

Report to: Strategic Planning Committee



Date of Meeting: 13 February 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

East Devon Local Plan – approach to redrafting of local plan chapters and revised chapters 1 and 2 of the plan

Report summary:

This report summarises the proposed approach that we are recommending is taken to local plan redrafting, to move from the consultation plan of 2022 to the Publication Plan of 2024. This report also includes a first redrafting of Chapter 1 – ‘Introduction’ and what is now proposed to be called, as Chapter 2, ‘The local plan vision’. In plan amendments we are recommending a series of text deletions and some wording refinements, to shorten and simplify the plan. In addition the new plan vision is incorporated.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

1. That committee endorse the approach to making amendments to the local plan set out in this committee report.
2. That committee endorse the new proposed working draft text for Chapters 1 and 2 of the plan noting that further minor refinements may be need later in 2024 and will be brought to Members as part of the Reg 19 Publication Draft version of the plan.

Reason for recommendation:

To seek approval from Members on redrafting of the local 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

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Climate change Low Impact

Risk: Low Risk;

Links to background information

The consultation draft local plan from November 2022 and other local plan papers can be viewed at:

[Draft Local Plan Consultation - East Devon](#)

Links to other background documents, if provided, are contained in the body of this report.

Link to Council Plan

Priorities (check which apply)

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

1. The consultation local plan and its redrafting

- 1.1 Committee will recall that from November 2022 to January 2023 the Council consulted on a draft local plan. This draft plan had the shape, form and much of the content of the plan that we would envisage would be fit for Publication and Submission for Examination.
- 1.2 It was always recognised, however, that redrafting and amendments would be necessary and indeed part of the role of consultation was to gather feedback to help inform the redrafting process.
- 1.3 Officers have commenced proposed wording redrafts of the plan, changes will be undertaken and presented to committee on a chapter-by-chapter basis (though not in plan order) through 2024. Strategic Planning Committee, on the 9 January 2024, received a timetable of work for consideration of revised chapters and we will aim to keep to this timetable and where possible run ahead of it (as we are doing with initial chapter 1 and 2 redrafts). We would stress, however, that the timetable of work is not intended to be an absolute definitive working schedule.
- 1.4 It should also be noted that re-drafts that committee will receive in 2024 (prior to a target date of Committee in November 2024) are not intended to be the final wording that will appear in the proposed Publication Plan. The intent is, however, to give a very clear direction of travel for plan and policy wording. Then, in pulling the plan into final form, we trust it will be minor edits to be made in respect of the proposed

Publication plan. This we will seek committee approval on in advance of consultation over the period from December 2024 to January 2025. The representations received, along with the plan and evidence documents will form part of the submission for plan examination, they will go to the Planning Inspectorate.

2. Principles underlying the redrafting of the plan

- 2.1 The consultation draft local plan had a logical and coherent structure to it, it followed an ordering and form common to most such plans. As such we would not envisage any significant or radical reshaping of the plan as we progress toward the Publication draft.
- 2.2 We will, however, look for opportunities to simplify the plan and to specifically take out wording that was relevant to the consultation draft, and consultation process that we then undertook, but that is not needed or appropriate for the final draft of the plan. Government guidance points towards seeking to have plans that are as short and simple as (reasonably) possible and we will strive to achieve this end.
- 2.3 We would highlight that plan and policy redrafting will be to a consistent style with the aim of wording being clear to decision makers on what the policies mean, are seeking to do and how they should be interpreted. In policy redrafting we will be guided by the principle of avoiding the duplication of matters addressed elsewhere (specifically in national planning policy) and policies will avoid repeating/listing concerns that are addressed through other policies of the plan. It is worth highlighting that in reaching decisions on planning applications the plan as a whole should be taken into account. Therefore repetition of matters (such as lots of policy advising of the need for acceptability of highway access) in multiple policies should not occur – rather there should ideally be a definitive policy on any subject matter. The only exception may arise where very notable and potentially atypical concerns, considerations or approaches might otherwise apply in application of policy.
- 2.4 At this stage, and without seeking to pre-empt final plan drafting, we would advise of the following possible larger scale changes to plan chapters from the draft plan to a plan that we envisage will form the Publication Plan:
- Removal of Chapter 4 - Addressing housing needs and identifying sites for development – this chapter was about process issues for assessing and identifying sites for allocation and would be inappropriate for inclusion in the Publication Plan. Relevant site assessment evidence will sit elsewhere.
 - Splitting of Chapter 7 - Tackling the climate emergency and responding to climate change – into two chapters - one specifically addressing renewable energy generation, its use and energy efficiency and a separate one around flooding, coastal change and related water themes.
 - Removal of Chapter 18 - Have we missed anything? As this is not relevant to the Publication plan.
- 2.5 There may also be a case for a limited amount of movement of policies (or parts of) within the plan, as well as some possible full or partial policy deletions (where for

example they may duplicate national policy). There may also be the need for some possible new policy introductions (noting that concerns around policy absences were raised in some representations on the draft plan).

2.6 We will also consider whether each site allocated for development in the plan should have its own unique separate policy. This would add to, rather than subtract from, overall plan length. However it would ensure clarity over what is being allocated for development and more importantly help ensure specific policy requirements can be established for any given site reflecting the particular characteristics, constraints and opportunities that apply to different development sites.

3. Topic papers to support each plan chapter

3.1 The intention is that a topic paper (or potentially more than one) will be produced to support each chapter of the plan. As each chapter of the plan addresses a separate topic the papers are also topic based. The intent is that each topic paper will set out 'the story' and evidence behind each plan chapter and as such ensure and provide details of the evidence to justify each plan policy. In many cases these topic papers will also cross-reference to supporting evidence documents though in some instances (specifically if policy justification or evidential requirements are short or simple) they may set out the evidence themselves.

3.2 Individual topic papers may be subject to replacement by new versions over time. The intent is that the final versions will support the plan at Submission and through Examination. For the benefit of the plan inspector/s (and any other interested party) the papers will provide background material relevant to the plan chapter/policies. In so doing the topic papers will cover matters, in a readily accessible manner, that may otherwise be set out in what could be a whole range of dispersed other documents.

4. Redrafted Chapter 1 – Introduction and Chapter 2 - Vision and objectives of the local plan

4.1 In line with the commentary on plan redrafting set out in early sections of this report the first two chapters of the local plan are presented to committee in amended form, these chapters are:

- Chapter 1 - Introduction, and
- Chapter 2 - Vision and objectives

4.2 These chapters form Appendix 1 to this report and they will be subject to potential further refinement as 2024 progresses.

4.3 The new wording for the plan is an amendment to the draft plan that was consulted on from November 2022 to February 2023. We would advise that we do not show tracked changes as to do so, given the scale and nature of changes made (specifically text deletions), would make the amended plan text difficult to read and comprehend.

To gain a full picture of changes the consultation plan text should be read alongside the shortened redraft – see: [commonplace-reg-18-final-071122.pdf \(eastdevon.gov.uk\)](https://www.eastdevon.gov.uk/commonplace-reg-18-final-071122.pdf)

- 4.4 In this committee report we do not list and detail all changes that have been made from the consultation draft to this new version but we would highlight the following more significant points:
- a) A lot of text has been deleted to make for a shorter introduction and vision section.
 - b) We have removed commentary around the evidence and its use. It should be taken as a given that the plan is evidence based and evidence is and will be referenced throughout the plan, and as such we do not need the introductory text.
 - c) We have, however, retained text that references and differentiates between ‘strategic’ and ‘non-strategic’ policies as this is an important consideration.
 - d) Figure 1 – Key Facts – we have not yet amended this graphic. Amendment will follow later in the year, with the intent to - update data where more up to date information is available, add data on other key factors and to look at the potential to show/include projected changes to data that would occur across the life span of the plan.
 - e) The vision in the draft plan has been deleted and replaced with a more detailed and East Devon specific new plan vision. As discussed at previous committee meetings.
 - f) We have deleted the objectives from the plan. The new vision in the plan covers many matters that were referenced in the plan objectives as originally drafted – thus superseding them. At this stage we would envisage including new objectives in the plan, though it is likely that these would sit at the start of each chapter which has policies in it. There would be a vision statement dedicated to each chapter that sets the scene for the policies that follow.
- 4.5 We would highlight two important matters that are not yet highlighted in text changes, but which will require further consideration:
- The end dates of the local plan; and
 - how or if we address development of Cranbrook in the plan.
- 4.6 The plan has a been drafted to this point to an envisaged end date of 31 March 2040. The [National Planning Policy Framework \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/642222/national-planning-policy-framework-2021.pdf) advises, however, at Paragraph 22, that “Strategic policies should look ahead over a minimum 15 year period from adoption”. Under current plan timetabling the plan is envisaged to be adopted in late 2026. To achieve 15 years forward looking coverage from late 2026 would mean an end date of late 2041. In practical terms, however, noting that we typically work to years running 1 April to the following next year 31 March, a likely plan end date would be 31 March 2042.

- 4.7 The recently adopted Cranbrook Plan provides provision for the future development of the new town and covers most policy issues that are relevant for consideration and assessment of planning applications. However, there are some existing local plan policies that are Saved and remain applicable for use in determination of applications at Cranbrook. A decision has not yet been taken on whether the new local plan should provide any policy coverage for or at Cranbrook or whether, for the foreseeable future, it would be reasonable and desirable to retain those existing local plan policies, alongside national policy and guidance. It is proposed that a paper will come to this committee at a future date in respect to policy coverage for Cranbrook.
- 4.8 For the redrafted Chapter 1 – Introduction and Chapter 2 - Vision and objectives of the local plan, we have produced a first draft of a topic paper. This forms Appendix 1 to this report.
- 4.9 The topic paper includes more detail on background changes made to the plan and their justification. The topic paper also sets out more details on the evolution of these two chapters of the plan and references consultation feedback received. Officer commentary is set out on consultation feedback received advising on how, where and what ways feedback has helped inform officer recommendations on plan changes.

5. Conclusions

- 5.1 This committee paper has set out summary details around principles and proposed approach to local plan redrafting. A first redraft of Chapters 1 and 2 is also included in this report. The redrafted text is not at a finalised and finished state, i.e. it is not the exact final text that we would envisage will feature in the Publication plan. It is, however, setting out the 'direction of travel' for what we consider the final text should look like and final edits, later in 2024, should therefore be succinct and limited.

Financial implications:

There are no financial implications.

Legal implications:

There are no legal implications requiring comment.