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By Email Only

Dear Ms Doward

East Devon Villages Plan – East Devon District Council Response to Inspector’s Initial Observations and Question of the 28 July 2017

I write in response to your initial observations and questions dated the 28 July 2017 in respect of the East Devon Villages Plan examination. For ease of cross-referencing I replicate the headings and paragraph number below that you use in your document.

Procedural issues

1. From review of representations it would appear that you are correct and that representation from representor 1083, Mr K Williams, is in fact the same wording as Standard letter no. 2. Therefore (including 1083) there were 10 copies of this letter rather than the 9 that we refer to (I understand that the 9 referred to came in as a single email attachment). In respect of the representation by Feniton Parish Council (representor 391) as referred to in paragraph 7.1 of VP07a, the Consultation Statement, I would advise that we wanted to ensure it was in the public domain but it was late and therefore we would not regard it as having been “duly made”. It should not be taken into consideration in Examination of the plan. I would also highlight a further late submission was made (representor 1663) that for reasons of openness, like the Feniton Parish Council letter, we have published on our web site but we would not regard as being “duly made”.
2. I would advise that the Council does not have any plans to have further discussions with representors or to prepare any Statements of Common Ground in advance of the hearing sessions.
3. I am not sure how much detail is sought in a statement outlining procedural and legal compliance and I would be happy to provide more information on request. In the first instance, however (and drawing on tabled information that appears in some inspector’s reports on plan examinations), I set out below key compliance requirements with a supporting commentary.

East Devon – an outstanding place

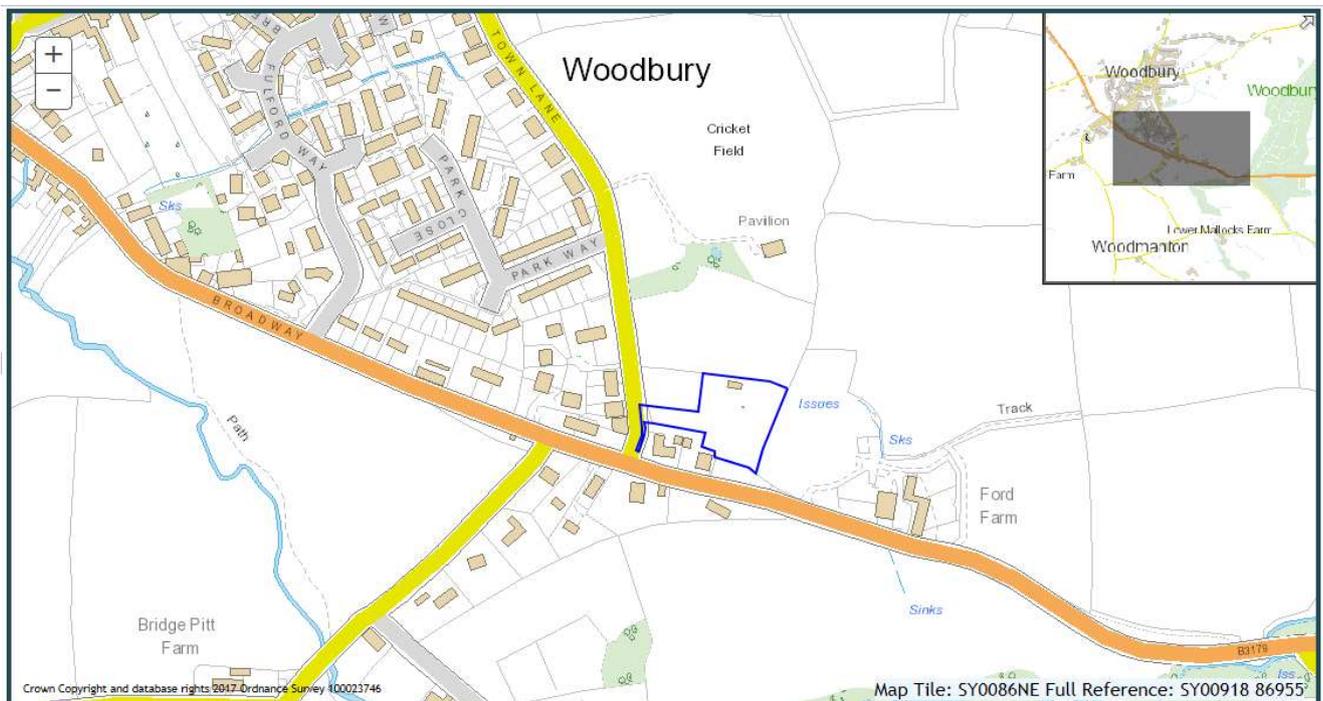
Chief Executive: Mark R Williams Deputy Chief Executive: Richard Cohen



| Requirement | Commentary |
|--|---|
| Local Development Scheme (LDS) | <p>The Council updated its LDS in July 2017 and it includes a programme for Villages Plan production. At the time of drafting the earliest potential reasonable date for hearing sessions, September 2017, was included in the LDS though it is noted that hearing sessions are now provisionally booked for November 2017. The LDS is supplied separately and it is on the Council web site at: http://eastdevon.gov.uk/media/2177845/local-development-scheme-july-2017-ver-02.pdf</p> <p>it will be given reference VP31 - East Devon Local Development Scheme (we will also add it to the Villages Plan web pages).</p> <p>The LDS sets out the relationship between the Villages Plan and the adopted local plan, in paragraph 2.1 it advises <i>“Policy documents in this LDS will be written within the context of the policy of the adopted East Devon Local Plan...”</i> and in paragraph 3.2, item a) it advises <i>“Villages Plan – this plan will be specifically concerned with development issues and boundaries in and around key villages of East Devon and town of Colyton it will also address Greendale and Hill Barton Business Parks.”</i></p> |
| Statement of Community Involvement (SCI) | <p>The SCI was adopted by the Council in 2013 and its sets out policy for public involvement in planning matters undertaken by the District Council in East Devon. Production of the Villages Plan has met (and exceeded) the minimum standards set out in the SCI. The SCI is on the Council web site at: http://eastdevon.gov.uk/media/344008/statement-of-community-involvement-2013.pdf</p> |
| Sustainability Appraisal (SA) | <p>An SA has been undertaken of the Villages Plan and this has been submitted and meets the plan making requirements (see documents VP02 and VP03).</p> |
| Habitats Regulations Assessment (HRA) | <p>A screening assessment has been undertaken under the Habitat Regulations (see document VP06) and at paragraph 21.6 it advises <i>“This screening assessment concludes that there will be no significant effects on European sites, and that development proposals coming forward within the villages in accordance with the policy set out in the draft Villages Plan will be addressed through already agreed processes and procedures of mitigation.”</i></p> |
| National Policy | <p>The Villages Plan has been drawn up within the context of, and complies with, national policy.</p> |
| Public Sector Equality Duty | <p>The Villages Plan was subject to an Equalities Statement Screening Report in respect of the Equalities Act 2010 (see document VP09). At paragraph 1.3 assessment advises <i>“The conclusion of this report is that the Villages Plan is unlikely to have a significant negative effect under the Equality legislation so should not be subject to a full Equalities Impact Assessment (EqIA).”</i></p> |
| The 2004 Planning Act (as amended) and 2012 Regulations. | <p>The Villages Plan has been prepared within the context of planning legislation and is identified as complying with the Act and the Regulations.</p> |

Evidence Base

4. The allocation for six houses at Lypstone is a Neighbourhood Plan allocation and not a Villages Plan allocation. In respect of paragraph 1.2 of document VP08, Assessment of Housing Supply in East Devon Villages Plan Settlements, I would advise that the six dwellings are included in the totals reported.
5. The Uplyme Neighbourhood Plan has been through examination and the examiner's report has been received. The intention is that the plan will be considered by this Council in the near future with an expectation of referendum to follow soon after. The Uplyme Neighbourhood Plan allocates sites for affordable housing and indicates scope to accommodate around 16 to 19 new homes at:
 - a. Tappers Knapp/Springhead Road - 8 to 10 homes;
 - b. Masters Close – 4 to 5 homes; and
 - c. Lyme Kiln Lane – approximately 4.
6. The site to the south east of Woodbury with planning permission that is referred to is planning application reference number 14/1380/MOUT. The application describes the development as *“Outline application seeking approval of access for the construction of 10 retirement bungalows and 1 no two storey dwelling (matters of appearance, landscaping, layout and scale reserved)”*. There is, however a new application on this site, 16/1249/OUT, on which a decision is not yet taken and is an *“Outline application with all matters reserved for the construction of 5 no dwellings”*. The site is shown on the map below.



7. At the time of writing this letter our latest housing monitoring completions report runs to an end date of 30 September 2016 and a more up to date report is not currently available. The Council is, however, currently working on a housing completions assessment report to 31 March 2017 and we hope that this work will be completed in September 2017.

Plan

8. The point you raise about not re-examining the East Devon Local Plan is noted.
9. In drafting the Villages Plan we were seeking to be as succinct as possible and worked on the basis of users of the Villages Plan reading it in conjunction with the Local Plan. It is noted, however and as you highlight, that the Villages Plan as a standalone document is not clearly explicit in terms of setting out its role. In this respect, and as you note, the Sustainability Appraisal (document VP02) at Paragraph 1.6 does provide a succinct summary of the role of the Villages Plan. I would also highlight that the LDS does contain the statement which advises *“Villages Plan – this plan will be specifically concerned with development issues and boundaries in and around key villages of East Devon and town of Colyton it will also address Greendale and Hill Barton Business Parks.”*
10. In the initial Publication draft of the East Devon Local Plan, submitted for Examination in 2013, Policy E7 did not refer to Greendale and Hill Barton. At hearing sessions held in early 2014 the Inspector, Mr Anthony Thicket, raised concerns about a number of plan policies and reasoned justification. It was verbally agreed that changes should be made to the plan to reflect concerns raised and points noted and also changes made in response to further work that was identified as being needed. A schedule of changes was produced and is forwarded as a separate document (see Item Number 197 in respect of Policy E7), it is given the reference number VP32 – Schedule of Proposed Changes to the East Devon Local Plan (dated March 2015) and will be placed on the Council web site at: <http://eastdevon.gov.uk/planning/planning-policy/villages-plan/villages-plan-2017/villages-plan-examination/>
11. The Villages Plan, to align with the adopted East Devon Local Plan, is intended to cover the period from 2013 up to 2031. It is recognised, however, that the plan should be superseded by new plans and policy well before this end date.
12. In respect of monitoring the adopted Local Plan has a monitoring chapter and framework. It is considered that this framework (alongside wider monitoring activity) addresses matters of relevance and importance in respect of village development. As a consequence it was not felt to be necessary or particularly helpful for the Villages Plan to include specific monitoring references.

Modifications

13. I can confirm that the Council would wish you to make recommendations for plan modifications to overcome any soundness concerns.

Hearings

14. Holding hearing sessions in the week starting the 6 November 2017 would be suitable and I can confirm that we have made provisional arrangements for this week.
15. The Council, in conjunction with the Programme Officer, commit to notifying representors of the arrangements for hearing sessions at least six weeks in advance of the hearings.

Initial Site Visit

16. In respect of making site visits I would hope that for the most part the maps we have supplied in various documents are sufficient for viewing the Built-up Area Boundaries around the East Devon villages that feature in the plan. Whilst these do not necessarily differentiate between areas in the public realm from land that is not publically accessible I would hope that using these maps you can gain sufficient information to inform your considerations. At this stage I would not feel there are specific viewpoints that I would wish to draw to your attention and I would hope that the village site by site assessments, documents VO13 to VP26, are especially helpful. However, if you do require any more information, perhaps you do want viewpoints identified, I should be happy to provide further information.

In respect of the Beer and Colyton vitality and shopping areas these are located in central parts of the settlements and the frontages in particular can be viewed from public roads and footpaths.

Greendale and Hill Barton business parks, rather like the villages, can be viewed from various roads and vantage points and maps provided hopefully will meet your needs. The main access roads into and through the two business parks, from the A3052, provide comprehensive views of the business parks. The southern side of Hill Barton can be viewed from A3052 itself and lanes to the south and west of Greendale provide views of and over the business park.

Yours sincerely

Matthew Dickins
Planning Policy Manager