

Examination of the East Devon Villages Plan

Inspector's Initial Observations and Questions

I have been appointed to examine the East Devon Villages Plan (EDVP) and have received the submitted Plan and supporting material. I have made some progress with my initial preparatory work and I am seeking clarification from the Council, as authors of the plan, on a number of initial observations/questions in advance of my list of Matters, Issues and Questions, in order to help facilitate the examination process.

I would be grateful if you would provide a response to these by Friday 4 August 2017.

Procedural issues

1. The Regulation 22 Consultation Statement (VP07A) indicates the number of representations/representors. It refers, at paragraph 7.1 to 2 standard letters one signed by 39 people and a similar one by 9 people, is this correct? Is the representation from respondent 1083 also a copy of the Clyst St Mary standard letter 2? If so the reference in VP07A in relation to this letter should be 10 as opposed to 9. The Council indicates at paragraph 7.1 of VP07A that one late representation was received from Feniton Parish Council (respondent 391). It is for the Council to decide whether this representation is "duly-made" and whether to accept it. I have no discretion to accept late representations. Please confirm the Council's position.
2. Is it the Council's intention to have any further discussions with representors or to prepare any Statements of Common Ground in advance of the Hearing sessions?
3. It would be helpful if in due course a brief outline of procedural and legal compliance is submitted. This could usefully cover the following, some of which I am aware have already been provided elsewhere:
 - Whether the plan has been prepared in accordance with the statutory procedures and the Local Development Scheme (LDS) (please provide a copy of the latest LDS indicating the correct timescale for the EDVP and ensure that this is put on the website). Also does the LDS make clear the relationship between the EDVP and the adopted East Devon Local Plan (EDLP);
 - Whether consultation has been undertaken in accordance with the Statement of Community Involvement (SCI) (this is referred to in the Consultation Statement (VP07A));
 - Whether the requirement for Sustainability Appraisal has been met (a copy of the Sustainability Appraisal report and non-technical summary was included with the submission documents); and
 - Whether a Habitats Regulation Assessment has been prepared (a copy of the Habitats Regulation Assessment was included with the submission documents).

Evidence base

4. VP08 (para 1.2) refers to Strategy 2 of the EDLP (VP27) which indicates 1123 dwellings being provided in the villages and rural areas. It states that strategic housing allocations in these areas total 156 (150 at Winslade Park and 6 in Lympstone). Is the allocation of 6 dwellings in Lympstone an EDLP allocation? The submission EDVP indicates that there is now a made Neighbourhood Plan for Lympstone which includes a Built-up Area Boundary (BUAB). Does the Lympstone Neighbourhood Plan include housing allocations, if so, are these in addition to the strategic allocation (6 dwellings) referred to in para 1.2 of VP08?
5. VP08 (paragraph 12.1) refers to the Uplyme Neighbourhood Plan and indicates that it includes housing sites. How many dwellings does it allocate?
6. VP08 (paragraph 15.1) indicates that there is planning permission for housing on a site to the south east of Woodbury. How many dwellings does this include?
7. VP08 (Appendix 1) provides information on housing completions and permissions for the villages and rural areas as at 31 March 2016. Is there any more up to date information – 31 March 2017?

Plan

8. It is necessary to be clear about the role and purpose of the EDVP and clearly it is not for me to re-examine issues that were covered in the examination of the EDLP.
9. The 'Setting the Context' section (page 7) of the EDLP (VP27) indicates that a Village Development Plan Document will be produced separately from the main local plan document and that it will be concerned with development boundaries around villages, allocations of land for development at these villages and other policies that may be applicable at or for villages. The Sustainability Appraisal (VP02), at paragraph 1.6, indicates that the scope of the Villages Plan is the definition of Built-up Area Boundaries around the 15 settlements listed in Strategy 27 of the EDLP (with the exception of Lympstone as it has a made neighbourhood plan); the identification of any local plan policies on specific 'inset' plans; and defining inset plans for Greendale and Hill Barton Business Parks. However, this does not appear to be specifically set out in the EDVP. Please clarify this; perhaps the LDS requested in paragraph 3 above may assist in this respect.
10. As indicated above page 9 of the EDLP (VP27) refers to the intention to prepare inset maps for the Greendale and Hill Barton Business Parks. However, the first reference to these in the EDVP are at sections 17 and 18 which both indicate that there are no specific policies for the business parks though there is a line on the inset map showing the full extent of the land authorised for business uses to assist plan users. VP12 states (paragraph 1.2) that the draft EDVP does not propose development at these business parks but instead it relies on and is subordinate to policy of the EDLP. I note policy E7 of the EDLP refers to extensions to existing employment

sites but states that this policy will not apply at Hill Barton and Greendale Business Park. It would be helpful to understand the background to this. Was this reference included as a Main Modification to the EDLP? If so please provide a copy of the consultation document on the proposed Main Modifications which provides justification for it.

11. The National Planning Policy Framework (paragraph 157) indicates that plans should be drawn up over an appropriate time scale, preferably a 15 year time horizon, please confirm the time period which the EDVP is intended to cover.
12. There are no provisions regarding monitoring within the EDVP. Please clarify this.

Modifications

13. Definitions of main and additional modifications are given in sections 20 and 23 of the *Planning and Compulsory Purchase Act 2004*, as amended. Main modifications are those which are needed to make the plan legally-compliant and sound (s20(7C) & s23(2A)(b)). Additional modifications are those which (taken together) do not materially affect the policies in the plan (s23(2)(b) & (3)(b)). If, in due course, I recommend that main modifications to the EDVP are necessary to resolve any unsoundness in the plan, or to overcome any problems of soundness, would the Council wish me to do so?

Hearings

14. Information is awaited regarding those who wish to participate in the Hearing sessions. However, having regard to the availability of Council Officers, the Programme Officer and myself it would appear that these might sensibly take place in the week beginning 6 November 2017. I would be grateful therefore, if you would make provisional arrangements for these to be held on that week.
15. Please note that the Council will need to ensure that the start date of the Hearing sessions is notified at least 6 weeks in advance of the start of the sessions. I will circulate a paper setting out the Matters, Issues and Questions, a Guidance Note and a draft Hearings programme in due course. The examination is based on the identified Matters, Issues and Questions and not driven by the representations.

Initial site visit

16. It would help me to make an initial site visit to the area. I would welcome the Council's advice concerning the practicality of viewing the extent of the proposed BUABs, Vitality and Shopping areas and Greendale and Hill Barton Business Parks on an unaccompanied basis from the public realm.

Beverley Doward

INSPECTOR

28 July 2017