

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of the meeting of Strategic Planning Committee held at Council Chamber, Blackdown House, Honiton on 3 March 2026**

#### **Attendance list at end of document**

The meeting started at 10.01 am and ended at 2.10 pm. The meeting was adjourned at 12.45 pm and reconvened at 1.20 pm.

#### **45 Minutes of the previous meeting**

The minutes of the previous meeting held on 6 January 2026 were confirmed as a true record.

#### **46 Declarations of interest**

Minute 50. Update on work on production of the East Devon Local Plan. Councillors Brian Bailey, Paula Fernley, Geoff Jung advised lobbying in respect of Exmo\_20

Minute 51. East Devon Water Cycle Study  
Councillors Geoff Jung advised lobbying in respect the River Otter and sewage.

Minute 52. Cranbrook Category 4 Infrastructure Contributions.  
Councillor Jessica Bailey, Other Registerable Interest, Devon County Councillor and a member of Devon & Somerset Fire and Rescue Authority.

Minute 53. Habitat Regulation Non-Infrastructure Contributions.  
Councillor Geoff Jung, Affects and prejudicial Non-registerable Interest, Chair of South and East Devon Habitat Regulations Executive Committee.

#### **47 Public speaking**

Nigel Humphrey addressed the Committee regarding the draft Local Plan. He reminded Members that he had spoken at the meeting in January, asking them to consider the public's concerns about Exmo\_20, which had received over 2,500 objections. He expressed disappointment that these concerns appeared to be disregarded, noting that any alteration to the Local Plan at this stage would be treated as a significant change and therefore not permitted – yet he questioned, there is no clear definition of what constitutes a significant change.

Mr Humphrey also highlighted the absence of a Habitat Regulations Assessment and an air quality mitigation report raising doubts about whether such reports could adequately address the issues associated with Exmo\_20 and the Pebblebed Heaths. He further questioned the realism of the spatial strategy, asking why Exmouth was expected to accommodate the highest level of growth when the area has only two access routes, both already operating beyond capacity.

Mr Humphrey urged the Committee to give serious reconsideration to Exmo\_20 before it's too late.

Thomas Shillitoe addressed the Committee regarding the draft Local Plan stating that in his view it represented a missed opportunity to resolve significant shortcomings and was therefore unadoptable, being both unsound and unlawful. He alleged that the LPA falsely claimed that Exmo\_20 passed HELAA and that the Site Selection Methodology has been retrospectively fabricated as new evidence, so believes the plan to be significantly reliant on this fraudulent evidence document and therefore formally alleged maladministration.

He stated that over a year ago there had been no supporting Habitat Regulations Assessment and no mitigation strategy in place and that despite this the Committee were advised that officers were satisfied impacts can be mitigated, a conclusion which Mr Shillitoe argued was unsupported by evidence. He added that as recently as November, qualified professionals working on this matter were still indicating that there may be no option capable of fully mitigating the impacts.

Mr Shillitoe also highlighted additional constraints affecting Exmo\_20 that had emerged since the site was selected, most recently the discovery of prehistoric archaeology. He reminded the Committee that, in light of these developments, they had a duty to revisit the site's viability.

John Hamill addressed the Committee regarding the draft Local Plan. He noted that over 18 months, Members had been presented with detailed accounts of procedure breaches, yet Exmo\_20 remains within the Plan, despite many Members acknowledging – often 'with a heavy heart' – that it should not be included.

In his view the Council was relying on government housing numbers and requirements as justification, and he suggested that removing the site at this stage was being portrayed as jeopardising the entire Local Plan. He argued that Members had lost sight of the needs and the wishes of the local community and of the significant harm Exmo\_20 could cause to the natural and historic environment, the already fragile water and sewage systems and the local road network.

Kerin Hamill addressed the Committee regarding the Local Plan and drew attention to the definition of the word 'consultation' noting that the Oxford dictionary describes it as a process undertaken before a decision is finalised, with the purpose of gathering opinions and advice. She expressed concern that despite the large number of comments submitted for Exmo\_20, the Council had not taken them into account, which in her view suggested a degree of arrogance, lack of care and a failure to respect the area's natural landscape.

Mrs Hamill compared Exmo\_20 to a housing allocation in Dunkeswell that had not been supported for development on the grounds that it lay within a National Landscape, was poorly located and would erode, detract from and harm the setting of the Conservation Area. She highlighted what she perceived as inconsistency between the decision and the approach taken toward Exmo\_20.

She also questioned the need for further housing in the area, noting that many new properties remain empty and others have been unoccupied for years. Mrs Hamill urged Members to show courage in protecting the district's heritage and countryside.

A statement was read out on behalf of Emily Glanfield who contended that the housing figures within the Local Plan were incorrect, inconsistent and based on outdated data. She noted that several supporting documents contained mathematical errors and did not reflect the correct calculation, which she believed to be 924.7 homes per year.

Ms Glanfield explained that pandemic-era housing trends had distorted East Devon's figures, resulting in a number 22% higher than the 2024 figure. She added that if the 2025 data was similar to 2024, the five-year average would fall, meaning current targets were significantly overestimated. She also questioned the increasing headroom figures that East Devon had stated was a requirement from central government. The headroom was originally set at 10%, increased to 13% and expected to shortly rise to 16%. Ms Glanfield argued that headroom should remain at 10% for the first five years.

The statement warned that the Local Plan would commit the district to building on far more land than necessary, raising concerns about food security. She proposed instead 925 homes per year plus 10% for five years, reducing the total requirement from 23,408 to 20,805. Finally, Ms Glanfield encouraged councillors to use existing mechanisms to lower housing targets so that future decision-makers were not constrained.

In response to the statement from Emily Glanfield the Assistant Director – Planning Strategy and Development Services explained the recent change to the standard method for calculating housing need. He noted that this issue had been covered in a report presented at the meeting on 2 September 2025. The report made clear that the calculation changes every year because it is based on the affordability ratio. As a result, the standard method figure had recently gone down, but no alterations were proposed because the figure could rise or fall again in the future.

He also reminded Members about the 80% transition arrangements, stressing that keeping a reasonable level of headroom in the housing numbers would be important if the Council wished to defend its position.

The Chair responded to the allegations made against the Council, by explaining that, should residents believe they have grounds to claim maladministration, they must follow the formal complaints procedure. Through that process, he and the officers would address matters based on evidence, rather than accusations made in the court of public opinion. He also added that, they have the option of pursuing a judicial review if they feel it is necessary.

48 **Matters of urgency**

There were no matters of urgency to discuss.

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

There were no confidential or exempt items to discuss.

50 **Update on work on production of the East Devon Local Plan**

The Committee received a report providing an update on the preparation of the East Devon Local Plan, following the close of the second stage of Regulation 19 consultation on 26 January 2026. Members were advised that approximately 3,200 separate comments had been submitted which included points that had been previously raised and including a significant number of objections to specific site allocations - particularly Exmo\_20, which received 1,500 responses. It was noted that a detailed feedback report summarising the consultation responses would be presented at the next meeting.

The Assistant Director – Planning Strategy and Development Services outlined further technical work that still needed to be completed, including:

- West End focussed transport assessment to consider growth impacts around Marlcombe, the M5 and the A30,
- An assessment of Air quality impacts at the Pebblebed Heaths, required to ensure a satisfactory Habitat Regulations Assessment prior to the submission of the Local Plan. This work is being undertaken by independent consultants Ricardo.

The current timetable for preparing the Local Plan is as follows:

- Submission: Spring 2026
- Strategic Planning Committee: May 2026
- Full Council: Early June 2026
- Examination, including Inspector's Hearings: June 2026

The questions raised included:

- Confirmation was requested about whether there remains a requirement to demonstrate a five-year housing land supply and how confident officers are that this can be achieved. The Committee noted that the requirement remains in place and were advised that the latest monitoring report showed the Council currently has a 3.5 year housing supply. Officers confirmed that this will continue to be monitored and that the five-year figure is expected to be demonstrated at the point of adoption.
- Whether additional time will be provided to resolve any outstanding issues with the Plan. It was confirmed that further time could be allowed during the examination period if additional work on the Local Plan was required. It would depend on how the Plan was viewed by the Inspectors and what recommendations they made.
- Further information was sought on how air quality impacts could be addressed on the Pebblebed Heaths. While no definitive mitigation strategy is in place at present, it was advised that the independent consultants Ricardo have identified potential measures, including encouraging the uptake of electric vehicles and exploring changes to farming practices, such as introducing covered digestate storage facilities.
- Clarification was sought about the length of time for the technical work to be completed. The Assistant Director – Planning Strategy and Development Services confirmed that all technical reports must be completed by 12 June 2026 to submit for examination.
- The Chair asked for clarification on what steps could be taken if evidence indicates that the Council does not have a satisfactory mitigation strategy. The Assistant Director – Planning Strategy and Development Services explained that achieving a satisfactory outcome to the Habitat Regulations Assessment is a legal requirement. If this cannot be achieved within the current timeframe, the Council will need to revise the schedule to allow sufficient time to reach compliance. At present, the Council is awaiting the findings from Ricardo, the independent environment consultancy.
- A question was raised about the use of AI and how will the accuracy of AI-generated summaries of residents' input be verified. It was confirmed that AI will be used to assist in producing summaries, and the Committee was reassured that a checking process will be carried out to ensure the summaries are accurate and reflective of the responses received.
- Clarification was sought on whether the Pebblebed Heath mitigation strategy considers planting to encourage stronger vegetation growth along the roadsides to help improve the air quality. It was suggested that such planting could help

address pollution impacts at ground level and potentially improve soil nutrient conditions. Other management measures could include the uptake of electric vehicles

- Clarification was sought regarding the potential status of the Local Plan following Local Government reorganisation. If adopted, the Local Plan will remain in force by the new unitary authority until it is superseded by the next Local Plan, which is reviewed every 5 years.
- A question was asked about the extent to which the Water Cycle Study will influence the overall Local Plan and in response it was confirmed that no changes to the Plan are currently envisaged as a result of the study.
- A question was raised regarding site allocation Exmo\_20 and its relationship to the survey on housing needs in Exmouth. It was noted that Exmo\_20 does not reflect the survey findings in terms of type and quality of housing identified as needed, which emphasised affordable housing. Concerns were expressed about whether the minimum requirement for affordable housing would be delivered on this site, and why the Council is continuing to pursue Exmo\_20. The Chair reminded the Committee that it had previously agreed the affordable housing policy, which provides for 35% affordable housing, comprising 70% shared ownership and 30% social rent.

**RESOLVED:**

That the contents of the report be noted and the proposed programme of works going forward be endorsed.

51

**East Devon Water Cycle Study**

The East Devon Water Cycle Study report provided the Committee with a summary of the findings of the study and the responses received from the consultation which included the responses from statutory consultees including Natural England and the Environment Agency and how the work should be taken forward. The Committee noted that a final detailed feedback report will be provided at a later meeting.

The Assistant Director – Planning Strategy and Development Services advised that the main findings identified significant issues with wastewater capacity. Several wastewater treatment works, including those at Colyton, Honiton, Fluxton, Feniton, Otterton, Maer Lane and Dunkeswell are projected to exceed or approach their permitted dry weather flow limits post developments and will require upgrades or phased developments.

The Committee noted that particularly serious capacity issues were reported for the Maer Lane and Countess wear treatment works. Significant upgrade works are required at both sites, and a new wastewater treatment works will be needed to accommodate future pressures at Countess wear.

Key recommendations:

- Adopt the lower water efficiency standard of 110 litres/person/day for new development.
- Monitor and strictly regulate new abstractions and wastewater discharges.
- Phase development to match infrastructure upgrades and capacity increases.
- Where new developments are within the scope of the Environmental Impact Assessment (EIAs) Regulations ensure that they include assessment of their impacts on water services and protected habitats.
- Integrate biodiversity-friendly design and restrict development in sensitive coastal and riverine areas.

- Continue stakeholder collaboration (EDDC, SWW, Environment Agency, Natural England) to ensure sustainable growth and environmental protection.

The Assistant Director – Planning Strategy and Development Services referred to the RAG rating table in the report which reflected the significance of the comments received from South West Water, Environment Agency and Natural England. He drew the Committee's attention in particular to the Environment Agency's comments, which raised a number of detailed technical points and provided reassurance that although further work is required, there is no need to make any material changes to the Local Plan.

Feedback has been requested from the consultants, Haskoning, and from South West Water, with the intention of obtaining additional data and information to update and amend the study in order to address the concerns raised.

Questions and points raised included:

- Clarification was sought about why storm overflows and the EDM data did not feature within the report. In response the Assistant Director – Planning Strategy and Development Services stated that these did not feature because the study was based on dry weather flows.
- A question was asked about how the requirement for smart water butts, imposed through Planning Committee, would be enforced. It was noted that monitoring compliance on new developments would be challenging due to limited enforcement capacity, which makes it difficult to carry out checks to ensure installation.
- A question was asked about whether Grampian conditions can be appealed. It was advised that any condition can be appealed and overturned.
- A point was raised about the need to clearly identify which wastewater treatment works are operating ineffectively, as well as those requiring upgrades and the nature of those upgrades.
- A query was raised about conflicting comments from the statutory consultees and how a robust and sound Water Cycle Study can be achieved in light of the differences.
- A point was raised about the insufficient infrastructure available to support water supply for new developments, noting in particular that it is proposed for the new town, Marcombe, to receive its water supply from Wimbleball.
- It was noted that the Environment Agency intends to reduce abstraction from the Otter by 14 million litres a day and questioned whether the Water Cycle Study has been informed of the timing of this change.
- Concern was raised about the Countess wear Sewage Treatment Works, noting that it also serves Exeter and Teignbridge, both of which are accommodating new housing developments. It was highlighted that there is a need for discussions with both authorities to ensure a coordinated approach.
- Concern was raised about the implications of diverting wastewater away from the west end of East Devon, noting that the Exe Estuary is a protected area where no further deterioration of its environment is permitted and South West Water has been very reluctant to provide detailed information.
- A question was raised about how the Council can address its lack of confidence in South West Water and whether the recommendation should be strengthened to reflect this.
- A question was raised about whether the Local Plan could include a policy requiring South West Water to provide evidence on sewage capacity for every new planning application. In response the Assistant Director – Planning Strategy and Development Services confirmed that South West Water is challenged where

its findings do not align with those of the Water Cycle Study and further evidence has been requested in such cases.

- It was noted that the Water Cycle Study should feature prominently within the introductory section of the Local Plan.

In response to comments about the lack of confidence in South West Water and the need for a strengthened recommendation the Chair proposed an amendment to the second recommendation as follows:

That Members note that further work is required with the Environment Agency, Natural England, South West Water and other stakeholders, to:

- i. Agree a common understanding on the current position of East Devon's water infrastructure, particularly in relation to current areas of infrastructure capacity failures and the Environment Agency's responsibility for enforcement, to ensure appropriate environmental safeguards are put in place, and
- ii. Ensure the impacts of the Local Plan on water resources are addressed in line with development coming forward.

**RESOLVED:**

1. That the Water Cycle Study and comments received through the Regulation 19 Consultation be noted.
2. That Members note that further work is required with the Environment Agency, Natural England, South West Water and other stakeholders, to:
  - i. Agree a common understanding on the current position of East Devon's water infrastructure, particularly in relation to current areas of infrastructure capacity failures and the Environment Agency's responsibility for enforcement, to ensure appropriate environmental safeguards are put in place, and
  - ii. Ensure the impacts of the Local Plan on water resources are addressed in line with development coming forward.

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**Cranbrook Category 4 Infrastructure Contributions**

The Assistant Director – Planning Strategy and Development Services presented the report, which sought the Committee's approval for the proposed approach to bidding for, and assessing bids relating to, Category 4 infrastructure necessary for the effective functioning of the expansion areas at Cranbrook.

The assessment criteria will follow the principles of the CIL bidding process, while remaining flexible to reflect the different stages of the projects, its eligibility, its need, value for money and deliverability as outlined in paragraph 16.

It was noted that the process and criteria for Category 4 contributions had been considered and endorsed by the Cranbrook Placemaking Group, and that the recommendation to Cabinet is that the proposed mechanism for allocating Category 4 infrastructure contributions be adopted for use by the Council.

The Chair reminded Members that questions should focus solely on the process for allocating Category 4 infrastructure funds and should not extend to wider issues relating to infrastructure at Cranbrook.

Questions included:

- A query was raised about how the list of projects was determined and the extent of input provided by Cranbrook Town Council. In response it was advised that the projects were set out in the Cranbrook Plan and the town council had a role in the Placemaking Group.
- Further information was required on sustainable transport enhancement. It was advised it could include bus improvements, walking and cycling routes and improvements along London Road for the expansion areas.
- Clarification was sought on the spending process. The Assistant Director – Planning Strategy and Development Services explained the need to balance differing priorities and maintain flexibility between what can be delivered at a given time and the overall priorities.

**RESOLVED:**

The Committee recommends to the Cabinet that the ‘Mechanism for the allocation of category 4 infrastructure contributions’ included at appendix 1, together with the assessment criteria questions at paragraph 16 for use by the council in relation to category 4 infrastructure contributions received from developments in the Cranbrook Plan Area are adopted.

**RECOMMENDED TO CABINET:**

The Committee recommends to the Cabinet that the ‘Mechanism for the allocation of category 4 infrastructure contributions’ included at appendix 1, together with the assessment criteria questions at paragraph 16 for use by the council in relation to category 4 infrastructure contributions received from developments in the Cranbrook Plan Area are adopted.

53

**Habitat Regulation Non-Infrastructure Contributions**

As Councillor Geoff Jung had declared an affects and prejudicial interest for this item, he did not take part in discussions or the vote.

The Assistant Director – Planning Strategy and Development Services presented the report on the Habitat Regulation Non-Infrastructure Contributions, outlining the financial contributions required from residential developments located within 10km of the Exe Estuary and East Devon Pebblebed Heaths. The report related to the Joint Mitigation Strategy agreed between this Council, Exeter City Council and Teignbridge District Council.

Members noted that in order to deliver the joint strategy it was essential to substantially increase the proposed revised non-infrastructure habitat mitigation charges as set out in table 3 paragraph 2.7 of total contribution required from future EDDC dwellings to £790.41 for the Exe Estuary, £804.64 for the Pebblebed Heaths and £825.41 for both.

Questions raised included:

- A query was raised about the need to review these figures on a regular basis to keep up with inflation. It was confirmed these figures would be reviewed regularly, noting that the last review occurred approximately 7 years ago.
- An explanation was requested on the rationale for the slight increase for both the Exe Estuary and Pebblebed Heaths and how will it work in allocating funding. In response the Assistant Director – Planning Strategy and Development Services

advised that as the joint contribution was across both sites it would mean effectively there would be only one payment and gave an example of one SANGS officer doing the work across both sites.

- Clarification was sought on whether this contribution was in addition to site specific contributions and will it apply to all homes across the district. The Assistant Director – Planning Strategy and Development Services explained that the charges only apply to dwellings within 10km of the protected habitats and are in addition to a proportion of CIL which is used to fund the infrastructure elements of the mitigation strategy while these charges relate to the non-infrastructure elements of the strategy.

## RESOLVED

That the revised non-infrastructure habitat mitigation contributions as shown in table 3 within the report be adopted and required for all planning applications for residential development within the habitat mitigation zone received after 1 April 2026 be agreed.

## 54 **Response to Proposed Reforms to the National Planning Policy Framework and Other Changes to the Planning System December 2025**

The Assistant Director – Planning Strategy and Development Services invited Members to consider, for submission, the proposed summary responses to the questions raised in the Government’s consultation on changes to the National Planning Policy Framework (NPPF) and wider reforms to the planning system.

The Assistant Director – Planning Strategy and Development Services highlighted several key proposed changes, including:

- Structural changes to the overall document;
- Specific amendments to policies across chapters, with a clearer distinction between plan-making policies and decision-making policies, intended to improve clarity and reduce misinterpretation when determining planning applications;
- The introduction of national decision-making policies;
- Support for urban densification, including consideration of low-density plots, upward extensions and in-fill developments.
- The introduction of ‘medium sites’, defined as sites delivering 10 to 49 homes or up to 2.5 hectares;
- A stronger emphasis on a ‘predict and provide’ approach to transport planning;
- Measures to secure a more diverse mix of homes, including a mandatory minimum requirement of 10% social rent on major developments
- A national minimum standard of 45% accessible and adaptable homes for new housing;
- Support for development around railway stations with mandatory minimum density requirements.

The Assistant Director – Planning Strategy and Development Services responded to questions and points raised by Members:

- **Q43 (page 63)** – A question was raised about the weight proposed to be given to the reuse of buildings and materials, and whether demolition would be treated as a last resort. Although the Council’s draft response does not specifically reference this issue, it was acknowledged as an important factor in addressing climate change and reducing carbon footprint. It was suggested that additional wording could be included to encourage the Government to strengthen this aspect if Members wished.

- **Chapter 6, Q48 (page 68)** – A request was made to strengthen the response in challenging the target-driven approach to housing need assessment, and to suggest that need should instead be based on the Council’s own assessments. The Assistant Director Planning Strategy and Development Services acknowledged the value of local assessments but noted that, in practice, they often involve significant expenditure on consultants to determine housing need.
- **Q53 (page 70)** – A suggestion was made to challenge the five-year housing land supply requirement, on the basis that it can lead to poor decisions and speculative applications. It was proposed that an additional comment could be included to state that this is not an appropriate mechanism, should Members wish to do so.
- **Land banking** – A query was raised about whether any question within the consultation related to land banking. It was confirmed that no such question appeared to be included.
- **Green wedges** – A query was raised about whether green wedges could be referenced in the Green Belt question to help reinforce their role within planning policy. It was noted that Green Belts are a national designation and carry the highest level of planning protection. While green wedges share some similarities in purpose, they carry significantly less weight when challenged.
- **Focus on urban areas** – It was observed that many of the consultation questions were framed with an urban focus, resulting in the need for the Council’s responses to be caveated.

Members thanked officers for producing a comprehensive report that clearly reflected the views of East Devon District Council.

**RESOLVED:**

That the contents of the consultation be noted and the responses to each consultation question included in this report be agreed for submission as the Council’s response.

**Attendance List**

**Councillors present:**

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

**Councillors also present (for some or all the meeting)**

I Barlow  
R Collins

**Officers in attendance:**

Ed Freeman, Assistant Director Planning Strategy and Development Services  
Wendy Harris, Democratic Services Officer

Damian Hunter, Planning Solicitor

**Councillor apologies:**

P Hayward

B Ingham

D Ledger

Chairman .....

Date: .....