

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Strategic Planning Committee held at Council Chamber, Blackdown House, Honiton on 29 November 2024

Attendance list at end of document

The meeting started at 10.00 am and ended at 11.00 am

240 Declarations of interest

Minute 242. River Axe Special Area of Conservation (SAC) Local Nutrient Mitigation Fund Round 2 Award.

Councillor Jessica Bailey, Affects Non-registerable Interest, Employee of Dorset Council with effect from Monday, 2 December 2024.

Minute 244. Infrastructure Funding Statement.

Councillor Jessica Bailey, Affects Non-registerable Interest, Aware as a Devon County Councillor that Devon County Council has made at least one bid in relation to Tipton St John School.

241 New Planning Policy - Local Development Scheme and Local Plan Regulation 19 Consultation

Before moving into the agenda the Chair invited Councillor Chris Burhop to speak following a request to address the Committee about a decision that had been made by Committee on 22 November 2024.

Councillor Chris Burhop, Ward Member for Newton Poppleford & Harpford referred to the East Devon Local Plan – Defining Settlement Boundaries report and drew particular attention to the additional recommendation for Newton Poppleford as detailed below:

Recommendation 3.

f. Newton Poppleford - that the Settlement Boundary be drawn as including Stage 2 plus area adjacent to Exmouth Road, with the exact boundary be drawn by officers for delegated approval by the Assistant Director and the Chair of Strategic Planning Committee.

Councillor Burhop referred to the settlement boundary map explaining that as Newton Poppleford was a linear village it was important to determine where the centre of Newton Poppleford was referring to several planning appeals that had been dismissed due to their poor location away from the centre and away from services. He also referred to site allocations Newt_04 and Newt_05 and asked Members to consider what would happen to these sites if the footpath proposed were not put in place.

The Committee considered the Local Development Scheme (LDS) report that set out a programme and timetable for production of future planning policy documents. The report introduced the proposed new LDS, which summarises key content and provides more information on plan production considerations, including:

- Development plan documents
- Timetable update for local plan production
- Regulation 19 consultation
- Consultation strategy for the Publication consultation

- Supplementary planning documents and other strategy and policy documents
- Implications for Neighbourhood Planning

The Assistant Director – Planning Strategy and Development Management advised Committee that the Regulation 19 consultation would be done in two phases, the first phase to start mid-January 2025 (assuming the new NPPF is not published more than one month before this date) and the second phase would start in the Spring (May 2025) to focus on the masterplan for the new community and transport study followed by submission for examination in the Autumn.

Discussion on the report included:

- Clarification was sought about whether other councils had followed this process. The Assistant Director – Planning Strategy and Development Management gave reassurance that it was acceptable to have more than one consultation and there were other councils that were in similar situations.
- Clarification was sought about whether the public would be able to comment on sites that had been amended. The Assistant Director – Planning Strategy and Development Management advised that members of the public will have an opportunity to comment on the Regulation 19 version of the Local Plan through the CommonPlace software.
- Clarification was about the potential risk if Government decided to publish the new NPPF earlier than January with the suggestion that the consultation should start earlier than January. The Assistant Director – Planning Strategy and Development Management acknowledged this as an option but explained it would be challenging as it would not give officers time to refine everything and set up the consultation.

RESOLVED:

1. The proposal for two rounds of Regulation 19 consultation as set out and proposed in the committee report be endorsed.
2. The proposed communications strategy appended to the report as Appendix 2 be endorsed.

RECOMMENDATION TO COUNCIL:

That the proposed new Local Development Scheme, as appended to the report as Appendix 1, be endorsed and to take effect immediately following approval.

242 **River Axe Special Area of Conservation (SAC) Local Nutrient Mitigation Fund Round 2 Award**

The report set out that the water quality of the River Axe Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI) has been a concern for a long time. The River Axe SAC is in unfavourable and declining status owing to nutrient enrichment and sediment pollution. A condition assessment and evidence report by Natural England in June 2024 on the River Axe SAC stated that “recent water quality measurements for the River Axe within the SAC show phosphorous concentrations to be exceeding the targets for all units.”

The Council, as the Competent Authority under the Habitat Regulations 2017, is required to consider the implications of these matters on the River Axe SAC before permitting any further development which has the potential to result in additional phosphate loads entering the catchment.

An Expression of Interest (EOI) outlining a proposal for £4 million was made by the Council as lead authority in collaboration with both Dorset and Somerset Councils (who have parts of the River Axe SAC catchment within their boundaries) in April 2024 to Round 2 of the Government's Local Nutrient Mitigation Fund.

The recent Budget on the 30 October 2024 unexpectedly announced and included £4.09 million allocated to East Devon District Council and the River Axe catchment as one of the seven successful EOIs that were made in England. Also awarded was an additional £192,494 in capacity support funding along with a further £100,000 through the Nutrient Support Fund.

Not all developers have practical capacity to mitigate phosphates on site or the means to negotiate off-site mitigations directly. To unlock this position, it is therefore necessary for the Council to facilitate a scheme to fund schemes that create mitigation credits, which it can then allocate to facilitate development.

The proposed approach set out in the report was focussed on three mitigation categories:

1. Nature Based Solutions such as constructed wetlands;
2. Upgrading of packaged treatment works and septic tanks;
3. Water saving measures on council house stock connected to permitted Waste water Treatment Works (470 units).

The programme would be delivered in partnership with Dorset Council, Somerset Council and the Westcountry Rivers Trust.

The Assistant Director – Planning Strategy and Development Management referred to the recommendations and advised that as Cabinet had already endorsed the recommendations at its meeting on 27 November 2024 the report was for noting.

RESOLVED:

That Strategic Planning Committee welcome the outcome of the bid and note the report.

243 Housing Monitoring update to year ending 31 March 2024

The report provided a summary of house building monitoring information to the year ending 31 March 2024. The report confirms that, looking forward, the authority has a 4.15 years Housing Land Supply as detailed in table 3 in the report and emphasised the need to bolster our housing land supply to reach a 5 year housing land supply at the point of the Local Plan adoption.

Discussion included:

- A concern was raised about the future projections for the district and how could the council improve on this. The Assistant Director – Planning Strategy and Development Management advised the housing land supply figure could only be improved by granting consents of planning applications. In response to a follow up question about how many planning applications were currently outstanding and how long do the applications take. Committee were advised that there were not many outstanding applications for major new housing developments with an explanation to various reasons why some applications were delayed including Section 106 Agreements and legal issues.
- It was suggested that a shorter time limit than 3 years for permissions should be implemented to encourage housing to come forward quicker. In response the

Committee were advised that although the council did have the freedom under legislation to do this, there was a need to weigh up the incentive against the consequences of running out of time. The Assistant Director – Planning Strategy and Development Management advised this could be considered on an application by application basis but that it might be better to get the developers commitment of their intended trajectory for the delivery of sites.

The Chair moved the two recommendations as written and included an additional recommendation that would read as follows:

3. That Planning Committee have sight of this report and are reminded of the importance of granting consents to help achieve the Council's five-year housing land supply at the point of the adoption of the Local Plan.

The Chair advised that the reason for the third recommendation was that he had concerns after watching some Planning Committee meetings that they had lost sight of the significance of achieving a five-year housing land supply.

RESOLVED:

1. That the residential dwellings completion data, future projections for the district and the 5 year housing land supply position that results be noted;
2. That the Housing Monitoring Update be agreed and published on the Council's website and used to inform decision making.
3. That Planning Committee have sight of the Housing Monitoring Update to year ending 31 March 2024 report to remind Committee of the importance of granting consents to help achieve the Council's five-year housing land supply at the point of the adoption of the Local Plan.

244 **Infrastructure Funding Statement**

The report provided a factual summary of the Community Infrastructure Levy (CIL) receipts and spend and Section 106 receipts and spend for 2023/24 which were required by law to be published on the Council's website by the end of this year.

Comments from Committee included:

- Reference was made to the vague headings detailed in paragraph 3.2 and the need to expand on these headings.
- The use of red in the Annual Infrastructure Funding Statement document was not supported as it was suggested this could be referred to as a warning sign.

The Chair on behalf of the Committee thanked the Communications Team and the Planning Obligations Team for all their hard work in providing the statement in a better format that was easier to read.

RESOLVED:

1. That the contents of the report and the requirement to provide an annual Infrastructure Funding Statement be noted.
2. That the submission to government be noted and the publication on our website of the 2023/24 Annual Infrastructure Funding Statement based on the information detailed in this report be noted.

Attendance List

Councillors present:

J Bailey
K Blakey
P Fernley
M Howe (Vice-Chair)
G Jung
Y Levine
T Olive (Chair)

Councillors also present (for some or all the meeting)

R Collins
P Faithfull

Officers in attendance:

Wendy Harris, Democratic Services Officer
Ed Freeman, Assistant Director Planning Strategy and Development Management
Anita Williams, Principal Solicitor (Deputy Monitoring Officer)

Councillor apologies:

B Bailey
C Brown
B Collins
O Davey
P Hayward
B Ingham
H Parr

Chairman

Date: