



East Devon District Council

# East Devon Villages Plan

## Development Plan Document

### Draft Consultation Statement

July 2016

## East Devon Villages Plan - Draft Consultation Statement – July 2016

### Front Cover Photograph – Broadclyst, Devon

We welcome your comments on this draft document. The closing date for submitting observations is 14<sup>th</sup> September 2016. Please ensure that your comments are marked 'East Devon Villages Plan - Draft Consultation Statement'. Comments can be made in writing to:

Planning Policy  
East Devon District Council  
Knowle  
Station Road  
Sidmouth  
Devon  
EX10 8HL

Or by e.mail to [localplan@eastdevon.gov.uk](mailto:localplan@eastdevon.gov.uk)

Your comments will be taken into account when the document is redrafted and will be considered at a future meeting of the Strategic Planning Committee.

## East Devon Villages Plan - Draft Consultation Statement – July 2016

### Contents

1	Purpose of Document.....	4
2	Overview of previous consultation .....	5
3	The Villages Plan (2016) .....	6
5	Duty to co-operate .....	7
6	Other Considerations.....	7
	APPENDIX 1- STATEMENT OF COMMUNITY INVOLVEMENT 2013 .....	8
	Statement of Community Involvement 2013.....	8
	Appendix 2- Letter To Representors and accompanying update- 4 <sup>th</sup> August 2015 .....	12
	East Devon Villages Plan Update August 2015.....	13

## 1 Purpose of Document

- 1.1 This document explains how East Devon District Council has undertaken community consultation and stakeholder involvement to produce the draft East Devon Villages Development Plan Document (the draft Villages Plan). It explains how ongoing consultation and engagement have shaped the Villages Plan. It is produced to fulfil requirements set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 and forms the statement defined at Regulation 17 (d) comprising, “a statement setting out:
- which bodies and persons were invited to make representations under regulation 18 (1);
  - how those bodies and persons were invited to make representations under regulation 18;
  - a summary of the main issues raised by those representations; and
  - how those main issues have been addressed in the Core Strategy (now Local Plan)”. Nb. In this case the Development Plan Document.
- 1.2 This Consultation Statement forms one of the “proposed submission documents” referred to at Regulation 19 and demonstrates how the Council has met the requirements of the Statement of Community Involvement.
- 1.3 The Council’s **Statement of Community Involvement** (the relevant extract of which appears later in this document for ease of reference) sets out how East Devon District Council should undertake consultations. All consultation responses, from 2008 when villages were debated as part of wider Local Plan work, to the present day, are in the public domain and can be viewed on the Council’s website at: [Planning policy - East Devon](#).

## 2 Overview of previous consultation

- 2.1 Production of the Development Plan Documents (such as the Villages Plan) consists of four main stages:
- (1) Pre-production (evidence gathering).
  - (2) Production (prepare issues and alternative options in consultation; public participation on preferred options; representations on preferred options; preparation of Submission DPD; submission of DPD).
  - (3) Examination (representations on submitted DPD; pre examination meeting; independent examination; binding report).
  - (4) Adoption (adoption; monitoring and review).
- 2.2 Consultation, with bodies specified by legislation and with the public, is undertaken and recorded at each stage in the process.

### Early consultation to inform the Local Plan

- 2.3 The East Devon Local Plan sets out the strategic policies for the whole District and includes detailed written policies, identified on maps, of the West End and seven main towns, as well as policies relating to the villages. Since 2007, as part of this overall strategy, considerable work was undertaken which was directly relevant to the villages and their relationship to the towns and wider area. This included researching the best methods of consultation, identifying the main rural issues and ways in which they could be addressed and establishing the level and type of development which should be accommodated in the villages and countryside.
- 2.4 Initially, all of the settlements with Built-up Area Boundaries in the previously adopted (July 2006) Local Plan, were considered appropriate to be designated as suitable for further growth. A two-tier approach was suggested whereby smaller settlements would receive 20 dwellings over the plan period whilst larger 'hub' villages (with a range of services and facilities) would receive 50. It was suggested in this approach that settlements could accommodate extra houses should they wish. Feedback was mixed (with some settlements requesting very high levels of housing whilst others wanting none) and this, combined with a shift in national policy, led to introduction of an alternative approach.
- 2.5 This new approach, put forward in 2012, suggested that, as most respondents wished to avoid villages 'stagnating' or 'dying' from declining resident numbers, 5% growth would be planned for on allocated sites in settlements with Built-up Area Boundaries. Parish Councils were been invited to increase that number if local circumstances warranted it, to deliver additional affordable housing for example. Several villages took up this offer and increased their numbers. Extensive consultation was undertaken with communities, developers and other interested parties and a draft Villages Plan with allocated sites was published in January 2017.
- 2.6 The very extensive consultation and engagement are described on our website and a Consultation statement for this work is also available there.

### 3 The Villages Plan (2016)

- 3.1 Following the publication of the draft villages plan for consultation in 2014, the Inspector appointed to consider the East Devon Local Plan published a letter expressing concerns about the approach to villages. In response a suitability assessment was undertaken which considered the availability of services, facilities and transport in each settlement as well as local constraints to growth. This resulted in the number of settlements considered suitable for new development being reduced, and the consequent loss of Built-up Area Boundaries for many of the smaller, less accessible and less well-serviced settlements. The remaining 15 settlements retained their Built-up Area Boundaries as set out in Strategy 27 of the adopted East Devon Local Plan.
- 3.2 The adopted local plan states that Built-up Area Boundaries for these 15 settlements will be defined in the Villages Plan. The Plan recognises that some communities will want to facilitate additional development and they can allocate sites for this through Neighbourhood Plans.
- 3.3 In order to facilitate a consistent approach to the definition of Built-up Area Boundaries in the Villages Plan a consultation document setting out proposed criteria to guide the process was prepared and may be viewed at <http://eastdevon.gov.uk/media/1249785/buab-consult-doc-final-august-2015.pdf>. This was published for consultation from 7th August to 21<sup>st</sup> September 2015 and received a number of responses - the letter to consultees listed below and explanatory text can be viewed at Appendix 2, (all responses can be viewed at [Proposed criteria for revised built-up area boundaries - East Devon](#)) The Councils approach has been to use its **Statement of Community Involvement** (SCI) as a basis for all engagement activity.
- 3.4 The responses to the consultation led to the refinement of the criteria, and its application by Officers to produce draft plans for consultation in Summer 2016. It was also decided that an alternative approach should be considered to exclude areas which are not readily accessible on foot, reflecting feedback from the consultation and recent appeal decisions on planning applications. This means that new development would not be located in areas where goods and services are unlikely to be accessed by the elderly or those with pushchairs, reflecting feedback and recognising the particular needs of less mobile residents. This means that areas with particularly narrow, poorly surfaced/lit, steep or unpaved roads may be excluded from the BUAB.
- 3.5 The consultation in Summer 2016 will commence with full details being available on our web site and at the Council offices. In addition letters will be sent interested bodies and parties, including the affected Parish Councils and the relevant neighbourhood plan groups. Queries can be resolved through email, letter or face-to-face with Officers.
- 3.6 The adopted Local Plan (in strategy 27) makes provision for local communities to provide for new development through a Neighbourhood Plan. This could be facilitated through a more relaxed BUAB, criteria based policy or land allocations.
- 3.7 Following each consultation stage a report was/will be made to the relevant Council Committee. These reports are available to the public in paper form and can be downloaded from the Councils website [Committees and meetings - East Devon](#). They give details of the

## **East Devon Villages Plan - Draft Consultation Statement – July 2016**

issues raised, links to the representations in full and explain how the comments made will be/were used to inform the subsequent stages of the Villages Plan's production.

### **5 Duty to co-operate**

- 5.1 The Duty to Co-operate is set out in Section 110 of the Localism Act 2011. The local planning authority must engage 'constructively, actively and on an ongoing basis' during the preparation of local plans when they relate to 'strategic matters'. Strategic matters are defined as development, including infrastructure, with a significant impact on at least two planning areas. There is limited opportunity to co-operate with neighbouring authorities on village issues, although Uplyme borders Lyme Regis and both Lyme Regis Town Council and West Dorset District Council will be invited to participate in the consultation.

### **6 Other Considerations**

- 6.1 The Plan has evolved as a result on ongoing consultation but it has also been heavily influenced by other considerations. The Plan is underpinned by sustainability appraisal/strategic environmental assessment, habitat regulations assessment, Equalities Impact Assessment and other work and research/evidence collection.

## APPENDIX 1- STATEMENT OF COMMUNITY INVOLVEMENT 2013

**Statement of Community Involvement 2013** - the section of the SCI which is relevant to Policy work is detailed below (please note that the full SCI also contains details of development management consultation) :

Stage in Plan making	Consultation that we will undertake for each stage of Local Plan production
<p><b>Initial Background Work and Developing the Evidence Base</b></p> <p>This is the ‘start’ of the process where we gather information and seek to gain an initial understanding of public views</p>	<p><b>Developing the Evidence base</b></p> <p>We will gather evidence through some or all of the following:</p> <ul style="list-style-type: none"> <li>• Review of existing data</li> <li>• Use of specialist consultants</li> <li>• Exhibitions and Roadshows</li> <li>• Workshops</li> <li>• Focus groups</li> <li>• Surgeries</li> <li>• Attending Meetings of Other Groups</li> <li>• One-to-One Meetings</li> <li>• Questionnaires</li> <li>• Consultation with Parish Councils and elected Members</li> </ul> <p>• Any technical or background document that forms or will form a (substantive) part of our evidence base will be available in electronic form on the Council website and in paper form for inspection at the main Council offices.</p> <p>• Details of findings of consultation events that we undertake will be available on our website and in paper format.</p>
<p><b>Preparation Stage</b></p> <p>Consultation is ongoing throughout this stage. The number and type of consultation documents issued at this stage will depend on the issues involved and the revisions required. As a minimum we must notify certain</p>	<p>We will notify those bodies, groups and individuals that we consider likely to have an interest in the subject of a local plan we propose to prepare and invite representations about what the plan should contain. Any representations will be taken into account when preparing the plan. For each document we prepare we will ensure:</p> <ul style="list-style-type: none"> <li>• Documents are published on the Council website and made available at the main Council Office and public libraries within East Devon;</li> </ul>

## East Devon Villages Plan - Draft Consultation Statement – July 2016

Stage in Plan making	Consultation that we will undertake for each stage of Local Plan production
<p>parties (as set out in the statutory regulations) that we are proposing a plan and invite them to comment on what it should contain, When we prepare the plan we must take these comments into account.</p> <p>In addition, we may consider it appropriate to produce one or more draft documents for people to comment on.</p>	<ul style="list-style-type: none"> <li>• Paper copies of documents are available during the consultation period.</li> </ul> <p>At key stages a sustainability appraisal will be undertaken. This will detail the likely significant environmental, social and economic effects of each proposal or option will be undertaken and made available for public comment. If consultation leads to the approach changing significantly this will be reviewed and re-consulted on.</p>
<p><b>Publication</b></p> <p>This is the stage where we publish the document that we intend to submit to the Secretary of State.</p>	<p>A minimum of six weeks formal public consultation will be undertaken in readiness for plan Examination. The following documents will be made available on the Council's web site, at the main Council Offices and in the public libraries in East Devon</p> <ul style="list-style-type: none"> <li>• The relevant local plan</li> <li>• A submission policies map (if applicable)</li> <li>• The relevant sustainability report</li> <li>• A representation statement giving details of which bodies and persons were invited to make representations (under regulation 18) and how this was done, a summary of the main issues raised and how they have been addressed in the local plan.</li> <li>• Any relevant supporting documents.</li> </ul> <p>Details will also be provided of where and when the above documents are available for inspection and this will be sent to the bodies and persons invited to make representations. This is called a 'statement of representation procedure'.</p> <ul style="list-style-type: none"> <li>• A <b>Sustainability Appraisal</b> will be carried out which will be subject to public consultation. If consultation leads to the approach changing significantly this will be reviewed and re-consulted on.</li> </ul>
<p><b>Submission Document</b></p> <p>Any person may make representations at this stage, but they</p>	<p>We will publish submitted representations on our web sites as soon as reasonable practical, but signatures and private e-mail addresses and telephone numbers will not be visible on our web site, although they will be shown on paper copies that will be sent to the Planning Inspector and may be viewed at the council</p>

**East Devon Villages Plan - Draft Consultation Statement – July 2016**

<b>Stage in Plan making</b>	<b>Consultation that we will undertake for each stage of Local Plan production</b>
<p>must be received by the local planning authority by the date specified in the 'Statement of Representation Procedure' produced at the 'Publication' stage.</p>	<p>office.</p>
<p><b>Consideration of Representations by Appointed Person</b> Before making recommendations on the plan, the Inspector must consider any representations made on the published plan</p>	<p>We will send the following documents to the Inspector in electronic and paper form:</p> <ul style="list-style-type: none"> <li>• The sustainability appraisal report;</li> <li>• A submission policies map, if the adoption of the local plan would result in changes to the adopted policies map;</li> <li>• A statement setting out: <ul style="list-style-type: none"> <li>• Which bodies and persons were invited to make representation on the content of the plan (Preparation stage);</li> <li>• How those bodies were invited to make representations;</li> <li>• A summary of the main issues raised in those representations;</li> <li>• How any of those representations have been taken into account;</li> <li>• If representations were made at the publication stage, the number of representations made and a summary of the main issues raised; and</li> <li>• If no representations were received a statement that none were received;</li> </ul> </li> <li>• Copies of any representations made at the publication stage; and</li> <li>• Any supporting documents the local planning authority consider relevant.</li> </ul>
<p><b>Examination Stage</b> An inspector will be appointed by the Secretary of State to conduct the examination. The Inspector will determine whether the plan has complied with various legal requirements (including the 'duty to co-operate') and whether it is 'sound'.</p>	<p>We will publish (on our web site and at our principal offices) details of the date, time and place of the hearing and the name of the Inspector at least 6 weeks before the opening of the hearing. We will also send these details to anyone who maintains a representation on the plan.</p>
<p><b>Publication of the</b></p>	<p>We will publish the Inspector's recommendations and reasons on our web site and at our principal offices.</p>

**East Devon Villages Plan - Draft Consultation Statement – July 2016**

<b>Stage in Plan making</b>	<b>Consultation that we will undertake for each stage of Local Plan production</b>
<p><b>recommendations of the appointed person</b> We must publish the recommendations and reasons of the Inspector as soon as reasonably practical after receipt of their report.</p>	<p>We will also advise those people who requested it that the recommendations are available.</p>
<p><b>Adoption</b></p>	<p>As soon as possible after the plan is adopted (by resolution of the local planning authority) we will publish on our web site and make available at our main office:</p> <ul style="list-style-type: none"> <li>• The local plan;</li> <li>• An adoption statement;</li> <li>• The sustainability appraisal report; and</li> <li>• Details of when and where the plan can be inspected.</li> </ul> <p>We will also send a copy of the adoption statement to anyone who has asked to be notified and send a copy of the adoption statement to the Secretary of State.</p>
<p><b>Monitoring and Review</b></p>	<p><b>Monitoring and Review</b></p> <ul style="list-style-type: none"> <li>• We will notify all bodies and individuals of monitoring processes/the Monitoring Report and of document Review (if proposed).</li> </ul>
<p><b>In addition for each stage we will:</b></p> <ul style="list-style-type: none"> <li>• Examine the potential for holding stakeholder events. We welcome your suggestions as to events which would be of particular worth or value.</li> <li>• Issue relevant and informative press releases and press articles.</li> <li>• Make information available in a variety of formats so that those with special requirements are able to participate in the consultation. This may include: <ul style="list-style-type: none"> <li>• Large Print</li> <li>• Different font types/colours</li> <li>• Audio version (via our website)</li> <li>• Translation into other languages (via our website)</li> <li>• Face to face meetings with Officers</li> </ul> </li> </ul>	

## **Appendix 2- Letter To Representors and accompanying update- 4<sup>th</sup> August 2015**

Text of letter sent to consultees, landowners, Parish Councils, Ward Members, previous representors (from the Local Plan database) at start of consultation.

Dear Sir/Madam

### **East Devon Villages Plan - consultation on proposed criteria for defining built-up area boundaries for villages and small towns**

The council is reviewing its approach to defining its 'Built-up Area Boundaries' and wants your input.

We have prepared a brief paper, which is attached, that sets out what we would like to do and how you can get involved. We have also included an update paper on the Villages Plan for information.

If you have any comments on the approach set out, please write to us on or before Monday 21 September 2015 so that we can consider them before we prepare the next stage of our 'Villages Plan'.

You can submit your views by either writing to us at Planning Policy, East Devon District Council, Knowle, Sidmouth, EX10 8HL or sending an email to us at [localplan@eastdevon.gov.uk](mailto:localplan@eastdevon.gov.uk). Please put 'Villages Built-up Area Boundary Consultation' in the subject box of the email or at the top of your letter. It would be helpful if you could respond to the 5 questions set out in the consultation paper.

Please contact the planning policy team on 01395 516551 if you have any queries.

## **East Devon Villages Plan Update August 2015**

### **What is the Villages Plan?**

The Villages Plan is a formal planning document (known as a development plan document or DPD) that will set out detailed policies to guide development in some of East Devon's villages and small towns. It will define 'Built-up Area Boundaries' for the settlements of Beer; Broadclyst; Chardstock; Clyst St Mary; Colyton; Dunkeswell; East Budleigh, Feniton; Kilmington; Lymestone; Musbury; Newton Poppleford; Sidbury; Uplyme; West Hill; Whimble and Woodbury (please note that this list could change if alterations are made to the emerging East Devon Local Plan). Built-up Area Boundaries are 'black lines' drawn on maps around certain settlements to distinguish, in planning policy terms, the main built-up area from the countryside. Within the defined built-up areas planning policies establish in principle acceptance of many forms of development, but outside of these areas in the 'countryside' development is usually only acceptable in specific exceptional circumstances.

### **What has happened on the Villages Plan so far?**

Community consultation spearheaded by Parish Councils, together with various technical assessments of development options helped to produce a draft 'East Devon Village Development Plan Document' for consultation early in 2014 (<http://eastdevon.gov.uk/media/266865/draft-villages-dpd.pdf>). The draft Villages Plan included maps showing proposed housing allocations in many of our rural settlements, some of which were subsequently granted planning permission (or have planning applications pending determination). A full list of all comments received on the draft villages plan may be accessed on our web site ([Village document - Informal Public Consultation on Draft Villages Plan 2014 - East Devon](#)), together with a summary of comments made (<http://eastdevon.gov.uk/media/1247359/villages-feedback-report.pdf>). The strategic context for the Villages Plan is set by the main East Devon Local Plan so further work on the Villages Plan has been delayed while work on the local plan has progressed.

### **How does the Villages Plan relate to the Local Plan?**

The draft Villages Plan considered the options for additional development in the small towns and villages in accordance with the strategy set out in the East Devon Local Plan, particularly Strategy 27, which was submitted to the Secretary of State in July 2013. At that time Strategy 27 set out a specific number of new homes to be accommodated in the settlements listed (to be allocated through the Villages Plan).

That approach was questioned by the Local Plan Inspector who suggested that Strategy 27 should be revisited to consider the capacity of settlements to accommodate and sustain new

**East Devon Villages Plan - Draft Consultation Statement – July 2016**

development. (<http://eastdevon.gov.uk/media/288101/letterno8toeastdevon.pdf>). This work was undertaken and included in our ‘Small Towns and Villages Development Suitability Assessment’ document (<http://eastdevon.gov.uk/media/990902/small-town-and-village-assessment-2014.pdf>).

This document informed proposed changes to Strategy 27, which were consulted on between 16<sup>th</sup> April and 12<sup>th</sup> June 2015 as part of a wider consultation on changes to the Local Plan. The full text of the revised policy is set out below. The proposed changes are currently being considered by the Local Plan Inspector and it is hoped that the new local plan will be adopted by early 2016.

**Strategy 27 – Development at the Small Towns and Larger Villages**

Extract from East Devon Local Plan Consultation on Changes April – June 2015.

The following settlements vary in size and character but all offer a range of accessible services and facilities to meet many of the everyday needs of local residents and they have reasonable public transport. They will have a Built-up Area Boundary that will be designated in the East Devon Village DPD though they will not have land specifically allocated for development.

Beer	Dunkeswell	East Budleigh	Lympstone	Sidbury	Whimble
Broadclyst	Clyst St Mary	Feniton	Musbury	Uplyme	Woodbury
Chardstock	Colyton	Kilminster	Newton Popleford	West Hill	

If communities wish to promote development other than that which is supported through this strategy and other strategies in the Plan (at the settlements listed above or any other settlement) they will need to produce a Neighbourhood Plan or promote community led development (for example Community Land Trusts) justifying how and why, in a local context, the development will promote the objectives of sustainable development.

**What are the implications of the revised policy?**

If the approach now set out in Strategy 27 is accepted it will mean that we will not seek to increase levels of development in our rural settlements or allocate housing sites through the Villages Plan. Those settlements with a defined Built-up Area Boundary will continue to provide for some new development within the boundaries identified, where opportunities exist and development is acceptable having regard to other planning policies and considerations. If communities without a defined Build-up Area Boundary wish to promote development (other than the exceptions provided for in the plan, most notably mixed market and affordable housing as set out in Strategy 35) they would need to produce a Neighbourhood Plan or promote community led development justifying how it would promote the objectives of sustainable development. This would include the following settlements, all of which would ‘lose’ the Built-up Area Boundaries defined in the 2006 adopted local plan: Alfington; Awliscombe; Aylesbeare; Axmouth; Brampford Speke; Branscombe; Broadhembury; Clyst Hydon; Clyst St George; Colyton Raleigh; Ebford; Hawkchurch; Membury;

## East Devon Villages Plan - Draft Consultation Statement – July 2016

Offwell; Otterton; Payhembury; Plymtree; Rockbeare; Smallridge; Stockland; Talaton; Tipton St John; Uppottery; and Woodbury Salterton.

### **What is happening now?**

We are currently seeking views on a proposed methodology to guide the process of defining Built-up Area Boundaries for the 17 settlements included in the revised Strategy 27. Further details of this consultation are available at <http://eastdevon.gov.uk/planning/planning-policy/emerging-plans-and-policies/the-villages-plan/consultation-on-proposed-criteria-for-reviewing-built-up-area-boundaries/>.

### **What is the timetable for finalising the Villages Plan?**

The timetable for producing the Villages Plan and other planning policy documents is set out in the Council's Local Development Scheme, which may be viewed at <http://eastdevon.gov.uk/planning/planning-policy/emerging-plans-and-policies/detailed-work-programme-and-consultations-on-future-plans/local-development-scheme/>. Preparation work on the Villages Plan with on-going consultation on its content is scheduled for completion by the end of 2015. Additional formal consultation is scheduled for early in 2016 before submission of the plan to the Secretary of State later in 2016.

### **How will the Villages Plan relate to Neighbourhood Planning?**

Local communities (usually through their Parish Councils) have the right to produce a Neighbourhood Plan for their area if they wish to. In East Devon neighbourhood plans are being produced in around half the parishes. Once adopted, neighbourhood plans will form part of the overall development plan for East Devon and will be used in conjunction with the Local Plan to make planning decisions. The neighbourhood plan must comply with the Government's National Planning Policy Framework and be in general conformity with the strategic policies of the Local Plan, but it can allocate sites for development and other uses (such as open space) and produce its own development management policies (typically covering issues of local importance such as design, affordable housing, retention of community facilities etc.). If allocating land or promoting development the Neighbourhood Plan will need to provide evidence and appropriate justification in the context of both national planning policies and guidance and the strategy and policies set out in the East Devon Local Plan.

In those villages which retain their Built-up Area Boundary, the Villages Plan will establish the boundary position. Neighbourhood plans which are adopted subsequently may supersede elements of the Villages Plan. This means that a neighbourhood plan could contain an amended Built-up Area Boundary as well as local policies to apply to development in that area and allocated sites for specific uses or types of development. If an adopted neighbourhood plan retains the same Built-up Area Boundary, or doesn't address the matter at all, then the Villages Plan will continue to be relevant in this respect.