

Report to: Strategic Planning Committee



Date of Meeting: 1 November 2022

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Proposed draft local plan for public consultation

Report summary:

This report introduces, as appended, the proposed consultation draft of the East Devon Local Plan. It is recommended that the plan is approved for public consultation with the consultation scheduled to run from 7 November 2022 to 21 December 2022.

The report also seeks to address issues raised at Members previous meeting and considers the need for and resource implications of face to face engagement events during the plan consultation period.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

1. That Strategic Planning Committee give delegated authority to the Service Lead – Planning Strategy and Development Management in consultation with the chair of the committee, to finalise the plan for consultation. To include making any minor changes to correct possible factual or grammatical errors, ensure links to background reports are made and other minor amendments that do not materially change content.
2. That Strategic Planning Committee endorse the draft local plan, as appended to this report and subject to final refinements, for public consultation.
3. That Strategic Planning Committee decide whether they would wish to proceed with proposals for face to face drop in consultation events in each of the main towns and if so whether further events in either Feniton, Whimble and or Clyst St Mary as well as any other settlements should also be arranged.

Reason for recommendation:

To ensure that members formally endorse the plan for public consultation and that appropriate consultation is undertaken on the 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 High Impact

Risk: Low Risk;

Links to background information

Link to [Council Plan](#)

Priorities (check which apply)

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

Background

1.1 On the 7 October 2022 Strategic Planning Committee received and debated a draft local plan that was to be subject to further refinement. This refinement work has now been concluded and the plan (written text and the policies map) is recommended for public consultation.

2. Changes made to the plan text from the 7 October 2022 draft version

2.1 There have been very few changes made to the plan from the version received at Committee on the 7 October 2022. Where changes have been made they are presented in tracked changes format, deleted text is ~~crossed-through~~ and new text underlined and in coloured font.

2.2 In this committee report we succinctly summarise the main changes made to the plan but do not list all matters (the plan should be read to review all changes). The more significant changes that have been made are:

- a) Policy 2 – housing numbers have been recalculated to record preferred allocation and 2nd best allocations sites (previously just preferred sites were listed).
- b) Policy 8 - a preferred site is identified (shown on the Policies Map) for a new town on the western side of East Devon (alternative not preferred site options are also shown).
- c) Policy 21 – Honiton – Policy is amended to include two additional areas of land for allocation for housing development on the western side of Honiton (the officer intent

was to have shown these as allocations but they were omitted from the 1 October draft).

- d) Feniton and Whimple – in line with conclusions reached at Strategic Planning Committee on 7 October text has been added to clarify that the plan does not suggest or allocate land to accommodate a strategic scale housing development at these two villages.
- e) New policies are inserted into the plan in respect of:
 - Telecommunications development;
 - Contaminated land;
 - Pollution control;
 - Aerodrome safeguarding areas;
 - Vehicular access to sites and land; and
 - Service yards.

3. The Policies Map

- 3.1 A number of policies in the draft local plan relate to specific sites and land areas that are allocated for development or where specific considerations apply. These are shown on a map, the Policies Map, and it will also form part of the consultation.
- 3.2 The Policies Map covers the whole of East Devon and we have produced it in pdf format with inset maps for towns and villages used to show more detail in these locations and also one for the western side of the District. For the consultation we also intend to have separate but parallel mapping on the Commonplace software that shows sites that we are proposing to allocate for residential development and those that we have rejected but which could be alternative or additional options that people may wish to comment on.

4. Local plan evidence documents and sustainability appraisal

- 4.1 The local plan will be supported by a range of evidence documents and also a sustainability appraisal report. On the Planning Policies page of the web site, at the time of or before consultation starts, we will publish the evidence documents that are available to date. Our evidence collecting work is not yet, however, complete and consultation on the draft plan will form part of the future evidence gathering. Wider further evidence gathering will extend through 2022 and into 2023.

5. Relationship with Neighbourhood Plans

- 5.1 It is recognised that the proposed new Local Plan will undoubtedly conflict with our made and emerging Neighbourhood Plans to varying degrees. Whilst we would wish to minimise conflict, not least in recognition of the significant resource that has gone into them, by dedicated members of the community, in large part this is unavoidable in seeking to plan for development across the district for the next local plan period to 2040 and based on the most up to date evidence.

- 5.2 Neighbourhood Plans will ultimately be superseded by the new Local Plan when adopted, where there is a conflict between the two. In due course, as set out in the local plan itself, Neighbourhood Plans and their policies can supersede non-strategic policies but they cannot supersede strategic policies. Communities are invited to consider and comment on the relationship with their neighbourhood plans through the consultation process and other on-going dialogue with Officers, including through our series of webinars and via our dedicated Officer support for neighbourhood planning. This will include further work and liaison in the new year regarding the methodology and approach to calculating housing requirement figures for designated Neighbourhood Areas to satisfy the requirements of the Governments national policy (NPPF Paras 66 and 77):
- [National Planning Policy Framework \(publishing.service.gov.uk\)](https://www.gov.uk/publishing-service)

6. Consultation proposals for the local plan

- 6.1 At the Strategic Planning Committee meeting of the 4th October 2022 Members considered a proposed report setting out how it was proposed to undertake consultation on the draft Local Plan. A number of Members commented that the proposals were for an on-line consultation and felt that there was a need for face to face engagement as part of the consultation. Similar comments were made at an on-line forum with neighbourhood planning groups and town and parish councils on the 20th October. Although the proposed consultation strategy was agreed by the committee on the 4th October during the debate officers had offered to provide further advice on potential face to face engagement at this meeting. This section of the report looks to consider the potential options and the resource implications and likely effectiveness of such an approach.
- 6.2 If face to face engagement is considered to be a requirement of the consultation strategy then it is considered that this would best be achieved through officer led drop in events from mid-afternoon to early evening. This would enable both non-working and working residents to drop in at a local hall where officers could be in attendance with a series of plans and display boards to summarise the consultation and answer questions. If this approach were to be adopted it is considered that it would have to be consistently applied across the district with at least all of the main towns having an event. This would be with the exception of Cranbrook as the Cranbrook Plan means that the new Local Plan is of much less significance. Initial enquiries are being made with venues in each of the towns to assess availability and see if such events are even possible noting the limited number of suitable venues in some towns. A verbal update on this issue will be provided at the meeting.
- 6.3 Aside from the main towns Members views are also sought on having events in Feniton and Whimble as well due to the scale of growth being consulted on in those locations which is greater than some of the towns. It should be noted that Feniton Parish Council have specifically asked for such an event. For consistency an event in Clyst St Mary should also be considered due to the scale of growth potentially being accommodated in this area with a potential new community proposed nearby in addition to growth within the village itself. It should also be noted that an issue raised at the recent on-line forum with neighbourhood planning groups, town and parish councils was whether rural residents would be willing to travel to the nearest town to attend such events. A request was made by some for events in rural villages as well. There are however 63 parishes in the district and so it is considered that to do this would simply be impossible with the resources available. We are however

looking at providing tailored posters and other material to parishes that identify key issues in that locality to help residents engage in the issues that most affect them.

- 6.4 Although giving people the option of engaging face to face with officers no doubt has some benefits it should be noted that consultation responses will need to be made through the consultation software. It would not be possible at this late stage to create a paper questionnaire to be filled out at such events. In any event the software is designed so that as many responses as possible come through the system so that they can easily be analysed using the software's tools. Options of having a device available at such events are being explored with STRATA but it is acknowledged that this will be difficult to achieve at short notice.
- 6.5 It should also be noted that face to face consultation events were held when producing the current Local Plan but attendance levels were low and at the time this was not felt to have been a good use of resources. This remains a concern as even if the events only ran for 4 hours each across 6 towns it is likely that each event would need at least 3 members of staff amounting to 72 hours of officers time without including the time and other resources involved in producing display boards and plans. If additional settlements are to be covered then resource requirements would proportionately increase. If it seemed likely that there would be a good attendance and it would solicit a markedly higher response rate to the consultation then it is considered that this would be time well spent. However experience suggests that this may not be the outcome. It had been envisaged that once the consultation was live officer time could be partially redirected to progressing evidence gathering or other areas of work that have had to take a back seat due to local plan preparation work such as the playing pitch strategy and employment land monitoring report. These areas of work may need to be further delayed if resources are directed to face to face consultation events.
- 6.6 A number of Members at the meeting of the 4th October indicated their willingness to get involved in arranging and running consultation events. It is important to remember that if these are to form part of the formal consultation on the new Local Plan then these would need to be Council consultation events and they would need to be officer led and arranged albeit Members would of course be welcome to attend. An alternative approach would be for Members to lead these events in their own areas as political events, however it would not be appropriate for officers to attend albeit it is considered that some technical guidance notes/FAQ's could be provided.
- 6.7 In recent years we have seen a significant channel shift across the Council to business taking place through our web-site and this has been very successful particularly over the last couple of years. This is partly due to the Covid pandemic but was a significant trend even before that. It should be noted that at the time of writing Covid 19 and flu rates are on the rise with 1 in 37 people in England estimated to have the virus. Those traditionally most likely to attend a face to face event are of the older generation and it is questionable as to whether they will be willing to attend face to face events come late November/early December. It should also be noted that the commonplace software we will be using is compliant with all equalities and accessibility requirements, albeit it is accepted that not everyone has access to the internet. Paper copies of the plan will be made available in libraries and written responses accepted.

6.8 Ultimately if Members consider that face to face engagement events should form a part of the consultation strategy then Officers will do their best to make them a success but Members are asked to consider the above issues and advise how they wish to proceed.

7. After the end of consultation

7.1 After the consultation is completed officers in the Planning Policy team will prepare a feedback report on comments received with summaries of the main themes and issues emerging. Our expectation is that all comments received will be made public and published on our Planning Policy web pages, though redacting of personal details will be needed and comments will be reviewed to ensure any racist, sexist or otherwise unacceptable text is not published.

7.2 A key concern with engaging people in the consultation raised at the recent neighbourhood planning forum was whether the Council would listen to the responses received and whether they could actually make a difference. It is important to note that as part of our response to the consultation we will prepare a “you said, we did” type document to summarise the consultation responses and how we have sought to address them. There will therefore be a clear paper trail to show how consultation has affected the development of the plan.

7.3 Council officers will also carry on with evidence gathering and assessment work with the expectation that further targeted consultation is likely to be needed in 2023 before getting to the Publication stage of plan making and thereafter submission of the plan for examination.

Financial implications:

No financial implications, expenditure within existing budget.

Legal implications:

The proposed regulation 18 public consultation draft appended to today’s report is before members for consideration and endorsement of the current direction of policy development. There are no other legal comments.