

EAST DEVON DISTRICT COUNCIL

Notes of a Meeting of the Local Development Framework Panel held at the Knowle, Sidmouth on Tuesday 13 September 2011

Present: Councillors:
Mike Allen (Chairman)
Ray Bloxham
Peter Bowden
Andrew Moulding
Helen Parr
Steve Wragg
Claire Wright

Also Present: Councillors:
Derek Button
Jill Elson
Paul Diviani
Vivien Duval Steer
Martin Gammell
Roger Giles
Graham Godbeer
Anthony Howard
Douglas Hull
Geoff Pook
Mark Williamson

Honorary Alderman Vivien Ash

Officers: Neil Blackmore, Landscape Architect
Matt Dickens, Planning Policy Manager
Christopher Holland, Democratic Services Officer
Amanda Newsome, Natural England
Lisa Turner, Blackdown Hills AONB Partnership
Chris Woodruff, East Devon AONB Partnership

Apologies: Councillors:
Madeline Chapman
Stephanie Jones
Sheila Kerridge
Steve Gazzard

The meeting started at 2.00 pm and finished at 5.24 pm.

29 Chairman's Welcome

The Chairman welcomed everyone to the meeting. The Panel was reminded that only members of the public who had submitted written evidence (which was available to view on the Council's website) in advance of the meeting would be invited to speak on individual agenda items up to three minutes in duration.

30 Notes of Previous Meeting

The notes of the of the Local Development Framework (LDF) Panel meeting held on 6 September 2011 were discussed and agreed as a true record subject to the addition of Councillor Claire Wright's declaration of a Personal Interest as an Ottery St Mary Town Councillor.

31 Declarations of Interest

The following declarations of interest were made by Members:

| Councillor/Officer | Agenda Item | Type of Interest/ Action Taken | Nature of Interest |
|--|--------------------|---|---|
| Councillor Claire Wright | General | Personal – Remained in Chamber to take part in discussion and voting | Councillor was a member of the Communities Before Developers (CBD) Campaign Group and had signed up to the CBD Candidate's Pledge |
| Councillors Ray Bloxham and Derek Button | General | Personal – Remained in Chamber to take part in discussions and voting | Member of National Trust |
| Councillor Derek Button | General | Personal – Remained in Chamber to take part in discussion | Councillor was a member of the Communities Before Developers (CBD) Campaign Group and had signed up to the CBD Candidate's Pledge |
| Councillor Peter Bowden | Coastal Erosion | Personal – Remained in Chamber to take part in discussions and voting | Member of South West Regional Flood and Coastal Committee |
| Councillor Graham Godbeer | AONBs | Personal – Remained in Chamber to take part in discussion | Vice Chairman of East Devon AONB |

32 Draft Coastal Erosion Technical Paper

Members considered the Draft Coastal Erosion Technical Paper presented by the Planning Policy Manager which outlined the challenges facing coastal communities as a result of likely changes to the coast.

The Chairman invited members of the public and representatives of local parish and town councils who had submitted written evidence to speak on the issues they wished to raise in respect of Coastal Erosion in East Devon. The Chairman thanked the speakers for their well prepared and valuable comments.

Matters raised and issues arising during the subsequent discussion included:

- SMP2 Policies needed rewriting in relation to protection of Pennington Point, Sidmouth – more local input/knowledge was needed.

32 Draft Coastal Erosion Technical Paper

- Economics should be a consideration when wishing to protect coastal towns.
- World Heritage site status expected cliffs to crumble and retreat – managing this with the needs of coastal communities was a challenge.
- Clearer maps would be needed in the LDF document illustrating coastal areas to be managed
- Policy should support a certain amount of ‘managed retreat’ protecting coastal towns where necessary
- Towns such as Seaton were not part of the World Heritage site – should have protections to ‘hold the line’ with maximum defences
- Funding for coastal defences would be difficult to obtain without a clear policy of managed retreat.
- CIL could be used to help ‘pump prime’ sea defence funding but couldn’t possibly fund such large projects entirely

- RECOMMENDED:**
- 1) that Draft Policy CS 32 be replaced with a policy that takes account of the Jurassic Coast World Heritage Site Management Plan aim of ‘protecting the outstanding universal value of the WHS by allowing natural processes to continue’, whilst balancing the need to maintain the continuity of thriving communities. This policy would recognise that there are circumstances in which the WHS aim could be set aside, where there is a proven and overriding need to protect the safety of our coastal communities and where the implications for the Jurassic Coastline have been fully considered.
 - 2) that Coastal Change Management Zones be identified (in accordance with the PPS 25 Supplement and the Draft National Planning Policy Framework.
 - 3) that Development Management Policies be developed to identify the type and location of development that is appropriate in Coastal Change Management Areas and to deal with ‘rollback’ (the relocation of existing properties in areas subject to significant risk).
 - 4) that coastal defences be included in consideration of the Community Infrastructure Levy.

33 Undeveloped Coast Policy

Members noted the report introduced by the Landscape Architect which illustrated that Planning in the Coastal Zone was concerned with how the coast should be managed for the future, where development should be encouraged or restricted, and protecting the unspoilt stretches of coastline from inappropriate development. New Government guidance required the identification of the ‘undeveloped coast’ in order to apply policies at a local level. The report identified the options in developing an evidence base to inform the preparation of the East Devon Local Development Framework.

33 Undeveloped Coast Policy (cont'd)

RECOMMENDED: 1) that current Coastal Protect Area policy (and defined area) be upheld, which states:

‘Within the Coastal Preservation Area, development, other than that of a minor nature, will not be provided for except where it is required; for the benefit of the community at large, in connection with public access for informal recreation, or for the purposes of agriculture or forestry and only when such development cannot reasonably be accommodated outside the protected areas. Such development will only be provided for when it would not detract from the unspoilt character and appearance of the coastal area’.

2) That a full reassessment of the Coastal Preservation Area using the methodology described within the technical paper be carried out.

POLICY RECOMMENDATIONS:

1) that whilst acknowledging that a limited amount of development had occurred within the Coastal Protection Area since it was first established suggesting that the CPA policy was performing satisfactorily, attention should be focused on those few areas where some development has occurred, namely the large holiday campsites: Sandy Bay, Ladram Bay and Branscombe.

2) that undertaking some additional focused assessment work on specific developments which might threaten the ‘natural’ characteristics of the Coastal Protection Area was considered to be adopted

3) that any review is considered on a site specific basis and should this be necessary a simplified version of the methodology described at the end of this document be developed to provide a cursory view on whether or not a further detailed examination is required.

34 Green Infrastructure Policy

Members noted that Green Infrastructure comprised the green areas, parks, play areas, footpaths, sports pitches and other open spaces that contributed to the quality of life and environmental performance of East Devon. The report summarised key proposed policy for addressing Green Infrastructure. Included with the report was a draft technical paper that although requiring further refinement, would ultimately form part of the evidence base for the Core Strategy

Matters raised and issues arising during the subsequent discussion included:

- Green Infrastructure was part of a solution to the delivery of sustainable growth
- Green infrastructure has a direct and valuable effect on local economies – much is already contributing significantly to the economy of the district.
- Some concern over relying on Community Infrastructure Levy contributions to achieve initiatives

34 Green Infrastructure Policy (cont'd)

- Burden of contributing to schemes on top of other commitments may discourage some developers but recognition that property values are enhanced due to the 'quality' of the natural environment in East Devon.
- Tree planting should be encouraged to help prevent flooding whilst providing schemes
- Support for cycleway provision
- Policy should be a 'broad brush' approach setting out the Council's vision whilst allowing for a flexible approach
- Landscapes inside urban areas should also be considered for green infrastructure projects

- RECOMMENDED: 1)** that in order to ensure consistency in policy approach it is proposed that the Council should establish an overarching strategy for the District.
- 2)** that the Strategy work be developed to encourage participation and ownership of Strategic Projects and Investment Programmes and integration into Neighbourhood Plans, Parish plans, and by Community Groups.
- 3)** that adopting the approach (in 1 and 2 above) will ensure a basis for a robust strategy but with local flexibility. Such a strategic approach would be applicable to all forms of development and locally derived initiatives.
- 4)** PPG 17 Assessment be progressed to address Fields in Trust (FIT) and Sport Englands standards for both Urban and Rural areas within the District.

35 Habitat Regulations and Biodiversity

Members considered the report and presentation from Amanda Newsome, Natural England which provided a brief background to Biodiversity/Geodiversity issues and opportunities within East Devon and specifically the implications of the Habitat Regulations, with regard to the emerging core strategy policies and allocations. The report was based upon Natural England's response to the previous preferred approach consultation and explored some of the issues raised in that response and possible solutions to them.

Matters raised and issues arising during the subsequent discussion included:

- East Devon has a unique selling point – the beautiful landscape with two AONBs and various conservation areas and World Heritage Coast designation
- Environment should be seen as a key asset to district
- Economic benefits – Tourism, inward investment, desirable place to live, health and well-being
- A greater emphasis on the natural environment, and acknowledgement of its importance to East Devon should be a strong theme throughout the Core Strategy document – 'golden thread'
- To achieve true 'sustainable development' the environment should be given consideration alongside economic and social issues
- LDF had to 'balance' all environmental and economic considerations with the needs of the people of East Devon.
- Need to make clearer separation from Climate Change in document
- The natural environment is not a constraint for East Devon - it is an asset.

35 Habitat Regulations and Biodiversity (cont'd)

RECOMMENDED: 1) that a greater emphasis be placed on the natural environment, and acknowledgement of its importance to East Devon, in the early sections of the core strategy i.e. the 'pen portrait', 'vision' and 'key issues and objectives' and as a 'golden thread' throughout the document.

2) that climate change and the environment be addressed separately in the revised core strategy and that the 4 exceptional environmental assets(para 16.23)be considered together under the umbrella of 'local distinctiveness'.

3) that draft policy CS 34 should be amended to:

- Have more appropriate title
- Address the approach to impacts on the natural environment more fully through a sequential approach
- Contain a more positive presumption that the creation of new features will be sought in all new developments not just those having an identified impact on wildlife/geology
- Incorporate a strategic approach to delivering biodiversity and geodiversity benefits across the district, identifying areas for restoration/creation of priority habitats and strategic corridors – contributing to Government targets
- Integrate with GI policy/strategy to ensure adequate funding mechanisms are in place to create and retain new habitats
- Set out in the policy and supporting text more fully the approach that will be taken to avoiding impacts on European sites, in particular those at risk from recreational pressure. (See 4 below)

The supporting text should say more about what EDDC is going to do/wants to achieve for the environment rather than statements of fact.

Indicators of change and targets for BAP habitat creation should be included in the overall monitoring measures for the core strategy.

36 Areas of Outstanding Natural Beauty

Members considered the Officers' report which sought to outline the policy issues/context in respect of Areas of Outstanding Natural Beauty and landscape character.

Matters raised and issues arising during the subsequent discussion included:

- Primary purpose is: To conserve and enhance the natural beauty of the area
- Weight attributed to AONBs in current LDF is too weak – needs strengthening
- The level of protection attributed to AONBs is the same as National Parks and this should be reflected in the LDF document.
- AONB is part of the living and working countryside and can accept appropriate development if circumstances are right
- Farming is a major part of the economy of AONBs

36 Areas of Outstanding Natural Beauty (cont'd)

- The farming industry needs to be supported and allowed to flourish in AONBs as well as outside the boundary – there is a need to retain high quality/yield farmland

RECOMMENDED: that consideration be given to redrafting the Preferred Approach policy for Landscape Conservation and Enhancement to ensure development proposals in AONBs are sympathetically dealt with, in particular in respect of the special qualities that define these nationally important landscapes; the emphasis being on conserving and enhancing the landscape character and supporting the economic and social well being of the area.

37 Forward Plan and Schedule of Meetings

Members noted the forward plan which scheduled items and subjects for discussion at future meetings. Members wished to see Health and Education added to a future meeting. They also asked that contaminated land be included within an appropriate existing item on land use.