

EAST DEVON DISTRICT COUNCIL

Notes of a Meeting of the Local Plan Panel held at the Knowle, Sidmouth on Tuesday 28 February 2012

Present	Councillors: Mike Allen (Chairman)	
	Peter Bowden Alan Dent David Key Douglas Hull Andrew Moulding Steve Wragg Claire Wright	
Also Present (for part or all of the meeting):	Councillors: Geoff Chamberlain Paul Diviani Christine Drew Jill Elson Martin Gammell Steve Gazzard Roger Giles	Tony Howard Stephanie Jones Geoff Pook Philip Skinner 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 Paul Lowe, Housing Enabling Officer Linda Renshaw, Senior Planning Officer Claire Rodway, Senior Planning Officer Ross Sutherland, Planning Officer Hannah Whitfield, Democratic Services Officer	
Apologies:	Councillors: David Atkins Ray Bloxham Vivien Duval Steer Helen Parr	Officers: Nigel Harrison, Economic Development Manager Andy Wood, East of Exeter Projects Director

The meeting started at 9.03am and finished at 12.47pm.

- 95 Notes of Previous Meeting
The notes of the Local Plan Panel (formerly Local Development Framework Panel) meeting held on 1 November 2011 were agreed as a true record subject to the second sentence in the health issues bullet point being amended to read 'The health consortia (Wakely and WEB) would be consulted upon planning applications with clear health/welfare implications, such as major housing applications.'

96 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
Alan Dent and Douglas Hull	General	* Personal	Member of National Trust
Councillor Mike Allen	General	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	General	* Personal	Councillor was the Chairman of Cloakham Lawns Sports and Social Club
Councillor Philip Skinner	General	Personal – Remained in the Chamber	Brother was tenant farmer of Maer/Green Farm, Littleham

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

97 Format and timetable for the new East Devon Local Plan

Members considered a report by the Planning Policy Manager setting out the proposed format, timetable and schedule of work for the new East Devon Local Plan.

The Panel noted the following:

- **Format of the new Local Plan** – The draft new Local Plan, which had been consulted on from December 2011 to the end of January 2012, had been drafted to accord with, as far as possible, the emerging thinking and guidance from the then Localism Bill and draft National Planning Policy Framework (NPPF). Since then no further Government guidance had been received through a final NPPF or amended plan making regulations – Government might choose to issue no further guidance regarding Plan making. In order to prevent Plan adoption by the Council being delayed, it was proposed that the format of the Local Plan consulted on in late 2011/early 2012 be amended – key changes related to Part 2 of the plan and the towns of East Devon.
- **Further town specific consultation and policy development** - Analysis of the consultation responses relating to the towns showed some confusion around boundaries to which some of the proposed policies applied and how, when and where non-strategic sites would be identified. To clarify this issue further work on the towns, with Town Council representatives, was proposed which would include defining policy boundaries, including primary shopping frontages and a short consultation on proposed policy sites, boundaries and policy wording. There would then need to be a short period of public consultation.
- **Rural area boundaries and allocation plan** – A second plan would be produced over the next few months that addressed the spatially defined policies for villages, including Built-up Area Boundaries. Delaying the site specific boundary work for villages would allow those Parishes that wanted to produce Neighbourhood Plans the opportunity to identify sites and carry out assessments on those sites. It also gave the District Council an opportunity to work with those parishes that did not want to produce a Neighbourhood Plan but did want to identify suitable allocation sites.
- **Propose timetable and schedule of work for the main Local Plan** - A formal revised Local Plan production timetable, to include the further work with the town councils and public consultation and production of a second plan on village boundaries, was to be produced. The dates for submitting the new main Local Plan to Government for examination was still scheduled for late 2012, with an examination of the plan in 2013.
- **Other work** – There were a series of additional work areas that would need to feed into or sit alongside the Local Plan work, including work on Community Infrastructure Levy (CIL) and Infrastructure Delivery Plan.

Matters raised and issues arising during a subsequent discussion regarding the proposed format and timetable for the new East Devon Local Plan included:

- In the absence of a published final NPPF, and to avoid inappropriate development in East Devon, it was crucial that an adopted new Local Plan for the District was adopted as soon as possible;
- It was clarified that further work concerning the towns was essentially a mapping exercise to define boundaries and policies, such as prime shopping frontages, hotel protection areas and residential allocations, and was not a redrafting exercise. A public consultation on the outcomes of this work would follow;
- A Vitality of High Streets and Town Centres Task and Finish Forum has been set up by the Overview and Scrutiny Committee;

97 Format and timetable for the new East Devon Local Plan cont...

- The opportunity for parishes to engage with the Council regarding their Built-up Area Boundaries and options for small site allocations, without the need to go through the Neighbourhood Planning process, was welcomed. The Panel was advised that this work was scheduled for the summer months. There were concerns about the resource and costs involved with producing a Neighbourhood Plan - there would be an update report on Neighbourhood Plans at the next Development Management Committee;
- Cross referencing should be used in the Local Plan to show where policies for one town apply to another/other towns in the District so as not to produce 8 separate policy documents for each of the towns;
- A breakdown of who had made responses to each section of the draft Local Plan into groups such as numbers of residents, Councillors and developers/land owners was required in order to analyse the information. Members wished to see a balance of the feedback responses;
- Collating and sending all responses relating to individual towns to Town Councils was suggested;
- A query was raised about reallocation of housing if an allocation site was found to be unsustainable at examination. The Panel was advised that allocation sites put forward were subject to a sustainability appraisal. Ultimately the Development Management process would determine how many houses were acceptable for any site;
- Changing factors, such as the economy and demographics, would influence delivery of development. The Local Plan was a 'live' document and would be reviewed every 5 years to take into account such factors;
- Overarching objective of the Local Plan was to have balanced and sustainable communities;
- Concern was raised regarding a lack of input to the Local Plan from agencies relating to health and education. The Panel was advised that infrastructure concerns, such as education and health, would be addressed through the Infrastructure Delivery Plan;
- The Local Plan should include details of specific 'trigger points' for infrastructure provision on allocated sites. The Panel was advised that such 'trigger points' would depend on the scale of application submitted for any allocated site;
- Sound technical evidence was required in order to defend any challenges to the Local Plan at examination.

RECOMMENDED: that the proposed format for the new Local Plan be approved as set out in the Officer's report to the Panel.

RESOLVED that an updated timetable and schedule of work be presented at the next Panel meeting.

98 Draft summary of consultation responses

Members considered part of the summary report setting out the key themes, issues and comments received during the consultation running from November 2011 to January 2012 on the proposed draft new Local Plan. This plan built on previous consultation on the LDF Core Strategy document undertaken in 2010. The Panel noted that this summary report gave an overview of the comments received. Further consultation would be undertaken, in summer of 2012, at the pre-submission stage of

98 Draft summary of consultation responses cont...

Plan production – all of the responses received to this consultation would be included with the submission of the final Local Plan to Government in late 2012.

The responses received during the consultation on the draft Local Plan, including the author of the comment, were available on the website – it was noted that there were a few outstanding comments to be uploaded.

Members discussed at length and made a number of recommendations on some of the draft summary of consultation responses presented. The Panel requested that a refined version of the draft summary of consultations report, to include Officer recommendations and details of numbers of Councillor, residents and developers/landowners for each Chapter in the Local Plan, be brought back to the next Panel meeting.

RECOMMENDED:

that the following recommendations from the Local Plan Panel be incorporated into the Local Plan:

- The Plan period to run until 2026;
- All sustainability appraisal work to be completed;
- Greater reference to/clarification on infrastructure provision;
- Clearer objectives;
- Reference to Devon County Council's Mineral Plan;
- Policy required on stimulating inward investment and connectivity;
- Chapter 2 - Include demographic projections;
- Chapter 3 -
 - Education to feature in the vision for the District;
 - Emphasis to be placed on the use/development of brownfield land;
- Chapter 4 –
 - Reference to waterborne transport potential;
 - Highlight archaeological importance;
 - Greater emphasis on renewable energy potential;
- Chapter 5 –
 - Reference to county wide/based and environment related policies;
 - Reference to submissions having been received from multi-agencies;
- DS1 – Employment - Policy to be developed requiring applicants to explain why existing vacant employment sites were not suitable;

- DS5 –
 - Strengthen comments on surface water/flooding;
 - Clarify which sites are to receive conservation and enhancement commitment - policy too vague;
- DS7 – Clarify boundaries of the Clyst Valley Regional Park and protection areas;
- DS16 –
 - Reference to undesirable withdrawal of services from the town;
 - Investigate proposal that the amenity railway land railway line linking Upper Stoneborough to the East Budleigh Road should be designated a green network and corridor;
- DS19 – Reference to the former rail line to Tipton St John be included in the Ottery St Mary chapter.

RESOLVED that a refined version of the draft summary of consultations report, to include Officer recommendations and details of numbers of Councillor, residents and developers/landowners for each Chapter in the Local Plan, be brought back to the next Panel meeting on the 20 March 2012

The Panel debated the process for undertaking further work relating to the towns to define policy boundaries, including primary shopping frontages and a short consultation on proposed policy sites, boundaries and policy wording. Members wished to see any meetings involving discussions with Town Councils about the Local Plan held in public.

Following the Local Plan Panel meeting legal advice was sought on the recommendation that the proposed meetings officers were to have with representatives of Town Councils should be formally advertised as open to the public to attend and observe. However the Localism Act, which was cited as a reason for these meetings being held in this way, does not do away with fundamental principles and the administrative framework established through the Local Government Act 1972. At the meetings officers would be seeking the views of the Town representatives to help them to prepare a report. The views of the public were not being sought and no decisions would be taken so from an administrative perspective there was nothing to be observed. The views that would be expressed and debated would be compiled into an officer's report that they would submit back to the Panel. It would be the Panel which will make the subsequent decision/recommendation onto the Development Management Committee. It was therefore advised that the meetings should take place as per normal accepted practice and an officer report will be brought to the Local Panel's next meeting.

99 Next meeting

The next meeting of the Local Plan Panel would be held on Tuesday 20 March, 9am, in the Council Chamber.