

Report to: Strategic Planning Committee



Date of Meeting 12 July 2022

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

East Devon Local Plan – Update on timetable for production

Report summary:

The report updates Committee on the proposed timetable for production of the local plan specifically noting that assessment of potential suitability of sites for allocations for development are proposed to come to committee in August and September 2022. Thereafter a draft plan seeking approval for public consultation will come to committee on 4 October 2022. On this basis public consultation would run for a suggested eight week period from mid-October to mid-December 2022.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

1. That Strategic Planning Committee note the contents of the report.
2. That Strategic Planning Committee recommend endorsement of the proposed timetables for bringing officer assessments of potential development sites to committee as set out in Section 4 of this report.
3. That Strategic Planning Committee make recommendations about how and when they would like to hear presentations from developers and site promoters in response to each of the questions raised in section 6 of the report.

Reason for recommendation:

To ensure that committee is kept up to date with the proposed plan making timetable and that Members are able to determine how they will arrive at decisions in respect of the content of the consultation draft local plan, specifically in respect of sites that are to be identified as allocations for development in this plan.

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Portfolio(s) (check which apply):

- Climate Action and Emergency Response
- Coast, Country and Environment
- Council and Corporate Co-ordination

- Democracy, Transparency and Communications
- Economy and Assets
- Finance
- Strategic Planning
- Sustainable Homes and Communities
- Tourism, Sports, Leisure and Culture

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk;

Links to background information see links in the body of the committee report.

Link to [Council Plan](#)

Priorities (check which apply)

- Better homes and communities for all
 - A greener East Devon
 - A resilient economy
-

1 Introduction

- 1.1 Members will recall receipt of a new Local Development Scheme (LDS) at this Committee on 5 April 2022 (the LDS being a project plan for future plan making proposals). The LDS was approved and can be viewed at: [lds-april-2022.pdf \(eastdevon.gov.uk\)](#). The LDS advises that consultation on a draft local plan will be held during Autumn 2022.
- 1.2 This report sets out details of proposed activities (and alternative options) over the next three months and it provides an update on the 'Housing Need and Site Assessment Update' report that was considered by this committee on 3 May 2022, see: [1. HousingNeedandSiteAssessmentsUpdateSPCReport.pdf \(eastdevon.gov.uk\)](#)
- 1.3 We are intending to bring detailed assessment work on potential development sites to committee starting in August (later than the original hoped for date of July) and alongside this we highlight options for committee to consider to provide scope for promoters of sites (agents and landowners) to also present to committee. This consideration of potential development sites and their suitability for allocation will lead onto a proposed consultation draft plan coming to committee on the 4 October 2022 with consultation proposed to start in mid-October.

2 Status of and suggested format of the proposed draft local plan

- 2.1 The draft local plan is not intended to be the final plan, it is not the plan that the Council consider to be complete and ready for submission for examination by a Planning Inspector. It is suggested, however, that it should set out the Council's favoured direction of travel and overall preferred approach. It will be a plan that any individual or organisation can comment on and the feedback received can challenge or endorse the approach being taken

and as such help inform the drafting of the final plan. As timetables currently stand, as set out in the LDS, the plan that the Council consider will be the final version, the Publication plan, will be made available for public comment in Autumn 2023. After that the plan and comments received will be submitted for Examination by a Planning Inspector. At and through Examination it can be expected that the inspector will make changes to the plan.

- 2.2 With respect to current work Members will recall that a Working Draft Local Plan was received by Strategic Planning Committee 14 December 2021, see: [Agenda for Strategic Planning Committee on Tuesday, 14th December, 2021, 9.30 am - East Devon](#) and this was considered at this and subsequent meetings. This working draft local plan contained a series of suggested policy approaches to topic matters and alternative options to these approaches. Members debated these (with the exception of potential specific development site allocations) along with the alternatives. 'Straw-poll' votes considered the suggested policy approaches and alternatives to arrive at committee views on the favoured policy approaches for inclusion in the consultation draft local plan.
- 2.3 Officers have amended the working draft local plan to incorporate the 'straw-poll' voted favoured approaches of committee and over the coming weeks will refine plan wording overall. The intent is to translate suggested favoured approaches into more specific and in some cases detailed policy wording. It is stressed, however, that there is not the need at the draft plan consultation stage to have fully formed and exactly worded precise policies. Indeed to encourage engagement and feedback there can be a case for policies to not be complete and finalised, especially so if this results in them becoming technical in nature and as such less-accessible to the public and less likely to generate consultee feedback. In addition to the policy matters detailed in the working draft plan there are also a small number of additional matters that we may suggest the plan contains policies on and we will flag these up when the draft plan comes back to committee.
- 2.4 A draft plan does not need to follow any specific structure or format, for example there are no prescribed chapter headings or policy orderings that needs to be followed. In fact at this stage of plan making there are no specific requirements on what any consultation document should contain or how consultation should be undertaken. However, we would consider that the working draft plan had a logical flow and ordering to it and it is suggested that this is largely retained in the consultation draft plan with any adjustments being relatively minor. Perhaps for example we may consider that a small number of policies could be moved from one part of the plan to another.
- 2.5 The structure of the working draft plan and the draft plan we are now working on should be, we would suggest, along the same lines as the final plan that we would submit for Examination. Retaining this same type of format and structure should help ensure a symmetry in approach and help with testing and refinement of policy. However, this is not fixed and it is appreciated that Members may wish to express alternative views on draft plan structure and ordering.
- 2.6 In the working draft local plan we highlighted alternate approaches for policies. For the plan we consult on we would suggest that we look to cut down on some of the text and on alternative options and potentially cut down the actual alternatives themselves. This would not stop anyone making comment but it would, we hope, make for a more engaging and less lengthy plan that people are more likely to read and comment on. Precisely what

changes are made will, however, need some more detailed consideration. It should also be noted that we will need to undertake a task called Sustainability Appraisal for the plan and this task will require assessing plan policies and comparing these against reasonable alternative options. The Sustainability Appraisal report will be available for public comment and as such those with an interest in the policy choices and alternatives will be able to review a full suite of options.

3 Assessment of potential development sites

- 3.1 Members will recall that in the working draft local plan there was a preliminary officer assessment of potential development sites that could feature as possible allocations of land in the plan. Committee did not debate the comparative merits of site allocation options though there will need to be decisions made on which areas of land should be allocated or favoured for allocation in the draft local plan. Or at least it is officer recommendation that we should highlight at least some, if not all sites, that we would favour as land allocations for development.
- 3.2 To assist with site making choices officers are undertaking a more rigorous and detailed site assessment exercise. Key aspects of this assessment are set out below.
- 3.3 **Compatibility with the emerging plan strategy** – the working draft plan has a strategic approach of directing development to what were established in the working draft plan as the Tier 1 to 4 settlements, essentially the towns and villages best supported by services and facilities. An initial sifting exercise has been undertaken, to select for further assessment, those sites that align with this strategic approach and which are physically well related to the settlements (i.e. abutting or very close). The strategic approach also provides for development close to Exeter and at a proposed second new town, though site assessment will be more bespoke for these allocations. Sites that have been sifted out are not appraised further and will not be proposed as land allocations.
- 3.4 **Accessibility to services and facilities** – not only will Tier 1 to 4 settlements need to have services and facilities any sites allocated in or at them should be within walking distance of such facilities. The working draft local plan introduced objectives around the ‘20 minute neighbourhood’ and to align with this there should be good accessible walking routes to services and facilities. We have taken 1,600 metres (around 1 mile) as the maximum distance that people may typically walk to access facilities and have used this as a benchmark to test potential site suitability for allocations. Of course shorter distances are better and are more likely to encourage walking or cycling trips and are less likely to encourage use of cars or other motorised forms of transport (notwithstanding the wider importance of public transport). It is also worth noting that bigger sites may not currently be close to facilities but could be of a scale to secure such facilities ‘on-site’ as part of any overall development.
- 3.5 **Prioritising brownfield land for development** – the Council has completed an Urban Capacity Study and this was reported to Strategic Planning Committee on 30 March 2021. This study considered both Greenfield and Brownfield development opportunities inside the current Built-up Area Boundaries of East Devon towns. The study identified potential to accommodate around 766 new homes on 60 sites within existing urban areas. A number of the sites identified are Brownfield land areas and the identified sites with development

potential are currently being further assessed through the ongoing SHLAA work. This more fine-grained detailed assessment may well refine and reduce the realistic capacity for development that such sites offer. Urban Brownfield sites will frequently be close to facilities and can often present positive opportunities for development, though this is not always the case and there can be costs and challenges associated with their reuse that may not be found with Greenfield development.

- 3.6 **Landscape considerations** – the potential impact of development on the landscape and the ability of the landscape to accommodate development will be a key consideration that will be tested for all sites that have passed through initial sifting. With East Devon having such a high quality landscape this aspect of work will be very important.
- 3.7 **Built heritage assessment** – suitability of sites for development is being assessed against built heritage considerations and the impacts, whether negative or potentially positive, are being considered. Built heritage will include the most important of buildings and features, to include listed buildings, Conservation Areas and Scheduled Ancient Monuments as well as more locally important non-designated features and the general historic fabric of any area in which a site is located or is near to.
- 3.8 **Nature conservation impacts** – sites are being assessed against the potential impacts that development could have on biodiversity and wildlife interests. As with other assessments this work will consider not just the most important statutory designated sites but will also include more local assets and features.
- 3.9 The assessment work at present is concentrating on suitability for housing development though with some commentary or consideration for other uses or mixed use development. The assessment of sites close to Exeter will mirror the approach taken above but with more of an onus, especially for any large scale development, on mixed use developments with services and facilities being included as part of any proposal. For the second new town the Council has employed consultants to assist with assessment work. This work is underway at the moment and early feedback will inform production of the proposed consultation draft plan.

4 Considering possible site allocations for development

- 4.1 The site assessment work will help build up a rigorous picture, but not the definitive final picture, of the sites that could feature as allocations in the draft local plan. The suggested approach, favoured by officers, is that committee will receive site assessments work, with initial recommendations on land allocations for development, in three tranches (see below). However, committee should also consider the approach to future committee meetings in the light of options around further presentations from landowners and developers as detailed in section 6 of this report.
- a) **The six main towns of East Devon (excluding Cranbrook) – Committee on 9 August 2022.** The recommendation is that site assessment reports will be presented to this committee for the Tier 1 and 2 towns of Axminster, Exmouth, Honiton, Ottery St Mary, Seaton and Sidmouth. In respect if this meeting we plan to have all assessments available for this committee meeting – however, should, there be a decision to hold extra meetings in August (see Section 6 of this report) we could stagger publications for separate towns depending on when meetings are held).

The Working draft local plan sets out that the new local plan should not plan for the further expansion of Cranbrook, beyond that allocated in the Cranbrook Plan, so site assessment for the further expansion of Cranbrook has not been undertaken as it would not comply with the proposed local plan strategy. We would highlight that we indicated at the 3 May 2022 committee meeting that we would aim to bring the town assessments to this July committee meeting. This, however, has not been possible due to pressure of work from the new call for sites and dealing with the new site submissions.

b) **The small towns and villages in Tiers 3 and 4 – Committee on 6 September 2022 2022.** The recommendation is that the sites in Tiers 3 and 4 will come to this committee meeting for consideration.

c) **The proposed new town and sites close to Exeter – committee on 4 October 2022.** The recommendation is that these sites will be reported on, or alongside in complementary paperwork, to the same committee that considers the proposed consultation draft local plan.

4.2 By taking the approach detailed above it means that member debate on site selection would be spread over a number of meetings, rather than be covered in a single meeting only – specifically the meeting on the 4 October when officer recommendation is assumed to be that the draft plan is made available for public consultation.

4.3 However, if committee are not satisfied with the approach suggested then there is scope for an alternative approach to be taken. One (further) alternative would be considering all sites at the same meeting. In practice this would be sites being assessed at either the 4 October 2022 for everything or for towns and villages at the 9 September 2022 meetings (that is and it inter-relates to possible scope for members want to organise additional committee meetings). Member should advise on any alternative approach to receiving information about potential development sites and allocation choices that they may favour. It should be noted, however, that site assessment work is time consuming and there are distinct limitations to the speed and dates at which officers can undertake work and prepare reports.

4.4 Under the approach recommended above we are working on the basis that another new town (in addition to Cranbrook) will be planned for and that there will be significant land allocations close to Exeter. Beyond this provision the strategic approach to development is to seek to concentrate most new building work at the main towns of East Devon and this is good reason to start with these towns first.

4.5 The assessment work and related committee papers, we would envisage, would give a steer on:

a) Those sites that perform well and as such are favoured allocations;

b) Those sites that perform badly and as such are not favoured as allocations;

c) Those sites that are not clear cut and may have some plus and some minus points to them as potential allocations for development and/or may require further work to fully understand if constraints can be overcome.

- 4.6 From assessment of the scope for development at the main towns of East Devon it will provide a guide to the scale of development that may be appropriate at villages and for the new town and allocations of land close to Exeter.
- 4.7 For the actual working draft local plan we would envisage that certain sites will be included as preferred choices for allocations (item a) above), and some sites being dismissed as potential allocations (item b) above). There may well, however be some sites in the consultation draft plan which are highlighted as possible choices but which require further work to determine if they should be carried forward as allocations in the Publication plan (item c) above). Of course at the draft stage of plan making nothing is finalised and consultation responses will be used to help inform and refine final site allocations choices, as well as policy wording for the final Publication plan.

5 The Housing and Employment Land Availability Assessment (HELAA) and recent call for sites

- 5.1 Members will be aware that there is a Housing and Employment Land Availability Assessment (HELAA) underway and this work has been used to help inform the overall site assessment work. In particular the HELAA work has helped in the site sifting process, especially in respect of establishing where sites may not be developable on account of significant constraints such as flooding concerns or there being no apparent potential for gaining acceptable highway access.
- 5.2 The HELAA work has been complemented by a further call for sites and assessment work on this call for sites is ongoing. Initial assessment showed that there were around 150 sites submitted in the new call for sites, with, in a least one case, a submitted 'site' comprising of a number of separate land parcels. Committee may wish to note that this Council, as a landowner, has submitted a number of sites in the new call for sites, these include some existing Council car parks, depots and other areas of land/buildings.
- 5.3 From initial assessment it is clear that some of the submitted sites are resubmissions of sites that are already recorded through previous call for sites or they present variations on boundaries to previous submissions. There are, however, a significant number of sites that have not previously been submitted through the HELAA process, though in some cases they may have been reported on through Urban Capacity Study work, the Brownfield register and assessment of sites in the existing local plan that have not yet been developed or gained a planning permission. All these potential sources of supply will need to feed into the final HELAA report.
- 5.4 Submissions to the call for sites will need to be formally assessed by the technical HELAA panel and this is likely to undertaken in August or September 2022 and a final HELAA report will then come to committee after this. We will, however, seek where possible to provide information of new submission sites as part of the overall development site options assessment (though this will mean reporting or commenting on prior to HELAA panel consideration).

6 Further presentation to committee by land owners and agents

- 6.1 At Strategic Planning Committee on the 3 May 2022 members agreed to further presentations from land agents and owners promoting land for development, noting that

initial site presentations in respect of some but not all submitted sites were heard earlier this year.

6.2 Noting that the officer recommendation is that assessment of sites at the six main East Devon towns (excluding Cranbrook) are to be considered at Committee on 9 August 2022 it would seem a sensible option to also provide the opportunity for prospective agents and developers to be given the opportunity to make presentations to committee (should committee still want this), in respect of sites at the towns in August. In practical terms it would appear sensible for Committee to receive officer assessment of sites first and thereafter to hear from agents and landowners, this does, however, raise a series of matters on which a Committee steer and instruction is sought. Matters are set out below:

- a) **Does committee want to extend the invitation to make presentations to all agents and land owners that are promoting land for development at the towns?** For the previous round of presentations we did not proactively advertise the fact that presentations could be made, rather we responded to those that raised the issue of making presentations by offering the opportunity. This approach did, however, come in for some criticism as did the fact that we did not extend the invitation to present to all parties expressing an interest, we in effect 'weeded-out' some sites where initial officer assessment suggested that they looked like poor choices for allocation for development.
- b) **Do committee wish to hear presentations at the same committee meeting at which officer site assessments are heard?** If time (and logistics) were no object then there could be merit in hearing presentations at the same committee that officer site assessments are received. However, unless we place very definite limits on who can present and/or for how long (noting commentary around the matter above) then it seems highly unlikely that assessment of all sites by officers and all presentations by agent/landowner could be heard in a single session.
- c) **Are committee happy to have town based presentations at extra committee meetings in August?** Bearing in mind the potential responses to the questions above (specifically if all parties promoting land are invited to present) there could be a lot of presentations to hear and this may necessitate extra committee meetings, perhaps an extra 2 or 3 in August (or maybe into September). Committee will need to give a clear instruction on the acceptability of extra meetings. If this option is not acceptable a variation could be to receive presentations at a later date, there is an option, for example, to hear presentations after consultation on the draft plan has concluded, say in early 2023. Member's views, and if relevant any decision on receiving presentations after the close of consultation (or possibly as some other variant), would be welcomed.
- d) **Would committee wish to have a series of meetings where they consider officer assessment on one or two towns only and then agents/landowners presentation for sites at those towns at the same meeting?** Under this variant there could be say three meetings in total (the scheduled and two extra), each considering two towns (for example one town in the morning and one in the afternoon) at which officer assessment are received and at which landowners/agents may wish to make presentations and could comment on the officer assessment. An

approach of extra meetings would, obviously, need to be seen in the context of the text in Section 4 of this report and references to a single meeting only having been scheduled in August to consider all sites at the towns.

- 6.3 If members have the appetite for a number of meetings and wished to be inclusive in terms of providing opportunities for many or all agents/landowners to present then option d) might be appropriate. However, it does place considerable time demands on committee (and officers) in the middle of the holiday season/month of August and agents and landowners may challenge on grounds of their own availability.
- 6.4 Depending on the approach that may be taken for towns the committee may also want to consider any implications for assessment at villages (Tier 1 to 4 settlements) and also in respect of possible allocations close to Exeter and any further new town site presentations. Overall time demands with extra meetings could readily spill over into September as well.

7 Conclusions

- 7.1 There are some key decisions to be made to allow for draft local plan consultation in late 2022. Of critical importance are:
- I. the timetabling for members to receive officer assessment of potential development sites and associated recommendations for allocation for development (or not);
 - II. any presentation on sites by agents or landowners; and perhaps most importantly
 - III. how and when members wish to reach conclusions on which sites to show as preferred allocations for development in the draft Local Plan.
- 7.2 If members wish to consider sites in considerable detail before agreeing to a draft plan (noting that through and after consultation a plan can change based on feedback received) they could hold a series of meetings through the coming weeks to receive and consider officer assessment and also to hear from all or any agents or landowners. To achieve this would, however, place significant demands on time and could necessitate a whole series of extra committee meetings to receive presentations and consider evidence.

Financial implications:

There are no specific financial implications on which to comment.

Legal implications:

There are no legal implications other than as set out in this report.