

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of the meeting of Strategic Planning Committee held at Online via the zoom app on 23 February 2021**

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

The meeting started at 2.04 pm and ended at 4.06 pm

#### **103 Public speaking**

There were no members of the public that wished to speak.

#### **104 Minutes of the previous meeting**

The minutes of the Strategic Planning Committee meeting held on 15 December 2020 were confirmed as a true record with the following minor amendment on page 4 which should read '30 hectares of land'.

#### **105 Declarations of interest**

Minute 108. River Axe Nutrient Management Plan.

Councillor Paul Hayward, Personal, Employed as Parish Clerk to All Saints and Chardstock Parish Councils that are in the Axe Nutrient Management Plan area.

Minute 109. Section 106 and Community Infrastructure Levy Internal Audit Report.

Councillor Eleanor Rylance, Personal, Broadclyst Parish Councillor and resident of the West End of East Devon.

Minute 109. Section 106 and Community Infrastructure Levy Internal Audit Report.

Councillor Mike Howe, Personal, Bishops Clyst Parish Councillor.

Minute 109. Section 106 and Community Infrastructure Levy Internal Audit Report.

Councillor Olly Davey, Personal, Exmouth Town Councillor.

Minute 109. Section 106 and Community Infrastructure Levy Internal Audit Report.

Councillor Paul Hayward, Personal, Employed as Parish Clerk to All Saints, Chardstock and Newton Poppleford & Harpford Parish Councils that receive S106 monies.

Minute 110. Habitats Mitigation Non-Infrastructure Contributions.

Councillor Eleanor Rylance, Personal, Broadclyst Parish Councillor and resident of the West End of East Devon.

Minute 111. East Devon Playing Pitch Strategy.

Councillor Andrew Moulding, Personal, President of Cloakham Lawns Sports Centre which has football and cricket pitches.

Minute 111. East Devon Playing Pitch Strategy.

Councillor Ian Thomas, Personal, Member of Uplyme and Lyme Regis Cricket Club.

Minute 112. Summary of Self-Build Monitoring Report (31/10/19 - 30/10/20).

Councillor Eleanor Rylance, Personal, Broadclyst Parish Councillor and resident of the West End of East Devon.

Minute 112. East Devon Landscape Character Assessment - minor amendment.  
Councillor Paul Hayward, Personal, Employed as Parish Clerk to All Saints, Chardstock and Newton Poppleford & Harpford Parish Councils.

Non-Committee Members

Minute 111. East Devon Playing Pitch Strategy.  
Councillor Ian Hall, Personal, Chairman of Cloakham Lawn Sports Centre.

106 **Matters of urgency**

There were no matters of urgency.

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

There were no confidential/exempt items.

108 **River Axe Nutrient Management Plan**

The Committee considered the Service Lead – Planning Strategy and Development Management’s report outlining the concerns raised by Natural England in the Local Plan about the declining water quality from excess phosphates in the river which was mostly caused from agricultural run-off and sewage discharge within the catchment area.

The proposed Management Plan would address these issues which included a methodology for calculating the impacts and potential mitigation that could be applied to address these issues.

The Service Lead – Planning Strategy and Development Management summarised the mitigation work and Members noted the three different options that were hoped to reduce the amount of discharge into the watercourse which included on-site sewage treatment plants, the creation of wetlands and tree planting measures in the catchment area and changes in agricultural practices to reduce run-off.

Comments made by Non-Committee Members included:

- Concerns raised about the impact on the environment of the river and attention was drawn to para. 4.3 addressing the need for a significant reduction on the phosphate levels. A BBC report highlighted a catastrophic decline in freshwater fish from our rivers as a result of pollution and concerns were raised about which fish and other creatures would be next;
- All our watercourses in this area are heavily polluted;
- The River Axe is important for the Seaton Wetlands. It is a major watercourse with a lot of tributaries and we could do a lot to learn and to improve the quality;
- Concerns raised that the pollution could have potential impacts downstream;

The Service Lead – Planning Strategy and Development Management agreed with the comments made and said it was the council’s primary concern from a planning authority perspective that developments that were granted permission should not make the situation worse and that the council should be trying to improve the situation beyond that but can only within our remit.

The Service Lead – Planning Strategy and Development Management highlighted there was a wider area of work ongoing to help improve the quality of the watercourse and Members noted that Natural England and the Environment Agency had provided grants

over the last 5-6 years to farmers to help improve their working practices to stop water run-off capturing waste which had already started to see some benefits.

Comments made by Committee Members included:

- Spillages of slurry can be extremely damaging to watercourses and can actually kill a river by completely killing all the fish and vegetation and clarification was sought on whether the council had any powers to enforce this. In response it was advised the Environment Agency and Natural England had the powers to investigate and take action with pollution events.
- Clarification sought on whether there were any other watercourses that had similar issues. In response the Service Lead – Planning Strategy and Development Management advised he was not aware of any other watercourses in the area where this was the case;
- The Council has a moral obligation to reduce and minimise watercourse pollution;
- The need to liaise with adjoining district councils in a meaningful way. In response it was advised that South Somerset and Dorset Councils as well as other agencies had been included in discussions and were aware of the issues;
- Concerns raised that most the nutrients going into the River Axe is from farming and referred to para. 2.16 of the report where it states that agricultural supply stems from the application of fertilizer in the form of manure and slurry on the fields. Farmland needs to play a part in decreasing phosphates;
- A suggestion was made to refer the report to Overview Committee to consider the environmental implications and that a further report should be brought back to Strategic Planning Committee to update Members on the progress in these matters.
- There should be a cost to developers for mitigation against concerns with the local sewage quality so that sewage works can be improved;
- Clarification sought on whether the Rivers Yarty and Coly were suffering with similar concerns as both rivers were tributaries of the River Axe. In response the Service Lead - Planning Strategy and Development Management advised there may be a possibility of high levels of phosphates running through both rivers since they feed into the Axe but wider works would be needed to help understand how much tributaries are affected and what can be done as mitigation;
- A suggestion to write to the MP to raise with the Secretary of State for the Environment to help deal with this extremely serious problem which will get much worse in the long run;
- Clarification sought on whether the East Devon Catchment Partnership had met to discuss this issue and a suggestion to set up a working group as soon as possible. In response the Service Lead - Planning Strategy and Development Management advised as the East Devon Catchment Partnership was made up of partnerships' already working on trying to improve water quality it did not make sense to set up a further working group. He advised the existing arrangements were sufficient but this would be reviewed as and when the situation progresses.

**RESOLVED:**

- 1. That the Committee notes the work being undertaken at and for the River Axe and endorses the River Axe Nutrient Management Plan as evidence to inform council and partner decisions.**
- 2. That the Committee notes that the report should have specific relevance, as a material consideration, to inform local plan policy making and determination of planning applications.**

3. That the Committee refers the report to the Overview Committee for further consideration regarding the alarming environmental implications in the report.
4. That the Committee requires a further urgent report in six months to update on the progress in those matters.

## 109 **Section 106 and Community Infrastructure Levy Internal Audit Report**

The Service Lead – Planning Strategy and Development Management updated Members on the findings of the South West Audit Partnership audit to ensure appropriate arrangements were in place to manage receipt and expenditure of Section 106 and CIL contributions summarising the four keys issues highlighted with actions agreed:

- Over 1,000 outstanding actions on the current Exacom System.  
In response the Service Lead – Planning Strategy and Development Management highlighted many of the outstanding actions were administration processes and only 7% related to payments that needed to be invoiced or chased. Members noted that no monies had been lost through the process.
- Not all demand notices had been raised in a timely manner and concerns were raised about the recovery process.  
In response the Service Lead – Planning Strategy and Development Management advised that this was the result of a resourcing issue and when the resource was in place this would be prioritised.
- Out of date Participatory Budgeting Guide.  
In response the Service Lead – Planning Strategy and Development Management confirmed this had been completed and was published on the website.
- Town and Parish Councils not being advised on how much S106 monies had been collected.
- In response the Service Lead – Planning Strategy and Development Management updated Members about a public facing module via the Exacom System that would provide free access to information which would be available on the website by the end of March 2021.

A Committee Member raised concerns that a lot of money has been spent in the past employing temporary staff to get this work completed and that it had never been completed. He sought a firm commitment that it would be completed within the timeline and not waylaid or the S106 Officer diverted to do different work. In response the Service Lead – Planning Strategy and Development Management confirmed it was on course to be resolved in the next few months.

### **RESOLVED:**

**That the findings and recommendations of the attached internal audit report on the management of the receipt and expenditure of S106 and CIL contributions be noted.**

## 110 **Habitats Mitigation Non-Infrastructure Contributions**

The Committee considered the Service Lead – Planning Strategy and Development Management’s report that sought Members agreement to increase non-infrastructure charges to reflect the additional costs involved in delivering the strategy.

The Service Lead – Planning Strategy and Development Management drew the Committees’ attention to Table 1 on page 29 of the report that outlined the current non-

infrastructure contribution required per dwelling and Table 2 on page 30 that outlined the proposed revised charges of an increase of £6.81 per house per site.

The Service Lead – Planning Strategy and Development Management proposed one minor change to the proposed recommendation to give applicants a reasonable notice of change and asked Members to consider amending the date to applications received after 1 April 2021 which would also tie in with the new financial year.

The following point was raised by Committee Members:

- Clarification sought on para. 2.1 about which project was unachievable. In response the Service Lead – Planning Strategy and Development Management advised he could not recall the project but was happy to follow this up and advise.

**RESOLVED:**

**That the revised non-infrastructure habitats mitigation contributions as shown in Table 2 within the report be required for all applications for residential developments within the habitats mitigation zone that are received after 1 April 2021 be agreed.**

111 **East Devon Playing Pitch Strategy**

The Committee considered the Service Lead – Planning Strategy and Development Management’s report detailing an updated East Devon Playing Pitch Strategy that had previously been before Strategic Planning Committee Members on 26 March 2019.

The Service Lead – Planning Strategy and Development Management outlined the work undertaken to date and also highlighted the delays due to the pandemic.

Members noted Sport England had responded to the current issues and options consultation advising that they would be objecting if an up-to-date playing pitch strategy did not accompany the new Local Plan when it was submitted for examination.

The Service Lead – Planning Strategy and Development Management outlined three options to take this work forward as follows and advised Members the work was anticipated to be completed within 12 to 18 months:

- Option 1 – Officers of the Council to complete the work.
- Option 2 – To defer the work.
- Option 3 – To commission consultations to complete the work.

The Service Lead – Planning Strategy and Development Management highlighted that option 2 was not a viable option considering the comments by Sport England and option 3 would have cost implications.

The Chair advised Members that he had requested this report to Strategic Planning Committee following a meeting with representatives of the Football Foundation who advised there was up to £3m available match funding for East Devon Community Sports Clubs from April 2021.

Comments made by Non-Committee Members included:

- Suggestion to work alongside the LED Monitoring Forum which was working with Sport England and Strategic Leisure to undertake an audit within the district of all leisure facilities. In response the Service Lead – Planning Strategy and

Development Management advised it would be good to join up the work that the LED especially as they are undertaking a district wide audit and would help to progress this project more quickly;

- There was a big need to include netball as a sport in the Axe Valley. There is an underrepresentation on ladies' sport in Devon.

Comments made by Committee Members included:

- Clarification sought on whether the inventory included clubs currently playing on local village playing fields;
- Clarification sought on whether it would be expedient to request from villages their insights from their neighbourhood plans about emerging sports pitches in order to get some synergies going between neighbourhood plans and the local plan. In response the Service Lead – Planning Strategy and Development Management advised all sources would be used to identify all aspirations and needs of communities
- Clarification sought on diversity and site specificity of sports.
- It would be good to see some properly elite sports being introduced into Devon that are not already here.
- Concerns raised about the options and did not want to use consultants to complete the playing pitch strategy;
- Clarification sought on what long term strategic communications had officers had to achieve better relationships. In response the Service Lead – Planning Strategy and Development Management advised the next stage would be to engage with all of the governing bodies and the clubs.
- It is important the Local Plan takes priority and the need to complete the playing pitch strategy as soon as we are out of the pandemic;
- Support was shown to keep the playing pitch strategy in-house to keep control and to allow us to ask the questions rather than a third party coming in starting afresh and making a profit;
- A suggestion was made for a further recommendation for officers to liaise with Strategic Leisure's current analysis of sports facilities across the district so that the work by the LED Monitoring Forum does not overlap. In response the Service Lead – Planning Strategy and Development Management advised he was keen to work with Strategic Leisure to try and move this work forward.

**RESOLVED:**

- 1. That progress to date on a new playing pitch strategy for East Devon be noted;**
- 2. That the options for progressing the new playing pitch strategy be considered and Option A – Officers of the Planning Policy Section complete the Playing Pitch Strategy – though noting that Local Plan production is a priority and concentrating on it could delay completion of the strategy – work may need to be fitted in when time and opportunities permit be agreed;**
- 3. Officers liaise with Strategic Leisure's current analysis of sports facilities across the district be agreed.**

112 **Summary of Self-Build Monitoring Report (31/10/19 - 30/10/20)**

The Service Lead – Planning Strategy and Development Management presented the report outlining the latest monitoring figures on demand for plots from 30 October 2019 until 31 October 2020. The demand for plots showed there was 23 individuals added to the self-build register.

Members noted the ongoing interest in self-builds in the district as a means of looking ahead towards the next local plan and attention was drawn to para. 3.2 that looked at those measures.

Points raised by Committee Members included:

- A suggestion for a Facebook page for members of the community to exchange ideas and experiences;
- Members concurred with the planning options listed in para. 3.2. Specifically addressing the option to reduce or delete the pre-application advice charges for people wishing to build a single self-build dwelling;
- Concerns raised whether people were aware of the register as there did not appear to be a large number of people coming forward with their interest as it has been running for several years now;
- Supportive of a specific Cranbrook register to benefit from variety rather than bland landscapes that Cranbrook currently have in the newer phases and would like to see it as a planning requirement for the larger scale developments coming forward;
- A suggestion to provide a field with fully serviced plots with utilities installed and outline planning permission for houses to make is easier for genuine self-builders;

**RESOLVED:**

1. That 23 individuals added to the self-build register during the latest monitoring period (31/10/19 – 30/10/20) be noted.
2. The need to permission 13 plots suitable for self-build between 31/10/20 and 30/10/23 to meet the level of demand between 31/10/19 and 30/10/2020 shown in Part 1 of the self-build register be noted;
3. That the demand for self-build plots indicated on the register should be taken into account in our planning, housing, regeneration and estate functions be noted;
4. To speak to the Communications Team to promote as to opportunities to promote self-build options within the district;
5. The creations of a self-build forum be agreed;
6. To research avenues within the local plan process to deliver fully serviced self-build plots be agreed.

113 **East Devon Landscape Character Assessment - minor amendment**

The Committee considered the Service Lead – Planning Strategy and Development Management’s report that sought approval for a minor amendment to the landscape character area mapping. This was to ensure that the East Devon Landscape Character Assessment work to the Otterton peninsula in appendix A properly reflects local landscape character and remains relevant as guidance for planning policy and development management decisions across the district.

**RESOLVED:**

That the minor mapping and description changes to the 2019 East Devon Landscape Character Assessment be approved.

**Attendance List**

**Councillors present:**

P Arnott

K Blakey  
S Chamberlain  
O Davey (Vice-Chair)  
P Hayward  
N Hookway  
M Howe  
B Ingham  
D Ledger (Chair)  
A Moulding  
E Rylance  
I Thomas

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

J Bailey  
S Bond  
I Hall  
M Hartnell  
S Jackson  
G Jung  
G Pratt  
M Rixson  
J Rowland  
E Wragg

**Officers in attendance:**

Ed Freeman, Service Lead Planning Strategy and Development Management  
Shirley Shaw, Planning Barrister  
Wendy Harris, Democratic Services Officer  
Debbie Meakin, Democratic Services Officer  
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)

**Councillor apologies:**

M Allen

Chairman .....

Date: .....