

East Devon District Council  
Council Offices  
Knowle  
Sidmouth  
Devon  
EX10 8HL



Caring for the environment through  
planning, urban design and  
conservation management

7<sup>th</sup> April 2015

C/O Ms Amanda Coombes – Programme Officer

**URGENT**

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Dear Mr Thickett

**Re: EDDC Local Plan Examination - Proposed Amendments and Supporting Evidence to the New East Devon Local Plan**  
(Mr T Ford's Reps Number is 1967)

As Fords of Sidmouth's Planning Consultant, I write to you with urgency as I note that last week, East Devon District Council's Full Committee brought into debate matters which should not have been part of their debate at this time.

My client has had prepared a Full EA at a cost of £90,000 since the close of the Inquiry on the basis of a screening opinion given by the Council. However, our progress in making a planning application on the employment site at Sidford has been frustrated by the unreasonable delays of the Local Plan. We have been awaiting progress on the Local Plan to avoid a request from the Council to submit a Retail Impact Study, which the Council has said would be required to form a valid submission if an application is made prior to the Sidford site being allocated as employment land in the Local Plan's Adoption. This cost my client has finds unreasonable and has therefore delayed submission. The recent investment in the EA, plus the investment leading to the Inquiry, runs to approximately £300,000. This is accepted as being a natural cost of the promotion of the site in the context of the strategic benefits it would bring.

We have understood from our reading of your previous letters to the Council that your principal areas of concern and request for further evidence has been in respect of housing need evidence and gypsy and traveller site policy and evidence. It is our understanding that you have been satisfied with the evidence you have heard with respect to employment sites and other matters.

During the Local Inquiry our submission of evidence was restricted to the support of the Sidford allocation site and of course our evidence supported the Council's single allocation to serve Sidmouth's needs. No other sites are suitable and given that no other sites were being considered by the Council, nor had representations been made to promote other sites, our evidence was requested to be constrained to areas which required your review.

We are more than concerned that at this stage in the Local Plan process and with the strategic benefits that can only be brought about by the Sidford allocation, that a Committee Meeting, which was held for the benefit of supplying to you Council supported evidence related to the deficiencies in previously available evidence in respect of the housing need and traveller sites, that the chairing of this meeting has strayed into wider areas which have already been addressed by the Public Inquiry.

It is essential that the development industry has a confidence in the planning system and that the Local Plan process is transparent and works in accordance with an expected process. It is unacceptable in our view that the Committee session of 26<sup>th</sup> March was not chaired in a manner such that Members were guided to remain focused on the task in front of them. Furthermore, it is our view that it would be wrong for the proposal made within a full Committee Meeting without the benefit of any Members having been present in giving evidence at the Inquiry related to employment and without the benefit of representation by ourselves within an Inquiry setting, to find that this motion has been minuted as the Council's retraction of the allocation at Sidford. This surely cannot reflect an appropriate decision, or one that has had robust public scrutiny. This decision only serves to create irrational, unsound, unjustified and undemocratic abuse of power outside the natural course of justice, which should occur as part of a Local Plan process.

I would like to respectfully urge you to take a decision that clarifies for the Council a view that the discussion in the Public Inquiry over employment sites, including the Sidford allocation, has been completed and that you therefore only need to take account of the decisions made by Committee on 26<sup>th</sup> March referring to the additional evidence and policy considerations which you have requested the Council place before you.

It is important that the planning consultants, legal planning advisers and other development based consultants who are supporting Fords have faith in advising any of our clients of the planning processes ahead of them in considering the promotion of allocations in emerging Local Plans given the costs involved. This clearly is not possible if in relatively closed Committee processes, Local Plan decisions and previously supported Local Plan allocations prepared by the Council, financially and learnedly supported by Council, and with the use of public money, are removed by political hijack after much investment and before the end of an appropriately managed process.

I trust that you will be able to reassure me that your deliberations will be restricted to the housing need/traveller site matters and that you will be in a position to advise the Council that at this stage, policy associated with the employment sites should not have been handled at a Council Committee Meeting and does not reasonably reflect the Local Plan making process.

I look forward to your response so that we may plan as may be necessary.

Yours sincerely

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Director on Behalf of Context Logic Ltd

CC Mr Matt Dickens – East Devon District Council  
CC Mr Tim Ford – Fords of Sidmouth  
CC Mr David Richardson – Michelmores



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