

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of the meeting of Strategic Planning Committee held online via the zoom app on 5 April 2022**

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

The meeting started at 10.00 am and ended at 12.07 pm

#### **97 Public speaking**

There were no members of the public present at the meeting.

#### **98 Minutes of the previous meeting**

Members were happy to accept the minutes of the consultative Strategic Planning Committee on 8 March 2022 subject to clarification of the following queries:

In response to Minute 95 Councillor Bailey sought clarification about whether the town and parish councils had been contacted about the call for sites. The Service Lead – Planning Strategy and Development Management was unable to confirm whether they had been contacted and gave reassurance he would follow this up after the meeting.

Councillor Rylance highlighted that in Minute 93 the facility details listed in option 2 for Clyst Hydon were incorrect as there was a community hall. It was advised this would be looked into after the meeting.

#### **99 Declarations of interest**

Minute 102. Minutes of the Community Infrastructure Levy Working Party of 2 March 2021 and 14 March 2022.

Councillor Eleanor Rylance, Personal, Parish Councillor and resident of parishes that would generate CIL or be affected by CIL; Also represents a lot of the parishes which are covered in the report.

Minute 102. Minutes of the Community Infrastructure Levy Working Party of 2 March 2021 and 14 March 2022.

Councillor Jess Bailey, Personal, Devon County Councillor.

Minute 102. Minutes of the Community Infrastructure Levy Working Party of 2 March 2021 and 14 March 2022.

Councillor Mike Howe, Personal, Bishops Clyst Parish Councillor.

Minute 102. Minutes of the Community Infrastructure Levy Working Party of 2 March 2021 and 14 March 2022.

Councillor Olly Davey, Personal, Exmouth Town Councillor.

Minute 102. Minutes of the Community Infrastructure Levy Working Party of 2 March 2021 and 14 March 2022.

Councillor Paul Hayward, Personal, Employed as Clerk to All Saints and Chardstock Parish Councils and Axminster Town Council.

Minute 103. East Devon Local Development Scheme.

Councillor Eleanor Rylance, Personal, Parish Councillor and resident of parishes that would generate CIL or be affected by CIL; Also represents a lot of the parishes which are covered in the report.

Minute 103. East Devon Local Development Scheme.  
Councillor Jess Bailey, Personal, Devon County Councillor.

Minute 103. East Devon Local Development Scheme.  
Councillor Mike Howe, Personal, Bishops Clyst Parish Councillor.

Minute 103. East Devon Local Development Scheme.  
Councillor Olly Davey, Personal, Exmouth Town Councillor.

Minute 103. East Devon Local Development Scheme.  
Councillor Paul Arnott, Personal, Colyton Parish Councillor.

Minute 103. East Devon Local Development Scheme.  
Councillor Paul Hayward, Personal, Employed as Clerk to All Saints and Chardstock Parish Councils and Axminster Town Council.

Minute 103. East Devon Local Development Scheme.  
Councillor Philip Skinner, Personal, Known to FWS Carter & Sons and the Stewart family.

Minute 104. River Axe and the requirement for mitigation to offset pollution impacts.  
Councillor Dan Ledger, Personal, Ward Member for Seaton.

Minute 104. River Axe and the requirement for mitigation to offset pollution impacts.  
Councillor Jess Bailey, Personal, Devon County Councillor.

Minute 104. River Axe and the requirement for mitigation to offset pollution impacts.  
Councillor Paul Arnott, Personal, Colyton Parish Councillor and Director for a Community House Trust in Colyton.

Minute 104. River Axe and the requirement for mitigation to offset pollution impacts.  
Councillor Paul Hayward, Personal, Employed as Clerk to All Saints and Chardstock Parish Councils and Axminster Town Council.

Minute 105. Methodology for defining settlement boundaries.  
Councillor Eleanor Rylance, Personal, Parish Councillor and resident of parishes that would generate CIL or be affected by CIL; Also represents a lot of the parishes which are covered in the report.

Minute 105. Methodology for defining settlement boundaries.  
Councillor Jess Bailey, Personal, Devon County Councillor.

Minute 105. Methodology for defining settlement boundaries.  
Councillor Kevin Blakey, Personal, Cranbrook Town Councillor.

Minute 105. Methodology for defining settlement boundaries.  
Councillor Mike Howe, Personal, Bishops Clyst Parish Councillor.

Minute 105. Methodology for defining settlement boundaries.  
Councillor Olly Davey, Personal, Exmouth Town Councillor.

Minute 105. Methodology for defining settlement boundaries.  
Councillor Paul Arnott, Personal, Colyton Parish Councillor.

Minute 105. Methodology for defining settlement boundaries.  
Councillor Paul Hayward, Personal, Employed as Clerk to All Saints and Chardstock Parish Councils and Axminster Town Council.

Minute 105. Methodology for defining settlement boundaries.  
Councillor Philip Skinner, Personal, Owns land in Talaton that is in the HELAA process which is not detailed in any documentation.

100 **Matters of urgency**

There were no matters or urgency.

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

There were no confidential/exempt items.

102 **Minutes of the Community Infrastructure Levy Working Party of 2 March 2021 and 14 March 2022**

The Committee was asked to consider the recommendations of the Community Infrastructure Levy Working Party meetings held on 2 March 2021 and 14 March 2022.

The Service Lead – Planning Strategy and Development Management outlined their recommendations.

The recommendations of the Working Party held on 2 March 2021 were:

1. That option two for the less formal approach of contacting our partners be agreed.
2. To consider the priority two projects to include a caveat to only look a major providers from DCC, EDDC and NHS be agreed.

The recommendations of the Working Party held on 14 March 2022 were:

1. To remove the CIL funding commitment of £400k to the Dinan Way Extension.
2. That £910k of CIL monies be committed to support the acquisition and delivery of land at Station Road, Broadclyst to deliver an area of SANGS to form part of the Clyst Valley Regional Park.
1. No other spend decisions be made at this time given the need to retain funds to support delivery of a number of priority one projects within the IDP in the coming years.

Points raised during discussion included:

- Clarification was sought to the minutes of the Working Party held on 2 March 2021 about why the Working Party had only recommended to consider major projects. The Service Lead – Planning Strategy and Development Management advised as there was a £70m shortfall in funding there was a need to prioritise key projects.
- It was highlighted that Minute 4 on pages 17/18 contained an minor wording error and that it should read “as there was a growing need for school places in the West

end of the district two sites had been set aside for primary school provision and that a significant amount of money would need to be set aside in coming years.”

Strategic Planning Committee noted the contents and recommended for approval the recommendations of the Working Party meetings held on 2 March 2021 and 14 March 2022.

**RECOMMENDATION:**

1. That option two for the less formal approach of contacting our partners be agreed;
  2. To consider the priority two projects to include a caveat to only look at major providers from DCC, EDDC and NHS be agreed;
  3. To remove the CIL funding commitment of £400k to Dinan Way Extension;
  4. That £910k of CIL monies be committed to support the acquisition and delivery of land at Station Road, Broadclyst, to deliver an area of SANGS to form part of the Clyst Valley Regional Park;
  5. No other spend decisions be made at this time given the need to retain funds to support delivery of a number of priority one projects within the IDP in the coming years.
- And recommend that Senior Officers approve what is agreed.

103 **East Devon Local Development Scheme**

The Committee considered the Service Lead – Planning Strategy and Development Management report that sought endorsement for the adoption of the proposed new Local Development Scheme. The purpose of the report was to give guidance about the programme and timetable for production of future planning policy documents.

**RECOMMENDATION:**

That Strategic Planning Committee endorse the proposed new Local Development Scheme and recommend it for adoption by Council.

**RECOMMENDATION TO COUNCIL:**

That the new Local Development Scheme be adopted.

104 **River Axe and the requirement for mitigation to offset pollution impacts**

The report presented to the Committee highlighted the issues and implications on advice received by Natural England in respect of the River Axe that had a fundamental problem with excessive levels of phosphates entering the river from intensive agricultural activity and residential development and overnight accommodation.

The formal advice received from Natural England highlighted the need to cease granting planning consent to developments in the catchment area that cannot be nutrient neutral until mitigation measures have been put in place to avoid additional phosphates reaching the River Axe.

Options for mitigation included:

- The Triple Axe Project which was currently developing a range of projects to reduce phosphate levels.
- Working alongside the Environment Agency to secure mitigation measures with Government funding of £100k to assist with additional resources.
- Appointment of a District Ecologist

The Committee were directed to two maps, the first detailed a further 70 local authorities in the country that were affected by the same issue and the second detailed three further local planning authority areas that the River Axe catchment area fell within:

- South Somerset District Council
- West Somerset and Taunton Council
- Dorset Council

The Service Lead – Planning Strategy and Development Management emphasised the need to work with these planning authorities as well as the Environment Agency and Natural England to create a mitigation strategy and highlighted various options for mitigation which might include:

- On-development site mitigation
- Measures designed to reduce farming impacts
- Measures in or adjacent to the watercourse
- Improved sewage treatment
- The Triple Axe Project

He advised further reports would be brought back to Committee to outline works that can take place and options for delivering mitigation.

Members were advised about the immediate issues including 28 planning applications that were currently under consideration which would now be subject to a full assessment under the Habitats Regulations and Members were reminded about the requirement to provide 918 homes per year which was not helped by the removal of the urban extension of Axminster.

The Committee were supportive of the recommendations and comments included:

- Suggestion that almost every river was polluted with phosphates;
- Suggestion that 70% of pollution was caused by agriculture and the unfairness to stop residential development and little is done to penalise large scale agricultural discharge;
- Members supported EDDC as the lead authority;
- Clarification sought on how work across all authorities would be implemented.
- Farming mitigation would need to be negotiated as agriculture provides important food. The Service Lead – Planning Strategy and Development Management referred to the Triple Axe Project advising that a lot of work had already been done to help reduce phosphate run off by creating new silage storage facilities and covering cattle yards;
- There is a need to work with farmers to change farming methods;
- Concerns raised about the need for affordable housing in the catchment area and a suggestion to build houses outside of the area. It was agreed that the biggest challenge for this authority was going to be granting consent for new residential developments. There was a need to better understand what was happening in our rivers and implement mitigation with top priority to the River Axe.
- Clarification sought on the powers of Natural England. It was advised that although Natural England did not have enforcement powers they could legally challenge decisions of the Council if their advice was ignored;
- The Leader advised he would write to the local MPs to ask for immediate action for appropriate enforcement of large scale agricultural leakage;

Strategic Planning Committee noted the very recent advice from Natural England in respect of the River Axe and nutrient pollution matters that may place an embargo on granting planning permission for new housing in the catchment of the River Axe.

**RECOMMENDATION:**

That Strategic Planning Committee delegate authority to the Service Lead – Planning Strategy and Development Management to liaise with Dorset Council, South Somerset District Council and West Somerset and Taunton Council with a view to this authority becoming the ‘lead authority’ to receive £100,000 to co-ordinate measures to secure nutrient neutrality, and recommend that Senior Officers approve what is agreed.

105 **Methodology for defining settlement boundaries**

The report provided the Committee with the proposed methodology for defining settlement boundaries around the tier 1 to tier 4 settlements which would enable some limited, small scale, incremental growth.

The Service Lead – Planning Strategy and Development Management outlined the detailed criteria that reflected Members previous discussions and referred to criteria B4, B5 and B6 which detailed smaller parcels of land that would have been previously excluded.

Discussion covered:

- Reference was made to criteria B4 and clarification sought on the coalescence of settlements;
- Clarification was sought about whether the criteria detailed in the report had been taken from the 2017 Villages Plan. It was confirmed the information had been taken and adapted to reflect the current situation;
- Suggestion to remove criteria B4, B5 and B6 as this would allow more encroachment from villages into the open countryside;
- There is a need for more development on brownfield sites – a strategic piece of work needs to be done on this to identify all our brownfield sites;
- There is no mention in the criteria that modest growth should only represent no more than 10% of growth. In response the Service Lead – Planning Strategy and Development Management clarified that small parcels of land would contain no more than four houses;
- The Council's top priority should be focused on climate emergency and the need to consider creating housing close to Exeter Airport and the Science Park as this is where employment is. This would stop the unnecessary commuting in cars. People need to live close to where people work;
- Concerns raised that the wording for criteria 4 as this does not detail any size limitation;
- Support was expressed for further discussion on green wedges;

**RECOMMENDATION:**

That Strategic Planning Committee endorse the proposed methodology for defining settlement boundaries, set out in paragraph 2 of this report, and delegate authority to the Service Lead – Planning Strategy and Development Management to use the methodology in the preparation of the plan for consultation, and recommend that Senior Officers approve what is agreed.

**Attendance List**

**Councillors present:**

D Ledger (Chair)  
O Davey (Vice-Chair)  
P Arnott  
J Bailey  
K Blakey  
P Hayward  
M Howe  
B Ingham  
R Lawrence  
A Moulding  
G Pratt  
E Rylance  
P Skinner

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

C Brown  
P Faithfull  
M Hartnell  
S Jackson  
G Jung  
J Kemp  
V Ranger

**Officers in attendance (for some or all the meeting)**

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

**Councillor apologies:**

M Allen  
S Chamberlain

Chairman .....

Date: .....