

Date of Meeting 5th October 2021

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Principles of Settlement Boundaries (BUABs)

Report summary:

The current local plan and villages plan define settlement boundaries around seven of our main towns (but not Cranbrook) and 15 smaller settlements. These are referred to as 'Built-up Area Boundaries' (BUABs). The purpose of drawing BUABs is to define where the countryside is in policy terms (it is all the land that is not included within a BUAB). The policies of the plan generally allow development within the BUABs (subject to a range of limitations) and restrict development outside of the BUABs (in the countryside) except for specific purposes (such as dwellings for rural workers). It is important to review this approach in light of national planning policy, case law and to consider alternative approaches that may contribute more positively towards our fresh local plan strategy. Only after the principles have been considered can detailed work start on defining BUABs or devising an alternative approach. A topic paper has been prepared that sets out the national planning policy context and considers alternative approaches that the new local plan may consider. The Topic Paper also explains the merits of discussing the options with parish councils, neighbourhood planning groups and landowner/developer interests before undertaking detailed work on this issue for the new local plan.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

- (1) That Strategic Planning Committee consider and comment on the 'Principles of Settlement Boundaries (BUABs) Topic Paper' (which is attached to this report) to help inform more detailed work that will be undertaken on the draft plan.

Reason for recommendation:

It is important to consider whether it is appropriate to continue with our historic approach of defining BUABs or whether better alternatives exist. The approach we take needs to help deliver our plan strategy while being flexible enough to adapt to different circumstances and also give a degree of certainty to residents, landowners and developers.

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Portfolio(s) (check which apply):

- Climate Action and Emergencies
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Culture, Tourism, Leisure and Sport

- Democracy and Transparency
- Economy and Assets
- Finance
- Strategic Planning
- Sustainable Homes and Communities

Equalities impact Low Impact

Climate change Medium Impact

Risk: Medium Risk; The location of new development is one of the main ways in which the new local plan will have an impact on climate change and the approach to defining settlement boundaries will set the context for many planning applications over the lifetime of the plan.

Links to background information Please see hyperlinks in topic paper

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

Report in full

1 [Introduction to Topic Paper](#)

1.1 The definition of some form of settlement boundary is an established approach to planning in England and has been followed in East Devon for the last 50 years or so, but it is not inevitable that it should continue. A fresh strategy for the new local plan provides an opportunity to consider alternative approaches.

1.2 The attached 'Principles of Settlement Boundaries (BUABs) Topic Paper' sets out the issues involved by considering the following key questions:

- What is the national planning policy context?
- What can be learnt from recent case law?
- What are the benefits of defining settlement boundaries?
- What are the potential problems of defining settlement boundaries?
- Would a criteria based policy to define the countryside be a better approach?
- Could we propose a hybrid involving boundaries and criteria based policies?
- Which settlements should be considered for BUAB's or alternative approaches for guiding development?
- If development boundaries are drawn, how much additional development should they allow?
- How can work on the local plan on this issue link to neighbourhood planning?
- How can we involve local communities and landowner/developer interests in informing the approach taken in the draft plan?
- What is the role of the Sustainability Appraisal?

1.3 In brief, the topic paper finds that the national planning context and recent case law may suggest that a refinement of the current approach would be justified. Whilst settlement

boundaries give certainty, they can be inflexible and it may be appropriate to retain them but add policies that would allow for some forms of development outside the boundaries in specified circumstances. It is important to include parish councils, neighbourhood plan groups and developer/landowners in discussions before finalising an approach for the draft plan, due for consultation in early summer 2022.

Financial implications:

There are no financial implications requiring comment.

Legal implications:

There are no legal implications other than as set out in this report. The Committee discussion on the topic paper will be valuable in developing the policy approach within the local plan and assisting with liaising with parish and neighbourhood planning groups going forward thereby ensuring the plan being found sound.