

Date of Meeting 19 May 2025

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

East Devon Local Plan – Timetable production update

Report summary:

The East Devon Local Plan was subject to consultation, that concluded on 31 March 2025, under Regulation 19 of the plan making regulations. Though it was previously agreed that there would be a second round of Regulation 19 consultation to address detailed matters in respect of new community policy and its development. It was also acknowledged that this second round may provide scope to address concerns that have arisen in representations at the first stage of Regulation 19 consultation.

The intent was that the second round of consultation would start in May 2025. This, however, is not now a realistic proposition as we await technical outputs and evidence to support the new community and other work areas are to be completed, specifically including the Water Cycle Study. The conclusion drawn, therefore, is that a delay in consultation starting would be appropriate (to later in the year). This delay will also allow time to fully consider representations received from the past consultation and offer scope to make plan changes to address these before submission for Examination.

Subject to committee endorsement to a delay in the next stage of consultation starting a revised plan making timetable and new Local Development Scheme will be produced and this will come to a subsequent meeting of the committee (the next scheduled one being the 8 July 2025).

Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

Recommendation:

That Strategic Planning Committee endorse the proposed review of the local plan making timetable with a new revised timetable for plan making to come to a future committee meeting and to include a second Reg 19 consultation in the Autumn to include the masterplan and further work on the New Community but also additional evidence and changes to the Local Plan itself.

Reason for recommendation:

To reflect the matter that new community work is ongoing and also there is a desirability to seek to address concerns raised in objections at the last stage of plan making.

Officer: Ed Freeman – Assistant Director Planning Strategy and Development Manager

Portfolio(s) (check which apply):

☐ Climate Action and Emergency Response

- ☒ Coast, Country and Environment
- ☒ Council and Corporate Co-ordination
- ☐ Communications and Democracy
- ☐ Economy
- ☐ Finance and Assets
- ☒ Strategic Planning
- ☐ Sustainable Homes and Communities
- ☐ Culture, Leisure, Sport and Tourism

Equalities impact

Low

Climate change Low Impact

Risk: No specific risk impacts are identified.

Links to background information Links are contained in the body of the report.

Link to [Council Plan](#)

Priorities (check which apply)

- ☒ A supported and engaged community
 - ☒ Carbon neutrality and ecological recovery
 - ☐ Resilient economy that supports local business
 - ☐ Financially secure and improving quality of services
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1 The previous consultation

- 1.1 The previous local plan consultation, under Regulation 19 stage of plan making, concluded on 31 March 2025. Full assessment has not yet been completed but we can report that we received comments from around 1,200 individuals and organisations. Most people commenting on the plan did so through the on-line portal, the Commonplace platform, but a substantial number chose to not use this system and to make comment through submission of emails (many with attachments) or letters.
- 1.2 Where non-portal submissions were made officers are adding these to the consultation software. This is though a time consuming process. Amongst the challenges are that many people making comment on the plan have, by intended design or by default, commented on a number of different policies, land allocations for development or other parts of the plan. To meaningfully analyse and assess comments the non-portal submissions need to be broken down into the relevant or constituent parts of the plan that they relate to and then comments made need to be specifically logged against these. It is also the case that some comments made online may address matters featuring in differing parts of the plan but they were made under a single submission only.
- 1.3 Notwithstanding the complexity of the handling comments task we estimate that there were 3,400 separate comments logged on the differing parts of the plan in total.

2 Comments on the local plan from statutory agencies

- 2.1 As well as receiving comments from the public and the development industry (as well as interest groups and others) we would wish to highlight that a number of bodies with statutory powers (including some we are legally required to consult) and other public organisations with specific responsibilities also commented on the plan. Some of these (and some of the comments made) are specifically relevant to legally defined Duty to Cooperate functions.
- 2.2 Some of these statutory bodies raise significant concerns and objections to the plan. In some cases these could be overcome with plan changes, mostly these would not be substantial in respect to actual wording changes. But such changes could overcome concerns highlighted and reduce the number of minor modifications to be considered at examination. There are other cases where respondents are seeking further evidence to justify policy wording (or potentially to form a basis to inform plan changes). We would also highlight that there have been some concerns raised about specific sites that are allocated for development in the plan, as a whole or in relation to certain aspects. We are currently working through these comments and will bring a feedback report in due course so that these can be considered by Members alongside recommendations for what changes, if any, should be made to the plan. .
- 2.3 It is stressed that the Council is not obliged to agree with comments made and may take a different view on matters from those making the comment. But especially where made from a technical process perspective, as opposed to a more planning judgement perspective, it would be prudent to consider matters carefully and review whether plan changes would be desirable and/or further assessment work is carried out which in some cases it is indicated is needed/desirable.
- 2.4 In doing a further Regulation 19 plan consultation we would bring a suggested set of potential changes to committee.

3 Evidence

- 3.1 In the regulation 19 consultation we noted that a number of evidence documents were to follow and it is the lack of these documents that has generated a lot of the objections. Although in most cases on-going discussions with statutory consultees mean that they are aware of the position with these documents; they have seen fit to object to the plan in their absence.
- 3.2 The Environment Agency are concerned about the lack of a published Water Cycle Study despite this not being a requirement. This work has unfortunately been held up for over 6 months by South West Water wanting to submit further data to inform the study. At the time of writing that data has recently been received and we are awaiting a briefing paper from our consultants on the implications of that data on the work and how it is to be concluded.
- 3.3 The Environment Agency also note a small number of site allocations that have not to date been tested through the Strategic Flood Risk Assessment level 2 as they were late additions to the plan. The consultants who undertook this work are being asked to now consider the additional sites.

- 3.4 Natural England note that further work is needed with regard to habitats mitigation issues, in particular air quality impacts on the Pebblebed Heaths. Consultants have been appointed to consider these issues and produce a mitigation strategy.
- 3.5 These gaps in the evidence were known at the time the first Regulation 19 consultation was agreed. The production of evidence in support of a Local Plan is always an on-going process right through to the run up to the examination and so this was not seen as critical to the soundness of the plan overall. Members will recall that it was also necessary to launch the Regulation 19 consultation prior to the 12 March 2025 to progress under the transitional arrangements in the new NPPF.
- 3.6 We will not have all of the gaps in the evidence addressed in time for a late Spring second Regulation 19 consultation.

4 New Community – planning policy work

- 4.1 There has been considerable work undertaken, and still ongoing, in support of the new community proposals. Some of this is directly related to local plan policy work and content though a great deal is also geared around delivery vehicles and the means to ensure implementation occurs in the best way and ensures social and community facilities and mixed-use development, of the highest standard, designed to meet future resident's needs is secured and does so in a timely manner.
- 4.2 The overall work has proven complex and has also linked through and into the Government new town programme and bids for inclusion into this. A consequence has been that there are still some aspects to the technical work that need to be completed before the local plan can be finalised, these specifically include transport modelling and assessment work. But also, it would be desirable to understand more about preferred agreed delivery model the council wishes to pursue and the new town programme bid before advancing with the local plan. It is anticipated that announcements will be made regarding the New Towns Programme in the summer. A report is also being prepared for Cabinet in July to consider potential delivery vehicle options for the new town with a need for decisions on this key issue to be reflected in the Local Plan and consultation materials. A delay in consultation is, therefore, desirable, from a local plan perspective.

5 The new suggested timetable and format for consultation

- 5.1 As a tentative initial suggestion, we would suggest that consultation on a revised Regulation 19 plan should be after the completion of the summer holidays (noting a preference to not consult in the holiday period). This would still allow the plan to be submitted within 18 months of publication of the new NPPF in accordance with the transitional arrangements set out within the framework.
- 5.2 Bringing final papers to committee in September with consultation starting in October 2025 would appear a workable and logical timeframe. Working on this basis we would draw up a detailed plan of work to meet deadlines. Amongst other matters this will include a revised local Development Scheme setting out key milestones. A review of deadlines would push

back the plan submission dates but by hopefully ironing out objections at this stage of plan making, rather than at and through Examination, we would hope that the Examination itself would proceed in a more timely manner.

- 5.3 It is likely that the second Reg 19 consultation will need to take the form of not just the envisaged consultation on the new community masterplan and associated evidence but also some further evidence to support the wider plan and some amendments to the plan consulted on at the initial Reg 19 consultation stage. We would plan to do a tracked changes version of the plan, specifically seeking consultation comment on those changes (rather than revisiting original plan content in full for comment on everything). We would envisage making it clear that the inspector would receive all comments made at the first round of Regulation 19 comment so there is not the need to revisit and repeat past comments made.

Financial implications:

There are no direct financial implications identified within the report. (AB/02/05/2025)

Legal implications:

There are no direct legal implications identified within the report (002533/06 May 2025/DH)