

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Strategic Planning Committee held at Council Chamber, Blackdown House, Honiton on 4 February 2025

Attendance list at end of document

The meeting started at 10.00 am and ended at 12.35 pm

250 Minutes of the previous meeting

The minutes of the previous meetings held on 29 October 2024 and 11 December 2024 were confirmed as true records.

251 Declarations of interest

Minute 256. East Devon Local Plan – approval for Regulation 19 Consultation 2025. In accordance with the Code of Good Practice for Councillors and Officers dealing with planning matters as set out in the constitution Committee Members advised lobbying in respect of allocation Exmo_20.

252 Public speaking

Four members of the public and two Ward Members had registered to speak on Minute 256 – East Devon Local Plan approval for Regulation 19 Consultation 2025. All addressing issues relating to the proposed allocation Exmo_20.

The first speaker, Chrissy Howick referred to the proposed access from the A379 and said that this would have disastrous results as it had at least five treacherous turnings out onto this road and adding even more cars would cause havoc. She pleaded with the Committee to reconsider the site explaining that the proximity of this development would be very close to the Pebblebed Heaths and would cause immense light and noise pollution and have a detrimental impact to the wildlife. Mrs Howick highlighted that the site had not received adequate time allocation or representation from relevant local or national bodies to consider the site nor had Members visited the site to consider this impact and urged Members to reconsider this unsuitable site.

Councillor Melanie Martin, Ward Member for Budleigh and Raleigh had grave concerns about the site and could not understand why the access from the B3179 was being considered especially as it was a very winding rural road with a speed limit of 60mph with no paths or safe crossing places. She raised concerns about the SSSI advising that it provided a habitat for wildlife which would be significantly disturbed by the street lighting and advised that she would watch with interest to see how the Council aimed to protect the dark landscape of the SSSI and install a safe vehicular access into the site.

Thomas Shillitoe advised that because of the proximity of this site to Budleigh Salterton this could no longer be referred to as an Exmouth site which went against the settlement hierarchy. He referred to the Habitat Regulation Assessment and highlighted two concerns, the water quality for the Axe Valley, which was already restricting development and the air quality for the East Devon Heaths which would be significantly increased by the proposed access point on the B3179. He advised that the Exmo_20 allocation was contrary to Policy PB4 where development will not be permitted where there is potential for increased vehicle numbers adversely affecting the Pebblebed Heaths applying a

precautionary approach and this should be rigorously assessed before the Local Plan is submitted for examination.

Councillor Horn, representing Budleigh Salterton Town Council, requested for the Town Council to be included in any decision making for the proposed allocation Exmo_20 as its main access to the development was only 2.1 miles from Budleigh Salterton compared to 4.2 miles from Exmouth. He advised that together with the proposed increase in housing numbers and the proposed access onto the B3179 would certainly add pressure on local infrastructure and services and he questioned the employment opportunities for these residents.

John Hamill referred to the meeting on 3 September 2024 when the Committee went against officer recommendation and allocated Exmo_20. As a consequence, officers advised that further work was required to ascertain the viability of the site including engagement with DCC Highways and in today's report DCC Highways have advised that the only way was from the B3179, the already dangerous and congested road. This has opened up a series of risks, the first is the environmental risk due to the proximity to the Pebblebed Heaths in which Natural England have not yet been properly consulted. The second is the financial risk to the Council and developers as the cost to upgrade the B3179 through Ting Tong, Hulham Junction and onto Woodbury would be in the millions. The third is the political risk as if this site is not found viable the Council will fail its housing obligations that is required by government.

Mr Hamill urged the Committee to reject Exmo_20 and to revisit the sites that should have been included in the Local Plan.

A statement was read out on behalf of Councillor Charlotte Fitzgerald, Ward Member for Budleigh and Raleigh raising concerns with the B3179, the main road to the northwest which skirts the Bicton and Dalditch Commons in her ward.

The statement addressed the following concerns:

- the access point which would be on a dangerous stretch of road with no pedestrian access,
- the B3179 forms the border of the Pebblebed Heaths SSSI which has the highest level of protections of all designations.
- Building a major access point right beside the SSSI, and potentially laying down car parks and sports pitches in the space occupying the 400m development buffer, which would all no doubt require lights, was likely to damage it.

Councillor Fitzgerald felt taken by surprise by the late allocation of the site which she believed was an unintended consequence of rushing to allocate sites at the very end of the process. She advised she would do her best to help the Council mitigate adverse effects to nature and address the clear road safety issues posed by the site as the Council moves forward.

253 **Matters of urgency**

There were no matters of urgency.

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

There were no confidential or exempt items.

255 **Changes arising from the new National Planning Policy Framework (NPPF)**

The Committee considered the report which sought to provide Members with a more detailed understanding of the new National Planning Policy Framework (NPPF) which the government published on 12 December 2024.

The report identified two significant key changes. The first change affected the housing numbers which would now require the Council to deliver 1,188 homes per year compared to the previous figure of 1,146 homes. It would also need to be within 80% of that figure resulting in the Council needing to plan for 950 homes per year compared to the previous figure of 946 homes per year.

The second change affected the transitional arrangements and Members noted that in order to take advantage of the longer transitional period the Council would need to publish the Regulation 19 version of the Local Plan on or before 12 March 2025 and submit for examination within 18 months of the publication of the new NPPF.

The Assistant Director – Planning Strategy and Development Management explained about some potential consequences in which the Council had a requirement to demonstrate a five-year housing land supply which also must include a 5% buffer. Members noted that the Council's housing land supply figure had significantly fallen to 2.97 years which would now require bringing back the tilted balance when considering planning applications. He also explained that from 1 July 2026 the Council would also be required to demonstrate a six-year housing land supply after the Local Plan had been adopted.

The Assistant Director – Planning Strategy and Development Management referred to the updated five-year supply calculations tables on page 37 of the report and advised Committee that these tables had been presented to Planning Committee on 17 December 2024 as an update to the annual monitoring report.

Further changes as a consequence of the new NPPF include:

- Affordable Housing
The government have removed the requirement for at least 10% of the total number of homes on major sites to be delivered as affordable homes and that 25% be delivered as First Homes.
- Planning Application Fees
The fee for householder planning applications is to be increased from £258 to £528 with the intention to bring forward measures in the Planning and Infrastructure Bill to enable local fee setting for planning applications.

Questions and debate included:

- In response to a question about how to achieve a six-year housing land supply the Chair explained that although the new Local Plan would help achieve this it was also necessary to approve more planning applications.
- Clarification was sought about whether the Land Use Framework Consultation published by DEFRA would have an impact on the Local Plan. The Assistant Director – Planning Strategy and Development Management advised that the Local Plan would not be affected.
- Reference was made to the Local Character and Design Coding chapter and support was expressed for the removal of the word 'beautiful' as it was difficult to

classify what was beautiful as this was too subjective. The Assistant Director – Planning Strategy and Development Management emphasised the need to resurrect the District Design Guide which would give greater guidance in terms of what we think is important about local character.

- Clarification was sought on the affect of deleting the word 'local character' in the Local Character and Design Coding chapter. It was advised this referred to the historic character of the area and was particularly relevant when considering high-density developments.
- A concern was raised that as the Council was struggling to meet the housing land supply this would make the Council dependent upon developers coming forward with planning applications which would put them in the driver's seat of the housing market.
- Clarification was sought on the reference to affordable homes on page 38 of the report and whether councils still had an option to deliver First Homes. In response the Assistant Director – Planning Strategy and Development Management explained that although the obligation to deliver First Homes had been removed, they could still be delivered as a form of affordable housing.
- Councillor Jung expressed his concern about achieving a six-year housing land supply and that the government should be challenged about this decision as the Council would be reliant on an unpredictable housing market in order to achieve this target. The Assistant Director – Planning Strategy and Development Management advised he was happy to draft a letter but emphasised that the Council along with other councils had made comments to government in the past without success.

The following motion was proposed by Councillor Geoff Jung and seconded by Councillor Paula Fernley.

'That a letter of complaint should be sent to the government expressing the Council's concerns on achieving a six-year housing land supply.'

RESOLVED:

1. That the changes made in the new NPPF and the implications for the Council and production of the new Local Plan be noted.
2. That the updated five-year housing land supply position be noted and that the revised summary tables be published on the Council's website and used to inform decision making on planning applications.
3. That the Assistant Director – Planning Strategy and Development Management draft a letter to Government in consultation with the Chair, addressing the Council's concerns about achieving a six-year housing land supply.

256 East Devon Local Plan - approval for Regulation 19 Consultation 2025

The Committee considered the report that sought approval of the final version of the East Devon Local Plan Regulation 19 Consultation that had considered the changes expressed by Members from the meeting on 11 December 2024.

The Assistant Director – Planning Strategy and Development Management drew Members attention to the two appendices explaining that appendix 1 was the clean version and appendix 2 contained the tracked changes.

In the report Members attention was drawn to two hyperlinks, the first leading to an interactive map and the second leading to PDF versions of maps of the towns and

villages within the settlement hierarchy. Members also noted an update to the second new community by the removal of the boundary of the Clyst Valley Regional Park as this would be considered through the New Community Masterplan.

The Assistant Director – Planning Strategy and Development Management also updated Members about a change to the housing provision following the new NPPF which now required the Council to plan for at least 950 new homes per year. He advised the Committee that this had slightly reduced the headroom in the housing numbers but that a 9.8% headroom was still included with a stepped housing trajectory that showed an annual target of 850 dwellings per year from 2020/21 to 2031/32 and 1,070 dwellings per year from 2032/33 onwards.

Members were reminded that it was a two-phase Regulation 19 Consultation and that the Consultation for the New Community Masterplan was due to start in Spring 2025 as detailed in paragraph 5.2 of the report.

The Assistant Director – Planning Strategy and Development Management referred to chapter 6 of the report drawing Members attention to the evidence library available on the website which included assessments such as the viability assessment and habitat regulations assessment, although Members noted that work was still ongoing in relation to air pollution and the Pebblebed Heaths. Members also noted there were outstanding evidence documents which included:

- Greater Exeter Transport Study which was continuing to progress and would be ready for the second phase of the Consultation.
- Infrastructure Delivery Plan which would be brought to Committee post Consultation.
- Water Cycle Study.

The Assistant Director – Planning Strategy and Development Management referred to the public speakers and in response to the concerns raised about site allocation Exmo_20 and the access onto the B3179 he advised following further discussions with Devon County Council Highways additional wording had been added in order to provide clarity of these issues and to highlight that mitigation was required. However, the primary access was always to be from the B3179 and Members were made aware of this when deciding to allocate the site.

Members were advised that anyone wishing to comment about the emerging Local Plan can do so by using the engagement platform 'Commonplace' which will be available on the website from week commencing Monday, 10 February 2025. In addition, Members were advised that all Town and Parish Councils have been invited to attend a webinar Thursday evening to answer any questions about the consultation and to give help and support during their neighbourhood planning process.

Comments, questions and debate included:

- A big thank you was expressed to the Chair, Vice Chair, Officers and Committee Members for the amount of time, effort, speed and professionalism shown in order to get this the Regulation 19 Consultation stage.
- A concern was raised about how the public would be aware of the Local Plan Consultation if they don't follow social media. The Chair advised that along with social media the Council would be writing to all the town and parish councils, press releases would be issued and it would be included in residents' newsletters in order to engage with a lot of people.

- A member of the Committee did not support going out to Consultation without having sight of all the evidence-based documents. It was questioned whether the Consultation would be legally sound without these documents and for all documents to be published at the same time. The Assistant Director – Planning Strategy and Development Management acknowledged that not all the final versions of the evidence documents had been seen and reassured Members that these documents did not contain any surprises and if Members wished they could be brought to Committee on 4 March but highlighted this could lead to time constraints with the March deadline.
- Unhappy to see that a West End line had been drawn in the Local Plan. It was agreed that this should be removed.
- Clarification was sought on the limited timetable if the Consultation was delayed. The Assistant Director – Planning Strategy and Development Management explained that the first phase of the Consultation and the second phase would need to run straight after each other which would not be ideal as the Council could come under criticism for running the second phase into the summer period and holidays.
- Support was expressed to keep to the original timescales and to publish the first phase of the Consultation on 10 February.
- Disappointment expressed for the words 'moving towards net zero carbon' on page 429. It should read we want net zero carbon development.
- Support expressed for the tabled detailed on page 431.
- Page 429 (C) 'temperature discomfort' – this is confusing. Does it mean global warming?
- Disappointment expressed for (A) on page 429 – to meet energy efficiency requirements set out in the building regulation Future Homes Standard (HSS) 2025. In response the Chair referred to some Press reports about Future Homes Standard and expressed the need for the Council to look at opportunities to improve on this policy. In response the Assistant Director – Planning Strategy and Development Management explained that following a Written Ministerial Statement local authorities could not adopt standards higher than the Future Homes Standard but reassured Members other conditions had been put in place such as future proofing for the fitting of solar panels to make it easier for people to fit solar panels.
- Clarification sought on the gypsy and traveller sites east of the M5. It was advised there were five fixed sites and up to 10 sites to be located at the New Community.
- Clarification sought on the provision for wind power. The Assistant Director – Planning Strategy and Development Management advised that due to the district's topography and wind speeds there was limited need for a policy but advised that suitable wording could be added into Policy CC03 about the need for small scale wind farms.

The recommendations were proposed by Councillor Bethany Collins and seconded by Councillor Yehudi Levine.

10 Committee Members voted in support, Councillor Jess Bailey voted against, and Councillor Helen Parr abstained from the vote.

RESOLVED:

1. That the publication draft of the Local Plan as appended to this report be approved with delegated authority for the Assistant Director – Planning Strategy and Development Management, in consultation with the Chair, to make final minor

adjustments to tidy up and refine local plan text wording to ensure consistency of approach through the plan, align formatting and correct typographical errors.

2. That Strategic Planning Committee agreed to consult on the Regulation 19 version of the Local Plan as appended (subject to amendments agreed under recommendation 1 to run for six weeks, to commence in the week starting 10 February 2025.

257 **Exeter Local Plan - Regulation 19 Consultation - proposed response from East Devon District Council**

The Committee considered the report that summarised the information detailed in Exeter's Local Plan Regulation 19 Consultation and East Devon District Council's proposed response objecting to the Plan in respect of failing to provide sufficient and appropriate levels of employment land as identified in the Greater Exeter Economic Development Needs Assessment (EDNA) and how the Plan seeks to address delivery of infrastructure to serve sites north of Topsham.

Comments from Members included:

- What are the consequences for this Council – does this put more pressure on this Council to provide more employment land in our draft Local Plan? In response the Assistant Director – Planning Strategy and Development Management reassured Members that East Devon's Local Plan had identified a higher provision of employment land through the New Community but emphasised that there was added pressure to meet Exeter's employment needs which could take up valuable land in the district which might be needed in the future for housing or employment.
- Reference to Policy TI1 and clarification sought about an allocation of land alongside this site. In response the Assistant Director – Planning Strategy and Development Management reassured Members that these points would be addressed at its examination.

RESOLVED:

Whilst welcoming the Exeter Local Plan and noting the general high quality of content, Strategic Planning Committee raise objections, as set out in this committee report, to fail to make available sufficient land for employment provision and secure delivery of the proposed Topsham Infrastructure Delivery Framework.

258 **Self-build and custom housebuilding update and monitoring report 2023-2024**

The Committee considered the Assistant Director – Planning Strategy and Development Management's report that set out the legal and national policy changes with regards to the custom and self-build plots (CSB) that came into effect at the end of 2023/start of 2024. The report also outlined the latest monitoring report that showed the Council was meeting its minimum legal requirement seeing 15 plots from October 2023 to October 2024 monitoring period.

RESOLVED:

1. That the draft monitoring report for use in planning decisions (both planning policy and development management) and agree its publication on the Council's website be endorsed.
2. That it be noted that during the latest monitoring period (31/10/23 to 30/10/24) 11 individuals were added to the self-build register (8 to part 1 and 3 to part 2)

generating a need to permission 8 plots suitable for self-build between 31/10/24 and 30/10/27.

3. That the demand for self-build plots indicated on the register be noted and taken into account in our planning, housing, regeneration and estate functions.

259 **New Planning Policy - Local Development Scheme**

The Committee considered the report that set out a programme and timetable for production of future planning policy documents. Members noted the main change from the previous version is that the first stage Regulation 19 Consultation would now start in February 2025 rather than January 2025.

RECOMMENDATION TO COUNCIL:

That Strategic Planning Committee recommend that the proposed new Local Development Scheme, as appended to this report as Appendix 1, should be endorsed and should take effect immediately following approval.

Attendance List

Councillors present:

B Bailey
J Bailey
K Blakey
B Collins
O Davey
P Fernley
P Hayward
M Howe (Vice-Chair)
G Jung
Y Levine
T Olive (Chair)
H Parr

Councillors also present (for some or all the meeting)

A Bailey
I Barlow
R Collins
P Faithfull
M Martin

Officers in attendance:

Ed Freeman, Assistant Director Planning Strategy and Development Management
Damian Hunter, Planning Solicitor
Wendy Harris, Democratic Services Officer
Debbie Meakin, Democratic Services Officer

Councillor apologies:

C Brown
B Ingham

Chairman

Date: