

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of the meeting of Strategic Planning Committee held at Council Chamber, Blackdown House, Honiton on 7 March 2023**

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

The meeting started at 10.03 am and ended at 10.58 am

#### **70 Public speaking**

Peter Brooke asked the following question on item 9 (minute75) Initial feedback on consultation on the draft East Devon Local Plan – consultation undertaken from 7 November 2022 to 15 January 2023.

‘EDDC are aware that the Commonplace.IS feedback system website used in the “consultation process” has been reported to the Information Commissioners Office (ICO) for breach of The Privacy and Electronic Communications (EC Directive) Regulations 2003 (PECR) concerning cookie consent. Has EDDC established with Commonplace if a breach had indeed occurred and if so, did they report it to the ICO within 72 hours as required by law?’

The Assistant Director Planning Strategy and Development Management confirmed it had been discussed with Commononplace who had contacted the ICO and were advised there was no need to inform them in this case. In response to Mr Brookes request for a copy of the correspondence he was advised that as the conversation had taken place by telephone it was believed there was no written record. Mr Brookes was advised that a more detailed response could be provided at a later date when a detailed report reflecting on the consultation and lessons to be learned would be brought to a future Strategic Planning Committee.

#### **71 Minutes of the previous meeting**

The minutes of the Strategic Planning Committee held on 14 February 2023 were confirmed as a true record.

#### **72 Declarations of interest**

Minute 77. Designated Neighbourhood Area Housing Requirements.  
Councillor Eleanor Rylance, Affects Non-registerable Interest, ward, home and business in Broadclyst is in one of the neighbourhood plan areas.

Minute 77. Designated Neighbourhood Area Housing Requirements.  
Councillor Mike Howe, Affects Non-registerable Interest, ward, home and business is in one of the neighbourhood plan areas.

#### **73 Matters of urgency**

There were no matters of urgency.

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

There were no confidential/exempt items.

75 **Initial feedback report on consultation on the draft East Devon Local Plan - consultation undertaken from 7 November 2022 to 15 January 2023**

The Committee considered the report outlining some initial feedback on the consultation that had been undertaken. Members noted that although it was too early to provide an exact total number of responses there had been around 2,500 responses through the Commonplace software and around 1,000 in an email or letter format.

From the statistics detailed in Section 4 it had been identified that the Commonplace software had enabled engagement with a much wider age group seeing over 22% from the age group 35-44 or younger and around 94% of respondents living in the district.

The Assistant Director Planning Strategy and Development Management drew Members attention to some key issues including the 300 responses received to the three options for a new settlement of which 23.3% supported option 1, 11.11% for option 2 and 8.7% for option 3 proving that early conclusions indicated there was a low level of satisfaction for a new community.

Members' attention was also drawn to paragraph 8.4 detailing specific questions about scales of growth for Feniton and Whimble and noted that a lot of the responses were yet to be analysed including letters and a petition but early indications suggested that only low levels of growth were welcomed in those locations.

Finally the Assistant Director Planning Strategy and Development Management drew Members' attention to paragraph 9 detailing more general matters raised in responses to the consultation and paragraph 10 about what happens next advising that a full consultation feedback report would be presented to Strategic Planning Committee later this year in the early Summer.

Questions raised by Committee Members included:

- Clarification was sought about why the 500 responses received from Feniton residents in a petition had not been included in the consultation as promised by the Chief Executive. The Assistant Director Planning Strategy and Development Management confirmed that officers had not yet had a chance to review all the comments and advised that a full consultation feedback report detailing comments from all the petitions received would be brought back to the Strategic Planning Committee later this year;
- Clarification was sought on the number of houses proposed for Whimble as the public consultation that took place in Whimble Village Hall held by officers was misleading as it only suggested 35 additional houses but the draft Local Plan is suggesting much higher numbers. In response the Assistant Director Planning Strategy and Development Management emphasised the consultation was a 'draft' Local Plan and that further work was needed including levels of growth at Whimble. He advised that the consultation had contained specific questions relating to specific levels of growth for Feniton and Whimble which respondents had answered;
- Clarification was sought on whether the statistics could show additional information such as where respondents live, work or which particular area they were commenting about. The Assistant Director Planning Strategy and Development Management advised that although respondents did not have to

give full details he referred to paragraph 4.4 which detailed the total number of respondents giving their address details.

**RESOLVED:**

The contents of this initial feedback report be noted.

76 **Proposed response to the Teignbridge Local Plan Regulation 19 Consultation**

The Committee considered the Assistant Director Planning Strategy and Development Management report that addressed some cross boundary issues relating to the Teignbridge Local Plan Regulation 19 Consultation which included the European designated wildlife sites of the East Devon Pebblebed Heaths and land designated for windfall sites.

Members' attention was also drawn to the following concerns:

- that their Local Plan does not set out a minimum housing requirement figure for the whole plan period.
- there was a lack of clarity about the potential risk of unmet housing need in the Teignbridge Plan area
- no allowance has been made for small windfall sites;
- housing supply within the Teignbridge part of Dartmoor has not been taken into account;
- the need to plan for more buffers which has not been addressed in the Plan;
- the level of housing requirement to accommodate any unmet housing from the adjoining authority Torbay Council has not been addressed;

The Assistant Director Planning Strategy and Development Management advised that in response to these concerns he had had a useful and productive meeting with Teignbridge District Council who had accepted that minor modifications were needed to address these concerns and further information needed to be made available and as such asked Members to consider the proposed response as detailed in the report.

Questions and concerns raised by Members included:

- Clarification was sought on the response from Exeter City Council. The Assistant Director Planning Strategy and Development Management advised that although he had not read it he understood they have objected quite strongly;
- Concerns raised about EDDC being made a scapegoat for Teignbridge's housing allocation;
- A comment was made that perhaps our response was too polite and whether there was a need for stronger recommendations. In response it was advised EDDC would have a 'seat at the table' and its position would be protected by raising representations to the Inspector at the examination stage if the issues highlighted in the report were not resolved in the meantime;
- Clarification was sought on EDDC's position with the duty to co-operate. The Assistant Director Planning Strategy and Development Management highlighted to members that Teignbridge District Council had circulated a draft duty to co-operate statement in advance of their consultation that this council did not sign as it was deemed inappropriate considering our concerns;
- Clarification was sought about who would have a 'seat at the table'. It was advised it would be done through a public forum with a Planning Inspector to

Chair the meeting and other parties would be able to attend including an officer from this council to make representations;

- Clarification was sought on whether EDDC had commented on their Regulation 18 Consultation and whether these issues were raised by us or anyone else at that stage. It was advised a response was sent to their Regulation 18 Consultation and that none of these issues had existed at that time.

**RESOLVED:**

1. That the proposed representations to the Teignbridge Local Plan consultation that are set out in this report be endorsed and for them to be submitted to Teignbridge District Council be agreed.
2. That officers continue to work with officers at Teignbridge District Council to secure further evidence and potential modifications to the Teignbridge Local Plan in the hope that the concerns can be withdrawn at a future date be agreed.

77 **Designated Neighbourhood Area Housing Requirements**

The Committee considered the Assistant Director Planning Strategy and Development Management's report that summarised a new requirement introduced by the National Planning Policy Framework (NPPF) that required local authorities to establish a housing requirement figure for all designated neighbourhood areas. Members noted there had been 40 designated neighbourhood areas identified in East Devon.

Members were asked, at this stage, to agree to start an initial consultation exercise with the 40 neighbouring planning groups identified in the report to understand their thoughts on the housing requirement options and the impact on their intentions and aspirations for their neighbourhood plans. A report would then be brought back to Strategic Planning Committee on its findings and to provide more details on a proposed wider consultation.

Members were in support of the need to deliver small scale growth in villages and hoped that villages would take up the opportunity.

**RESOLVED:**

1. The work needed for the emerging Local Plan regarding designated neighbourhood area housing requirements, the complexities to be addressed and the need for further specific consultation on a methodology for calculating these figures be noted;
2. That in preparation for the consultation officers can commence dialogue with communities that have a designated neighbourhood area to inform the development of this work package, including on both a one to one basis and via officer-lead group discussion be agreed, and
1. That a more detailed technical report on the potential options and their implications and on the proposed consultation be brought back to Committee, prior to a full formal consultation being launched be noted.

**Attendance List**

**Councillors present:**

D Ledger (Chair)

O Davey (Vice-Chair)

P Arnott

K Blakey

M Howe  
R Lawrence  
A Moulding  
G Pratt  
E Rylance

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

P Faithfull

**Officers in attendance:**

Ed Freeman, Assistant Director Planning Strategy and Development Management  
Damian Hunter, Planning Solicitor  
Wendy Harris, Democratic Services Officer  
Wendy Ormsby, Development Manager

**Councillor apologies:**

M Allen  
S Chamberlain  
P Hayward

Chairman .....

Date: .....