

Examination of the New East Devon Local Plan 2006-26

Mr M Dickins
Planning Policy Manager
East Devon District Council
Knowle
Sidmouth
Devon
EX10 8HL
By email only

**Inspector: Anthony Thickett BA(Hons) BTP
MRTPI Dip RSA**

Programme Officer: Amanda Polley
Tel: 01395 571682
Council Offices
Knowle
Sidmouth
Devon
EX10 8HL

E mail: programmeofficer@eastdevon.gov.uk
26 September 2013

Dear Mr Dickins,

I write further to my letter of 23 August 2013. As you know we have been in discussion through my Programme Officer, Amanda Polley and the hearings are programmed to start on 11 February 2014. I do not propose to hold a Pre Hearing Meeting and I am sure you are aware of the requirements of Regulation 24 of the Town and Country Planning (Local Planning)(England) Regulations 2012 with regard to, amongst other things, the notification of representors.

I will issue a draft programme and my matters and issues on or before 29 November and the deadline for further statements will be 10 January 2014. Please refer to the Guidance Notes with regard to the examination generally, additional statements and the conduct of the hearings.

Given the lead in time to the hearings, I thought it would be useful to raise a number of matters now in the hope that doing so may facilitate discussions at the hearings.

The National Planning Policy Framework (NPPF) sets a presumption in favour of sustainable development. Strategy 3 sets out the Council's interpretation of sustainable development in the district but does not presume in favour of it. The absence of such a policy raises questions regarding the Plan's conformity with national guidance. This could be resolved by replacing Strategy 3 with the model policy.

The NPPF advises that Local Plans should *'be drawn up over an appropriate time scale, preferably a 15-year time horizon'*. I note that the Plan period runs from 2006 to 2026 but, if it is found sound, it is unlikely to be adopted until 2014 giving it only a life of 12 years. There is some merit, in my view, to the representations which suggest that the time period be extended to 2029 -2031, thereby enabling the Local Plan to deliver its long term objectives as envisaged in the NPPF.

Having read through the Plan, I agree with those representors who consider there to be a lack of clarity in its aims and objectives. In my view this is in no small part due to the inclusion of a significant amount of superfluous material. For example chapters 1, 2 and 5 (with perhaps the exception of paragraphs 5.5 and 5.6) add little and could be deleted without any loss to the Plan. The NPPF advises that Local Plans should

include policies which inform those making decisions on planning proposals. Section 3 may provide useful guidance for those wishing to produce Neighbourhood Plans but its inclusion in the Local Plan is, in my view, unnecessary and does not accord with the NPPF. Further, it is not clear to me how Strategy 3 (as submitted) and Strategy 4 inform those making decisions on planning proposals.

The Plan includes large sections of what appears to be unnecessary description; I question for example, the value of the 'Axminster Now' and similar sections in chapters 8 to 14 which deflect attention from the Council's aims and objectives for these settlements. I accept that it could be argued that my concerns go beyond matters of soundness but the inclusion of large amounts of arguably unnecessary material would, in my view, have an adverse impact on the effectiveness of the Plan. I can provide further detail on particular sections if you would find that helpful.

The form of the Plan, with separate sections for strategic and detailed policies on the same topics, sections on individual settlements, the countryside and development management policies includes a significant amount of repetition. Further, some matters are addressed in slightly different ways, such as rural employment (paragraphs 15.4, 15.21 to 15.24 and 24.7 to 24.10) which could lead to confusion with regard to the objectives of the plan and how its policies are to be applied. Attached as Appendix 1 is a list of policies and sections which I consider are either unnecessary, as they are covered adequately elsewhere or could be combined to ensure that the Plan is both consistent and effective.

I would invite you to consider producing topic papers for housing, affordable housing and employment. It would be useful, in my view, and aid the efficient running of the hearings if the Council could, in these documents draw the different strands of evidence together and explain its position. I am unclear, for example, how the plan aims to address any shortfall in the provision of housing since 2006 and it would assist if you could explain why you consider it appropriate to split the district with regard to calculating a 5 year supply of housing when there is no provision for such an approach in national guidance. An update on the latest position with regard to housing and employment supply would also be useful.

While these matters potentially affect the Plan's soundness they do not represent the complete list of questions I will raise during the examination. Should you wish clarification on any of the matters raised please contact me through the Programme Officer. However, any substantive questions/issues would probably be best addressed during the hearings section of the Examination.

Yours faithfully

A Thickett

Inspector

Appendix 1

1. Given that Strategy 2 sets out all allocations why is Policy H1 necessary? (The figures for non strategic allocations in Budleigh Salterton are not consistent).
2. Strategy 5, Strategy 42 and Policy EN1 (and their reasoned justification) cover similar matters and could be combined to ensure consistency and effectiveness.
3. There is also some repetition between Strategy 5 and Strategy 47. In addition, Strategy 47 and Policies EN4 and EN5 (and their reasoned justification) cover similar matters and could be combined to ensure consistency and effectiveness.
4. Strategy 19; if outline planning permission has been granted why is it necessary to allocate the Skypark Business Park site? (The same question applies to all allocations on sites which have planning permission for the allocated use).
5. Are the figures for the employment allocation in Sidmouth in Strategy 26 and Policy E1 consistent? Is this duplication necessary? Will the failure to refer to phasing in Policy E1 lead to confusion and conflict between Strategy 26 and Policy E1?
6. Strategy 32, Policy E14 and the last part of Policy RC6 cover similar matters and could be combined to ensure consistency and effectiveness.
7. Strategy 43 and Policy RC1 (and their reasoned justification) cover similar matters and could be combined to ensure consistency and effectiveness.
8. Is Policy RC3 necessary in light of the presumption against the loss of recreational space set out in Policy RC1?
9. Strategy 48 and Policy D1 (and their reasoned justification) cover similar matters and could be combined to ensure consistency and effectiveness.
10. Strategy 49 and Policies EN6 to EN10 (and their reasoned justification) cover similar matters and could be combined to ensure consistency and effectiveness. Is Strategy 49 necessary in light of the provisions of Policies EN6 to EN10?
11. Policies EN8, EN11 and EN12 defer to Policy EN9, are they necessary?
12. Should Policies EN14 and 15 be combined?
13. Should Policies EN19 and 20 be combined?
14. Is Policy EN23 necessary in light of the provisions of Policy EN22?