

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Strategic Planning Committee held at Online via the zoom app on 14 December 2021

Attendance list at end of document

The meeting started at 9.30am and ended at 4.00pm. The meeting was briefly adjourned at 11.10am and reconvened at 11.15am and adjourned at 12.30pm and reconvened at 1pm.

51 Public speaking

Four public speakers and two District Councillors spoke on the working draft of the proposed East Devon Local Plan 2020 – 2040.

Committee Member, Councillor Mike Howe raised concerns on behalf of the residents and the parish councils of Bishops Clyst about the new town proposed and addressed issues including highway and infrastructure implications and requested that surface water and sewage be considered as part of the infrastructure.

Mr Andrew Preston raised a question on behalf of Mr Peter Stodgell on why the village of Upottery had not been included in Tier 4. He advised that out of the 23 settlements listed in Tier 4, 13 had a smaller working age population and 18 had fewer jobs than Upottery. Upottery also had a primary school and community sports field and was in a sustainable location with a range of local services and good employment provision.

Mr Andrew Preston, also asked a question on behalf of Morrish Homes on why land on Oak Road on the southern side of West Hill (site reference West_05) was identified as Rank 1 given the similarities between its neighbours that were identified as Rank 3. He advised that Morrish Homes had already undertaken a considerable amount of work to address the suitability of the site for housing which included to retain trees, appropriate open space between dwellings, appropriate means of access and foul and surface water drainage. He referred to the distance of local facilities and local roads in West_13 & 14 that were Rank 3 advising West_05 was the same distance and was in walking distance and asked Members to consider West Hill as Rank 3 to maintain consistency with neighbouring sites. In response to all the questions raised the Chair advised that a written response would be provided by the Service Lead, Planning Strategy and Development Management due to the anticipated length of the meeting.

Councillor Kelvin Dent, Chair of Planning, Sidmouth Town Council congratulated the officers on a tremendous job of preparing an extremely thorough detailed piece of work. He acknowledged the difficulty of land allocation in Sidmouth and advised that Sidmouth Town Council supported Option C of less development as detailed on page 113. He referred to three favourable sites, Sidmouth Sid_01 and Sid_19 in Sidmouth and Sid_10 in Sidbury. He raised concerns about Sid_06 at Sidford which had been recommended for 30 dwellings with a potential for 300 dwellings and addressed the need to maintain a green separation between Sidford and Sidbury.

Councillor David Valentine representing Gittisham Parish Council sought reassurance that parish councils would be consulted with at all stages of the local plan process including the next stage with the forthcoming sustainability appraisal. He raised concerns that site reference Gitti_01 and 05 on pages 188 and 189 would encroach within 400 metres of the village and that it was identified as Rank 2 whereas on page 22 it was identified at Rank 3. He sought clarification on the caveat that should numbers not

be met other land may need to be brought forward and suggested a clear distinction be made between land north and south of the railway line and that land to the south should be given Rank 1.

In response to speakers the Chair advised that there would be no definitive allocations made at this meeting today and that the reason for viewing the working draft of the Local Plan was for openness and transparency to give towns and parish councils and their constituents' time to consider the document.

Councillor Alasdair Bruce raised concerns of established principles for future documents and advised, in his opinion, there were too many contradictory statements within the report and referred to Feniton's proposed expansion even though an inquiry in 2014 reported a lack of sustainability and rejected claims that it was suitable for new development and referred to the Acland Park development that had gone so badly wrong.

The following statement was read out on behalf of Mr Paul Smith, resident of Cranbrook:

I commend Council officers for the accomplished production of this first draught of the East Devon Local Plan, and welcome their transparency and candid acknowledgement that the draught is presented with a 'cautionary warning that it represents officers' preliminary assessment only', and sets out their preferred options for development sites across District, each subject to change.

East Devon's new Local Plan must confront the growing crisis presented by the shortage of supply and affordability of localised housing, particularly in relation to its existing indigenous populous who are predominantly the District's younger generation.

The challenge is heightened by an increasing migration to East Devon for retirement, 2nd homes, holiday lets, and a limited supply of private rental properties.

Further complexity will undoubtedly be added to this situation by additional housing demands precipitated by an influx of home seekers drawn to Exeter and surrounding areas by its vision to be the regional powerhouse in the South West and the most 'Attractive and Accessible City in England'.

Confronted with the complexity of issues I feel it pertinent to highlight to Committee the imminent completion in early 2022 of the HELAA Panel of experts report, which will provide a complete detailed assessment of each of the 359 'Call for Sites' submitted for consideration of development across the District, and availability of Brownfield development sites. Access to comprehensive information which will enable Councillors with officer assistance to make totally informed judgements re Spatial Strategy, Settlement Hierarchy and Overarching strategy for distribution of development within District, over the next decade.

I would hesitate to suggest that the existing timetable for production of this complex draught plan is too rushed, and proposals for a series of Committee meetings in January 2022 to facilitate presentations by a limited number of developers and agents, before you have access to the HELAA report is somewhat premature.

Officers have indicated options for flexibility of time scales, and if appropriate I would commend you to consider amending schedule.

52 **Minutes of the previous meeting**

Members were happy to accept the minutes of the consultative Strategic Planning Committee meeting held on 9 November 2021.

53 **Declarations of interest**

Minute 56. Infrastructure Funding Statement.

Councillor Andrew Moulding, Personal, Trustee of Axminster skatepark and President of Cloakham Lawns Sports Centre.

Minute 56. Infrastructure Funding Statement.

Councillor Dan Ledger, Personal, Seaton Town Councillor.

Minute 56. Infrastructure Funding Statement.

Councillor Eleanor Rylance, Personal, Broadclyst Parish Councillor.

Minute 56. Infrastructure Funding Statement.

Councillor Jake Bonetta, Personal, Honiton Town Councillor.

Minute 56. Infrastructure Funding Statement.

Councillor Jess Bailey, Personal, Devon County Councillor.

Minute 56. Infrastructure Funding Statement.

Councillor Kevin Blakey, Personal, Cranbrook Town Councillor.

Minute 56. Infrastructure Funding Statement.

Councillor Mike Howe, Personal, Bishops Clyst Parish Councillor and owner of a convenience store in Clyst St Mary which is in my ward as a district councillor.

Minute 56. Infrastructure Funding Statement.

Councillor Olly Davey, Personal, Exmouth Town Councillor.

Minute 56. Infrastructure Funding Statement.

Councillor Paul Arnott, Personal, Colyton Parish Councillor.

Minute 56. Infrastructure Funding Statement.

Councillor Paul Hayward, Personal, Employed as Clerk to All Saints and Chardstock Parish Councils and locum Deputy Clerk to Axminster Town Council.

Minute 56. Infrastructure Funding Statement.

Councillor Philip Skinner, Personal, Received lobbying emails from developers and constituents and one from one of the public speakers.

Minute 57. Working draft of the proposed East Devon Local Plan 2020 - 2040.

Councillor Andrew Moulding, Personal, Received letters from local residents.

Minute 57. Working draft of the proposed East Devon Local Plan 2020 - 2040.

Councillor Ben Ingham, Personal, Received lobbying emails.

Minute 57. Working draft of the proposed East Devon Local Plan 2020 - 2040.

Councillor Dan Ledger, Personal, Seaton Town Councillor and had received lobbying emails.

Minute 57. Working draft of the proposed East Devon Local Plan 2020 - 2040.

Councillor Eleanor Rylance, Personal, Broadclyst Parish Councillor and received lobbying emails.

Minute 57. Working draft of the proposed East Devon Local Plan 2020 - 2040.
Councillor Geoff Pratt, Personal, Received lobby email from one of the public speakers on their views on the working draft Local Plan.

Minute 57. Working draft of the proposed East Devon Local Plan 2020 - 2040.
Councillor Jake Bonetta, Personal, Honiton Town Councillor and received various lobbying emails including one from a public speaker and also from a developer from the south of Axminster.

Minute 57. Working draft of the proposed East Devon Local Plan 2020 - 2040.
Councillor Jess Bailey, Personal, Devon County Councillor.

Minute 57. Working draft of the proposed East Devon Local Plan 2020 - 2040.
Councillor Kevin Blakey, Personal, Cranbrook Town Councillor.

Minute 57. Working draft of the proposed East Devon Local Plan 2020 - 2040.
Councillor Mike Howe, Personal, Bishops Clyst Parish Councillor and owner of a convenience store in Clyst St Mary which is in my ward as a district councillor.

Minute 57. Working draft of the proposed East Devon Local Plan 2020 - 2040.
Councillor Olly Davey, Personal, Exmouth Town Councillor and have received a number of emails to do with specific villages, including one of the public speakers and also received an email regarding allocations and the suggestion that the village of Clyst St George and Ebford be considered as Tier 4.

Minute 57. Working draft of the proposed East Devon Local Plan 2020 - 2040.
Councillor Paul Arnott, Personal, Colyton Parish Councillor and a resident of Colyton.

Minute 57. Working draft of the proposed East Devon Local Plan 2020 - 2040.
Councillor Paul Hayward, Personal, Employed as Clerk to All Saints and Chardstock Parish Councils and locum Deputy Clerk to Axminster Town Council and lobbied and received representations and correspondence from members of the public.

Minute 57. Working draft of the proposed East Devon Local Plan 2020 - 2040.
Councillor Philip Skinner, Personal, Owns a piece of land in Talaton that is in the GESP process; Known to FWS Carter & Sons that has a large application within the boundaries of the Local Plan and received lobbying emails from developers and constituents and one from one of the public speakers.

54 **Matters of urgency**

There were no matters of urgency.

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

There were no confidential /exempt items

56 **Infrastructure Funding Statement**

Members considered the Service Lead – Planning Strategy and Development Management's report summarising the outcome of the Infrastructure Funding Statement relating to Community Infrastructure Levy income and expenditure from 2021/21.

The Strategic Planning Committee noted the contents of the report and the requirement to provide an 'Annual Infrastructure Funding Statement' by 31 December 2021.

RECOMMENDATION:

Of approval for the publication and submission to government by 31 December 2021 of the 2020/21 'Annual Infrastructure Funding Statement' based on the information detailed in the report.

57 **Working draft of the proposed East Devon Local Plan 2020 - 2040**

The Service Lead – Planning Strategy and Development Management gave a short presentation to the Committee that introduced key issues to the initial proposed strategy and policies which had been developed in response to the vision and priorities of the Council Plan and outlined three priorities:

Better homes and communities for all

- A strategy to deliver the right homes in the right places
- Delivery of a range of dwellings of dwelling sizes, types and tenures
- Delivery of more affordable housing
- Deliver of housing for older people and those in need of accessible and adaptable homes
- The requirement of self and custom build housing plots on developments of 20 homes or more
- The implement of the nationally prescribed spaces standards to deliver better quality homes
- To make provision for the needs of gypsies and travellers and travelling show people
- The requirement of new developments to have access to superfast broadband
- Conservation and enhancement of our built heritage

A Greener East Devon

- To deliver net zero carbon development
- To maximise opportunities to deliver renewable energy, district heat networks, zero carbon energy and energy storage facilities
- To address the impact of embodied carbon from construction
- To avoid developing land required for flood management
- To incorporate sustainable drainage systems
- To actively manage the impacts of coastal change in land use terms
- Robust policies to protect important landscape features including AONBs, Coastal Preservation Areas, green wedges and land of local amenity importance
- To protect and enhance bio-diversity including 20% net gain

A resilient economy

- To locate employment development to improve settlement self-containment
- To support the role and functions of the enterprise zone
- The retention and reuse of existing employment land and buildings
- To support urban regeneration schemes
- To support farm diversification
- To improve access to employment and raise skills levels through employment and skills statements
- To promote town centres as cultural, leisure, retail and community hubs
- To promote sustainable tourism
- To protect local shops and community facilities

The Service Lead – Planning Strategy and Development Management addressed the spatial strategy which had been arrived at through an assessment of the available and suitable sites. Officers favoured a proposal for a further new community in the west of the district with the opportunity of delivering high quality zero carbon development, to deliver sustainable growth that protects the AONBs and other designated natural and built heritage of the district from significant harm.

The Service Lead – Planning Strategy and Development Management asked Members to consider whether to accept sites that had scored low in assessments if they were to achieve the objectives of the Council Plan such as better self-containment within a settlement and drew Members attention to the shortfall of approximately 900 homes that had not been identified with a suitable site and asked Members to consider other options for meeting the housing shortfall.

The Chair advised the Committee that the order of the meeting would be to go through the working draft chapter by chapter and asked Members to start at Chapter 8 – tackling the climate emergency in order that the main policies could be considered before looking at the allocations.

The Chair welcomed questions from Members on the presentation:

- Clarification sought on the shortfall of 900 homes and whether all the land that was put forward through the HELAA process had been considered. In response the Service Lead – Planning Strategy and Development Management advised that all the land that had been put forward through the 2017 HELAA process and through this year's call for sites had been considered and there was insufficient land to accommodate the 900 homes shortfall.

Councillor Paul Arnott sought clarification on the declaration made by Councillor Philip Skinner on the land he had put forward in the HELAA process and highlighted a possible pecuniary interest. In response the Planning Barrister quoted the Constitution and advised that any disclosable pecuniary interest was a registered interest and that it should be declared at the meeting and unless a dispensation was sought from the Monitoring Officer or Standards Committee that person should withdraw from the meeting when those matters were being considered. Councillor Skinner advised he would seek advice from the Monitoring Officer and left the meeting.

- There is a need to be clear for everyone in East Devon about what the council's priorities are and the hierarchy about how these will be considered.
- Suggestion to start at Chapter 2 highlighting the importance of the need for a precise and holistic economic evaluation carried out to major developments and a debate on an inclusive growth policy.
- In response to site numbers and whether land put forward could potentially, in the future, be withdrawn. It was advised it was a 20 year plan and at this stage it was important to understand landowners' intentions and timescales.
- Concerns raised about having the right development in the right places to help tackle the climate emergency and to promote sustainable development which the plan does not address regarding villages.
- Clarification sought on the 900 homes shortfall and the need to subdivide existing sites to enable the increase in density within existing settlements. In response it was advised that the total number of sites had taken into account windfall sites including large gardens.
- In response to whether the maps included every HELAA site it was advised the maps only detailed the officers preferred options following a score process.
- Clarification sought on the process for landowners and whether they had been contacted. In response it was advised an initial assessment had been completed on all the sites and there had not been ongoing discussions as Committee Members had agreed they did not

want this. On 25 and 26 January there would be an opportunity for landowners/agents to present their sites to Members.

- Clarification sought on what buildings codes apply to first homes. In response it was advised that the nationally prescribed spaces standards would be proposed through the plan.

The Chair welcomed views/comments on the following chapters about whether Committee Members were happy with the proposed policies and advised there would be a series of straw polls to determine this.

Chapter 8 – Tackling the climate emergency and responding to climate change on page 181

25. Strategic Policy – Climate Emergency

- Concerns raised about the houses that there exclusively electric and in the event of a power cut would be without heat or any alternative. The Service Lead – Planning Strategy and Development Management advised it would help by making the heating network sufficiently robust and homes having solar panels and energy supply systems.
- Clarification sought on the vulnerable electricity sub stations in East Devon and whether there are plans in place. In response the Service Lead – Planning Strategy and Development Management advised meetings were in process with the main infrastructure providers with Western Power confirmed for the end of January 2022.

Members advised that they supported officers preferred option that:

This proposed overarching strategic policy will bring together the threads of the following policies in the chapter. It will require that developments support East Devon becoming carbon neutral by 2040, through:

1. **Delivering net-zero development;**
2. **Maximising opportunities for delivery of renewable energy, district heat networks, zero-carbon energy and energy storage facilities; and**
3. **Calculating the impact of embodied carbon and retaining existing buildings where possible.**

26. Net-Zero Carbon Development

- Suggestion to include design of settlements so that future homes can be built to a high standard of installation and to minimise car usage. In response the Service Lead – Planning Strategy and Development Management advised that it was the council's aspiration to make settlements zero carbon but raised concerns about achieving this through the planning process alone;
- The need to look at central car parking areas;
- The word 'future-proofed' is too vague and can lead to individual interpretation;
- Concerns raised that net-zero carbon development policy does not apply to extensions or modifications on houses;
- The need for charging facilities next to homes especially for people with mobility issues;
- The need to maximise ways to maximise walking, cycling and public transport to help reduce carbon emissions;
- The need to future-proof commercial development;
- Suggestion to include the policy statement the expectation that the energy hierarchy will be a material consideration in terms of planning applications;
- Suggestion to amend wording 'rising temperatures' with 'changing temperatures' to accommodate what will happen in the next 15 years;

Members advised that they support officers preferred option that:

Proposed policy will require that all new residential and commercial development will deliver net-zero emissions. Developers would be required to submit a 'carbon

statement' to demonstrate how this will be achieved, in accordance with the energy hierarchy.

In addition, homes will be required to be future-proofed to avoid temperature discomfort as a result of rising temperatures.

There will also be a requirement to maximise opportunities for renewable energy, and ensure that in-use energy performance is as close as possible to design intent.

Finally, there will be a requirement for major development to calculate the whole life-cycle carbon emissions, through a nationally recognised Whole Life Cycle Carbon Assessment.

27. Strategic Policy – Promoting renewables and zero carbon energy

- Concerns raised about whether people can afford to promote renewables and zero carbon energy and should Central Government be providing better support to both businesses and individuals;
- Concerns raised about the renewable schemes and the lack of reference to anaerobic digesters and the smells and the traffic they generate;
- Fully support anaerobic digesters for small scale farms as zero carbon can be reached but on large scale farms these need to be pulled by tractor and trailer for many miles causing problems with traffic and smells and cannot be seen as zero carbon;
- Would like to see less solar farms in the open countryside;
- Too carte blanche and does not exclude large scale industrial development such as large scale solar farms and AD plants;
- Suggestion to require developments in renewable energy to produce a carbon statement;
- Suggestion for the need for a more qualified support for renewables that takes account of their impacts.

The Service Lead – Planning Strategy and Development Management acknowledged the concerns raised and reminded Members that the council was in a climate change emergency and there was a need to accept that difficult decisions were going to have to be made. He advised if Members wished he could look at more of a criteria based policy regarding to landscape protection. He also acknowledged concerns raised on anaerobic digesters and highlighted this was also referenced in Policy 50 Farm Diversification.

Members advised that they support officers preferred option that:

This policy will support the development of zero carbon and renewable energy schemes within the district. It will also encourage the use of community-led schemes and promote their use within Neighbourhood Plans.

It will only support development of non-renewable forms of energy generation where it can be demonstrated that there are clear and compelling circumstances that generates the need for the proposal and that all reasonable opportunities for using renewables have been exhausted.

28. Strategic Policy – Suitable areas for solar energy developments and

29. Strategic Policy – Suitable areas for wind energy developments

- Clarification sought on the figures for biodiversity net gain; it was advised 20% net gain;
- Concerns raised that a lot of the Clyst Valley Regional Park had solar panels proposed;
- Solar panels should not be considered in restricted areas for improvement of wildlife and green open countryside;
- There is a growing trend for small homeowner wind energy and this is not mentioned in the Local Plan;

- A suggestion for restraints on solar development wherever possible;
- Suggestion to include in Policy 29 the wording 'good agricultural land'.
- In terms of sites support needs to be given to the renewable energy industries as there is more demand;

28. Strategic Policy – Suitable areas for solar energy developments

Members advised that they support officers preferred option that: Policy will set out areas within the district where solar photovoltaic development would be supported, subject to their being no unacceptable impact on amenity, landscape, heritage and biodiversity.

Proposals will also be expected to demonstrate biodiversity net-gain.

29. Strategic Policy – Suitable areas for wind energy developments

Members advised that they support officers preferred option that: Policy will set out areas within the district where wind energy will in principle be supported, subject to their being no unacceptable impact on amenity, landscape, heritage and biodiversity.

30. Strategic Policy – Energy Storage

- Clarification about whether the policy would be in conjunction with the general policy of storing photovoltaic energy. In response it was advised that it was the storage of any renewable energy;
- In support but needs to be in tandem with national grid storing electricity;
- The need to be mindful of the aesthetics of energy storage as well as the location;
- How green are the batteries?
- Large energy storage plants generate a lot of noise;

Members advised that they support officers preferred option that: This policy will set out that proposals for renewable and zero carbon energy storage systems will be supported in principle. A certain number of criteria will need to be met with respect to mitigating landscape impacts, not having an unacceptable impact on heritage or Natura 2000 sites and not emitting

31. Strategic Policy – Heat Networks

- In support of this policy as it reassures Members;
- Concerns whether the existing heat network would have capacity to supply the extra homes. The Service Lead – Planning Strategy and Development Management acknowledged there was an increase in demand on the heat network from Cranbrook and they were looking at options for putting in extensions to the energy centre.
- It was suggested that 1km was ambitious and a sensible distance was 2km - 2.5km particularly when looking at the west end of Cranbrook; The Service Lead – Planning Strategy and Development Management clarified it was 1km from the network not the energy centre.

Members advised that they support officers preferred option that: This policy will require that where development is proposed within 1km of an existing heat network, connection will be required for major development, in addition, where no new heat network currently exists, a new heat network should be deployed for proposals above 1,200 homes or 10ha of commercial floorspace.

32. Strategic Policy – Embodied Carbon

Members advised that they support officers preferred option that:
This policy will require developers to retain existing buildings, or at least their foundations unless it can be demonstrated that refurbishment is either unviable or impractical. Replacement of existing habitable buildings will only be supported in exceptional circumstances and will need to demonstrate that the full lifecycle carbon emissions will be net zero.

33. Strategic Policy – Flooding

Members advised that they support officers preferred option that:

The policy will require development proposals to:

- **Meet the sequential and exception tests as set out in the NPPF;**
- **Avoid land required for flood management, including natural floodplains;**
- **Be safe over its lifetime, taking into account the increased risk of flooding due to climate change and without increasing flood risk elsewhere;**
- **Ensure that any flooding measures respond to the specific requirements of the site and respect the character and biodiversity of the area;**
- **Preferably reduce or at least not exceed existing run-off rates;**
- **Manage site surface water run-off as close to the source as possible.**

34. Policy – Coastal change management areas (CCMAs)

Members advised that they support officers preferred option that:

Applications for development within the CCMA would need to demonstrate that it would not result in an increased risk to life or any property. The evidence for this would be provided in a coastal change vulnerability assessment, which would be proportionate to the scale and nature of the development. The policy will also set out which uses will be acceptable within a CCMA – these are likely to be grouped according to the level of risk. For example, land likely to be affected within 20 years would only be suitable for temporary uses like car parks or beach huts, but land that was unlikely to be affected for more than 50 years would support a greater range of uses. There is guidance on this in the national planning guidance.

35. Policy – Relocation of uses affected by coastal change

Members advised that they support officers preferred option that:

This proposed policy will enable the relocation of permanent homes, businesses or community facilities to areas where permission would not otherwise be granted, if there is a risk that they could be affected by coastal change within 20 years of the date of the application.

36. Strategic Policy – Development affecting coasting erosion

Members advised that they support officers preferred option that:

The proposed policy will set out that schemes that support sustainable coastal change management will be supported where compatible with coastal policy (as expressed in the SMP or a strategy such as a beach management plan). The impact of any scheme on the integrity of the World Heritage Site must be fully considered and if there is a conflict both the interests of protecting coastal communities and allowing erosion to continue will be recognised and impacts mitigated where possible. Schemes that are incompatible with coastal policy are unlikely to be supported.

Chapter 9 – Meeting housing needs for all

37. Policy – Affordable Housing

- Concerns raised that only 25% of affordable homes delivered through planning obligations are to be first homes as the South West has very high house prices and very low wages.
- This first homes policy is really going to limit the potential for other forms of social housing especially for those who are struggling on the housing waiting list;
- Reference was made on a dictate on first homes that all councils should follow and reassurance was sought that this council investigates setting a deeper maximum discount of either 40% or 50% and impose lower price caps on market value properties; In response the Service Lead – Planning Strategy and Development Management advised there can be flexibility in terms of the percentage discount but highlighted that this would come at an additional cost for the developer which would impact on the viability in terms of our ability to secure infrastructure or other forms of affordable housing such as social housing;
- Depressing to see the word ‘social housing’ removed from this policy. There are 4,500 people waiting on the council house waiting list who cannot find anywhere that is affordable to live in. A suggestion was made to reintroduce the word ‘social housing’;
- Concerns raised about the imbalance in our local economy, 43% of retirees live in Sidmouth and 45% in Seaton. East Devon cannot have a population of an ever growing percentage of the higher age groups;
- There is a need to look at social housing;
- The only area that has achieved a high level of affordable housing is Cranbrook which has skewed the population;
- There should be at least 25% of affordable housing provided in any major development and quarter of that should be for first homes;
- Developers do not want to provide affordable housing;
- There is a need to ensure developers provide a percentage but not 40% as this will not be delivered;
- Planning rules have changed a lot over the years;
- Suggestion to change the word ‘seeking’ to ‘minimum of’;
- The need for attainable homes that people can realistically afford;

The Service Lead – Planning Strategy and Development Management acknowledged Members comments and concerns and advised that a lot more work needs to be done on this policy and sought Members views on Councillor Paul Millar’s request about pursuing a higher level of discount or to stick to the 30% discount to try and skew more social housing

The Chair requested a straw poll on Councillor Millar’s request.

Members voted to stick to the 30% discount to try and secure more social housing

Members advised that they support officers preferred option that:

This proposed policy will need to address the following issues:

Affordable housing required from Use Class C3 residential developments in East Devon, achieved by negotiation, through:

- **Expectation of on-site delivery, unless exempted by Government policy or guidance, or where off-site provision of equivalent value is justified by circumstances e.g. no registered provider is willing to manage the affordable units. Exceptional circumstances where a financial contribution to be accepted in lieu of on-site delivery provision;**
- **Specifying site size threshold(s), differentiating between towns and rural areas and stating where commuted sum is required;**
- **Specifying circumstances where affordable housing provision will be sought;**

- **Specifying percentage(s) of on-site affordable housing provision the Council will seek;**
- **Seeking at least 10% of the total number of proposed homes on major housing development to be available for affordable home ownership;**
- **Seeking at least 25% of affordable homes delivered through planning obligations to be first homes (discounted market tenure);**
- **20% of Build to Rent Scheme to be affordable private rent homes provided on site at 20% discount, subject to negotiations and viability. All the homes on the scheme to be managed collectively by a single build to rent landlord;**
- **Where proposal does not meet the targets, requirements for independent financial viability assessment to demonstrate why provision is not viable, or evidence why provision is not appropriate;**
- **Overage clause in respect of future profits and affordable housing provision where levels of affordable housing fall below policy targets;**
- **Arrangements to ensure affordable housing remains affordable, or clawback on long term, phased schemes if affordable housing is converted to another tenure;**
- **Consideration of land gifted to the Council in lieu of affordable housing provision (subject to site threshold, equivalence provision, location, infrastructure availability);**
- **Support for community led housing/CLT/Cooperative proposals subject to criteria;**
- **Use of different local connection tests for sites inside and outside settlements;**
- **Use of parish groupings to assess affordable housing needs in rural areas;**
- **Precluding artificial or contrived site subdivision and fragmentation that would circumvent requirement for affordable housing contribution;**
- **Tenure blind and integrated development;**
- **Commitment to producing a Supplementary Planning Document to set out details about how this policy will be implemented.**

38. Policy – Housing to meet the needs of older people

- The analysis clearly shows 70% of the population growth is people over the age of 65 and suitable houses are needed to be built to look after their needs;
- This policy does not address older people with mobility issues such as not being able to manage stairs or finding that their family homes is too big to manage. There is a need to deliver houses that the older people actually need and which allows them to stay in their village near their family;
- Consider building bungalows;
- Older people want to downsize but there isn't anywhere suitable;
- Suggestion made that new developments over a certain size should provide extra care housing;
- There is a need for a balanced community across the district;

Members advised that they support officers preferred option that:

This proposed policy will need to address the housing needs of older people, setting out how the LPA will consider proposals for different types of housing that older people are likely to require, e.g.

- **Whether the plan should provide indicative figures or a range of the number of units of specialist housing for older people needed in East Devon in the plan period;**
- **Quantifying the scale of provision in specific settlements;**
- **Identifying broad locations at those settlements suitable for the development of C2 accommodation for older people and the criteria to be met;**
- **Are Care/Extra care home proposals acceptable on local plan residential or mixed use site allocation?**
- **The approach to new specialist older persons housing – meeting identified need and demonstrating how design will address the needs of people including those with dementia and other long term health conditions;**

- **Specifying site size thresholds where suitable on-site provision of C3 housing for older people will be sought as part of the market housing mix and affordable housing mix on proposed residential development;**
- **Requirement for Care Needs Assessment evidence to justify development proposal's scale tenure and accommodation type;**
- **Circumstances for seeking affordable housing accessible homes where there is a mix of C2 and C3 development on a single site and the percentage sought;**
- **Commitment to producing a Supplementary Planning Document to set out details about how this policy will be implemented.**

Policy can also support and encourage proposals which provide adaptations enabling residents to live independently and safely in their own homes, subject to Policies 37 and 39.

Policy should resist loss of existing housing which meets identified needs of older people, unless specified circumstances are demonstrated.

39. Policy – Accessible and Adaptable Housing

- This policy is extremely important to acquire a proportion of homes for people with disabilities.
- It was noted that no alternative options were presented for this policy due to the need for further evidence on this area of work.

40. Policy – Market Housing Mix

Members advised that they support officers preferred option that:

This proposed policy will need to address the following issues related to securing a balance of housing types and sizes across East Devon:

- **Requiring residential development proposals to include a mix of market housing, informed by evidence of housing needs (LHNA);**
- **Percentage of market housing mix sought i.e. by dwelling size and type and tenure type [either specifying this in policy or referring to SPD and LHNA evidence] subject to any other local needs evidence;**
- **Location criteria – consistent with settlement hierarchy; the role of strategic sites;**
- **The circumstances when it may not be appropriate to provide a full range of housing types and sizes, such as:**
 - **Physical constraints reducing the number of dwellings; cost and design of conversions;**
 - **Locations which as town centres where low density development with larger, higher value dwellings may not be appropriate;**
 - **Severe site constraints and abnormal costs impacting on viability;**
 - **Particular housing types and forms needed to sustain or enhance a heritage asset or its setting;**
 - **Local up-to-date evidence of housing need in the parish or parish group**
- **Exceptionally, if a proposal is not meeting policy requirements, applying mechanisms to require robust market conditions evidence demonstrating lack of marketability;**
- **Commitment to producing a Supplementary Planning Document to set out details about how this policy will be implemented.**

41. Policy – Self-Build and Custom Build Housing

Members advised that they support officers preferred option that:

- **Each self-build or and custom build dwelling to be completed within 3 years of the self of custom builder purchasing the serviced and developable plot;**

- Encouraging communities preparing Neighbourhood Plans to consider identifying sites for custom and self-builders;
- Providing opportunities to achieve high quality housing whilst still allowing flexibility through use of design codes and 'plot passports' set to high standards, providing a simple, succinct summary of each plot, providing a reference point for the purchaser;
- Commitment to producing a Supplementary Planning Document to set out details about how this policy will be implemented.

42. Policy – Residential Sub-Division of Existing Dwellings and Buildings and Replacement of Existing Dwellings

Members advised that they support officers preferred option that:

This proposed policy will need to address the following issues:

- Ensuring that outside of settlement boundaries or the built form of settlements without boundaries, the sub-division or replacement of an existing dwelling or dwellings will not result in a disproportionate increase in size of the building.

Residential sub-division of existing dwellings or buildings

- Avoiding materially adverse impact on character and amenities of the surrounding area or on the existing building;
- Avoidance of hard surfaced front gardens if this causes unacceptable harmful effect on flooding or on the appearance of the area;
- Adequate space for bicycle/mobility scooter storage;
- Adequate external area for waste/recycling storage and car parking, and for any shared use area such as outdoor drying of washing.

Replacement of existing dwellings

- Exceptionally, where replacement dwellings can be justified, then replacement of existing dwellings by the same number of dwellings are considered where
- A condition is attached to any planning permission granted for the demolition of the dwelling to be replaced, prior to occupancy of the replacement dwelling;
- The proposed dwelling is positioned on the footprint of the existing dwelling, unless there is a clear planning or environmental benefit to justify an alternative location within the existing curtilage;
- The curtilage of the proposed replacement building is no greater in area than that of the existing dwelling.

Commitment to producing a Supplementary Planning Document to set out details about how this policy will be implemented.

43. Policy – Residential Annexes, Extensions and Alterations

- Would like to see more clarity on this policy where the scale and size of the property is disproportionate to the original dwelling;
- Clarification sought on home offices being built on the end of a house. In response it was advised any extension or alteration had been encompassed together.

Members advised that they support officers preferred option that:

This policy will address the following issues:

Annexes:

- Use as an ancillary and subordinate part of the main existing dwelling (i.e. not creating a self-contained dwelling and/or a separate planning unit now or in the future);
- Condition to restrict occupancy to ancillary to main building;
- Scale, form and mass – subordinate to main building;
- Within the curtilage of the main dwelling;

- **Physical and/or functional link to the main dwelling;**
- **Not causing material consideration issues for the occupants of the main building or of the proposed annexe or neighbouring occupants.**

Extensions and alterations:

- **Located within the curtilage of the existing dwelling and attached to that dwelling;**
- **Be in keeping with the size, scale, mass, design and materials of the existing dwelling and wider setting;**
- **Avoid overdevelopment of the plot or the curtilage, including the cumulative impacts of extensions;**
- **Not causing material consideration issues for the occupants of the main building or neighbouring occupants.**

44. Policy – Hostels and Houses in Multiple Occupation (HMOs)

Members advised that they support officers preferred option that:

This policy will need to address the following issues:

- **Development meets an identified local need;**
- **Size threshold is subject to the Use Class Order relating to change of use;**
- **Avoiding loss of housing suitable for occupation by families, with a minimum size (no. of bedrooms) of the existing dwelling being subdivided for multiple occupancy;**
- **Internal standards for living space and good communal facilities are suitable for the intended occupiers, individually and in total;**
- **External communal areas and facilities of sufficient size and standard**
- **The existing dwelling or building can be converted without harm to the area or amenity of nearby residents;**
- **Need for good standard of management;**
- **Site and location is suitable for the use;**
- **Contribution to creating an inclusive community and avoiding overconcentration of HMOs/hostels in specific localised areas;**
- **Specifying the circumstances in which a financial contribution towards affordable housing will be sought from large HMO development;**
- **Resisting loss of existing hostels and HMOs, subject to criteria;**
- **Commitment to producing a Supplementary Planning Document to set out details about how this policy will be implemented.**

45. Strategic Policy – Provision of Gypsy and Travellers and Travelling Showpeople Sites

- **Suggestion made that these sites should be within easy walking distance of schools;**
- **The policy does not differentiate between gypsies and travellers**

Members advised that they support officers preferred option that:

This proposed policy will need to address the following issues:

- **Making provision for the plan period for gypsy and traveller and travelling showpeople site accommodation, specifying district targets for gypsy and traveller pitches, disaggregated into permanent and transit, and for plots for travelling showpeople;**
- **An identified five year supply of gypsy and traveller pitches on deliverable sites within East Devon to ensure that the predicted need for traveller sites will be met. A further supply of developable sites or broad locations for growth to be identified equivalent to another ten years of predicted growth, meeting need;**
- **Identifying the overall scale of site allocation(s) of gypsy and travellers and travelling showpeople sites in the local plan if evidence demonstrates a supply shortfall against the need to be met in East Devon**

New Sites:

- **Where there is demonstrable need to be met in the district, specifying the number of gypsy and traveller pitches to be provided, as part of the mixed use development of the new settlement in East Devon;**
- **Locations for sites (allocated and/or permissible), subject to site suitability, assessed against relevant policies in the plan and satisfying requirements of the following criteria:**
 - **Suitable locations, to be inside or adjoining a settlement boundary, or within 30 minutes travel time by safe, walking, cycling or public transport providing access to a range of services including school and health services;**
 - **Sites proposed in the countryside to require evidence that proven district need cannot be met elsewhere in East Devon;**
 - **Size of site and number of pitches is appropriate in scale and size to the nearest settlement in the settlement hierarchy and its range of services and infrastructure;**
 - **Preference for site expansion and intensification, subject to maximum site threshold. If expansion or intensification is impractical, then take account of the cumulative impacts of additional sites on the character of a local area and on a local community;**
 - **Assimilate sites into surrounding/landscape without a significant adverse effect;**
 - **Requirement for acceptable vehicular access, on site turning, parking and servicing;**
 - **Avoid sites vulnerable to flooding or affected by any other environmental hazards that may affect the residents' health and welfare;**
 - **Site to access essential utilities – water supply, sewerage, drainage, waste disposal.**

Safeguarding Sites:

- **Safeguard existing authorised sites, new permissions, allocations for gypsy and traveller use and for travelling showpeople use for the number of pitches/plots permitted. This includes safeguarding provision already made for serviced permanent pitches at the Cobdens and Treasbeare Expansions Areas in the emerging Cranbrook Plan DPD.**

Only exceptionally permitted changes of use or redevelopment to uses other than for residential use by gypsy and travellers or by travelling showpeople on new, allocated or authorised sites and requiring alternative provision if proven needs exist.

46. Policy – Rural Exception Sites and First Homes Exception Sites

- Cannot agree with first bullet point as it would wipe out first home exception sites;
- This policy is unacceptable in the current form as it need to apply across the district;
- This will exclude a lot of development where it is desperately needed;
- The Service Lead – Planning Strategy and Development Management clarified that the restrictions referred to relate to the First Homes Exception Sites which cannot be in AONB's under government policy.

Members advised that they support officers preferred option that:

This policy will address the following issues:

Rural Exception Sites:

Only on small sites (site size to be defined)

- **Mix of types of affordable housing meeting proven, unmet need of the local community, evidenced by latest Local Housing Needs Assessment, Housing Needs Surveys produced by Devon Communities Together and other local data such as Neighbourhood Plan, Parish Survey or Parish Plan;**
- **Occupiers to have a local connection with the settlement or group of settlements.**

First Homes Exception Sites:

- Site not in AONBs, nor at settlements in designated rural areas;
- National discount rate (30%);
- Site size is proportionate to the existing settlement;
- Affordable housing meeting proven, unmet needs of the district, evidenced by the latest LHNA;
- Could include a local connection requirement but this is subject to national policy (reversion back to no local connection test after 3 months);
- Can include a small amount of other types of affordable housing;
- Not applied to sites with full or outline planning permissions in place or determined before 28 December 2021 (or 28 March 2022 if there has been significant pre-application engagement).

47. Policy – Housing for Rural Workers

- In response to a question about whether 150 sq.m. were for the entire floorspace it was confirmed it was and was based on evidence of the needs of agricultural workers.

Members advised that they support officers preferred option that:

This policy will address the issue for dwellings for rural workers outside settlements:

- Proven and essential agricultural or forestry or rural businesses need for the occupier of the proposed dwelling to be housed permanently on the unit or specific rural location;
- Dwelling size commensurate with the scale of the established functional need
- Qualifying tests of occupancy relating to employment in the rural business.

Where need is unproven or new agricultural, horticultural, forestry or other rural business is being established:

- Consider a 3 year, time limited, temporary dwelling e.g. mobile home or caravan until the economic viability of the enterprise is established; and
- The business has realistic prospects of meeting functional and economic tests.

Where rural business has been operational for at least 3 years and meets the functional and economic tests* i.e. business is commercially viable with clear prospects of a remaining viable:

- Consider a permanent dwelling where:
 - No building for conversion on the holding site are suitable to meet the residential need;
 - No existing dwellings are available within a nearby settlement or location;
 - The history of the holding, the recent pattern of land use and building and, recent disposals of land and property, is taken into account;
 - Specify maximum net usable floorspace (150 sq.m. – further work need to justify this), larger property to be justified;
 - Minimise visual and environmental impact by locating dwelling close to existing buildings/dwellings, where practical for its purpose;
 - Control dwelling occupancy through planning conditions – ensure that it cannot be sold on or sublet for general accommodation unrelated to the enterprise.

Any permission granted is tied through legal agreement to the business holding. Extensions to or replacement of agricultural or forestry or rural business-related dwellings will require a reassessment of need, excluding minor works. Temporary or seasonal accommodation requirements to serve rural enterprises are considered on a case-by-case basis.

Chapter 10 – Supporting Jobs and the Economy and Vibrant Town Centres

48. Policy – Employment Development within Settlement Boundaries and Sites in the Enterprise Zone

- It was highlighted that Scrutiny Committee had recommended that there should be a more precise and holistic economic evaluation carried out in relation to proposed major development sites as part of the local plan process and reference was made to developments being permitted to convert brownfield sites into housing and Honiton was given as an example which halves the economic space;
- Clarification sought on Use Classes B2 and B8 and whether we could retrospectively apply the policy to developments within built up areas so that we reassess sites for these uses and their suitability for this purpose and the impact on the amenity of residents. In response the Service Lead – Planning Strategy and Development Management advised it could not be applied retrospectively as planning permission runs with the land.

Members advised that they support officers preferred option that:

This proposed policy will address the following issues:

- **Supporting employment development on local plan employment site allocations (including mixed use with employment) for the uses set out in relevant policies;**
- **Supporting employment development in Use Classes E(g) B2, B8 for new businesses or relocation or expansion of existing businesses within settlement boundaries and part of the Exeter and East Devon Enterprise Zone in the district, on sites not allocated or identified by the plan for other uses, by:**
 - **Concentrating employment development to improve settlement self-containment, with the scale and type of development consistent with the settlement hierarchy;**
 - **Supporting the roles and functions of the Enterprise Zone;**
 - **Restricting use within or adjoining residential areas to Use Class E(g)19, subject to permitted development rights and impact on amenity; need for appropriate buffer;**
 - **Prioritising re-use of existing buildings and previously development land except where this would result in significant biodiversity loss;**
 - **Considering new build where there are no available existing buildings, or re-use or extension of buildings is impractical or unviable.**
- **In addition, in the seven coastal and market towns of the district, Cranbrook and the second new development, ensuring employment development is consistent with and support town centre policies.**

49. Policy – Employment Development in the Countryside

- It was highlighted that when a farm is located next to an industrial unit a farm can expand by default and then claim that their building is not suitable for farming and then change it to industrial units.
- Support Hill Barton and Greendale Business Parks being excluded from this policy.

Members advised that they support officers preferred option that:

This policy will address the following issues:

Supporting and encouraging businesses in the countryside, where small scale employment development will not cause:

- **Unacceptable adverse impact to the safe and free movement of pedestrian, vehicular or other traffic on the trunk or rural road network as a result of heavy vehicular usage;**
- **Adverse impact on the valued character, qualities and assets of the surrounding natural or historic environment;**
- **Adverse impact on amenity for uses and occupiers in the site or on neighbouring land.**

Intensification of existing employment sites in the countryside

Where evidenced that the business or employment site or industrial estate in the countryside is at or within 10 percent of full occupancy:

- **Within the site, supporting expansion of existing businesses in the countryside through small scale employment development resulting in the intensification of the existing employment site without extending the site, subject to:**
 - **Expansion being proportionate to the existing size and scale of site operations, up to a 10% net increase in employment floorspace within the curtilage in total in this plan period;**
 - **Prioritising re-use or adaptation of existing buildings to reduce the need for additional build development;**
 - **Extending existing buildings only if evidence demonstrates that re-use or adaptation of buildings is not viable or practical.**

There will be no development leading to the intensification of uses on the existing employments sites at Hill Barton and Greendale Business Parks. Subject to permitted development, for this policy intensification includes:

- **Development of new buildings for any use;**
- **Spatial intensification through development of extensions to existing buildings increasing the footprint, or vertical expansion from raising the height of the building, or adding floorspace in additional storeys or in mezzanines;**
- **Development that leads to longer hours or more 24 hours of operation;**
- **Development increasing HGV and other vehicular movements on local roads;**
- **Development through higher density such as replacement buildings extending on to current outdoor storage areas.**

Extension of existing employment sites in the countryside

Where evidenced that the business or employment site or industrial estate in the countryside is at or within 10% of full occupancy:

- **Supporting expansion of existing businesses in the countryside through small scale employment development by extending the site, where:**
 - **Evidenced that intensification of the existing site is not viable or practical;**
 - **Expansion is proportionate to the existing size and scale of site operations, by up to a 10% net increase in employment floorspace of the existing employment site, in total in this plan period;**
 - **The site extension adjoins the existing employment site, creates a single operational unit, and does not create an additional point access from the road network; and**
 - **Re-using existing buildings: any new buildings to be well designed.**

There will be no development through site extensions of the existing employment sites at Hill Barton and Greendale Business Parks.

Re-use of existing rural buildings:

- **Consider re-use or adaption if the building is a listed building or one that is recognised as a locally important building and the proposal is the only reasonable means of securing its retention;**
- **Additional to policy on farm diversification, supporting proposals for small scale employment development through re-use and adaption of existing rural buildings not currently used or last used for employment, where the buildings are:**
 - **Readily accessible to the level 1 and level 2 settlements via a range of modes of transport;**
 - **Of sound and permanent construction, and**
 - **Capable of adaption or re-use without major re-building, alteration, or extension.**

50. Policy – Farm Diversification

- Clarification sought on how to prove subsidiarity to the existing farm activities and how enforced; The Service Lead – Planning Strategy and Development Management advised it was done on a case by case basis by evidence.
- In support of diversification but its difficult to stop farms being destroyed by excessive diversification to other uses;
- The need to factor in aggregation and compounding of issues through a series of applications for diversification schemes where each proposal in isolation can seem acceptable but they need to be considered in the round;
- Can we limit the extent of diversification to perhaps 30% of the farm?
- A good example of farm diversification is tourism and the use of shepherds huts.
- The Service Lead – Planning Strategy and Development Management advised that these issues could be looked at in terms of wording of the policy and potentially future supplementary planning guidance.

Members advised that they support officers preferred option that:

This policy will address the following issues:

- **Supporting farm diversification through the introduction of new employment onto established farm holdings, preferably a rural business or service or one that supports an established rural business. Consider other uses if evidence shows that employment use would lead to adverse impacts or that employment use is unviable. Tourism, leisure, recreation or locally affordable housing provision may then be appropriate subject to this constituting sustainable development.**
- **Need for diversification proposals to demonstrate:**
 - **Development is compatible with but evidenced to be subsidiary to the agricultural operations on a farm, and that the development is operated as part of the overall agricultural holding;**
 - **Development in terms of its scale, nature, location and layout does not detract from or prejudice the existing agricultural undertaking of its future operation;**
 - **Adequate foul drainage facilities;**
 - **No adverse impacts arising from vehicular movements, increased noise, smells or other form of pollution. It may be necessary, for example, to limit the scale of on-farm anaerobic digesters;**
 - **Scale of activities associated with the proposed development is appropriate to the rural character of the area;**
 - **No adverse impact on the character of surrounding natural or historic environment;**
 - **No adverse impact on protected species; opportunities e.g. for roost sites;**
 - **Any new building (and parking and other structures/storage) is modest in scale, sited in or adjacent to an existing group of buildings, compatible design and blends into the landscape (design, siting and materials);**
 - **Re-use of existing buildings within the farm holding, wherever possible, to reduce the need for additional built development.**
- **Where planning permission is required for the residential conversion of a building as part of a farm diversification project, need evidence from a marketing exercise demonstrating that employment, tourism and recreation uses are unviable.**

51. Policy – Resisting the Loss of Employment Sites

- The title needs to be phrased in a more positive way. Is there evidence that employment sites are being lost? In response the Service Lead – Planning Strategy and Development Management advised that this is a common issue as we receive applications for redevelopment of employment sites for other uses but the Council has a good record at defending these sites under the existing policy.

Members advised that they support officers preferred option that:

This policy will address the following issues:

- **Protecting employment land from loss to non-employment uses, whether it is allocated for development or in use/last used for employment (policy will need to identify existing sites – could reference the list in an appendix);**
- **Exceptionally, only consider use of employment land for other uses if it can be demonstrated that:**
 - **Development relates to ancillary services which will support the employment area by making it more sustainable, viable and/or attractive; or**
 - **The site is no longer suitable or viable for employment uses; or**
 - **The proposal will not undermine the viability of existing employment uses in close proximity to the site and evidence of appropriate marketing of the site for a minimum time period (to be specified and justified) and**
 - **The alternative use is in accordance with or does not undermine the plan's overall Spatial Strategy.**
- **Marketing test – need evidence demonstrating the site is no longer commercially viable and site has been appropriately marketed;**
- **If an alternative use is acceptable, explore all opportunities to incorporate an element of employment floor space as part of the new development;**
- **Guidance on marketing requirements – set out in appendix in plan or in SPD.**

52. Policy – Employment and Skills Statements

Members advised that they support officers preferred option that:

This policy will address the following issues:

- **Requiring developments over a certain threshold to commit to maximising the provision of skills and employment opportunities, to benefit the local population as well as the employer;**
- **Evidencing the commitment through a statement to be submitted with the planning application for development;**
- **Thresholds relating to this requirement to be determined but could be applied to proposals of 100 houses or more, or employment development of 1000 sq.m. or more (employment meaning Use Classes E(a)(b)(c)(g) B2, B8);**
- **Exceptionally, making a financial contribution in lieu of the employment and skills obligation (if circumstances justify it);**
- **Implementation of the commitment to be sought through a planning obligation;**
- **Commitment to producing a Supplementary Planning Document to guide implementation of the policy.**

53. Strategic Policy – Centre Hierarchy, Sequential Approach and Impact Assessment

No alternative approaches were considered as this is a requirement of Government Policy

54. Policy – Town Centre Development

- **The need for housing development above retail units and cafes and bars and other employment units in town centres. The Service Lead – Planning Strategy and Development Management advised that permitted development rights already allow these developments;**
- **Reference was made to Colyton and how the policy will assist in maintaining the integrity of the town;**
- **It is extremely important to consider the walkability, accessibility and amenities of our town centres**

Members advised that they support officers preferred option that:

Under this proposed policy the extent of town centre areas will be identified on the proposals map for the tier one and two towns and the settlements of Budleigh Salterton and Colyton.

Policy will seek to set out expectations for development to improve the quality and/or broaden the range of retail and leisure facilities to enhance the role of the town centres as sustainable shopping and leisure destinations and strengthen their vitality and viability. Policy will seek to ensure that proposals do not undermine the shopping character or visual amenity of the town centre.

It should be noted that the NPPF requires Primary Shopping Areas to be designated for the town centres, to act as a focus for retail uses. It is intended that these will cover the same extent as the town centre areas.

55. Policy – Local Shops and Services

Members advised that they support officers preferred option that: The proposed policy will seek to ensure that communities are able to meet the everyday needs of residents. Policy will encourage the provision of new community facilities and services and resist the loss of existing ones.

Provision of new shops and services

This policy will support the provision of shopping and service development (including local shops, meeting places, sports venues, open space, cultural buildings, public houses, places of worship and post offices) in tier 3 and 4 settlements, villages and neighbourhood centres which enhances their retail or service role and is accessible by walking and by bicycle and will not result in excessive traffic generation. Policy will restrict new shops to selling predominantly convenience goods and being of a scale to serve the local area without, alone or cumulatively, impacting on the vitality of any nearby centre. Criteria will protect the amenity of neighbouring residents.

Loss of existing local shops or services

The second part of this policy will address the loss of local facilities or services. Proposals which would result in a significant or total loss of shops, post offices, public houses or other services to the community will not be permitted except where the existing provision is no longer viable and there is no market for the business as a going concern. This will apply to stand-alone facilities or services and to those operating within or as part of a different use. Evidence will be required to demonstrate that this is the case in accordance with strict marketing criteria that will be defined. This requires the property to be marketed for at least 12 months and should include offering it to the local community for their acquisition/operation. Permission to change the use of a shop will be subject to the retention of the shopfront.

56. Policy – Rural Shops

- It will be difficult to police whether rural shops are selling a majority of locally produced products;
- Support the control of retail development in the countryside but with a flexibility to show shoppers could arrive by sustainable means such as walking or cycling;
- Support locally sold produce but on a consensus of a percentage of floor space rather than a percentage of produce sold;
- Concerns raised that farm shops are used as a Trojan horse to drive residential development;

- NPPF promotes the requirement that retail shops in rural areas must source locally produced products;

Members advised that they support officers preferred option that:

This proposed policy concerns shops in the open countryside. Size will be restricted as most users are likely to rely on private car and these shops should not compete with local town centres or village shops. Rural shops will be required to sell a majority of locally produced products, either as a percentage of goods sold or as a percentage of floorspace and these must be produced on the holding or within xx kilometres. Extensions and additional facilities will be tightly controlled.

57. Policy – Sustainable Tourism

- Reference was made to paragraph 9.68 about the key principle for visitors to continue to be drawn by the unique environment and provide services to meet their needs and encourage longer stays. It was highlighted there was a need to balance provision of visitor facilities as well as attractions and disappointment was expressed on the Queens Drive Development;
- Reference to page 276 – the second paragraph that includes new buildings to provide overnight visitor accommodation conflicts with the farm diversification scheme in relation with camping; In response it was advised only new permanent buildings for tourist accommodation would be restricted. Temporary structures would be allowed but permanently used as tourist accommodation rather than as permanent dwellings.
- Although it is important to have a policy on sustainable tourism it needs to be applied across the district and not just Sidmouth and Exmouth as identified in the report;

Members advised that they support officers preferred option that:

This proposed policy will seek to ensure that East Devon's tourism industry continues to thrive. This policy will support the provision of appropriately located accommodation, visitor facilities and attractions. In this policy 'visitor accommodation' means serviced tourist accommodation (Class C1 Use) and unserviced tourist accommodation.

In line with the Council's Plan focus on 'green tourism' capitalising on the natural environment, visitor accommodation and attractions will be permitted where visitors will best understand and enjoy the special qualities of the area and reliance on the private car is minimised.

Development proposals will be required to make use of existing buildings wherever possible and, within the protected landscapes designated as Areas of Outstanding Natural Beauty, Coastal Preservation Areas and Green Wedges, outside of the settlement boundaries, new buildings to provide overnight visitor accommodation will not be permitted, although temporary structures such a yurts, glamping pods, towing caravans and tends may be acceptable.

Outside settlement boundaries new development must positively contribute to the natural beauty, wildlife and cultural heritage of the district and be closely associated with other attractions/established tourism areas, including the public rights of way network; or be a subordinate part of the farm diversification schemes. Where visitor accommodation is to be located in the countryside, policy will require accommodation to be located very close to the main dwelling from which it will be serviced/managed (e.g. as part of a farm diversification scheme) to avoid the need for a permanent new managers dwelling or multiply daily car

journeys to manage the site. Criteria will address matters such as transport, amenity and landscaping.

Policy will support a year-round visitor economy, while ensuring the facility remains for visitor use only.

Loss of Existing Visitor Accommodation

The loss of visitor accommodation will only be permitted in exceptional circumstances. Where loss is proposed, applicants will need to demonstrate that the property has been marketed unsuccessfully for holiday accommodation for at least 12 months in accordance with the criteria in appendix xx.

Principal Holiday Accommodation Areas

Within the principal accommodation areas of Exmouth and Sidmouth (as identified in the proposals map) policy will encourage the provision of additional holiday accommodation in preference to other uses, and will not permit the loss of existing accommodation to other uses. Where loss is proposed, applicants will need to demonstrate that the property has been marketed unsuccessfully for holiday accommodation for at least 12 months in accordance with the criteria in appendix xx.

58. Policy – Holiday Accommodation Parks in Designated Landscapes

- Concerns raised that a lot of caravan parks are in vulnerable locations along the coast which is an issue with coastal erosion. Would those be allowed to retreat under the CCMA's?

Members advised that they support officers preferred option that:

This proposed policy will relate to existing and proposed caravan, chalet and holiday parks within AONB's, CPA's and Green Wedges. Given the existing number of prominently sited and visually intrusive parks in the district's most sensitive landscapes, the policy will resist the establishment of new, intensified or extended parks in these areas but will support upgraded accommodation and environmental improvements. Recognising that some ancillary facilities may be required, policy will allow temporary structures where resulting harm can be mitigated.

Chapter 11 – Designated Beautiful and Healthy Spaces and Buildings

59. Development Management Policy – Design and Local Distinctiveness

- Beautiful home design is not mentioned in this policy;
- Suggestion to include a section about planning permissions not accepted in AONB's or Green Wedges no matter how dynamic and eco-friendly they might be.
- Developers have no interest in being innovative or in having local design standards;
- Disagree with the use of the word 'beautiful' as beauty can be subjective;
- Reference made to the last bullet point and raised concerns about the need to keep natural gardens and permeable surfaces to aid drainage;
- Beauty is subjective but good design is not.
- The Service Lead – Planning Strategy and Development Management advised that the plan has to be read as a whole and so there is no need to replicate policy on Green Wedges and AONB's here. Masterplanning and Design Coding for specific sites would have a key role in addressing Members concerns.

Members advised that they support officers preferred option that:

The policy will require that:

- **Planning applications are supported by a design and access statement as appropriate;**
- **Proposals are compatible with policies for tackling the climate emergency and other relevant plan policies;**
- **Proposals respect the character of the local area whilst also encouraging innovative design that incorporates new environmentally friendly approaches, materials and technologies;**
- **Proposals consider the amenity of adjoining residential properties;**
- **The design of buildings and spaces incorporates safe and convenient access for all;**
- **Buildings and spaces are designed to reduce the potential for crime;**
- **Materials used are appropriate to the site context and prioritise the most sustainable options available;**
- **Building design and orientation make best use of aspect to reduce the need for additional heating and lighting and**
- **Landscaping priorities habitat creation and water permeable surfaces.**

60. Development Management Policy – Amenity of Future Occupiers

- Concerns raised as the words in the policy could be open to abuse and misinterpretation;
- Need clarity on some defined standards.

Members advised that they support officers preferred option that:

The policy will require that:

- **New dwellings meet nationally described space standards;**
- **All buildings enable a high standard of amenity, living and working conditions, including protection from noise and pollution and adequate light;**
- **All dwellings have access to appropriate external amenity space;**
- **Existing surrounding uses are not unreasonably restricted by providing and maintaining appropriate amenity standards for new uses.**
- **Need to be flexible where needed and concerns raised about the wording ‘external amenity space’.**
- **Open space and greenery is really important.**

61. Development Management Policy – Housing Density and Efficient Use of Land

- A lot of development is too dense and more green space should be provided;
- Reference to paragraph 11.8 – minimum of density standards for town centres and other locations well served by public transport;
- There is a need to make sure land use is used correctly to drive business into our towns and to keep our towns viable;

Members advised that they support officers preferred option that:

Proposals for residential development will be permitted provided that the development optimises the density of the site in a manner that protects or enhances the character of the area and makes efficient use of land. We will set minimum density standards to achieve this.

62. Development Management Policy – Display of Advertisements

No alternatives were presented for this policy which is required to comply with Government Policy.

Chapter 12 – Prioritising Sustainable Travel and Providing the Transport and Communications Facilities we need

- Support was expressed for this policy with the expansion of extra footpaths and cycle ways;

Members advised that they support officers preferred option that:

The preferred approach is to include policy that requires new development to be within a '20-minute neighbourhood' either within the site (at larger scale development) or through links outside the site. The first priority is walking and cycling in new development; followed by public transport, low and ultra-low emission vehicles, and car sharing.

First priority:

- **Ensure new development is accessible to a range of facilities;**
- **Provide walking and cycling networks that are coherent, direct, safe comfortable and attractive.**

The meeting was adjourned to 11 January 2022.

Attendance List

Councillors present (for some or all the meeting)

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

Councillors also present (for some or all the meeting)

D Bickley
C Brown
M Chapman
P Faithfull
C Gardner
S Hawkins
N Hookway
V Johns
G Jung
R Lawrence
J Loudoun
P Millar
H Parr
V Ranger
M Rixson
A Bruce

Officers in attendance (for some of all the meeting)

Ed Freeman, Service Lead Planning Strategy and Development Management

Shirley Shaw, Planning Barrister
Wendy Harris, Democratic Services Officer
Matthew Dickins, Planning Policy Manager
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)
Mark Williams, Chief Executive
Debbie Meakin, Democratic Services Officer

Councillor apologies:

S Chamberlain

Chairman

Date: