

**Agenda for an Extraordinary meeting of Council
Wednesday, 13th January, 2021, 6.00 pm**

To: All elected Members of the Council; Honorary Aldermen

Venue: Online via the Zoom App

Contact: Susan Howl, Democratic Services Manager;

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(or group number 01395 517546)

Issued Monday, 4 January 2021



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

Please do not attend Blackdown House.

Members are asked to follow the [Protocol for Remote Meetings](#)

This meeting is being recorded by EDDC for subsequent publication on the Council's website and will be streamed live to the Council's Youtube Channel at

<https://www.youtube.com/channel/UCmNHQruge3LVI4hcgRnbwBw>

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

Dear Sir/Madam

**Meeting of the Council of the District of East Devon on
Wednesday, 13th January, 2021 at 6.00 pm**

You are called upon to attend the above meeting to be held online. It is proposed that the matters set out on the agenda below will be considered at the meeting and resolution or resolutions passed as the Council considers expedient.

Yours faithfully

A handwritten signature in black ink, appearing to be "M. Howl", written in a cursive style.

Chief Executive

1 **Public speaking**

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

2 **Apologies**

3 **Declarations of interest**

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

4 **Local Development Scheme and Statement of Community Involvement**
(Pages 3 - 32)

The Council is required to maintain an up to date Local Development Scheme that sets out a programme and timetable for production of future planning policy documents and a Statement of Community Involvement that details how we will consult on the production of these documents. This report introduces the updated version of both documents which have been considered by Strategic Planning Committee and are recommended to Council.

[Decision making and equalities](#)

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

Report to: Council

Date of Meeting 13th January 2021

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



Local Development Scheme and Statement of Community Involvement

Report summary:

The Council is required to maintain both an up to date Local Development Scheme (LDS) that sets out a programme and timetable for production of future planning policy documents and a Statement of Community Involvement (SCI) that details how we will consult on the production of these documents. This report seeks to introduce the updated version of both documents which have been considered by Strategic Planning Committee and are now recommended to Council following consultation with Cabinet.

Recommendation:

1. That Council adopt the proposed new Local Development Scheme and Statement of Community Involvement, as appended to this report, and that they take immediate effect.

Reason for recommendation:

To ensure the Council has an up to date Local Development Scheme and Statement of Community Involvement.

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

Portfolio(s) (check which apply):

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

Financial implications: There are no financial implications which require comment.

Legal implications:

Under the Planning and Compulsory Purchase Act 2004 the Council is legally required to maintain an up to date Local Development Scheme (LDS). Adoption of the enclosed revised LDS will ensure compliance with our legal obligations. Other legal implications are covered in the report.

The requirement to review and maintain an up to date Statement of Community Involvement to reflect legislative and other changes is met by adoption of the revised Statement. Other legal implications are covered in the report.

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk; [Click here to enter text on risk considerations relating to your report.](#)

Links to background information The proposed new Local Development Scheme (LDS) is appended to this report and has web links within. The previous LDS and SCI can be viewed via the web page accessed through the link below and the intent is that on agreement the new LDS and SCI will replace them on the same page: <https://eastdevon.gov.uk/planning/planning-policy/policy-work-whats-new/what-policy-documents-will-we-produce-and-how-will-we-consult-on-them/>

Link to [Council Plan](#):

Priorities (check which apply)

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

1 Introduction

- 1.1 There is a requirement for planning authorities to have an up to date Local Development Scheme (LDS) and an adopted Statement of Community Involvement (SCI).
- 1.2 The new proposed LDS forms a future work programme for the Planning Policy team at the Council and is appended to this committee report. The new LDS lists key policy documents that are proposed to be produced by the Planning Policy team or in which the policy team is partnering in production. The LDS also provides an overview of and advises on relevant planning policy work undertaken by outside partners, to include Devon County Council, in respect of waste and minerals plans and local communities in respect of Neighbourhood Plan making.
- 1.3 The EDDC SCI sets out our approach to promoting community and stakeholder consultation and involvement in respect to:
 - How we produce future planning policy and engage with stakeholders
 - How we notify individuals and organisations that planning applications have been submitted and how we encourage developers to undertake consultation.
- 1.4 The existing East Devon SCI was adopted on 24 October 2018, following extensive public consultation. It can be viewed online at <https://eastdevon.gov.uk/media/2692931/2018-sci-v6.pdf>. The SCI sets out the minimum requirements that we will meet but we will always strive to tailor a consultation to the specific circumstances and go beyond these. Ordinarily the SCI would be reviewed every 5 years or sooner if there is a change in legislation.
- 1.5 The pandemic and associated restrictions have resulted in new legislation being passed so that the risks associated with close contact are minimised and the requirement for a physical copy of consultation documents to be available at the Council Offices is removed. Government guidance advises that these arrangements are temporary and will last until 31

December 2020, however it is envisaged that this timescale could be extended. As a result it is considered to be an appropriate time to review the SCI to ensure it remains compliant and fit for purpose.

2 Development Plan Documents

- 2.1 The appended LDS advises of and sets out more detail on production of two Development Plan Documents (DPDs). These are:
- 2.2 **A new East Devon Local Plan** – this is planned to be an overarching new plan covering all policy matters that typically come up for consideration in determination of planning applications by East Devon District Council. Separate reports to Strategic Planning Committee on the 15th December 2020 provide more detail on production of the new local plan.
- 2.3 **The Cranbrook Plan** – this plan, which at December 2020 is at Examination, will provide policy for the future development of and determination of planning applications at Cranbrook.

3 Supplementary Planning Documents and other strategy and policy documents

- 3.1 In addition to DPD production the intent is that the Planning Policy team will produce, or partner in production of, a series of additional Supplementary Planning Documents (SPDs) and other strategy and policy documents. Those proposed for production are set out in the appended LDS report. However, it should be noted with a specific focus on local plan work the scope to undertaken other tasks is significantly reduced.

4 Review of the existing Statement of Community Involvement

- 4.1 The existing SCI is just two years old and would ordinarily not be considered dated however recent Government guidance encourages authorities to carry out a review and update their policies where necessary:

“Local planning authorities will need to assess their Statements of Community Involvement to identify which policies are inconsistent with current guidance on staying at home and away from others or any superseding guidance. This could include, for example, holding face-to-face community consultation events or providing physical documents for inspection.”

It is proposed to make several minor amendments to the existing SCI to ensure that it is fully up to date and is more appealing to the reader. The range of consultation techniques remains unchanged. A proposed updated version is appended to this report.

- 4.2 The current SCI refers to the Greater Exeter Strategic Plan having its own SCI. The amended SCI will delete this reference, and photographs relating to GESP, as GESP is no longer progressing.
- 4.3 The existing SCI is written in such a way that in the preliminary stages of plan making a range of possible actions are given and we are able to choose the most appropriate. The

revised SCI also follows this format and retains the range of options. Ordinarily consultation would include extensive face-to-face contact with the public from the outset but this will not be possible in the near future and is not a requirement provided adequate alternative engagement takes place. The only potential inconsistency is the SCI statement that *“consultation will normally include (amongst other matters)...making the document available at EDDC reception”*. Changes to the regulations *“temporarily remove the requirement on a local planning authority to make documents available for public inspection at the authority’s principal office and at such other places as the authority considers appropriate. They also make temporary changes to regulation 36 of the 2012 Regulations to remove the requirement on a local planning authority to provide hard copies of documents made available under 35. Documents are still required to be made available on the local planning authority’s website. This modification will apply until 31 December 2020.”* It is possible that this timescale will be extended but, in any case, we will make physical copies of the plan available via alternative means and this is discussed in more detail in the Issues and Options section below. To address this, it is proposed to amend the SCI to state *“Whilst the Exmouth and Honiton District Council offices are closed to the public as a result of Covid-19 restrictions, documents will not be available to inspect at the reception desks. Alternative arrangements to view paper copies will be arranged upon request.”*

East Devon Local Development Scheme – **Insert month after approval** 2021

The future work programme for planning policy production in East Devon covering the period from 2021 to 2024



Contact details

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1 Introduction

- 1.1 This East Devon District Council Local Development Scheme (LDS) sets out a programme and timetable for production of future planning policy documents by the Council.
- 1.2 East Devon District Council has resolved that this new LDS should take effect from – **date to be inserted after relevant Council/Cabinet approval**. This LDS covers the time period from the start of 2021 through to the end of 2024, it is envisaged however that it will be revised and superseded before this end date.

2 The stages in Development Plan Document preparation

- 2.1 Development Plan Documents (DPDs) sit at the top of the hierarchy of District Council planning policy documents, on adoption they form part of what is defined as the Development Plan. The term 'local plan' is often used interchangeably with DPD and although the Council has an adopted plan (which is a DPD) called the 'East Devon Local Plan' the use of the wording 'local plan' should generally also be taken to include all other DPDs as well.
- 2.2 DPDs are of fundamental importance in respect of informing prospective developers of the types of development and locations for development that are likely to be appropriate and they are the key policy documents used in determining planning applications. DPDs also inform communities, infrastructure and service providers and other council and wider service providers of development proposals. There are specific legally defined procedural steps that need to be complied with in order to produce a DPD, some of these are referred to in this LDS, however for a more complete picture see: The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), noting that future changes may be made, at: <http://www.legislation.gov.uk/ukxi/2012/767/contents>
- 2.3 In this LDS we set out dates for undertaking key stages in production of DPDs; the stages we report on are summarised below:
 - **Issues Consultation** – this is the starting point where comments on general issues and plan scope are sought. At this stage of plan making potential options and alternatives for development may be identified.
 - **Draft plan** – this is where a draft version of the plan or some other consultation document or documents are produced and feedback is sought. Although we use this draft plan terminology (and typically we will produce and consult on a draft of

the proposed plan) there are different approaches to this stage of work that we could undertake. In this LDS we highlight the date at which a draft of the plan is envisaged to be consulted on.

- **Publication** – this is the plan that the Council intend to submit for examination. The plan is made publically available and formal objections and other responses are sought from the public at this stage.
- **Submission** – the publication plan, the evidence supporting the plan and the formal responses to the plan are submitted to the government who appoint an independent inspector to consider the soundness of the plan. The examination of a plan, carried out by a Planning Inspector, starts at plan submission.
- **Inspector’s Hearings** – as part of the examination process there will typically be hearing sessions at which the Inspector will lead discussion on the contents of the plan, this helps the Inspector prepare his or her report.
- **Adoption** – the Council receive a report from the inspector and can then, assuming earlier tasks do not need to be revisited, adopt the plan.

2.4 It is stressed that the above stages are a much simplified version of what happens in plan making and they are not all explicitly required or referred to in legislation or regulations, they do, however, form key milestones that are reported on in this LDS to give an overview of plan preparation timelines. Government plan making regulations and legislation (and other guidance) should be reviewed for a complete picture of legislative processes that have to be followed.

3 The adopted East Devon Local Plan and Villages Plan

- 3.1 The current East Devon Local Plan, covering most policy matters across the District, was adopted on the 28 January 2016. In addition there is also an East Devon Villages Plan, adopted on 26 July 2018, which has a much more narrowly defined remit of defining Built-up Area Boundaries around selected settlements and it defines retail policy for Beer and Colyton. The adopted East Devon Local Plan and the adopted East Devon Villages Plan are both DPDs and cover the 18 year period from 1 April 2013 to 31 March 2031. Through the process of reviewing and then revising (as necessary) the plans will however be progressively and ultimately completely superseded by new policy documents before this end date.
- 3.2 It should be noted that policies in local plans should be reviewed at least every five years to assess whether they need updating, and the reasons for decision should be published. A formal review of the adopted East Devon Local Plan was undertaken in 2020.

4 Future Development Plan Documents in East Devon

4.1 This LDS sets out that, from 2021 to 2024, there will be two DPDs that will be produced/completed, summary details of these documents with dates set against key stages, are set out below. It should be noted that the dates (year and months) provided are based on what we currently know or best estimates, changes over time are, however, possible.

- a) **Future East Devon Local Plan** – the expectation is that this plan will address all Development Plan matters, potentially other than at Cranbrook – see below, that fall to the responsibility of East Devon District Council. The end date of the local plan is yet to be determined. The following forms the timetable for production:
 - Issues Consultation – starting January 2021.
 - Draft plan – consultation starting early summer 2022.
 - Publication – consultation starts October 2022.
 - Submission – March 2023.
 - Inspector’s Hearings – July 2023.
 - Adoption – February 2024.

- b) **Cranbrook Development Plan** – this plan will allocate development sites and establish policy to enable the new town of Cranbrook to expand to provide around 8,000 homes and associated social, community, employment and environmental facilities. The following timetable for production is set out:
 - Issues Consultation – this stage has already been completed.
 - Draft plan – this stage has already been completed.
 - Publication – this stage has already been completed.
 - Submission – this stage has already been completed.
 - Inspector’s Hearings – To be completed early 2021.
 - Adoption – 2021.

It remains to be determined whether and to what degree or at what point in time the policies of a new local plan for East Devon will supersede some or all Cranbrook Plan policies.

4.2 It should be noted that for any given DPD (or other policy document) the Council may produce more detailed and bespoke individual plan making timetables.

5 Other policy documents identified for production

5.1 In addition to DPDs the Council also produce a number of extra policy documents. Of greatest importance in respect of determining planning applications are Supplementary Planning Documents (SPDs). SPDs are intended to provide more detail on the use and implementation

on policies in DPDs. Procedures for producing SPDs are set out in legislation and regulations and the Council has a protocol for SPD production, see:

<https://eastdevon.gov.uk/media/2443645/spd-protocol-adopted-by-spc-20-march-18.pdf>

- 5.2 SPDs need to go through two stages of consultation but they are not subject to examination and therefore their preparation is shorter and simpler than DPDs; but they do not carry the same weight in decision making.
- 5.3 Whilst it's not intended to be a definitive list of all SPDs that may come forward we do plan to produce (or make substantive progress on) SPDs addressing the issues identified below in the period to 2024:
- 1) **Green infrastructure strategy for East Devon towns** – this SPD (or more likely series of SPDs for each town) will set out how we will support and encourage provision and use of links into and through green spaces in and around our towns. It should be noted that production for this or these SPDs is a longer term project that may well stretch beyond 2021.
 - 2) **Beer quarry bats guidance** – this SPD will outline our approach to dealing with future policy documents, planning applications and Neighbourhood Plan policies and allocations that could adversely impact on the protected bat colony at Beer and related habitats, it is being produced jointly with the East Devon Area of Outstanding Natural Beauty team.
 - 3) **East Devon Design Guide** – this SPD will set out the processes that should be followed and tools that can be used by applicants and developers to ensure that the proposals they submit will be of a high design standard and quality (and comply with East Devon Local Plan).
 - 4) **Site Specific Design Guidance and Development Briefs** – where sensitive, complex or challenging sites are identified for development we will consider producing specific SPDs to guide appropriate forms of and approaches to development. In some cases these specific SPDs will relate to sites allocated or otherwise identified in Neighbourhood Plans.
 - 5) **Self-Build** - this SPD will guide, inform and support policy for self and custom build development in East Devon.
 - 6) **Cranbrook Town Centre** – this SPD will guide the future development of the town centre.

- 5.4 The Planning Policy team of the Council may also produce further guidance and advise to support and promote development and promote wider social and environmental objectives. Such guidance will not have the formal status of an SPD but we will often look to follow similar processes in production.
- 5.5 The additional guidance that the planning policy team, partnering with other services, may produce up to 2024 includes:
- i. **Conservation Area Reviews** – mechanisms for undertaking reviews are in place and specific Conservation Areas reviews may be implemented across East Devon.
 - ii. **Playing Pitch Strategy** – this strategy will set out our approach to seeking to protect and enhance existing playing pitches and to secure new provision.
 - iii. **Open Space Strategy** - this strategy will set out our approach to seeking to protect and enhance open spaces in general.

6 Community Infrastructure Levy - Charging Schedule

- 6.1 In East Devon a financial charge, called a Community Infrastructure Levy (CIL), is placed on certain types of new development (most notably new housing) and monies raised are used to help pay for infrastructure that is needed to support development.
- 6.2 In order to be able to charge CIL the Council had to produce a charging schedule that was supported by financial viability assessment evidence, undertake consultation and take the work to Examination by an independent examiner. In this respect production of the CIL charging schedule follows a similar path to that for DPDs (but under separate legislation). The current charging schedule was approved in 2020 and will apply from 1 February 2021.

7 Neighbourhood Plans

- 7.1 Neighbourhood Plans are produced by local communities and in East Devon they are typically produced at the parish level. Neighbourhood Plans set out policies and proposals for development and in this respect they are similar to DPDs and they follow reasonably similar stages in production (but under separate legislation). Once adopted (the technical term is that they are Made) they also form part of the Development Plan for the District and will be used alongside DPD, SPDs and other policy documents in the determination of planning applications.

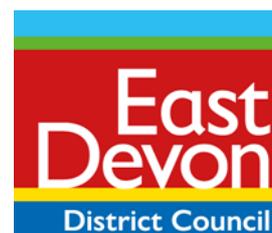
- 7.2 For more information on Neighbourhood Plans see:
<https://eastdevon.gov.uk/planning/planning-policy/neighbourhood-and-community-plans/>

8 Waste and minerals planning and Devon County Council work

The responsibility for waste planning and minerals planning in East Devon rests with Devon County Council; they have legal responsibility for producing plans and determining planning applications for these two matters. The County Council adopted a new Devon waste plan in 2014 and adopted a new minerals plan in 2017. For more information see:

<https://www.devon.gov.uk/planning/planning-policies/minerals-and-waste-policy>

- 8.1 The adopted waste plan and adopted minerals plan are also part of the Development Plan for East Devon.



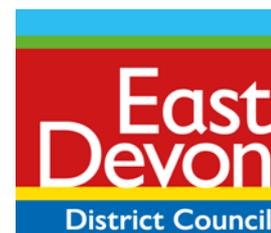
Statement of Community Involvement



December 2020 – VERSION FOR CONSIDERATION BY MEMBERS

East Devon – an outstanding place

East Devon District Council Statement of Community Involvement



This Statement of Community Involvement (SCI) sets out the policy for consulting the community, and anyone else interested in planning, on planning policy documents and planning applications in East Devon.

The SCI covers the following documents and proposals:

- **Planning Policy documents (including the Local Plan and other Development Plan Documents (DPD's), Supplementary Planning Documents (SPD's) and other guidance)**
- **Neighbourhood Plans**
- **Planning Applications**

The majority of the SCI deals with the plan making process (covering policy documents such as the Local Plan and guidance associated with it). It also sets out the minimum consultation we will undertake on planning applications, pre-submission requirements for 'major' developments and the support we will offer to local communities undertaking Neighbourhood Plans.

To request this information in an alternative format or language please phone 01395 516551

or email csc@eastdevon.gov.uk or planningpolicy@eastdevon.gov.uk

Consultation we will undertake when producing a Planning Policy document

Stage in Plan making	Consultation Duration- (excluding Bank Holidays)	Consultation that we will undertake for each stage of Planning Policy document production
Local Development Scheme	No set duration	<p>The Local Development Scheme (LDS) is the project plan for production of future planning policy documents. It sets out plans that will be prepared and the timetable for their production, consultation and adoption.</p> <p>http://eastdevon.gov.uk/planning/planning-policy/policy-work-whats-new/work-programme-and-consultations/local-development-scheme/#article-content</p> <p>The LDS will be available in electronic form on the Council webpage.</p>

<p>6.1 ebed EVIDENCE GATHERING AND PREPARING DRAFT DOCUMENTS</p>	<p>For the Local Plan and other DPD's this is the stage where we gather evidence and undertake engagement to determine what the plan should cover. Consultation is ongoing throughout this stage. The number and type of consultation documents we produce will depend on the issues involved and the revisions required. (Regulations 18 and 19 of Town and Country Planning (Local Planning) (England) Regulations 2012)</p> <p>For SPD's, this is the stage where a draft SPD is produced for consultation which sets out the approach that the Council intends to take (Regulation 12 and 13 of Town and Country Planning (Local Planning) (England) Regulations 2012)</p>	<p>For the Local Plan and other DPD's, a minimum of 6 weeks for the consultation document stage</p> <p>For other Policy Documents, a minimum of 4 weeks</p>	<p>EVIDENCE GATHERING</p> <p>We will gather evidence through some or all of the following:</p> <ul style="list-style-type: none"> • Review of existing data • Use of specialist consultants • Exhibitions and Roadshows (where we provide material and/or officer attendance) • Workshops (where we work with interested parties to explore issues) • Focus groups (where issues or policies are discussed and interested parties give us feedback) • Surgeries (where advice is given by professionals on their particular area of expertise) • Attending Meetings of Other Groups • One-to-One Meetings • Questionnaires • Consultation with Parish Councils and elected Members <p>Any technical or background document that forms a (substantive) part of our evidence base will be available in electronic form on the Council webpage. We will endeavour to make these available as they are completed (although this may require authority from District Councillors).</p> <p>Details of the findings of consultation events will be available on our website and in paper format.</p> <p>CONSULTATION</p> <p>We will notify those bodies, groups and individuals that we consider likely to have an interest in the subject of a Planning Policy document that we propose to prepare it, and invite representations about what it should contain and any proposals we have put forward. Any representations will be taken into account when preparing the document for consultation.</p> <p>Consultation will normally include:</p> <ul style="list-style-type: none"> • publicising it on our website and in any EDDC newsletter; • notifying any party whose details we hold and who has expressed an interest in the subject. • issuing a press release; • notifying those 'consultation bodies' referred to in the Statement of Community Involvement; • presenting to the Agents Forum, if appropriate; • notifying any specific interest groups/organisations; • advising adjoining authorities, which could include County Councils, other District and Parish Councils;
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	Stage in Plan making	Consultation Duration- (excluding Bank Holidays)	Consultation that we will undertake for each stage of Planning Policy document production
page 20	<p>Other guidance will also be produced in draft form for consultation</p> <p>As a minimum we must notify certain parties (as set out in the statutory regulations) that we are proposing a plan and invite them to comment on what it should contain. When we prepare the plan we must take these comments into account.</p>		<ul style="list-style-type: none"> • notifying District Councillors and Parish Councils; and • making the document available at EDDC reception. Note- Whilst the Exmouth and Honiton District Council offices are closed to the public as a result of Covid-19 restrictions, documents will not be available to inspect at the reception desks. Alternative arrangements to view paper copies will be arranged upon request <p>It may also include measures such as posters on local noticeboards, letters to residents, local events but this will depend on the resources available and the nature of the Policy document.</p> <p>The notification will give:</p> <ul style="list-style-type: none"> • details about the Policy document; • details of where and when it may be inspected; • details of how to make representations; • details setting out that those making representations may request notification of our decision; and • the date by which representations should be received (being no less than 4/6 weeks) . <p>Our usual practice is to provide a representation form for responses but to also accept written responses in other formats and emails. Where someone is unable to respond in writing an Officer can act as a scribe provided the respondent gives their permission and confirms the content is accurate. It will be made clear that all responses will usually be made public, subject to redaction of some personal information and any racist or inappropriate content. Representations will then be recorded electronically and made available on our website. It should be noted that:</p> <ul style="list-style-type: none"> • Anyone may make representations about a document • All representations must be received by the date specified in the notification.

<p>SUPPORTING DOCUMENTS</p>	<p>Supporting Documents</p> <p>Depending on the type of Policy document being produced, a variety of supporting documents may be required to inform it. Some documents are a legal requirement and these are described opposite.</p> <p>Consultation on SA report takes place alongside the Local Plan/DPD</p>	<p>SA/SEA- a minimum 5 weeks consultation with the ‘consultation bodies’ on a scoping report</p> <p>HRA- A minimum of 4 weeks for statutory consultees at stage a). A further 4 weeks for the public on the screening or full assessment</p> <p>EIA- A minimum of 4 weeks</p>	<p>Sustainability Appraisal (SA) (incorporating Strategic Environmental Assessment) - At key stages of Local Plan and other DPD production, a sustainability appraisal (SA) will be undertaken. This report will detail the likely significant environmental, social and economic effects of each proposal or option and will be undertaken and made available for public comment, usually alongside the Local Plan. If consultation leads to the approach changing significantly this will be reviewed and re-consulted on. The SA report will be considered by the Inspector as part of the Local Plan or DPD examination. Strategic Environmental Assessment is also a requirement for the Local Plan and other DPDs, but this is incorporated within the SA report.</p> <p>Habitat Regulations Assessment (HRA) - This assessment process requires the Council to screen the emerging policy document for potential impacts on the environment or internationally important habitats or species. The screening assessment may conclude that either:</p> <p>a) there will be no likely significant negative effects and a full assessment is not required, in which case the HR screening report should be referred to Natural England, Historic England and the Environment Agency for a period of at least 4 weeks (6 weeks is good practice). They may agree with the conclusion of the screening report or may recommend that a full assessment is required); Or</p> <p>b) there may or will be significant negative effects and a full assessment is required as part of the SPD work (in which case a full assessment must be carried out and the effects noted/addressed and/or mitigated). The screening and any subsequent full assessments will then be consulted upon in the same way as, and usually alongside, the Policy document.</p> <p>Equalities Impact Assessment (EqIA) - The Council is required to screen the emerging policy document for potential impacts on those with protected characteristics and to ensure they are not disadvantaged as a result of proposals. An EqIA will be made available for public comment, usually alongside the policy document. This will identify any potential impact on those with protected characteristics and outline how these will be mitigated. If an initial screening identifies a significant potential impact, a full Equalities Impact Assessment will be undertaken. If consultation leads to the approach changing significantly this will be reviewed and re-consulted on.</p> <p>Consultation statement - All Policy documents require a Consultation Statement that sets out who was consulted, how they were consulted and where documents and other material were available to access, including any measures taken to ensure inclusivity. It will summarise the main issues raised and explain how these were addressed. For the Local Plan and other DPD’s this is called a representation statement</p>
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	<p>Publication of the Document</p> <p>For Local Plans and other DPD's this will be the document that we intend to submit to the Secretary of State) for consideration and subsequent adoption (Regulations 19 and 20 of Town and Country Planning (Local Planning) (England) Regulations 2012)</p> <p>Anyone may make representations on the 'proposed submission document' at this stage, but they must be received by the planning authority by the date specified in the 'Statement of Representation Procedure'</p> <p>For SPD's this will be the document that we intend to adopt (Regulation 12 and 13 of Town and Country Planning (Local Planning) (England) Regulations 2012)</p>	<p>For the Local Plan and other DPD's, a minimum of 6 weeks</p> <p>For other Policy Documents, a minimum of 4 weeks. Although exceeding requirements, it is usual practice to consult on SPD's for 6 weeks</p>	<p>For Local Plans and other DPD's</p> <p>A minimum of six weeks formal public consultation will be undertaken in readiness for plan Examination. The following documents will be made available on the Council's web site and at the main Council Offices in East Devon</p> <ul style="list-style-type: none"> • The relevant local plan or DPD • A submission policies map (if applicable) • The relevant sustainability report • A representation statement giving details of which bodies and persons were invited to make representations (under regulation 18) and how this was done, a summary of the main issues raised and how they have been addressed in the local plan. • Any relevant supporting documents. <p>Details will also be provided of where and when the above documents are available for inspection and this will be sent to the bodies and persons invited to make representations. This is called a 'statement of representation procedure'.</p> <p>It will be made clear that all responses will usually be made public, subject to redaction of some personal information and any racist or inappropriate content. Representations will then be recorded electronically and made available on our website. Redacted information will be shown on copies that will be sent to the Planning Inspector and may be viewed at the council office.</p> <p>For SPD's and other policy documents</p> <p>A minimum of four weeks formal public consultation will be undertaken on the revised SPD/other Policy document and the consultation statement. The consultation will follow the same format set out for the previous stage. The following documents will be made available on the Council's web site and at the main Council Offices in East Devon</p> <ul style="list-style-type: none"> • The relevant SPD or policy document • The consultation statement • Any relevant supporting documents. <p>It will be made clear that all responses will usually be made public, subject to redaction of some personal information and any racist or inappropriate content. Representations will then be recorded electronically and made available on our website.</p>
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Stage in Plan making		Consultation Duration- (excluding Bank Holidays)	Consultation that we will undertake for each stage of Planning Policy document production
SUBMISSION page 8	<p>Submission of the Document</p> <p><u>Local Plans and other DPD's</u></p> <p>This is the stage the Local Plan or other DPD is sent to an Appointed Person (an Independent Planning Inspector appointed by the Secretary of State)</p> <p>Before making recommendations on the plan, the Inspector must consider any representations made on the published plan</p> <p>There is no equivalent stage for SPDs and other policy documents as the decision is made by the Council rather than an independent Inspector</p>		<p>We will send the following documents to the Inspector in electronic or paper form:</p> <ul style="list-style-type: none"> • The sustainability appraisal report; • A submission policies map, if the adoption of the local plan would result in changes to the adopted policies map; • A statement setting out: <ul style="list-style-type: none"> • Which bodies and persons were invited to make representation on the content of the plan (Preparation stage); • How those bodies were invited to make representations; • A summary of the main issues raised in those representations; • How any of those representations have been taken into account; • If representations were made at the publication stage, the number of representations made and a summary of the main issues raised; and • If no representations were received a statement that none were received; • Copies of any representations made at the publication stage; and • Any supporting documents the local planning authority consider relevant including the Equalities Statement and any assessment under the Habitats Regulations. <p>We will make these documents available as soon as practicable, and notify anyone with an interest that the Local Plan/DPD has been submitted.</p>

	Stage in Plan making	Consultation Duration- (excluding Bank Holidays)	Consultation that we will undertake for each stage of Planning Policy document production
NOT AN EXAMINATION page 24	<p>Examination Stage</p> <p><u>Local Plans and other DPD's</u></p> <p>An inspector will be appointed by the Secretary of State to conduct the examination. The Inspector will determine whether the plan has complied with various legal requirements (including the 'duty to co-operate') and whether it is 'sound'.</p> <p>There is no equivalent stage for SPDs and other policy documents</p>		<p>We will publish (on our web site and at our main Council Offices) details of the date, time and place of the hearing and the name of the Inspector at least 6 weeks before the opening of the hearing. We will also send these details to anyone who maintains a representation on the plan.</p>

Stage in Plan making		Consultation Duration- (excluding Bank Holidays)	Consultation that we will undertake for each stage of Planning Policy document production
RECOMMENDATIONS	<p>Publication of the recommendations of the appointed person</p> <p>Local Plans and other DPD's We must publish the recommendations and reasons of the Inspector as soon as reasonably practical after receipt of their report. There is no equivalent stage for SPDs and other policy documents although a report will be considered by the Council setting out the reasons for recommending it for adoption</p>		<p>We will publish the Inspector's recommendations and reasons on our web site and at our principal offices. We will also advise those people who requested it that the recommendations are available.</p>
	<p>Adoption</p> <p>This is the stage where the document is formally adopted and given full weight in decision making</p>		<p>As soon as possible after the policy document is adopted (by resolution of the local planning authority) we will publish on our web site and make available at our main office:</p> <ul style="list-style-type: none"> • The local plan, DPD, SPD or other policy document; • An adoption statement including the date on which it was adopted (this will also be sent to anyone who asked to be notified and, in the case of a Local Plan or DPD, we will also send a copy to the Secretary of State). In the case of an SPD, the adoption statement will also include, if applicable, any modifications made (pursuant to section 23(1) of the Act). • Any other supporting documents and, in the case of a Local Plan or other DPD, a copy of the sustainability appraisal document and adoption statement. • Details of when and where the plan can be inspected. <p>We will usually issue a press release advising that the policy document has been adopted.</p>

	Stage in Plan making	Consultation Duration- (excluding Bank Holidays)	Consultation that we will undertake for each stage of Planning Policy document production
	Monitoring and Review		Monitoring and Review <ul style="list-style-type: none"> We will notify interested parties of monitoring processes/the Monitoring Report and of document Review (if proposed)
page 26	In addition for each stage we will: <ul style="list-style-type: none"> Examine the potential for holding stakeholder events. We welcome your suggestions as to events which would be of particular worth or value. Issue relevant and informative press releases and press articles. Make information available in a variety of formats so that those with special requirements are able to participate in the consultation. This may include: <ul style="list-style-type: none"> *Large Print *Different font types/colours *Audio version (via our website) *Translation into other languages (via our website) *Face to face meetings with Officers 		

Consultation we will undertake in Development Management

The Council, as local planning authority, is required to undertake a formal period of public consultation, prior to deciding a planning application. This is prescribed in [article 15 of the Development Management Procedure Order](#). There are separate arrangements for listed buildings which are set out in [regulation 5](#) and [regulation 5A of the Listed Buildings and Conservation Area Regulations 1990](#) (as amended).

Planning Applications

In line with legislation, as a minimum planning applications will be advertised in one of the following ways:

- through an advertisement in the local newspaper;
- by posting a notice on the application site; or
- by a letter to immediate neighbours.

Additional consultation, using two or more of these methods and by writing to less immediate neighbours or other interested parties, will be carried out depending on the circumstances. This reflects current practice in development management. The time period for making comments will be set out in the publicity accompanying the planning application. This will be not less than 21 days, or 14 days where a notice is published in a newspaper.

Parish Council's will be notified of planning applications and should respond within the 21 day consultation period.

Planning law prescribes circumstances where consultation must take place between a local planning authority and certain organisations (known as statutory consultees), prior to a decision being made on an application. The organisations in question are under a duty to respond to the local planning authority within a set deadline and must provide a substantive response to the application in question. Where appropriate, the statutory consultees can request additional information to be supplied by the applicant if it is necessary to help them reach a recommendation.

Pre-submission consultation

In addition, the SCI now sets minimum requirements for pre-submission consultation on major applications, for which the applicant is responsible. Major sites are defined in the Local Plan as 10 or more dwellings or, for other uses, 1000 square metres or 1 ha or more. Where major development is proposed the applicant must consult the local community prior to submitting the planning application and demonstrate how the issues raised through the consultation have been addressed. As a minimum, proposals should be sent to the relevant Parish Council (usually the Council covering the Parish but this may include adjoining Parish Councils), available to view online, a staffed public exhibition should be held and the local community should be notified in writing and by public notice. Responses should be recorded in writing and material should be available in a variety of formats to meet equalities legislation. Where other applications are likely to result in a significant local impact, pre-application consultation may be required.

Neighbourhood Plans and Neighbourhood Development Orders

A Neighbourhood Development Plan is a planning document, produced by the local community, which sets out policies for the type and location of development in the local area (usually a Parish, in East Devon). It can also allocate sites for development, and, once made, becomes part of the 'Development Plan' for the area. Local communities will be able to say, for example, where new homes and offices should be built, and what they should look like. The neighbourhood plan will set a vision for the future and can be very detailed, or generalised, depending on what local people want.

A Neighbourhood Development Order enables the community to grant planning permission for new buildings they want to see go ahead on a particular site or within a particular area. Neighbourhood development orders allow new development without the developers having to apply for separate planning permission so all supporting technical evidence must be provided early in the process in order to ensure the order is based on the same information usually required to determine a planning application.

The neighbourhood plan or order must meet a set of Basic Conditions to ensure it complies with local and national planning policy, to ensure it meets the principles of sustainable development and to ensure that the local community have had a genuine opportunity to be engaged with the process.

Neighbourhood plans and orders are subject to an independent examination to check that it meets the Basic Conditions. If the standards aren't met, the examiner will recommend changes. The District Council, as planning authority will then need to consider the examiner's views and decide whether to make those changes. If the examiner recommends significant changes, then the parish, town council or neighbourhood forum may decide to consult the local community again before proceeding.

Once the plan or order has met the basic conditions, the District Council will arrange a referendum to ensure that the local community has the final say on whether a neighbourhood plan or order comes into force. People living in the neighbourhood who are registered to vote in local elections will be entitled to vote in the referendum. If more than 50% of people voting in the referendum support the plan or order, then the local planning authority must bring it into force.

Once a neighbourhood plan is in force following a successful referendum, it carries real legal weight. Decision makers are obliged to consider proposals for development in the neighbourhood against the neighbourhood plan. A neighbourhood order grants planning permission for development that complies with the order. Where people have made clear that they want development of a particular type, it will be easier for that development to go ahead.

Neighbourhood Plans and Neighbourhood Development Orders

In line with legislation, East Devon District Council will offer advice and assistance in the making of Neighbourhood Plans and Neighbourhood Development Orders. The details of this commitment are set out in the Neighbourhood Planning Protocol <http://eastdevon.gov.uk/media/1904166/planning-protocol.pdf>

To assist those involved in Neighbourhood Planning or the production of a Neighbourhood Development Order the Policy Team of the Council will:

- a) Maintain an up to date Neighbourhood Planning webpage on the Council's website that summarises the powers available under the Neighbourhood Planning regime and the key stages to developing a Neighbourhood Plan;
- b) Provide contact details of key officers in the Council that will be dealing with Neighbourhood Planning (including making of Neighbourhood Development Orders);
- c) Make available information on local and wider case studies as they emerge;
- d) Provide information relating to funding and resources;
- e) Offer explanation and advice to help a Community understand Neighbourhood Planning (including Neighbourhood Development Orders) and whether it is the right approach for them;
- f) Be available to attend inaugural meetings of groups wishing to apply for designation as a Neighbourhood Forum and / or Neighbourhood Areas and who wish to produce Neighbourhood Plans or produce Neighbourhood Development Orders;
- g) Hold an annual meeting open to all Parish Councils and other bodies and organisations to discuss and invite presentations on general Neighbourhood Plan matters;
- h) Provide general advice about the need for the Neighbourhood Plan or Neighbourhood Development Order to be in conformity with the Development Plan

The Planning Policy Team (details on page 2 of this document) will be the primary point of contact for Neighbourhood Planning work. The inputs of the Policy Team will include preparing formal reports and undertaking formal assessment process in respect to Neighbourhood Plans and Neighbourhood Development Orders as well as providing informal advice. **It is stressed that any advice, comment or assistance provided by the Policy Team (or any other officers of the Council) will be the opinion of any particular officer at that point in time. Opinion expressed is in no way binding on the Council (be that any subsequent consideration by that officer or any other officer or formal recommendations to or decisions taken by the Council).** Generally officers will not offer advice or comment on what the policies or proposals in a Neighbourhood Plan should say, or for example what areas of land should be allocated for development. But officers will offer comment,

	guidance and advice on the types of issues that could be appropriate to take into account in terms of a group thinking about Neighbourhood Plan or Neighbourhood Development Order format, structure or more detailed content.		
	Stage in Plan making that the District Council will undertake consultation	Consultation Duration	Consultation that we will undertake
Stages when consultation will be undertaken	Neighbourhood Area Designation Consultation	Minimum of 6 weeks	<p>Most of the consultation on a Neighbourhood Plan or Neighbourhood Development Order is carried out by the community themselves. Through a 'Statement of Community Involvement' (known as a consultation statement for NDO's) they will need to demonstrate that anyone who lives or works in a Neighbourhood Area has had the opportunity to express their views and that these have been taken into account. An independent Examiner will determine this.</p> <p>We will consult at the stages on the left, through:</p> <ul style="list-style-type: none"> • Written/email consultations with statutory consultees, general consultees and other relevant stakeholders, individuals and organisations who have expressed a wish to be consulted or have previously made comments and • By making the Consultation document available on the Council's website and hard copies available at the Council offices, from the Parish Council and the local library, if there is one within the Parish- Note- this is subject to any access restrictions, for example public buildings being closed due to Covid; • Through press notices, notices on noticeboards and a notice on the Council's website
	Neighbourhood Forum Designation	Minimum of 6 weeks	
	Submission Consultation and Publicity of a Plan proposal	Minimum of 6 weeks	
	Referendum	1 day	Everyone who lives in the neighbourhood area and is entitled to vote will be invited to vote on the neighbourhood plan or neighbourhood development order. Ballot papers will be sent to the voters registered address and the ballot will be advertised on the Council's webpage, at the polling station and on noticeboards in the Parish. A press release will usually be issued.

Consultation Bodies

The Town and Country Planning (Local Development) (England) Regulations 2012 require the Council to consult the following ‘specific’ and ‘general’ consultation bodies if proposals in planning policy documents affect them. A number of these bodies are also considered to be Duty to Co-operate bodies. It is important to note that the Neighbourhood Planning (General) Regulations 2012 (schedule 1) also requires qualifying bodies to consult the same consultation bodies in the preparation of Neighbourhood Development Plans. In instances where any of the organisations (bodies) detailed below cease to exist, successor bodies will be consulted.

Specific Consultation Bodies

Local Planning Authorities	The Coal Authority
• Devon County Council	Homes and Communities Agency
• West Dorset District Council	Natural England
• South Somerset District Council	The Environment Agency
• Mid Devon District Council	Historic England
• Taunton Deane Council	Network Rail Infrastructure Ltd
• Exeter City Council	Highways England
• Teignbridge District Council	Marine Management Organisation
Town / Parish Councils	Relevant telecommunications companies
• All Town and Parish Councils within and adjoining East Devon District	Devon and Cornwall Constabulary/ Police and Crime Commissioner
Local Enterprise Partnerships	Relevant health bodies e.g. CCG, NHS PCT
• Heart of the South West Local Enterprise Partnership	Relevant electricity and gas companies
	Relevant sewerage and water undertakers

In addition to the specific consultation bodies listed above, the council/qualifying body will involve as many people and groups as possible in the categories below:

General Consultation Bodies
• voluntary bodies some or all of whose activities benefit any part of the local planning authority’s area
• bodies which represent the interests of different racial, ethnic or national groups in the local planning authority’s area
• bodies which represent the interests of different religious groups in the local planning authority’s area
• bodies which represent the interests of different gender and sexual orientation groups in the local planning authority’s area

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| • bodies which represent the interests of disabled persons in the local planning authority's area |
| • bodies which represent the interests of persons carrying on business in the local planning authority's area |

Examples of organisations which are General Consultation Bodies
Environment and conservation groups (e.g. the Royal Society for the Protection of Birds and Devon Wildlife Trust)
Area of Outstanding Natural Beauty (AONB) Partnerships
Minority ethnic groups
Gypsy and Traveller groups
Sport England
Youth groups, schools, colleges
Health care groups
Transport providers/operators
Housing interest groups
Landowners and developers
Local businesses/ bodies which represent local businesses
Local resident associations
Older persons groups
Religious groups