

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of a meeting of the Strategic Planning Committee held at Knowle, Sidmouth on 24 July 2018**

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

The meeting started at 2pm and ended at 3.27pm.

**\*8 Public speaking**

The Chairman welcomed everyone present to the meeting. There were no members of the public present who wished to address the Committee.

**\*9 Minutes**

The minutes of the Strategic Planning Committee meeting held on 26 June 2018 were confirmed and signed as a true record.

**\*10 Declarations of interest**

None

**\*11 Review of the East Devon Area of Special Control of Advertisements**

The report presented to the committee outlined the need for a review of the East Devon Area of Special Control of Advertisements and set out guiding principles and an action plan for the review.

In an Area of Special Control of Advertisements (ASCA) there are stricter controls than in other areas on the type, size and height of advertisements that may be displayed. ASCA are designated for their special scenic, historic, architectural or cultural features.

The ASCA was originally designated by Devon County Council in 1964 and was modified in 1986 and 2002. Significant changes have occurred since 2002 that could affect the ASCA including the continued growth of the towns, the development of Cranbrook and the designation of the Enterprise Zone. There is a legal requirement to review an ASCA at least every five years.

The review only needs to reflect changes since designation, since the reasons for the original designation will still be valid unless there have been significant changes in circumstance. In the interest of consistency, it would be sensible to consider excluding the main built up areas of the seven main towns from the ASCA. The main existing built up area of Cranbrook should be considered for exclusion in a similar way to the other main towns, but further thought will need to be given to the extent to which potential expansion areas could be excluded in this review.

Plans will be produced showing a revised ASCA boundary following the guiding principles set out in the briefing paper. These will be considered by this Committee prior to consultation. Following consultation, responses will be considered before the revised boundary is put forward for consideration by this Committee and Full Council. Confirmation of the revised ASCA would then need to go through set legal procedures that include submission of the proposals to the Secretary of State. It may then be necessary for the changes to be considered by an Inspector at an inquiry and further consultation may also be necessary.

Discussion covered:

- Clarification was sought as to whether there are alternatives to publishing an article in the London Gazette. In response, it was advised that this is a national legislative requirement.
- That the ASCA does not supersede the Area of Outstanding Natural Beauty regulations.
- Clarification was sought as to whether other County and District Councils uphold ASCAs. In response, it was advised that ASCAs are authority specific.
- Clarification was sought as to whether there are restrictions regarding telephone box advertisement. In response, it was advised that regulations couldn't stop localised parish notices from being placed in a telephone box. However, commercial advertisements in telephone boxes must adhere to stricter regulations.
- That the review of ASCAs should include ward members.
- Clarification was sought as to whether current advertisements that do not meet the requirement of the reviewed ASCA will be removed. In response, it was advised that the review will only alter the boundaries rather than the current specific advertisement regulations. Therefore, current advertisements will not be affected. Any advertisement coming forward will need to conform to the updated ASCA.
- Clarification was sought as to whether shop fronts are included in the review of the ASCA. In response, it was advised that there are current design guides for shop fronts; this is primarily in Exmouth which is undertaken by the Town Council. The ASCA only affects the advertisements themselves and not the shopfronts that they are fixed to.
- Clarification was sought as to whether the review of the ASCA would look at expanding the regulated areas within the built-up area boundaries. In response, it was advised that the report highlights the current situation and the discrepancies between built-up area boundaries, town centre boundaries and ASCA boundaries.
- Clarification was sought as to whether localised advertisements can be allowed in an ASCA. In response, it was advised that advertisements are permitted in an ASCA, however they must adhere to the restrictions.

**RESOLVED:**

1. that a review of the Area of Special Control of Advertisements be undertaken;
2. that revised plans are prepared to show any modifications to the Area of Special Control of Advertisements that are found to be necessary be agreed;
3. that any modifications to the ASCA prior to public consultation be considered by this Committee.

**\*12 Baxter's Farm, Musbury, Development Brief**

The report presented to the committee introduced the development brief, which will inform any development proposals for Baxter's Farm that may be put forward following its inclusion within the Built-Up Area Boundary for Musbury. Although the site is not allocated for development in the Villages Plan or the East Devon Local Plan (2013-2031), inclusion within the boundary raises the likelihood that development will come forward, particularly in view of the local support for redevelopment of the site for residential use. A need for smaller, more affordable houses and the possibility of a community orchard have been suggested as priorities for the village and this site presents an opportunity to deliver these aspirations.

The Development Brief constitutes a 'Supplementary Planning Document' (SPD) and will follow the production and adoption process for this type of guidance. Consultation will commence as soon as possible on the draft brief. Consultation will last 6 weeks and will be advertised on our website, by email to interested parties/statutory consultees and through a press release. The brief will then be revised and consulted on again in light of any comments received. Members will then have the opportunity to consider the final document and decide whether it should be adopted. Member's attention was drawn to a letter received from Devon County Council as owners of the site stating that they note the reference to the potential use of part of the site for a gypsy and traveller site. They state that they are exploring alternative sites in the locality where they believe provision would be more appropriate.

Discussion covered:

- Some members highlighted the need for affordable housing to be included in the development brief.
- Some members highlighted that if affordable housing cannot be included in this site then other sites should provide an allocation of affordable housing for Musbury.
- Concern that acquiring affordable homes through barn conversions is increasingly difficult.
- That the development should be in keeping with the surrounding area of Musbury.
- Concern that there would be no affordable housing for agricultural workers and first time buyers in Musbury. This would cause local people to move away and affect the future of the village. Members were advised that another development in Musbury that has a resolution to grant subject to a S106 agreement provides for the affordable housing need in the village.
- Clarification was sought as to whether additional requirements can be included in the development brief stating the need for affordable homes. In response, it was advised that this requirement can only be through guidance and not policy as their currently is not a planning policy to support this when a development is fewer than ten properties.
- That officer's craft a paragraph, to be included in the development brief, which reflects current housing demand and need in Musbury.

**RESOLVED:**

1. that delegated authority be given to officers to produce a paragraph, to be included in the Baxter's Farm Development Brief, in relation to securing an appropriate level of affordable housing taking into account current housing demand and need in Musbury;
2. that a six week consultation on the Baxter's Farm Development Brief be undertaken.

**\*13 Brownfield Land Register Review 2018**

The report presented to the committee outlined the East Devon Brownfield Land Register review to 31 March 2018, information on proposed changes to the National Planning Policy Framework in relation to Brownfield Land and proposed changes to the EDDC website to invite submissions of suitable Brownfield sites for the register.

Members will recall that Local Authorities are required to produce a Brownfield Land Register and consider issuing "Permission in Principle" for previously developed sites which are considered suitable for housing. The Brownfield Land Register is reviewed annually.

A review of the register has been completed to bring data up-to-date and correspond with other monitoring reports which are prepared on an annual basis to 31 March annually. The reviewed register contains details of 31 sites. No sites have been added since November 2017, however three sites have been taken off the register as housing is complete. These sites are Gerway Nurseries in Ottery St Mary, the ex-Carpentry shop in Seaton and the ex-British Legion site in Honiton. There are 31 sites remaining on the register. Of these sites, 25 have planning permission with the estimated capacity to build 783 dwellings. Of these, five sites are older 'stalled' sites with no clear evidence of housing completions beginning within 5 years.

The register is kept in two parts:

- Part 1 - includes all sites suitable for housing irrespective of planning status, but only sites with a realistic prospect of coming forward are included. The inclusion of sites on the register does not give them any formal status or permission in principle.
- Part 2 - includes sites, if any, that are granted permission in principle (PiP). This is a new status that Local Authorities can give to land and buildings that establishes in principle that a site would be suitable for new dwellings. It places responsibility (and by implication has cost impacts) on the Council for extra work and it was recommended in the last report that this Council does not for the time being grant PiP for sites. There are no entries in P2.

Discussion covered:

- That development on many of the sites included in the Brownfield Land Register are close to completion.
- Clarification was sought as to the definition of Brownfield Land. In response, it was advised that the definition of Brownfield Land is included in the National Planning Policy Framework. Agricultural land and buildings are not categorised as brownfield land.
- Clarification was sought as to whether there is a target for the number of brownfield sites on the register. In response, it was advised that the register is not target driven but simply to identify which sites are available and suitable and to encourage the use of brownfield sites regardless of how many there are.
- Clarification was sought as to the use of the Brownfield Land Register. It was advised that there are two parts to the register; part one is the register of identified sites and part two is to grant permission in principle which helps to bring sites forward.
- Clarification was sought as to whether brownfield sites outside of built-up area boundaries can be developed. In response, it was advised that sites included in the register have to be suitable and deliverable. If the site were outside of the built-up area boundary then it wouldn't be included in the register as it would not be suitable.
- That sites should include employment and leisure space as part of a balanced development.
- That towns with a Neighbourhood Plan should view brownfield sites holistically as part of their Neighbourhood Plan.

**RESOLVED:**

1. that the invitation of submissions of suitable sites for Part 1 of the Brownfield Land Register be undertaken.

2. That the Brownfield Land Register Review 2018 report, which includes a review of the register to 31 March 2018 and implications of proposed changes to the NPPF currently under review, be noted.

**\*14 Community Infrastructure Levy Working Party minutes**

The Committee was asked to consider the recommendations of the Community Infrastructure Levy Working Party meeting held on 29 June 2018.

The Chairman of the Working Party, Councillor Mike Howe, briefly outlined their recommendations.

The recommendations of the Working Party were:

1. Defer the bidding process for spending CIL until 2019 at the earliest;
2. To focus CIL spending on infrastructure projects identified in the Infrastructure Delivery Plan (IDP) that are:
  - a. Known to be required to deliver development, and;
  - b. Identified as meeting the highest priority status;
3. The CIL Member Working Party to meet again in September to consider the key infrastructure projects from the IDP to be prioritised.
4. That no further CIL spend is undertaken until the identified projects have been delivered.

Points raised during the discussion included:

- Clarification was sought as to whether a memo would be sent round to members and Town and Parish Clerks regarding the Community Infrastructure Levy (CIL) and Section 106 agreements. In response, it was advised that the current system for CIL and Section 106 agreements is undergoing an update which will speed up the processing of information. However, this will not be completed for another three to four weeks. An e-mail will be sent to all members and clerks outlining this.
- Clarification was sought as to why the bids from last year did not secure any CIL funding. In response, it was advised that the bids received lacked sufficient supporting evidence to meet the set criteria for awarding funds.
- Specifically highlighted that CIL spending on infrastructure projects identified in the Infrastructure Delivery Plan (IDP) must be known to be required to deliver development **and** identified as meeting the highest priority status.

**RESOLVED:**

1. Defer the bidding process for spending CIL until 2019 at the earliest;
2. To focus CIL spending on infrastructure projects identified in the Infrastructure Delivery Plan (IDP) that are:
  - a. Known to be required to deliver development, and;
  - b. Identified as meeting the highest priority status;
3. The CIL Member Working Party to meet again in September to consider the key infrastructure projects from the IDP to be prioritised.
4. That no further CIL spend is undertaken until the identified projects have been delivered.

**Attendance list**

**Committee Members:**

Councillors:

Paul Diviani - Chairman

Mike Allen – Vice Chairman  
Susie Bond  
Colin Brown  
Jill Elson  
Graham Godbeer  
Mike Howe  
Geoff Jung  
Rob Longhurst  
Geoff Pook  
Philip Skinner

**Also present (present for all or part of the meeting):**

Councillors:

Alan Dent  
Peter Faithfull  
Tom Wright

**Officers present (present for all or part of the meeting):**

Mark Williams, Chief Executive  
Henry Gordon-Lennox, Strategic Lead – Governance and Licensing  
Ed Freeman, Service Lead – Planning Strategy and Development Management  
Claire Rodway, Senior Planning Policy Officer  
Jacqui Best – Planning Policy Officer  
James Coles – Technical Support and Monitoring Officer  
Tabitha Whitcombe, Democratic Services Officer

**Apologies:**

Councillors  
Ian Hall  
Eleanor Rylance  
Brenda Taylor  
Ian Thomas  
Mark Williamson

Chairman ..... Date.....