redundant office buildings and some infill development. In the southerly area provision is also made for 0.7 hectares of B1 employment uses. Site/s shown in red on the following plan.



d) **Intermodal site** – Revised policy wording to enable allocation of a safeguarding area for the rail head at the Intermodal site to ensure availability of land for future provision and to resist development that could adversely impact on or prejudice longer term provision. Site shown in red on the following plan.



- e) **Reserve Site at Seaton** – deletion of Reserve site at Seaton as projected development levels at the town are now very close to expected levels of development and therefore the Reserve site is not needed. The site is shown by the red outline on the following plan (noting that the land shown by red horizontal hatching – Mixed Use Area – remains as an allocation).



4 **At villages in East Devon classification of:**

- a. **Villages where the full range of housing needs can be accommodated** – in the key villages of the District and the town of Colyton, those villages with the greatest range of facilities and hence most suited in sustainability terms to accommodate new housing, it is recommended that policy will provide for the defining of Built-up Area Boundaries through a separate Villages Development Plan Document. Any actual allocation of housing sites and determination of appropriate levels of development will be deferred to this plan or Neighbourhood Plans. In total it is recommended that 14 villages and Colyton will have this status.

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- b. **Villages where developments focused on meeting identified local affordable housing needs will be permitted** – All other villages are recommended to not have a Built-up Area Boundary (in overarching plan terms they will come under countryside classification). However within this policy context they will still potentially be suitable for some development where compatible with the built form of the village and will add to the range of services and facilities at a village. New mixed-use market and affordable housing development will be allowed at villages with a good range of services and facilities and where it provides higher (66% plus) affordable housing on exception sites and where there is a proven local need for affordable housing provision. Policy also identifies scope for Neighbourhood Plans to provide for greater levels of development.

5 **Other recommended changes** - of lesser significance to the plan - include policy/wording in respect of:

- a. Cranbrook policy wording – to generally update policy references and specifically to refer to the Cranbrook Plan work and production of a Cranbrook Development Plan Document.
- b. New policy wording in respect of noise issues arising from Exeter Airport and need for account to be taken of noise when considering planning applications.
- c. Commitment to closer working with West Dorset District Council with a new policy added to the plan.
- d. Greater reference to the relevance of Habitat Regulations and mitigation measures (particular relevance at Exmouth).
- e. On a general level text duplications have been removed and simplifications made. For housing and employment sites the distinction between 'strategic' and 'non-strategic' sites has been removed and all sites are now allocated under strategy policies.

Subject to Member endorsement the recommended changes will go to Council and we will seek the view of the Inspector in respect of appropriateness for future consultation. Subject to Inspector endorsement for consultation this would take place for a six week period starting in late March/early April 2015. Subject to responses received, and the availability of the Inspector, the oral hearing sessions of examination should restart in 2015 and the plan, subject to being found sound, could be adopted later in the year.

Recommendation:

That the Development Management Committee recommend to Council that they:

- 1. endorse and accept the changes proposed to the Local Plan;**
- 2. endorse and accept the additional evidence used to inform plan changes and produced as supporting evidence to the plan;**
- 3. agree to requesting the Inspector to propose relevant questions to ask as part of a subsequent consultation process;**
- 4. agree to give delegated authority to the Service Lead – Planning Strategy and Development Management authority to make changes to the Local Plan prior to a consultation exercise being carried out to correct any typographical mistakes or to ensure consistency throughout;**
- 5. agree to undertake a six week public consultation on the proposed plan changes, the evidence that informs the changes and the questions proposed by the Inspector.**
- 6. agree that, after consultation is concluded, responses received (which will be public documents) are forwarded directly to the Inspector and a request is made to the Inspector to recommence oral hearing sessions as soon as reasonably possible.**
- 7. agree that responses received to the consultation be reported back to Development Management Committee.**

Reason for recommendation:

To seek member approval for the next stages of work.

Officer:

Matthew Dickins, Planning Policy Manager, mdickins@eastdevon.gov.uk
(Internal Tel – Ext 1540)

Financial implications:

Budgets are in place for the cost of the plan and inspection.

Legal implications:

The legal position remains that in the absence of an up to date Local Plan to determine planning applications against all applications will fall to determined against (primarily) the National Planning Policy Framework. Clearly therefore it remains important for the Council to ensure that a Local Plan is progressed and adopted so as to enable planning applications to be determined against policies set by the Council. There has been a hiatus while further work, requested by the Inspector, has been carried out. Following on from that work it is necessary to make further changes and consult on them before hearings into the local plan can be re-convened. There is clearly a risk that the Inspector may find that the changes are too significant (either individually or collectively) and say that he is now being asked to consider a 'new plan'. However there is a greater risk in not proposing the amendments in that the Inspector has made it clear that the evidence base was not viewed as reliable and the plan was effectively 'unsound'. The issues relating to such considerations are more fully set out in the risk section of the report. Ultimately the changes seek to ensure that a sound plan is produced which is capable of adoption.

Equalities impact:

Medium Impact

Previous drafts of the plan have been subject to Equalities Impact Assessment and implementation of some policies might raise equalities concerns. However matters are liable to be most appropriately addressed at planning application stage.

Risk:

Medium Risk

The proposed changes to the local plan have been recommended on the basis of officer assessment of issues and interpretation of external consultant reports. Whilst it is considered that the work undertaken and interpretation and application of conclusions present a sound basis to proceed it is important to stress that there are risk considerations, the following are highlighted:

- a) Technical evidence produced, and the way this has been interpreted and applied, has informed proposed plan changes. However, there are always going to be differing interpretations of information and conclusions reached. Whilst officer recommendations are regarded as robust it is safe to assume that third parties will challenge them; no doubt some, for example, arguing that they over-emphasise the need for development and some that they under-estimate the need for development.
- b) The plan changes could generate responses and objections at further consultation that may be felt to be of such significance or relevance to warrant a rethink on plan content, it may not, therefore, ultimately be deemed desirable or appropriate to proceed with the plan;

- c) The Inspector may not consider the proposed changes are appropriate or sufficient to make the plan sound (subject to any main modifications he may propose);
- d) The inspector may consider that the plan changes are so significant, even if logically robust and informed by sound evidence, that as re-drafted the plan cannot be found sound, for example perhaps because it is deemed to be a new/different plan from that submitted rather than an acceptable amendment to, or refinement of, that submitted;
- e) The inspector may consider that delays in plan production are so significant that the plan cannot proceed and as such it cannot be found to be sound.
- f) The inspector may consider that there remain evidence inconsistencies in the plan that mean it cannot be found sound.

There are uncertainties ahead in respect of future policy and timetables that could impact on plan adoption. It is stressed as well that related to, or indeed irrespective of all of the above, the adoption of the plan (or parts of it) could be subject to legal challenge through the courts.

An option remains, should Members consider it appropriate, to formally withdraw the plan and start again, or take steps backward on plan making.

- **Links to background information:** Background documents that are referred to in this report and which will form part of the consultation will be placed on the Council web site at: <http://eastdevon.gov.uk/planning/planning-policy/emerging-plans-and-policies/the-new-local-plan/publication-and-submission-of-the-local-plan/plan-changes-and-new-evidence-march-2015/>

Link to Council Plan: The Local Plan has direct links to all aspects of the Council Plan.

1 Introduction

- 1.1 In February and March 2014 oral hearing sessions took place as part of the examination of the emerging new East Devon Local Plan. The Inspector wrote to the Council in March 2014 identifying further areas of work that needed undertaking. In response to matters raised in the Inspector's letter a feedback report on future stages of work was considered by Development Management Committee on 8 May 2014. The committee report can be seen at: <http://eastdevon.gov.uk/media/196781/combined-dmc-agenda-080514.pdf>

- 1.2 The past Committee report advised, amongst other matters, on this further work. This work cross-references to new evidence as well as identifying proposed changes to the plan. To assist users of the plan a full new proposed redraft has been produced. This redraft presents the plan text (as presented to the Inspector for consideration at oral hearing sessions) in full normal text. Inserted into the text are, however:
- a) **Suggested changes discussed at oral hearing sessions** – at the oral hearing sessions the Inspector suggested a number of changes that were primarily seen as clarifying and simplifying plan text. These changes were endorsed, in-principle, by officers of the Council. It is recognised that at present they have no formal Council status. Members may feel that these suggested changes are inappropriate, but given that they were promoted by the Inspector and discussed at oral hearing sessions, it is recommended that they form part of the proposed consultation. The proposed changes from the oral hearing sessions are shown by new text in red and underlined and deletions are shown with a single strike through (~~single strike through~~). The only qualifying observation in respect of this proposal is that we plan to write to the Inspector when Committee papers are made public. If in response he advises or indicates that these changes should not be consulted on we would advise members accordingly.
 - b) **Proposed changes following further work** – the further work requested by the inspector, and other additional updates, has resulted in a series of further proposed changes to the plan. These changes are shown in blue and double underlined text with resulting deletions shown with a double strike through (~~double strike through~~).
- 1.3 The following sections of this report summarise the proposed changes and sets out information on key subject matters that have arisen as a result of consideration of the Inspector's letter and further work and assessment undertaken.
- 1.4 It should be noted that this report has been prepared on the basis of considering options or proposing changes that are arrived at or are in-line with further work specifically requested by the Inspector, or in a limited number of cases respond to new specific changed circumstances. Whilst alternatives options have been considered it could be the case that introducing new additional changes or new material at this stage (other than to identify factual matters or changed circumstances, such as where a site has now got planning permission) may jeopardise ability to make further progress on this plan. It could necessitate opening up a much bigger debate and delay plan production, ultimately leading to a position where this plan would need to be withdrawn, or maybe could not be declared sound and potentially could fall foul of procedural regulations.

- 1.5 It is advised that this report and specifically the proposed format of consultation is presented on the basis that the Inspector will endorse the proposed stages ahead (notably consulting on a tracked change version of the plan). It is possible the Inspector favours a differing approach to consultation and once this report is made public, ahead of Committee we will send it to the Inspector seeking his views on consultation. A written or verbal update from the Inspector will be provided to Committee if received.

2 Future work programme and timetable

- 2.1 Subject to member endorsement of proposed changes to the plan the following timetable could be envisaged:
- a) Consultation – starts late March/Early April 2015
 - b) Reconvene Hearing Sessions – Summer 2015 – on the basis of the above and depending on the availability of the Inspector and consideration of responses received it would be hoped that hearing sessions could reconvene in the summer.
 - c) Inspector issues a draft report showing proposed modifications – Summer/Autumn 2015.
 - d) Consultation on Main Modification – Autumn 2015.
 - e) Plan Adoption – late 2015/early 2016 - following Main Modification consultation, and depending on comments made and Inspector consideration, the plan could go forward for adoption.

3 Sustainability assessment and strategic environment assessment (SA/SEA)

- 3.1 SA/SEA is a process that assesses sustainability considerations associated with alternative development options and strategies and then, as work progresses, of policies and matters of detail. Sustainability covers social, economic and environmental considerations and involves looking at issues over both short term and longer term time horizons. Undertaking SA/SEA is a legal requirement of the plan making process and helps inform policy choices. SA/SEA work undertaken, that specifically considers main proposed changes and alternative options, can be viewed at via the main web link provided in this report.

4 Proposed change in start and end date of the local plan

- 4.1 The local plan, as currently drafted, had a start date of 2006 and an end date of 2026. It is, however, opportune to review these dates and the Inspector suggested that the plan provide for at least 15 years of future development, a later end date of 2031 was suggested. Having reviewed available options it is recommended that the plan is extended to cover the period to 31 March 2031.
- 4.2 When a new SHMA is produced it provides a future looking housing requirement from a defined base date. As the SHMA has a base date of 2013, and housing provision and supply is one of, if not the most critical overall part of the plan, it is seen as relevant to recommend changes that provide for a new plan start date that aligns with the SHMA. It is, therefore, recommended that the plan run for the 18 year period that starts on 1 April 2013 and runs to 31 March 2031.

5 Overall housing requirements in the local plan and the SHMA

- 5.1 The SHMA helps to establish an Objectively Assessed Need (requirement) housing figure for the local plan and for wider policy work. The objectively assessed housing need figure explicitly draws on housing needs arising from projected future job growth in East Devon (specific work was undertaken by Ash Futures and Edge Analytics to help establish housing requirements).
- 5.2 The Executive Summary of the interim SHMA advises:

“1 EXECUTIVE SUMMARY

1.1.1 The Exeter Strategic Housing Market Assessment (SHMA) addresses housing issues and establishes Objectively Assessed Housing Needs in the local planning authority areas of East Devon, Exeter, Mid Devon and Teignbridge. The work also covers that part of Dartmoor National Park falling within Teignbridge and Mid Devon Districts. The National Park Authority is a planning authority in its own right and will also work with local authorities in the south-western part of Devon to establish a full Dartmoor National Park housing need.

1.1.2 Exeter is a dynamic and vibrant city and forms the key focal point for jobs and commercial activity in the study area. It is also home to a leading university attracting many young people into the City. Exeter, however, with 117,800 residents, has a population level that is lower than both East Devon at 132,500 residents and Teignbridge with 124,200 residents. Mid Devon have 77,800 residents and 13,600 Teignbridge residents live in Dartmoor National Park.

1.1.3 The SHMA authorities have a combined population of 452,300 people living in an area of 2,077 square kilometres, most of which is formed by outstanding coastal and rural countryside, much National Park or Area of Outstanding Natural Beauty and the area has equally attractive towns and villages.

1.1.4 The starting point for the SHMA work has been to look at past population trends and project these forward into the future. This assessment shows an overall population increase of 68,600 persons from the period of 2013 to 2033. A total of 47,500 of these (over 69%) are aged 65 or over. As a whole, the SHMA area currently has an elderly population profile and it is projected to get older while the working age population changes less significantly.

1.1.5 The SHMA work translates population growth into housing requirements using headship rates and vacancy rates, and, whilst trend based population projections form a starting point for the total housing need, the SHMA also needs to reflect the fact that we have a growing economy with a projected increase in jobs and workforce. There is a need to ensure that there are sufficient homes to provide for the future working population.

1.1.6 The SHMA work assesses likely additional jobs that average out at 1,500 extra jobs per year over the 2013 to 2033 period across the HMA. Modelling in the population increase needed to support these extra jobs would see a need for a population increase, over 20 years, of around 85,000 extra people (rather than the trend based 68,600 people).

1.1.7 On the basis of trend patterns and jobs-led population increases the SHMA work establishes housing requirements over the twenty year period from 2013 to 2033. It should be noted that in arriving at these totals account was also taken of market signal considerations.

1.1.8 The ranges of housing needs are set out in the tables below. The figures provide an average Housing Market Area Objectively Assessed Need range of between 2,172 and 2,601 extra new homes per year. The assessment also provides local authority wide totals. An element of the Teignbridge figure will fall within Dartmoor National Park.

5.3 The SHMA Executive Summary continues by tabulating average housing levels as:

Table 1-3 Averages based on 2008 and 2011 CLG Headship Rates

Area	Demographic Base	Jobs-led (Experian)	Jobs-led (LEFM)	Housing Need Range	Mid-point of Range
Exeter	589	619	639	589 - 639	616
East Devon	584	725	850	584 - 850	720
Mid Devon	381	359	367	359 - 381	369
Teignbridge*	619	747	747	619 - 747	704
Total HMA	2,172	2,450	2,601	2,172 – 2,601	2,387

Note * Teignbridge figures include the area within the Dartmoor National Park

5.4 The SHMA Executive Summary concludes by advising:

1.1.10 Taken as a whole the outputs from the jobs-led projections generate an appropriate Housing Market Area wide objective scale of growth and also form appropriate assessments for individual authorities. However, where there are specific job growth agendas arising from strategic inward investment or regeneration initiatives, authorities should consider the appropriateness of alternative job growth scenarios in establishing final objectively assessed housing need figures for their own authority. The implications of any such adjustments need to be considered in the context of the wider HMA.

1.1.11 The SHMA has also undertaken an assessment of specific affordable housing needs. The SHMA work establishes the following annual average requirements for new additional affordable housing.

Table 1-4 Annual Requirements

Area	Average affordable need per year
East Devon	272
Exeter	325
Mid Devon	124
Teignbridge	234
HMA total	955

1.1.12 Most new affordable housing can be expected to be built on new housing developments as a proportion of total housing built. Most new housing schemes will comprise predominantly of new homes sold on the open market but some, under planning agreements, will be affordable. However there are cases where new developments will wholly or predominantly comprise of affordable housing. There is also scope to increase the supply of affordable housing through better management of the overall housing stock and through such measures as bringing empty homes back into use.

1.1.13 The SHMA work concludes by examining the projected overall mix of housing needed over the coming years. Future need for all authorities is concluded to be largely dominated by a need for smaller properties, mostly in the 1 and 2 bedroom size categories. But this may not coincide with purchasing aspirations of new some home buyers or developers' build aspirations."

Note on the Objectively Assessed Need for East Devon and Ensuring their are sufficient homes for the future workforce to live in

5.5 Of key significance, in terms of informing the final housing requirements for East Devon, is the issue of ensuring that there will be sufficient dwellings to house any projected new workers that arise as a consequence of additional jobs being created.

- 5.6 To understand more about future job growth in East Devon the Council commissioned Ash Future Ltd to undertake assessment which is on the Council web site.
- 5.7 The Ash Futures Work sets out an annual average level of an extra 549 net new jobs per year being located in East Devon over the next 20 years. This 549 is the sum of:
- the Experian projection of 309 net new full-time equivalent jobs per year from trend based projections; and
 - the additional figure of 240 net new full-time equivalent 'Policy-on' jobs from strategic Growth Point jobs in East Devon.
- The former figure can, in somewhat simplified terms, be looked upon as a 'rest of East Devon' figure and the latter a West End figure. Taken together they generate the 549 total.
- 5.8 The critical issue in respect of future job growth is that Government policy advises that there should be sufficient houses to provide homes needed as a consequence of job growth to house additional workers. To understand more about this issue East Devon District Council commissioned Edge Analytics to assess the housing needs that 549 extra jobs per year would generate. The specific work by Edge Analytics can also be viewed on the Council web page via the link provided.
- 5.9 The Edge Analytics assessment concludes that this scale of housing would generate a requirement figure in the range of 919 to 981 extra homes per year. The lower of these two figures uses Office for National Statistics 2011 base data assessment of household formation rates (the predicted number of households that will form and by implication therefore dwellings needed), the higher figure uses equivalent 2008 rates. There are statistical limitations to use/validity of both figures and therefore taking an average of the two is a sensible balanced way forward. Whilst 2011 rates are more up to date they are drawn from data based on recessionary year trends, whereas 2008 drew from preceding very economically buoyant years. It should be noted that the Office for National Statistics released new household projections at the end of February 2015.
- 5.10 The Council could choose to provide for additional housing, over and above this objectively assessed housing need, for example to seek to increase affordable housing delivery. However, the plan as drafted combined with existing commitments to housing development secures a total delivery of affordable homes that matches the calculated annual need for affordable homes.

6 Need to accommodate new residential development and alternative options

- 6.1 There is no absolute obligation for a local authority to meet its total objectively assessed housing requirement, but there would have to be extremely good reasons to justify not planning to do so. Environmental constraints or available land capacity constraints could be factors that may place some form of limit on the ability to meet total housing needs in a sustainable manner. However, it would be envisaged that to be able to demonstrate that this is the case could be very challenging. Sites have been proposed for development (some being more suitable than others) that could accommodate development. This is not to say that all parts of East Devon are suitable for housing growth (or significant housing growth) but at the West End in particular there is particular scope to accommodate new housing in a sustainable manner.
- 6.2 Examples of where capacity concerns may be applicable, and it may be acceptable to not plan to meet objective requirements (but which are not considered to apply to East Devon), might include:
- a local authority area dominated by environmental or biodiversity designations where higher level 'protection policies' are applicable to all (or nearly all) parts and development would very clearly run counter to objectives of protection; or
 - in a City or urban conurbation where the existing built form runs up to or over the administrative boundary and there is limited undeveloped land in the City/urban area itself (and what there is may be very important as green space). In such a case there may not be the physical capacity to accommodate required development.
- 6.3 Under planning guidance there is scope, as well, to ask other authorities if they can take a proportion of any unmet housing requirement. A formal request has not been made to our neighbours and it is not recommended that one is made to ask them to take East Devon housing. There is no evidence to suggest that other authorities in the HMA area, or elsewhere, would want or would volunteer to accommodate housing need generated from or by East Devon.

7 Spatial strategy for accommodating additional residential development

7.1 In considering additional sites as residential allocations it is appropriate to look at the hierarchy of settlements/distribution in the plan, this is based on:

- **Substantial development at the West End** - specifically including Cranbrook, to reflect the wider growth agenda in the area, especially new jobs and the desire to co-locate jobs and housing.
- **Larger scale growth at East Devon's main Towns** – with their wide range of services and facilities the towns of East Devon make a logical focal point for new housing development, but it is recognised that they do also have constraints on development.
- **Smaller scale development at Villages** – the villages of East Devon (and the small town of Colyton) are seen as suitable for providing lower levels of development essentially geared around meeting local needs.

West End Development

7.2 The critical importance of the growth agenda for the West End of East Devon is such that it forms an in principle sensible location for further residential land allocations so that there is close physical proximity between place of work and where people live.

7.3 It is opportune, as well, to look at commuting to work patterns for East Devon. As Exeter accounts for the bulk of movements and is a significant destination for work purposes it is logical to look to build houses close to the City to offer scope for East Devon residents to be close to City based jobs. Such provision is also complemented by the relevance of also building houses close to the major employment sites of Skypark, Science Park and other West End locations. This was and remains part of the strategic planning logic for development at Cranbrook and why the West End should be and should remain the focal point future residential development. For these reason new allocations are recommended at the West End.

Development at East Devon's Towns

7.4 The seven main towns of East Devon:

- Axminster;
- Budleigh Salterton;
- Exmouth;
- Honiton
- Ottery St Mary
- Seaton; and
- Sidmouth

all have a good range of services and facilities. However, with the lowest population, Budleigh Salterton has the fewest facilities, and it and Seaton do not have a secondary school (noting that the nearby Colyton Grammar School with its wide geographical draw and selective admission rules cannot be seen as specifically

serving Seaton needs). On the basis of the services and facilities they offer, the towns of East Devon are already identified as focal points for growth in the local plan. The East Devon towns will take the bulk of new housing that is not otherwise to be accommodated at the West End.

7.5 Whilst there may be some good, in principle reasons, for further development at some East Devon towns it does need to be recognised that all have constraints on further outward expansion and any proposals for development need to be assessed within the context of these constraining factors. The landscape setting of all East Devon towns are attractive and vulnerable to adverse impact from development. However where AONBs or important wildlife habitats abut or are close to towns the concerns are typically going to be the most significant.

7.6 It is **not** seen as appropriate to allocate additional residential development at East Devon towns.

Villages of East Devon and the open countryside

7.7 The villages and countryside areas of East Devon have the least access to facilities and are identified as providing limited potential for growth and specifically additional housing development. There are no additional land allocations recommended for villages, however see proposed policy refinement recommended below.

8 Scale and distribution of housing development at villages

8.1 The Inspector raised concerns about the suitability and appropriateness of differing villages (and the town of Colyton) to accommodate residential development. The inspector requested that we reassess the proposed distribution of housing development at villages. In the plan to date we had identified villages with key basic facilities and applied a 5% additional housing growth level to these added to existing village dwelling stock. At these villages we have what in policy is termed a Built-up Area Boundary (BUAB) and inside the boundary many forms of development are, in principle, acceptable (subject to other policy considerations and details of any specific scheme). But outside the boundary scope for development is very much more restricted. The Inspector felt, however, that the blanket 5% was too crude an approach.

8.2 A further report has been undertaken looking at village sustainability issues and at suitability of settlements to accommodate further development. The report can be viewed via the planning policy web site.

- 8.3 The report is based on assessment of the facilities and services that villages have to offer, such as:
- a) pub,
 - b) church,
 - c) primary school ,
 - d) shops,
 - e) community hall, and
 - f) places of employment.

Ease of access and quality of public transport and walking distances to facilities form key parts of the assessment. These sustainability considerations are seen as key measures to help determine the suitability of villages to accommodate housing development. The assessment work was also broadened to look at wider sustainability considerations relating to environmental and landscape constraints at and around villages and the potential social and community impacts associated with further development. This work was also supported by work on the Villages Plan and consultation feedback, see:

<http://eastdevon.gov.uk/planning/planning-policy/document-libraries/village-document/technical-evidence/#article-content>

- 8.4 Through assessment in this report it is recommended that the plan incorporates two categories of village which would be:
- a. **Villages where the full range of housing needs can be accommodated** – in the key villages of the District and the town of Colyton, those villages with the greatest range of facilities and hence most suited in sustainability terms to accommodate new housing, it is recommended that policy will provide for the defining of Built-up Area Boundaries through a separate Villages Development Plan Document. Any actual allocation of housing sites and determination of appropriate levels of development will be deferred to this plan or Neighbourhood Plans. In total it is recommended that 15 villages (including the town of Colyton) will have this status.
 - b. **Villages where developments focused on meeting identified local affordable housing needs will be permitted** – All other villages are recommended to not have a Built-up Area Boundary (in overarching plan terms they will come under countryside classification). However within this policy context they will still potentially be suitable for some development where compatible with the built form of the village and will add to the range of services and facilities at a village. New mixed-use market and affordable housing development will be allowed at villages with a good range of services and facilities and where it provides higher (66% plus) affordable housing on exception sites and where there is a proven local need for affordable housing provision. Policy also identifies scope for Neighbourhood Plans to provide for greater levels of development.

- 8.5 It should be noted that of the 15 villages that are proposed to have a Built-up Area Boundary a total of 11, through Parish based work, are in the process of producing Neighbourhood Plans or have expressed an interest in producing a plan. Given the exceptionally strong interest in Neighbourhood Plan production in East Devon it is considered that neighbourhood Plans are the best means to bring forward allocation sites for housing in villages. It would, therefore, be for Neighbourhood Plans to be the means to establish scale and location for residential development.
- 8.6 In villages that are not proposed to have a boundary there could also remain the scope for Neighbourhood Plans to allocate sites for residential development. There would, however, be an expectation on Neighbourhood Plan producers to demonstrate why, in their particular circumstances, extra housing would add to the objective of sustainable development for their locality given their particular local circumstances.

9 Gypsy and traveller accommodation needs assessment

- 9.1 The inspector requested that we do further work in respect of the need to provide accommodation for gypsies and travellers.
- 9.2 Working with the following partners:
- Dartmoor National Park Authority;
 - Exeter City Council;
 - Mid Devon District Council;
 - North Devon District Council;
 - Teignbridge District Council;
 - Torbay Council; and
 - Torridge District Council

The Council has commissioned an accommodation needs study and has been advised by the appointed Consultants that the report will be concluded in the near future. A written/verbal update will be provided to Members if or when the draft report is received.

- 9.3 Whilst recognising that there is a need for Gypsy and Traveller accommodation it is recommended that through the current plan we do not allocate sites; rather (as originally intended) it is considered that site allocation can best be achieved through production of a separate Gypsy and Traveller Development Plan Document.
- 9.4 It is relevant to note that this is the same approach that is being applied in the neighbouring local authority areas of West Dorset and Weymouth and Portland. Their joint local plan, post hearing session main modifications, refer to the production of a separate plan.

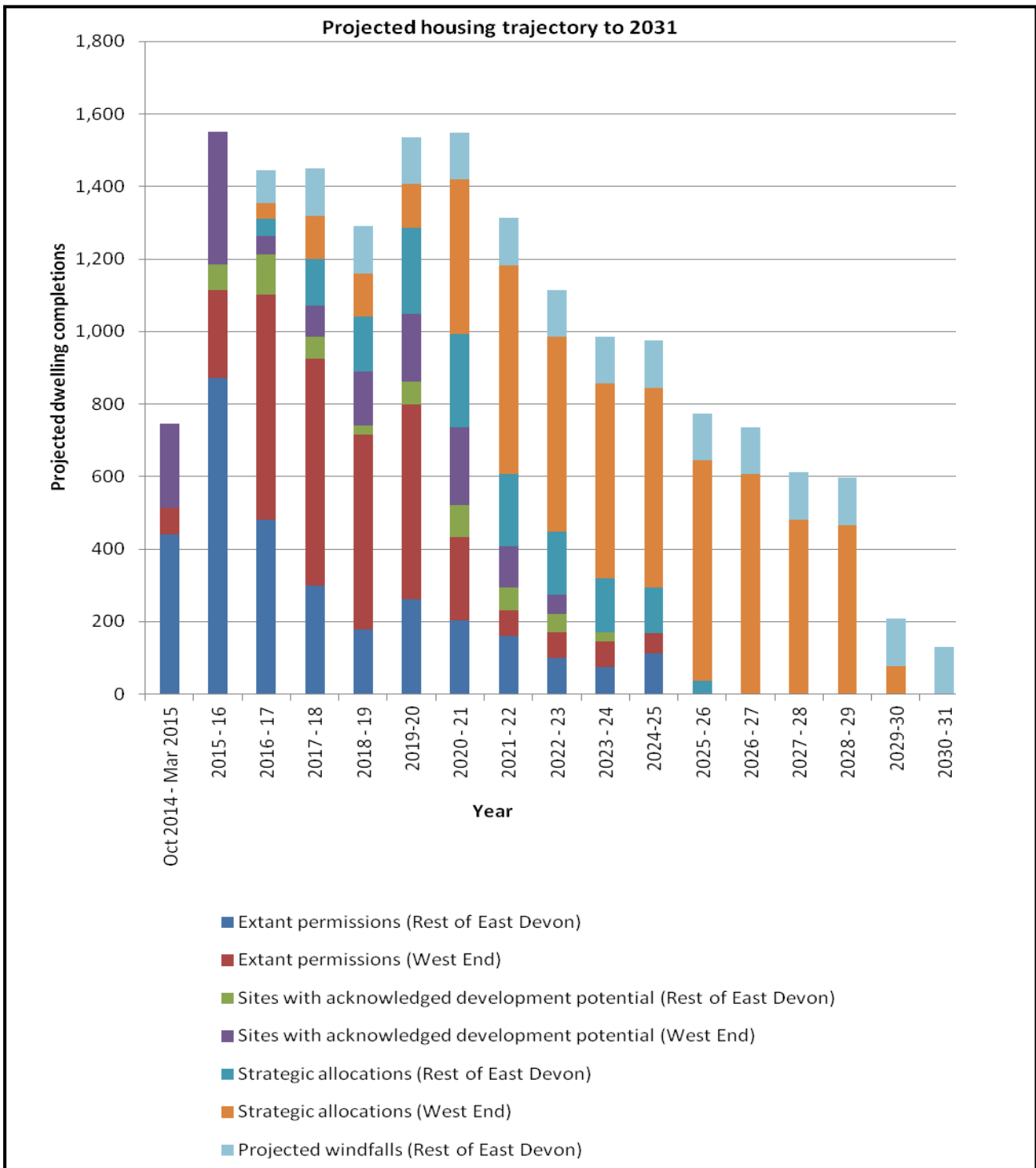
10 Joint working with West Dorset District Council

- 10.1 The Localism Act of 2011 imposes a legal duty to co-operate with neighbouring planning authorities during the preparation of local plans and it is also one of the tests of soundness against which local plans are assessed. The future growth of Lyme Regis and potential development options to accommodate any growth have been identified as a cross boundary issues through the development of both the East Devon and West Dorset Weymouth and Portland Local Plans. In his letter of 31st March 2014, Mr Thickett suggested that there was an opportunity for joint working in the preparation of evidence.
- 10.2 Both authorities have endorsed a technical report that recognises the functional relationships across the county boundary between Uplyme and Lyme Regis and shows how development potential has been assessed consistently in East Devon and West Dorset. Both authorities have agreed and endorsed an approach that sets out that the area is only suitable for limited growth and that the least sensitive potential development sites are in West Dorset. No suitable sites for development have been identified in East Devon that could help meet the future growth of Lyme Regis. The technical report can be viewed at:
<http://new.eastdevon.gov.uk/media/571189/cd-con-20-joint-duty-to-cooperate-update-statement-on-cross-boundary-issues-at-uplyme-lyme-regis.pdf>
- 10.3 At the West Dorset and Weymouth and Portland local plan examination oral hearing sessions (on the 4th December 2014) their inspector was especially keen for East Devon District Council and West Dorset and Weymouth and Portland to commit to further joint working in respect of:
- understanding possible development need issues at/across the Devon/Dorset boundary in and at the vicinity of Uplyme and Lyme Regis;
 - considering strategy options;
 - looking at need/relevance of site allocations.
- 10.4 The West Dorset, Weymouth and Portland Local Plan proposed modifications are currently being consulted on and include revisions to the relevant policy and text in line with the Inspectors comments. An additional policy and text is proposed for inclusion in our plan to reflect the wording put forward in the West Dorset plan (see Smaller Towns, Villages and Countryside chapter of plan).

11 Five year land supply and total overall housing provision

- 11.1 Running in parallel with assessment of housing requirements is the exercise of calculating five year land supply assessment and ensuring that there is sufficient policy provision to accommodate residential development needs. A technical housing report has been produced and can be viewed on the planning policy page web link.

11.2 The report shows a five year land supply in the District, based on new housing requirements, and also shows the following trajectory of future residential development.



12 Habitat Regulations Assessment and Habitat Mitigation

- 12.1 One of the areas that was subject to further work in the run up to and following the oral hearing sessions was in respect of Habitat Regulations Assessment (HRA). The HRA is concerned with ensuring that the highest tier of protected wildlife sites are not adversely affected by development and that where potential for adverse impacts are identified appropriate mitigation is implemented. The key focus of extra work in East Devon has been in respect of:
- a) The Pebblebed Heaths; and
 - b) The Exe Estuary.
- 12.2 In parallel with the local plan work, and of relevance to ensuring it can be found sound, has been work on ensuring that appropriate mitigation can be put in place in respect to mitigating against adverse impacts of development on the key wildlife sites. Joint work has been undertaken between:
- East Devon District Council;
 - Exeter City Council; and
 - Teignbridge District Council
- In partnership with:
- Natural England;
 - The Pebblebed Heaths Trust; and
 - The RSPB;
- this will result in appointment of a mitigation officer, a post shared by the three local authorities, to lead on implementing mitigation schemes. Monies for mitigation have come in from and will continue to come in via 106 contributions and Community Infrastructure Levy receipts.
- 12.3 In order to address other outstanding Local Plan concerns the Council also commissioned a Habitat Regulations Assessment of the Exmouth Masterplan. The masterplan is specifically referred to in the emerging East Devon Local Plan and the local plan advises of the implementation of masterplan proposals. Natural England had raised objection that as the masterplan had not, to date, been subject to formal assessment under the Habitat Regulations and therefore possible adverse impacts of the implementation of masterplan proposals had not been fully assessed and relevant mitigation measures identified. The assessment can be viewed on the planning policy web pages. It has helped inform recommended plan changes.

Report to: Development Management Committee
Date of Meeting: 23 March 2015
Public Document: Yes
Exemption: None



Review date for release Not Applicable

Agenda item: 6

Subject: **Amendments to the Community Infrastructure Levy (CIL) Draft Charging Schedule and response to the Inspector's concerns.**

Purpose of report: The Draft Charging Schedule for East Devon was submitted for Examination in August 2013 alongside the new Local Plan. An Examination hearing session was held in March 2014, following which the Inspector wrote to the Council outlining key issues that he felt needed addressing. In his letters the Inspector raised concerns regarding the evidence behind the residential and retail charges proposed for Cranbrook. In addition to this, linked to the revised draft new Local Plan, additional allocations are now proposed and it is important that the Draft Charging Schedule and its supporting evidence is brought into alignment with this.

This report sets out an officer proposed response to the Inspector's concerns over the Cranbrook rates: a recommendation to now propose a charge of £0/sqm for retail development throughout Cranbrook but retain the proposed £68/sqm charge for residential development in the allocated Cranbrook expansion areas; amend the draft charging schedule and maps to reflect the changes in the revised draft new Local Plan; and introduce a specific review trigger associated with the Cranbrook plan and production of a DPD to allocate additional development at Cranbrook.

This report also recommends endorsement of two evidence documents for assessing and determining planning applications. These evidence documents have specifically informed the response to the inspector on CIL and the wider IDP and Regulation 123 List work but are also key to ensuring sound development in the expansion areas. The documents also include infrastructure requirements at Cranbrook that other West End developments in the pipeline should potentially contribute towards.

Recommendation:	<p>That Development Management Committee recommend to Council that they:</p> <ol style="list-style-type: none"> 1. agree the amendments to the Draft Charging Schedule and maps in order to propose a £0/sqm charge for retail development at Cranbrook; 2. agree the amendments to the Draft Charging Schedule and maps in order to extend the £80/sqm charge for residential development in the edge of Exeter allocations to apply to the newly proposed allocation of land at Mosshayne; 3. agree the the introduction of a specific review trigger for the Charging Schedule associated with the Cranbrook plan and production of a DPD to allocate additional development at Cranbrook. 4. agree the proposed additional report (Appendix 1) prepared in response to Inspector’s concerns raised in his letters to the Council regarding proposed CIL charges at Cranbrook; 5. agree to requesting the Inspector to propose relevant questions to ask as part of a subsequent consultation process; 6. agree, to undertake a six week public consultation on the Revised Draft Charging Schedule, the evidence that informs the changes and the questions proposed by the Inspector; 7. agree that, after consultation is concluded, responses received (which will be public documents) be forwarded directly to the Inspector and a request is made to the Inspector to recommence oral hearing sessions in conjunction with the reconvened Local Plan hearings; 8. agree that responses received to consultation are also reported back to Development Management Committee; and 9. adopt the Cranbrook IDP and Sports, Leisure and Recreation at Cranbrook Report for use in assessing and determining planning applications.
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Reason for recommendation: To seek member approval for the next stages of work.

Officer: Graeme Thompson, Planning Policy Officer, gthompson@eastdevon.gov.uk, 01395 571736

Financial implications: Finance comments, if any, will be provided separately.

Legal implications:	This report (and accompanying papers) seeks address concerns raised by the Inspector on the evidence base used to inform the draft Charging Schedule. It also addresses changes required as a consequence of intended amendments to the draft Local Plan. As before, given the potential ramifications of not having a Charging Schedule in place come 6 th April 2014, being the limitation of pooling of S106 contributions, together with the inability to obtain vital funding for infrastructure it is considered paramount that the Council maintain progress towards having an adopted Charging Schedule. It is expected that the Inspector will review the evidence / amendments at the same time as the re-convened Local Plan hearings with the expectation of being able to adopt the Charging Schedule as soon as possible thereafter.
Equalities impact:	Low Impact
Risk:	Low Risk
Links to background information:	<ul style="list-style-type: none"> • Appendix 1 – East Devon Community Infrastructure Levy (CIL) additional report in response to Inspector’s concerns • Appendix 2 – Revised Draft Charging Schedule and maps • Appendix 3 – Revised Infrastructure and Funding Gap Assessment • Appendix 4 – Revised Infrastructure Delivery Plan (IDP) • Appendix 5 – Revised Regulation 123 List • Appendix 6 – Cranbrook IDP • Appendix 7 – Sports, Leisure and Recreation at Cranbrook Report
Link to Council Plan:	The Draft Charging Schedule is directly linked to the Local Plan which has direct links to all aspects of the Council Plan.

1. Introduction

1.1 The Draft Charging Schedule was submitted for Examination in August 2013 proposing the following CIL charges for development in East Devon:

Development Type	Axminster, Cranbrook ("existing" town), Exmouth, Honiton, Ottery St Mary, Seaton and edge of Exeter allocation sites (defined by new Built-up Area Boundaries and proposed Strategic Allocations)	Allocated Cranbrook expansion areas (as defined in the New Local Plan)	Sidmouth, Coast, and Rural (the rest of East Devon)
Residential	£80	£68	£125

Development Type	Inside Town Centre Shopping Areas (as defined in the New Local Plan)	Rest of East Devon
Retail	£0	£150
All other Non Residential Uses	£0	£0

1.2 An Examination hearing session was held in March 2014 immediately following on from the Local Plan hearing sessions. Following this, the Inspector wrote to the Council on the 17th and 24th April 2014 outlining key concerns he had specifically regarding the retail and residential rates proposed at Cranbrook. The concerns he raised can be summarised as follows:

- 1) Whilst retail development at the new Cranbrook town centre is not likely to be subject to the constraints associated with building in a tight urban environment (which is the evidenced position for supporting a £0/sqm CIL rate for retail in other town centres), there is no viability evidence to suggest that a charge of £150/sqm could be sustained either;
- 2) The net to gross ratio of the Cranbrook expansion areas is assumed by the Council to be 75%, however, considering the existing net to gross ratio for phase 1 is 50% it would appear reasonable to assume this will be replicated in the expansion areas;
- 3) The opening up costs of the Cranbrook expansion areas is assumed by the Council to be £225,000 per hectare, however, the New Community Partners (NCPs) consider them to be between £500,000 and £600,000 per hectare and the Harman Report considers that they should be in the region of £680,000 to £920,000 per hectare.
- 4) The residual S106 costs for the Cranbrook expansion areas are assumed by the Council to be £4,661.72 per dwelling, however this appears to be a very conservative estimate.

1.3 Since April, officers have been gathering evidence on how to respond to these concerns. Responding to the Inspector in relation to these concerns has not been possible before now as the response has been inextricably linked to the new Strategic Housing Market Assessment (SHMA) and the number of houses that the new Local Plan should be allocating at Cranbrook. Section 2 of this report explains the work that has been carried out in response to the inspector's concerns and the proposed way forward on these issues.

- 1.4 In addition to this, the results of the SHMA and the recommendation to re-date the new Local Plan to run from 2013-2031 have (as set out in the separate Local Plan report to DMC) resulted in the need to allocate sites at Mosshayne for 900 homes, Winslade Park for 200 homes and up the figure to be delivered as expansions to Cranbrook to 4,370 homes. These changes to the plan have infrastructure related impacts as well as the charging zones needing amending on maps, the Infrastructure Delivery Plan (IDP), Infrastructure and Funding Gap Assessment and Regulation 123 List needing updating to provide evidence that charges are being set at an appropriate level. Section 3 of this report explains the changes to the Draft Charging Schedule and evidence that are required to ensure it is consistent with the proposed revisions to the new Local Plan.
- 1.5 Section 4 of this report explains the relevance of two key evidence documents to assessing and determining planning applications.

2. Response to the Inspector's concerns

- 2.1 An "additional report in response to the Inspector's concerns" has been compiled tackling each of the issues raised in the Inspector's letters regarding the retail and residential CIL rates proposed for Cranbrook. It is proposed that this evidence report (found as Appendix 1 to this committee report) is submitted to the Inspector.
- 2.2 The report concludes that the Draft Charging Schedule should be amended to propose a charge of £0/sqm for retail development at Cranbrook referring to the whole of the settlement include the "existing town" with planning permissions and each of the expansion allocations (East and West).
- 2.3 The report also concludes that the residential CIL rate for the expansion areas should continue to be proposed at £68/sqm. The report robustly defends the assumptions of a 75% net to gross ratio, opening up costs of £225,000 per hectare and residual S106 costs of £4,661.72 per dwelling which the inspector had specifically questioned.

Retail CIL rate for Cranbrook

- 2.4 Whilst the submitted Draft Charging Schedule proposed that a rate of £150/sqm should apply to retail development at Cranbrook, it was acknowledged at the Examination that officers felt a £0/sqm charge ought to apply to the new town centre as with other town centres around the district. A plan was submitted suggesting the location of the town centre boundary and as such where the boundary of any £0/sqm rated zone might be located. Following this, the Inspector wrote outlining his concerns and so Peter Brett Associates (consultancy that carried out the original non-residential viability study) were re-commissioned to produce an addendum viability study considering potential retail development at Cranbrook in the form of town centre and local centre retail development. What's more, with the commitment of the Council to producing a Cranbrook plan for the remainder of the outline permission and the expansion areas, it is no longer possible to put a definitive boundary for a town centre on a map.

- 2.5 The additional viability study concluded that until the town centre and local centres are established a £0/sqm CIL rate should be set for all retail at Cranbrook. The study also suggests that once the centres are established the CIL rate should be reviewed. The reason for this is that Cranbrook is an entirely new market for retail with a high risk factor associated to it. The report suggests that potentially a standalone supermarket development would be viable, but other retail uses would be marginal at best and the return from a supermarket would be needed to cross-subsidise other retail and employment uses in the town centre. Having said that, once a town centre has been established, the viability of developing retail at Cranbrook may significantly improve and so it is important to ensure that a review of charges is carried out at this point.
- 2.6 This being the case, a £0/sqm charge for retail development across the whole of the settlement of Cranbrook (including the existing planning permissions and allocated expansion areas to the East and West) is now proposed. This charge would be triggered for review once these centres had been established. The charging zone boundaries may also need to be reviewed alongside the Cranbrook plan/DPD production outlining additional development at Cranbrook depending on whether retail development was proposed in these areas or not.

Net to gross ratio

- 2.7 Net to gross ratio refers to the gross and net developable areas of a site. The net being the proportion of the gross available on which to develop housing after subtracting land takes of requirements such as open space, floodplain and school campuses. The ratio can make a significant difference to the viability of a development.
- 2.8 The New Community Partners contended that the ratio should be 50% based on their experiences so far and the Harman Guidance (“Viability Testing Local Plans”) which suggests that strategic sites are likely to have net areas of less than 50% and even as little as 30%. However, a robust assessment of the requirements for the expansion areas and the site areas themselves suggests that the net area would account for between 75.7% and 77.1% of the gross site area. The report also considers the development site of Cranbrook phase 1 and suggests this is around 70%, and so 75% appears to be a reasonable assumption to make in viability assessing the expansion areas.

Opening up costs

- 2.9 Opening up costs (sometimes referred to as strategic infrastructure and utility costs) refer to the costs associated with being able to prepare a site and access it in order to commence development. The report robustly responds to each of the New Community Partner’s claims regarding these costs and concludes that the level of costs assumed by the viability study are reasonable and sufficient as well as being in-line with the Harman Guidance.

Residual S106 costs

2.10 Certain site-specific mitigations will continue to be dealt with by S106 even after CIL is adopted. This being the case, the cumulative cost of these requirements needs to be taken account of in assessing the viability of a site and its ability to pay CIL. The report updates the list of S106 requirements for the Cranbrook expansion areas that will have a cost implication to take account of latest understandings. It concludes that previous assumptions of £4,661.72 per dwelling are in fact generous and the likely cost will be just £3,879.50 per dwelling. This could be translated into a higher CIL rate, however, the report suggests that it is retained as an additional viability buffer due to the difficult and constantly changing nature of accurately predicting residual S106 costs for the new settlement.

Conclusion on residential CIL rate for Cranbrook

2.11 The report robustly evidences why the various assumptions questioned by the Inspector are correct and as such it is therefore proposed to retain the residential CIL rate for Cranbrook at £68/sqm.

3. Changes required to the Draft Charging Schedule

- 3.1 Attached to this report at Appendix 2 is a proposed revised Draft Charging Schedule. It is recommended that this is submitted to the Inspector to ensure consistency with the changes proposed by the separate report being considered by DMC on amendments to the new Local Plan. Proposed changes are as follows:
- 3.2 In line with changes proposed at Examination to ensure the residential and retail charging zones are clear, separate maps are now provided for residential and retail charging zones (rather than combining them on one map as had previously been submitted).
- 3.3 Amend the charging schedule itself to reflect the proposed £0/sqm charge for retail development at Cranbrook;

Development Type	Axminster, Cranbrook (“existing” town), Exmouth, Honiton, Ottery St Mary, Seaton and edge of Exeter allocation sites (defined by new Built-up Area Boundaries and proposed Strategic Allocations)	Allocated Cranbrook expansion areas (as defined in the New Local Plan)	Sidmouth, Coast, and Rural (the rest of East Devon)
Residential	£80	£68	£125

Development Type	Inside Town Centre Shopping Areas (as defined in the New Local Plan)	<u>Cranbrook (as defined by the “existing town” plus allocated expansion areas)</u>	Rest of East Devon
Retail	£0	<u>£0</u>	£150
All other Non Residential Uses	£0	<u>£0</u>	£0

- 3.4 Amend the edge of Exeter residential charging zones map to include the proposed allocation at Mosshayne within the £80/sqm charging zone.
- 3.5 Amend the Cranbrook retail charging zone map to show the “existing town” with planning permission plus proposed allocation areas) as being £0/sqm for retail development.
- 3.6 Remove the guidance and explanations of CIL, evidence and processes (pages 5-11 of the submitted Draft Charging Schedule) from the final Draft Charging Schedule. This information can easily become dated and is not particularly useful. It is safer in terms of future changes to regulations and legislation (quite possible following the General Election) and it ensures that the proposed charges are the key focus of the document. Guidance on how CIL will be administered etc will be provided separately nearer the time of adoption.

4. Use of key evidence documents in assessing and determining planning applications

- 4.1 Appendix 6 and Appendix 7 to this committee report are evidence reports that have directly informed the infrastructure planning and funding gap assessments that are integral to the setting of the CIL rates. These evidence reports set out the infrastructure requirements for Cranbrook. Some infrastructure including the swimming pool / leisure centre may rely on contributions from other developments at Cranbrook / the West End and so it is important that these are endorsed by the committee for use in assessing and determining planning applications as soon as possible.

5. Next steps

- 5.1 Upon Member endorsement of the appended documents, it is proposed that these and appropriate supporting evidence are submitted to the Inspector alongside the amended Local Plan so that the Inspector can suggest particular questions for consultation to focus on.
- 5.2 Following receipt of the questions that the Inspector considers appropriate to ask, a six week consultation will be ran with respondents being required to answer the specific questions the Inspector has raised potentially in April/May 2015.
- 5.3 Following the consultation the Inspector may or may not wish to reconvene the CIL Examination hearings. He may consider that it is not necessary to do so, having gathered all of the information he feels necessary to determine the CIL. However, should he feel it necessary to do so then hearing session(s) would likely take place alongside the reconvened Local Plan hearing sessions potentially in August/September 2015.
- 5.4 Assuming a positive determination of the new Local Plan and CIL Charging Schedule, it would be the intention to adopt them as soon as possible with a likely earliest date for this being January 2016.