

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of the consultative meeting of Strategic Planning Committee held online via the zoom app on 7 September 2021**

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

The meeting started at 2.01 pm and ended at 5.10 pm. The meeting briefly adjourned at 3.30 pm and reconvened at 3.35 pm.

#### **22 Public speaking**

There were no members of the public present.

#### **23 Minutes of the previous meeting**

The minutes of the Strategic Planning Committee held on 20 July 2021 were recommended to senior officers' for approval.

#### **24 Declarations of interest**

Minute 27. Working towards a draft Local Plan for approval for consultation in March 2022.

Councillor Jake Bonetta, Personal, Honiton Town Councillor.

Minute 27. Working towards a draft Local Plan for approval for consultation in March 2022.

Councillor Jess Bailey, Personal, Devon County Councillor.

Minute 27. Working towards a draft Local Plan for approval for consultation in March 2022.

Councillor Olly Davey, Personal, Exmouth Town Councillor.

Minute 27. Working towards a draft Local Plan for approval for consultation in March 2022.

Councillor Paul Hayward, Personal, Employed as Clerk to All Saints, Chardstock and Newton Poppleford and Harpford Parish Councils. All are consultees to the Local Plan.

Minute 28. HELAA Panel constitution and role.

Councillor Paul Hayward, Personal, Named as one of the Portfolio Holder roles to act on East Devon District Council's behalf.

Minute 28. HELAA Panel constitution and role.

Councillor Philip Skinner, Personal, Owns land in Talaton that is in the HELAA process.

Minute 29. The emerging new Local Plan and the relationship with Neighbourhood Plans - update.

Councillor Jake Bonetta, Personal, Honiton Town Councillor.

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Councillor Paul Hayward, Personal, Employed as Clerk to All Saints, Chardstock and Newton Poppleford and Harpford Parish Councils. All are consultees to the Local Plan. Also a member of the Axminster Town Council Neighbourhood Plan Steering Group.

Minute 30. Town Centres - Strategic Approach.

Councillor Jake Bonetta, Personal, Honiton Town Councillor.

Minute 30. Town Centres - Strategic Approach.

Councillor Jess Bailey, Personal, Devon County Councillor.

Minute 30. Town Centres - Strategic Approach.

Councillor Kevin Blakey, Personal, Member of the Cranbrook Strategic Delivery Board and a Cranbrook Town Councillor.

Minute 30. Town Centres - Strategic Approach.

Councillor Olly Davey, Personal, Exmouth Town Councillor.

Minute 30. Town Centres - Strategic Approach.

Councillor Paul Hayward, Personal, Employed as Clerk to All Saints, Chardstock and Newton Poppleford and Harpford Parish Councils. All are consultees to the Local Plan. Also involved with Action Axminster and Totally Locally who are involved with town centre regeneration.

Minute 31. Biodiversity policy approaches and biodiversity net gain.

Councillor Jake Bonetta, Personal, Honiton Town Councillor.

Minute 31. Biodiversity policy approaches and biodiversity net gain.

Councillor Jess Bailey, Personal, Devon County Councillor.

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Councillor Paul Hayward, Personal, Employed as Clerk to All Saints, Chardstock and Newton Poppleford and Harpford Parish Councils. All are consultees to the Local Plan. Also the East Devon District Council's representative on the Blackdown Hills AONB Partnership.

Minute 32. Landscape Protection - Strategic Approach.

Councillor Jake Bonetta, Personal, Honiton Town Councillor.

Minute 32. Landscape Protection - Strategic Approach.

Councillor Jess Bailey, Personal, Devon County Councillor.

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25 **Matters of urgency**

There was no matters of urgency raised.

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

There were no items that officers recommended should be dealt with requiring exclusion of the press and public.

27 **Working towards a draft Local Plan for approval for consultation in March 2022**

The Service Lead – Planning Strategy and Development Management presented an updated report on the draft local plan for consultation in March 2022 following a previous report to Members that outlined a proposed timetable for local plan work and committee items.

Members considered the report that gave clarity about a proposed working draft plan detailing the proposed format and structure of the document and what would and would not be included.

The Service Lead – Planning Strategy and Development Management advised Members that a working draft plan which would also detail the proposed and rejected development site allocations would be brought to Committee for consideration in December 2021. It would then form the basis of future work leading up to a draft plan being presented to Members in March 2022.

Points raised during discussion included:

- Support was shown for the format;
- Acknowledgement for the importance of paragraph 11. There is a need for a grand plan vision when considering the levels of housing provision. There is a need to generate innovative business in town centres as this is where most of the housing development should go to ensure economic growth and to ensure all of our settlements are sustainable;
- Clarification sought on why transport and transport infrastructure was not included in the report. In response the Service Lead – Planning Strategy and Development Management advised it was linked to carbon neutrality and adapting to climate change. He advised it would need careful consideration in terms of understanding the development strategy and where Members considered growth should be located to then develop a transport strategy;
- It was suggested there was a need to consider what was required in infrastructure first before considering housing numbers. As well as looking at the protection of open space within developments;
- Concerns raised about the lack of policies when considering sustainability and where will sustainability fit in the new local plan. In response the Service Lead – Planning Strategy and Development Management referred to the NPPF document and sustainable development being key to good planning but it was for the Council to determine what this meant from a local level perspective.

**Strategic Planning Committee:**

- 1. Endorsed the approach of receiving, in December 2021, a working draft local plan.**
- 2. Endorsed the aim of preparing a draft plan setting out the favoured strategy and policy approach for consultation to be considered by Committee in March 2022.**

28 **HELAA Panel constitution and role**

The Service Lead – Planning Strategy and Development Management presented an updated report on the Housing and Economic Land Availability Assessment (HELAA) Panel Constitution and role following a request from Members at the June meeting.

Members considered the report that set out the composition of the Panel and the role they play in the formulation of the HELAA and the appointment of two Members of the Council to the Panel.

The Service Lead – Planning Strategy and Development Management stressed to Members that the role of the Panel was an advisory role only and any decisions would be made by Strategic Planning Committee Members. He drew Members attention to the HELAA Panel Constitution and terms of reference appended to the report.

A Committee Member raised the following point:

- There was a need for presentation from organisations rather than companies as they will have a wider range of expertise. In response it was advised a wide range of people involved in the area would be invited.

Committee Members raised the following points during discussion:

- Disappointment was expressed that the report did not provide the information that was requested. Further work was suggested to reassure Members about who would sit on panel as they would be judging sites. In response the Service Lead – Planning Strategy & Development Management advised that a number of bodies and organisations had been contacted to find out who would be available to sit on the panel but confirmed that at this stage no one specifically had been formally invited. He reassured Members that the panel members would represent a broad range of expertise and experience;
- Concerns raised about the number of house builders on the generic list;
- It was questioned whether focussing on the bigger sites would work in practice;
- Greater clarification was sought on highways. In response it was advised that feedback from Highways would be available on the current timetable with meetings being held throughout October;
- It was important that each site was considered in a consistent way with a minimum number of representatives from different sectors;
- Clarification sought on the differences between the HELAA Panel Constitution put forward compared to the last HELAA Panel Constitution. In response the Service Lead – Planning Strategy and Development Management advised the constitution and terms of reference had not materially changed as it had a key role in providing earlier advice;
- Clarification was sought on who would be representing the environment and biodiversity. It was advised that the panel would be given advice from officers on environmental considerations as well as advice from Environment Agency and Natural England;
- The need for climate change considerations;

- Support expressed for the Portfolio Holder for Economy and Assets and the Portfolio Holder for Strategic Planning to sit on the panel;
- Clarification was sought on the following questions about who chairs the HELAA, who chairs the Steering Group and what form of report would come out of those meetings. In response the Service Lead – Planning Strategy and Development Management was not able to confirm the Chair for HELAA and the Steering Group but advised if Members' wished the Chairs could be an East Devon District Council Member and confirmed there would be a report of the panel's discussion on each site and this would be brought to Committee as evidence for the local plan;
- Suggestion to include substitute Members to attend panel meeting in the absence of the Portfolio Holders;
- Suggestion on a further recommendation to receive a further report in relation to the composition of the HELAA. In response the Chair asked the Service Lead – Planning Strategy and Development Management to write to all Committee Members with the detail of the information requested to avoid delay of the meeting of the HELAA Panel which was due to take place next month;
- Strategic Planning Committee endorsed that the Service Lead – Planning Strategy and Development Management write in confidence to all Committee Members with the information of the members of the HELAA Panel and further clarity on constitutional matters.

**RECOMMENDATION:**

- 1. Of agreement to the proposed constitution and terms of reference in appendix 1.**
- 2. To appoint the Portfolio Holder for Economy and Assets and the Portfolio Holder for Strategic Planning onto the HELAA Panel.**
- 3. Of agreement to delegate authority to the Service Lead – Planning Strategy and Development Management in consultation with the Portfolio Holder for Strategic Planning, to make any further minor changes that might arise from a review of the panel's constitution and terms of reference by the panel.**

29 **The emerging new Local Plan and the relationship with Neighbourhood Plans - update**

The Service Lead – Planning Strategy and Development Management presented an updated report on the emerging new local plan and the relationship with neighbourhood plans following a previous report to Members at Committee in June 2021, where Members' requested the development of a communications plan for neighbouring planning communities to use throughout the local plan production.

The Service Lead – Planning Strategy and Development Management referred to paragraph 3.6 and outlined a number of outcomes and early headlines identified from the new interactive database which was linked to the full neighbourhood plan documents and identified policies across all neighbourhood plans. He also referred to the communication and engagement plan that detailed the timeline for the local plan production including key aims and objectives.

A Non-Committee Member raised the following question:

- Clarification sought about neighbourhood plans that had already been completed and when should these be updated in order to get the best use out of the plan in order to benefit residents. The Service Lead – Planning Strategy and Development Management advised ordinarily neighbourhood plans should be

reviewed every five years but acknowledged there may be issues with the conformity with the local plan and advised to wait until the new local plan had clarity in terms of the strategy and the approach taken.

Points raised by Committee Members' included:

- Support was expressed to include the Portfolio Holder for Democracy and Transparency in the development of the Communications Plan;
- Neighbourhood plans are a challenge to do and can take thousands of hours. It was highlighted that parish councils that had already completed their neighbourhood plans would probably need reviewing and parish councils in the middle of their neighbourhood plan would not only need to accord to the current local plan but also will need to accord to the new local plan;
- Some support expressed that social media had not been mentioned as a way of communication as this could attract negativity.

In response to the Service Lead – Planning Strategy and Development Management's request for guidance from Members about how Members wanted to be involved in the process of the communications plans the following suggestion was made:

- Ward Members should be invited to attend the webinars and online meetings to be given the opportunity to know what advice is being given and what discussions are taking place.

**Strategic Planning Committee:**

- 1. Endorsed the development of a databased of neighbouring plan policies and its use as a means of reviewing and analysing our suite of made and emerging neighbourhood plans and Members did not feel it necessary to make any specific recommendations as to any investigations.**
- 2. Considered and commented on and endorsed the use of the proposed communications plans for engagement with neighbourhood planning groups throughout the process to develop the new local plan and advised in relation to the involvement of the Portfolio Holder for Democracy and Transparency and in relation to the invitations to Members to various events.**

## 30 **Town Centres - Strategic Approach**

The report presented to the Committee outlined the need for Members' to consider the possible intervention of planning policy to help reduce further losses in the retail sector experienced in town centres over recent years and whether flexibility was required to encourage a wider range of activities, including leisure, housing and community uses.

Members' attention was drawn to the introduction by Central Government of the new E Use Class that encompasses a whole range of town centre uses allowing buildings to move freely between them but also has a significant bearing on current policies that protect them.

Non-Committee Member comments included:

- There is a need to make our town centres cycle friendly and provide more green infrastructure such as bicycle sheds for people who live in flats in town centres;
- The need to encourage ebike hire schemes in our town centres;
- Concerns raised about the viability of town centres due to the growth of second homes as holiday homes which reduces footfall;

- Reference was made to paragraph 2.10.3 – retailers high fixed costs: business rates and rents and paragraph 2.14 – the build back better high streets in which although the Government recognises the impact of business rates does absolutely nothing to redress the balance;
- Suggestion to incorporate the Queen’s Drive Space into the section of ‘promote and encourage element’ on page 73 to encourage more visitors;
- Concerns raised about developers that want to take retail space and turn it into residential space.

Committee Member discussion included:

- The importance of the Urban Capacity Study that looks at increasing the number of homes in our town centres to increase vibrancy and vitality in our town centres. The need to consider how to save shops while still increasing the number of homes;
- The need to look at density from a policy point of view;
- The Strand in Exmouth has a lot of upward development. There are shops and offices that have residential over;
- There is a need to adapt to change and allow town centres to adapt to change; Seeing an increase in leisure use with cafes expanding out onto pavements. In response the Service Lead – Planning Strategy and Development Management advised that Central Government were in the process of making all temporary uses such as outdoor seating areas permanent which would help businesses in the town centre. He also referred to the Class E Use which would also add to that flexibility;
- The importance of prioritising pedestrians and cyclists when looking at development in our high streets and referred to a report by Living Streets;
- Support for Promote and Encourage Element within paragraph 5.2 and that all three Elements mesh together;
- The importance of reducing car access to our high streets and focus on public transport access;
- Encourage high street furniture;
- Clarification sought on why the Portfolio Holder for Economy and Assets was not included as a contributor. In response the Service Lead – Planning Strategy and Development Management apologised for the error and advised more care in report writing would be taken in the future;
- Clarification sought on paragraph 2.2. In response the Service Lead – Planning Strategy and Development Management advised it was the Cranbrook DPD that was progressing and apologised for the confusion;
- There is no question that town centres have to change and that they will change for ever but there is a need for flexibility to encourage people into towns.

**Strategic Planning Committee:**

- 1. Endorsed that the issues raised in this report are be used to inform more detailed work to be undertaken on the draft plan.**
- 2. Considered each of the elements to town centre policy referred to in paragraph 5.2 of the report and advised which elements they would in principle support.**

The Committee considered the Service Lead – Planning Strategy and Development Management’s report detailing the potential approaches to take in the local plan in achieving biodiversity net gain in preparation for this becoming an Environment Bill.

The Service Lead – Planning Strategy and Development Management drew Members’ attention to the importance of ensuring the prevention of harm with regards to biodiversity and emphasised the requirement to put back what was lost through development.

Members’ considered the levels of biodiversity gain and the requirement to deliver a 10% minimum net gain and whether there was options to go higher to deliver a 20% net gain.

Comments raised by Non-Committee Members included:

- The Chair, on behalf of the Portfolio Holder for Coast, Country and Environment sought clarification whether any off site provisions would be going out of the East Devon district. In response the Service Lead – Planning Strategy and Development Management advised there was an option to deliver off site outside the district but equally there was an option to retain monies and develop projects within the district and sought Members’ views;
- Endorse all three recommendations;
- Reference to paragraph 5.5 and a suggestion to contact Lichfield District Council and other councils that have adopted this policy. In response the Service Lead – Planning Strategy and Development Management advised he was not aware of any contact with Lichfield District and confirmed he was happy to make contact to discuss the issues they had encountered if Members’ were minded to pursue that approach;
- Concerns raised about straying into ‘green washing’ territory with regards to habitat mitigation;
- East Devon has quite a few small parcels of land which could be used as boosters for biodiversity with investment in meadow grasses and wildflowers;
- The need for biodiversity planning across the Greater Exeter area especially Dawlish Warren and the Exe Estuary and the need to look at supporting adjacent authorities in those areas.

Comments made by Committee Members included:

- Felt like a narrow report in terms of focussing largely on biodiversity net gain and not the wider impacts of biodiversity. There was no detail on protected species and a suggestion was made for more information from an ecological aspect. In response the Service Lead – Planning Strategy and Development Management advised he was in the process of recruiting an Ecologist to help take this forward;
- Concerns raised about how the percentages were measured on page 78;
- Concerns raised about cutting down mature trees and increasing the biodiversity by 10%-30%. This is not acceptable;
- Preference for the higher percentage;
- The need to value the existing biodiversity on site first;
- Mitigation should be kept within East Devon;
- Reference to paragraph 6.2 and the need to for further details.

### **Strategic Planning Committee**

- 1. Noted the detail of the report and endorsed that work continue to look at the potential approach of requiring at least 20% biodiversity net gain (subject to viability testing) and the role that the Council might want to play in delivery.**

2. **Endorsed that a review of existing council owned land for their potential suitability to deliver biodiversity net gain be undertaken**
3. **Endorsed that work continues on producing a Habitat Regulations Assessment (HRA) for the publication version of the local plan for late 2022.**

## 32 **Landscape Protection - Strategic Approach**

The Service Lead – Planning Strategy and Development Management presented a report for Members' consideration to the issues in association with landscape designations and protection. He outlined the existing designations for review which included:

- Areas of Outstanding Natural Beauty (AONB)
- Jurassic Coast World Heritage Site (WHS)
- Coastal Preservation Area (CPA)
- Green Wedge
- Land of Local Amenity Importance (LLAI)
- Clyst Valley Regional Park

Members' attention was drawn to the comments received on page 92 that were most relevant to the landscape matters and page 95 that detailed a number of issues raised for Members to consider.

Comments received during discussion included:

- Support for Green Wedges;
- Further discussion was required to look at National Parks in response to the Glover Review;
- Pleased that West Hill and Ottery St Mary were specifically mentioned in the conclusion because Green Wedges and Settlements were really important;
- Strongly support the upholding of villages to stop coalescing of communities;
- Agree that the assessment should consider landscape character and biodiversity contributions;
- Green Wedges are often Green Corridors and should be well protected.

### **Strategic Planning Committee**

1. **Considered the actions raised in the report which will inform more detailed work on the draft local plan.**
2. **Subject to deletion of the reference to availability of resources caveat in relation to assessment of former AGLVs and other countryside areas the Committee endorsed the actions set out in paragraph 6.1.**

### **Attendance List**

#### **Councillors present:**

D Ledger (Chair)

O Davey (Vice-Chair)

P Arnott

J Bailey

K Blakey

J Bonetta

P Hayward

B Ingham

A Moulding

G Pratt  
P Skinner

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

C Brown  
B De Saram  
P Faithfull  
I Hall  
S Jackson  
V Johns  
M Rixson

**Officers in attendance:**

Ed Freeman, Service Lead Planning Strategy and Development Management  
Shirley Shaw, Planning Barrister  
Wendy Harris, Democratic Services Officer

**Councillor apologies:**

M Allen  
S Chamberlain

Chairman .....

Date: .....