

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Strategic Planning Committee held at Council Chamber, Blackdown House, Honiton on 19 May 2025

Attendance list at end of document

The meeting started at 10.04 am and ended at 12.45 pm

260 Minutes of the previous meeting

The minutes of the previous meeting held on 4 February 2025 were confirmed as a true record.

261 Declarations of interest

Minute 265. Community Infrastructure Level (CIL) bid recommendations.

In accordance with the Code of Good Practice for Councillors and Officers dealing with planning matters as set out in the Constitution, Councillors Todd Olive and Colin Brown advised of lobbying in respect of this item.

Minute 265. Community Infrastructure Levy (CIL) bid recommendations.

Councillor Eleanor Rylance, Affects Non-registerable Interest, I am a patient of Pinhoe and Broadclyst surgery.

Minute 265. Community Infrastructure Levy (CIL) bid recommendations.

Councillor Geoff Jung, Affects Non-registerable Interest, There are a number of environmental proposals that I have had a part in development.

Minute 265. Community Infrastructure Levy (CIL) bid recommendations.

Councillor Jessica Bailey, Other Registerable Interest, As a Devon County Councillor will only speak on this item as a member of the public and will leave the room during discussions and the vote.

Minute 265. Community Infrastructure Levy (CIL) bid recommendations.

Councillor Paul Hayward, Other Registerable Interest, As a Devon County Councillor will only speak on this item as a member of the public and will leave the room during discussions and the vote.

Minute 266. South East Devon Wildlife - Joint Habitats Site Mitigation Strategy 2025 to 2030.

Councillor Geoff Jung, Affects Non-registerable Interest, I am a member of the Habitat Regulations Joint Committee.

Minute 268. Planning and Infrastructure Bill Update.

Councillor Geoff Jung, Affects Non-registerable Interest, There are a number of changes to environmental practices addressed in the report. However I come with an open mind and do not consider myself to be pre-determined..

Non-Committee Member

Minute 265. Community Infrastructure Levy (CIL) bid recommendations.

Councillor Eleanor Rylance, Affects Non-registerable Interest, I am a patient of Pinhoe and Broadclyst Surgery.

262 **Public speaking**

Six members of the public had registered to speak.

The first speaker, Robert Persey spoke about rural exception sites and referred to the Council's policy on Housing Needs Surveys which he suggested contravened Paragraph 82 of the National Planning Policy Framework as the policy did not provide opportunities to bring forward these sites to help with affordable rural housing. He advised that there were currently 5,100 families on the Council's housing waiting list and out of the whole of the district only three parishes had conducted a Housing Needs Survey suggesting this was a deliberate way to prevent affordable rural housing. In response the Chair advised that following the adoption of the Local Plan the Council would be revising its supplementary planning document to take in account affordable housing.

The following two speakers spoke on Minute 265 Community Infrastructure Level (CIL) Bid Recommendations.

Devon County Councillor, Broadclyst Division, Henry Gent expressed his support for the four bids within his division. He emphasised the need for a primary school at Tithebarn as many of the families living there had failed to get their preferred nearest primary school places. He emphasised the need for the extension to Pinhoe Surgery as the practice have advised they would need to close their patient list this October. He also referred to the London Road, Cranbrook project advising that this footpath would be a much-needed connection to the new extensions of Cranbrook.

Ottery St Mary Town Councillor, Janice Aherne referred to the Tipton Primary School project and requested that the Committee consider deferring the project to allow the Department of Education time to clarify its need and requirements. She advised the Committee that the school was the heart of the village and if the school was removed the village would die.

The following three speakers spoke on Minute 267 East Devon Local Plan – timetable production update.

John Hamill reminded the Committee that he had previously addressed his concerns about the draft Local Plan at the meetings on 11 December 2024 and 4 February 2025 where he urged the Committee to get the critical process of the Local Plan right. He said it was clear from today's report that the Local Plan was inadequate, and this was evident by the missing technical reports and evidence as well as the objections to the Local Plan received from statutory agencies. Mr Hamill urged the Committee to delay the Local Plan and to follow the right and lawful processes to get the site selections and the consultation right.

A statement was read out on behalf of Nigel Humphrey which highlighted his findings from the Regulation 18 Consultation about site Exmo_20 which he believed should not have been put forward in the consultation.

Thomas Shillitoe reminded Members of the concerns he and others had raised about the draft Local Plan at the meeting on 4 February. He referred to the site Exmo_20 which he said was not available, suitable or achievable and which he claimed had been falsely evidenced in the Regulation 19 Consultation and he believed the Inspector will be very concerned when the Local Plan is submitted for examination.

Mr Shillitoe sought clarification from the Assistant Director Planning Strategy and Development Manager whether he believed the Regulation 19 Local Plan was sound and had met all the necessary legal requirements.

He addressed the habitat mitigation strategy and suggested it was pointless spending CIL monies for the Pebblebed Heaths or endorsing the Wildlife Strategy when the site selections had still not been assessed to identify any potential threats. Finally, he urged the Committee to only include the preferred sites and second choice sites in the Local Plan before it was submitted for examination.

In response the Assistant Director Planning Strategy and Development Management firstly addressed the comments made about Exmo_20 and advised that a feedback report on the Regulation 19 Consultation would be brought to Committee in due course setting out the responses received and recommendations about how to proceed with the Local Plan.

He did not agree with the comments made about having false evidence in the Local Plan and explained that the evidence was an ongoing process which officers were continuing to work on to update and refine the Plan.

In response to Mr Shillitoe's question the Assistant Director Planning Strategy and Development Management confirmed that he believed that the Regulation 19 Local Plan was sound but pointed out there was a need to review its current position after taking into account the comments received from the consultation which would be provided in the feedback report.

263 **Matters of urgency**

There were no matters of urgency.

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

There were no confidential or exempt items.

265 **Community Infrastructure Levy (CIL) bid recommendations**

The Committee considered the Assistant Director Planning Strategy and Development Management's report that sought Members endorsement for the support of 7 project bids and to reject 5 remaining bids that the Community Infrastructure Level (CIL) Member Working Party had considered on 15 January and 27 February 2025.

The report set out the details concerning the types of bids received and the process that was followed for scoring the bids which would receive funds from the Strategic CIL Fund of £11.289million. It was noted the CIL Member Working Party had proposed that £1million should be retained for delivery of future projects.

In summary the 7 project bids supported were:

East Devon District Council - Clyst Meadow Country Park, Station Road, Broadclyst SANGS

Priority 1

To deliver 10 hectares of Country Park (SANG) and future management.

CIL Bid £1,383,624

Conditions

Cabinet on 1 May 2025 agreed that the SANG's would be managed in-house using an endowment model funded from CIL, however the CIL Member Working Party considered that the £2million upfront cost could not be justified and that an Annual contribution from CIL was preferred.

Honiton Town Council - Enhancing sport provision in Honiton

Priority 2

New pitches at Tower Hill, 3G at HCC and HPS drainage and lighting at Allhallows.
CIL Bid £601,000

Devon County Council - Mosshayne/Tithebarn Primary School

Priority 1

Construction of 210 place primary school and nursery provision
CIL Bid £4,500,000

NHS Devon Integrated Care Board - Pinhoe Surgery Extension

216 sq.m. extension to surgery to create 6 new clinical rooms due to 56% increase in patient numbers from East Devon growth areas.

CIL Bid £800,000

Conditions

A safeguard measure will place a legal charge on the property with Land Registry preventing the building from being sold without the CIL, S106 and NHS grant being repaid.

Devon County Council - Cranbrook Multi-Use Path

Priority 1

1.5km off-road walking, wheeling and cycling route between Cranbrook and Exeter
CIL Bid £1,800,000

Devon County Council - London Road, Cranbrook

Construction of missing footpath/cycle provision between Cranberry Farm pub to Ingrams

CIL Bid £750,000

Exmouth Rugby Club – Extension

2 DFU compliant changing rooms (women and girls)

Priority 2

CIL Bid £100,000

Comments from Non-Committee Members included:

Ward Member, Councillor Eleanor Rylance referred to the Council's commitments to the Pebblebed Heaths and hoped that East Devon District Council and Broadclyst Parish Council were in talks about the long-term future of the SANG at Station Road, Broadclyst and the Cranbrook multi-use path which would run through the SANG was crucial to promote active travel. She supported Councillor Gent's comments about Tithebarn Primary School and said it was nonsensical as the development was composed of nearly all young families. Lastly, she supported the Pinhoe Surgery extension and made Members aware that the surgery was in fact a cross-border surgery which went into Broadclyst and had been struggling with capacity for some time due to developments in the West End of East Devon.

Councillor Bethany Collins and Councillor Peter Faithfull supported a deferral for the Tipton St John Feasibility Study. Councillor Collins advised as it was a priority 1 bid it would be a missed opportunity to have further discussions with the Department of Education.

Councillor Ian Barlow, a Member of the CIL Member Working Group, reassured the Committee that a lot of time had been taken to obtain all the necessary advice to reach a decision on the bids. He drew attention to the upcoming devolution which was only 3 years away and suggested there was a need to ring fence the funds for the SANG at Broadclyst to ensure this money was secured.

Councillor Roy Collins referred to the site for the Honiton football facilities and said it was not suitable for a football pitch.

Ward Members and Devon County Councillors Jessica Bailey and Paul Hayward asked the Committee to consider a deferral of the decision to reject the bid on the Tipton St John Feasibility Study as there was less of a risk with this feasibility study bid as the DFE have already confirmed there is funding available but it was the question of where the school was to be located that needed further work.

Councillor Paul Hayward sought clarification from the Assistant Director Planning Strategy and Development Management about the point at which the bidder is given the funds. In response it was advised that a funding agreement would need to be set out for each bid but that fundamentally this Council would hold on to the funds until the bidder is ready to spend it.

Councillor Jess Bailey and Councillor Paul Hayward left the room and did not take part in discussions or vote for this agenda item.

Committee Members questions and comments included:

- It was questioned about the current number of pupils attending Tipton St John School and whether there would be enough pupils to attend the new one. The Assistant Director Planning Strategy and Development Management could not give a number but explained there were issues about the location of the school as a lot of pupils' travel from Ottery St Mary to Tipton St John.
- Clarification was sought on the reason to reject the bid from Network Rail. Members were advised it was an early decision by officers to reject all the feasibility studies as it was not the Council's responsibility to fund this work.
- A statement was read out on behalf of Committee Ward Member for Broadclyst, Councillor Paula Fernley who supported the 4 bids in her ward.
- Members wanted to thank the CIL Member Working Party on reaching their decision and thank you to the CIL Officers for their guidance.
- Support was expressed for all the successful bids.
- Support was expressed to defer the Tipton St John Feasibility Study bid with a suggestion that the school should be located in Tipton St John as it is a valuable asset to the village. In response the Assistant Director Planning Strategy and Development Management advised that deferring it could set a precedent for other feasibility work bids and it would be better for them to make a further bid the next time there is a bidding round.
- A concern was raised with the wording for Recommendation 3 as delegated authority was only given to the Assistant Director Planning Strategy and Development Management and the Director of Governance and would not involve the Committee. It was suggested that the recommendation should be in consultation with the Chair as well.
- Broadly support the recommendations as written but do have a concern with the funding for the Mosshayne/Tithebarn Primary School as this is conditional on DCC

providing more detailed costings – this is almost like the Council is being asked to write an open-ended cheque!

- Disappointment was expressed about the feeble level of financial support from the NHS.

Councillor Yehudi Levine proposed the recommendations as written, seconded by Councillor Kevin Blakey subject to a slight amendment to Recommendation 3 to include the Chair of Strategic Planning Committee.

RESOLVED:

1. The recommendations of the CIL Member Working Party in respect of each CIL bid received be agreed and to reject the bids listed in the table at paragraph 6.2 and approve those listed in the table at paragraph 6.3.
2. That all the bidders who submitted rejected bids be advised of the outcome of their bid with reference to the reasons stated in this report.
3. Delegated authority be given to the Assistant Director Planning Strategy and Development Management in consultation with the Director of Governance and the Chair of Strategic Planning Committee to agree funding agreements with the successful bidders based on the conditions as set out in the report.
4. That Members agreed to advise Cabinet that they do not agree to funding an endowment to cover maintenance costs of the SANG at Station Road, Broadclyst as per Cabinet's resolution of 1 May 2024 and recommend that Cabinet agree that these costs be funded through an annual contribution of £40k from CIL for the first 3 years after which these should be reviewed.

266 **South East Devon Wildlife - Joint Habitats Site Mitigation Strategy 2025 to 2030**

The Committee considered the South East Devon Wildlife – Joint Habitats Site Mitigation Strategy 2025 – 2030 report that had been jointly produced by officers from East Devon District Council, Teignbridge District Council and Exeter City Council to ensure that effective and coordinated mitigation can be implemented on the impacts of development on protected habitats for the Pebblebed Heaths, Exe Estuary and Dawlish Warren in the period from 2025 to 2030.

The Assistant Director Planning Strategy and Development Management briefly summarised the mitigation measures which included on-site and off-site mitigation measures and sought Members endorsement of the proposed approach and to recommend to Cabinet that the Joint Habitats Site Mitigation Strategy 2025 – 2030 be adopted.

Clarification was sought on the proposed price increase per house. Although the exact costings per dwelling could not be provided at the meeting Members were advised that the cost would increase fairly significantly.

RECOMMENDATION TO CABINET:

That Strategic Planning Committee recommend to Cabinet that the South East Devon Wildlife Joint Habitats Site Mitigation Strategy 2025 – 2030 be adopted.

267 **East Devon Local Plan - timetable production update**

The Committee considered the East Devon Local Plan – timetable production update that sought to endorse the proposed review of the timetable to come to a future

committee meeting and to include a second Regulation 19 Consultation in the Autumn to include the masterplan and further work on the New Community.

The Assistant Director Planning Strategy and Development Management addressed the reasons for the review which included receiving a lot of comments through the consultation of the Local Plan and receiving a number of concerns raised by statutory bodies in relation to missing evidence. A further reason was in relation to the complex work for the New Community which included further work on developing the masterplan and answering outstanding questions on delivery models.

Discussion on the timetable production update included:

- Clarification was sought about when the Committee would receive feedback from the Regulation 19 Consultation. Members were advised that a summary could be brought to the next meeting.
- Clarification was sought on the current five-year housing land supply figure. Members were advised that the current figure stood at 2.97 years which the Council will continue to monitor.
- Further information was requested on the Water Cycle Study in paragraph 3.2. The Assistant Director Planning Strategy and Development Management explained that South West Water had taken six months to provide data to the study which has led to further work being needed as some data was missing in relation to the waste water infrastructure.
- Reassurance was sought on a potential target date to confirm all the work for the Local Plan had been completed. The Assistant Director Planning Strategy and Development Management advised that all the work would need to be completed by the start of June as this would be within the required 18 months of being published. The Chair confirmed the deadline would be 12 June 2026 which was 18 months after the new NPPF was published.

RESOLVED:

That the proposed review of the local plan making timetable be endorsed with a new revised timetable for plan making to come to a future committee meeting and to include a second Regulation 19 Consultation in the Autumn to include the masterplan and further work of the New Community but also additional evidence and changes to the Local Plan itself.

268 Planning and Infrastructure Bill Update

The Assistant Director Planning Strategy and Development Management presented the report that updated Members on some key proposals on the Planning and Infrastructure Bill.

In summary these key proposals included:

- National scheme of delegations
- Mandatory training for committee members
- Planning application fee setting
- The reintroduction of strategic planning at combined authority/combined county authority level
- Nature Restoration Fund
- Compulsory purchase
- Development corporations

Members noted that the report was being considered by Cabinet on 4 June 2025 and that any comments made would be verbally reported.

Questions and comments made by Members included:

- Clarification was sought on who had provided the response that there was a need for a smaller number of Members to sit on Planning Committee. In response it was advised that officers had responded to that question under delegated powers which was in relation to strategic applications. This response had been shared with the Chair of Strategic Planning Committee before submission.
- A concern was raised that the Bill appeared to be streamlining the planning process which would take away the opportunity for councillors and members of public to respond. This would undermine the democratic process.
- A concern was raised about Natural England taking control of Habitat Regulations.

RESOLVED:

That the provisions of the Planning and Infrastructure Bill and their potential implications for the delivery of the planning service and strategic planning be noted.

Attendance List

Councillors present (for some or all the meeting)

B Bailey
J Bailey
K Blakey
C Brown
P Hayward
B Ingham
G Jung
Y Levine
T Olive (Chair)
H Parr

Councillors also present (for some or all the meeting)

B Collins
I Barlow
R Collins
P Faithfull
E Rylance

Officers in attendance:

Ed Freeman, Assistant Director Planning Strategy and Development Management
Damian Hunter, Planning Solicitor
Wendy Harris, Democratic Services Officer
Paul Osborne, Green Infrastructure Project Officer
Melissa Wall, Section 106 Monitoring Officer

Councillor apologies:

O Davey
P Fernley
M Howe
D Haggerty

Chairman

Date: