

Report to: Strategic Planning Committee



Date of Meeting 2nd September 2025

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Newton Poppleford Settlement Boundary

Report summary:

This report follows a resolution at Council on the 16th July 2025 where it was resolved that Strategic Planning Committee be asked to reconsider the proposed settlement boundary for Newton Poppleford based on concerns raised by Cllr Burhop in his capacity as ward member. The boundary was amended from that recommended by officers at the committee meeting of the 22nd November 2024. It is understood that Cllr Burhop would like to see the boundary revert to that recommended by officers at that meeting.

Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

Recommendation:

That the committee reconsider the proposed settlement boundary for the settlement of Newton Poppleford to be included in the Local Plan and revise the boundary to that previously recommended by officers as shown on the map at Appendix 1 as a thick black line.

Reason for recommendation:

To fulfil the requirements of the Council motion of the 16th July 2025.

Officer: Ed freeman – Assistant Director- Planning Strategy and Development Management

Portfolio(s) (check which apply):

- ☐ Assets and Economy
- ☐ Communications and Democracy
- ☐ Council, Corporate and External Engagement
- ☐ Culture, Leisure, Sport and Tourism
- ☐ Environment - Nature and Climate
- ☐ Environment - Operational
- ☐ Finance
- ☒ Place, Infrastructure and Strategic Planning
- ☐ Sustainable Homes and Communities

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk;

Links to background information Included within 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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Report in full

At the meeting of Strategic Planning Committee on the 22nd November 2024 Members considered the settlement boundaries to be included in the Reg 19 version of the Local Plan. With regard to Newton Poppleford there was some debate over the extent of the settlement boundary with Members resolving “that the Settlement Boundary be drawn as including Stage 2 plus area adjacent to Exmouth Road, with the exact boundary to be drawn by officers for delegated approval by the Assistant Director and the Chair of Strategic Planning Committee”.

At the subsequent meeting of the committee on the 11th December 2024 a revised settlement boundary for Newton Poppleford was presented alongside the draft Regulation 19 version of the Local Plan. This plan can be found at Appendix 2 to this report.

The minutes of the 11th December 2024 meeting document the discussion on this matter as follows:

“Councillor Chris Burhop, Ward Member for Newton Poppleford & Harpford reminded Committee of the Strategic Planning Committee meeting on 22 November 2024 where the Newton Poppleford settlement boundary was considered and Committee had resolved to delegate authority to the Assistant Director – Planning Strategy and Development Management and the Chair of Strategic Planning to incorporate more of the western side. Councillor Burhop explained that the village centre and village facilities were all on the eastern side of the village and by incorporating land on the western side he explained that this would not be accessible to the centre of the village as it did not have any safe footpaths. He addressed the possibility of a footpath being created for the proposed allocations Newt_04 and Newt_05 did not have a footpath but emphasised this may or may not happen. Although he concurred with officers’ recommendations for the two site allocations, he raised concerns that for any reason these two developments did not go ahead these development sites on this side of the village would be inaccessible and therefore asked Committee to repropose the original submission to go forward into the Regulation 19 consultation.

During discussions some Members concurred that unless the footpath was installed the western side of the village would be unsafe and there was nothing to confirm at this stage that the footpath would happen. It was suggested that a condition could be imposed to ensure that no development could take place until there was a suitable footpath.

Following legal advice from the Planning Solicitor the Chair explained that the Constitution on page 118, Part 4, paragraph 13.1 states that ‘A motion or amendment to rescind a previous decision made at a meeting of the council within the past six months cannot be moved unless the notice of motion is signed by at least 15 Members’.

During discussion it was then questioned whether Part 4, paragraph 13.1 of the Constitution related to Full Council decisions, rather than Strategic Planning Committee. The Planning Solicitor advised that the Rules of Procedure apply to all meetings of Committees as set out at the beginning of Part 4 of the Constitution on page 109 which states that 'Rules 4 to 26 (except where clearly inappropriate – for example Standing Order 18.1) shall apply to meetings of Committees. The word 'Committee' includes Cabinet, the Overview and Scrutiny Committees and all the bodies referred to in Article 8 of this Constitution' which includes Strategic Planning Committee.

The Planning Solicitor also advised in relation to Article 15 of the Constitution that a motion to suspend the Rules of Procedure could not be moved without notice unless at least one half of the whole number of Councillors entitled to attend the Committee were in attendance. As more than half of Committee were present, the Planning Solicitor advised that it would be possible to suspend the Constitution but questioned whether such a suspension would be proportionate taking account of the purposes of the Constitution set out in Article 1.

Having considered the legal advice Councillor Jess Bailey proposed to suspend the constitution, seconded by Councillor Dan Ledger and proposed a motion to rescind the previous resolution and to include the original boundary as proposed by officers to not include Newt_04 and Newt_05 due to road safety issues.

A vote took place and the proposal was not approved by the Committee.”

As a result, the boundary included in the agenda for Strategic Planning Committee on the 11th December and appended as Appendix 2 to this report was included in the first Reg 19 consultation version of the plan.

This matter was then raised at Council on the 16th July 2025 when Councillor Burhop put forward the following motion:

“At the Strategic Planning Committee (SPC) meeting of 22nd November 2024 when settlement boundaries were discussed, the SPC minutes record the following in relation to Newton Poppleford’s proposed settlement boundary;

“Newton Poppleford – raising the issue of consistency, concern was raised on the proposed Settlement Boundary in that the area described as excluded in stage 2 on the map should be included. Road safety concerns were also raised. A proposal to support the report recommendation failed. Therefore, a proposal to have the settlement boundary as the area shown as Stage 2 with the inclusion of area adjacent to Exmouth Road was supported.”

Recommendation (f) of that minute went on to state “Newton Poppleford – that the Settlement Boundary be drawn as including Stage 2 plus area adjacent to Exmouth Road, with the exact boundary to be drawn by officers for delegated approval by the Assistant Director and the Chair of Strategic Planning Committee.”

Whilst the thought process given at the time of expanding the settlement boundary to “make the settlement boundary more even over the geographical area of the village” was on the face of it

understandable, the discussion, which excluded the District Councillor for the village, ignored the fact that all of the village's amenities are located to the Eastern end of the village, which is why historically the settlement boundary was set to expand only to include the two proposed development sites Newt 04 and Newt 05 to the East of Exmouth Road, per officers' recommendation.

The revised boundary, attached as a file to this motion, was presented at the subsequent SPC on 11th December at which I spoke in respect of the errors in the thoughts about expanding the settlement boundary to the West of Exmouth Road, namely that the lack of footpath provision makes expansion on the Western side of Exmouth Road inaccessible. This debate is covered in pages 6 & 7 of the minutes (minute 249). They record that "During discussions some members concurred that unless the footpath was installed the western side of the village would be unsafe and there was nothing to confirm at this stage that the footpath would happen. It was suggested that a condition could be imposed to ensure that no development could take place until there was a suitable footpath".

However legal advice obtained at that meeting confirmed that no decision taken by a committee of the council could be moved within 6 months of the original decision unless the motion to amend is signed by 15 or more councillors. In other words errors identified in any council condition need 25% of the council to sign up to an amendment at full council in order to be corrected. I resolved to draw up such a motion to propose a correction.

Subsequent to the meeting I was told by the Chair of the SPC that, as the plans had now been submitted for Regulation 19 consultation, then again they could not be amended until the consultation ended. I have requested that the proposed amendment be included in the agenda of the Strategic Planning Committee of 8th July however the published agenda did not include this proposal.

I therefore submit the following motion to full council:

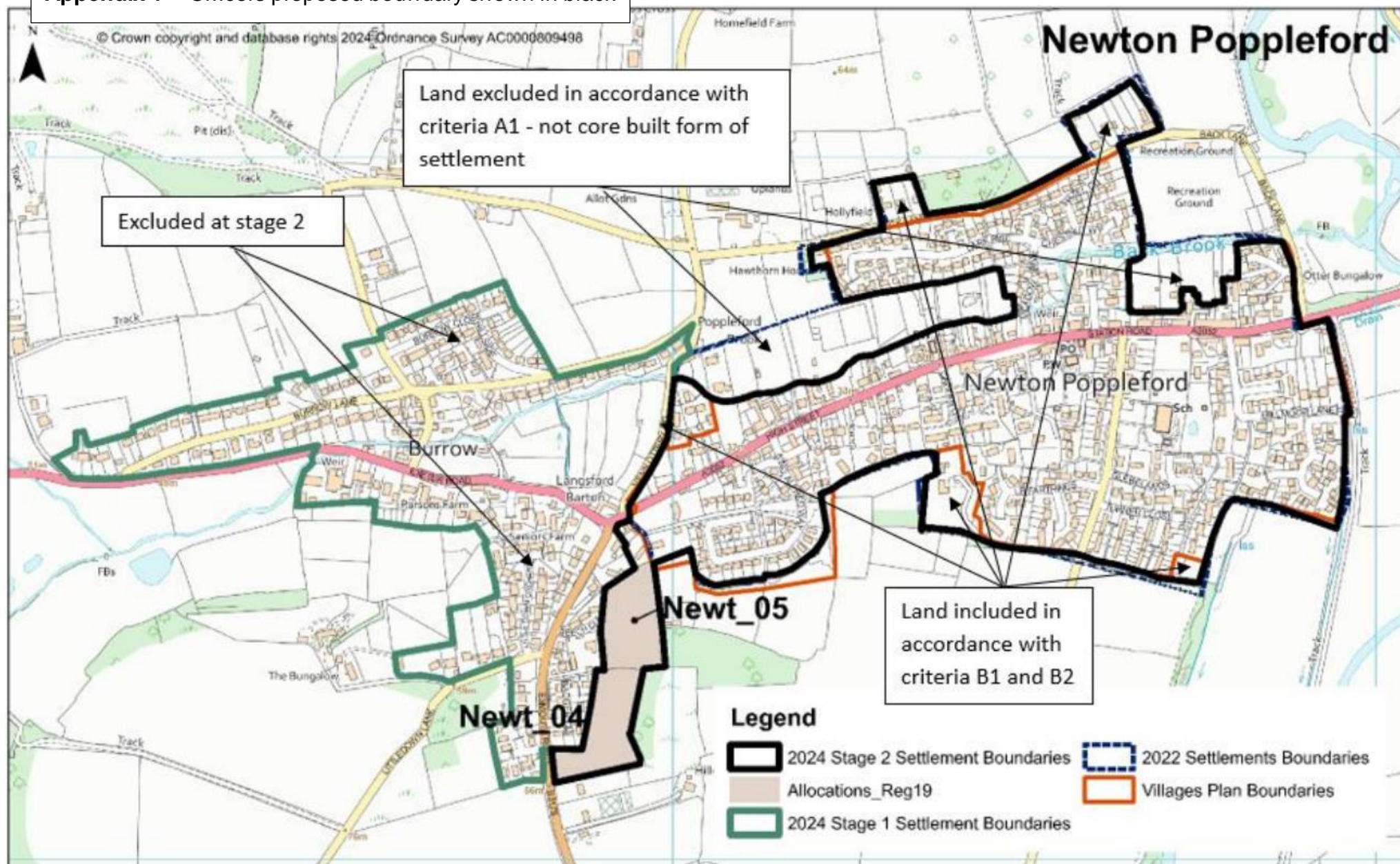
Motion

The settlement boundary for Newton Poppleford submitted in the Regulation 19 Consultation in the Draft Local Plan contained a material error and should now be amended per the proposed map, being officers' original recommendation."

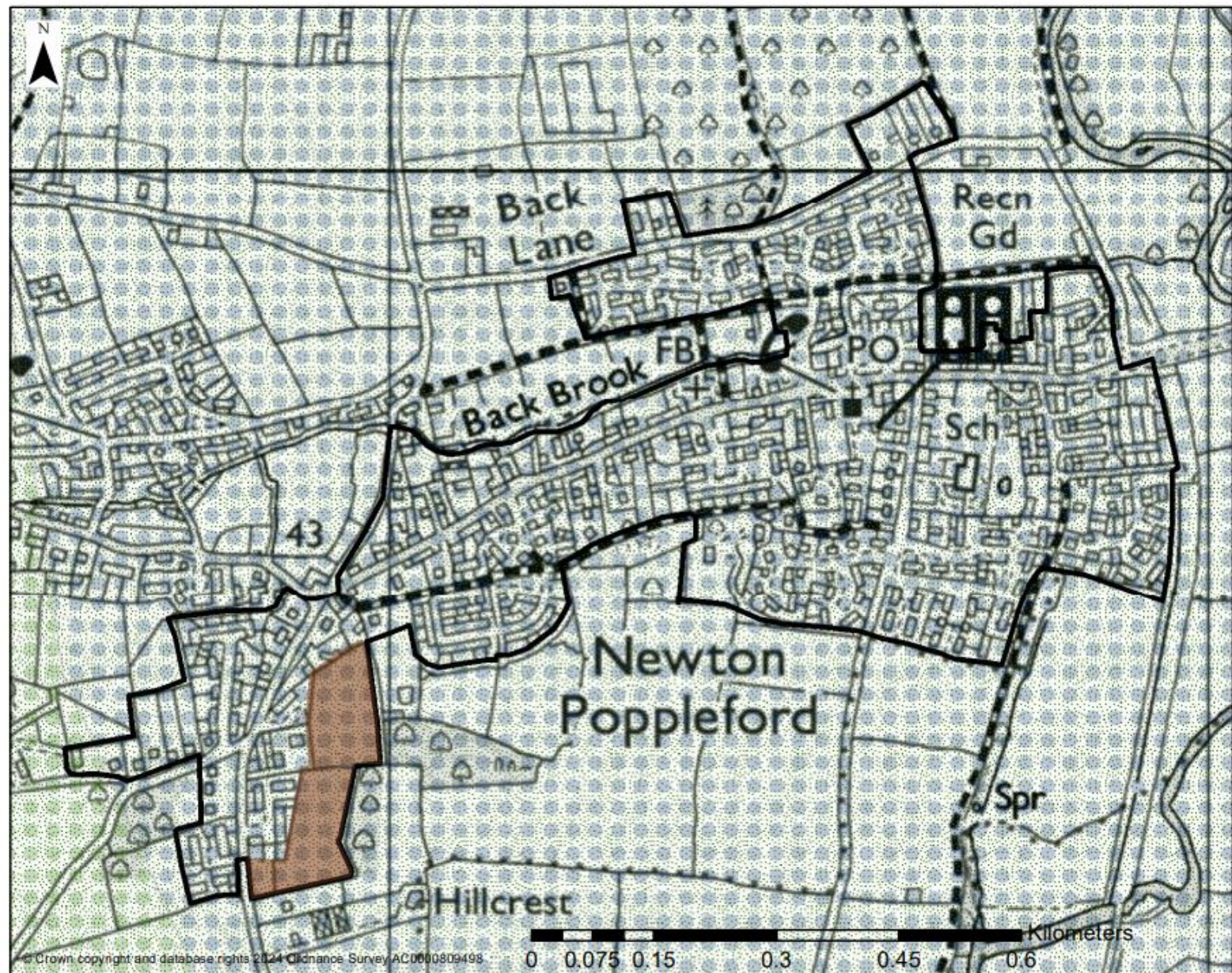
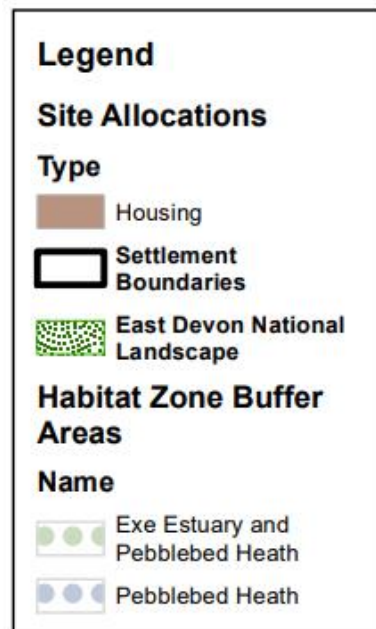
At the Council meeting a revised motion was carried such that the matter be reconsidered by Strategic Planning Committee. This report seeks Members reconsideration of this matter. The main options available to the committee are:

- Revise the boundary to that previously recommended by officers and support by Councillor Burhop as shown on the map at Appendix 1 as a thick black line;
- Retain the settlement boundary as agreed previously by Strategic Planning Committee as shown in Appendix 2.

Appendix 1 – Officers proposed boundary shown in black



Appendix 2 –
Boundary as
previously agreed
by Strategic
Planning
Committee



East Devon Local Plan 2020-2042 (Reg. 19 Consultation)
NEWTON POPPLEFORD

Financial implications:

There are no direct financial implications identified within the report. (AB/19/08/2025)

Legal implications:

The legal implications are covered in this report (002533/20 August 2025/DH)