

## East Devon Local Development Scheme – April 2022

The future work programme for planning policy production in East Devon covering the period from 2022 to 2040



East Devon – an outstanding place

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## Contents

1	Introduction .....	4
2	The stages in Development Plan Document preparation .....	4
3	The adopted East Devon Local Plan and Villages Plan .....	5
4	Future Development Plan Documents in East Devon .....	6
5	Other policy documents identified for production.....	7
6	Community Infrastructure Levy - Charging Schedule .....	7
7	Neighbourhood Plans .....	7
8	Waste and minerals planning and Devon County Council work.....	8

## 1 Introduction

- 1.1 This East Devon District Council Local Development Scheme (LDS) sets out a programme and timetable for production of future planning policy documents by the Council.
- 1.2 East Devon District Council has resolved that this new LDS should take effect from – **(insert date, assuming recommendations to committee are resolved)**. This LDS covers the time period from April 2022 through to the end of 2025, it is envisaged however that it will be revised and superseded before this end date.

## 2 The stages in Development Plan Document preparation

- 2.1 Development Plan Documents (DPDs) sit at the top of the hierarchy of District Council planning policy documents, on adoption they form part of what is defined as the Development Plan. The term ‘local plan’ is often used interchangeably with DPD and although the Council has an adopted plan (which is a DPD) called the ‘East Devon Local Plan’ the use of the wording ‘local plan’ should generally also be taken to include all other DPDs as well.
  - 2.2 DPDs are of fundamental importance in respect of informing prospective developers of the types of development and locations for development that are likely to be appropriate and they are the key policy documents used in determining planning applications. DPDs also inform communities, infrastructure and service providers and other council and wider service providers of development proposals. There are specific legally defined procedural steps that need to be complied with in order to produce a DPD, some of these are referred to in this LDS, however for a more complete picture see: The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), noting that future changes may be made, at: <http://www.legislation.gov.uk/ukxi/2012/767/contents>
  - 2.3 In this LDS we set out dates for undertaking key stages in production of DPDs; the stages we report on are summarised below:
    - **Issues Consultation** – this is the starting point where comments on general issues and plan scope are sought. At this stage of plan making potential options and alternatives for development may be identified.
    - **Draft plan** – this is where a draft version of the plan or some other consultation document or documents are produced and feedback is sought. Although we use this draft plan terminology (and typically we will produce and consult on a draft of
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the proposed plan) there are different approaches to this stage of work that we could undertake. In this LDS we highlight the date at which a draft of the plan is envisaged to be consulted on.

- **Publication** – this is the plan that the Council intend to submit for examination. The plan is made publically available and formal objections and other responses are sought from the public at this stage.
- **Submission** – the publication plan, the evidence supporting the plan and the formal responses to the plan are submitted to the government who appoint an independent inspector to consider the soundness of the plan. The examination of a plan, carried out by a Planning Inspector, starts at plan submission.
- **Inspector’s Hearings** – as part of the examination process there will typically be hearing sessions at which the Inspector will lead discussion on the contents of the plan, this helps the Inspector prepare his or her report.
- **Adoption** – the Council receive a report from the inspector and can then, assuming earlier tasks do not need to be revisited, adopt the plan.

2.4 It is stressed that the above stages are a much simplified version of what happens in plan making and they are not all explicitly required or referred to in legislation or regulations, they do, however, form key milestones that are reported on in this LDS to give an overview of plan preparation timelines. Government plan making regulations and legislation (and other guidance) should be reviewed for a complete picture of legislative processes that have to be followed.

### 3 The adopted East Devon Local Plan and Villages Plan

- 3.1 The current East Devon Local Plan, covering most policy matters across the District, was adopted on the 28 January 2016. In addition there is also an East Devon Villages Plan, adopted on 26 July 2018, which has a much more narrowly defined remit of defining Built-up Area Boundaries around selected settlements and it defines retail policy for Beer and Colyton. The adopted East Devon Local Plan and the adopted East Devon Villages Plan are both DPDs and cover the 18 year period from 1 April 2013 to 31 March 2031. Through the process of reviewing and then revising (as necessary) the plans will however be progressively and ultimately completely superseded by new policy documents before this end date.
- 3.2 It should be noted that policies in local plans should be reviewed at least every five years to assess whether they need updating, and the reasons for decision should be published. A formal review of the adopted East Devon Local Plan was undertaken in 2020.

## 4 Future Development Plan Documents in East Devon

4.1 This LDS sets out that, from 2022 to 2025, there will be two DPDs that will be produced/completed, summary details of these documents with dates set against key stages, are set out below. It should be noted that the dates (year and months) provided are based on what we currently know or best estimates, changes over time are, however, possible.

- a) **Future East Devon Local Plan** – the expectation is that this plan will address all Development Plan matters, potentially other than at Cranbrook – see below, that fall to the responsibility of East Devon District Council. The end date of the local plan is yet to be determined. The following forms the timetable for production:
- Issues Consultation – completed in January 2021.
  - Draft plan – consultation starting Autumn 2022.
  - Publication – consultation starts Autumn 2023.
  - Submission – early 2024.
  - Inspector’s Hearings – 2024.
  - Adoption – early 2025.

The local Plan has a proposed end date of 2040 though this will be kept under review.

- b) **Cranbrook Development Plan** – this plan will allocate development sites and establish policy to enable the new town of Cranbrook to expand to provide around 8,000 homes and associated social, community, employment and environmental facilities. The following timetable for production is set out:
- Issues Consultation – this stage has already been completed.
  - Draft plan – this stage has already been completed.
  - Publication – this stage has already been completed.
  - Submission – this stage has already been completed.
  - Inspector’s Hearings – took place in 2021.
  - Adoption – expected Spring 2022.

It remains to be determined whether and to what degree or at what point in time the policies of a new local plan for East Devon will supersede some or all Cranbrook Plan policies. The Cranbrook Plan has a planned end date of 2031.

4.2 It should be noted that for any given DPD (or other policy document) the Council may produce more detailed and bespoke individual plan making timetables.

## 5 Other policy documents identified for production

- 5.1 In addition to DPDs the Council also produce a number of extra policy documents. Of greatest importance in respect of determining planning applications are Supplementary Planning Documents (SPDs). SPDs are intended to provide more detail on the use and implementation on policies in DPDs. Procedures for producing SPDs are set out in legislation and regulations and the Council has a protocol for SPD production, see:  
<https://eastdevon.gov.uk/media/2443645/spd-protocol-adopted-by-spc-20-march-18.pdf>
- 5.2 SPDs need to go through two stages of consultation but they are not subject to examination and therefore their preparation is shorter and simpler than DPDs; but they do not carry the same weight in decision making.
- 5.3 The Planning Policy team of the Council may also produce further guidance and advise to support and promote development and promote wider social and environmental objectives. Such guidance will not have the formal status of an SPD but we will often look to follow similar processes in production.

## 6 Community Infrastructure Levy - Charging Schedule

- 6.1 In East Devon a financial charge, called a Community Infrastructure Levy (CIL), is placed on certain types of new development (most notably new housing) and monies raised are used to help pay for infrastructure that is needed to support development.
- 6.2 In order to be able to charge CIL the Council had to produce a charging schedule that is supported by financial viability assessment evidence, undertake consultation and take the work to Examination by an independent examiner. In this respect production of the CIL charging schedule follows a similar path to that for DPDs (but under separate legislation). The current charging schedule was approved in 2020 and will apply from 1 February 2021.

## 7 Neighbourhood Plans

- 7.1 Neighbourhood Plans are produced by local communities and in East Devon they are typically produced at the parish level. Neighbourhood Plans set out policies and proposals for development and in this respect they are similar to DPDs and they follow reasonably similar stages in production (but under separate legislation). Once adopted (the technical term is that they are Made) they also form part of the Development Plan for the District and will be used alongside DPD, SPDs and other policy documents in the determination of planning applications.

- 7.2 For more information on Neighbourhood Plans see:  
<https://eastdevon.gov.uk/planning/planning-policy/neighbourhood-and-community-plans/>

## **8 Waste and minerals planning and Devon County Council work**

The responsibility for waste planning and minerals planning in East Devon rests with Devon County Council; they have legal responsibility for producing plans and determining planning applications for these two matters. The County Council adopted a new Devon waste plan in 2014 and adopted a new minerals plan in 2017. For more information see:

<https://www.devon.gov.uk/planning/planning-policies/minerals-and-waste-policy>

- 8.1 The adopted waste plan and adopted minerals plan are also part of the Development Plan for East Devon.