

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of the consultative meeting of Strategic Planning Committee held oOnline via the zoom app on 5 October 2021**

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

The meeting started at 2.02 pm and ended at 5.18 pm. The meeting was briefly adjourned at 4.15 pm and reconvened at 4.25 pm.

#### **33 Public speaking**

There were two members of the public present who wished to address the Committee when the relevant item was considered. (Minute 38 - The Role and Function of Settlements – Final Draft).

#### **34 Minutes of the previous meeting**

Members were happy to accept the minutes of the consultative Strategic Planning Committee meeting held on 7 September 2021.

#### **35 Declarations of interest**

Minute 38. The role and function of settlements.

Councillor Andrew Moulding, Personal, Development Officer for Axminster Cricket Club and President of Cloakham Lawns Sports Centre.

Minute 38. The role and function of settlements.

Councillor Eleanor Rylance, Personal, Broadclyst Parish Councillor and a resident of Broadclyst. Also is part of a team that is putting together the Neighbourhood Plan for Broadclyst.

Minute 38. The role and function of settlements.

Councillor Jess Bailey, Personal, Devon County Councillor.

Minute 38. The role and function of settlements.

Councillor Mike Howe, Personal, Bishops Clyst Parish Councillor and owns a business in an area of one of the settlements and that has a built up area boundary.

Minute 38. The role and function of settlements.

Councillor Olly Davey, Personal, Exmouth Town Councillor.

Minute 38. The role and function of settlements.

Councillor Paul Arnott, Personal, Colyton Parish Councillor.

Minute 38. The role and function of settlements.

Councillor Paul Hayward, Personal, Employed as Clerk to All Saints, Chardstock and Newton Poppleford and Harpford Parish Councils. All are consultees to the Local Plan.

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Councillor Philip Skinner, Personal, Owns land that is in the HELAA process and is known to the owners of Darts Farm.

Minute 39. Principles of settlement boundaries (BUABs).

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Minute 40. The importance of health considerations in the preparation of and content of the new local plan.

Councillor Andrew Moulding, Personal, Development Officer for Axminster Cricket Club and President of Cloakham Lawns Sports Centre.

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Minute 41. Evidence collection and potential policy approaches for sport and recreation.

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36 **Matters of urgency**

There were no matters of urgency raised.

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

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

38 **The role and function of settlements**

The Chair invited the two public speakers to speak.

Mr Paul Gamble raised a question on the Role and Function of Settlements – final draft and sought clarification as to why All Saints was not recognised as having a public transport service. He referred to the response he had received from this council on 13 September 2021 which stated ‘we didn’t include the bus service running from All Saints Cross bus stop as, although it may be a reasonable walking distance, it is detached from the existing built form of the settlement, and along country lanes which would not be attractive to walk along, particularly after dark’.

Mr Gamble advised that All Saints Cross bus stop was approximately 100m from All Saints and was used regularly by people of all ages and provided a valuable, regular link from the village to Axminster. He considered the lane was safe to walk along and referred to the All Saints Sports Playing Pitch, which was included in the list of services, being located in the same lane as the bus stop.

He referred to Members comments from the Strategic Planning Committee held on 20 July detailed on page 14 and quoted ‘the proximity of services should be taken into account, even if outside the actual village’ and referred to Ebford being in proximity to the St George and Dragon pub and Dart’s Farm and Exton and Westclyst being identified in tier 4 as they were close to a range of facilities elsewhere.

In response the Service Lead - Planning Strategy and Development Management advised that the bus service was discounted due to the distance from the main village and that it was located down an unsafe and unlit country lane. He acknowledged that the sports pitches had now been included at Members request but considered these pitches would be used during the day which was less of an issue. He acknowledged Mr Gambles concerns and advised the decision was subject to judgment about whether Members wanted to give consideration to facilities and services that are outside of settlement boundaries and welcomed Members views during debate.

Mr Bruce Hartley-Raven spoke on behalf of the owners of Darts Farm who advised that as part of the Call for Sites Consultation in March 2021 land had been submitted to the north east of Darts Farm to enable the expansion of Darts Farm and for the opportunity of much needed housing. He raised concerns that Clyst St George had not been defined as a village even though it had a number of community facilities and was close to other hubs including Darts Farm, the adjacent business park and the Devon and Somerset Fire

Rescue HQ and that it would not be able to benefit from any planned or designated growth through the emerging local plan.

He urged Members to reconsider and amend the draft document.

The Service Lead - Planning Strategy and Development Management presented the report that updated Members on the engagement undertaken to develop an evidence document that detailed the settlement hierarchy in the emerging local plan.

He drew attention to the comments by Mr Hartley-Raven and acknowledged that Members had submitted comments that identified that the proximity of services should be taken into account, even if outside the village. He asked Members to be mindful of how these services are particularly given the age profile of many of our rural communities and the mobility issues residents may have. He also highlighted the roads to Darts Farm and the George and Dragon Pub are busy main roads that do not have any crossing points.

One comment was raised by a Non-Committee Member:

The Portfolio Holder Coast, Country and Environment advised there was a need to identify and protect our natural areas first before considering building in a town. He agreed with the comments about the narrow footpath at Clyst St George and advised that a cycleway across the road was refused by Devon County Council Highways.

Comments raised by Committee Members included:

- Concerns raised about the inaccuracy of the population figures and not producing the services that are actually needed especially in terms of medical services. In response the Service Lead, Planning Strategy and Development Management advised that the most up-to-date data had been used and if new population data came through while preparing the local plan that would be taken into account.
- Clarification sought about whether there was another mechanism to produce accurate population figures.
- Concerns raised that certain assumptions are being made about where things are actually located.
- There are a lot of inaccuracies in the document that may lead to wrong decision being made.
- There is a need to build services in parallel to the number of houses being built.
- Westclyst is not a settlement it is part of Broadclyst.
- The need to draft a local plan that is flexible to allow for changing circumstances;
- Concerns that there are limitations on the growth that we are allowing in settlements especially in those settlements that want growth;
- There is a need to consider the demographics as many of our villages have older people in them;
- It is crucial to consider how we are classing the open countryside and the settlements and whether we are going to allow growth. In response the Service Lead – Planning Strategy and Development Management advised this was significant for Clyst St George and advised that if Darts Farm and the George and Dragon and other facilities were included, that were on the edge of the settlement and within walking distance of the settlement this would bring Clyst St George into tier four of the settlement hierarchy;
- A fundamental issue with Clyst St George is that it has an extremely hazardous road with a narrow footpath;
- There is a need to resolve the issue that too many communities are not being allowed to grow. We must be more pragmatic, more open and more flexible to allow small growth in our smallest communities. In response the Service Lead –

Planning Strategy and Development Management advised there were mechanisms in place to allow small growth but advised Members to be mindful of consistency of planning merits rather than whether communities want growth or not;

- The way forward to allow rural villages to prosper is to look at smaller organic growth through community led housing;
- Concerns raised about economic development and the key balance between jobs and housing which is changing due to the pandemic and the need for an economic plan to minimise the amount of travelling by cars and to maximise the connectivity. There is a need to think holistically about jobs, infrastructure and housing. In response the Service Lead – Planning Strategy and Development Management advised about the close work with the Economic Development Team to develop evidence for employment needs within the district and how to deliver jobs through the local plan;
- Concerns raised that Lympstone Commando Centre should not be included with Exton as it is misleading. In response the Service Lead – Planning Strategy and Development Management advised the Committee that it had not influenced the consideration of Exton in the hierarchy.

**That Strategic Planning Committee endorsed the findings of the Role and Function Settlements – Final Draft and endorsed its use as evidence which will be updated as further data and evidence comes forward.**

### 39 **Principles of settlement boundaries (BUABs)**

The Committee considered and discussed the report and topic paper presented by the Service Lead – Planning Strategy and Development Management which set out the national planning policy context and the consideration of alternative approaches to help to deliver the local plan strategy.

The Service Lead – Planning Strategy and Development Management highlighted to Members the need to focus on the principles rather than on particular boundaries as this would be discussed at a later stage.

Discussion by Committee Members included:

- Support was expressed for criteria based policy;
- There is a need to put in place protection to stop overdevelopment in villages;
- There is a need for proper strategic planning;
- There is a need to protect our beautiful environment that people have come to enjoy and to also attract many visitors to the area;
- What are the principles we are trying to achieve – a suggestion was made about the essential need to build low cost social housing in villages;
- Reference was made to the rural exception sites that provide 66% of the homes as affordable housing which is a key area we can promote through the local plan and through our policies;
- Support was expressed for built up area boundaries as these give planning certainty which has worked well and have generally been upheld through the planning process. There is a danger with criteria based planning that it will cause sprawl and uncertainty;
- Support was expressed for an hybrid alternative involving boundaries and criteria based policies as there is a danger for the Planning Committee to consider applications on merits rather than on principles;

- Suggestion to ask parish councils that wish to develop to identify areas which can then be added to a register for future development. In response the Service Lead – Planning Strategy and Development Management advised that Neighbourhood Plans allow the freedom for towns and parishes to define their area boundaries and allocate sites that they want to see developed. The local plan is tied by different legislation and there is a need to take a more holistic and consistent approach across the district through the local plan.
- Allow self-builders to build within the villages that they were born into. In response the Service Lead – Planning Strategy and Development Management advised that the hybrid approach would allow a small scale of growth outside the boundary which could include self-build or social housing that would meet the needs of communities.
- There is a need for rules and exceptions to rules especially when dealing with planning applications;
- Fully support the hybrid approach with the need to be careful about our built up area boundaries and to encourage communities to do a neighbourhood plan to allow small scale growth;
- Suggestion made for a further report setting out the options for a criteria based policy on development adjacent to settlements

**That the principles of settlement boundaries topic paper were considered and that a further report will come back to Committee setting out options for a criteria based policy on development adjacent to settlements.**

#### 40 **The importance of health considerations in the preparation of and content of the new local plan**

The Service Lead – Planning Strategy and Development Management presented a report that provided Members with key issues about how and why health considerations were applicable to the many aspects and policy areas of the local plan and how these issues could impact the local plan work currently being done.

Non-Committee Members comments included:

- Reference was made to paragraph 3.2 and the lack of reference to public toilet provision in the local plan. In response the Service Lead – Planning Strategy and Development Management advised he was happy to give this some thought but highlighted that the majority of public toilets were owned by the Council and so there was no need for planning policy to control them.
- In agreement with walkable neighbourhoods and the need for cycle routes but there is also a need for cycle infrastructure such as bike stores and a bike hire scheme;
- Reference to paragraph 11 and access to wholesome, locally produced foods and support was expressed for pursuing a policy to limit clusters of fast food outlets in towns;
- There is no reference to the Poverty Strategy that was recently approved as a council policy. In response the Service Lead – Planning Strategy and Development Management advised this would be incorporated into the key policies where appropriate in the local plan.
- Reference to paragraph 8.1 and support expressed for energy efficient homes

Committee Members discussion included:

- The report was welcomed by Members;

- Reference made to paragraph 1.5 and a slight concern was raised when developers cannot provide high quality education, training and employment;
- The market will decide whether fast food outlets are required in towns, it should not be for the Council to limit clusters through planning policy;
- Welcome the focus on the health benefits of active travel as not enough attention is paid on this;
- Would like to see in the local plan that all new developments produce a travel plan showing how the residents of that development are going to travel and design developments with cycle storage and provision for cycle and walking routes;
- New developments should provide allotments or gardens for people to grow their own produce to encourage healthier diets;
- Further suggestion for allotments particularly on the larger developments;
- Landscaping in our towns is critical;
- Reference made to paragraphs 7.2 and 7.3 about public transport and concerns raised about overcrowding especially since the pandemic;
- Clarification sought on paragraph 8.1 and how can Building Control be influenced to make sure houses are energy efficient so people do not end up paying high energy bills. It was advised there was a need to wait for government guidance on how to move forward on low carbon developments.
- Reference made to paragraph 9.1 about air quality and a suggestion was made to include smell which can be extremely harmful to residents when they have an unsociable neighbour. In response the Service Lead – Planning Strategy and Development Management referred to environmental nuisances which included smell, noise, fly nuisance from farms etc. and acknowledged these nuisances can impact on mental health.

**That the overall importance of taking health considerations, including environmental nuisances such as smell and noise into account and promoting healthy lifestyles through the local plan were endorsed.**

#### 41 **Evidence collection and potential policy approaches for sport and recreation**

Members considered the Service Lead – Planning Strategy and Development Management report outlining the evidence gathering and strategy production on sport and recreation to support policy developments in the local plan.

To help Members with their discussion their attention was drawn to the ongoing work by the Planning Policy Team on the Playing Pitch Strategy, the comments received from Sport England during the issues and options consultation recommending a built sports facilities strategy, which was in the process of being commissioned and the ongoing work with the Leisure Strategy which was being developed through the LED Forum.

Questions raised by Non-Committee Members included:

- Clarification sought on the reasons why Sport England had advised to use an external consultant for the Playing Pitch Strategy rather than keep it in house. The Service Lead – Planning Strategy and Development Management advised that this was discussed at a recent working group meeting and referred to the playing pitch condition assessments and whether we had the expertise to do that. This was currently being discussed with Sport England.
- A comment was made that the previous strategy did not deliver the pitches that East Devon needed and perhaps different approaches should be explored.

Discussion from Committee Members included:

- Concerns raised about private land owned sports pitches being used constantly for other events which makes it very difficult to use these pitches for sports. Clarification sought on when is a sport pitch not a sports pitch. The Service Lead – Planning Strategy and Development Management acknowledged the concerns raised and advised that private land owners can use the pitches for other purposes as well as sports and referred to permitted development rights for temporary events.
- Suggestion made to ask the Scrutiny Committee to look into this and whether a letter can be sent to the Secretary of State for Licensing and Planning to overcome this problem in the future

**That the ongoing evidence gathering to support policy around sports and leisure be noted.**

### **RECOMMENDATION**

**Request Scrutiny Committee to look at the effect of the extended 56 day temporary use under permitted development rights with a possible report to the Secretary of State on the impact.**

### **Attendance List**

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

D Ledger (Chair)  
O Davey (Vice-Chair)  
M Allen  
P Arnott  
J Bailey  
P Hayward  
M Howe  
B Ingham  
A Moulding  
G Pratt  
E Rylance  
P Skinner

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

M Armstrong  
D Bickley  
P Faithfull  
S Jackson  
G Jung  
R Lawrence  
P Millar  
H Parr  
E Wragg

#### **Officers in attendance:**

Ed Freeman, Service Lead Planning Strategy and Development Management  
Shirley Shaw, Planning Barrister  
Nicola Cooper, Solicitor



Wendy Harris, Democratic Services Officer  
Debbie Meakin, Democratic Services Officer

**Councillor apologies:**

K Blakey  
J Bonetta

Chairman .....

Date: .....