

EAST DEVON DISTRICT COUNCIL

Notes of a Meeting of the Local Plan Panel held at the Knowle, Sidmouth on Tuesday 20 March 2012

Present
(for part or all of
the meeting):

Councillors:
Mike Allen (Chairman)

David Atkins
Ray Bloxham
Peter Bowden
Alan Dent
David Key
Douglas Hull
Andrew Moulding
Steve Wragg
Claire Wright

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

Councillors:
Paul Diviani
Vivien Duval - Steer
Jill Elson
Steve Gazzard
Roger Giles
Tony Howard
Stuart Hughes
Frances Newth
Pauline Stott
Peter Sullivan
Ian Thomas
Eileen Wragg

Honorary Alderman Vivienne Ash

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

Matt Dickins, Planning Policy Manager
Kate Little, Head of Economy
Linda Renshaw, Senior Planning Officer
Claire Rodway, Senior Planning Officer
Ross Sutherland, Planning Officer
Hannah Whitfield, Democratic Services Officer
Mark Williams, Chief Executive

Apologies:

Councillors:
Helen Parr
Stephanie Jones

The meeting started at 9.00am and finished at 4:20pm.

100 Notes of Previous Meeting

The notes of the Local Plan Panel (formerly Local Development Framework Panel) meeting held on 28 February 2012 were discussed in detail.

100 Notes of Previous Meeting continued...

At the meeting on 28 February 2012, after much debate, the Panel had recommended that the meetings officers proposed to hold with Town Councils to discuss details of outstanding issues including primary shopping frontages should be held in public. The Chief Executive had explained in a letter following the meeting and again at the current meeting that the recommendation was unconstitutional. The purpose of the officer meetings with the town councils was to seek the views of the Town Council on outstanding issues and for these to be reported back to the Panel (which was open to the public to observe). The public would have the opportunity to comment on proposal plans for each of the East Devon towns during a four week consultation. Officer meetings with Town Council representatives had now been held and a report on the outcomes of these meetings was presented to the Panel for consideration; Town Councils also had the opportunity to address the Panel at the current meeting.

The Chairman commented that he believed officers had misunderstood the Panel's recommendation as the Panel had intended that the Town Councils should hold a meeting in public that officers would attend and members of the public could observe. Therefore the recommendation made by the Panel should be included within the notes of the 28 February meeting. It was noted that this would have required all the Town Councils to lawfully publicise public meetings and for the meetings to be co-ordinated so that officers were able to attend all of them, with a likely delay to the Panels timetable.

A member of the Panel commented that the Officer's report on consultation feedback had not been amended in respect of Feniton to include concerns about flooding in the key issues raised column.

RESOLVED

that the notes of the Local Plan Panel held on 28 February be agreed as a true record subject to the inclusion of the following recommendation:

that any meetings involving discussions with Town Councils to define policy boundaries and sites be open to the public to observe.

101 Declarations of Interest

The following declarations of interest were made by Members:

Councillor/Officer	Agenda Item	Type of Interest/ Action Taken	Nature of Interest
Councillor Claire Wright	General	* Personal	Councillor was a member of the Communities Before Developers (CBD) Campaign Group, had signed up to the CBD Candidate's Pledge and was a member of the Woodland Trust

101 Declarations of Interest continued...

Councillor/Officer	Agenda Item	Type of Interest/ Action Taken	Nature of Interest
Alan Dent and Douglas Hull	General	* Personal	Member of National Trust
Councillor Mike Allen	Item 7 – Proposals Map	Personal – Remained in Chamber to take part in discussion	Honiton Town Councillor
Councillor Douglas Hull	General	* Personal	Councillor was a member of the Communities Before Developers (CBD) Campaign Group
Councillor Peter Bowden	General	* Personal	Owner of a plot of land at Town Orchard, Whimple
Councillor Andrew Moulding	Item 7 – Proposals Map	Personal - Remained in the Chamber to take part in discussion	Councillor was the Chairman of Cloakham Lawns Sports and Social Club
Councillor Roger Giles	Item 7 – Proposals Map	Personal – Remained in the Chamber to take part in discussion	Councillor was an Ottery St Mary Town Councillor and Governor at King's School.

* - Items relating to Personal interests declared were not specifically discussed or voted on at this meeting.

102 Sustainable Development

The Chairman drew the Panel's attention back to a presentation he had given on 'LDF - The journey so far' at a previous Panel meeting and in particular the Bruntland definition of sustainable development and a diagram depicting how sustainable development was achieved through a balance between environment, economy and society. Emphasis on sustainable development needed to be maintained.

103 Timetable and Schedule of Work

The Planning Policy Manager presented the updated Local Plan timetable and schedule of work. The Panel noted that there were a number of documents that supported and sat alongside the Local Plan, these included an equalities assessment and sustainability appraisal which tested the Local Plan to ensure that it was sound and a charging schedule. The Community Infrastructure Levy (CIL) would follow the adoption of the Local Plan.

A separate development planning document would be produced over the summer that would address the spatially defined policies for villages, including Built-up Area Boundaries.

RECOMMENDED: that the up-dated Local Plan timetable and schedule of work be noted.

104 Proposals Map and Town Inset Maps

At the previous Local Plan Panel meeting it had been agreed that inset maps would be produced for the seven East Devon Towns showing proposed development sites and policy boundaries. There would be a four week public consultation period on the inset maps during May.

The Panel considered a report setting out requirements of proposals maps and inset maps and draft inset maps for each town. In addition to the report in the agenda papers, Members' attention was drawn to the supplementary papers which included plans highlighting potential development sites in/around the towns of East Devon submitted through the 2010 SHLAA process and/or Local Plan representations and feedback from the Officer discussions with each of the Town Councils. In order to justify an allocation the land owner needed to have expressed an interest to develop the site. Evidence had also been taken into account as to whether the site was technically and reasonably developable.

Axminster Inset Map

A representative from Axminster Town Council advised that the Town Council was broadly in agreement with the proposed inset map for the town. It was noted that land allocated to the south west of the town (Abbey Gate) in the draft Local Plan had been removed due to not having good transport links, however it would be located next to the proposed bypass.

Panel and Ward Member comments on the proposed Axminster Inset Maps included:

- Land south west of the town (Abbey Gate) that had previously allocated in the draft Local Plan would not be appropriate for housing but could be considered for employment use in the future – suggestion that it was included in Chapter text;
- Don't want to see any form of development on Raymond's Hill;
- Any development on land to the south west of the town should be well screened;
- North/south relief road was a long term ambition for the town.

- RECOMMENDED:**
1. that the proposed Axminster Inset Map be endorsed for public consultation;
 2. that potential for additional employment land to the south west of the town (Abbey Gate) be included in the text of the Axminster chapter.

Budleigh Salterton

A Budleigh Town Council representative and Panel Member spoke of the Town Council Planning Committee's concern about the alteration to the Towns Built-up Area Boundary (BUAB) to exclude land west of Links Road.

- RECOMMENDED:**
1. that the proposed Budleigh Inset Map be endorsed for public consultation, subject to the Built-up Area Boundary to be restored to include land west of Links Road;
 2. that Deep Lane be amended to read Green Lane.

104 Proposals Map and Town Inset Maps

Exmouth Inset Map

Panel and Ward Member comments on the proposed Exmouth Inset Maps included:

- Concerns about any new development adding to existing traffic problems in Littleham;
- Importance of completion of Dinan Way for accessing Liverton Park highlighted;
- Exmouth Royal Avenues/Estuary Side regeneration area being promoted as employment land was currently used for recreation use – concerns regarding the relocation of the rugby club and loss of open space;
- It needed to be made clear on the map/within the text that the 4 hectares of employment covered the whole LDA study area, not just the Exmouth Royal Avenues/Estuary Side regeneration area. There was further discussion to be had on how the area would develop through the regeneration process;
- Green wedge between Lympstone and Exmouth to be protected;
- No evidence to justify level of allocated employment land.

- RECOMMENDED:**
1. that the proposed Exmouth Inset Map be endorsed for public consultation;
 2. that it be made clear in the Exmouth Chapter text that the 4 hectares of employment land shown as allocated for the Royal Avenues/Estuary Side regeneration area covered the whole LDA study area.

During discussions relating to Honiton, Councillor Andrew Moulding took over the role of Chairman.

Honiton Inset Map

A representative from Honiton Town Council advised that there had been insufficient time for town councils to consider the inset map. The Town Council did not support the 15 hectares of allocated employment land, nor did it support the re-introduction of housing west of Hayne Lane, in the Gittisham Ward, which would create further ribbon development – development sites existed within the town. The Town Council had not debated the reserve site to the south of the town. However this site was thought to be preferable for development than the allocated site to the west. The Council did not support the removal of policies LH3 and LH4.

Panel and Ward Member comments on the proposed Honiton Inset Maps included:

- Support comments of the Town Council representative. Allocations for Honiton did not accord with the detailed submission from the Town Council. The Town Centre should be the focus for development. Gittisham Parish Council was opposed to development of land to the west of Hayne Lane;
- Employment land to the west of the town was poorly located in relation to the train station;
- Suggestion that the reserve site (250 – 300 dwellings) be allocated as more preferable to the site allocated to the west of Hayne Lane;
- Employment land could be phased and reviewed after 5 years;
- No evidence to justify 15 hectares of employment land for the town;
- Brown sites should be developed prior to green field sites;

104 Proposals Map and Town Inset Maps

- There had been no land owner expression of interest to develop land to the east of the town;
- Honiton was the most accessible town in the district.

RECOMMENDED:

that the proposed Honiton Inset Map be endorsed for public consultation subject to:

- Employment Land - The 15 hectares of employment land allocated to the West of Hayne Lane to be phased in its delivery – 5 hectares in the first phase, 10 hectares in the second phase after the 5 year review of the Local Plan;
- Housing Land - The allocation of 450 houses to be delivered through the southern site (approx 250 – 300 dwellings) and sites within the towns Built-up Area Boundary, which were to be identified by the Town Council by 13 April to allow sites to be included in the papers for consideration by Development Management Committee on 8 May. Land to the West of Hayne Lane to be identified as a reserve site should it not be possible to meet the 450 housing figure through the allocating sites within the town.

Ottery St Mary Inset Map

A representative from Ottery St Mary Town Council advised that the Town Council had welcomed the opportunity to meet with the Planning Policy Officers. Some of the potential development sites presented during the meeting had not previously been seen by the Town Council and therefore they asked for an opportunity to discuss alternative solutions to the sites currently allocated. If this was not possible they would request that any new more acceptable site found by the Town Council would count as part of the housing allocation and not in addition to. The Town Council continued to advocate a maximum housing allocation of 300 for the town. No consideration had been of the existing allocated employment land on the Fynnimore Industrial Estate – this land should be developed prior to any additional employment land.

Panel and Ward Member comments on the proposed Ottery St Mary Inset Maps included:

- Proposed housing allocation for the town was excessive and was based on the town having an enhanced bus service for two years only and its close proximity to the West End. A housing allocation of 300 was considered acceptable. There was no evidence to support taking the housing allocation above that figure;
- Sites suitable for housing existed within the Built-up Area Boundary;
- Cuttlerhammer site was a large site that could accommodate more than 50 dwellings;

104 Proposals Map and Town Inset Maps continued...

- Land at Barrack Farm and land adjacent to Salston Barton had not previously been considered in the Plan and therefore should be removed. Eastern part of Island Farm site was subject to flooding – approximately 200 dwellings could be accommodated on the site;
- Land to the west of the King's School should be retained for community and educational uses;
- Finnimore Industrial Estate was allocated as employment land and sat within a flood plain and therefore could not be allocated for housing;
- Concern that the town's infrastructure aspirations would not be achieved through a lower housing allocation figure.

- RECOMMENDED:**
1. that the proposed Ottery St Mary Inset Map be endorsed for public consultation subject to:
 - Land to the west of Kings School being allocated for Community and educational uses;
 - Land at Barrack Farm and land adjacent to Salston Barton being removed from the map;
 - Allocation at Island Farm being reduced to 200 dwellings;
 - Whole of the Cuttlerhammer site being allocated for housing (approximately 100 dwellings);
 2. that the housing allocation figure for Ottery St Mary be amended to 300.

Seaton Inset Map

Panel comments on the proposed Seaton Inset Maps and amended Inset Map to include reserve site included:

- Concern that proposed reserve site for recreation, housing and employment (shown on amended plan) extended into the green wedge;
- Suggested that reserve site be amended to reduce impact on the green wedge – whole site required for cross subsidy of employment land (LSE2);
- Re-locating the football pitch would release land within the Built-up Area Boundary.

- RECOMMENDED:** that the proposed Seaton Inset Map to include the reserve site above LSE2 be endorsed for public consultation.

Sidmouth Inset Map

Representatives from Sidmouth Town Council advised that the Town Council was happy with the housing allocation of 150 houses proposed on the inset map. The Town Council, although accepting the need for employment land provision, did not support the site proposed for 5 hectares of employment land due to concerns about coalescence with Sidbury, access and safety. The reserve site to the north west of the town had potential for employment provision. Alternatively land above the reserve site would be preferable. Policy LS14 should be retained in order to fully optimise the

104 Proposals Map and Town Inset Maps continued...

Alexandria Industrial Estate, which still had capacity however it was accepted that access to the site was poor. The Town Council would support the Chamber of Commerce's in advocating a lower employment allocation of 3 hectares.

Panel and Ward Member comments on the proposed Sidmouth Inset Maps included:

- Improving the access to Alexandria Industrial Estate remained an aspiration of the town;
- There were no highway concerns accessing the proposed employment land site to north of the town. Site was not in the green wedge;
- No capacity work has been undertaken on the Sidford junction;
- There were a number of empty units within Sidmouth, therefore the proposed employment land allocation figure should be lower;
- Reserve site was not viable solely as an employment site;
- Sidford site was the most appropriate location for employment land;
- If Alexandria Industrial Estate was not being fully utilised it suggested that it was in the wrong location;
- Suggestion of a phased approach to delivery of employment land.

- RECOMMENDED:**
1. that the proposed Sidmouth Inset Map be endorsed for public consultation subject to the 5 hectares of employment land be phased – first phase 3 hectares, 2 hectares in second phase after 5 year review of the Local Plan;
 2. that the Sidmouth Chapter text include the town's aspiration to improve the access to Alexandria Industrial Estate.

Primary Shopping Frontage maps

- RECOMMENDED:** that the Primary Shopping Frontage maps for each of the towns be endorsed for public consultation.

105 Consultation Feedback Report and Key Proposed Changes to the Plan (Minute 98 refers)

At their Panel meeting on 28 February the Panel had considered the plan/policies in the Consultation Feedback Report up to Draft Strategy DS26. The revised document presented to Members summarised the recommendations proposed by the Panel up to that point and beyond that officers had made recommendations for the Panel to consider based on the key issues raised during the consultation. The Panel noted that the report would form part of an audit trail on policy evolution and would be presented to the Inspector in support of the Plan. The report would be revised and update before being considered by the Development Management Committee to provide a more complete picture and overview of the broad thrust of comments received.

The Planning Policy Manager advised that a new policy had been added to the Development Management section of the Plan to address conversion and replacement of rural buildings and barns outside the Built-up Area Boundary.

105 Consultation Feedback Report and Key Proposed Changes to the Plan (Minute 98 refers) continued...

RECOMMENDED:

that the key changes proposed to the plan as set out in the Feedback and Proposed Changes table be incorporated into the Local Plan subject to:

- DS42, Local Distinctiveness in the Built Environment – strengthen wording on local design;
- D5, Trees and Development Sites – include a definition of ancient woodland and a map identifying ancient woodlands in the District;
- EN5, Protection of Local Nature Reserves, Country Wildlife Sites and County Geological Site – include text from Natural England “Where development is permitted on such sites mitigation will be required to reduce negative impacts and where this is not possible adequate compensatory habitat enhancement or creation schemes will be required and/or measures required to be taken to ensure that the impacts of the development on valued natural features and wildlife have been offset to their fullest practical extent”
- EN6, Wildlife Habitats and Features – wording to be consistent with that in EN5;
- EN7, Nationally and Locally Important Archaeological Sites – make reference to milestones/parish stones;
- EN22 to EN24 (new proposed costal policies) – Officers to write an interim policy until work can be done to define boundaries;
- H2, Residential Land Allocations – to accord with the earlier recommendation of the Panel regarding inset maps;
- H3, Range and Mix of New Housing Development – Officers to work with landscape character assessments;
- H12, Sites for Gypsies and Travellers – Officers to formulate a formal policy;
- Bad Neighbour Policy to be reinstated;
- E8, Extensions to Existing Employment Sites – Traffic Impact Assessments replaced by Traffic Assessments;
- E9, Agricultural Development and Succession Housing – reinstate reference to financial and functional test in criterion 4;
- SH6, Change of Use of Village Shops or Services – add market for 12 months;

105 Consultation Feedback Report and Key Proposed Changes to the Plan (Minute 98 refers) continued...

- RE1, Retention of Land for Sport and Recreation – amend point to read ‘Locally there is an excess of public space, children’s play areas or sports provision’;

LS14, Access to Alexandria Industrial Estate, Sidmouth – delete policy but include aspiration in the Chapter text.

The Chairman thanked Panel Members and Officers for their hard work, time and effort in producing the Local Plan and asked that he be given the opportunity to read through the Plan before it was submitted to Development Management Committee.

RECOMMENDED: that the Local Plan Panel Chairman have the opportunity to read through the final version of the Local Plan and any further comments be included in the covering report to Development Management Committee for determination.

In respect of Minute104, Proposals Map and Town Inset Maps – Sidmouth Inset Map, it should be noted that their reference to the Sidmouth Chamber of Commerce support for employment allocation of 3 hectares was subsequently challenged and should be disregarded.