

# **EAST DEVON DISTRICT COUNCIL**

## **Minutes of the meeting of Strategic Planning Committee held at Council Chamber, Blackdown House, Honiton on 9 June 2023**

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

The meeting started at 10.00 am and ended at 11.58 am. The meeting was briefly adjourned at 11.23 am and reconvened at 11.36 am.

### **1 Public speaking**

Councillor Geoff Jung spoke on the East Devon local plan update report in his capacity as Portfolio Holder for Coast, Country and Environment. Members were asked to consider a further recommendation referring to the second bullet point from paragraph 3.8 that read 'to present a case that there are such fundamental constraints in a local planning authority area that the required numbers cannot be acceptably accommodated'.

The reasons for the further recommendation would take into consideration the following:

- It has been shown that this council had increased its housing stock by over 13% in the previous 10 years whilst the national average was only 6%.
- East Devon is a coastal area where infrastructure is more costly. Inland communities are connected by their neighbouring communities with interconnecting roads, rail and utilities. However, coastal communities only have half a circle of influence as the other half of the influence is the sea.
- 75% of East Devon has designated areas including large areas of Areas of Outstanding Natural Beauty and the Exe Estuary.

### **2 Minutes of the previous meeting**

The minutes of the Strategic Planning Committee held on 7 March 2023 were confirmed as a true record.

### **3 Declarations of interest**

Minute 6. East Devon local plan update report.

Councillor Olly Davey, Other Registerable Interest, Exmouth Town Councillor.

### **4 Matters of urgency**

There were no matters of urgency.

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

There were no confidential/exempt items.

### **6 East Devon local plan update report**

The Assistant Director – Planning Strategy and Development Management presented an update report on the East Devon local plan that provided Members with an overview of the work that had been done to date on the local plan and an explanation to why the standard methodology for housing numbers figure had changed since the committee had last met.

Members were advised that the draft local plan was currently at the Regulation 18 stage in which the council needed to prepare its strategy and approach following the public consultation earlier this year. Members noted that a further detailed report on the issues raised during that consultation would be brought to Committee in July for further consideration.

The Assistant Director – Planning Strategy and Development Management also addressed the housing numbers confirming that the present standard methodology housing number figure for East Devon now stood at 910 homes per year compared to 946 homes per year as previously advised. This was a consequence of an update to the affordability ratio between house prices and household income. Members were warned that there was a high possibility that these figures could change due to further updates in the future and potential changes to the National Planning Policy Framework (NPPF) and to the Levelling-up and Regeneration Bill.

In relation to these potential changes Members' attention was drawn to the current local plan making timetable detailed in paragraph 6.1 of the report where Members were advised that these dates were no longer achievable and that an updated timetable would be brought to committee in July or August 2023.

Questions raised by Members included:

- Clarification was sought on the proposed NPPF changes. Members were guided to a useful summary detailed in the 14 February 2023 agenda.
- There was a need for the Council to change its attitude when considering its housing stock to ensure that all houses built over the next 10 years address housing need and climate change. In response the Assistant Director – Planning Strategy and Development Management advised that the council was bound to current government planning guidance and legislation in terms of its planning process and that suitable land was needed first before housing stock and this depended on landowners bringing forward land for development. The Assistant Director – Planning Strategy and Development Management referred to Councillor Jung's statement and advised Members that although East Devon was heavily constrained the Inspector, when examining the local plan, would not be likely to consider this as sufficient justification for not meeting our housing need.
- Several members expressed a view that they did not want to accept the Government's Standard Methodology figure and that the council should take a stand and say no.
- Reference was made to the significant number of houses being developed in Cranbrook and a question was raised about how that would fit in with the five year land supply figure. The Assistant Director – Planning Strategy and Development Management advised that housing numbers can only be counted if they had either been granted full planning permission or reserved matters approval.
- It was suggested that restrictions should be put on houses to ensure only people living in East Devon could purchase these houses.
- Reference was made to paragraph 3.10 and the duty to cooperate and a concern was raised about whether this meant that this council had to accommodate neighbouring authorities housing numbers as well as its own housing numbers. Where does this council stand if our duty to cooperate means that our housing numbers could increase to 1,000 instead of 910 houses?
- It was suggested that there was a requirement for different housing types to maintain a well-balanced community. Cranbrook has mostly two or three bed houses and does not take into account other requirements for larger families.

- It was suggested there was a demand for one bed flats. Members were advised that policies could be put in place to secure different house types through the new Local Plan but until this had been adopted the policies in the current local plan had to be complied with.
- When considering the housing numbers it is important to consider that a proportion of people in East Devon are over the age of 65 which has a greater impact on the health sector.
- There was a need to consider the impact on our water and waste water and sewage services particularly when our water company is one of the worst performing in the country. This impact is further increased by East Devon being a coastal region as well as being a tourist region.
- Clarification was sought about the implications if the council did not comply with the standard method for calculating the housing need. Members were advised that if the local plan was found unsound the consequence would be that the council would have to start at the beginning again which was not a good position to be in. The Assistant Director – Planning Strategy and Development Management acknowledged Members concerns about the housing numbers and suggested that if Members wished a further report to consider these issues could be brought to a future meeting.

The following motion was proposed by Councillor Todd Olive and seconded by Councillor Yehudi Levine:

‘That a further detailed report outlining the risks associated with trying to present a case that there are fundamental constraints in a local planning authority areas that the required numbers cannot be acceptably accommodated be brought to a future Strategic Planning Committee meeting.’

Discussions related to the proposed motion included:

- It was suggested that there was a need to hear about the other options that the council could choose to take and the risk involved with those options;
- It was suggested that the report would need to be comprehensive with everything on the table so that Members could have a broad debate to help them reach an informed decision. Members did not want this to be a pointless exercise.
- It was suggested that the report should be brought back to committee as quickly as possible.

Following discussions Councillor Todd Olive and seconder Councillor Yehudi Levine were happy to amend their motion to read:

‘Following consultation with the Chair and Vice Chair of Strategic Planning Committee a further detailed report outlining the risks associated with trying to present a case that there are fundamental constraints in a local planning authority areas that the required numbers cannot be acceptably accommodated and the options that the Strategic Planning Committee may take on board when considering appropriate housing need be brought to committee as soon as possible.’

#### **RESOLVED:**

1. That the ongoing and future work on preparation of the East Devon local plan be noted.
2. That the housing need figure in East Devon generated from the Government standard methodology, now stands at 910 new homes a year and that this figure is lower than the 946 homes per year that was reported on in 2022 be noted.
3. Following consultation with the Chair and Vice Chair of Strategic Planning Committee a further detailed report outlining the risks associated with trying to

present a case that there are fundamental constraints in a local planning authority areas that the required numbers cannot be acceptably accommodated be brought to a future Strategic Planning Committee meeting and the options that the Strategic Planning Committee may take on board when considering appropriate housing need be brought to committee as soon as possible be agreed.

## 7 **Proposed response to the Government Consultation on short-term lets**

The Committee considered the Assistant Director – Planning Strategy and Development Management’s report outlining the proposed response detailed in appendix A to the Government consultations on short-term lets which if imposed would impact on East Devon District Council by the following planning issues:

- potential new policies on short-term lets;
- changes to the Use Class Order and to permitted development;
- impacts to access and affordability of housing;
- impacts on tourist accommodation;
- Implications for delivering corporate plan objectives on housing, economy and communities.

The proposed changes would relate to:

- the introduction of a new Use Class (C5) for short-term let accommodation without the requirement for planning permission;
- new Permitted Development Rights to change a C3 Use Class (residential accommodation) to a C5 Use Class;
- flexibility for homeowners to let out their home for a number of nights per year (consultation on 30, 60 or 90 nights per year).

Questions and concerns raised by Members included:

- Clarification was sought on the impact on the hospitality sector. Members were advised that the consultation came about from concerns raised about the housing stock and was not related to potential competition.
- A concern was raised that if implemented this could be expensive and a lot of work for the council to adopt. In response the Assistant Director – Planning Strategy and Development Management confirmed there would have resource implications and a burden on the council. It was advised that the suggested alternative planning approach to make the permitted change from C3 to C5 subject to a prior approval process would be better. This would still not be ideal but would at least generate an income for the council to help cover the administrative cost of dealing with the issue and negate the need for an article 4 direction.

### **RESOLVED:**

That the assessment and the detailed responses to the Government consultations on short-term lets that are set out in the report be noted.

### **Attendance List**

#### **Councillors present:**

B Bailey  
K Blakey

B Collins  
O Davey (Chair)  
P Fernley  
C Fitzgerald  
P Hayward  
M Howe (Vice-Chair)  
B Ingham  
D Ledger  
Y Levine  
T Olive  
H Parr

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

I Barlow  
P Faithfull  
G Jung  
M Rixson

**Officers in attendance:**

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

**Councillor apologies:**

J Bailey  
M Hartnell

Chairman .....

Date: .....