

Agenda for Strategic Planning Committee

Tuesday, 20 March 2018, 10am



[Members of the Strategic Planning Committee](#)

Venue: Council Chamber, Knowle, Sidmouth, EX10 8HL

[View directions](#)

Contact: Tabitha Whitcombe, 01395 517542 (or group number 01395 517546): Issued 9 March 2018

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- 1 [Public speaking](#)
- 2 Minutes of the Strategic Planning Committee meeting held on 14 December 2017 (pages 3-7)
- 3 Apologies
- 4 Declarations of interest - Guidance is available online to Councillors and co-opted members on making [declarations of interest](#).
- 5 [Matters of urgency](#) – none identified
- 6 To agree any items to be dealt with after the public (including press) have been excluded. There are no items that officers recommend should be dealt with in this way.

Matters for Debate

- 7 **Housing Monitoring Report to Year Ending 31 March 2017** (pages 8-13)
This report provides a summary of house building monitoring data to the year ending 31 March 2017.
- 8 **Cranbrook Development Plan Document** (pages 14-35)
The report provides feedback on the recent Cranbrook Development Plan Document Preferred Approach consultation.
- 9 **East Devon Self-build and Custom Build – Register, Monitoring of Plot Delivery and Options for Additional Support** (pages 36-51)
The report outlines the level of interest in self-build in East Devon as demonstrated through the self and custom build register and sets out the requirements to grant planning permissions to meet the level of demand shown.
- 10 **Protocol for the production of Supplementary Planning Documents** (pages 52-59)
The protocol sets out a consistent process to be followed to ensure that each SPD is produced in a clear manner and meets legislative requirements.
- 11 **Clyst Valley Trail (CVT)** (pages 60-62)
This report presents a delivery plan for construction of the Clyst Valley Trail.

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[Decision making and equalities](#)

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EAST DEVON DISTRICT COUNCIL

Minutes of a meeting of the Strategic Planning Committee held at Knowle, Sidmouth on 14 December 2017

Attendance list at end of document

The meeting started at 3:00pm and ended at 4.25pm.

The meeting was not audio recorded due to there being no recording facility available in the meeting room.

***24 Public speaking**

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

***25 Minutes**

The minutes of the Strategic Planning Committee meeting held on 27 November 2017 were confirmed and signed as a true record.

***26 Declarations of interest**

Cllr Paul Skinner, Minute *27 – Main modifications to the East Devon Villages Plan Interest - Personal

Reason: Knows the owners of Greendale Business Park and Hill Barton Business Park

***27 Main modifications to the East Devon Villages Plan**

Prior to inviting the Service Lead – Planning Strategy and Development Management to introduce the item, the Chairman read out an email from Cllr Geoff Jung, which the Committee agreed to be appended (appendix 1) to the minutes of the meeting.

The East Devon Villages Plan, which was submitted to the Planning Inspectorate in June 2017 for examination, had been subject to oral hearing sessions in November 2017. Following on from these sessions, a schedule of main modifications had been produced by the Inspector for consultation. Members noted that modifications to Plans were not unusual and to be expected. The Inspector would consider any representations received during the consultation before finalising her report on the Plan - she had set out a timetable for the consultation on the main modifications to run from 18 December 2017 to 2 February 2018. The expectation was that subject to the main modifications being incorporated into the Plan, it should be fit for adoption in spring 2018.

Members considered the Service Lead – Planning Strategy and Development Management's report summarising the modifications and advising of the next steps to Plan adoption. The modifications did not seek to alter the broad approach taken in the Plan; they strengthened and clarified the approach, ensuring stronger policy links between the Villages Plan and the adopted Local Plan. The modifications included:

- A policy for Built-up Area Boundaries for villages;
- A policy for Greendale and Hill Barton Business Parks;
- Amendment to Beer and Colyton village/town centre vitality policies;
- Inclusion of a monitoring plan.

Points raised during discussion on the proposed modifications to the Villages Plan included:

- Clarification was sought as to where the Villages Plan sat in relation to the Local Plan and the Greater Exeter Strategic Plan (GESP). In response, the Service Lead advised that the Villages Plan formed part of the documents that sat alongside the Local Plan and the GESP would sit above the Local Plan. Some of the strategic policies within the Local Plan would eventually be superseded by policies in the GESP.
- The process for amending a Neighbourhood Plan Built up Area Boundary was queried. In response, the Service Lead advised that the legislation did not allow for 'made' Neighbourhood Plans to be changed and it would therefore need to be taken back through the Neighbourhood Plan process, including examination and a referendum.
- Concern raised that the words 'urban quality' were being used to describe the village of Sidbury - it was felt this implied the settlement was similar to a town or city. In response, the Service Lead advised that when the Plan was hopefully submitted to Council for adoption in the spring 2018, it was possible for very small/minor text amendments to be made, however, caution was given that the Council would want to be very careful about avoiding any challenges this could raise as a result.
- The inclusion of inset maps and policies for both Greendale and Hill Barton Business Parks were discussed at length:
 - It was considered that including BUABs for the two strategic employment sites was not in accordance with the Local Plan and the wording used within the policies would prevent the two sites from any expansion. In response, the Service Lead advised that the boundaries shown for both sites in the Villages Plan were for information purposes only and were not policy designations. Both sites were in the open countryside in the Local Plan and the Inspector was suggesting that the relevant policies within the Local Plan would be used to determine planning applications for both sites.
 - A couple of the Committee Members took issue with the reference to 'in particular Strategy 7 of the East Devon Local Plan (Development in the Countyside)' in the new proposed policies VP04 and VP05, as it was felt to be unnecessary. In response, the Service Lead advised that the legislation did not allow the Council at this stage of the examination process to challenge or amend the modifications put forward by the Inspector; however a submission could be sent from the Committee in response to the consultation advising of Members preferred wording to the policy.
 - It was suggested that the sites should be treated as brownfield employment sites and not greenfield sites and that there should be flexibility to allow for appropriate development within and expansion of the sites. The Service Lead advised that both sites were clearly brownfield but this did not change the fact that they were in the open countryside and that developments at them would be considered as development in the open countryside under the policies of the Local Plan.
 - It was commented that Members had not been given all the appropriate information regarding the economic importance of the sites as detailed in the Economic Development Manager's comments when they had made their decision for the sites to be included in the Villages Plan. In

response, the Service Lead and Economic Development Manager advised Members of the internal officer consultation/engagement process that was undertaken when developing documents such as the Villages Plan. The process had never entailed formal internal consultations and the reporting of these to Members.

- The owners of the two sites had not put forward representations for either sites expansion during the Local Plan process and it had been agreed by Council at that stage that the two sites should not have BUABs or allocated expansions to prevent inappropriate development from taking place – the Villages Plan reiterated this decision.
- Some Members felt that the sites were critical for delivering the employment required for the district and the Villages Plan policies, as written, would prevent this from happening – it was not felt that the economic argument had been put across strongly enough when balanced against the landscape policies.
- The Service Lead advised that there were a number of key strategic employment sites within the district and that the employment allocations within the Local Plan would more than deliver the required employment figures for the district. It was recognised that some of the sites were constrained, however work was being undertaken to unlock and deliver those sites. The Villages Plan reinforced what was already in the adopted Local Plan.
- It was queried whether the two sites were the only two business parks located in the open countryside. In response, the Service Lead advised that there were a number of business parks in the countryside, however these were a fraction of the size of the two sites being discussed.
- In response to a question, regarding when a review of the Local Plan would commence, it was advised that this would happen once the Greater Exeter Strategic Plan was sufficiently advanced. A lot of the evidence used to develop the Strategic Plan would inform the review of the Local Plan.
- It was acknowledged that the two sites were important to the district's economy, however they were both constrained by the road infrastructure and their impacts on neighbouring properties/settlements and the wider landscape. Any expansion needed to be appropriate and delivered in accordance with the Local Plan policies. Applications had previously been approved as departures from the Local Plan where they were considered appropriate and the benefits of the development outweighed the Local Plan policies.
- The Economic Development Manager advised that they were strategic employment sites for the district and constraining them would exacerbate the current under supply of employment delivery and therefore his recommendation, through the internal officer consultation process, had been that the two sites should be removed from the Villages Plan.
- In response to a request that representations received during the officer engagement process when producing documents such as the Local Plan be made available to Members, it was advised that the process could be reviewed to make the information available to Members. However, it was stressed that documents such as the Villages Plan were Council documents and were therefore prepared balancing all the expert views received and evidence available. The Service Lead agreed to

incorporate the comments from internal consultees into future reports when bringing forward policy documents for Members consideration.

RESOLVED:

1. that the main modifications to the East Devon Villages Plan, as set out in the committee report, and updated sustainability appraisal, be consulted upon from 18 December 2017 to 2 February 2018 (consultation responses received would be submitted straight to the Inspector for consideration in her final report).
2. that the Inspector be sent a submission from the Strategic Planning Committee during the consultation period on the main modifications to the Villages Plan asking her to consider excluding the words 'in particular Strategy 7 of the East Devon Local Plan (Development in the Countryside)' from the new policies VP04 and VP05, as the Committee did not consider this to be necessary as all relevant policies within the Local Plan would apply to the two employment sites concerned.

Attendance list

Committee Members:

Councillors

Phil Twiss - Chairman

Graham Godbeer – Vice Chairman

Mike Allen

Colin Brown

Jill Elson

Ian Hall

Mike Howe

Philip Skinner

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

Councillors:

Brian Bailey

David Barratt

Paul Carter

Paul Diviani

Peter Faithfull

Steve Hall

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

Matt Dickins, Planning Policy Manager

Ed Freeman, Service Lead – Planning Strategy and Development Management

Rob Murray, Economic Development Manager

Shirley Shaw, Planning Barrister

Hannah Whitfield, Democratic Services Officer

Mark Williams, Chief Executive

Apologies:

Councillors
Susie Bond
Geoff Jung
Rob Longhurst
Geoff Pook
Brenda Taylor
Mark Williamson

Chairman Date.....

Appendix 1

From: Cllr Geoffrey Jung
Sent: 13 December 2017 13:00
To: Cllr Phillip Twiss
Subject: Strategic Planning Meeting Tomorrow

Dear Phil.

Please accept my apologies for this meeting

As you know I very much would like to have attended the Strategic Planning meeting on the 14th Dec but due to a prior engagement in London I am unable to attend.

I have held a key interest in our Local Plan and the Villages Plan for a considerable time. We have now an approved local plan which is proving most efficient in providing clarity in determining planning applications.

The Village Plan will provide further clarity to the areas that were referred to in the Local Plan to be included in the proposed Villages Plan. There are so many references to the Villages Plan in our Local plan it would be a travesty not to proceed in agreeing the Planning Inspectors suggestions and to submit the Village Plan for a further consultation period, and then finally adopt the proposed final draft as early as possible in the new year.

Councillor Rob Longhurst and I sat through the whole of the Inspectors hearings and I would like to thank Linda Renshaw and Matt Dickens and his whole team for their sterling work on this plan, and for the thorough defense and tenacity in the 2 days of hearings with the Inspector and developer's agents who were robustly questioning various aspects of the Villages Plan. They served our District Council well and we are very lucky to have such officers providing such a substantive and well put together document that has been agreed by the inspector with only minor changes.

The Local plan and now the Village Plan will both now provide the guidance for developers and our planning teams the required policies for the whole of the district for many years to come.

I fully support the recommendation to approve the Main Modifications and for it to go out for consultation for a 7-week consultation period.

Thank you

Cllr Geoff Jung

Report to: **Strategic Planning Committee**

Date of Meeting: 20 March 2018

Public Document: Yes

Exemption: None



Review date for release An annual housing monitoring report to the year ending 31 March 2018 should be reported to Committee in Summer 2018.

Agenda item: 7

Subject: **Housing Monitoring Report to Year Ending 31 March 2017**

Purpose of report: This report provides a summary of house building monitoring data to the year ending 31 March 2017. Looking forward the report establishes that in East Devon we have a greater than five year land supply and also the report advises on the production of a new database (nearing completion) that has assisted with current work and will speed up future housing monitoring work.

Recommendation: **That committee note the residential completion data and future projections in the District.**

Reason for recommendation: To keep members informed of:
1. work on land supply to the year ending 31 March 2017; and
2. advise on improving housing monitoring systems.

Officer: Matthew Dickins, mdickins@eastdevon.gov.uk – 01395 571540

Financial implications: No direct financial implication that require comment.

Legal implications: There is a legal requirement for the Council to monitor housing completions and demonstrate a 'Five Year Land Supply' of sites for housing. This reports ensures that the Council is complying with its duties and can demonstrate an adequate supply of housing. Other legal implications are covered in the report.

Equalities impact: Low Impact
Low direct impacts are identified in respect of this report.

Risk: Low Risk
The report itself does not generate direct risk considerations. Should, however, housing completion levels fall in the future then there could be risks associated with a failing five year land supply and/or inability, in a more general sense, to meet housing needs and house the population.

Links to background information:

- The Housing and Employment Land Availability Assessment (HELAA) can be viewed at: <https://www.gesp.org.uk/wp-content/uploads/sites/12/2017/04/HELAA-Methodology-April-2017.pdf>

- Information and data on housing sites that inform the assessment in this report can be viewed on the Council web site at:
<https://eastdevon.gov.uk/planning/planning-policy/policy-work-whats-new/monitoring/>

Link to Council Plan: The council priorities that this report and housing monitoring most directly link to are encouraging communities to be outstanding and continuously improving to be an outstanding council.

1 Introduction

1.1 Through the planning policy team the Council produce an annual housing monitoring report. This report to Committee forms the annual monitoring report for the year ending 31 March 2017. Ideally the monitoring report would be produced much sooner after the March end date of the monitoring year. In this instance/for this year, however, this has not been possible as Strata, on behalf of the Council, have been building a new database to greatly speed up and enhance systems for housing monitoring. It has, however, only been since the beginning of this year that the new monitoring system has advanced sufficiently to allow for meaningful data extraction.

2 Housing Need and Housing Supply in East Devon

2.1 The East Devon Local Plan, specifically in respect of housing supply and monitoring purposes, covers the 18 years running from 1 April 2013 to 31 March 2031 (it is though relevant to note that the plan will be superseded by new plans before this end date). For this 18 year period the plan establishes an objectively assessed need for 17,100 new homes to be built in East Devon. This averages out at 950 homes a year.

2.2 The table below shows the net number of homes that have been recorded as built in the four years running from 2013 to 2017

Table of housing completions for 2013/14 to 2016/17

| Year | 2013 to 2014 | 2014 to 2015 | 2015 to 2016 | 2016 to 2017 | Four Year Total | Annual Average |
|---------------|--------------------|--------------------|--------------------|--------------------|--------------------|-------------------|
| Totals | 830 | 1,029 | 1,027 | 724 | 3,610 | 903 |

2.3 The table illustrates that housing completion in East Devon were lower in 2016 to 2017 than they were for the two previous years, though in part this reflected lower house building rates at Cranbrook than have previously been recorded and were expected. With an annual average level of completions of 903 the actual supply is currently falling below annual average projected needs.

2.4 Whilst actual recorded delivery patterns have fallen, and are projected to also be lower in 2017/18, they are predicted to rise for 2018/19 onward. The table below this paragraph shows site availability to support the projected housing building levels for 2017/18 through to 2030/31.

Table of projected housing completions for 2017/18 to 2030/31

| Year | 2017 - 2018 | 2018 - 2019 | 2019 - 2020 | 2020 - 2021 | 2021 - 2022 | 2022 - 2023 | 2023 - 2024 | 2024 - 2025 | 2025 - 2026 | 2026 - 2027 | 2027 - 2028 | 2028 - 2029 | 2029 - 2030 | 2030 - 2031 |
|---------------|-------------------|-------------------|-------------------|-------------------|-------------------|---|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
| Totals | 814 | 1,353 | 1,395 | 1,355 | 1,353 | 1,549 | 1,196 | 1,204 | 1,087 | 982 | 860 | 719 | 707 | 618 |
| | 6271 ← | | | | | Projected five year housing delivery for 2017/18 to 2021/22 | | | | | | | | |

2.5 The future rise in projected completions, as illustrated in the table, is partly a product of new sites, especially large scale strategic sites, starting to deliver significant housing numbers but it also reflects, more generally, site availability . It should be noted that future projected housing completion figures are primarily based on the potential expectation of sites to deliver housing in accordance with the methodology set out for the Housing and Employment Land Availability Assessment (HELAA). Though also for a number of sites projected levels of building reflect more detailed local assessment of sites and understanding of predicted future housing delivery. The HELAA process, which forms an assessment undertaken in conjunction with the development industry, includes a methodology for defining the levels of development that might be expected on sites, on a year by year basis, dependent on the size of the site and also:

- whether a site has an extant permissions;
- is already seeing development occurring; or
- whether it is otherwise identified or allocated for development.

3 Five Year Land Supply Assessment

3.1 A key reason for keeping a careful record of housing completions and the ability to deliver houses in the future is to ensure that the ability exists to maintain future land supply to match needs and expectations for housing delivery. The Council are required to assess five year housing land supply; this is an assessment of whether the projected levels of future house building, taking into account what has been built in the past, is sufficient to meet the levels of housing expected by or through the local plan for the next five years.

3.2 The equations tabled below, with associated explanation, establish the calculated housing land supply in East Devon at a base position of 1 April 2017.

Table of Housing Five Year Land Supply Assessment

| Ref | Stage of Work | Numbers | Commentary (with formulas used in calculation) |
|----------|---|---------------|---|
| A | Local Plan Requirement from 2013 to 2031 | 17,100 | This is the objectively assessed need for housing as set out in the local plan. |
| B | Annual Requirement | 950 | This is the annual average number of houses that need to be built in order to meet local plan requirements (Number = A / 18). |
| C | Five Year Requirement | 4,750 | This is the number of houses that should be built over every five year period (Number = B x 5). |
| D | Requirement to have been delivered by 31 March 2017 | 3,800 | This is the number of houses that should have been built in the four years from 1 April 2013 (local plan start date) to 31 March 2017 (Number = B x 4). |
| E | Completions 1 April 2013 - 31 March 2017 | 3,610 | This is the actual dwellings recorded as being built from 1 April 2013 (local plan start date) to 31 March 2017 (see table earlier in this report for the number). |
| F | Shortfall | 190 | This is the level of shortfall between what should have been built and what actually was built (Number = D – E). |
| G | 5 Year target (excluding buffer) | 4,940 | This a forward looking assessment that takes into account a standard five year requirement (i.e. it provides for the five years looking forward) and adds to it the shortfall figure (Number = C + F). |
| H | 5 Year Target (including 5% buffer) | 5,187 | Government guidance requires that the Council not only provide a calculated need figure but that they also add a 5% buffer to this number (whilst it is not applicable to East Devon the 5% buffer increases to 20% in cases of persistent under delivery) (Number = G + 5% of G). |
| I | Annual Target | 1,037 | The 5 year target is divided by 5 to create an annual average target (Number = H / 5). |
| J | Total Deliverable Supply from 1 April 2017 to 31 March 2022 | 6,271 | To understand if we are projected to meet the five year need we look to the projected supply of housing over the period from 1 April 2017 to 31 March 2022 (see table earlier in this report for the number). |
| K | Surplus Supply | 1,084 | By knowing the projected supply and comparing this against the 5 year requirement we can calculate if there is a shortfall or a surplus (Number = J – H). |
| L | Years of Land Supply With a 5% Buffer | 6.05 | The final calculation records the supply of housing in terms of meeting/exceeding five year needs (Number = J / I). |

3.3 The above assessment shows that we retain, in East Devon, a five year housing land supply.

4 Housing Monitoring Database

- 4.1 The assessment work that underpins this report has utilised a new database that has been built for the Council, and specifically the Planning Policy team, by Strata. Housing monitoring work, in the past, has drawn heavily on a range of records and systems held and used by the Council. The work has, however, mostly entailed opening up these systems and specifically standalone records on computer screens and extracting or copying data from them into a standalone spreadsheet to build up a record of what has been built and what is projected to be built. The exercise was very time consuming.
- 4.2 Strata have, however, worked on a new system (a new database) that directly interrogates other systems and records held by the council to ease and assist in the monitoring work. Whilst the system is not fully automated, and it is highly questionable whether it could be or indeed if this would be desirable, the new system saves a considerable amount of officer time and should provide more reliable outputs with information recorded, managed and reported on in a more consistent manner.
- 4.3 The new housing monitoring database is not fully complete but it should be in the near future. On completion it should allow for a monitoring report to be undertaken for the year ending 31 March 2018 in the summer of this year and it should provide scope for considerably more assessment of sites and schemes going through the planning process to development and occupation of homes. We are currently, for example, looking at means to integrate or incorporate affordable housing completion records into this system.
- 4.4 Because the new monitoring database is not full complete we have only made partial use of it in this assessment work. The work undertaken has, as well, had to draw on past records and also some assumptions and estimates have fed into the assessment work. Most notably the estimates include using past assumptions on future windfall housing scheme completions in this current work.

5 The Housing Delivery Test

- 5.1 In addition to five year land supply assessment the Government has also advised of the introduction of a housing delivery test. The exact details of this test are to be defined though it can be expected the test will highlight whether the number of homes being built is above or below target level. Where house building is falling short there will be a need to establish reasons why and where necessary trigger policy responses that will encourage more land to come forward and/or measures for sites to be developed at a faster rate. The expectation is that local plan housing targets, or targets/levels which may be defined though national need assessments or some other measure, will be assessed over a rolling three year average time period and compared against corresponding recorded house building levels.
- 5.2 Where under delivery is recorded action will be required to improve delivery with a presumption in favour of development if or where house building falls below need levels. It is understood that precise levels of under supply at which an 'in favour of development' test will apply are still to be defined.

- 5.3 In taking action to support and encourage housing delivery Council's may need to do more work on understanding why new houses may not be being built and seek to take action to encourage greater levels of housebuilding, including through assisting in unblocking any problems that are identified.
- 5.4 In November 2017 the Planning Advisory Service undertook some work and circulated a spreadsheet setting out assessment, by local planning authority, against their understanding of the housing delivery test. In this work housing delivery was measured against a need figure and East Devon was recorded as passing the test. However, it is stressed that conditions can change over time and also the methodology for undertaking the test may also be amended. It is advised that in the spreadsheet 126 Council's passed the test and 194 failed out of the 320 reported on.

6 Jobs and Employment Land Monitoring

- 6.1 It should be noted that this monitoring report is specifically concerned with housing delivery monitoring. The Local Plan sets out monitoring requirements for a range of considerations and these specifically include employment land development. An employment land monitoring report, to the year ending 31 March 2017, has already been reported to members. A new report to the year ending 31 March 2018 should be produced in the summer of 2018. As part of the employment monitoring work we will also seek to gather information and data on employment and job levels in the district and explore, if possible, the relationship between land take-up and availability and job numbers. There may be, however, some challenges in establishing job levels at the district level, and even more so in breaking this data down into levels for small areas (for example specific towns) as it is not clear if this information is readily available.

Report to: **Strategic Planning Committee**

Date of Meeting: 20 March 2018

Public Document: Yes

Exemption: None

Review date for release None



Agenda item: 8

Subject: **Cranbrook Plan Development Plan Document**

Purpose of report: The report provides feedback on the recent Cranbrook Development Plan Document Preferred Approach consultation and sets out the intended actions arising as a result of the main matters raised by the public, stakeholders and consultation bodies during that consultation.

Recommendation: **That Members note the content of the report**

Reason for recommendation: To allow the continued production of a Development Plan Document to guide the expansion of Cranbrook to around 8,000 homes to be progressed.

Officer: Ed Freeman, Service Lead - Planning Strategy and Development Management, 01395 517519

Financial implications: No additional financial implications

Legal implications: The legal implications are as set out within the report

Equalities impact: High Impact

The Development Plan document will need to ensure that the needs of all groups and sections of society are considered and catered for, including Gypsies and Travellers.

Risk: Medium Risk

The expansion of Cranbrook to circa 8,000 homes represents the single largest contribution to meeting the strategic housing requirement in the District. It is vital that this comes forward on a comprehensive basis. The Cranbrook Development Plan document is identified in the Local Plan as being critical to securing the long term success of Cranbrook.

Links to background information:

- Cranbrook Plan Preferred Approach documentation
<http://eastdevon.gov.uk/planning/planning-policy/cranbrook-plan/cranbrook-plan-preferred-approach-consultation-201718/#article-content>
- Issues and Options report
<http://eastdevon.gov.uk/planning/planning-policy/cranbrook-plan/issues-and-options-consultation/#article-content>
- Cranbrook Plan evidence base
<http://eastdevon.gov.uk/planning/planning-policy/cranbrook-plan/cranbrook-plan-preferred-approach-evidence-base/#article-content>
- Rockbeare Neighbourhood Plan submission documents

<http://eastdevon.gov.uk/planning/neighbourhood-and-community-plans/neighbourhood-plans/neighbourhood-plans-being-produced-in-east-devon/rockbeare/#article-content>

Link to Council Plan: Encouraging communities to be outstanding, developing an outstanding local economy, delivering and promoting our outstanding environment.

1 Background

Outline planning permission for the first 2,900 homes at Cranbrook was issued in October 2010 followed shortly by the reserved matters for the first 1100 homes in April 2011. Development commenced in June 2011 and progress since then has been rapid. Particular milestones have included:

- The first households moving in during July 2012
- The opening of the first primary school (St Martin's) in September 2012
- The start of the bus service in May 2013
- Elections to the newly formed Cranbrook Town Council in May 2015
- The opening of the new education campus (including the second primary school and first secondary school) and the first shop in September 2015
- The commencement of rail services from Cranbrook station in December 2015
- The opening of the Cranberry Farm pub in the town centre in May 2017

Today there are approximately 1,700 households living at Cranbrook, equivalent to a population of around 4,000 people. The town has been given Healthy New Town status (one of only ten such developments in England) as part of an NHS England programme and alongside Exeter has been recently selected as one of 12 demonstrator sites for a Sport England Local Delivery Pilot aimed at tackling inactivity. These demonstrate that Cranbrook has a national profile.

2 Local Plan

The Local Plan anticipates Cranbrook comprising approximately 7,850 new homes by 2031. This equates to a population of around 20,000 people meaning that Cranbrook will have quickly expanded to become the second largest town in the District. Accommodating a further 4,350 homes at Cranbrook over and above what currently has the benefit of planning permission represents the single largest contribution to meeting the strategic housing requirement in the District.

2 Cranbrook Plan to date

In November 2014 the Council committed to a masterplanning exercise, known as the Cranbrook Plan, to review progress with the new town, refresh the vision and guide the expansion to 7,850 homes. Specifically this would address the 1,550 homes that are not currently allocated through Strategy 12.

In June and July 2016 an issues and options public consultation was held in relation to the Cranbrook Plan. The consultation responses highlighted that minimising impact upon surrounding communities, noise on proposed residents and returning London Road to being a focus for commercial development are all important factors to the public. The two favoured development scenarios both involved some development south of the London Road (B3174), including development to the north east of Rockbeare.

3 Preferred Approach consultation

In November 2017, Strategic Planning Committee approved an 8 week period of consultation on a preferred approach document for the Cranbrook Plan. This consultation ran from 10 November 2017 to 8 January 2018 and although was not a statutory requirement, consultation at such a stage is considered good practice.

The preferred approach consultation documentation comprised the masterplan for Cranbrook, which set out the evidence behind the preferred approach as well as plans identifying land for differing types of development, and a separate list of policy requirements. In addition, the Sustainability Appraisal and Strategic Environmental Assessment reports to accompany the plan were also consulted upon. The evidence base behind the plan was available for public viewing during the consultation period.

Manned consultation events were planned where possible to coincide with other public events in the run up to Christmas 2017. In total, Officers attended two events in Cranbrook and one each in Rockbeare, Clyst Honiton and Broadclyst as well as being available to answer public questions and queries at varying times of the day at the Younghayes Centre, Cranbrook on half a dozen other occasions where a static consultation display was permanently available to view. A paper copy of the consultation material was placed at Clyst Vale Library. Officers also attended Town and Parish Council meetings in Cranbrook, Rockbeare, Clyston Honiton, Broadclyst and Whimble and a presentation was given to secondary school aged students at Cranbrook Education Campus. Approximately 2,500 organisations and individuals on the Council's Planning Policy database were invited to participate in the consultation and 5,000 postcards advertising the consultation were distributed to residents and businesses in the local area and posters displayed in public locations throughout the plan area. Further advertisement of the consultation was made on social media during the consultation period to encourage engagement.

Attendance at the manned events during the consultation period was generally good, with a range of views expressed and some success in reaching different sectors of the community by virtue of the timing of events to coincide with other planned events in the run-up to Christmas 2017. The consultation events which did not coincide with other planned events were noticeably less well attended.

4. Preferred approach consultation feedback

A total of 138 consultation responses were received during the consultation period. Of these, 6 were from Town and Parish Councils, 2 from County Councils (Devon and Somerset), 2 from District Councillors, 16 from other groups and consultation bodies, 12 from developers or agents and the remaining 100 from members of the public. The majority of the representations from members of the public were from residents of Cranbrook and the surrounding settlements of Broadclyst Station, Rockbeare and Whimble.

Full copies of the 138 consultation responses can be viewed at: <http://eastdevon.gov.uk/planning/planning-policy/cranbrook-plan/>. It should be noted that personal information has been removed from the published documents, other than where made by groups or organisations or where a respondent gave express permission to publish their name. In addition, a small amount of text has been redacted where it provided personal information which may identify someone or contained inappropriate comments.

The consultation documentation and the associated questionnaire split the document into a series of different topics on which feedback was sought. The table at appendix 1 of this report sets out the main issues arising from the consultation responses and intended actions to address the specific matter raised, where appropriate. The table at appendix 1 is not a comprehensive list of all individual matters raised; any matters not set out in the table at appendix 1 will nevertheless be considered and used to inform the refinement of the Cranbrook Plan DPD.

5. Relationship with Parish Neighbourhood Plans

One matter of particular note arising from the Cranbrook Plan Preferred Approach document and consultation is the relationship of the proposed plan with the Neighbourhood Plans and Plan Areas of adjoining parishes. Strategy 12 of the Local Plan states that the required additional 1,550 homes and associated jobs and infrastructure will be accommodated within the Cranbrook Plan area but outside the designated Neighbourhood Plan Areas of Rockbeare, Broadclyst and Clyst Honiton. The preferred approach document indicates development occurring within parts of the Rockbeare and Broadclyst Neighbourhood Plan Areas.

In the Broadclyst Neighbourhood Plan Area the encroachment is a small area of land adjacent to Station Road. During consultation Broadclyst Parish Council did not raise specific objection to the inclusion of a small parcel of land within their Neighbourhood Plan Area as part of the Cranbrook Plan, although they are concerned more generally with the relationship between Cranbrook and Broadclyst Station, the residents of which are very keen to retain a buffer between the two.

In the Rockbeare Neighbourhood Plan Area the encroachment is of a larger parcel of land to the South of London Road (B3174), encompassing land for a range of uses, including housing development and Suitable Alternative Natural Green Space (SANGS). The decision to propose to allocate land within these areas for development at Cranbrook arises from careful consideration of the evidence documents which support the preferred approach and the consensus of responses to the Issues and Options Consultation in 2016.

It should be noted that since the end of the preferred options consultation, Rockbeare Parish Council has submitted its Neighbourhood Development Plan to East Devon District Council and a period of consultation on the plan is being undertaken at the time of writing and closes on 16 March 2018. The Rockbeare Neighbourhood Plan includes policies to further restrict the types of development which are acceptable in the Green Wedge defined in policy S8 of the Local Plan and seeks to resist development of the type proposed by the Cranbrook Plan that is within the Green Wedge in Rockbeare Parish (within the area named Grange).

The inclusion of land in the Rockbeare Neighbourhood Plan Area as part of the Cranbrook Plan, including within the green wedge, would allow for a more coherent pattern of development when assessing Cranbrook and its relationship with London Road whilst still retaining the character of Rockbeare and preserving views out of the village. Work on landscape impacts carried out on behalf of the Council identifies that the land proposed to be allocated for built development would have an acceptable impact upon the character and setting of the village as development would be obscured from Rockbeare due to land form.

Legislation allows for there to be discrepancies between two plans, with section 38 of the Planning and Compulsory Purchase Act 2004 stating that where there is conflict between two plans, it must be resolved in favour of the policy which was last adopted, approved or published. On this basis,

were the land allocations identified in the preferred approach document adopted, they would supersede the part of Strategy 12 that refers to the exclusion of development in the Broadclyst and Rockbeare Neighbourhood Plan Areas. Equally, should the Rockbeare Neighbourhood Plan be found sound and adopted in advance of the Cranbrook Plan, this would not preclude an Inspector from finding the Cranbrook Plan sound and it therefore superseding elements on the Rockbeare Neighbourhood Plan in respect of allocations within the Rockbeare Neighbourhood Plan Area.

As part of the Preferred Approach consultation, Officers attended meetings with both Rockbeare Parish Council and the Rockbeare Neighbourhood Plan Steering Group but unfortunately, common ground was not found in respect of the extent of development proposed within the Parish. It is recommended that the Cranbrook Plan DPD progresses with an allocation within the Rockbeare Parish and Neighbourhood Plan Area, with the precise boundaries of development to be further considered and refined following the preferred options consultation and the matters set out in appendix 1.

6 Next steps

Work continues in respect of the refinement of the Cranbrook Plan DPD, informed by the representations made during the preferred options consultation and of the gathering of additional evidence and information in order to inform such refinement. Once this process is complete, viability testing of the plan will be carried out, followed by any necessary further amendments which are required to deliver a viable plan. Alongside production of the publication version of the Cranbrook Plan, work is being progressed on accompanying statutory documentation such as Sustainability Appraisal and Strategic Environmental Assessment as well as non-statutory supporting documentation and evidence to include a Health Impact Assessment.

The proposed publication draft of the Cranbrook Plan will be reported to Strategic Planning Committee and Full Council for endorsement to submit to the Planning Inspectorate for examination in public. The publication draft of the Cranbrook Plan will be published for consultation purposes for not less than 6 weeks before submission. Following this final period of consultation the DPD and associated documents and supporting evidence, including comments received during the consultation, will be submitted for examination. A government appointed planning inspector will assess the plan and come to final conclusions on whether it can be formally approved and adopted under plan making processes and regulations. The inspector may recommend a number of changes to the plan and it may also be that further consultation, on these, is required. On final adoption by the Council the plan will, however, carry its full statutory weight in decision making processes. It will be the primary document that is turned to and used in determining future planning applications at Cranbrook.

At this stage, precise timings for the finalisation of a publication version of the Cranbrook Plan DPD are uncertain, however submission in Autumn to early Winter 2018 is envisaged.

Summary of main issues raised in consultation responses to the Cranbrook Plan Preferred Approach

| Topic | Issue | Response | Action |
|-----------|---|--|--|
| Bluehayes | Access to the site is problematic and there is insufficient evidence to demonstrate that an access onto Station Road in the location shown is achievable due to the proximity to the existing roundabout to the east. | Officers have had multiple meetings with the Consortium and DCC Officers and there is presently no junction solution which has been tabled that achieves a suitable arrangement. There is a balance to be struck between place making and the provision of an access which provides good quality pedestrian and cycle provision for crossing, as well as keeping vehicular traffic free flowing along London Road. | Explore the potential for a realigned access to the site around the Station Road junction. Continue an active dialogue with DCC and East Devon New Community partners to seek to achieve a practical solution to junction access. |
| | Additional land put forward for development at the Hungry Fox Estate (north of current allocation, south of the railway line and east of Station Road) | Land is currently underutilised, being mostly agricultural or in domestic use. The access to the site from the current Hungry Fox Estate road has inadequate visibility to accommodate the development of the land. Some concerns over flooding implications. | Investigate potential alternative access arrangements or improvement of existing access and flooding implications. Allocate if these findings are favourable. |
| | Concern over relationship with properties at Broadclyst Station, who are keen to retain a separate identity. Desires for a green buffer expressed. | The current masterplan indicates the retention of existing hedgerows along much of Station Road and the allocation of allotments opposite a number of existing properties at Broadclyst Station. This provides some separation of development from Broadclyst Station. Residential development is proposed adjacent to properties at Railway Terrace along its eastern boundary. | Some consideration could be given as to how development would adjoin the properties at Railway Terrace to minimise impact, however this is likely to be a matter of detail which could adequately be determined at the time of a detailed planning application. No action is recommended for increasing the buffer along Station Road. |

| Topic | Issue | Response | Action |
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| | East Devon New Community partners (Cranbrook Development Consortium) advocate the removal of the hedge to the west of the primary route through the area as it is of little value and compromises the layout of development. | At the time of writing, the quality of the hedgerow has not been specifically assessed by Officers. Comments regarding the impact of retention upon the layout of development are understood. | Review quality of hedgerow and consideration of layout. Final decision on retention to be made following this. |
| Treasbeare | East Devon New Community partners assert that the Treasbeare area could accommodate a minimum of 1000 dwellings as opposed to the 800-950 stated in the masterplan. | Overall dwelling allocations, densities and typologies of development will be reviewed as part of the consideration of amendments to the plan. | Review as part of other considerations. |
| | The East Devon New Community partners assert that development on the eastern side of the parcel could go further than has been shown without harmful landscape impacts, particularly if single storey or 1.5 storey buildings are used and landscaping is planted early. This contradicts comments from residents who are concerned about development on this side, particularly the very northern field, adjacent to London Road and in the Green Wedge. | The New Community partners consultation response includes their own proposals for Treasbeare and assessment of impacts. This is worthy of further investigation as any additional developable land that would have an acceptable landscape impact should be considered for development. Work carried out by HDA in relation to landscape impact for the preferred approach document indicates that the northern field in the green wedge would be acceptable for development. | Commission a review of the East Devon New Community partners proposals for Treasbeare submitted with the consultation response to appraise impact of development further to the east. Review proposed allocation in green wedge at Treasbeare for landscape impact but likely to maintain allocation. |
| | Vehicular access to the site as shown on the masterplan is problematic due to the difference in ground levels between the site and London Road at that point. This is compounded by the presence of the district heating main serving current | These access issues are common to both the Bluehayes and Treasbeare areas as the same junction was shown as serving both areas in the masterplan. Land to the west and east of the currently shown junction is close to grade with the | Review access arrangements to Treasbeare alongside those of Bluehayes. |

| Topic | Issue | Response | Action |
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| | Cranbrook development being located in the raised area. | London Road and should be explored as potential access points. | |
| | The noise sensitive areas should be shown on a plan to clearly demonstrate the areas where mitigation is required before they can be brought forward. A specific reduction in dB levels shouldn't be given in a policy, rather a statement that it should be reduced to appropriate levels. | Parts of the Treasbeare area are noise sensitive by virtue of the proximity to Exeter Airport and in particular as a result of engine testing activities. Work has begun on the specification for an engine testing pen at the Airport and initial modelling indicates that a pen is capable of mitigating noise levels to an acceptable level in the Treasbeare area. | Amend masterplan to indicate noise sensitive areas. Formulate policy to require noise levels to be reduced to daytime and night time noise levels set out in EDDC Development Management and Environmental Health Joint Airport Noise Study, Updated Noise Impact Assessment, Exeter International Airport, May 2016", Part 2 Tables 12 and 13. These will need to be met before development in the relevant areas is brought forward. |
| | Questions raised over the location and size of the sports hub and pitches indicated on the masterplan. | The Treasbeare area is not level and the provision of sports facilities in the area will require an element of regrading. Similarly there are a number of pitch size requirements for individual sports which are dependent upon the age of players using the facility and the level it is to be played at. | Review approach to site selection and provision to be made. Consider in light of decisions to be taken regarding the potential for a school to be located in the Treasbeare area (see comments under Education) and a neighbourhood centre. |
| Cobdens | East Devon New Community partners are concerned that too few dwellings are allocated in this area. | Overall dwelling allocations, densities and typologies of development will be reviewed as part of the consideration of amendments to the plan. | Review as part of other considerations. |
| | Undergrounding of pylons has raised concerns with those who have options on the land in question. There is a | The consultation was supported by an evidential document in relation to the undergrounding of the pylons. Any delay | Review evidence document to ascertain if further work is required to justify proposal for undergrounding. Continue |

| Topic | Issue | Response | Action |
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| | <p>suggestion that insufficient evidence has been provided to conclude that the line can be undergrounded. The procedures involved in undergrounding power lines are likely to delay the delivery trajectory.</p> | <p>in delivery trajectory could delay the delivery of the primary school in this area as it is currently shown being located directly underneath the line proposed for undergrounding. If this were the case, the delivery of education provision in one of the other development areas would need to be available at an early stage of the expansion development. Officers are of the opinion that the undergrounding of the pylons is crucial to the delivery of a coherent and high quality development.</p> | <p>To pursue undergrounding of pylons. Ensure delivery plan and policies address timing of education delivery.</p> |
| | <p>Additional land put forward adjacent to Southbrook Court and to the south of Southbrook House. Small parcels of land under option to East Devon New Community partners aren't currently shown for built development.</p> | <p>The small parcels of land adjacent to Southbrook Court and Southbrook House are in close proximity to one another on opposite sides of Southbrook Lane and at a point where the road has two sharp consecutive corners. The allocation of these parcels would potentially allow for an improved road connection from the currently consented land into the expansion area at Cobdens but would also provide a more comprehensive and less fragmented development than currently shown. Most of the parcels within EDNCp control that aren't shown for built development are indicated for SANGS delivery.</p> | <p>Allocate land adjacent to Soutbrook Court and south of Southbrook House. Consider EDNCp allocations in light of further decisions regarding pylon undergrounding and SANGS mitigation.</p> |
| Grange | <p>Allocation of land in this area goes against Strategies 8 and 12 of the Local</p> | <p>Officers are of the opinion that development in this area, due to its</p> | <p>Officers recommend continuing with an allocation in this area. Final land uses</p> |

| Topic | Issue | Response | Action |
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| | <p>Plan and the promise of keeping development out of the Green Wedge and Neighbourhood Plan Areas. Rockbeare Parish Council and Cranbrook Town Council as well as residents (mostly of Rockbeare) are strongly against the proposed allocation.</p> | <p>limited landscape impact and physical separation from Rockbeare, will not lead to settlement coalescence. The Local Plan commits East Devon District Council to allocating land for an additional 1550 homes over and above the current allocation and this has been considered as being a suitable site. The removal of land to the west of the lane to The Grange Hotel would represent the removal of land in the Green Wedge but would also detract from the creation of place along London Road and necessitate the inclusion of land elsewhere to make up the shortfall in housing numbers.</p> | <p>and mitigation to be evaluated in light of wider refinement of the Cranbrook Plan.</p> |
| | <p>Concerns over retaining access to existing properties, particularly those that use Gribble Lane.</p> | <p>Access to existing properties will be need to be retained, ideally using the existing routes or at least, along similar length new routes.</p> | <p>Clarification to be provided on movement strategy in the Grange area and how Gribble Lane is to be treated.</p> |
| | <p>DCC would prefer the indication of a primary vehicular route through the area (as opposed to a secondary movement route) and the inclusion of cycle facilities.</p> | <p>This could be a useful change to the plan to ensure that buses could serve the area and make the delivery of retained access to properties that currently use Gribble Lane easier. Could be done in conjunction with realigning Gribble Lane through the area so that it exits opposite the primary access to Cobdens.</p> | <p>Amend movement strategy and masterplan to reflect DCC recommended changes.</p> |
| | <p>Additional land put forward to the south and east.</p> | <p>Not recommended that land to the south is allocated for built development due to landscape impacts. Land to east could be considered but only if the land between</p> | <p>Explore land availability and constraints. Make final decision on land allocation in light of findings and consideration of</p> |

| Topic | Issue | Response | Action |
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| | | it and the current proposed allocation is also included. | other wider allocation decisions at Cranbrook. |
| | Suggestion that the land could be allocated to come forward for development only after the other three allocated areas are developed. | This would delay development in the Grange area but would not preclude it. Would need to be an evidential reason for delaying development in the area, which to date, is not clear. | Unlikely to be a preference for phasing development in the Grange area to come forward only after other three areas. |
| | DCC advise that archaeological potential needs to be investigated before publication draft of DPD finalised due to proximity to a Roman Road and the lack of previous archaeological investigations on the land. | Necessary element of evidence gathering. | Discuss with DCC, land owners. Ensure investigations carried out and any relevant outcomes are fed into policy production. |
| Education | Land adjacent to Cranbrook Education Campus has been included in the Consortium's residential land budget following previous changes to the current S106 agreement. It therefore isn't available for education development. | In order to allocate land, it must be available. The Consortium advise that the land isn't available for the use proposed and therefore, it will fail this test. | Remove proposed allocation. Allocate additional land within one of the larger allocations for an additional 210 primary pupil places. Final decision on location to be taken in light of points below. |
| | DCC say locations of schools (primary) shown are acceptable provided they remain within 500m of neighbourhood centres. Consortium suggest having a school in Treasbeare, either in lieu of, or in addition to that at Bluehayes. This would foster a community feel and allow for shared use and co-location of facilities alongside the proposed sports hub. | There is merit in the locating of schools in each of Bluehayes and Treasbeare; both will necessitate movements across London Road should there be a school in only one of the two areas. A school in Bluehayes will give it a focal point. A school in Treasbeare allows for co-location of facilities and a potential community hub of activity alongside the sports provision, however DCC advise that this would need to be fully | Discuss further with DCC to finalise locations and sizes of primary schools. |

| Topic | Issue | Response | Action |
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| | | understood from the outset to ensure expectations and aspirations to be managed. DCC advise that the location of schools should be based on where the majority of housing is provided. | |
| Gypsies and Travellers | Concern over proximity of sites to existing settled community. Concern over size of sites, with respondents suggesting that 30 pitches is disproportionate to the settled population in the area. Separate concern also expressed that the two sites identified (in Bluehayes and Cobdens) would not be large enough to provide space for adequate pitches with amenity buildings, grazing land for horses etc. | Gypsy and Traveller site provision was one of the most contentious elements of the plan during the consultation. East Devon District Council's SPD on site design and layout states that no more than 15 pitches should be provided on a single site and this would be adhered to through the Cranbrook Plan. The A30 corridor is a traditionally used route for the Gypsy and Traveller community and the provision of pitches at Cranbrook is appropriate in terms of location and has been adopted in the Local Plan. | Seek to identify sites of up to 10 pitches each in order to address concerns regarding site size. Likely to seek to allocate not more than 20 pitches in total. |
| | Concern over the availability of the site in Bluehayes. | Officers are concerned about the availability of the land identified in Bluehayes for a Gypsy and Traveller site and the likelihood of a site being delivered on the land, which is in private ownership and the owners intentions are unclear. | Remove proposed Gypsy and Traveller site from the land in Bluehayes and allocate on another parcel of land within the plan area. |
| | Response from the Gypsy and Traveller community suggests that transit pitches should not be provided. | Many residents and those who attended the consultation events were concerned regarding the provision of transit pitches and the problems which can arise from those in transit arriving on a site without authorisation (e.g. use of Cranbrook | Allocate land for permanent pitch provision only. |

| Topic | Issue | Response | Action |
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| | | Station car park). The removal of transit pitches from the proposal would potentially address some of these perceived impacts of pitch provision. | |
| | Gypsy and Traveller Accommodation Assessment (GTAA) identifies that the need for pitches is in the short-term. As Cranbrook expansion is not going to be delivered in the short-term, it is not a suitable location for pitch delivery. | The GTAA identified a need for 37 permanent pitches up until 2034, of which 22 are needed by 2019. Since the study was undertaken, 6 permanent pitches have been granted planning permission, taking the need to 31 permanent pitches, of which 16 are required by 2019. There is therefore a need for 15 pitches after 2019, plus the shortfall of any which have not been provided by 2019. | A need for permanent Gypsy and Traveller pitch provision exists across the plan period, including during the timescale within which the expansion of Cranbrook is expected to be delivered. Ensure sites have capacity to accommodate identified need. |
| | Anecdotal evidence that lenders are reluctant to lend for mortgages in locations in proximity to Gypsy and Traveller sites. In light of this, East Devon New Community partners suggest an off-site financial contribution and no specific allocations of land. | It is understood that concerns which exist regarding lending are largely in relation to the unknown impacts of planned but not yet delivered development as opposed to sites which are adjacent to existing Gypsy and Traveller provision. The making of an off-site financial contribution would not make direct provision of pitches to meet the identified need and may not lead to delivery within the required timeframe to accommodate the need due to the difficulties in finding suitable and available sites. | Continue with policy formulation which allocates land for Gypsy and Traveller pitch provision at Cranbrook. Investigate timings for delivery and how this may impact upon lending concerns. |
| Health and Wellbeing | Concern has been raised (inc. from the Healthy New Towns Executive group) | At present the affordable housing rate for the expansion areas of Cranbrook is | It is Officer's opinion that the needs of the growing community need to be |

| Topic | Issue | Response | Action |
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| | <p>regarding the social, health and wellbeing needs of the growing community and how these will be met in the expansion areas, particularly through the delivery of appropriate social and community infrastructure and services.</p> | <p>set at 25%, as per Strategy 34 of the Local Plan. Cranbrook development to date has delivered 30% affordable housing (20% rented and 10% shared ownership), plus 10% 'Affordable by Design' homes which are sold to persons with a housing need who meet certain eligibility criteria. As part of the planning policy production for the Cranbrook Plan, an exercise into viability testing will be carried out to determine what infrastructure is deliverable to ensure development viability and delivery; this includes a balancing exercise regarding the percentage of affordable housing provided.</p> | <p>looked at holistically. Depending upon the results of the viability testing, this could include a lowering of the current requirement for 25% affordable housing provision in the expansion areas, in order to provide the necessary supporting infrastructure and services for the residents of the town, which may be a wider set of infrastructure and service requirements than one would normally anticipate being provided as part of a new development. This is set against the backdrop of the town being one of 10 Healthy New Towns across the Country and one of 12 Sport England Local Delivery Pilot areas to tackle inactivity and the need to ensure that a balanced and healthy community is formed.</p> |
| | <p>Confusion over the strategy for health and wellbeing facilities and the relationship with neighbourhood centres and meanwhile spaces.</p> | <p>It is anticipated that a single main health and wellbeing hub will be delivered in the town centre (in line with work being progressed by the Healthy New Towns programme) and that other health services could be delivered in satellite locations at the neighbourhood centres. These are likely to be delivered through the utilisation of spaces in other facilities, such as pharmacies or community spaces. It is not envisaged that there will be dedicated branch GP</p> | <p>Clarify strategy for the delivery of health services and facilities and the relationship with neighbourhood centres and meanwhile spaces.</p> |

| Topic | Issue | Response | Action |
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| | | surgeries as this doesn't align with current NHS and CCG business models or the drive toward new models of care. | |
| Housing mix | The current rate of housing provision (including affordable housing) isn't delivering a balanced community. There are too few new properties in Council Tax bands E and above. | Consideration of the delivery of affordable housing and the creation of a balanced community should be looked at alongside the health and wellbeing implications of housing and infrastructure delivery. The Council Tax base in itself is not a planning matter but is seen as an indicator of housing balance by Cranbrook Town Council. The delivery of custom and self-build housing may help to redress the balance of housing provision as it will likely attract a different range of people from those presently moving to Cranbrook. Consideration of the adoption of the Nationally Described Space Standards could be given which would increase the average size of properties and would provide improved living space, potentially having a positive impact upon health and wellbeing. However, these Standards are not applied elsewhere in East Devon and there is the potential that to introduce them would delay delivery at the town and affect viability. | Pursue a specific policy in relation to the delivery of Self and Custom-build housing at Cranbrook as opposed to relying on existing policy H2 of the Local Plan. Review evidence for a bespoke policy in relation to the range and mix of housing delivered at the town, rather than relying on policy H1, which may not be strong enough to ensure a mix of housing sizes at a development of this scale. |
| Movement | Greater emphasis should be placed on sustainable transport modes and prioritisation. | The movement strategy and masterplan are intended to prioritise sustainable transport modes but it is accepted that | Movement strategy topic paper to be produced to place greater emphasis on sustainable transport and then to be |

| Topic | Issue | Response | Action |
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| | | this does not come across as well as it should in the documents. | reflected in the revised masterplan and relevant policies, including a sustainable travel policy to promote car clubs, bike hire etc. |
| | The plan fails to identify how the movement network (including pedestrian and cycle movement) links in with the wider network. It is too Cranbrook centric. | This is required to be resolved so as to show how Cranbrook sits in the wider area and to demonstrate a co-ordinated approach to movement. | Amend movement strategy plan to show wider movement network. |
| | Masterplan comments on rail infrastructure are unclear. The passing loop is the most important component. A half hourly rail service may be possible without an improved station, with a 2 nd platform only being possible if the passing loop passes through the existing station; DCC believe the 2 nd platform option to be a sub-optimal solution. Concerns that only development post the delivery of 6500 homes relies upon the delivery of a half-hourly rail service. | <p>The delivery of a half-hourly rail service is a key ambition of the plan in order to encourage use of rail travel as an alternative to the private car.</p> <p>Further evidence from DCC is required to justify any financial contribution from development toward delivery of the half hourly service.</p> | <p>Devon County Council to compile evidence of need for additional rail infrastructure to support the Cranbrook Plan evidence base.</p> <p>Remove specific option for 2nd platform from proposals.</p> <p>Develop a policy which safeguards land for a second station but allows for other options for the delivery of a half-hourly service to be brought forward and funded by Cranbrook delivery. Considerations of delivery funding mechanisms to be further explored and testing as part of viability testing of plan.</p> |
| | Suitability and desirability of the old A30, B3174 London Road to be downgraded from its current status and to become an integral part of the town is questioned. Views expressed that it should remain as a bypass to development. | The London Road is a diversionary route to the A30 should it be closed between the M5 and Daisymount roundabout and any plans to downgrade it would need to ensure that this function can be sustained, despite the irregularity of its | Continue with plans to downgrade the London Road through Cranbrook in consultation with DCC and the local community. |

| Topic | Issue | Response | Action |
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| | | <p>use for this purpose. Officers at EDDC and DCC consider that if development at Cranbrook is to occur on both sides of London Road then its conditions should be suitable to maximise cyclist and pedestrian movements both along and across the route. Such actions would also help to ensure integration between the developments on both sides of the road, which is essential for place making and community cohesion.</p> | <p>Develop plans to indicate the types of measures that could be brought forward to support publication draft of plan.</p> |
| | <p>Concerns expressed regarding the impact of development upon traffic levels on Station Road and the ability of the road, the bridge over the railway and the junction onto London Road to cater for that traffic.</p> | <p>Development at Cranbrook will inevitably lead to an increase in traffic movements along Station Road from traffic arising at the town or attracted to its facilities from locations to the north. Development should seek to minimise the impacts of this as far as possible and the preferred approach indicates an alternative access from Cranbrook onto Station Road, although as explained earlier in this document, access arrangements to Bluehayes (the area adjacent to Station Road) are yet to be resolved. Issues relating to the alignment of Station Road either side of the bridge over the railway will not be resolved as a direct result of development at Cranbrook as this is not deemed necessary to bring forward the development.</p> | <p>Clarify how Cranbrook delivery will seek to minimise traffic problems on Station Road and how it may mitigate some impacts.</p> |

| Topic | Issue | Response | Action |
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| | <p>Network Rail assert that any proposal to keep the Crannaford Lane level crossing open is likely to necessitate improvements to the crossing, which currently has half-barriers. Solutions include full barriers or a bridge crossing.</p> | <p>The movement strategy currently indicates Crannaford Lane as being retained as a cycle route. However, further modelling of movement and the positive impact that the route will have upon the vitality and viability of the town centre indicate that it should be kept open for vehicle crossing. The comments of Network Rail are unclear as to the circumstances in which they would expect improvements to be made and the costs of options.</p> | <p>Amend movement strategy and proposals to retain Crannaford Lane crossing for vehicular movement.</p> <p>Investigate level crossing improvement options and costs with Network Rail and DCC and feed into viability testing.</p> |
| Employment | <p>The delivery of 18.4ha of employment land is an ambitious approach and would result in job creation for 70% of residents without accounting for nearby employment developments.</p> | <p>18.4ha is taken from the Economic Development Strategy and is already contained within Strategy 12 of the Local Plan, which relates to development at Cranbrook. The provision of mixed use areas may reduce this overall quantum depending upon how these areas are delivered.</p> | <p>Continue with allocation of 18.4ha of employment land but review way in which is delivered.</p> |
| | <p>Delivery of employment floor space should be phased in conjunction with longer-term demand.</p> | <p>Strategy 12 of the Local Plan already sets out an expectation of phased delivery of the employment land in conjunction with housing delivery.</p> | <p>Review phasing strategy in Strategy 12 to ensure it is reflective of the needs and demands of the town. Reflect any revisions in a new policy.</p> |
| | <p>There was confusion as to what was meant by the allocation of mixed-use areas in each of the 4 allocations. How would the uses be distributed within the mixed-use areas and how would a mix of uses be ensured?</p> | <p>Acknowledged that this wasn't as clear as is necessary and the potential knock-on implications upon land values and delivery if this isn't clarified.</p> | <p>Develop topic paper in relation to employment land delivery and to provide clarity on mixed use areas, phasing of employment land delivery and expectations of types of employment space created.</p> |

| Topic | Issue | Response | Action |
|--|---|--|--|
| | Residents are concerned at the speed of delivery of commercial activity in the town centre and the implications of further residential development without such delivery. | Outline planning permission for the development of the town centre exists as part of the original consent for the provision of Cranbrook. To date only the Cranberry Farm public house has been built in the town centre although work to facilitate the delivery of commercial activity is underway and a S106 obligation exists which requires the provision of 500 sq. m. of retail space by 2000 occupations. This trigger is likely to be hit in less than 12 months. Current policies in the Local Plan and mechanisms in place as part of the outline planning permission for the town are unlikely to provide sufficient detail to steer the delivery of the town centre to maximise its potential as a hub of commercial and social activity. | Develop a vision for the town centre and interpret into planning policies which will deliver this vision. |
| | Concerns that a neighbourhood centre in the west and fronting the London Road, as shown in the plan, would have the potential to adversely affect the town centre, by intercepting trips. | The land to the south of London Road shown as a neighbourhood centre is significantly elevated above London Road and has the district heating main running under it. These constraints make the delivery of a neighbourhood centre on both sides of the road unrealistic. | Relocate the neighbourhood centre at Bluehayes into the site as opposed to be entirely focussed on London Road. Precise location to be determined following resolution of access arrangements to the site. Consider a small neighbourhood centre in Treasbeare, located in the area of the sports hub. |
| Suitable Alternative Natural Green Space (SANGS) | Concern regarding indication of over-provision of SANGS and the potential for ransom of this land should developers | EDDC procurement of land and delivery of SANGS is not recommended due to delivery risks and the fact that East | Further explore and consider appropriate expectations for delivery and management of SANGS to minimise |

| Topic | Issue | Response | Action |
|--------------------|--|---|--|
| | <p>bring land forward and not have any SANGS mitigation land available to them. Concern has also been expressed regarding the delivery mechanism for SANGS and suggestions made that EDDC should procure and deliver the SANGS and seek financial contributions from development towards delivery costs.</p> | <p>Devon District Council is not legally obliged to deliver and manage SANGS. SANGS should also be delivered close to or as part of significant major developments such as Cranbrook to maximise their effectiveness.</p> <p>Delivery and management by the developers (or by another body contracted by them) is the preferred approach.</p> | <p>risk of ransom and secure the long term provision and management of SANGS.</p> |
| | <p>East Devon New Community partners are concerned about the land for SANGS indicated in the Cobdens area as it is markedly different from their proposals, which utilise the pylon corridors to deliver the majority of SANGS mitigation in this area.</p> | <p>This largely revolves around the EDDC decision to seek to underground the pylons, which is being further investigated as a result of comments received to the consultation. EDDC's position is that the preferred approach to SANGS provision in Cobdens is a more coherent approach than that preferred by the New Community partners, which is fragmented.</p> | <p>Review in light of further work carried out on the matter of undergrounding the overhead pylons and any decisions made following it.</p> |
| <p>Land Budget</p> | <p>The land budget has a very low proportion of developable land in comparison to expectations for developments of this type and scale.</p> | <p>Concerns about the land budget largely relate to the assertion by potential developers of the sites that not enough residential land is proposed for allocation and too much open space and SANGS land is indicated. As discussed elsewhere in this document, issues relating to the precise extent of residential land are to be reviewed in advance of a publication document.</p> | <p>Review the overall land budget in light of other proposed amendments to the plan and the quantum of recreation and SANGS land required for the anticipated dwellings.</p> <p>Sense check through viability testing process.</p> |

| Topic | Issue | Response | Action |
|-----------------------|--|---|---|
| Flooding and drainage | Environment Agency raise concerns that proposed development and drainage features haven't entirely been kept out of flood zones 2 and 3 and that there are existing situations of surface water flooding that haven't been addressed in the preferred approach. | <p>A small area of the employment land in Treasbeare is located in flood zone 3 and so will need to be removed from the proposals for employment floor space.</p> <p>Drainage basin locations and sizing as shown are only indicative, however some may be over large or in sub-optimal locations when matters such as gradient and flood zones are taken into consideration.</p> | <p>Review drainage strategy and indications of basins and basin sizes. Include requirements to resolve existing known surface water flooding problems on London Road in the vicinity of the proposed development.</p> <p>Remove employment allocation where it is in flood zones 2 and 3.</p> |
| | Concerns that development, particularly in the Grange area could negatively impact upon existing flooding experienced in and around Rockbeare. | Development would need to demonstrate through a site specific flood risk assessment and drainage strategy that it will not increase the risk or flooding either on or off the site and should take into account known flooding issues in Rockbeare. | Give consideration to whether or not specific policy wording should be included to require flood mitigation measures for Rockbeare to be implemented as a result of development proposals in the Grange area coming forward. |
| Meanwhile spaces | Questions raised about precisely what this designation means - is the temporary use of land allocated for a different permanent use or the setting aside of land for uses to come forward as and when they arise. Some views expressed regarding the need for such a requirement. Concerns about how this impacts upon land budgets. | There is a need to have a more responsive method of delivering infrastructure e.g. through the setting aside of land for unprescribed uses to ensure that land is available as and when the need will arise for uses and developments not identified in this current plan. | Provide clarity on expectations for the meanwhile spaces and how this is taken into account in the land budget. |
| Delivery | Devon County Council in particular are concerned about the use of CIL for the delivery of infrastructure and particularly | Officers recognise that under the CIL regime the infrastructure funding gap for Cranbrook is likely to be higher than if infrastructure is secured through the use | Final decisions as to how infrastructure will be delivered will be taken to inform and be informed by the viability testing of the plan. Careful consideration of |

| Topic | Issue | Response | Action |
|-------|---|--|---|
| | around the funding and delivery of education provision. | of S106 agreements. The Government's 2017 Autumn Budget announced plans for a consultation on the removal of S106 pooling thresholds in certain circumstances. However at the time of writing, the consultation has not been published. East Devon District Council continues with a review of its CIL charging schedule alongside the Cranbrook Plan. | infrastructure timing and delivery will be addressed and set out in a Cranbrook Delivery Plan to accompany the DPD. This will also appraise priority levels for individual projects, having regard to DCC comments. |

Report to: Strategic Planning Committee
Date of Meeting: 20 March 2018
Public Document: Yes
Exemption: None
Review date for release: None



Agenda item: 9

Subject: **East Devon Self-build and Custom Build – Register, Monitoring of Plot Delivery and Options for Additional Support**

Purpose of report: To report on the level of interest in self-build in East Devon as demonstrated through the self and custom build register and to set out the requirements to grant planning permissions to meet the level of demand shown. To consider feedback given by those on the register on issues such as barriers to self-building and consider options for the Council to provide additional support to the self-build sector.

Recommendation: **Members are asked to:**

- 1. Note the level of demand shown on the register for self-build and custom build in East Devon (as set out in the attached briefing paper) so that it can be taken into account in the Council’s planning, housing, regeneration and disposal of land functions;**
- 2. Consider the various ways of supporting self-build in East Devon as detailed in the report.**

Reason for recommendation: As a Local Planning Authority, East Devon has a duty to provide a supply of suitable sites to meet the demand for self/custom build housing shown on the self-build register. The Council also has a duty to take account of the register when exercising its planning, regeneration, housing and estate management functions. National Planning Practice Guidance requires local planning authorities to consider how they can support self and custom building in their areas and a range of initiative have been put forward for consideration.

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Financial implications: No additional financial implications

Legal implications: The legal implications are as set out within the report

Equalities impact: Low Impact

Risk: Medium Risk

The increased delivery of land for self-build and custom build purposes is a government priority and there is a duty to provide sufficient serviced plots to meet the demand shown on the register.

Links to background information:

- The national planning guidance on the self build register is available at, [Self-build and custom housebuilding - GOV.UK](#)
- The previous report to this Committee on the self build register may be viewed at <https://www.eastdevon.gov.uk/media/2049902/290317-combined-strategic-planning-agenda-compressed.pdf>
- This is the link to the [Self-build and Custom Housebuilding Act 2015](#)
- The [Housing and Planning Act 2016](#)
- [The Self-build and Custom Housebuilding \(Register\) Regulations 2016](#) came into force on 1st April 2016 and was revoked by
- The Self-build and Custom Housebuilding Regulations 2016, which came into force on 31st October 2016 and may be viewed at http://www.legislation.gov.uk/uksi/2016/950/pdfs/uksi_20160950_en.pdf
- The Explanatory Memorandum to the October regulations is available at http://www.legislation.gov.uk/uksi/2016/950/pdfs/uksiem_20160950_en.pdf
- The Self-build and Custom Housebuilding (Time for Compliance and Fees) Regulations 2016 may be viewed at http://www.legislation.gov.uk/ukdsi/2016/9780111148327/pdfs/ukdsi_9780111148327_en.pdf
- The East Devon self-build and custom build web pages are available at [Self-build and custom build - East Devon](#)
- Further advice is available at [The Self Build Portal - The Gateway to more Self and Custom Build Homes](#)
- [The Teignbridge Supplementary Planning Document is available at https://www.teignbridge.gov.uk/media/4974/custom-and-self-build-housing-july-2016.pdf](#)
- Links to the schemes mentioned in the briefing paper are included in the footnotes

Link to Council Plan: Encouraging communities to be outstanding
Develop an outstanding local economy

Report in full

- 1.1 As part of its drive to increase levels of housebuilding, the Government is encouraging Councils to diversify the range of opportunities for housebuilding by increasing the supply of self-build plots. A requirement for Local Authorities to hold a register of people wishing to self-build was introduced in March 2016

and there is now a requirement to 'permission' enough serviced plots to meet the demand shown on the register.

- 1.2 Self-build is a term that is used to refer to a wide range of activities from individuals or groups physically building their own homes, through to 'custom' build, where specialist developers are contracted. The key difference between self-build and buying a house from a developer is the element of choice in being able to design a house to meet your own needs, rather than buying a house largely designed by someone else.
- 1.3 In addition to the obvious benefits to the occupiers of self-build housing, there are wider community benefits that include homes with a better design, build quality and environmental footprint, supporting local businesses and employment opportunities and providing a more diverse and resilient housing supply.
- 1.4 A briefing paper has been produced to set out the current Government requirements, summarise initial monitoring figures on the supply of self-build plots in East Devon, highlight feedback from those on the self-build register and discuss potential options for further work.
- 1.5 Current indications are that 155 'single' plot permissions have been granted that are suitable to meet the 72 individuals that were on 'Part 1' of the self-build register at the end of October 2017. However, this new requirement raises issues about what it is reasonable to include as being suitable for self-build and feedback from those on the register is that most have not secured a self-build plot. Further work will be required to understand the self-build market in East Devon and explore the options to increase self-building opportunities in line with Government policy.
- 1.6 Options considered in the briefing paper include changes to planning policy, the sale of Council owned land, reducing/waiving planning application fees for some self-builders, producing a self-build Supplementary Planning Document and introducing a self-build Lead Member.

Self and Custom Build Briefing Paper for East Devon Strategic Planning Committee (March 2018)

Key Points

- **The Government is encouraging Councils to provide more opportunities for self-built housing.**
- **Local Planning Authorities are required to keep a register of people who want to self-build and to permission enough serviced plots suitable for self-build to meet the overall demand shown on the register: there is no requirement to match individuals on the register with plots.**
- **At 30/10/2017 there were 75 individuals and no groups on the register.**
- **Initial monitoring indicates that 155 individual plots have been permissioned in East Devon to meet the demand currently shown on the register.**
- **However, most of the people on the East Devon Register have not secured a self-build plot.**
- **Feedback from individuals on the register identifies the difficulty of finding a plot at an affordable price as the main barrier to self-building.**
- **A stronger local plan policy for self-build may be justified, but the only opportunity for implementing this in the short term is through the Cranbrook Plan.**
- **The Council could choose to implement a range of initiatives that would encourage more self-building, but this would require a co-ordinated approach across different departments.**

1. Introduction

- 1.1 The Government is keen to increase opportunities for self/custom build in order to provide a wider choice of homes and to add to the overall supply of housing.
- 1.2 Self-build can apply to a range of options from people physically building their homes to those who buy a plot of land and commission someone to design a home to their specifications and then pay a builder to construct it.
- 1.3 Custom build involves working alongside a specialist developer to help deliver certain elements of the build. The individual's involvement can be as limited as buying a site from a custom builder and using one of the custom builders preferred builders to build a home from a limited range of options. Although this may appear to be similar to choosing from a volume house builders range of standard house types, the level of input into room sizes/positions and external finishes can create far more variety than is available through the volume house building approach. Examples of custom build are limited¹ as this is a relatively new market, but, when compared to volume housebuilding, this model offers the potential for greater customer satisfaction and a more diverse and attractive street scene. For example Bickleigh Eco Village², north of Plymouth, aims to deliver 91 serviced plots laid out around a village green with a mixture of custom build, shared ownership, affordable housing and housing for sale – see Figure 1.

¹ Examples of custom build may be viewed at: [Why Custom Build with Potton | Potton Self Build Homes](#); [Beattie Passive | Passive House construction, energy efficient homes | Self Builders](#) and [igloo Regeneration | Custom Build: Heartlands, Cornwall](#).

² [Bickleigh Eco Village, Devon](#)

Figure 1: Artist impression of Bickleigh Eco Village, Devon



- 1.4 Although 'self-build' implies more input from the future occupants than 'custom build' there is no legal distinction between the terms. Self and custom housebuilding is defined as 'the building or completion by individuals, associations of individuals, or persons working with or for individuals or associations of individuals, of houses to be occupied as homes by those individuals but it does not include the building of a house on a plot acquired from a person who builds the house wholly or mainly to plans or specifications decided or offered by that person.' - 2015 Self-build and Custom Housebuilding Act 2015 (as amended by the 2016 Housing and Planning Act)³.

Figure 2: An example of an 'affordable' self-built home in Wales with restricted floorspace (140 square metres) built by someone in housing need⁴



- 1.5 In this briefing paper the term 'self-build' is used to refer to both self and custom build.

³ [Self-build and Custom Housebuilding Act 2015 and Housing and Planning Act 2016](#)

⁴ This is included as a case study on the Self-build Portal at [Trefeglwys](#)

2 Government Policy and Guidance

- 2.1 The National Planning Policy Framework⁵ requires local planning authorities to have a clear understanding of housing needs in their area and to prepare a Strategic Housing Market Assessment that addresses the need for all types of housing, including from those who wish to build their own home (paragraph 159).
- 2.2 The National Planning Practice Guidance⁶ states that ‘Relevant authorities should consider how they can best support self-build and custom housebuilding in their area. This could include:
- developing policies in their Local Plan for self-build and custom housebuilding;
 - using their own land if available and suitable for self-build and custom housebuilding and marketing it to those on the register;
 - engaging with landowners who own sites that are suitable for housing and encouraging them to consider self-build and custom housebuilding and facilitating access to those on the register where the landowner is interested; and
 - working with custom build developers to maximise opportunities for self-build and custom housebuilding.’

3. Government Requirements – Self-Build Register and Duty to Permission Serviced Plots to Meet Demand Shown on Self-Build Register

- 3.1 There is a requirement for local planning authorities to hold a ‘self-build and custom housebuilding register’⁷ and to grant permission for enough ‘serviced plots’ to meet the demand shown on the register⁸. The definition of a ‘serviced plot’ is that it can, in the opinion of the local planning authority, be provided with access to a public highway and connections for electricity, water and waste water⁹.
- 3.2 There is no requirement for local authorities to match people on the register with suitable land on which to self-build¹⁰. The purpose of the self-build register is to provide an indication of the level of interest for self and custom house building in general. Both the District and County Council must ‘have regard’ to the register when exercising their planning, housing, regeneration and disposal of land functions. The needs identified on the register can be met through a variety of ways ranging from granting consents for small windfall plots to the Council selling serviced plots with planning permission.
- 3.3 The East Devon self-build register was established on 30th March 2016. [Monitoring information on the register to 30th October 2017](#) is included online. From 1st April 2017

⁵ [National Planning Policy Framework - GOV.UK](#)

⁶ [Self-build and custom housebuilding - GOV.UK](#)

⁷ [Self-build and Custom Housebuilding Act 2015](#)

⁸ [Housing and Planning Act 2016](#)

⁹ [Self-build and Custom Housebuilding Act 2015 as amended by the Housing and Planning Act 2016](#)

¹⁰ Paragraph 7.7 of The Explanatory Memorandum to The Self-build and Custom Housebuilding Regulations 2016
http://www.legislation.gov.uk/ukxi/2016/950/pdfs/ukxiem_20160950_en.pdf

a local eligibility test has been applied and the East Devon register is now divided into Part 1 and Part 2¹¹. Only people who meet the local criteria are included on Part 1 of the register. The requirement to permission enough serviced plots to meet the need shown on the register only applies to Part 1, although there is a requirement to 'have regard' to the level of interest shown in both Part 1 and Part 2.

- 3.4 The requirement to permission enough serviced plots to meet the demand shown on the register relates to set 'base periods'. The first period runs from the time the register was established until 30th October 2016. All subsequent base periods cover a year from 31st October to 30th October the following year. The Council has three years from the end of each base period in which to permission an equivalent number of plots of land, which are suitable for self-build and custom housebuilding, as there are entries for that base period.

4. East Devon Self-Build Monitoring

- 4.1 The number of people on the East Devon self-build register at 30 October 2016 was 32.
- 4.2 During the time period from 31 October 2016 to 30 October 2017 there were an additional 43 people added to the register, although three of these were included on Part 2 only. To 30 October 2017 there were a total of 75 individuals on the register (Parts 1 and 2) with 72 on Part 1.
- 4.3 There is a requirement to grant sufficient planning permissions to match or exceed numbers on part 1 of the register, although the requirement does not come into force until the year ending 31 October 2019. Table 1 sets out how this 'rolling requirement' could work in principle (noting that the figures for 'number on register' for 31 October 2017 to year ending 30 October 2018 and for all subsequent years are hypothetical to illustrate how the assessment process could work).
- 4.4 In the rolling requirement table the figures in bold red and shaded boxes are the number of people on the register that have been added during the time periods set out in the top row, i.e. the year starting 31 October and ending on the 30 October of the following year (noting that from 31 October 2018 onward data is hypothetical to illustrate how the assessment could work). Because it is a three year rolling programme it is assumed that permissions will need to be granted over the next three years to meet the identified need and that they will be spread out evenly over the three years. In the table, to the right of the bold text showing numbers on the register, a three year annual average requirement for granting of permissions is recorded. This exercise is then repeated for all future years (noting that data is hypothetical). Having undertaken this exercise it is then possible to add together these average derived numbers by column to show a figure for the number of planning permissions that would need to be granted/to have been granted to meet the identified needs.

¹¹ see report to this Strategic Planning Committee dated 29th March 2017
<https://www.eastdevon.gov.uk/media/2049902/290317-combined-strategic-planning-agenda-compressed.pdf>

Table 1 Illustration of Rolling Requirement to Meet Demand for Serviced Plots Over a Three Year Period

| | As at 30-Oct-16 | 31-Oct-16 to 30-Oct-17 | 31-Oct-17 to 30-Oct-18 | 31-Oct-18 to 30-Oct-19 | 31-Oct-19 to 30-Oct-20 | 31-Oct-20 to 30-Oct-21 | 31-Oct-21 to 30-Oct-22 | 31-Oct-22 to 30-Oct-23 | 31-Oct-23 to 30-Oct-24 | 31-Oct-24 to 30-Oct-25 | 31-Oct-25 to 30-Oct-26 | 31-Oct-26 to 30-Oct-27 |
|--|--------------------|------------------------------|------------------------------|------------------------------|------------------------------|------------------------------|------------------------------|------------------------------|------------------------------|------------------------------|------------------------------|------------------------------|
| | 32 | 11 | 11 | 11 | | | | | | | | |
| | | 40 | 13 | 13 | 13 | | | | | | | |
| | | | 50 | 17 | 17 | 17 | | | | | | |
| | | | | 55 | 18 | 18 | 18 | | | | | |
| | | | | | 70 | 23 | 23 | 23 | | | | |
| | | | | | | 40 | 13 | 13 | 13 | | | |
| | | | | | | | 95 | 32 | 32 | 32 | | |
| | | | | | | | | 115 | 38 | 38 | 38 | |
| | | | | | | | | | 150 | 50 | 50 | 50 |
| | | | | | | | | | | 200 | | |
| Projected Plot Delivery Requirement | | | | 41 | 48 | 58 | 55 | 68 | 83 | 120 | | |

Notes:

In the table the numbers in red, in the blue highlighted cells, record the new additions to the self-build register in the monitoring year (to the year end in the column headings).

To the right of the red numbers/blue highlighted cells are three year annual average requirements for permissions to be granted to meet the (red number/blue cell) need for that year.

At the year end, 30 October 2019, there are three annual average requirement figures in the column. These are added together, in the bottom row, to provide an annual requirement for that year.

For monitoring years after 30 October 2019, ie 30 October 2020, 2021, 2022 etc, the same exercise is repeated.

- 4.5 In the example above it can be seen that in the year running from 31 October 2017 to 30 October 2018 the Council should have granted at least 41 planning permissions for self-build plots. In the hypothetical figures used for new additions to the self-build register it is assumed that numbers will following a broadly increasing pattern over the years. Given Government and wider support and encouragement for self-build this is a quite possible outcome. On the basis of possible increasing pattern of increased demand for self-build there is a corresponding increase in the pattern of permissions required.
- 4.6 At present there is no formal Government promoted means to calculate permissions required to match or exceed register numbers. The intent is, therefore, to use in the first instance, and subject to review, the above process as the means to calculate and record minimum requirements for permissions granted based on annual new entries on to the self-build register.

5. Delivery of Self-Build Plots in East Devon – Current Situation

- 5.1 The minimum current Government requirement for self-build delivery is to ensure serviced plots are permissioned to meet the demand shown on the register. A serviced plot of land is defined as ‘land that either has access to a public highway and has connections for electricity, water and waste water, or, in the opinion of a relevant authority, can be provided with access to those things within the duration of a development permission granted in relation to that land’¹². There is no expectation that services must be physically connected to the plot at the time of granting planning permission, but must be provided at the boundary of the plot, or alternative arrangements are possible, such as use of a cesspit rather than mains drainage.
- 5.2 There is very little guidance from the Government as to what constitutes a site suitable for self-build to meet the demand shown on the register. The guidance notes attached

¹² [Housing and Planning Act 2016](#)

to the relevant statistical return¹³ state that: “*The legislation does not specify how suitable permissions must be recorded, however, the following are examples of criteria an authority could use to determine if an application, permission or development is for self-build or custom housebuilding: the new 1APP form has been used and section 17 (residential units) identifies self or custom build units; a Community Infrastructure Levy or Section 106 exemption has been granted for a particular development; developers have identified that self or custom build plots will have primary input into its final design and layout; and a planning application references self or custom build and it is clear that the initial owner of the homes will have primary input into its final design and layout. Ultimately the local authority must be satisfied that the development permissions being counted meet the legislative requirements and that these can withstand the scrutiny of local constituents or any legal challenge.*”

- 5.3 To date all opportunities for self-build in East Devon have arisen from the granting of ‘windfall’¹⁴ planning permissions or through ‘prior notifications’¹⁵.
- 5.4 Criteria need to be set to determine which permissions it would be reasonable to include in the supply of self-build plots for East Devon. As yet there is little information on how other local planning authorities are approaching this issue, but a reasonable starting point is the number of permissions granted for individual dwellings. These are often provided in people’s gardens, either for the owners to self-build or they come onto the market in the usual ways and are available for purchase by self-builders. It is also possible for sites with permission for more than one dwelling to be made available for self-build and custom build sites are more likely to be brought forward on larger sites with multiple dwellings. Cornwall Council has taken the view that permissions of 10 and under could be suitable for self-build and have included such sites in their supply calculations¹⁶. It may be reasonable to include sites for more than single dwellings as being suitable for self-build, but more work is needed to justify such an approach (for example to determine what percentage of sites actually deliver self-built homes). The Government returns were required to be provided in mid-February so a threshold of a net gain of one dwelling has been used and further work on this issue will be undertaken before the next returns are required.
- 5.5 Analysis of permissions granted shows that, from the start of the register until 30/10/16, 75 single dwellings were granted permission through the planning process (either through planning permission or the prior notification procedures). The equivalent number of permissions from 31/10/16 until 30/10/17 was 80. This indicates that sufficient plots are being permissioned to meet the demand shown for self-build on the East Devon register.

¹³ The Guidance notes do not appear to be publically available so the relevant advice has been copied in full for this briefing paper.

¹⁴ ‘windfalls’ are sites that have not been specifically identified as available in the local plan process.

¹⁵ Some conversions of existing buildings do not require full planning permission and are dealt with through ‘prior notification’ procedures.

¹⁶ <https://www.cornwall.gov.uk/media/29853923/self-build-annual-monitoring-report-2017.pdf>

6. Feedback from Self-Build Register

6.1 Everyone on the self-build register in December 2017 was asked for feedback on their self-build experience and for suggestions of what the Council could do to help. The questions asked were:-

- Have you secured a plot on which to build your own home in East Devon?
- If yes how much did you pay for your plot and when do you plan to build?
- If no are you still looking for a plot in East Devon?
- Have you secured a plot on which to build your own home outside of East Devon?
- If yes are you still looking for a plot in East Devon and if so do you wish to remain on the East Devon register?
- If you have secured a plot how was this achieved? For example did you buy it on the open market with planning permission or obtain planning permission on land you already owned.
- If you have not secured a plot what do you consider to be the biggest hurdle? For example lack of finance to afford a plot or lack of plots available.
- One of the main areas being planned for development in East Devon is the new town of Cranbrook – would you be interested in self-building at Cranbrook if plots were made available for sale?
- If you would be interested in self-building at Cranbrook, would you prefer any sites to be located with other self-builders?
- Would it be helpful for the Council to provide any of the following?
 - A self-build newsletter setting out any national and/or local initiatives?
 - An East Devon self-build forum that met occasionally/regularly to share experiences and provide 'self help'?
 - A local councillor to act as a 'lead councillor' for self-build? See existing list of 'lead councillors with responsibilities at [Lead councillors - East Devon](#)
 - Detailed planning guidance on self-build similar to that offered in Teignbridge? See <https://www.teignbridge.gov.uk/media/4974/custom-and-self-build-housing-july-2016.pdf>
 - Do you have any other suggestions for how the Council could help you to self-build?

6.2 Of the 76 requests sent out 26 responses were received. Full details of the responses are included in Appendix 2 of the attached monitoring report, but the main points are summarised here:-

- The majority of people that responded had not found a plot on which to build, but not all had been actively looking for one (and arguably those that have obtained a plot are less likely to respond);
- Nearly one third of respondents (8 of 26) would consider self-building in Cranbrook;
- There was a high level of support for all of the initiatives set out (newsletter, forum, lead Councillor, and planning guidance), although many respondents suggested that it would be most helpful to have an officer to co-ordinate self-build rather than a Member lead;
- The main barrier to self-build was considered to be finding a site at an affordable price;
- Some of the general comments were;
 - Plots should be provided specifically for self-build;
 - More land should be provided for self-build;
 - Land should be reserved for the sole use of self-builders;

- Council could save the cost of housing benefit by renting land to people to build low cost kit homes;
- There is always strong competition for sites from speculative builders;
- Most self-builders want to build energy efficient homes and this can be difficult to achieve when converting existing buildings; and
- Self-build sites on larger developments (by major housebuilders) can be of poor quality.

7. Additional Support for Self-Build in East Devon – Options for Consideration

7.1 In order to meet government planning guidance, consideration needs to be given to what can be done to support self-build opportunities in East Devon. The minimum requirement is to deliver serviced plots to meet the demand shown on the register. Whilst the housing monitoring figure show that this minimum standard has been met, there are merits in increasing opportunities for self-building in East Devon in terms of improving the opportunities for a varied stock of new build housing of high quality design and sustainability standards. Benefits of self-build include:

- Providing better quality and more environmentally friendly homes at a cheaper cost to the occupier;¹⁷
- Supporting local employment;¹⁸
- Supporting a more resilient supply of housing from a diversity of sites, not just volume house builders;¹⁹
- Enabling bespoke designs to meet the needs of people with disabilities and homes for older people, including those wishing to downsize.

¹⁷ The University of York Self-build Report

<https://www.york.ac.uk/media/chp/documents/2015/SelfBuildReportforCYC2015intern.pdf>

¹⁸ Design Council scoping report

<https://www.designcouncil.org.uk/sites/default/files/asset/document/Technical%20Paper%201-%20Scoping%20your%20community%20self-build%20v2.pdf>

¹⁹ Teignbridge Self-build SPD <https://www.teignbridge.gov.uk/media/4974/custom-and-self-build-housing-july-2016.pdf>

Figure 3: Marketing material for custom build development at Heartlands, Cornwall by Igloo



- 7.2 The suggestions in the National Planning Practice Guidance include developing local plan policies, using council land, encouraging land owners of sites suitable for housing and working with custom build developers. The remainder of this report considers these options together with possible changes to the development management approach to self-build, supplementary planning guidance for self-builders, a self-build newsletter, forum, Members Champion and an interdepartmental working party.
- 7.3 **Planning policy** The development of the adopted East Devon Local Plan²⁰ largely preceded the current Government focus on self-build, but Policy H2, Range and Mix of New Housing Development, encourages developers of sites of 15 dwellings and over to make at least 10% of plots available for sale to small or self/custom builders. The Local Plan Inspector was critical of the original wording of the policy, in which the self-build element was 'required' rather than 'encouraged'²¹. At the time of the Local Plan examination the self-build register was not in place and there was insufficient evidence to justify the stronger policy approach. Given the wording of Policy H2, it is unsurprising that no self-build sites have been delivered through this policy as yet, although the level of demand shown on the register should help to provide evidence for future negotiations.
- 7.4 In light of the evidence of the register and the more favourable national planning policy towards self-build, the development of stronger policies to help facilitate self-build may now be justified. This is however something for a Local Plan Review. The timetable for reviewing the Local Plan is uncertain and will depend on many different factors, including progress on the Greater Exeter Strategic Plan. We are however considering including specific self-build policies in the emerging Cranbrook Plan. Although this would not achieve district wide coverage, it would have the potential to encourage an element of self-build (most likely in the form of custom build) in the largest single source of housing in East Devon over the local plan period.

²⁰ [Local Plan 2013-2031 - East Devon](#)

²¹ <https://eastdevon.gov.uk/media/1450925/east-devon-report-v1-2.pdf>

7.5 **Council Owned Land** The most direct way for the Council to encourage self-build would be to sell suitable Council owned land to people wishing to build their own home. This approach has been taken successfully in other Authorities, including Plymouth²². Plymouth City Council has appointed a specialist planning officer, a self-build Officer Champion, self-build Members Champion and provided officer and member training. Some of the benefits of increased self-building identified by Plymouth include: providing a choice of homes; encouraging innovation and better renewable technology; reduced NIMBYism; use of SME's, capital receipts and helping people to help themselves. Schemes approved range from single dwellings on infill plots to a 32 home development and homes built by ex-servicemen (shown in Figure 2)

Figure 4: The Nelson Project, Plymouth ²³



Picture from Plymouth City Council

7.6 In Cherwell the District Council borrowed money to acquire land from the Ministry of Defence and set up a development company that aims to more than recover its costs by selling plots to individuals and groups of individuals²⁴. The development at Graven Hill will provide 1900 new housebuilding opportunities in the form of an urban extension on the outskirts of Bicester. The Council wanted more control over local homebuilding and an accelerated rate of housing delivery. They borrowed money to buy the land and expect the investment to provide a new income stream for the future. A Local Development Order has been produced to streamline the planning process and the development will include 30% affordable housing, a primary school, shops, community facilities and commercial opportunities and is expected to generate 2000 new jobs.

Figure 5: Marketing brochure for Graven Hill

²² [Self-build your own home | PLYMOUTH.GOV.UK](https://www.plymouth.gov.uk/self-build-your-own-home).

²³ [DCH - Investing in people, homes and communities across the south west - Plymouth self build project now complete with residents moving in](#)

²⁴ [Graven Hill, Bicester - Right to Build Toolkit](#)



- 7.7 The Council's new housing company represents a new opportunity to deliver self and custom build plots in the district and it is understood that this is being looked at alongside potential restrictions on dwelling size, resale values and a local connection test. Although the Council's landholdings are unlikely to yield significant numbers of self-build plots, it would be worth exploring the opportunities.
- 7.8 **Encouraging Land Owners** The National Planning Guidance²⁵ suggests that Councils work with the owners of land that is suitable for housing to encourage them to consider self and custom housebuilding. One of the difficulties of achieving this on larger sites is that, by the time a site is considered through the planning system it will normally be owned or optioned by a major housebuilder. They will have acquired or optioned the site with expected values based on their delivery of all plots and so it is often already too late to discuss including self build plots.
- 7.9 **Working with Custom Builders** The National Planning Guidance also advocates working with custom building developers to maximise opportunities. This approach could work well if there were larger sites owned by the public sector, but may be of limited use in an East Devon context.
- 7.10 **Development Management** The planning system can be very complex and baffling to individuals seeking to build their own home. Many of the people that manage to secure planning permission to build their own home in East Devon can afford to pay for independent professional advice to help them navigate their way through the complexities of obtaining planning permission. However, the self-build register shows that there are also people that would struggle to pay for professional help and these tend to be younger local people. We currently charge £180 for pre-application advice to people wishing to build a single dwelling. We could consider waiving this fee to self-builders, as Plymouth do.
- 7.11 **Supplementary Planning Document** It would be possible to produce a self-build 'Supplementary Planning Document' (SPD) that would give more details of how we will

²⁵ [Self-build and custom housebuilding - GOV.UK](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/612222/self-build-and-custom-housebuilding.pdf)

encourage self-build, based on the local plan policy. Teignbridge District Council has produced a self-build SPD²⁶ that some of those on the self-build register thought would be useful, although the practical value for self-builders may be limited if plots are not available at a price that they can afford.

- 7.12 **Self-build Newsletters**²⁷ There are already national sources of information about self-build in general such as the Self-Build Portal²⁸ and the National Self Build and Renovation Centre²⁹. There would be little information to add at an East Devon level at the moment, but an electronic newsletter could be produced as opportunities arise (such as if Neighbourhood Plans include self-build policies or Council owned sites are offered for sale for self-build).
- 7.13 **Self-build Forum** A good way for people to gain confidence in how to self-build is to share experiences with others. There is a national self-build forum³⁰, but there may be benefits in establishing a forum at a local level, possibly in co-operation with other authorities in the greater Exeter area.
- 7.14 **Self-build Lead Councillor/Members Champion** – the appointment of a lead councillor would raise the profile of self-build and could promote a positive attitude to self-build across the Council.
- 7.15 **Joint working** The promotion of self-build in East Devon would benefit from the involvement of officers from across the planning, housing, regeneration and estates teams to ensure an co-ordinated approach.

²⁶ <https://www.teignbridge.gov.uk/media/4974/custom-and-self-build-housing-july-2016.pdf>

²⁷ Examples of newsletters produced on neighbourhood planning are available at [Newsletters - East Devon](#)

²⁸ [The Self Build Portal - The Gateway to more Self and Custom Build Homes](#)

²⁹ [NSBRC | The National Self Build and Renovation Centre | Swindon](#)

³⁰ [BuildHub Self Build Forum | buildhub.org.uk](#)

Links to Additional Information, Including Government Policy, Guidance and Legislation

- National planning guidance on the self-build [Self-build and custom housebuilding - GOV.UK](#)
- The [Self-build and Custom Housebuilding Act 2015](#)
- The [Housing and Planning Act 2016](#)
- [The Self-build and Custom Housebuilding \(Register\) Regulations 2016](#) came into force on 1st April 2016 and were revoked by
- The Self-build and Custom Housebuilding Regulations 2016, which came into force on 31st October 2016
http://www.legislation.gov.uk/uksi/2016/950/pdfs/uksi_20160950_en.pdf
- The Explanatory Memorandum to the October regulations is available at http://www.legislation.gov.uk/uksi/2016/950/pdfs/uksiem_20160950_en.pdf
- The Self-build and Custom Housebuilding (Time for Compliance and Fees) Regulations 2016 may be viewed at http://www.legislation.gov.uk/ukdsi/2016/9780111148327/pdfs/ukdsi_9780111148327_en.pdf
- The East Devon self-build and custom build web pages are available at [Self-build and custom build - East Devon](#)
- Further advice is available at [The Self Build Portal - The Gateway to more Self and Custom Build Homes](#)

Report to: **Strategic Planning Committee**

Date of Meeting: 20 March 2018

Public Document: Yes

Exemption: None



Review date for release None

Agenda item: 10

Subject: **Protocol for the production of Supplementary Planning Documents**

Purpose of report: The Planning Policy team are producing a number of supplementary Planning Documents. A protocol will set out a consistent process to be followed to ensure that each SPD is produced in a clear manner and meets legislative requirements.

Recommendation: **1. That Members endorse the protocol for the production of Supplementary Planning Documents and that it be adopted.**

Reason for recommendation: To ensure that SPD's are produced in a consistent manner, meeting the legislative requirements and ensuring that all stakeholders understand the process to be followed.

Officer: Claire Rodway
Email: crodway@eastdevon.gov.uk
Tel: 01395 571543

Financial implications: No direct financial implication that require comment.

Legal implications: There are no legal implications other than as set out in the report.

Equalities impact: Low Impact

Risk: Medium Risk
A lack of consistency or failure to adhere to the correct legislation could lead to delays and confusion in adopting the guidance and, later, in determining planning applications. There is also a risk that incorrectly produced guidance could be subject to legal challenge and potentially lead to unnecessary costs to the council.

Links to background information: The Town and Country (Local Planning) Planning Regulations (England) 2012
<http://www.legislation.gov.uk/ukxi/2012/767/contents/made>

Link to Council Plan: All Aspects

1. Introduction

- 1.1 The Planning Policy Team are producing various Supplementary Planning Documents (SPDs) which expand upon, and add detail to, the policies of the East Devon Local Plan. These SPDs must be produced in accordance with legislation set out in the The Town and Country (Local Planning) Planning Regulations (England) 2012 as well as our Council's constitution. The protocol set out on the following pages is intended to guide Officers, members and any other interested parties through the process and ensure there is consistency in production, consultation and adoption.
- 1.2 The reason for producing this protocol and bringing it before Members is to provide clarity to all parties involved in the production of SPD's including Members themselves, town and parish council's and other stakeholders following queries and concerns expressed regarding the process being followed on previous SPD's. It is hoped that the clarity provided by this protocol and Member endorsement of it will prevent any future concerns.
- 1.3 The Strategic Planning Committee are asked to adopt the Protocol which will then be followed when producing SPD.

East Devon District Council Protocol for Producing Supplementary Planning Documents and Other Guidance

February 2018

1 Introduction

- 1.1 This Protocol sets out the process that the Council will follow in preparing Supplementary Planning Documents (SPD). Officer work for the Council will typically be undertaken by the Planning Policy Team. The protocol may also be used as a guide to the production of other policy documents, such as strategies and policy statements. But it is stressed that other documents are not covered by the legislative requirements referred to in this protocol and in some cases 'other documents' and their production might be governed by other legislation that define specific tasks that need to be undertaken.
- 1.2 Supplementary Planning Documents add detail to policies in the East Devon Local Plan and other development plan documents (DPD) to provide clarity to anyone involved in the planning process. This will include developers, council officers, stakeholders, elected Councillors and local communities. The SPD and other guidance adopted by the Council will form a material planning consideration in the determination of planning applications and will ensure that decisions are made in a consistent way. Any SPD, guidance or strategy document may also help inform wider council work.
- 1.3 SPDs should be prepared only where necessary and in line with [paragraph 153 of the National Planning Policy Framework](#). They should not add unnecessarily to the financial burdens on development. [Regulations 11 to 16 of the Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#) <http://www.legislation.gov.uk/ukxi/2012/767/contents/made> set out the requirements for producing SPDs.

- 1.4 The SPDs and guidance will be regularly reviewed, and updated as necessary, to ensure it remains consistent and in conformity with National policy and legislation and the local plan and other DPDs.

| Stage of production and associated tasks | Process matters and the role of the Planning Policy team at the Council |
|--|---|
| <p>Stage 1 Identify the need for an SPD and evidence gathering</p> | |
| <ul style="list-style-type: none"> • Identification of the issues and collection of the information needed to prepare the SPD | <p>At this opening stage of work officers will:</p> <ul style="list-style-type: none"> • Formulate initial aims of the SPD and identify issues to be addressed. • Consider any alternative options to address the issues. This work will also inform the initial stage of the screening/scoping reports required at Stage 2 and does not need to be formally recorded in a report unless it is likely that a full assessment will be required. A record for internal/audit purposes should be kept by the Officer producing the guidance. • Assess the evidence available and produce or commission more if necessary. <p>It is good practice to list the SPD in the Local Development Scheme (LDS). This is one reason for regular updates to the LDS.</p> |
| <ul style="list-style-type: none"> • Decide on content and level of detail of the SPD | <p>In order to establish potential content of the SPD officers will:</p> <ul style="list-style-type: none"> • Consult relevant internal colleagues and other relevant stakeholders to agree the scope of the SPD. • Obtain Committee authority if required (usually from the Strategic Planning Committee) to proceed with SPD production, especially if an SPD is not in the LDS. |
| <p>Stage 2 Preparing the first draft of the SPD</p> | |
| <ul style="list-style-type: none"> • Drafting the SPD | <p>To start actual SPD writing officers will:</p> <ul style="list-style-type: none"> • Produce an initial draft of the SPD based on the information and evidence available. • Consult internally and informally with relevant stakeholders. This could include Officers of the Council, relevant Members/Portfolio holders/Member champions, and statutory consultees (e.g. Environment Agency, Historic England, Natural England). Where external interested parties are consulted there should be a clear brief and justification for their involvement at this stage to avoid any perception of pre-determination. <p>This stage of work is concerned with the drawing up of draft proposals, policies and content of the SPD. This is expected to be an ongoing process to include such matters as:</p> <ul style="list-style-type: none"> - collecting evidence; - defining key issues; - considering alternative approaches; - establishing strategies; - defining and refining choices and specific wording of policies; and - undertaking consultation. |

| Stage of production and associated tasks | Process matters and the role of the Planning Policy team at the Council |
|---|---|
| <ul style="list-style-type: none"> • Habitats Regulations Assessment • Strategic Environmental Assessment • Equalities Impact Assessment | <p>These three assessment processes require the Council to screen the emerging SPD for potential impacts. Templates will be produced to assist the assessor (typically an officer of the Council though external bodies or consultants may be involved) in screening the SPD (this stage may also be referred to as 'scoping'). For each subject the screening assessment may conclude that either:</p> <ul style="list-style-type: none"> a) there will be no likely significant negative effects and a full assessment is not required, in which case the SEA/HR screening report should be referred to Natural England, Historic England and the Environment Agency for a period of at least 4 weeks (6 weeks is good practice). They may agree with the conclusion of the screening report or may recommend that a full assessment is required); <p style="text-align: center;">Or</p> <ul style="list-style-type: none"> b) there may or will be significant negative effects and a full assessment is required as part of the SPD work (in which case a full assessment must be carried out and the effects noted/addressed and/or mitigated). <p>The screening and any subsequent full assessments should then be consulted upon in the same way as, and preferably alongside, the SPD (see Stages 4 and 6 of this protocol).</p> |
| <p>Stage 3 Initial formal Member consideration</p> | |
| <ul style="list-style-type: none"> • Seeking Approval of Strategic Planning Committee for consultation | <p>Prior to the start of consultation paperwork will need to go to Strategic Planning Committee for approval. Committee will typically receive;</p> <ul style="list-style-type: none"> • a covering report explaining the purpose of the draft SPD and summarising content; and • A copy of the draft SPD as well. <p>The Committee report will contain links to any relevant background documents such as evidence reports or the SEA that have informed or sit alongside SPD consultation. These documents will sit on a dedicated web page for the SPD.</p> |
| <p>Stage 4 The first stage of public participation on the draft SPD (Regulation 12 and 13 of Town and Country Planning (Local Planning) (England) Regulations 2012)</p> | |
| <ul style="list-style-type: none"> • Consultation with stakeholders and members of the public • Minimum of 4 weeks consultation • Consultation should be carried out on: <ul style="list-style-type: none"> ○ SPD ○ SEA/HRA (screening reports and any subsequent full assessments) | <p>This stage of work addresses the first of at least two stages of public consultation on the SPD. For this consultation the Council will publicise the details of the SPD and make it available for public comment for at least a four week period, though usual practice is to consult for 6 weeks. Consultation will normally include:</p> <ul style="list-style-type: none"> - publicising it on our website and in the Knowledge (or other EDDC newsletter); - notifying any party on the Local Plan database or other lists who has expressed an interest in the subject. - issuing a press release; - notifying those 'consultation bodies' referred to in the Statement of Community Involvement; - presenting to the Agents Forum, if appropriate; - notifying any specific interest groups/organisations; - advising adjoining authorities, which could include County Councils, other District and Parish Councils (PCs); - notifying Members and Parish Councils; and - making the SPD available at EDDC reception and in local libraries. |

| Stage of production and associated tasks | Process matters and the role of the Planning Policy team at the Council |
|--|---|
| <ul style="list-style-type: none"> ○ EqlA (screening reports and any subsequent full assessments) ○ Draft Consultation Statement | <p>The notification will give:</p> <ul style="list-style-type: none"> - details about the SPD proposal; - details of where and when the SPD may be inspected; - details of how to make representations; - details setting out that those making representations may request notification of our decision; and - the date by which representations should be received (being no less than 4 weeks) . <p>Our usual practice is to provide a representation form for responses but to also accept written responses in other formats and emails. Where a respondent is unable to respond in writing an Officer can act as a scribe provided the respondent gives their permission and confirms the content is accurate. It will be made clear that all responses will usually be made public, subject to redaction of some personal information and any racist or inappropriate content. Representations will then be recorded electronically and made available on our website. It should be noted that:</p> <ul style="list-style-type: none"> - Anyone may make representations about a SPD - All representations must be received by the date specified in the notification. <p>At this stage a draft Consultation Statement may also be produced and consulted on, although consulting on such a statement it is not a statutory requirement until the Stage 6 of the process (see below). If a draft Consultation Statement is produced and consulted upon now, respondents will have the opportunity to comment upon the appropriateness of the approach to consultation and therefore allowing it to be amended, if necessary, before further consultation is undertaken.</p> |
| <p>Stage 5 Considering representations on the First Stage of SPD Consultation</p> | |
| <ul style="list-style-type: none"> ● Consultation Statement ● Formal consideration of points raised in Stage 4. ● Amendment of the SPD as required. | <p>After the first stage of SPD consultation is completed, officers of the Council will produce a feedback report on comments received and highlight any new additional information that might be relevant to the SPD. The feedback report will be used to inform any potential changes to the first draft of the SPD and will usually take the form of a general summary and then a table summarising each response (or the broad themes raised in responses) with an Officer commentary and a recommendation as to how the SPD should be changed (if at all). The full text of the responses will also be available (with appropriate information redacted) on the council web site. The SEA/HRA, EqlA and Consultation Statement (if relevant/produced) will also be amended, if appropriate, in light of comments received.</p> <p>At this stage of work officers will also produce a Consultation Statement (or refine any earlier draft). The Consultation Statement must give:</p> <ul style="list-style-type: none"> - details of the people consulted when preparing the SPD (specifically including the first stage of SPD Consultation); - a summary of the issues raised by those people; and - how those issues have been addressed in the revised SPD. <p>All of the above tasks will inform a report that will go to Strategic Planning Committee that will seek approval for the second stage of SPD consultation and formal consultation on the Consultation statement (or the report will otherwise advise on an alternative course of action) required under Regulation 12 of the regulations.</p> |

| Stage of production and associated tasks | Process matters and the role of the Planning Policy team at the Council |
|---|--|
| <p>Stage 6 Second Stage of Public participation on the revised draft SPD and consultation on the Consultation Statement (Regulation 12 and 13 of Town and Country Planning (Local Planning) (England) Regulations 2012)</p> | |
| <ul style="list-style-type: none"> • Consultation Statement • Formal consideration of points raised in Stage 4. | <p>Regulation 12 requires at least 4 weeks consultation in the same way as the first consultation on the SPD (see Stage 4). This stage of work involves:</p> <ul style="list-style-type: none"> • Consultation on the revised SPD (this forms the second of a minimum of two consultations stages on the SPD); and • Consultation on the Consultation Statement. <p>This stage of consultation will replicate the process detailed in Stage 4 of this protocol.</p> <p>The Consultation statement must give:</p> <ul style="list-style-type: none"> - details of the people consulted when preparing the SPD (specifically including the first stage of SPD Consultation); - a summary of the issues raised by those people; and - how those issues have been addressed in the revised SPD. <p>Following the conclusion of the consultation a summary of responses to the consultation will be reported to the relevant Committee (usually Strategic Planning Committee). This will typically follow the format detailed in Stage 4 of this protocol.</p> |
| <p>Stage 7 Member Consideration and Adoption of SPD by EDDC (Regulation 14 of Town and Country Planning (Local Planning) (England) Regulations 2012)</p> | |
| <ul style="list-style-type: none"> • Seeking Approval of Strategic Planning Committee | <p>Following the second stage of SPD consultation a report will be presented to Strategic Planning Committee. The report will typically be expected to recommend one of the following course of action;</p> <ul style="list-style-type: none"> • That committee recommend to Cabinet that they adopt the SPD as drafted at the start of consultation; <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> • That committee recommend to Cabinet that they adopt the SPD with amendments (where amendments are of a minor nature further consultation would not be needed but where more significant changes are proposed then further consultation could be appropriate (see below); <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> • That amendments are made to the SPD and that further consultation is undertaken (where this course of action is appropriate the SPD would typically be expected to go back to Stage 6); <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> • The SPD is not adopted and it is abandoned or further work is put on hold (whilst this would be an unlikely outcome it may be that circumstances change, unforeseen matters arise or other factors indicate that seeking to make further progress is inappropriate). <p>Committee will typically receive;</p> <ul style="list-style-type: none"> • A covering report explaining the purpose of the SPD; • A copy of the SPD (with any recommended changes incorporated; and • A copy of the Consultation Statement updated to reflect the consultation responses. |

| Stage of production and associated tasks | Process matters and the role of the Planning Policy team at the Council |
|--|--|
| | The Committee report will contain links to any relevant background documents such as evidence reports or the SEA that have informed or sit alongside the SPD. These documents will sit on a dedicated web page for the SPD. |
| If Cabinet resolve to adopt, then Cabinet adopt the SPD and an Adoption Statement is then produced | <p>If/when Strategic Planning Committee are content to see the SPD adopted it is their recommendation that goes to Cabinet for Cabinet to adopt the SPD.</p> <p>As soon as possible after Cabinet adopt an SPD the planning policy officers of the Council will prepare an Adoption Statement. The final SPD and the Adoption Statement will be made available at the Council Offices and on the website (and, optionally, other locations that may be relevant).</p> <p>The “adoption statement” will specify:</p> <ul style="list-style-type: none"> - the date on which the SPD was adopted; - if applicable, any modifications made (pursuant to section 23(1) of the Act); - that any person with sufficient interest in the decision to adopt the SPD may apply to the High Court for permission to apply for judicial review of that decision; and - that any such application must be made promptly, and in any event not later than 3 months after the date on which the supplementary planning document was adopted. <p>Anyone who asked to be notified of the adoption will be sent a copy of the adoption statement and a press release will usually be issued advising that the SPD has been adopted.</p> |
| Post adoption | |
| Monitoring and Review | The Council produce one or more Monitoring Reports each year and these will consider how the SPD is being implemented to inform a future review of the SPD or any associated or related planning policy. |
| Revocation or withdrawal of an SPD (Regulation 15) Direction by the Secretary of State | <p>Revocation or Withdrawal – Revocation or Withdrawal</p> <p>Where a supplementary planning document is withdrawn, Strategic Planning Committee will recommend to Cabinet for it to authorise withdrawal. The Council must make available a statement to that effect as soon as possible, must advise anyone who made a representation that the SPD is withdrawn and must cease to make the SPD or associated documents available.</p> <p>The Council may revoke any supplementary planning document. Strategic Planning Committee will recommend to Cabinet for it to authorise revocation. As soon as possible the Council must cease to make the SPD or associated documents available and must take such steps as we consider reasonable to bring the revocation to the attention of the public.</p> <p>Direction by the Secretary of State - The Secretary of State may at any time direct the Council to send him a copy of the SPD and not to adopt it until he reaches a decision, which the Council must then act on.</p> |

Report to: **Strategic Planning Committee**

Date of Meeting: 20 March 2018

Public Document: Yes

Exemption: None

Review date for release None

Agenda item: 11

Subject: **Clyst Valley Trail (CVT)**

Purpose of report: To present a delivery plan for construction of the Clyst Valley Trail.

Recommendation: **Members are asked to:**

- 1. Endorse the Clyst Valley Trail Delivery Plan.**
- 2. Note that a bid for £1million of CIL funding to support the delivery of the Clyst Valley Trail will be made for Members consideration as part of the next bidding round for CIL funds.**

Reason for recommendation: The CVT forms the backbone of, and vital first component of the Clyst Valley Regional Park (CVRP). It will bring social, environmental and economic benefits to the area and help clearly define the identity of the CVRP. This is a complex project requiring an estimated £5 million of capital investment. Delivery will take several years and require resources to be identified from a range of public, private and charitable sources. The support of Strategic Planning Committee for this long-term project is essential.

The CVRP and CVT are Priority 1 projects in the Infrastructure Delivery Plan. However, there is already a funding gap for Priority 1 projects. We have worked hard to identify how an investment of £1 million from the CIL could lever the remaining funding from a range of non-EDDC sources, making this project very good value.

Officer: Simon Bates, Green Infrastructure Project Manager
sbates@eastdevon.gov.uk

Financial implications: No direct financial implication in relation to the recommendation at this stage. The report does however cover significant financial issues which are explained.

Legal implications: The legal implications are as set out within the report.

Equalities impact: Low Impact – The project is a multi-use trail. Access for those with mobility and sensory impairments is a key objective from the outset. A full equalities impact assessment is proposed within the project development phase.

Risk: High Risk

- 1) Land ownership: The alignment of the CVT requires new and upgraded sections of trail on land currently in private ownership. Rights of Way exist along sections of the route and it is intended to upgrade



these to be suitable for multi-use. Negotiations regarding specific alignments and design will need to conclude with legal agreements. We have had very positive responses to the principle of the trail from the majority of landowners.

2) Flood risk: The route alignment has been developed to ensure a resilient and year round route suitable for everyday journeys. There are however sections where the route must pass across or through flood zone 3 (1 in 100 year event). At these locations we will work in close partnership with the Environment Agency and land owners to minimise any potential disruption to users and any need for regular maintenance.

3) Funding: There are considerable pressures on funding for all delivery partners and there are few 'million pound' sources of capital identified at present.

Links to background information:

- [Appendix 1 - Delivery Plan for the Clyst Valley Trail](#)
- [Appendix 2 - Example Funding Plan for Section 4 of the Trail](#)
- [Appendix 3 – Clyst Valley Trail Leaflet](#)

Link to Council Plan:

- No 1 - Improved health and wellbeing of people
- No 2 - An economy which attracts inward investment.
- No 3 - Abundant leisure opportunities and quality open spaces.

1. Background

- 1.1. Strategy 10 in the East Devon Local Plan brings forward the Clyst Valley Regional Park in response to development in the West End. One of the principal objectives of the new Regional Park is to: "Enhance cycling and walking opportunities...that promote the overall recreational experience for the [new communities in the] West End".
- 1.2. The Clyst Valley Trail will form the backbone of the new Regional Park. It will be a 13 km (8 mile) commuting and recreational trail for walkers, cyclists, mobility scooters and where feasible, horse riders. It will link the Exe Estuary trail with the historic Killerton House and Park, via an existing multi-use trail at Broadclyst. It will provide a direct, safe, green route to employment centres at Science Park, Skypark, and close access to Exeter Business Park & Sowton Industrial Estate.
- 1.3. The project has its origin in the Green Infrastructure (GI) Strategy 2009 which was sponsored by East Devon District Council, Exeter City Council, Teignbridge District Council and Natural England, in partnership with Devon County Council.

2. Progress

- 2.1. Devon County Council have provided £30,000 for project development. A consultant from Jacobs has worked alongside the GI Project Manager throughout 2017, culminating in the Delivery Plan now presented for consideration at Appendix 1. The Trail is one of the projects for investment in the Transport Infrastructure Plan to 2030 (version March 2015).
- 2.2. In 2018, we expect the first kilometre of the Trail to be built as part of the restoration of the historic parkland at Poltimore, via a planning obligation. In addition, design of a new toucan crossing of London Road at Blackhorse Inn will be completed, drawing on capital secured from the National Productivity Investment Fund.

2.3. The Delivery Plan sets out an indicative alignment and justification for the Trail, together with cost estimates, and a funding and delivery strategy. Informal consultation has taken place with the majority of landowners. The response, in principle at least, has been very positive. A leaflet has been completed to explain the vision for the Trail and this forms Appendix A to the Delivery Plan.

3. Funding

3.1. The costs estimates have been generated by an engineer from Devon County Council who has previous experience in delivering cycling trails, most recently the Stover Way. The engineer has walked the whole alignment, so the estimates are as accurate as possible at this feasibility stage of the project.

3.2. The Trail breaks down neatly into four separate sections and each could be delivered independently and still have utility. The benefits of each section are different, and we have been careful to consider where funding might realistically be generated. An example is provided in Appendix 2, which is a visual representation of how a blend of public and private funding could deliver Section 4 of the Trail.

3.3. Recognising that there is a large funding gap for delivering even Priority 1 projects in the Infrastructure Delivery Plan, it is acknowledged that it is vital to ensure that all opportunities for external funding are fully explored and that any bid for CIL funds is minimised and where bids are made significant match funding is found.

4. Conclusion

4.1. The Clyst Valley Trail is a vital piece of green infrastructure, promoting environmental sustainability, health and wellbeing, and access to wonderful heritage for the growing population of Exeter and East Devon. We hope that members agree, and are inspired to champion the project and ensure that the resources are in place to deliver it by 2028.

Agenda Item 12

Strategic Planning Committee

Date of Meeting: 20 March 2018



Strategic Planning Committee Forward Plan 2018/19

| Date of Committee | Report |
|--------------------------|---|
| 10 April | <ul style="list-style-type: none">• Villages Plan – Inspector’s Report and Plan Adoption (Timing dependent on receiving Inspectors Report)• Statement of Community Involvement• Housing Standards briefing paper |
| 29 May | <ul style="list-style-type: none">• Brownfield Land Registry Update• Cranbrook Plan – Proposed Publication Draft |
| 24 July | <ul style="list-style-type: none">• Heritage Strategy• Community Infrastructure Levy preliminary draft charging schedule tbc• Annual Monitoring Report to Year End 31 March 2018• Draft Landscape Character Assessment and Draft SPD |
| 25 September | <ul style="list-style-type: none">• Greater Exeter Strategic Plan• East Devon - Housing and Employment Land Availability Assessment (HELAA) Update |