

Report to: Council



Date of Meeting 13th January 2021

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Local Development Scheme and Statement of Community Involvement

Report summary:

The Council is required to maintain both an up to date Local Development Scheme (LDS) that sets out a programme and timetable for production of future planning policy documents and a Statement of Community Involvement (SCI) that details how we will consult on the production of these documents. This report seeks to introduce the updated version of both documents which have been considered by Strategic Planning Committee and are now recommended to Council following consultation with Cabinet.

Recommendation:

1. That Council adopt the proposed new Local Development Scheme and Statement of Community Involvement, as appended to this report, and that they take immediate effect.

Reason for recommendation:

To ensure the Council has an up to date Local Development Scheme and Statement of Community Involvement.

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Portfolio(s) (check which apply):

- Climate Action
- Corporate Services and COVID-19 Response and Recovery
- Democracy and Transparency
- Economy and Assets
- Coast, Country and Environment
- Finance
- Strategic Planning
- Sustainable Homes and Communities

Financial implications: There are no financial implications which require comment.

Legal implications:

Under the Planning and Compulsory Purchase Act 2004 the Council is legally required to maintain an up to date Local Development Scheme (LDS). Adoption of the enclosed revised LDS will ensure compliance with our legal obligations. Other legal implications are covered in the report.

The requirement to review and maintain an up to date Statement of Community Involvement to reflect legislative and other changes is met by adoption of the revised Statement. Other legal implications are covered in the report.

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk; [Click here to enter text on risk considerations relating to your report.](#)

Links to background information The proposed new Local Development Scheme (LDS) is appended to this report and has web links within. The previous LDS and SCI can be viewed via the web page accessed through the link below and the intent is that on agreement the new LDS and SCI will replace them on the same page: <https://eastdevon.gov.uk/planning/planning-policy/policy-work-whats-new/what-policy-documents-will-we-produce-and-how-will-we-consult-on-them/>

Link to [Council Plan](#):

Priorities (check which apply)

- Outstanding Place and Environment
- Outstanding Homes and Communities
- Outstanding Economic Growth, Productivity, and Prosperity
- Outstanding Council and Council Services

1 Introduction

- 1.1 There is a requirement for planning authorities to have an up to date Local Development Scheme (LDS) and an adopted Statement of Community Involvement (SCI).
- 1.2 The new proposed LDS forms a future work programme for the Planning Policy team at the Council and is appended to this committee report. The new LDS lists key policy documents that are proposed to be produced by the Planning Policy team or in which the policy team is partnering in production. The LDS also provides an overview of and advises on relevant planning policy work undertaken by outside partners, to include Devon County Council, in respect of waste and minerals plans and local communities in respect of Neighbourhood Plan making.
- 1.3 The EDDC SCI sets out our approach to promoting community and stakeholder consultation and involvement in respect to:
 - How we produce future planning policy and engage with stakeholders
 - How we notify individuals and organisations that planning applications have been submitted and how we encourage developers to undertake consultation.
- 1.4 The existing East Devon SCI was adopted on 24 October 2018, following extensive public consultation. It can be viewed online at <https://eastdevon.gov.uk/media/2692931/2018-sci-v6.pdf>. The SCI sets out the minimum requirements that we will meet but we will always strive to tailor a consultation to the specific circumstances and go beyond these. Ordinarily the SCI would be reviewed every 5 years or sooner if there is a change in legislation.
- 1.5 The pandemic and associated restrictions have resulted in new legislation being passed so that the risks associated with close contact are minimised and the requirement for a physical copy of consultation documents to be available at the Council Offices is removed. Government guidance advises that these arrangements are temporary and will last until 31

December 2020, however it is envisaged that this timescale could be extended. As a result it is considered to be an appropriate time to review the SCI to ensure it remains compliant and fit for purpose.

2 Development Plan Documents

- 2.1 The appended LDS advises of and sets out more detail on production of two Development Plan Documents (DPDs). These are:
- 2.2 **A new East Devon Local Plan** – this is planned to be an overarching new plan covering all policy matters that typically come up for consideration in determination of planning applications by East Devon District Council. Separate reports to Strategic Planning Committee on the 15th December 2020 provide more detail on production of the new local plan.
- 2.3 **The Cranbrook Plan** – this plan, which at December 2020 is at Examination, will provide policy for the future development of and determination of planning applications at Cranbrook.

3 Supplementary Planning Documents and other strategy and policy documents

- 3.1 In addition to DPD production the intent is that the Planning Policy team will produce, or partner in production of, a series of additional Supplementary Planning Documents (SPDs) and other strategy and policy documents. Those proposed for production are set out in the appended LDS report. However, it should be noted with a specific focus on local plan work the scope to undertaken other tasks is significantly reduced.

4 Review of the existing Statement of Community Involvement

- 4.1 The existing SCI is just two years old and would ordinarily not be considered dated however recent Government guidance encourages authorities to carry out a review and update their policies where necessary:

“Local planning authorities will need to assess their Statements of Community Involvement to identify which policies are inconsistent with current guidance on staying at home and away from others or any superseding guidance. This could include, for example, holding face-to-face community consultation events or providing physical documents for inspection.”

It is proposed to make several minor amendments to the existing SCI to ensure that it is fully up to date and is more appealing to the reader. The range of consultation techniques remains unchanged. A proposed updated version is appended to this report.

- 4.2 The current SCI refers to the Greater Exeter Strategic Plan having its own SCI. The amended SCI will delete this reference, and photographs relating to GESP, as GESP is no longer progressing.
- 4.3 The existing SCI is written in such a way that in the preliminary stages of plan making a range of possible actions are given and we are able to choose the most appropriate. The

revised SCI also follows this format and retains the range of options. Ordinarily consultation would include extensive face-to-face contact with the public from the outset but this will not be possible in the near future and is not a requirement provided adequate alternative engagement takes place. The only potential inconsistency is the SCI statement that *“consultation will normally include (amongst other matters)...making the document available at EDDC reception”*. Changes to the regulations *“temporarily remove the requirement on a local planning authority to make documents available for public inspection at the authority’s principal office and at such other places as the authority considers appropriate. They also make temporary changes to regulation 36 of the 2012 Regulations to remove the requirement on a local planning authority to provide hard copies of documents made available under 35. Documents are still required to be made available on the local planning authority’s website. This modification will apply until 31 December 2020.”* It is possible that this timescale will be extended but, in any case, we will make physical copies of the plan available via alternative means and this is discussed in more detail in the Issues and Options section below. To address this, it is proposed to amend the SCI to state *“Whilst the Exmouth and Honiton District Council offices are closed to the public as a result of Covid-19 restrictions, documents will not be available to inspect at the reception desks. Alternative arrangements to view paper copies will be arranged upon request.”*